

Comments of Center for Biological Diversity & Wishtoyo Foundation

Mark Patronella & Rachel Mathews

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Because the procedures, operating techniques, design, and equipment “were part of the project description which received environmental analysis, a failure to include such procedures in the actual project could result in significant unanticipated environmental impacts. **Therefore, modifications of these procedures will not be permitted without a determination of substantial conformity or a new or modified permit.**”

Las Flores FDP Permit Condition, A-7



Corrosion Design Criteria and Corrosion Control Procedures.

Protection of a pipeline from corrosion is of critical importance to the environment as well as the pipeline operator. Pitting of the pipeline can occur due to chemical reaction between the soil and the carbon steel pipe if it is not adequately protected. This pitting would eventually reduce the strength of the pipe sufficiently to cause a break and allow an oil leak. Therefore, Getty and Celeron/All American intend to wrap the pipelines in accordance with applicable regulations. Additionally, cathodic protection would be installed as required within 12 months of the pipeline installation dependent upon soil and chemical conditions. Corrosion control test stations would be installed with which to test the integrity of the corrosion protection. This is all in accordance with 49CFR-195.



Image: 2015 Refugio Beach Oil Spill
Source: NOAA





15 CM

Image: The failed pipe and surrounding insulation and coating
Source: PHMSA

The operator “shall obtain a new or modified permit, or authority to continue operation under the existing permit prior to undertaking any of the following activities which may, in the judgment of the County, result in significant changes to the impacts on the County. Such changes could include but not be limited to:

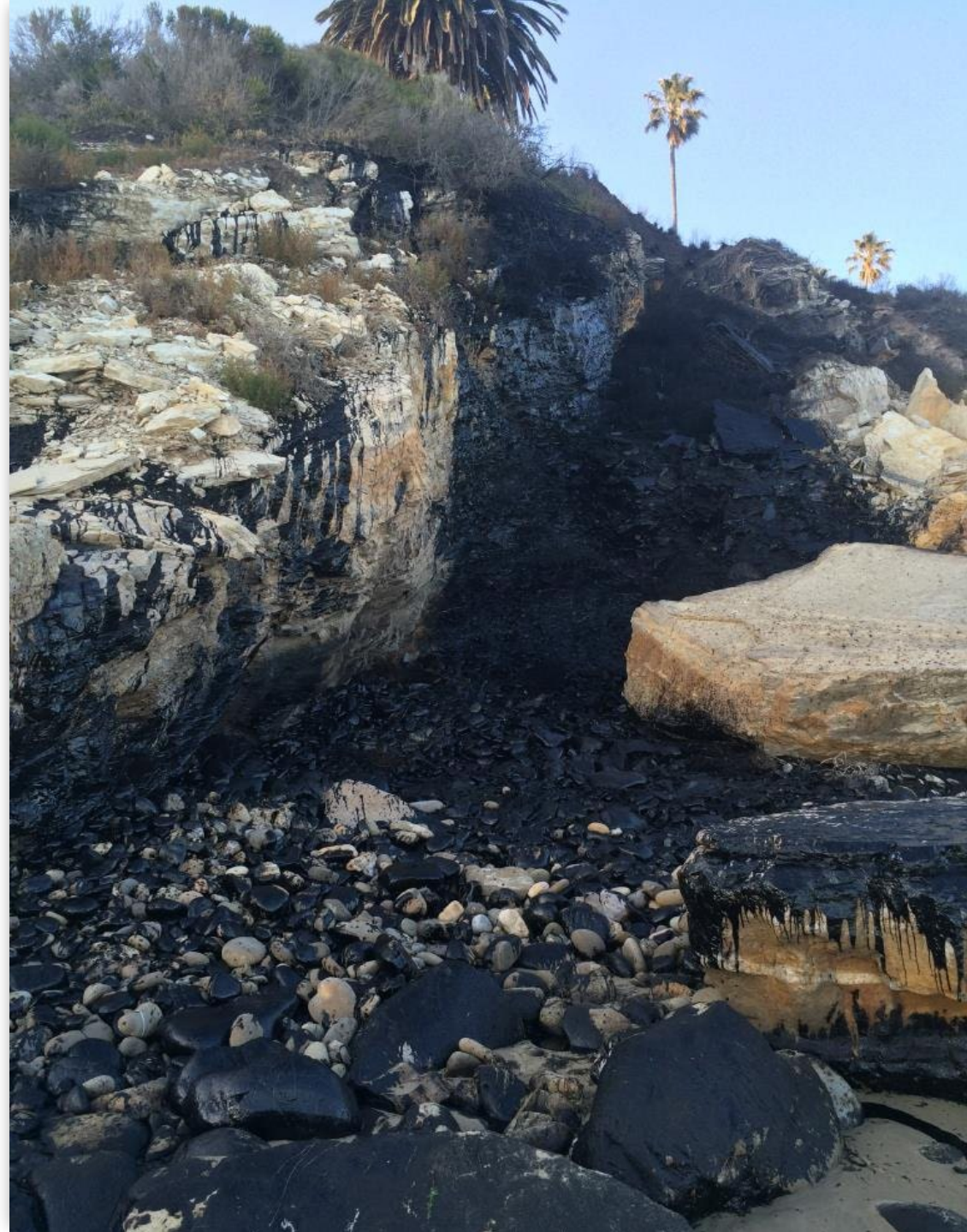
1) major pipeline ... modifications”

Las Flores FDP Permit Condition, A-13.



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Las Flores FDP Permit Condition, A-7



“If at any time County determines that these permit conditions are inadequate to effectively mitigate significant environmental impacts caused by the project, or that recent proven technological advances could provide substantial additional mitigation, then **additional reasonable conditions shall be imposed** to further mitigate these impacts.”

Las Flores FDP Permit Condition, B-2



Image: Harbor seal pup rescued at Refugio Beach oil spill.
Source: USFWS



Image: Shore crab coated with oil
rescued at Refugio Beach oil spill
Source: Coast Guard



Image: 2015 Refugio Beach oil spill.
Source: Coast Guard



LFP and POPCO Permit Terms

B-2. Condition Effectiveness Review and Imposition of New Conditions

If at any time County determines that these permit conditions are inadequate to effectively mitigate significant environmental impacts caused by or potentially caused by the project, or that recent proven technological advances could provide substantial additional mitigation, then additional reasonable conditions shall be imposed by the Planning Commission to further mitigate these impacts. Imposition of such conditions shall only be considered and imposed as part of a comprehensive review of the project conditions. The County shall conduct a comprehensive review of the project conditions and consider adding reasonable conditions which incorporate proven technological advances three years after permit issuance and at appropriate intervals thereafter. The County may also conduct a comprehensive review of conditions which are not effectively mitigating or will not effectively mitigate impacts at any appropriate time and, based upon that review, impose additional reasonable conditions to effectively mitigate such impacts. Upon appeal and written request of POPCO to the Board of Supervisors, the Board of Supervisors shall determine whether the new condition required is reasonable considering the economic burdens imposed and environmental benefits to be derived.

B-2. Imposition of New and Comprehensive Review of Conditions

If at any time County determines that these permit conditions are inadequate to effectively mitigate significant environmental impacts caused by the project, or that recent proven technological advances could provide substantial additional mitigation, then additional reasonable conditions shall be imposed to further mitigate these impacts. Imposition of such conditions shall only be considered and imposed as part of the County's comprehensive review of the project conditions. County shall conduct a comprehensive review of the project conditions and consider adding reasonable conditions which incorporate proven technological advances three years after permit issuance and at appropriate intervals thereafter. A comprehensive review of conditions which are not effectively mitigating impacts may be conducted at any appropriate time. Upon written request of PPC, the Board of Supervisors shall determine whether the new condition required is reasonable considering the economic burdens imposed and environmental benefits to be derived.

Q-2. Abandonment Procedures

Immediately following permanent shut down of the facilities permitted herein, POPCO shall abandon and restore all facility sites covered under this permit consistent with County policies on abandonment and restoration of said facilities in effect at that time. Absent any policies, POPCO shall remove any and all abandoned processing facilities and portions of the import pipeline, buried or unburied, constructed and/or operated under this permit, excavate any contaminated soil, re-contour all sites and revegetate all sites in accordance with a County approved abandonment and restoration plan within one year of permanent shut down. POPCO shall post a performance bond, or other security device acceptable to County Counsel, in an amount determined by the County.

O-1. Removal of Pipeline and Pump Stations Upon Permanent Shut Down

Immediately following permanent shut down of the pipeline, PPC/Sable shall remove abandoned pump stations and unburied portions of the pipeline within Santa Barbara County constructed under this permit, recontour the site and revegetate the site in accordance with a County approved revegetation plan within one year of permanent shut down. PPC/Sable shall post a performance bond to insure compliance, or continue to pay property taxes as assessed during project operation until site restoration is complete, as determined by the County.

XIX-1. Abandonment Procedures and Performance Bond

When averaged (arithmetic mean) operational throughput of oil and gas processing facilities, storage, or transportation facilities over any twelve (12) consecutive month period is at or below 3 percent of the maximum permitted operating capacity, the County shall review the permits at a duly noticed public hearing to determine if facility abandonment or facility modifications are appropriate, and if the site should be rezoned or redesignated in the Comprehensive Plan. If such a determination is made, ~~ExxonMobil~~ Sable shall remove any and all abandoned facilities constructed under this permit, excavate any contaminated soil, recontour the site, and revegetate the site in accordance with a County approved Abandonment Plan within one year of such determination.

~~ExxonMobil~~ Sable shall post a performance bond or other security device acceptable to County Counsel to ensure compliance, or continue to pay property taxes as assessed during project operation until site restoration is complete, as determined by the County.