



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

Department Name: CEO  
Department No.: 012  
For Agenda Of: 7/6/10  
Placement: Departmental  
Estimated Tme: 15 minutes  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** Department Michael F. Brown, County Executive Officer  
Director(s)  
Contact Info: Terri Nisich, Assistant CEO, 568-3400  
**SUBJECT: S. 3358 (Boxer) West Coast Ocean Protection Act of 2010**

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**County Counsel Concurrence**

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

It is recommended that Board of Supervisors:

1. Consider whether to take a position on S. 3358 (Boxer), the West Coast Ocean Protection Act of 2010; and
2. Direct staff to communicate the Board's position to the County's federal legislative delegation.

**Summary Text:**

The County's Legislative Program Committee received a report on federal oil legislation during its May 27, 2010 meeting. The Committee voted to bring S. 3358 to the Board of Supervisors to consider taking a position on the legislation.

This bill would amend the Outer Continental Shelf Lands Act to permanently prohibit the Secretary of the Interior from authorizing leases for exploration, development, or production of oil or natural gas in any area of the outer Continental Shelf off the coast of California, Washington, and Oregon. This bill is currently being considered in the Senate Energy and Natural Resources Committee.

This bill is sponsored by Senator Barbara Boxer (D-CA) and co-sponsored by Senator Dianne Feinstein (D-CA). A companion bill has been introduced in the House of Representatives by Congressman Garamendi (D-CA) as H.R. 5213.

**Background:**

Since the passage of the Outer Continental Shelf Lands Act in 1952, the federal government has leased the underwater terrain extending for 200 miles beyond states' jurisdiction. Due to environmental concerns, Congress limited energy exploitation of the Outer Continental Shelf (OCS) to clearly-defined areas in the Gulf of Mexico and off Alaska's coast, and affirmed a Congressional moratorium on the expansion of drilling outside those areas. In 2008, Congress did not renew a moratorium. Additionally, President Bush removed an executive order that withdrew certain planning areas on offshore leasing for most areas of the OCS.

In March 2010, the Department of Interior revised the 2012-2017 offshore oil and gas leasing program in the waters to include the mid and south Atlantic, the eastern part of the Gulf of Mexico, and certain waters surrounding Alaska. The Pacific OCS area remains restricted to oil and gas development.

In addition, it is important to note that S. 3358 is a direct response to the recent explosion of the drilling rig Deepwater Horizon in April 2010. At that time, Interior Secretary Ken Salazar temporarily halted all new offshore drilling permits. In May 2010, President Obama declared a six-month moratorium on deepwater drilling until a thorough federal investigation of the incident was complete. However, several drilling companies filed a federal lawsuit against the ban and a judge issued a ruling on June 22, 2010 against the moratorium and lifted the ban on deepwater drilling. The administration is appealing the ruling.

**Fiscal and Facilities Impacts:** None

**Attachments:** Text of S. 3358

**Authored by:** Kimbra McCarthy, CEO Fiscal and Policy Analyst 568-3261

**cc:** Thomas Walters, Thomas Walters and Associates, Inc.