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de la Guerra, Sheila

From: Thomas Becker <lesdeplorable7@gmail.com>
Sent: Friday, May 31, 2019 7:08 AM
To: sbcob; Williams, Das; Jean Yamamura; Hartmann, Joan; Hart, Gregg
Subject: Public comment, agenda item A-3, BOS meeting 6/4/19
Attachments: Exxon draft SEIR.docx

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Please see attached document. The county government is engaged in an intentional effort to damage the oil and gas industry. These efforts by the county government include intentional violations of CEQA during the preparation of environmental documents.

Tom Becker
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5/27/19

To: SB County Planning and Development

From: Tom Becker

Subject: Public comment, Exxon Interim Trucking Project draft SEIR.

- 1) County P&D is required by CEQA to act in good faith as the lead agency for the Exxon Interim Trucking Project SEIR ("the SEIR").
- 2) County P&D is required to respond fully, accurately and truthfully to questions and comments submitted by the public that address project alternatives and/or address the adequacy and scope of the SEIR.
- 3) County P&D has violated CEQA by deliberately refusing to respond to public comments that were submitted during the scoping period that address project alternatives and/or the adequacy and scope of the SEIR.
- 4) County P&D has violated CEQA by intentionally refusing to provide the public with information that the county has in its possession and the public needs to properly prepare comments on the draft SEIR.
- 5) County government has intentionally damaged the public's ability to participate in this SEIR process and other environmental documents, in violation of CEQA.
- 6) County government has officially established a position that the county government opposes onshore and offshore oil development.
- 7) County government has officially established a position that the elimination of oil and gas facilities within the county or offshore of the county will be carried out by all departments of the county government, and all actions taken by county government departments concerning oil and gas production will have as their objective the elimination of oil and gas facilities.
- 8) The actions of County P&D as lead agency of the SEIR appears to indicate that P&D intends to manipulate the SEIR process to inflict maximum damage to oil and gas processing and production facilities. This is a gross violation of the SEIR process and CEQA.
- 9) As part of the SEIR scoping process, I submitted an alternative for the project. My alternative called for repairing the existing Line 901/903 Pipeline. It is my belief that repairing the pipeline will be much shorter in duration than replacing the pipeline. This alternative will reduce both the time and impact of the trucking plan. P&D staff deliberately refused to consider my alternative, in violation of CEQA.
- 10) I have researched the condition of the existing Plains Line 901/903 pipeline. I have been given access to information that was not made available to the general public. The existing pipeline is fully repairable, and Plains was given permission by PHMSA to repair the pipeline in 2016. There are several areas of the pipeline that PHMSA has indicated as possible defects. I have been given the locations of several of those possible defects. PHMSA requires those locations be excavated and examined externally, and repaired as necessary, if Plains wishes to place the existing pipeline back in service. It has been estimated that the examination of and repairs to the existing pipeline would take about 1/3 the time of replacing the pipeline.

- 11) During my investigation of the Plains 901/903 pipeline, I was informed that county staff, specifically P&D, refused to accept documents from PHMSA concerning the condition of the existing pipeline before and after the rupture. PHMSA was informed by county government that the county government would not accept documents from PHMSA because the county did not want to be required to make those documents available to the public. This decision by the county appears to be a possible attempt to develop “plausible deniability” on the part of the county to protect the county’s interest and positions in environmental documents and court cases.
- 12) It is my position that the Plains 901/903 pipeline should be kept at its present 300,000 BPD capacity, or expanded up to 500,000 BPD. This would allow the pipeline to transport future oil production from the OCS, or allow oil produced in Alaska to be transported through the pipeline via marine terminals located in the OCS offshore of Santa Barbara County.
- 13) County P&D has confirmed, in an email response, that transporting Alaskan oil via offshore terminals connected to the current Line 901/903 is an environmentally superior alternative to the current practice of Alaskan oil tankers continuing on past Santa Barbara County, near the Channel Islands, and into the Port of Los Angeles/Long Beach, which is in the SCAQMD.
- 14) County P&D has confirmed that repairing the existing pipeline would not require any “discretionary approvals”, eliminating the requirement for an EIR for the pipeline replacement. That fact alone would reduce the time required to return the pipeline to service by over a year. That in and of itself would eliminate 4,380 truck trips.
- 15) At an open house hosted by ExxonMobil and Plains on January 31, both the ExxonMobil representative, Tobe, and the Plains representative Steve Greig stated that the pipeline reduction was requested by ExxonMobil for the purpose of reducing ExxonMobil’s transportation cost. Steve Greig went further, and stated that Plains would be more than happy to repair the existing pipeline, keeping the existing 300,000 BPD capacity, if they had another customer to put oil in the pipeline. Mr. Greig stated that repairing the existing pipeline would be far faster and cheaper than installing a new pipeline.
- 16) County P&D staff has refused to respond to questions asking if any past or present employee of the county government proposed, discussed or considered reducing the pipeline capacity as a way of preventing the pipeline from being used to transport future new oil production. P&D staff also refused to answer questions concerning county government’s discussions with Plains concerning the pipeline reduction, and if county government threatened Plains or put pressure on Plains to reduce the pipeline diameter.
- 17) County staff has confirmed that they have never contacted BOEM, BLM or any other federal agency or entity to obtain the federal government’s position about reducing the pipeline diameter, preventing the pipeline from being available to transport future new oil produced from federal lands.
- 18) In a letter sent to BOEM on March 18, 2018, P&D stated that county government would be submitting environmental documents producing during environmental reviews of oil and gas projects as scientific responses to the proposed new BOEM 5-year leasing plan. That would include this SEIR and the EIR for the pipeline replacement project. Because of the county’s gross violation of CEQA during this SEIR, which includes deliberate refusal to answer questions,

deliberate refusal to consider alternatives submitted by the public, deliberate refusal to provide requested information and county government's deliberate actions to damage the oil and gas industry during environmental reviews, the county government has demonstrated a shocking lack of good faith, which should be taken into account by BOEM and any court of law.

- 19) I consider all emails sent and received between me and P&D concerning the ExxonMobil Interim Trucking plan as attached to and submitted as part of this public comment. That would include all questions posed to staff, comment made, positions taken and responses received.

Thank you,

Tom Becker

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