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DEPARTMENT OF FISH AND WILDLIFE



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**PLATFORM HOLLY DECOMMISSIONING PROJECT
NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT
SCH #2026010775**

Dear Ms. Day:

The California Department of Fish and Wildlife (Department) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) from the California State Lands Commission (CSLC) for the Platform Holly Decommissioning Project (Project), pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that the Department, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

DEPARTMENT ROLE

The Department is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the state. (Fish & G. Code, section 711.7, subd. (a) & 1802; Pub. Resources Code, section 21070; CEQA Guidelines section 15386, subd. (a).) The Department, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, section 1802.) Similarly for purposes of CEQA, the Department is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources. The Department is also responsible for marine biodiversity protection under the Marine Life Protection Act in coastal marine waters of California and ensuring fisheries are sustainably managed under the Marine Life Management Act.

PROJECT DESCRIPTION SUMMARY

Proponent: CSLC

Objective: The objective of the Project is to permanently decommission Platform Holly to five feet below the mudline and its associated infrastructure (e.g., pipelines, power cables, and two seep tents), and remove the pipelines crossings through Haskell's Beach to provide improved public access during the winter season when the pipelines are historically exposed. The Project would also include the partial removal of the shell mound within the immediate footprint of the Platform Holly jacket.

Proposed construction activities would include the use of an anchored or dynamically positioned heavy lift vessel to remove Platform Holly and seep tents, and a light lift spread (or recovery spread, including a reverse pipe-lay system) to remove the pipelines, power cables, shell mound, and Project-related debris. A mechanical dredge system would be used for the removal of the shell mound within the immediate footprint of the Platform Holly jacket to the extent feasible, and recovered shell mound waste would be captured in a containerized hopper barge. After the Platform Holly jacket removal, the remaining pile segments positioned deeper than five feet below the seafloor elevation would be left in place and eventually covered by sediment due to existing bottom currents in the area. Several support vessels such as crew boats, tugboats, and a survey boat would also be utilized to perform various support tasks throughout decommissioning. Following removal, recovered materials would be taken to a combination of receiving facilities, which may include Port Hueneme (POH), Port of Los Angeles/Port of Long Beach (POLA/POLB), or Port of Ensenada, Mexico (POEM) for final processing, recycling, or disposal. Depending upon the receiving facility utilized, processing may also include the utilization of a temporary floating marine growth cleaning station, comprised of a processing materials barge anchored at a designated mooring just outside of the port, and/or a dockside steel demolition on the materials barge to break down steel into small sections prior to offloading for recycling or disposal at the receiving facility.

Location: The Project site where Platform Holly resides is located in California State Waters, approximately two miles offshore of the city of Goleta in Santa Barbara County in approximately 211 feet of water. The Project would also include decommissioning five pipelines and two power cables from Platform Holly to shore, and removing two seep tents located on the seafloor approximately one mile southeast of Platform Holly.

Timeframe: The proposed Project would be executed over two to three seasons and would require approximately 5 to 7 months of work per season (up to 20 months total) to complete. There is no proposed construction schedule or start year included in the NOP.

BIOLOGICAL SIGNIFICANCE

Discussion and Comment: The marine ecosystems of the Southern California Bight host diverse habitats and thousands of species of marine plants, fish, invertebrates, seabirds, turtles, and mammals, some of which are unique to Southern California. This biological complexity stems from the region's dynamic ocean environment, where upwelling provides nutrient-rich water to the coast and complicated current patterns mix cold- and warm-water communities. Southern California's variety of marine habitats, such as hard (rocky or reef) and soft (sand or mud) substrate, kelp forests, and seagrass beds, provide marine organisms with nursery grounds, shelter, and areas to forage and reproduce. These habitats and species contribute to the state's economy by supporting numerous commercial and recreational fisheries, ecotourism, commerce, and recreation.

COMMENTS AND RECOMMENDATIONS

The Department offers the comments and recommendations below to assist CSLC in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife resources.

Marine Protected Areas

Comments: The need to safeguard the long-term health of California's marine life was recognized by the California Legislature in 1999 with the passage of the Marine Life Protection Act (MLPA). The MLPA aims to protect California's marine natural heritage through establishing a statewide network of marine protected areas (MPAs). MPAs protect the diversity and abundance of marine life, the habitats they depend on, and the integrity of marine ecosystems.

The Department notes that the Project site, where decommissioning activities are proposed to occur, is in close proximity to two MPAs: Campus Point State Marine Conservation Area (SMCA) and Naples SMCA. The Campus Point SMCA is the second largest coastal MPA in the Santa Barbara region, covering more than 10 square miles of coastal waters. Campus Point SMCA (No-Take, Title 14 California Code of Regulation (14 CCR) section 632(b)(99)) consists of rocky shores with surfgrass beds and wide sandy beaches accessible from bluff-top cliffs. Offshore, the Campus Point SMCA provides habitat for a wide variety of rockfish, as well as lingcod, halibut, white seabass, crabs, and anemones. Marine mammals, particularly gray whales, and numerous migratory and resident birds can also be spotted at Campus Point SMCA. The Naples SMCA (14 CCR section 632(b)(98)) is considered an ecological hot spot since it protects a unique offshore rocky reef brimming with

exceptional seafloor diversity, intertidal areas, surfgrass, kelp forest, and a harbor seal haul-out. Offshore, the seascape includes a 30-foot reef wall covered in marine life, unique underwater pinnacle and arch systems, networks of caves, and thick kelp forests that provide homes for anemones, nudibranchs, cowries, and fish like kelp bass, California sheephead, white seabass, and yellowtail.

Recommendations: The Department recommends that the DEIR describes any Project activities that may occur near or within MPAs (e.g., Campus Point SMCA and Naples SMCA). CSLC should avoid all impacts to MPAs, including vessel and/or barge staging and anchoring, to the maximum extent feasible during Platform Holly and cable decommissioning activities.

Sensitive Marine Species and Habitats

Comments: Platform Holly infrastructure and its associated cables create habitat for numerous marine species including algae and sessile and mobile invertebrates (e.g., barnacles, sea stars, crabs, mollusks, bryozoans, and cup coral), fishes (e.g., lingcod and rockfish, including young-of-the-year), and marine mammals (e.g., seals and sea lions often forage for food under pilings). Additionally, many important commercial and recreational species such as California halibut (*Paralichthys californicus*), California spiny lobster (*Panulirus interruptus*), and the Northern anchovy (*Engraulis mordax*) use the Project area for breeding, shelter, spawning, and foraging. A variety of marine species will be impacted from the Platform Holly decommissioning since the habitat will be modified.

Recommendations: Potential impacts from Platform Holly and cable decommissioning activities to marine species, including both commercially and recreationally important species, should be identified in the DEIR and any significant impacts should be avoided and minimized to below a level of significance. A list and description of fish and wildlife species and habitat in the Southern California Bight may be found on Marine Bios (<https://wildlife.ca.gov/Conservation/Marine/GIS/MarineBIOS>). Additionally, the Department recommends that the DEIR includes a description on how CLSC plans to dispose of marine species currently inhabiting the Platform Holly infrastructure in a way that would not harm sensitive species and habitats. The Department recommends that CLSC consult with the Department during the development of the DEIR to identify marine species disposal options.

To better understand potential effects and impacts from the proposed Project, the Department recommends that baseline surveys be conducted, and the results included in the DEIR. Baseline surveys of marine habitats should include native and artificial habitats, and native, non-native, and invasive species. The Department recommends that baseline marine biological surveys and impact assessment reports include a listing of each Project component and the habitat that will be impacted, the

total area of habitat impacted, and proposed measures to avoid, minimize, and, if necessary, mitigate impacts.

Sound Criteria

Comments: Underwater noise associated with the Project's decommissioning activities, such as pile cutting, may cause temporary or permanent impacts to fish, such as temporary movement out of the Project area, barotrauma injury, or mortality. The Department relies on guidance from the Fisheries Hydroacoustic Working Group to set safe sound pressure level (SPL) criteria for pile driving and pulling activities (Fisheries Hydroacoustic Working Group 2008, Attachment 1). The SPL dual criteria include a peak level of 206 dB and a cumulative sound exposure (SEL) level of 187 dB for fish 2 grams and heavier or a cumulative SEL of 183 dB for fish less than 2 grams.

Recommendations: The Department recommends that the DEIR include a modeling analysis of hydroacoustic sound levels, SPL and SEL, for construction activities such as pile cutting. The Department also recommends the following as potential mitigation measures in the DEIR:

- A sound attenuation and monitoring plan should be submitted to the resource agencies for review prior to initiating pile cutting activities;
- A bubble curtain should be used, where feasible, during all pile cutting to further reduce sound below levels that have been shown to cause injury and/or mortality to fish and marine mammals; and
- Underwater sound level monitoring should be conducted during pile cutting. If SPLs and SELs exceed agreed upon levels as per the Interim Criteria for Injury to Fish, additional steps should be taken to reduce the underwater noise to acceptable levels.

Marine Mammal and Sea Turtle Monitoring

Comments: Harbor seals (*Phoca vitulina*), California sea lions (*Zalophus californianus*), other species of marine mammals, and sea turtles may be present or occur within the Project area. Construction activities, such as Platform Holly decommissioning, within the Project area have the potential to impact these animals if they are present.

Recommendations: The Department recommends that CSLC includes a mitigation measure in the DEIR to prepare and implement a marine mammal and sea turtle monitoring plan that includes, but is not limited to:

- Establish an underwater exclusion zone as a designated focus area for species protection to allow animals to evacuate the area prior to commencing construction activities;

- Platform Holly decommissioning activities should not occur while marine mammals or sea turtles are present within the exclusion zone;
- Pre-construction monitoring to update the occurrence and use of the area by marine mammals and sea turtles; and
- Monitoring of marine mammals and sea turtles by an experienced observer immediately prior to and during all construction activities.

The Department recommends that CSLC consult with NMFS regarding the above recommendation and any other necessary avoidance and mitigation measures to reduce impacts to marine mammals and sea turtles.

Marine Fisheries

Comments: The Southern California Bight supports important and valuable commercial and recreational fisheries, including California halibut (*Paralichthys californicus*), California spiny lobster (*Panulirus interruptus*), and the Northern anchovy (*Engraulis mordax*). Dredging, pile cutting, underwater noise, and increased vessel traffic from the Project's construction and maintenance activities can adversely affect both commercial and recreational fishing. Dredging poses the risk of releasing contaminants into the water, leading to bioaccumulation that impacts the health of fish and consequently, the fishing industry. Pile cutting introduces noise and vibrations that alter fish behavior, potentially changing catch rates for recreational anglers and affecting the productivity of commercial fisheries. Increased vessel traffic can significantly impact both commercial and recreational fishing by disrupting navigation and accessibility of fishing routes, causing delays or challenges in reaching fishing grounds. Understanding the potential impacts of these operations is crucial for sustainable management and conservation efforts within the fishing industry.

Recommendations: The Department recommends that the DEIR includes an analysis of the important commercial and recreational fish species, and prey species in the vicinity of the Project area and the potential impacts to these species from the Project's decommissioning activities. Additionally, the analysis should include potential impacts to the commercial and recreational fishing fleets from Project related activities. Marine fisheries data can be accessed using the Department's Marine Fisheries Data Explorer: <https://wildlife.ca.gov/Conservation/Marine/Data-Management-Research/MFDE>

Pipeline and Power Cables Removal

Comments: The NOP notes that the Project's pipeline cable bundle was found to be generally buried to an average depth of 1.6 feet below the seafloor with only short segments visible on the seabed in a hydrographic and geotechnical survey conducted in September 2023. These offshore pipelines also cross Haskell's Beach on their way to the Ellwood Onshore Facility, where they are exposed seasonally. Additionally, the seep tent pipeline is exposed on the seafloor from its connection to the seep tents for

approximately 6,800 feet and then becomes buried. The NOP does not describe the seafloor substrate type where the cables will be removed. The Department is concerned that the cable removal construction activities could occur in or near hard-bottom substrate which may impact the habitat and its associated biological communities.

Recommendations: The Department recommends that the Project provides details on the pipeline and power cables removal, including the substrate type and depth from offshore to nearshore at which the cables will be removed in the DEIR. Additionally, the Department recommends that the Project minimizes the crossing or interference of hard-bottom substrate communities during cable decommissioning activities. If hard-bottom communities cannot be avoided by the Project, the Department recommends consulting with resource and permitting agencies to determine the best method to remove the cables and pipeline prior to the release of the DEIR.

Sensitive Shorebird Species

Comments: Several special status shorebird species may forage on the Project site, Haskell's Beach, where cable removal construction would occur. These special status shorebird species may include: Endangered Species Act (ESA-) listed and California Special Concern Species (CSC) western snowy plover (*Charadrius nivosus nivosus*); ESA-listed California least tern (*Sterna antillarum brownie*); CSC ash storm petrel (*Oceanodroma homochroa*); and CSC black storm petrel (*Oceanodroma melania*). The Project could lead to the loss of foraging habitat for sensitive shorebird species in the area. Likewise, increased noise, vibration, light, and human activity may alter the behavior of these species or force them to move to other locations where the habitat is less suitable for their survival.

Western snowy plover and California least tern are federal ESA-listed species. A species is considered endangered, rare, or threatened if it is a species of animal or plant that is presumed to be endangered, rare, or threatened as it is listed under ESA [CEQA Guidelines, section 15380(c)(2)]. CSC species do not have legal protective status under CESA but are of concern for the Department. Further, migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA). Of 1918 (Code of Federal Regulations, Title 50, section 10.13). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the MBTA).

Recommendations: The Department recommends the Project retains a qualified biologist to perform surveys for shorebirds. Surveys should be conducted wherever shorebirds may be directly or indirectly impacted. The DEIR should discuss potential impacts to shorebirds, both direct and indirect, through habitat modifications which may occur due to Project activities. The DEIR should discuss potential loss of foraging

and nesting habitat for special status shorebirds and shorebirds included under the MBTA. Impacts due to increased noise, vibration, light and human activity should also be addressed for each project site.

Nesting Birds

Comments: Project activities include dredging and use of heavy machinery, vessels, and vehicles. These activities can potentially alter habitat and make suitable nesting habitat unavailable to nesting birds due to increased noise, vibration, light, dust, and human activity. Moreover, Project activities occurring during the breeding season of nesting birds could result in the incidental loss of fertile eggs, or nestlings, or otherwise lead to nest abandonment in trees and shrubs directly within and adjacent to the Project's boundaries.

Migratory nongame native bird species are protected by international treaty under the MBTA of 1918 (Code of Federal Regulations, Title 50, section 10.13). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the MBTA).

Recommendations: The Department recommends that measures be taken, primarily, to avoid Project impacts to nesting birds. Proposed Project activities including (but not limited to) staging and disturbances to native and nonnative vegetation, structures, and substrates should occur outside of the avian breeding season which generally runs from February 15 through August 31 (as early as January 1 for some raptors) to avoid take of birds or their eggs. If avoidance of the avian breeding season is not feasible, The Department recommends surveys by a qualified biologist with experience in conducting breeding bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors). Project personnel, including all contractors working on-site, should be instructed on the sensitivity of the area. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.

Offshore Nesting Bird Platforms

Comments: There are four nesting bird platforms off the coast of Haskell's Beach that were built for mitigation as a result of historic oil pier construction. These nesting platforms, also known as "Bird Island", serve as critical nesting and resting sites for seabirds, including Brandt's cormorants, gulls, and pelicans. The Department is concerned that the nesting platforms are in close proximity to the planned removal of pipelines and cables.

Additionally, the NOP did not include any information on whether there are nesting birds on Platform Holly. The Department is aware that there are nesting western gulls at Rincon Island, which is south of the Project site, and is concerned that there may be nesting birds on Platform Holly.

Recommendations: The Department recommends that measures be taken to avoid Project impacts to nesting birds on the platforms off the coast of Haskell's Beach and Platform Holly. The Department recommends that CSLC includes a mitigation measure in the DEIR to monitor the nesting bird platforms off the coast of Haskell's Beach for impacts during the Project's decommissioning activities and minimize impacts if observed.

Additionally, the Department recommends that the DEIR includes an analysis of the nesting bird species in the vicinity of the Platform Holly Project area and the potential impacts to these species from the Project's decommissioning activities.

Oil Spill Risk

Comments: The Department of Fish and Wildlife Office of Spill Prevention and Response (CDFW-OSPR) requests clarification regarding the risk of an oil spill due to the proposed operations, specifically for the removal of the bundled pipeline (to include the 6-inch diameter oil production line). The Notice specifies that a project-specific oil spill contingency plan "that would detail response procedures, training and drills for the covered facilities, spill response capabilities, and Incident Command Structure" would be developed. CDFW-OSPR notes that Platform Holly and associated facilities subject to CDFW-OSPR's authority were previously covered by an approved oil spill contingency plan pursuant to 14 CCR section 817.02. On August 09, 2024, CDFW-OSPR was notified by the operator responsible for the oil spill contingency plan, Beacon West Energy Group, LLC, that "Platform Holly to the Ellwood Onshore Facility (EOF) oil pipeline [was] flushed and pigged to remove all residual oil, blinded and/or air-gapped and capped at both ends to permanently remove the pipeline from service" (Beacon West Energy Group, Attachment 2). Because the facilities covered by the plan no longer posed a risk of an oil spill, the approved oil spill contingency plan was withdrawn effective August 09, 2024.

Recommendations: CDFW-OSPR requests clarification regarding whether the proposed project includes operations that would pose a new risk of an oil spill. If the project poses a new risk of an oil spill, CDFW-OSPR requests further information regarding the sources of spill risk (e.g., vessel operations, auxiliary equipment such as generators and removal equipment) to assess whether the operations require an oil spill contingency plan that is approved by CDFW-OSPR. If the operations are not subject to any of the contingency planning requirements within 14 CCR subchapters 3 and 4, CDFW-OSPR requests clarification regarding the CSLC intent to solicit CDFW-OSPR's feedback or approval for the oil spill contingency plan or any other oil spill planning and preparedness activities described in the Notice.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, section 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by the Department. Payment of the environmental document filing fee is required for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, section 753.5; Fish & G. Code, section 711.4; Pub. Resources Code, section 21089.)

CONCLUSION

The Department appreciates the opportunity to comment on the NOP to assist CSLC in identifying and mitigating Project impacts on biological resources. Questions regarding this letter or further coordination should be directed to Leslie Hart, Environmental Scientist at R7CEQA@wildlife.ca.gov.

Sincerely,



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ATTACHMENTS

Attachment 1: Fisheries Hydroacoustic Working Group. 2008. Interim Criteria for Injury of Fish Exposed to Pile Driving Operations: Memorandum. Washington: Federal Highway Administration.

Attachment 2: Beacon West Energy Group. 2024. Platform Holly OSCP Plan L1-42-6290. Beacon West Energy Group, LLC.