

Katherine Douglas

Appellant Presentation - EDC # 3



**From:** Tara Rengifo <trengifo@environmentaldefensecenter.org>  
**Sent:** Friday, October 31, 2025 10:56 AM  
**To:** sbcob  
**Cc:** Linda Krop  
**Subject:** Agenda Item No. 3: Appellants Presentation re Sable Change of Owner, Operator, and Guarantor - OPPOSE  
**Attachments:** 2025\_10\_31\_EDC BOS Appeal PPT Presentation\_FINAL.pptx

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Dear Clerk of the Board,

Attached please find Appellant PPT presentation for Agenda Item No. 3, Sable’s Change of Owner, Operator, and Guarantor, submitted by the Environmental Defense Center (EDC) on behalf of GOO!, Santa Barbara County Action Network, Sierra Club, by and through the Santa Barbara-Ventura Chapter, Santa Barbara Channelkeeper, and EDC.

The PPT is also available in a Dropbox link here:

<https://www.dropbox.com/scl/fo/orq859m2ch8upfpvnluia/AKqebxGVVQ1GoStJykqJvrM?rlkey=s3frwgvowjz2dem1bx16o66it&st=2gb237qy&dl=0>

**Please confirm receipt.**

Sincerely,  
Tara



environmental  
DEFENSE CENTER

**TARA C. RENGIFO (she/her/hers)**  
 SENIOR ATTORNEY  
 906 Garden Street  
 Santa Barbara, CA 93101  
 o: 805.963.1622 x113  
[www.EnvironmentalDefenseCenter.org](http://www.EnvironmentalDefenseCenter.org)



We recognize that EDC sits on occupied, unceded, stolen lands of the Chumash Peoples who have called this area home for time immemorial. We commit today to make space to elevate indigenous voices and support our local Chumash and indigenous communities in our work to protect our environment.

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Credit: Erin Feinblatt Photography

# OPPOSE Sable's Applications for Change of Owner, Operator, and Guarantor



environmental  
DEFENSE CENTER

**GOO!**  
Get Oil Out!



Santa Barbara  
**CHANNELKEEPER®**



**SIERRA  
CLUB**

LOS PADRES CHAPTER



# The Board Cannot Make the 25B Findings

- Does Sable have the skills, training, and resources necessary to operate the Facilities in compliance with the Permits and County ordinances? **NO**
- Compliance with all requirements of the Permits? **NO**
- Have all necessary insurance, bonds, and other methods of financial responsibility been provided to demonstrate that *Sable* can respond to an oil spill or accident and abandon the Facilities? **NO**

**FAILURE TO MAKE EVEN ONE OF THESE FINDINGS MUST RESULT IN DENIAL.**

*Desmond v. County of Contra Costa* (1993) 21 Cal.App.4th 330, 336-37.

# Missing Information in Board Letter

- OSFM letter re incomplete repairs required by the State Waivers
  - Court Order that Sable unlawfully conducted repairs without the required permits
  - Injunction stemming from the litigation between the CCC and Sable
  - Injunction against the OSFM
  - Santa Barbara District Attorney's Felony Complaint
  - CSLC Letter questioning Sable's ability to be a transparent operator and related shareholder lawsuits
  - Passage of SB 237, requiring a CDP for restart of the pipeline
  - Sable's operations of the onshore facilities without the Board's approval of the change of operator
- ....and more!

# Chapter 25B Prohibits a Transfer That Would Place the Environment and Public Health at Risk

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
CIVIL MINUTES—GENERAL

Case No. 25-4165-DMG (AGRx)

Date July 25, 2025

Title *Sable Offshore Corp., et al. v. County of Santa Barbara, et al.*

Page 6 of 9

unavailing. One codified purpose of Chapter 25B is to “safeguard the natural resources and environment of the county of Santa Barbara.” Chapter 25B-1. Chapter 25B does not merely provide for the transfer of FDPs, it creates an administrative process designed to bar the transfer of FDPs to a transferee that would place the environment at risk.

Moreover, as a practical matter, Sable cannot restart oil and gas processing and transport in the facilities and pipeline without an FDP. *See Sw. Ctr. for Biological Diversity*, 268 at 822 (“If

# The Board Has Discretion in Making its Decision

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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11 SABLE OFFSHORE CORP., *et al.*,  
12 Petitioners/Plaintiffs,  
13 v.  
14 COUNTY OF SANTA BARBARA, *et al.*,  
15 Respondents/Defendants,  
16  
17 and  
18  
19 ENVIRONMENTAL DEFENSE  
20 CENTER, *et al.*  
21  
22 Intervenor.  
23  
24  
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No. CV 25-4165-DMG (AGRxx)  
ORDER RE CROSS-MOTIONS FOR  
SUMMARY JUDGMENT [36] [43]

“[T]he Board has the authority to conduct de novo fact-finding,” and is not just “giving a thumbs up or down”  
– Honorable Dolly M. Gee, Central District of California

The Board’s “decision of whether findings for approval can be made is discretionary,” and “the County cannot be forced to exercise its discretion in a particular manner”  
– County Counsel

# Chapter 25B's Operator Capability Finding

## Chapter 25B-10(a)(9):

*The proposed operator has the skills, training, and resources necessary to operate the permitted facility in compliance with the permit and all applicable county codes.*

# County Counsel's Interpretation of the Operator Capability Finding

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

SABLE OFFSHORE CORP. et al,

Petitioners/Plaintiffs,

v.

COUNTY OF SANTA BARBARA  
et al.,

Respondents/Defendants,

and

ENVIRONMENTAL DEFENSE  
CENTER et al.,

Intervenors.

Case No: 2:25-cv-04165-DMG-AGR

**RESPONDENTS COUNTY OF  
SANTA BARBARA AND SANTA  
BARBARA COUNTY BOARD OF  
SUPERVISORS' RESPONSE TO  
PETITIONERS' MOTION FOR  
SUMMARY JUDGMENT**

[Filed concurrently with Request to  
Take Judicial Notice; Response to  
Petitioners' Statement of  
Uncontroverted Facts and Conclusions  
of Law; and [Proposed] Order]

Complaint Filed: May 8, 2025

Date: September 12, 2025

Time: 2:00 p.m.

Ctrm.: 8C

Judge: Hon. Dolly M. Gee

Mag. Judge: Hon. Alicia G. Rosenberg

Petitioners' narrow construction of finding 10(a)(9) is contrary to the plain language of the ordinance. There is no language in the ordinance that limits what the decision-maker may consider when evaluating the proposed operator's skills, training, and resources. Certain relevant records must be considered to evaluate past compliance, but there is nothing precluding the decision-maker from considering any other information or records it deems necessary:

# Civil Lawsuits and Criminal Charges against Sable

- *People of the State of California v. Sable*: A Felony Complaint Has Been Filed by the Santa Barbara County District Attorney Against Sable for Alleged Environmental Violations.
- *People of the State of California ex rel. California Regional Water Quality Control Board, Central Coast Region v. Sable*: Central Coast Water Board Filed a Lawsuit against Sable for Unauthorized Waste Discharges.
- *Sable Offshore Corp. and Pacific Pipeline Company v. California Coastal Commission*: Judge Ruled that Sable Engaged in Unauthorized Development in Violation of the Coastal Act and that the Coastal Commission had the Authority to Issue its April 10 Orders.
- *Tracy Johnson v. Sable Offshore Corp. et al.*: Class Action Securities Lawsuit and Public Statements by California State Lands Commission Chair Questioning Sable's Ability to be a Transparent Operator.

# *People of the State of California v. Sable*

THE SUPERIOR COURT, STATE OF CALIFORNIA  
For the County of Santa Barbara  
Figuroa Division

**FILED**  
SUPERIOR COURT of CALIFORNIA  
COUNTY of SANTA BARBARA  
**09/16/2025**  
Darrel E. Parker, Executive Officer  
BY Ballinger, Ryan  
Deputy Clerk

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

**SABLE OFFSHORE CORP.**

Defendant.

DA No. 25-000333  
Court No. **25CR07677**  
**FELONY COMPLAINT**

***People of the State of California ex rel. California Regional Water Quality Control Board, Central Coast Region v. Sable***

24 | quality. Sable's response to the Section 13267 Order demonstrated Sable's V.P. of Environmental  
25 | Management was at best misinformed, incompetent and incorrect. At worst, Sable was simply  
26 | bamboozling the Regional Water Board to meet a critical deadline. Either way, substantial  
27 | penalties are warranted for Sable's egregious conduct.

28 |

# ***Sable Offshore Corp. and Pacific Pipeline Company v. California Coastal Commission***

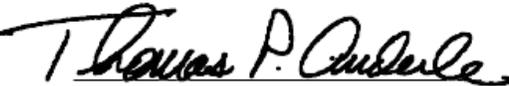
“This is the first time in the [Coastal Commission’s] history that we've had a party blatantly ignore a cease-and-desist order like this and refuse to submit a permanent application. **Sable's representatives have told us that they'll only stop if a court makes them.**”

– Cassidy Teufel, Deputy Director for the California Coastal Commission

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<b>SABLE OFFSHORE CORP., a Delaware corporation; PACIFIC PIPELINE COMPANY, a Delaware corporation, and DOES 1 through 25, inclusive,</b>	Case No. 25CV00974
Plaintiffs, Petitioners, and Cross-Defendants,	<b>[PROPOSED] ORDER GRANTING APPLICATION FOR PRELIMINARY INJUNCTION</b>
v.	Date: May 28, 2025
<b>CALIFORNIA COASTAL COMMISSION, a state agency; and DOES 1 through 25, inclusive,</b>	Time: 10:00 a.m.
Cross-Complainant, Respondent, and Defendant.	Dept: 3
	Judge: The Honorable Thomas Pearce Anderle
	Trial Date: Not set.
	Action Filed: February 18, 2025

4 | IT IS SO ORDERED.  
5 | DATED: 06/10/2025  
6 |

  
Hon. Thomas P. Anderle

# *Tracy Johnson v. Sable Offshore Corp. et al*

STATE OF CALIFORNIA

GAVIN NEWSOM, Governor

CALIFORNIA STATE LANDS  
COMMISSION



*Established in 1938*

EXECUTIVE OFFICE

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Sacramento, CA 95825-8202

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or for Spanish 800.855.3000

May 23, 2025

File Ref.: Leases 7163 and 4977

Steve Rusch ([srusch@sableoffshore.com](mailto:srusch@sableoffshore.com))

Vice President of Environmental & Governmental Affairs  
Sable Offshore Corp.

**Subject:** Sable's Claims Regarding Resumption of Oil and Gas Operations

Dear Mr. Rusch:

offshore pipeline, even in this limited capacity. Sable's failure to clearly and timely communicate these activities to the Commission undermines trust of Sable's motives, demonstrates a lack of understanding of the significant concerns held by many regarding the resumption of activities, and raises serious questions about Sable's willingness to be a transparent operator.

# Sable Lacks the Skills to Operate Safely and In Compliance with the Law

## A Snapshot of Violations and Spills over the Past ~8 Months:

- OSFM Notification of Deficiency re compliance with the State Waivers
- CCC fined Sable an \$18 million-dollar administrative penalty
- CCRWQCB adopted a resolution referring Sable's alleged violations to the California AG after having previously issued notices of violation and directives.
- SBAPCD issued four violations to Sable between July 2025 through September 2025
- CalGEM threatened to initiate enforcement against Sable and impose civil penalties for violations
- Sable reported a chemical spill of 280 gallons of Hydrochloric Acid on August 6
- On August 27, Sable reported a release of 5,000 CuFt of anaerobic biosolid sludge material, some of which leaked beyond the contaminant area. The cause of the release was ***operator error***.

# A Finding of Operator Capability Cannot be Made and The Board Must Deny the Applications.

## Santa Barbara DA Files Criminal Charges Against Sable Offshore

### Federal Court Rejects Sable Offshore Immediate Permit Transfer to Restart Oil and Gas Operation on Central Coast

EDHAT STAFF • Published: September 17, 2025 • 1.8k Views • NEWS REPORT • 15 Comments

### Sable Offshore Slammed with \$18 Million Fine at Marathon Coastal Commission Meeting in Santa Barbara

### Sable Offshore Lands in Hot Water with Regional Water Board over Pipeline Repair Work

State Board Votes 5-0 to Refer Matter to California AG for Judicial Prosecution; Texas Oil Company Poised to Take County of Santa Barbara to Court

By Nick Welsh  
Sat Apr 19, 2025 | 5:00pm

[f](#) [x](#) [m](#) [e](#)  
♥ Add to Favorites

### Judge Denies Sable Offshore's Attempt to Hide Oil-Spill Contingency Plans for Pipeline in Santa Barbara County

### Construction Crews at Work Near Oil Pipeline in Gaviota After State Orders Sable to Cease Unpermitted Work

Excavators, Workers Active at Pipeline Site on Friday, One Week After Coastal Commission Issues Notice of Violation for Unpermitted Activities

By Margaux Lovely  
Fri Oct 04, 2024 | 9:34pm

[f](#) [x](#) [m](#) [e](#)  
♥ Add to Favorites

# Chapter 25B's Permit Compliance Findings

## Chapter 25B-9(a)(5) & 25B-10(a)(5):

*As of the date that the application is deemed complete, the current operator is in compliance with all requirements of the permit, including any requirements of a county-required safety audit, any notice of violation, and any county ordinance, or the owner and proposed operator have entered into a written agreement with the director that specifies an enforceable schedule to come into compliance with such requirements.*

# Lack of Compliance with LFPS Permit



Sable's Defective Pipeline  
Credit: Bill Reitherman

# Chapter 25B's Financial Assurance Findings

## Chapter 25B-9(a)(2), 25B-9(e)(1), & 25B-10(a)(2):

*All necessary insurance, bonds or other instruments or methods of financial responsibility approved by the county and necessary to comply with the permit and any county ordinance have been updated, if necessary, to reflect the new owner(s) and will remain in full effect following the ownership change.*

## **See also Chapter 25B-10(a)(9):**

*The proposed operator has the ... **resources** necessary to operate the permitted facility in compliance with the permit and all applicable county codes.*

# Sable Has Not Shown It Has the Financial Capacity to Remediate an Oil Spill

## XI-2.w. Responsibility for Oil Spill Clean-Up and Resource Restoration

In the event of an accidental spill of crude oil or gas products processed at facilities constructed pursuant to this Development Plan, ~~ExxonMobil~~ Sable shall immediately implement the provisions of its federal, state, and County-approved spill contingency containment and clean-up plans. If any area is disturbed within Santa Barbara County, ~~ExxonMobil~~ Sable will immediately restore and revegetate the area pursuant to procedures identified in the revegetation plan approved by the Director of the Planning and Development Department (Condition XIV-3). ~~ExxonMobil~~ Sable shall be responsible for the cleanup of all affected coastal and onshore resources, and for the successful restoration of all affected areas and resources to prespill conditions. Subject to applicable law, ~~ExxonMobil~~ Sable shall be

# Sable Has Not Submitted the Full Insurance Policy AGAIN

The complete terms, conditions, and exclusions of the policy itself must be understood to know:

- Does the policy apply to negligent behavior? Does it require permit compliance?
- Who is actually insured, e.g., contractors, subsidiaries?
- Does the policy exclude pollution-caused property damage?
- Are slow leaks and corrosion covered?
- Are there known-conditions exclusions?
- Are indemnity obligations (e.g., to County or agency) excluded?
- Are there sub-limits for specific hazards, e.g., fire?
- If the \$700M limit is from an umbrella policy, how does the umbrella policy interact with the underlying insurance? Are the policy limits for both policies sufficient? Does the umbrella policy require strict exhaustion?



# The Board Cannot Make the 25B Findings



We therefore ask the Board to:

- Deny the Applications; and
- Direct staff to cease allowing Sable to operate the Facilities.