

Heal the Bay



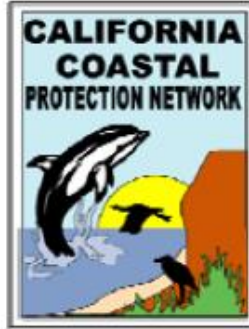
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June 11, 2015

OSPR Administrator Tom Cullen
Department of Fish and Wildlife
Office of Spill Prevention and Response
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Sacramento, CA 95811
Via email: Thomas.Cullen@wildlife.ca.gov

Commander Darcie G. Cunningham
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San Pedro, CA 90731
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Dr. Karen Smith, Director
California Department of Public Health
PO Box 997377, MS 0500
Sacramento, CA 95899-7377
Via email: karen.smith@cdph.ca.gov

Re: Appeal for stronger response to oil washing ashore in Southern California

Dear Mr. Cullen, Commander Cunningham, and Dr. Smith:

This letter is submitted by the undersigned environmental organizations throughout the State of California who are deeply concerned about the Refugio oil spill, along with numerous accounts of oil washing ashore throughout Southern California. The spill will have long-term impacts on our coastal environment and communities. Over the past two weeks, oil of unknown origin has been documented washing onto beaches from Ventura to Orange Counties. Impacted beaches witnessed by the undersigned organizations and our members include Oxnard, El Matador, Zuma, Malibu Surfrider, Sunset, Santa Monica, Venice, Playa del Rey, Dockweiler, Manhattan Beach, Hermosa Beach, Redondo Beach, Torrance, and Long Beach. Although, the source of this oil has not yet been determined, we are concerned about its environmental, economic, and human health impacts.

Unfortunately, it appears that the Refugio oil spill was caused, in part, due to weakened regulatory oversight that resulted in a delayed shutdown of the pipeline. It is imperative that the response and ultimate restoration be legally robust, and include the areas throughout Southern California that are impacted by oil washing ashore if this oil is indeed linked back to the Plains All American Pipeline rupture in Santa Barbara County.

We write to implore you that efforts be made to investigate all reports of unusual oil washing ashore in Southern California. It is imperative that all unusual oil be recovered, tested for source identification, and accounted for, so that the responsible party is appropriately held accountable (in the event that the oil source is determined to be unnatural).

We also urge you to take stronger measures to ensure beachgoer safety. With the summer season in full effect, South Coast beaches are heavily visited. In Los Angeles County alone, there are over 40 million beach visits each year, contributing an estimated \$30 billion in economic benefits to the local economy.¹ We appreciate OSPR and the US Coast Guard's response to send clean-up crews to beaches in the South Bay and Long Beach after reports of abnormal amounts of oil washing ashore. Since the beaches were reopened, staff and volunteers from several of our organizations have observed unusually high amounts of oil and tar at several beaches throughout Los Angeles – at beaches well beyond the South Bay, including Zuma, Latigo, Santa Monica, Venice, and others (see attachment A). The reasoning provided by authorities for reopening beaches was that the oil deposits were back to a visual baseline level after clean-up. We are concerned that the visual assessment is not enough to determine beach safety. Although clean-up efforts

¹ http://www.micronomics.com/articles/Visitors_Economic_Impact_Study.pdf

remove the larger oil deposits washing ashore, smaller oil deposits have remained scattered throughout the wrack line on oiled Los Angeles beaches where clean-up efforts have been completed.

Therefore, we request that chemical testing of the sand be conducted along the oiled section of affected beaches after clean-up efforts to determine whether or not there is any human health risk. Beachgoers, including young children, often play in the area of beach where wet and dry sand meet (which is also where the oil is washing ashore and remains present after clean-up efforts). We are concerned that they may become sick or experience skin irritation from coming into contact with or ingesting oil-contaminated sand. The potential public health impacts need to be better assessed before deeming the beaches clean.

Furthermore, we recommend that warning signs be posted along the beaches, alerting beachgoers to the oil presence and encouraging them to avoid contact with the oil deposits along the beach. This is especially important since it is prime summer beachgoing season, and the oil fingerprinting analysis results are still pending to determine the source of the oil, and its toxicity.

Our organizations collectively have a broad volunteer base that is eagerly seeking ways to help with the issue of oil washing ashore in Southern California. Many of our volunteers have been reaching out with inquires about how they can help clean-up the oil deposits along South Coast beaches. We understand that there are protocols in place by which oil and tar deposits along our shores must be handled and that training is needed for volunteers to assist with any official clean-up activities. Please consider offering a volunteer training in the collection and clean-up of oil deposits along the beach in areas outside of Santa Barbara and Ventura, as well as additional volunteer trainings in Santa Barbara County. Many of the undersigned organizations would be happy to help in organizing and recruiting volunteers for this type of event.

Damage from the Refugio oil spill that has occurred to date is unacceptable – more than 40 miles of the coast fouled with oil, at least 161 dead birds and 87 dead marine mammals, two popular State Parks closed and 138 square miles closed to fishing. Now is the time when we need the greatest possible protections for the coastal environment and for public health. We thank you for your consideration of this request, and we look forward to supporting the state and federal efforts to recover from this tragic oil spill.

Sincerely,

Sarah Sikich, Vice President
Heal the Bay

Linda Krop, Chief Counsel
Environmental Defense Center

Stefanie Sekich-Quinn, California Policy Manager
Surfrider Foundation

Damon Nagami, Senior Attorney and Director, Southern California Ecosystems Project
Natural Resources Defense Council

Amy Trainer, JD, Executive Director
Environmental Action Committee of West Marin

Miyoko Sakashita, Oceans Director and Senior Attorney
Center for Biological Diversity

Greg Helms, Manager, Fish Conservation Program

Ocean Conservancy

Susan Jordan, Director
California Coastal Protection Network

Jeffrey Williams, Co-President
Black Surfers Collective

Graham Hamilton, Chair,
Surfrider Foundation West LA / Malibu Chapter

Craig W. Cadwallader, Chair
Surfrider Foundation South Bay Chapter

Marion Clark, Beach Programs Director
Surf Academy and Surf Bus Foundation

Brenna Norton, Southern California Organizer
Food & Water Watch

Liz Crosson, Executive Director
Los Angeles Waterkeeper

Richard Charter, Coastal Coordination Program
The Ocean Foundation

Cc:

Chuck Bonham, Director, Dept of Fish and Wildlife

Angelo Belomo, Director of Environmental Health Division, Los Angeles Department of Public Health Director

Sam Unger, Executive Officer, Los Angeles Regional Water Quality Control Board

Timothy P. Butters, Deputy Administrator, Pipeline and Hazardous Materials Safety Administration, Department of Transportation

Attachment A

Figure 1. Photos taken north of the Santa Monica Pier on June 5, 2015, 5pm by Heal the Bay intern. Oil deposits were reported to be consistently scattered along the tide line (where wet and dry sand met), spanning the entire length of Santa Monica Beach north of the Pier.



Figure 2. Photo taken at Westward Beach on June 2, 2015, 2:15pm by Heal the Bay intern in front of lifeguard tower 4. Oil deposits were reported to be widespread along high tide line.

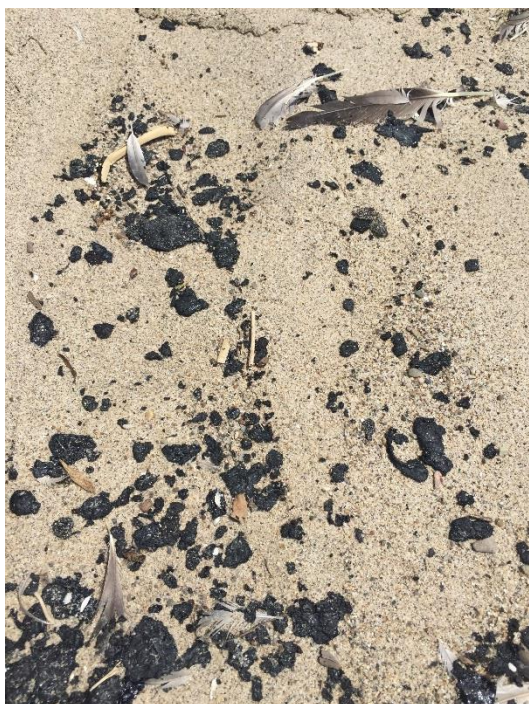


Figure 3. Photo taken at Westward Beach on June 5, 2015. Heal the Bay intern observed similar oil deposits every few feet along the wrack line, reporting that they were too numerous to count.



Figure 4. Photo taken at Zuma Beach on June 7, 2015. Heal the Bay intern observed consistent scattering of oil deposits along the wrack line, mixed in with rocks, kelp, and sea grass.



Figure 5. Photos taken at Venice Beach on June 10, 2015 in the evening. Heal the Bay staff and volunteers observed unusual amounts of oil in large deposits during a beach clean-up, along with an oiled, dead cormorant.

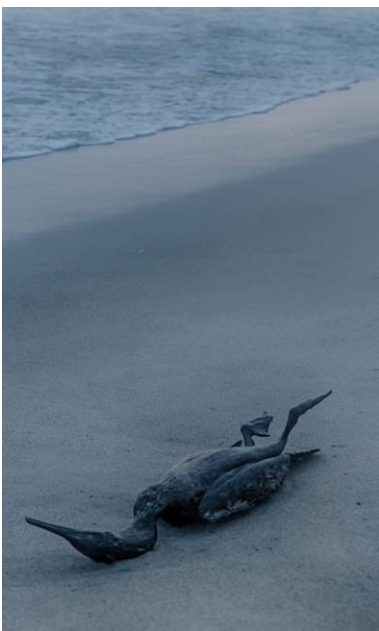


Figure 6. Photo taken of oil collected by Los Angeles Waterkeeper from ocean surface off the coast of Leo Carillo on May 30, 2015. The oil was collected from what appeared to be a sheen of oil roughly 2000 ft² in size along the surface of the water.



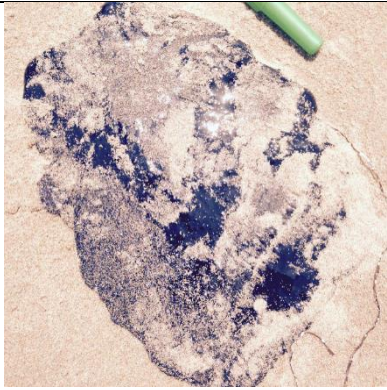
Figure 7. Photos taken of oil deposits on Latigo Beach by Surfrider Foundation, West LA/Malibu Chapter, on June 1, 2015. The entire stretch of beach was peppered with oil deposits at the high tide line.



Figure 8. Photos taken of oil deposits on Santa Monica Beach north of Santa Monica Pier by Heal the bay staff. Oil was consistently scattered along the wrack line between the 5 lifeguard towers north of the Pier. The beach was also very busy on an overcast, Tuesday morning, with many people positioned and playing along the high tide line.



Figure 9. Photos of oil deposits along beaches in Ventura and Los Angeles County posted to social media by general public with #healthebay.



Sunday, June 7, 2015
Solimar Beach, Ventura



Saturday, June 6, 2015
Will Rogers State Beach



Friday, June 5, 2015
Dockweiler State Beach



Friday, June 5, 2015
Santa Monica Beach @ Ocean Park



Friday, June 5, 2015
Venice Beach



Friday, June 5, 2015
Venice Beach



Friday, June 5, 2015
Venice Beach



Wednesday, June 3, 2015
Between Venice
Jetty/Tower27



Sunday, May 31, 2015
Zuma Beach