

Channelkeeper and Carpinteria: A Success Story

It's been a long time coming, but the clean-up of soils contaminated with DDT and other toxic chemicals at Venoco's Carpinteria Oil and Gas Processing Facility is finally moving forward. The clean-up plan that will soon be implemented is the result of nearly a decade of contentious negotiations between the Central Coast Regional Water Quality Control Board (RWQCB), Venoco, and Chevron Environmental Management Company (the former owner of the property). It began in 2000 when the RWQCB issued a letter to Chevron and Venoco (the "responsible parties") ordering them to provide information on more than 30 water quality concerns on the property. The responsible parties responded with various statements suggesting that some of the RWQCB's concerns did not pose threats to water quality, some were being monitored, some had not been investigated, and some were being deferred until decommissioning of the site many years in the future. Thus began a pattern of recalcitrance that would characterize the responsible parties' position on this matter over the next several years. Repeatedly finding their responses deficient and unacceptable, the RWQCB followed up with Clean-up and Abatement Orders in 2002 and 2004 and a Notice of Violation in 2006. The responsible parties continued to flout these enforcement efforts, dragging their feet instead and pushing back against the RWQCB on a comprehensive clean-up

That's when Santa Barbara Channelkeeper got involved. The matter was brought to their attention by vigilant neighbors concerned about the threats to public health and the environment posed by the contaminated property. Toxic compounds present in the soil include DDT and other chlorinated pesticides (from historic agricultural use of the property) as well as heavy metals such as lead, arsenic and zinc (from sandblasting activities associated with oil production at the site). The site's proximity to a residential neighborhood, the harbor seal rookery, a public park and the ocean, as well as the responsible parties' intractability and the RWQCB's inability to enforce a timely clean-up of such dangerous contaminants, are what drove Channelkeeper to take on this project.

Channelkeeper filed several Public Records Act requests and reviewed thousands of pages of technical documents pertaining to the contamination, site characteristics and proposed clean-up plans, as well as internal RWQCB memos and notes from meetings between RWQCB staff and the responsible parties. Through their comprehensive review of these documents and consultations with various technical experts, it became clear that the responsible parties were unwilling to do any more than a partial and inadequate clean-up. The remediation plan they were proposing to undertake would have removed only the most highly toxic hot spots, leaving a substantial amount of contaminated soil behind, and was inadequately protective of public health and the environment. Channelkeeper also collected water and soil samples from the site during rain events, which showed elevated levels of site contaminants, and photo-documented failing erosion control measures on the property. They immediately submitted their findings to the RWQCB.

Shortly thereafter, Channelkeeper was copied on a letter from the RWQCB to Venoco and Chevron, which cited their sampling results and required that more stringent measures be included in the remediation plan being developed. It also required the responsible parties to undertake various efforts to ensure that the public, and particularly the residents of the adjacent neighborhood, had access to full information about the site and the proposed clean-up plan.

In May 2008, the RWQCB held a hearing to consider the proposed clean-up plan developed by Venoco and Chevron. Channelkeeper submitted lengthy written comments in advance and delivered extensive testimony at the hearing, urging the Board to reject the half-baked clean-up plan put forward by the responsible parties and require a more thorough and stringent plan that would better protect the

public and the environment. They highlighted numerous deficiencies with the proposal and made specific recommendations for how to strengthen the plan to better protect public health and the environment. Fortunately, their advocacy (along their sampling results) succeeded in convincing the RWQCB to send the responsible parties back to the drawing board to develop a stronger plan.

A revised clean-up plan was subsequently submitted for the RWQCB's consideration in late 2008. Thanks to Channelkeeper's advocacy, it was a considerable improvement over the previous plan. The remediation goals for DDT and other chlorinated pesticides were considerably stricter, meaning that soils containing lower levels of these contaminants would also be removed, and the volume of pesticide-contaminated soil to be removed was 30% greater than under the previous plan. In fact, the remediation levels required under the revised plan are more stringent than at any DDT waste-impacted site in the entire United States, according to RWQCB staff. The proposed removal of metals-contaminated soil from the sandblast area was also a significant improvement over the previous plan, increasing the volume of soil to be excavated from 70 to 900 cubic yards. At the RWQCB's December 2008 hearing, Channelkeeper testified on the need for a few additional amendments to further strengthen the plan and, with the addition of some sediment and stormwater monitoring provisions per their recommendations, the RWQCB approved the revised plan.

The clean-up plan then headed to the City of Carpinteria for review and permitting. City staff produced a Draft Mitigated Negative Declaration (MND) for the project pursuant to California Environmental Quality Act (CEQA) requirements. The MND identified the potential for environmental impacts from the remediation project related to aesthetics, air quality, biological resources, cultural resources, geology/soils, hazardous materials/safety, land use, noise, transportation and parking, and required various mitigation measures to reduce these impacts to less than significant levels. Channelkeeper submitted written comments on the draft MND and testified before the City's Environmental Review Committee in December 2009. The Committee voted to incorporate changes to the MND, including several that addressed Channelkeeper's concerns related to erosion and sediment control measures, construction waste management and monitoring.

The final stop was the City's Planning Commission, which considered the Proposed Final MND and the Development Plan/Coastal Development Permit for the clean-up project at its September 2010 meeting. Channelkeeper again submitted written comments and testified before the Commission to support the timely implementation of the clean-up project with a few additional mitigation measures they felt were necessary to protect water quality and public health. Per their recommendations, the Commission made some final amendments to the MND, including requirements to install a more effective sediment filter at the southern edge of the site if future sampling indicates that contaminated sediment is escaping the site; to obtain all necessary Clean Water Act permits; and to conduct additional excavation if verification sampling conducted after the clean-up indicates that the remediation goals were not met.

Santa Barbara Channelkeeper has bird-dogged the development of this clean-up plan for the past four years because they wanted to make sure that the citizens of Carpinteria got the strongest clean-up possible, one that prioritizes the protection of people's health and the environment rather than the pocketbooks of Venoco and Chevron. At a time when government agencies are increasingly underfunded and under intense pressure to succumb to corporate corner-cutting, Channelkeeper's role as a watchdog organization has never been more critical. Their success with this project is a prime example of what makes Channelkeeper unique and particularly effective – policy advocacy bolstered by scientific expertise and credible data collected through water quality sampling and pollution investigations in the field.

Were it not for Channelkeeper's painstaking scrutiny of the lengthy record of negotiation between Venoco, Chevron and the RWQCB and of numerous technical site assessment reports, their inspections and water quality monitoring at the site, and their staunch advocacy before the RWQCB

and the City of Carpinteria, we would not have a clean-up plan moving forward that is stronger than at any DDT-impacted site in the entire nation. Many thanks to all the vigilant local residents who supported these efforts and joined Channelkeeper in speaking out about this project over the past several years. And a huge thank you and congratulations to Channelkeeper for their expertise, tenacity, and professionalism through this entire process. Together we succeeded in ensuring that Carpinterians get the clean-up we deserve!



Channelkeeper documented failing erosion and sediment control measures in a storm in 2007.