

Introduced by Senator McGuire
(Principal coauthors: Senators Jackson and Leno)
(Coauthors: Senators Allen, Hancock, and Wolk)
(Coauthors: Assembly Members Dodd, Levine, Mark Stone, and
Williams)

February 27, 2015

An act to repeal Section 6244 of the Public Resources Code, relating to coastal resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 788, as introduced, McGuire. California Coastal Protection Act of 2015.

The California Coastal Sanctuary Act of 1994 authorizes the State Lands Commission to enter into a lease for the extraction of oil or gas from state-owned tide and submerged lands in the California Coastal Sanctuary if the commission determines that the oil or gas deposits are being drained by means of producing wells upon adjacent federal lands and the lease is in the best interest of the state.

This bill would enact the California Coastal Protection Act of 2015, which would delete this authorization. The bill would make related legislative findings and declarations.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

1 (1) California's coast is 840 miles long. California's coastal
2 economies contribute \$40 billion annually to the state's economy,
3 and nearly half a million jobs. Commercial fisheries in California
4 are valued at more than \$7 billion annually. Ocean dependent
5 tourism is valued at over \$10 billion annually. Recreational fishing
6 is valued at over \$2 billion annually along California's coast.

7 (2) The California coastal current system hosts a wide variety
8 of marine mammals, seabirds, sea turtles, marine fishes, and
9 invertebrates, including many threatened and endangered animals.
10 The ocean off of California's coast also supports rare, deep-water
11 coral habitats that provide habitat for abundant marine life.

12 (3) The California coastline provides habitat for many threatened
13 or endangered species.

14 (4) The coast of California is home to numerous protected areas,
15 including national marine sanctuaries, a national park, and a
16 national seashore.

17 (5) Outdoor coastal recreation is a crucial part of California's
18 business and recreation, including boating, wildlife viewing, hiking,
19 beach visitation, swimming, surfing, and diving. Additionally,
20 many of California's indigenous populations rely on fisheries for
21 subsistence, business, and recreation.

22 (6) The California Coastal Sanctuary Act of 1994 passed with
23 bipartisan support. The act prohibits any extraction of oil or gas
24 in certain state waters under a new lease, but it also provides an
25 exception that authorizes the extraction of oil or gas from
26 state-owned tide and submerged lands in certain circumstances.
27 Because of this exception, the act falls short of providing a
28 complete ban on new offshore oil drilling.

29 (7) California has established a network of marine protected
30 areas. The exception for offshore oil drilling in the California
31 Coastal Sanctuary Act of 1994 threatens that network of marine
32 protected areas.

33 (8) Pursuant to an agreement with the federal government,
34 California receives a portion of the royalties on oil and gas
35 produced in federal waters.

36 (9) California has not issued new offshore oil permits for over
37 50 years and has intentionally foregone any revenue from new
38 offshore oil development in state waters and federal waters. The
39 Legislature, Governor, and State Lands Commission have

1 repeatedly called upon the federal government to prohibit any
2 offshore oil drilling in federal waters off the California coast.

3 (10) The federal and state government, as well as the people of
4 California, have consistently expressed support for an energy policy
5 that transitions our use from fossil fuel to more renewable energy,
6 greater fuel efficiency, and conservation.

7 (11) The Governor of California, along with the governors of
8 Oregon and Washington, have repeatedly expressed their “strong
9 opposition” to any offshore oil development off of the West Coast.
10 In a letter to the President of the United States, they wrote: “While
11 new technology reduces the risk of a catastrophic event such as
12 the 1969 Santa Barbara oil spill, a sizeable spill anywhere along
13 our shared coast would have a devastating impact on our
14 population, recreation, natural resources, and our ocean and coastal
15 dependent economies.” They further wrote that: “Oil and gas
16 leasing may be appropriate for regions where there is state support
17 for such development and the impacts can be mitigated. However,
18 along the West Coast, our states stand ready to work with the
19 Obama Administration to help craft a comprehensive and
20 science-based national energy policy that aligns with the actions
21 we are taking to invest in energy efficiency, alternative renewable
22 energy sources, and pricing carbon.”

23 (b) This act shall be known, and may be cited, as the California
24 Coastal Protection Act of 2015.

25 SEC. 2. Section 6244 of the Public Resources Code is repealed.

26 ~~6244. The commission may enter into any lease for the~~
27 ~~extraction of oil or gas from state-owned tide and submerged lands~~
28 ~~in the California Coastal Sanctuary if the commission determines~~
29 ~~that those oil or gas deposits are being drained by means of~~
30 ~~producing wells upon adjacent federal lands and the lease is in the~~
31 ~~best interests of the state.~~