COUNTY OF SANTA BARBARA

LEGISLATIVE ANALYSIS FORM

This form is required for the Legislative Program Committee to consider taking an advocacy position on an issue or legislative item.

<table>
<thead>
<tr>
<th>BILL NUMBER:</th>
<th>SB 188</th>
</tr>
</thead>
<tbody>
<tr>
<td>AUTHOR:</td>
<td>Jackson</td>
</tr>
<tr>
<td>INTRO/AMEND DATE:</td>
<td>January 25, 2017, amended May 18, 2017</td>
</tr>
<tr>
<td>AUTHOR'S POLITICAL PARTY:</td>
<td>D</td>
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<tr>
<td>BILL STATUS:</td>
<td>Amended in Assembly, re-referred to Com. on Nat. Res.</td>
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1) BILL SUBJECT:
State lands: Leasing: oil and gas. This bill would prohibit the State Lands Commission and the local trustees of granted public trust lands from entering into any new lease or other conveyance that authorizes the exploration for, or the development and production of, oil and natural gas upon those lands. The bill would prohibit the Commission and the local trustees of granted public trust lands from entering into any lease renewal, extension, or modification that authorizes a lessee to engage in new or additional exploration, development, or production of oil and natural gas.

2) FROM DEPARTMENT:
CEO

3) IS THIS ITEM SPECIFICALLY REFERENCED IN THE LEGISLATIVE PLATFORM?
No

4) WHICH POLICY-RELATED MATTER IS OF CONCERN WITH THIS BILL?
Community sustainability and environmental protection

5) HOW WOULD THIS BILL IMPACT THE COUNTY? (Current practices, responsibility, authority, pros/cons, affected programs and/or services, etc.)
This bill, if it becomes law, would eliminate new oil and gas leases and would likely reduce the number of these leases over time as a result on the prohibition of renewals and extensions on state tidelands and granted public lands.

6) IMPACT ON COUNTY PROGRAM:
☐ Major-Positive ☠ Minor-Positive ☐ None
☐ Major-Negative ☠ Minor-Negative

7) SANTA BARBARA COUNTY IMPACT:
☐ Major-Positive ☠ Minor-Positive ☐ None
☐ Major-Negative ☠ Minor-Negative

8) STATEWIDE IMPACT:
☐ Major-Positive ☠ Minor-Positive ☐ None
☐ Major-Negative ☠ Minor-Negative

Explanation of Impacts:
Minor positive impact as a result of reduced pollution risks. Minor negative impact as a result of reduced job growth.

9) WOULD THIS BILL IMPACT (Legislative Principles):
   a. Job growth and Economic Vitality?
   b. Efficient service delivery and operations?
   c. Fiscal stability?
   d. Inter-agency cooperation?

   Positive ☠ Neutral ☠ Negative

County of Santa Barbara

Intergovernmental Relations – Legislative Affairs
COUNTY OF SANTA BARBARA
LEGISLATIVE ANALYSIS FORM

e. Local control? □ Positive  □ Neutral □ Negative
f. Health and human services? □ Positive □ Neutral □ Negative
g. Community sustainability & environmental protection? □ Positive □ Neutral □ Negative

Additional Comments:

10) FISCAL IMPACT ON THE COUNTY:
□ Revenue Increase  □ Revenue Decrease □ Unfunded Mandate
□ Cost Increase  □ Cost Decrease  □ Undetermined
□ None

Additional Comments:

11) OTHER AGENCIES THAT SHOULD REVIEW THIS BILL:

12) CSAC POSITION ON BILL:
□ Support  □ Oppose □ Support if Amended
□ Oppose unless Amended  □ Watch □ No position taken

13) OTHER LOCAL OR STATEWIDE ORGANIZATIONS THAT HAVE TAKEN A POSITION ON THIS BILL:
(Indicate support or opposition for each)
NA

14) PROPOSED AMENDMENTS: (Attach separate sheet)

15) RECOMMENDATION:
□ Support  □ Recommend Support to Board* □ Support if Amended
□ Oppose  □ Recommend Opposition to Board* □ Oppose unless Amended
□ Watch  □ Concerns (Why? Explain in #6) □ No Position (Why?)

* Indicates that the department believes that the Board of Supervisors should take a formal position on this bill

Additional Comments:
This bill was a “gut and amend” that has not received any committee or floor analysis. Staff recommends a watch position and continuation of the item to the next Legislation Program Committee meeting.

16) LEGISLATIVE ANALYSIS FORM PREPARED BY: Dennis Bozanich
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County of Santa Barbara
Intergovernmental Relations – Legislative Affairs
AMENDED IN ASSEMBLY MAY 18, 2017

SENATE BILL No. 188

Introduced by Senator Jackson

January 25, 2017

An act to amend Section 179.9 of the Government Code, relating to state government. An act to add Section 6501.4 to the Public Resources Code, relating to state lands.

LEGISLATIVE COUNSEL'S DIGEST


Existing law vests exclusive jurisdiction over ungranted tidelands and submerged lands owned by the state to the State Lands Commission. Existing law confers the powers of the commission as to leasing or granting of rights or privileges to lands owned by the state upon a local trustee of granted public trust lands to which those lands have been granted.

This bill would prohibit the commission and the local trustees of granted public trust lands from entering into any new lease or other conveyance that authorizes the exploration for, or the development and production of, oil and natural gas upon those lands. The bill would prohibit the commission and the local trustees of granted public trust lands from entering into any lease renewal, extension, or modification that authorizes a lessee to engage in new or additional exploration, development, or production of oil and natural gas.

Existing law ratifies, approves, and sets forth the provisions of the Emergency Management Assistance Compact, an interstate agreement that provides for mutual assistance between states responding to
emergencies and disasters. The compact becomes inoperative on March 1, 2018, and as of January 1, 2019, is repealed.

This bill instead would make the compact inoperative on March 1, 2023, and repeal it on January 1, 2024.


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

SECTION 1. Section 6501.4 is added to the Public Resources Code, to read:

6501.4. (a) For purposes of this section, the following definitions apply:

1. “Commission” means the State Lands Commission or a local trustee of granted public trust lands, as defined pursuant to Section 6306.

2. “Development” means those activities taking place following the discovery of oil and natural gas, including geophysical activity, drilling, platform construction, pipeline construction, and operation of all onshore support facilities that are performed for the purpose of ultimately producing the resources discovered.

3. “Exploration” means the process of searching for oil and natural gas, including any drilling, whether on or off known geological structures, including the drilling of a well in which a discovery of oil or natural gas is made and the drilling of any additional delineation well after the discovery that is needed to delineate any reservoir and to enable a lessee to determine whether to proceed with the development and production.

4. (A) “New or additional exploration, development, or production of oil or natural gas” includes any activity undertaken to increase the capacity of any pipeline or other infrastructure used to convey oil or natural gas.

4. (B) “New or additional exploration, development, or production of oil or natural gas” does not include any activity undertaken to repair, replace, or maintain any pipeline or other infrastructure used to convey oil or natural gas or any other activity necessary to ensure the safe operation of infrastructure used in the exploration, development, or production of oil or natural gas.

5. “Production” means those activities that take place after the successful completion of any means for the removal of oil and
natural gas, including that removal, field operations, transfer of
resources to shore, operation monitoring, maintenance, and
work-over drilling. "Producing" means undertaking those
activities.

(b) The commission shall not enter into any new lease or other
conveyance that authorizes the exploration for, or the development
and production of, oil or natural gas upon lands owned by the
state and under the jurisdiction of the commission that are located
seaward of the ordinary high water mark for tidal waterways and
the ordinary low water mark for navigable nontidal waterways.

(c) The commission shall not enter into any lease renewal,
extension, or modification that authorizes a lessee to engage in
new or additional exploration, development, or production of oil
or natural gas upon lands owned by the state and under the
jurisdiction of the commission that are located seaward of the
ordinary high water mark for tidal waterways and the ordinary
low water mark for navigable nontidal waterways.

SECTION 1. Section 179.9 of the Government Code is
amended to read:

179.9. This article shall become inoperative on March 1, 2023,
and, as of January 1, 2024, is repealed.
Expanded offshore oil and gas production also directly threatens the health of California’s ocean-based economy, which produces approximately $44.5 billion in GDP each year, and employs almost half a million people in the state. According to the National Oceanic and Atmospheric Administration, California’s coastal regions generated $662 billion in wages and $1.7 trillion in GDP in 2012. In fact, the coastal counties of California alone generate a GDP that is only exceeded by 11 countries. We cannot risk harming one of the world’s largest economic engines by reversing course on 30 years of bipartisan agreement that has kept California’s coast off limits to oil and gas exploration.

**SOLUTION - SB 188**

SB 188 protects the California coast from offshore oil and gas development by prohibiting the State Lands Commission from approving any new leases for oil and gas development – including the placement of pipelines – in state waters. This bill also prohibits the State Lands Commission from approving any lease renewal, extension, or modification that authorizes new or additional oil and gas development, and prohibits existing oil and gas lessees from constructing any new infrastructure – including pipelines, piers, and wharves – to increase capacity for the production of oil and gas.

**SUPPORT**

**STATUS**

Pending referral in the Assembly

**CONTACT**

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