

Ramirez, Angelica

Public Comment

#3

From: Julie Teel Simmonds <jteelsimmonds@biologicaldiversity.org>
Sent: Friday, March 4, 2022 11:58 AM
To: sbcob
Subject: Agenda Item 3 - ExxonMobil Interim Trucking for Santa Ynez Unit Phased Restart Project (Case No. 17RVP-00000-00081) - DENY PROJECT
Attachments: 2022-03-04_CBD Comments to SB BOS re Exxon Trucking.pdf



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Dear Chair Hartmann and Board members,

Thank you for considering the attached comments on Agenda Item 3.

Sincerely,

Julie Teel Simmonds, Senior Attorney
Center for Biological Diversity
Oceans Program
619-990-2999

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Via electronic mail and hard copy delivery

March 4, 2022

Ms. Joan Hartmann, Chair
Santa Barbara County Board of Supervisors
105 East Anapamu Street
Santa Barbara, CA 93101
Email: sbcob@countyofsb.org

Re: Item 3: ExxonMobil Interim Trucking for SYU Phased Restart Project (17RVP-00000-00081; SCH# 2018061035; Case No. 19EIR-00000-00001) - DENY

Dear Chair Hartmann and Board members:

The Center for Biological Diversity is writing to urge the Santa Barbara County Board of Supervisors to deny ExxonMobil's trucking project. The Center has submitted comment letters to the Planning Commission on this project on multiple occasions (June 4, 2019, March 27, 2020, September 27, 2021, October 13, 2021, and November 1, 2021) and submitted comments to the Santa Barbara County Air Pollution Control District (May 25, 2021) on the Part 70 permits needed to restart ExxonMobil's Santa Ynez Unit. To avoid repeating the contents of those letters, we hereby incorporate them by reference and submit them and their references in full with this letter for your convenience.¹

Below, we highlight a few key points and developments.

Trucking oil is inherently dangerous and presumptively prohibited in California for good reason. Oil truck accidents cause fires and explosions, injure and kill people, and spill hundreds of thousands of gallons of crude oil every year onto roads and into waterways, harming water, biological, and cultural resources. The extraordinarily high rate of accidents makes trucking one of the worst forms of oil transport. That is why both the State of California and Santa Barbara County generally prohibit transporting oil drilled offshore by truck.²

Staff recommended taking Highway 166 off the table because of unacceptable accident and spill dangers. Notably, in 2020, the Santa Barbara Planning Commission Staff Report recommended that the Pentland Terminal in Kern County be "eliminat[ed] . . . as one of the main receiver sites during normal operations,"³ because of the danger posed by transporting oil and

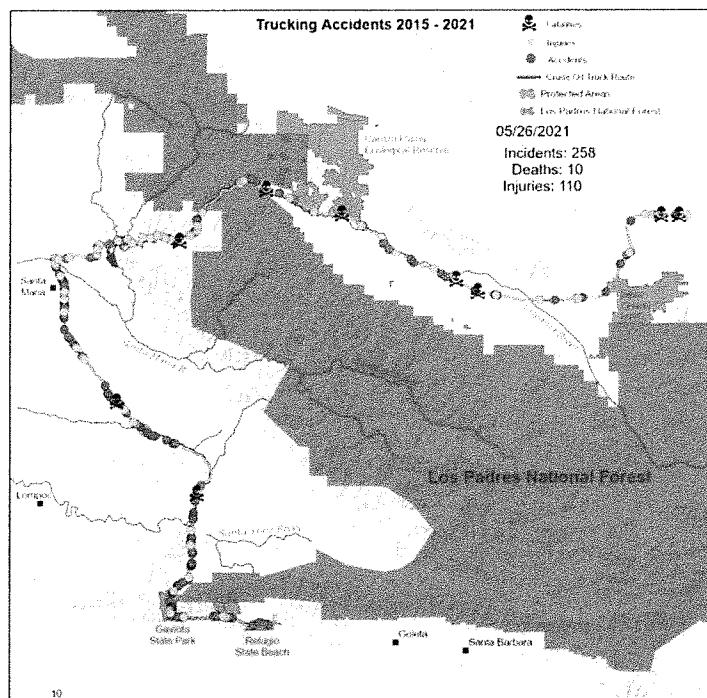
¹ We are mailing the files to you but also provide them at this link for your convenience:
<https://tinyurl.com/bdf2fu34>.

² Coastal Act § 30262(a)(7)(B); Santa Barbara County Code § 35.52.060(B)(10).

³ Santa Barbara County Planning Commission, Staff Report for ExxonMobil Interim Trucking for Santa Ynez

gas by tanker truck on Highway 166, which follows the course of the Cuyama River.⁴ The remaining destination for the tanker trucks, the Santa Maria facility in San Luis Obispo, became impracticable beyond the very short-term when in August 2020 Phillips 66 announced that it is shutting down its Santa Maria refinery and associated pipeline system in 2023—including the Santa Maria Pump Station to which ExxonMobil planned to send its crude oil. The ExxonMobil proposal currently in front of you would allow up to 173,740 round trips of oil tanker traffic over the course of the project along this proposed-to-be-eliminated, too dangerous Highway 166 route.

Our previous letters have detailed the risks from trucking accidents and spills along the proposed routes. For example, in our September 27, 2021 letter, we provided data and a data visualization video that show the locations of collisions and deaths involving tanker trucks, tractor-trailers, and box trucks along the proposed route (there were 258 large-truck incidents requiring a police response with 110 injuries and ten deaths between January 2015 and May 2021 alone). We provided a [link](#) to an MP4 video of accidents along the Exxon trucking route during this time period. We also provided the [raw data](#).



Phased Restart (July 22, 2020).

⁴ The 2020 Staff Report found that an alternative trucking route to Santa Maria Pump Station only rather than the Santa Maria Pump Station and Pentland Terminal in Kern County “would reduce truck miles traveled by substantially limiting the number of trucks that could go to the Pentland Terminal. State Route 166 has several long road stretches that parallel waterways such as the Cuyama River. By substantially limiting the number of trucks that could use State Route 166, this alternative would also reduce the probability of an oil spill entering a waterway.” *Id.* at 22.

Accidents since that time, including the crude oil tanker crash that caused a vegetation fire and small oil spill near Orcutt last October,⁵ continue to underscore the threats this project poses to the environment and public health, safety, and general welfare.



Photo: SB County Fire Department (Oct. 11, 2021)

Our previous comments also included poll results from a 2019 poll conducted by Public Policy Polling, which revealed that a majority of Santa Barbara County voters oppose proposals to restart ExxonMobil’s offshore drilling platforms, and 72 percent of respondents said they were concerned about highway safety if up to 70 additional oil tankers are added to their highways:⁶

Q5 How concerned are you about the safety of our local highways if up to 70 oil tanker-trucks are allowed on our roads each day: very concerned, somewhat concerned, or not concerned at all?

<i>Very concerned</i>	44%
<i>Somewhat concerned</i>	28%
<i>Not concerned at all</i>	25%
<i>Not sure</i>	4%

The oil spill risk and climate impacts of this project are unacceptable. The recent San Pedro Bay Pipeline failure and oil spill off of Long Beach and Huntington Beach⁷ and DCOR Pipeline

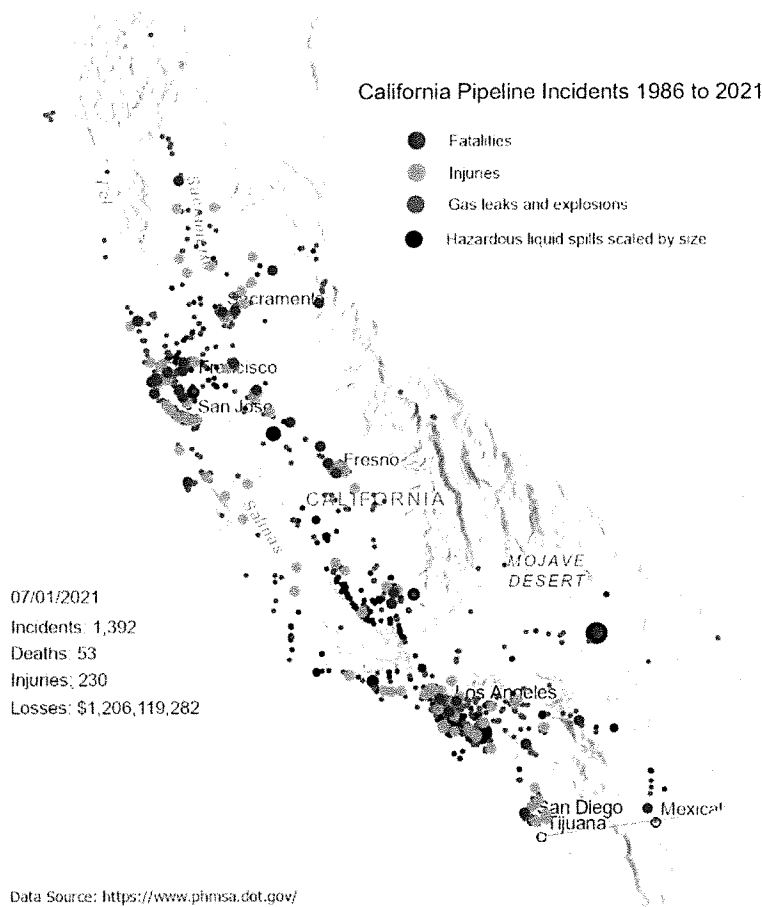
⁵ See, e.g., G. Magnoli, Crash involving oil tanker truck causes vegetation fire east of Orcutt, Noozhawk (Oct. 11, 2021) (submitted with previous letter).

⁶ Public Policy Polling, Santa Barbara, CA Survey Results (2019) (submitted with previous letter).

⁷ U.S. Dept. of Transportation, Pipeline and Hazardous Materials Safety Administration, Corrective Action Order, CPF NO. 5-2021-054-CAO (submitted with previous letter).

0919 leak off Huntington Beach⁸ are just the latest events counseling for denial of this project, which will facilitate the restart of offshore oil production and offshore pipelining of oil to ExxonMobil's onshore facilities and then its oil tankers.

As previously submitted to the Planning Commission, a Center for Biological Diversity analysis found that nearly 1,400 oil and gas pipeline leaks, spills and other incidents in California since 1986 have caused at least \$1.2 billion in damages, as well as 230 injuries and 53 deaths. A time-lapse video informed by the analysis maps every significant pipeline incident in California — along with their financial costs and toll in injuries and deaths — from 1986 to July 2021.⁹ According to federal data, California has suffered an average of 40 significant pipeline incidents per year.



⁸ Vega, Priscilla, California-based oil company identified as source of latest sheen off Orange County coast, LA Times (Dec. 26, 2021).

⁹ See Center video of California Pipeline Incidents 1986 to 2021 available at https://www.youtube.com/watch?v=KmF_Xpuo0IM.

Along with the accident and spill risks this project poses, the climate risks of restart and trucking are significant. This project will generate 317,043 metric tons of carbon dioxide equivalents (CO₂e) per year, emissions that are at odds with state and County climate policies and targets. The latest component of the United Nations Intergovernmental Panel on Climate Change 6th Assessment Report released last month contains sobering conclusions about the more frequent, more intense climate impacts we are already experiencing and those we can expect if we do not limit warming to 1.5 degrees Celsius.¹⁰ If we do not stay below this limit, we will see “irreversible changes to ecosystems, mounting damages to infrastructure and housing, stress on economic sectors, and disruption of livelihoods, mental and physical health, leisure, and safety.”¹¹

The recent spills and expert reports should be the last wake-up call decisionmakers need before saying no to more fossil fuel extraction and processing in an era of aging infrastructure, diminishing returns, and unacceptable harms.¹² As one example of leadership following these spills, Senator Min (D-Irvine) has introduced Senate Bill 953, which would require the State Lands Commission to terminate all remaining oil and gas leases under its jurisdiction in tidelands and state waters by December 31, 2023. The LA Times echoed the need for that bill and related action in an editorial published March 2.¹³ These devastating and costly incidents will continue until California and the federal government put an end to this dirty and dangerous extraction business.

The recent spills also underscore the folly of touting any benefits of restart when evaluating this project and yet looking only at the trucking aspects of ExxonMobil’s proposal when evaluating its environmental impacts and risks. There is no trucking without a restart, and with restart come many more impacts and risks that have never been properly evaluated. For the County to rely on a thirty-five year old joint Environmental Impact Statement/Environmental Impact Report (EIR) and Supplemental EIR for that analysis violates the California Environmental Quality Act (CEQA), as we have detailed in previous letters.

Santa Barbara County has already experienced more than enough devastating effects of oil spills (including the 2015 Refugio spill), truck accidents, and climate change (including more

¹⁰ IPCC WGII Sixth Assessment Report, Chapter 14.

¹¹ *Id.* at 14-3; as Bill McKibben recently summarized, “now is the moment to remind ourselves that, in the last decade, scientists and engineers have dropped the cost of solar and windpower by an order of magnitude, to the point where it is some of the cheapest power on Earth. The best reason to deploy it immediately is to ward off the existential crisis that is climate change, and the second best is to stop the killing of nine million people annually who die from breathing in the particulates that fossil fuel combustion produces. But the third best reason – and perhaps the most plausible for rousing our leaders to action – is that it dramatically reduces the power of autocrats, dictators, and thugs.” McKibben, B., This is how we defeat Putin and other petrostate autocrats, *Guardian* (Feb. 25, 2022).

¹² *See, e.g.*, R. Xia et al., California’s offshore oil rigs are decades old, and industry resists decommissioning them, *LA Times* (updated Oct. 11, 2021) (submitted with previous letter).

¹³ The Times Editorial Board, Editorial: End drilling in California waters to protect the coast and climate, *LA Times* (Mar. 2, 2022).

destructive wildfires,¹⁴ droughts, and sea level rise) to know that this project poses a unnecessary and unacceptable threat to California's beaches, wildlife, coastal resources, and residents.

There are numerous other reasons for denial. As detailed in our previous letters, the Board of Supervisors can and should deny ExxonMobil's proposal to restart the Santa Ynez Unit platforms and Las Flores Canyon processing plant and truck their product along California's highways for many other reasons, including significant, inadequately analyzed, and inadequately avoided or mitigated impacts to air and water quality, marine wildlife and habitat, onshore natural and cultural resources, recreation, and public safety. Further, as substantiated by the Planning Commission, the project is inconsistent with the County's Land Use Development Code and Coastal Zoning Ordinance and does not present overriding considerations that justify its approval, as we also explained in detail in our September 27, 2021 letter.

In sum, please embrace a cleaner and safer future and vote to reject this dangerous and unnecessary project.

Sincerely,



Julie Teel Simmonds, Senior Attorney
Oceans Program

¹⁴ Fires include the Alisal Fire that threatened the ExxonMobil processing facility in Las Flores Canyon last October. See H. Smith et al., Sundowner winds stymie fire crews as Alisal Fire grows to more than 15,000 acres, LA Times (Oct. 13, 2021) (submitted with previous letter).