

**CALIFORNIA STATE
LANDS COMMISSION**

GAVIN NEWSOM, *Lieutenant Governor*
BETTY T. YEE, *Controller*
MICHAEL COHEN, *Director of Finance*



Established in 1938

EXECUTIVE OFFICE
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

JENNIFER LUCCHESI, *Executive Officer*
(916) 574-1800 Fax (916) 574-1810
California Relay Service TDD Phone 1-800-735-2929
Voice Phone 1-800-735-2922

**RESOLUTION BY THE CALIFORNIA STATE LANDS COMMISSION OPPOSING
PRESIDENTIAL EXECUTIVE ORDER CALLED IMPLEMENTING AN AMERICA-
FIRST OFFSHORE ENERGY STRATEGY, WHICH ESTABLISHES A POLICY TO
ENCOURAGE ENERGY EXPLORATION AND PRODUCTION ON THE
OUTER CONTINENTAL SHELF**

WHEREAS, The California State Lands Commission has exclusive jurisdiction over approximately 4 million acres of tide and submerged lands owned by the State, including approximately 120 navigable rivers and sloughs, 40 navigable lakes, tidal bays, inlets, straits, lagoons and estuaries, and along the State's over 1,100 miles of coastline and offshore islands from the mean high tide line to 3 nautical miles offshore; and

WHEREAS, The Commission serves the people of California by providing stewardship of the lands, waterways, and resources entrusted to its care through preservation, restoration, enhancement, responsible economic development, and the promotion of public access; and

WHEREAS, On April 28, 2017, the President of the United States issued an Executive Order called Implementing an America-First Offshore Energy Strategy, which establishes a policy to encourage energy exploration and production on the Outer Continental Shelf (OCS) and restarts the 2017-2022 five-year lease sales program, potentially opening up Arctic waters and millions of coastal acres off U.S. shores to oil and gas drilling; and

WHEREAS, California's coastline supports tourism, fishing, navigation, public access, and abundant marine life, including whales, salmon, sea lions, and shorebirds, and the Pacific OCS area has significant oil reserves—estimated to contain approximately 10 billion barrels of oil, and ocean basins off the coasts of Mendocino, San Francisco, Big Sur, Santa Barbara, and San Diego are estimated to contain over one billion barrels of oil; and

WHEREAS, The purpose of the Executive Order is to facilitate offshore oil and gas development in federal waters and its basis is that oil and gas development ushers in economic growth and job creation and bolsters national security; and

WHEREAS, The Executive Order restarts the 5-year oil and gas leasing program for OCS areas, and while it is focused on the Arctic, the 5-year program covers the entire OCS planning area, including the Pacific OCS; and

WHEREAS, The existing 5-year oil and gas leasing program for 2017 through 2022 excludes lease sales in the Pacific or Atlantic OCS areas, and the Executive Order short circuits that program; and

WHEREAS, Contrary to the Executive Order, the Commission continues to pioneer clean, renewable energy, recognizing that instead of prioritizing new oil and gas development, the Nation can thrive by championing renewable energy, which creates, jobs, bolsters the economy, and protects the coastline, resources, and marine wildlife from a catastrophic oil spill; and

WHEREAS, California has spent decades laying a foundation for the green economy and renewable energy, including establishing targets to increase retail sales of renewable electricity to 50 percent by 2030, and doubling the energy efficiency savings in electricity and natural gas end uses by 2030; and

WHEREAS, California leads the nation in reducing carbon pollution and recently enacted legislation requiring statewide greenhouse gas emissions to be 40 percent below the 1990 level by 2030; and

WHEREAS, Governor Edmund G. Brown Jr.'s Executive Order B-30-15 acknowledges the threat of climate change to the health and well-being of humans and natural resources, highlights California's efforts to achieve significant emission reductions by 2050, and directs State government to implement Safeguarding California, California's climate adaptation plan; and

WHEREAS, Shifting away from fossil fuel dependency and increasing the State's renewable energy portfolio is a key strategy to fight climate change and reduce greenhouse gas emissions; and

WHEREAS, Action to combat climate change works in concert with economic growth, and as California has shown, renewable energy creates more jobs per megawatt of power installed, per unit of energy produced, and per dollar of investment compared to energy production from fossil fuels; and

WHEREAS, The Executive Order reverses progress toward climate change preparedness by revoking an Executive Order the previous President issued in 2016 that created the Northern Bering Sea Climate Resilience Area in Alaska and withdrew two OCS areas in the Arctic from oil and gas exploration, development, or production, banning development in most of the Beaufort and Chukchi Seas; and

WHEREAS, That 2016 Executive Order made it a policy of the United States to enhance the resilience of the northern Bering Sea region by conserving the region's ecosystem and natural resources, created a task force for the Northern Bering Sea Climate Resilience Area, and created a Northern Bering Sea Intergovernmental Tribal Advisory Council to improve consultation with tribes and indigenous residents of the region; the Bering Sea Elders Group and nonprofits representing over 70 tribes requested that Order; and

WHEREAS, California has made significant social and financial investments to create the nation's first science-based network of marine protected areas to protect marine life and habitats for current and future generations, and covering 16 percent of state waters, California's network safeguards ecosystems and economic activities that rely on a healthy ocean—including tourism and commercial fishing—and supports the state's thriving \$44 billion ocean economy;¹ and

WHEREAS, California is a founding member of the International Ocean Acidification Alliance to Combat Ocean Acidification, which brings governmental and affiliate members together to identify, coordinate, and expand meaningful and timely actions to combat ocean acidification and limit other climate change-driven changes to the world's oceans, and the Alliance highlights the urgency of reducing greenhouse emissions and other causes of ocean acidification as well as implementing actions to adapt to and raise awareness of climate change-driven changes to the ocean; and

WHEREAS, The Implementing an America-First Offshore Energy Strategy Executive Order requires the Secretary of Commerce to review a 2016 National Oceanic and Atmospheric Administration guidance document that assesses the effects of anthropogenic sound on marine mammal hearing for consistency with the Order's policy of encouraging oil and gas development, and rescind or revise this guidance if appropriate; and

WHEREAS, The Commission issues permits for geological and geophysical surveys offshore, and works with federal agencies and state partners to develop strong, science-based protections for marine mammals from the underwater acoustic impacts associated with seismic activities; and

WHEREAS, Sound, and marine mammals, know no political boundaries—activities occurring beyond California's 3 mile boundary in federal waters can influence and impact protected marine mammal species that use State waters to feed, breed, and migrate, and this Order may undermine federal and state protections and expose marine mammals to injurious noise levels that could have population-level impacts; and

¹ NOAA Office of Coastal Management. 2015. The National Significance of California's Ocean Economy. Available at: <https://coast.noaa.gov/data/digitalcoast/pdf/california-ocean-economy.pdf>

WHEREAS, The Commission rejects the President's premise that encouraging energy exploration and production on the OCS is necessary to maintain the Nation's position as a global energy leader and foster energy security and resilience for the benefit of the American people; now therefore, be it

RESOLVED BY THE CALIFORNIA STATE LANDS COMMISSION that it opposes the Implementing an America-First Offshore Energy Strategy, which establishes a policy to encourage energy exploration and production on the Outer Continental Shelf; and be it further

RESOLVED, that the Commission's Executive Officer transmits 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.

Adopted by the California State Lands Commission on June 22, 2017.