

Senate Bill 788

California Coastal Protection Act of 2015

Senator McGuire

Summary

California's coast is extraordinarily diverse. Its natural splendor attracts over 150 million visitors annually from all around the world seeking to witness its unparalleled beauty. While northern California is known for its majestic redwoods and rocky shores, southern California is known for its palm trees and warm sandy beaches.

California has the world's 8th largest economy. Coastal communities contribute \$40 billion annually to the state's economy, and provide nearly half a million important jobs. Commercial fisheries in the state are valued at more than \$7 billion annually. Ocean dependent tourism is valued at over \$10 billion annually. Recreational fishing is valued at over \$2 billion annually along California's coast.

Background

In 1969, Santa Barbara experienced one of the nation's worst oil spills. The oil spill resulted from a well drilling blow-out at an offshore platform off of Santa Barbara County's coast. The incident lasted 11 days and spilled an estimated 4.2 million gallons of crude oil. Two hundred square miles of ocean and 35 miles of California coastline were oiled and thousands of animals were killed.

As a result, California has taken a position to intentionally forgo any revenue from new offshore oil development due to the unacceptably high risk, and has instead focused on developing clean renewable energy.

In 1994, the California Legislature intended to codify a ban on new offshore oil and gas leases by passing the California Coastal Sanctuary Act. The Act states that "oil and gas production in certain areas of state waters poses an unacceptably high risk of damage and disruption to the marine environment of the state."

However, the Coastal Sanctuary Act also contains a loophole from the offshore extraction prohibition, Public Resources Code 6244, by allowing new oil leases if the "State Lands Commission determines that oil and gas deposits contained in tidelands are being drained by means of wells upon adjacent federal lands and leasing of the tidelands for oil or gas production is in the best interest of the State."

In 1999, the state passed the Marine Protection Act (MPA). Marine Protected Areas are designed to protect or conserve marine life and habitat. Fish and Game Code Section 2853 states that the goal of designating a region as a Marine Protected Area is to increase "effectiveness at protecting the state's marine life, habitat and ecosystems."

As the Governors of California, Washington and Oregon recently expressed in a letter to the President of the United States "a sizeable spill anywhere along our shared coast would have a devastating impact on our population, recreation, natural resources, and our ocean and coastal dependent economies."

Problem

California's coast acts as a meeting point for the warm waters from the South and the cold waters of the North. As a result, California's coast is recognized as one of only five locations in the world that produces such diverse sea life, marine ecology and vegetation.

Allowing for new offshore oil drilling, at the same time stating it poses too great of a risk, is a contradiction within the Coastal Sanctuary Act. This glaring inconsistency is compounded as a result of the subsequent passage of the MPA, which provided stringent new marine protections guidelines in the same coastal regions that remain open to new offshore oil drilling that is authorized under the Coastal Sanctuary Act.

As a result, the Coastal Sanctuary Act and Marine Protection Act have conflicting mandates, which allow for offshore drilling in areas that were subsequently designated to protect and conserve marine life.

Solution

The Coastal Sanctuary Act should be updated to reflect the goals established as a result of the subsequent passage of the Marine Protection Act.

We have seen, globally, the environmental and economic impacts of highly regulated projects going wrong, such as Deepwater Horizon. Even the slightest chance of an oil spill in a Marine Protected Area far outweighs any potential benefit to the state.

Protecting our coastal resources, which act as a major economic engine, benefits all Californians and will help the state achieve its greenhouse gas reduction targets and the Governor's vision of reducing petroleum use by up to 50 percent. SB 788 repeals PRC 6244 to ensure that the Coastal Sanctuary Act and Marine Protection act are able to provide their intended protections.

Contact

Matthew Montgomery, Legislative Director
Phone: 916-651-4002
matthew.montgomery@sen.ca.gov

Support

Santa Barbara Environmental Defense Center

