



August 1, 2016

Charlene L. Downey, Captain
USCG Sector Los Angeles-Long Beach
1001 S. Seaside Avenue
San Pedro, CA 90731

Chuck Bonham, Director
California Department of Fish and Wildlife
1416 9th Street, 12th Floor,
Sacramento, CA 95814

Thomas M. Cullen Jr., Administrator
Office of Spill Prevention and Response
1700 K Street, Suite 250
Sacramento, CA 95811

Re: Los Angeles-Long Beach Area Oil Spill Contingency Plan Update

Dear Ms. Downey, Mr. Bonham, and Mr. Cullen,

The following questions are submitted by the Environmental Defense Center (“EDC”), a public interest environmental law firm, in response to the proposed update of the 2011 Sector Los Angeles-Long Beach Area Contingency Plan (“ACP”). EDC has a long history of working to protect the coast of California, Santa Barbara and Ventura Counties in particular, from the risks and impacts of oil and gas development. Our organization recognizes the value and importance of a well prepared oil spill contingency plan. We are aware that there is a process underway to update the Los Angeles-Long Beach ACP, which is especially critical in the aftermath of the Refugio Oil Spill, and have questions regarding the public process and transparency relating to the update.

The ACP is an important tool to mitigate or prevent a substantial threat of oil discharge.¹ Updates to the ACP are crucial to ensuring the best techniques are used to prevent and mitigate

¹ 33 U.S.C.A. § 1321(j)(4)(C)(i).

oil discharge. There is a lesson to be learned from every oil spill. The planning process involves all stakeholders working together to produce a thorough document to prevent and respond to oil spills. Transparency between all stakeholders is paramount to effectively review, update, and revise the ACP.

The disastrous Refugio oil spill provided many lessons to be learned. The oil spill created a complex response covering both inland terrestrial areas and shoreline areas. Evaluation reports have been produced by multiple agencies including the United States Coast Guard (“USCG”), California Department of Fish and Wildlife (“CDFW”) and Office of Spill Prevention and Response (“OSPR”), and County of Santa Barbara. These reports, along with stakeholder input, provide recommendations for updating the ACP to ensure that the plan is designed to prevent and mitigate impacts to natural resources from oil spills.²

There is tremendous public interest in ensuring that lessons learned from the Refugio oil spill are incorporated into the ACP. Public stakeholders can only be beneficial to the process, however, if they have easy access to ACP documents and the update process itself. As the co-chair to preparation of area plans, the USCG website is an obvious, resourceful place for documents to be placed. However, there is no ready access to the ACP or ACP update information on the USCG website. Instead, the only meaningful public access to the Los Angeles/Long Beach Area Contingency Plan is on the CDFW website. That version of the ACP, however, is not up to date. The Volume I index dated April 11, 2006, does not align with the current ACP dated November 12, 2011. An index is used for quick and efficient review of a document. A current index to match the 2011 report would allow stakeholders to perform an adequate evaluation. Accordingly, **the existing ACP needs to be updated on the CDFW website to accurately inform the public, and should be available on the USCG website as well.**

Finally, although we have been informed that the agencies are in the process of updating the 2011 ACP, there is no ascertainable means to sign up for notices or information about how the public can engage in the process. Public input, especially after a major oil spill, is an essential part of the ACP planning process. **The USCG and CDFW websites should provide clear information regarding the Los Angeles/Long Beach ACP update process and how the public can become involved.**

Thank you for your consideration of our comments and concerns. We look forward to a comprehensive, transparent public process to update the ACP in light of the lessons learned from

² See, e.g., California Department of Fish and Wildlife, Office of Spill Prevention and Response, *Refugio Oil Spill Response Evaluation Report* (2016), at p. 11 (“The ACPs are designed to facilitate and expedite formation of an incident command and implementation of environmental protection strategies to mitigate impacts to natural resources from oil spills. These plans are exercised through drills, exercises, and spill responses, and are updated on a regular schedule on learning outcomes from these (oil spill) experiences.”)

the Refugio oil spill. Such an update must include vital information that will help prevent or mitigate future oil spills.

Sincerely,



Linda Krop,
Chief Counsel

cc: U.S. Senator Barbara Boxer
U.S. Senator Dianne Feinstein
Congresswoman Lois Capps
State Senator Hannah-Beth Jackson
State Assemblymember Das Williams
Santa Barbara County Board of Supervisors
Santa Barbara County CEO