

# Staff Report 62

Consider adopting a support position on provisions of H.R. 7608 by Representative Lowey, a Fiscal Year 2021 appropriations bill introduced in the 116th Congress, that would ban new offshore drilling leases and seismic testing

## **SUMMARY:**

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In 2018, the Bureau of Ocean Energy Management released a 5-year national oil and gas leasing proposal that would open the entire Pacific Outer Continental Shelf (OCS) to new offshore oil and gas drilling leases. Shortly thereafter, the Commission, noting that it has opposed new OCS leasing for over 30 years, sent letters to the federal government urging them to withdraw California from the proposed leasing program. On July 24, 2020, the House of Representatives approved H.R. 7608, a Fiscal Year 2021 appropriations bill, with amendments that would ban new offshore oil leases and seismic testing.

## **DISCUSSION:**

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The Commission, on behalf of the State, has exclusive jurisdiction over leasing on tide and submerged lands for pipeline and utility rights-of-way that serve the OCS, along with numerous marine oil terminals and other facilities that serve OCS operations. The California Coastal Sanctuary Act bans new oil and gas leasing in state waters. California has not issued a lease for offshore oil or gas development since 1968.

Further oil and gas development on the OCS is unnecessary and is incompatible with the State's energy policies, transitioning energy markets, and vision for the future. The Commission has adopted numerous resolutions in past years opposing the resumption or expansion of oil and gas development in the Pacific OCS area. The resolutions convey the Commission's view that additional offshore oil and gas leasing and development threatens the environment and the economy, prevents the Nation from reducing its dependency on fossil fuels, contributes to greenhouse gas emissions, and adversely affects tourism and fisheries.

The catastrophic harm from an offshore oil spill is well established and universally acknowledged. Even with the newest technology and best safety precautions, the risk is unacceptably high. In the 1969 oil spill in Santa Barbara County, staggering environmental and economic damage ensued. Nearby communities were devastated economically and environmentally. This catastrophe, from an oil and gas

lease in the Pacific OCS, resulted in the death of nearly 4,000 birds, and many marine mammals, including sea lions and elephant seals, suspension of commercial fishing, and a decline in tourism. The Deepwater Horizon spill in 2010 showcased the full force of an oil spill and the devastating effect on people, the ocean, and the communities and their economies sustaining the impacts.

As a State, California has perhaps the highest risk from an oil spill and the most to lose. What distinguishes California is that it is the sixth largest economy in the world and the most to lose. California is home to two of the largest ports in the nation—the Long Beach and Los Angeles ports, which are a commercial gateway for the entire United States. California's coastline supports commerce, tourism, recreation, fishing, navigation, marine transportation, public access, and abundant marine life. California's marine transportation and commerce and coastal tourism and recreation support local economies across the country. A thematic characteristic of California's economic drivers that contribute to the U.S. economy is that they are concentrated along the coastline.

Section 119 of H.R. 7608 bans the Secretary of the Interior and Bureau of Ocean Management from using any appropriated funds to conduct or authorize oil and gas preleasing, leasing, or related activities, including but not limited to the issuance of permits for geological and geophysical exploration, in any planning area where the OCS leasing program did not schedule leases. The funding restrictions apply to the formal steps identified by the Department of the Interior and the enabling steps before leasing, including the issuance of permits for geological and geophysical exploration.

Section 408 of H.R. 7608 bans the use of appropriated funds to conduct preleasing, leasing and related activities under either the Mineral Leasing Act or the Outer Continental Shelf Lands Act within the boundaries of a National Monument established under the 1906 American Antiquities Act as the boundary existed on January 20, 2001.

As Oceana, one of the many organizations that support the amendment in H.R. 7608 to ban new offshore drilling leases and seismic testing, stated: "This legislation is an important step toward stopping the president's plans and protecting those who rely on a clean and healthy ocean. We applaud House members for working to protect our coasts from new dirty and dangerous drilling. For nearly three decades, Congress blocked offshore drilling through similar funding measures. We're counting on Congress to once again enact a moratorium on new offshore drilling."

A support position from the Commission on the amendment in H.R. 7608 to ban new offshore drilling leases and seismic testing is consistent with the Commission's past actions and protects California's cherished natural resources.

## **RECOMMENDED ACTION:**

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Staff recommends that the Commission adopt a support position on those certain provisions of H.R. 7608 by representative Lowey, a fiscal year 2021 appropriations bill introduced in the 116<sup>th</sup> Congress, that would ban new offshore drilling leases and seismic testing.