

AMENDED IN SENATE MAY 4, 2015

**SENATE BILL**

**No. 788**

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**Introduced by Senator McGuire**

**(Principal coauthors: Senators Jackson and Leno)**

**(Coauthors: Senators Allen, Hancock, *Monning*, and Wolk)**

(Coauthors: Assembly Members Dodd, Levine, Mark Stone, and  
Williams)

February 27, 2015

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

LEGISLATIVE COUNSEL'S DIGEST

SB 788, as amended, 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:

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

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

14 (3) The California coastline provides habitat for many threatened  
15 or endangered species.

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

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

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

31 (7) California has established a network of marine protected  
32 areas. The exception for *new state leases for offshore oil drilling*  
33 in the California Coastal Sanctuary Act of 1994 threatens that  
34 network of marine protected areas.

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

1 (9) California has not issued new offshore oil ~~permits~~ *leases* for  
2 over 50 years and has intentionally foregone any revenue from  
3 *any new leases and the associated* offshore oil development in  
4 state waters and federal waters. The Legislature, Governor, and  
5 State Lands Commission have repeatedly called upon the federal  
6 government to prohibit any *new* offshore oil ~~drilling~~ *development*  
7 *leases* in federal waters off the California coast.

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

12 (11) The Governor of California, along with the governors of  
13 Oregon and Washington, have repeatedly expressed their “strong  
14 opposition” to any offshore oil development off of the West Coast.  
15 In a *July 2014* letter to the President of the United States, they  
16 wrote: “While new technology reduces the risk of a catastrophic  
17 event such as the 1969 Santa Barbara oil spill, a sizeable spill  
18 anywhere along our shared coast would have a devastating impact  
19 on our population, recreation, natural resources, and our ocean and  
20 coastal dependent economies.” They further wrote that: “Oil and  
21 gas leasing may be appropriate for regions where there is state  
22 support for such development and the impacts can be mitigated.  
23 However, along the West Coast, our states stand ready to work  
24 with the Obama Administration to help craft a comprehensive and  
25 science-based national energy policy that aligns with the actions  
26 we are taking to invest in energy efficiency, alternative renewable  
27 energy sources, and pricing carbon.”

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

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