

CALENDAR ITEM
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A Statewide

08/20/10

B Stateside

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AS PROPOSED BY STAFF

**RESOLUTION BY THE CALIFORNIA STATE LANDS
COMMISSION URGING CONGRESS TO ENACT FEDERAL LEGISLATION
THAT WOULD PROTECT THE NATION'S MARINE AND COASTAL
ENVIRONMENT FROM CATASTROPHIC OIL SPILLS**

WHEREAS, California's 1,100 mile coastline, with its beautiful beaches, unique natural habitats, bustling ports, and world famous tourist attractions, is truly a special place for its residents, visitors, businesses, and wildlife; and

WHEREAS, California has the largest ocean economy in the United States, ranking first overall for both employment and gross state product, and containing the first, second, and fifth busiest ports in the country; and

WHEREAS, valuable wetlands located up and down the California coast provide a vital link between land and open sea, exporting nutrients and organic material to ocean waters, and harboring water fowl and juveniles of numerous aquatic species including many fish; and

WHEREAS, the California State Lands Commission (Commission) has jurisdiction over the state's public trust lands, which include tide and submerged lands as well as the beds of navigable waterways; and

WHEREAS, California's public trust lands have been seriously harmed by disastrous events like the 1969 Santa Barbara oil spill, which spewed more than 3 million gallons of crude oil into the Pacific Ocean; and

WHEREAS, oil spills harm the environment, economy, and tourism by polluting water and land, killing wildlife, closing beaches, and restricting water related recreation, fishing activities, and ship movement; and

WHEREAS, to protect public trust resources, the Commission formally imposed its own offshore oil and gas leasing moratorium in 1988 and 1989, and since 2001, the Commission passed nine resolutions opposing the resumption or expansion of federal offshore oil and gas leasing operations; and

WHEREAS, in 2006, the governors of California, Washington, and Oregon formed the West Coast Governors' *Agreement On Ocean Health* and released an action plan that opposes new offshore oil and gas development; and

WHEREAS, the devastating effects of an oil spill were unfortunately realized once again when British Petroleum's Deepwater Horizon offshore oil facility in the Gulf of Mexico exploded on April 20, 2010, leaving 11 oil workers dead, 17 injured, and spewed into the Gulf an estimated 62,000 barrels of oil a day for over 80 days, totaling 4.9 million barrels or 205.8 million gallons, making the spill the worst in United States history; and

WHEREAS, on August 20, 2010, in light of the Deepwater Horizon oil spill, and pursuant to the request of the chairman of the Commission, Commission staff presented a report to the Commission recommending action that would strengthen the state's ability to promptly and effectively prevent oil spills; and

WHEREAS, to most effectively protect California's public trust lands, the federal government must also strengthen its laws and regulations regarding offshore oil and gas related activities since most of the existing oil and gas leases off of the state's coast are located in federal waters; and

WHEREAS, in the past, the federal government has imposed moratoria on new offshore oil and gas lease sales to protect the environment from oil spills, and Congress is currently considering several bills that would strengthen the federal government's laws and regulations regarding oil spill prevention and response; now therefore, be it

Resolved by the California State Lands Commission that it urges Congress to strengthen federal laws and regulations regarding oil and gas related activities by enacting legislation that (1) repeals or substantially increases the current cap on liability for offshore oil spills; (2) requires the best available technologies for well design and operation including oil spill response technology; (3) establishes stronger standards for blow-out preventers, well designs, and cementing programs; (4) mandates the use of worst case planning scenarios with relief well timelines; (5) calls for monthly inspections of offshore drilling facilities, with more frequent intervals when safety violations occur; (6) specifically addresses and regulates the use of chemical dispersants to ensure their safety to water quality and the environment; (7) protects whistle blowers who work for offshore energy operations; and (8) improves the federal government's capabilities relating to oil

spill preparedness, prevention, response, restoration, research, and oversight;
and be it further

Resolved, that it urges Congress and the President of the United States to permanently ban **new** offshore oil and gas lease sales off the coast of California;
and be it further

Resolved, that the Commission's Executive Officer transmit copies of this resolution to the President and Vice President of the United States, to the Governor of California, to the Majority and Minority Leaders of the United States Senate, to the Speaker and Minority Leader of the United States House of Representatives, and to each Senator and Representative from California in the Congress of the United States.