



Offshore oil and gas production in state and federal waters

According to the State Lands Commission (commission), the Legislature, beginning in 1921 and repeatedly since, has passed laws that exclude offshore areas of the state from oil and gas leasing.

According to the commission, it issued over fifty offshore oil and gas leases between 1938 and 1968. In general, lease terms provide for the leases to remain in effect so long as oil and gas production continues in paying or commercial quantities. When production ceases, a lease should be quitclaimed back to the commission once the infrastructure has been removed and the lease terms satisfied.

In January 1969 – only 2 years after federal OCS leasing began, a blowout occurred on a well drilled from one of the platforms in federal waters off of Santa Barbara which resulted in a spill of approximately 3 – 4 million gallons of crude oil. This spill oiled two hundred square miles of ocean and thirty-five miles of state coastline, and killed thousands of animals. The commission has not issued any new oil and gas leases since. The 1969 Santa Barbara oil spill was the largest in the nation until the Deepwater Horizon spill in the Gulf of Mexico in 2010.

Existing law establishes the commission in the California Natural Resources Agency. The commission has exclusive jurisdiction over ungranted tidelands and submerged lands owned by the state. The commission has had exclusive jurisdiction over the leasing of offshore state lands for oil and gas production since 1938. The commission

also issues right-of-way leases for pipelines necessary to support offshore OCS oil and gas infrastructure, and onshore oil and gas infrastructure located in tidelands may also require a commission lease. The powers of the commission as to the leasing or granting of rights or privileges to lands owned by the state may also be conferred upon a local trustee of granted public trust lands to which those lands have been granted.

Existing law establishes the California Coastal Sanctuary Act of 1994 (Public Resources Code (PRC) §§6240 *et seq.*) which extended the then-California coastal sanctuary and removed the authority of the commission to issue new oil and gas leases for unleased tide and submerged lands underlying the Pacific Ocean with limited exceptions – in the event of an energy supply emergency resulting in certain government actions, as specified, and if a state oil and gas reservoir is being drained from federal waters. Legislative findings state that “offshore oil and gas production in certain areas of state waters poses an unacceptably high risk of damage and disruption to the marine environment of the state.” (PRC §6241)

Existing law establishes the federal Outer Continental Shelf Lands Act (OCSLA)(43 U.S.C. §§1331 *et seq.*) defines the OCS as all submerged lands lying between the seaward extent of the state jurisdiction and the seaward extent of federal jurisdiction.

The OCSLA declares, among other things, that it is the national policy that the OCS is a vital national resource reserve held by the federal government for the public, which should be made available for expeditious and orderly development, subject to environmental safeguards, in a manner that is consistent with the maintenance of competition and other national needs.

There are 30 existing active oil and gas leases under the OCSLA in federal waters offshore California. The leases cover approximately 153,000 acres and include 23 oil and gas platforms and hundreds of miles of pipeline. Of the 23 platforms, 20 are used for oil and gas production, one is used for processing, and two (Gail and Grace) are beginning the process of decommissioning. All 23 of the platforms are located off southern California (primarily offshore Santa Barbara, but also Ventura, Los Angeles, and Orange Counties).

The U.S. Department of Interior (DOI) is required to prepare, periodically revise, and maintain an oil and gas leasing program that consists of a schedule or proposed lease sales indicating, as precisely as possible, the size, timing, and location of leasing activity that DOI determines will best meet national energy needs for the five-year period following its approval or re-approval.

Priority leasing considerations are provided to areas where the combination of previous experience; local, state and national laws and policies; and expressions of industry interest indicate that potential leasing and development activities could be expected to proceed in an orderly manner.

The federal government imposed a moratorium on new leases in federal waters off of California in 1984. In 1990, President George H. W. Bush prevented leases from being issued in federal OCS waters offshore California and other states for 10 years under the OCSLA. President Bill Clinton extended this freeze through 2012. President George W. Bush, however, terminated the freeze in 2008, but no new leases were subsequently

issued. President Barack Obama instituted a moratorium on new leases under the OCSLA from December 2016 through 2022.

However, in January 2018, the Trump Administration announced plans to reopen the then-current federal leasing plan and specifically included all of the California OCS in its initial proposal. Then-DOI Secretary Zinke stated in testimony before the U.S. Senate that he doubted that oil and gas exploration would occur in the Pacific region.

The potential reopening of federal OCS oil and gas leasing off the coast in the first Trump Administration generated considerable immediate resistance in California. Numerous state entities (including, for example, the Secretary of California Natural Resources Agency, the commission, the Attorney General, the Ocean Protection Council and the California Coastal Commission) opposed the proposed leasing, as did then-Governor Brown. Both of the state's U.S. Senators, many members of its Congressional delegation, and members of the Legislature also publicly opposed new leasing.

Many factors were cited in opposing renewed oil and gas operations offshore in the federal OCS. These include identified flaws in the process currently being following by federal authorities, insignificant benefit of increased OCS oil and gas production to the state, significant risks to the coastal economy (including to tourism, recreation, and fisheries, among other things), significant risks to the environment (including marine protected areas), and scenic and other values, lack of apparent industry interest, changes to the energy markets, and climate change, among other things.

The efforts during the first Trump Administration to return to offshore federal OCS leasing off California waters eventually failed. The subsequent Biden Administration removed offshore California and the rest of the Pacific coast from future federal OCS oil and gas leasing permanently in January 2025 citing the need to protect the region from the risk of oil spills that would do little to meet the nation's energy needs. The 2024 – 2029 federal OCS oil and gas leasing program developed during the Biden Administration focused new oil and gas leasing in the Gulf of Mexico only.

The second Trump Administration has moved to reverse the January 2025 drilling ban as part of a new 11th National OCS Oil and Gas Leasing program (National OCS Leasing Program). All of the Pacific coast, including six potential sales off the coast of California, has been proposed for inclusion. In addition, citing time constraints, BOEM has announced it is not preparing an environmental impact statement (EIS) for the 2026 – 2031 National OCS Leasing Program, unlike those that had been prepared previously for earlier 5-year programs, and is not intending to provide the public an opportunity to comment on a draft programmatic EIS specific to offshore California leasing⁴.

Similar to previous recent attempts to reopen federal OCS oil and gas leasing offshore California, there is considerable opposition. The commission recently approved a resolution in opposition and Governor Newsom has stated his Administration's opposition.

⁴ BOEM recently announced a Notice of Intent to prepare the programmatic EIS (PEIS). Due to cited time limitations, BOEM announced that the comment period for both the NOI and the PEIS would be combined.

PROPOSED RESOLUTION

This resolution would:

- 1) State that the California Legislature:
 - a) Considers new oil and gas offshore drilling to be a threat to the nation's and the state's ocean environment and wildlife, ancestral lands and waters of California Native American tribes, marine and coastal economy, national security, and the well-being of all Californians; and inconsistent with the state's ambitious renewable energy goal.
 - b) Requests that BOEM hold public hearings on the proposed leasing plan in the State of California to ensure that all Californians have an opportunity to be heard.
 - c) Requests that BOEM prepare a programmatic environmental impact statement to accompany the 2026 – 2031 National OSC Leasing Program.
 - d) Strongly and unequivocally oppose any new offshore drilling, including the federal government's proposed leasing plan, which would expose the entire California Coast to new offshore drilling and the accompanying risks to coastal environment, fishing, tourism, and recreation from an oil spill.
 - e) Urges the US Secretary of the Interior to remove California from the federal government's proposed leasing plan.
 - f) Declares unequivocal support for the current federal prohibition on new oil or gas drilling in federal waters offshore of the Pacific coast, its opposition to the proposed five-year National OSC Leasing Program or any attempts to modify that prohibition, and its determination to consider any appropriate actions to maintain that prohibition.
- 2) Require the Secretary of the Senate to transmit copies of the resolution to the President and Vice President of the United States, the Governor of California, certain US Senate and Congressional leaders, the Senators and US Representatives from California, the Secretary of the US Department of the Interior, the Acting Director of BOEM, and each member of the California Legislature.
- 3) Make numerous findings in support of the resolution including, among others:
 - a) In 2018 the Legislature passed and the Governor signed two bills – SB 834 (Jackson, Chapter 309, Statutes of 2018) and AB 1775 (Muratsuchi, Chapter 310, Statutes of 2018) to prohibit the commission from issuing new leases in support of the construction of new federal OCS oil and gas leases.
 - b) In 2024, the Legislature passed and the Governor signed SB 704 (Min, Chapter 292, Statutes of 2024) to require that any new federal OCS oil and gas development had to fully comply with the California Coastal Act of 1976.
 - c) Twenty-seven municipalities in California have passed ordinances prohibiting or requiring the vote of the people to approve zoning changes to support onshore

facilities to support offshore oil and gas production. Over 100 local jurisdictions on the US West Coast have adopted resolutions opposed to an expansion of offshore oil and gas development.

- d) According to the National Oceanic and Atmospheric Administration, in 2021 the healthy, clean, and biodiverse ocean supports more than 350,000 jobs, paying over \$12 billion in wages, and generating almost \$26 billion in annual economic activity through fishing, tourism, and recreation.

ARGUMENTS IN SUPPORT

According to the author, “California’s coast is integral to our environment, economy, and identity. The federal administration’s proposed 2026–2031 National Outer Continental Shelf Oil and Gas Leasing Program would open up California’s coast to new drilling and increase fossil fuel emissions and have devastating impacts on marine ecosystems and coastal communities. Senate Joint Resolution 12 affirms the California Legislature’s opposition to the proposed plan and our commitment to protect marine ecosystems, transition to clean energy, and support coastal economies. This resolution makes clear that Californians, as well as leaders across the country, oppose a reckless offshore drilling plan that ignores environmental risks and input from the public.”

ARGUMENTS IN OPPOSITION

None received

COMMENTS

BOEM taking steps to rescind additional offshore bonding requirements. In February 2024, the US Government Accountability Office (GAO) released a report that found that the DOI needed to improve offshore OCS decommissioning enforcement and mitigate related risks. It found that the DOI held only about \$3.5 billion in bonds against about \$40 - \$70 billion of potential decommissioning costs. BOEM recently announced that the additional bonding requirements imposed following the study would be rescinded.

Fracking in federal waters offshore California. In March 2026, BOEM issued a Notice of Intent to prepare an EIS for a proposed update to the Santa Clara Unit development and production plan, which would include the use of hydraulic fracturing of 16 existing wells at Platform Gilda (offshore Ventura County). Onshore and offshore in state waters fracking of oil and gas wells is illegal in California. At least one previous EIS for an offshore California OCS lease was found by a court to treat fracking inadequately.

Sable Offshore. On March 13, 2026, President Trump signed an Executive Order delegating authority to the Secretary of the US Department of Energy to invoke the Defense Production Act in the event of an energy emergency, among other provisions. Secretary Wright subsequently ordered the Santa Ynez Unit offshore California to restart production, including using the pipeline that was the source of the 2015 Refugio Beach oil spill. The ability to restart production by Sable Offshore was already the subject of litigation between multiple state and federal entities, environmental advocates, and Sable Offshore. Subsequently to Secretary Wright’s actions, the California Department of Parks and Recreation rejected Sable Offshore’s application to use pipeline placed through Gaviota State Park and ordered Sable Offshore to

“immediately remove” the pipeline. On March 16, 2026, the commission voted to join litigation against the Executive Order and to consider taking action to terminate its leases that Sable Offshore operates under. On March 19, 2026, the California Coastal Commission wrote a letter to Sable Offshore stating that it needed a coastal development permit to re-start the pipeline and that its actions to re-start the pipeline were likely in violation of two separate court injunctions.

Sable Offshore says it has 540,000 barrels of oil in storage and plans to start selling oil on April 1.

Recent related resolutions

SR 73 (McGuire, enrolled February 2018) provided that the Senate strongly urged federal authorities to permanently safeguard and protect the California coast from new federal oil and gas leasing and declared the Senate’s unequivocal support for the existing federal prohibition on new oil or gas leasing in federal waters offshore the Pacific Coast, and its opposition to any efforts to lift that prohibition, as provided.

AJR 29 (Limón, Chapter 19, Resolutions of 2018) provided that the Legislature strongly and unequivocally support the current federal prohibition on new oil and gas drilling in federal waters offshore California, opposed the Trump Administration’s proposal to remove safety and environmental protections related to offshore drilling operations, and opposed the Trump Administration’s proposed leasing plan that would expose the state to new offshore drilling, urge that California be removed from the proposed leasing plan and request that the BOEM hold more than one public hearing in the state to receive comment, as provided.

SR 51 (McGuire, enrolled July 2017) provided that the Senate strongly urged the President and the U.S. Congress to permanently safeguard and protect federal waters offshore the Pacific Coast from new oil and gas leasing, and declared the Senate’s unequivocal support of the current prohibition on new oil or gas drilling in federal waters offshore of the Pacific Coast, opposed any changes to the new 5-year federal leasing program to lift that prohibition or any attempts to modify that prohibition, and stated its determination to take appropriate action in response, as provided.

SR 35 (Jackson, enrolled May 2017) provided that the Senate strongly and unequivocally supports the current federal prohibition on new oil or gas drilling in federal waters offshore California, opposed attempt to modify the prohibition, and pledged to consider actions to maintain that prohibition, as provided.

AJR 51 (Nava, Chapter 146, Resolutions of 2008) requested the US Congress continue the federal offshore oil and gas leasing moratorium for the 2009 fiscal year and later years, and opposed certain related federal energy policies, among other things.

AJR 55 (Nava, Chapter 137, Resolutions of 2006) requested that the UC Congress continue the federal offshore oil and gas leasing moratorium for fiscal year 2007 and later years, and expressed opposition to certain provisions of proposed federal energy policies and legislation.

AJR 14 (Yee, Chapter 94, Resolutions of 2005) requested that the US Congress continue the federal offshore oil and gas leasing moratorium for fiscal year 2006 and

beyond, and expressed opposition to certain provisions of proposed federal energy policies and legislation.

SJR 2 (Alpert/O'Connell, Chapter 86, Resolutions of 1999) memorialized President Clinton to extend the moratorium on federal offshore oil and gas leases to certain leases awarded prior to the moratorium or to terminate those leases.

SUGGESTED AMENDMENTS: none**SUPPORT**

350 Humboldt
350 Santa Barbara
Active San Gabriel Valley
Azul, Bixby Residential, Inc.
California Coastal Protection Network
California Coastkeeper Alliance
California Environmental Voters
California Land Watch
Center for Biological Diversity
Center for Environmental Health
Defenders of Wildlife
CalWild
CleanEarth4Kids.org
Climate Action California,
Climate First: Replacing Oil & Gas (CFROG)
Coastal Corridor Alliance
Earth Island Institute – International Marine Mammal Project
Environment California
Environmental Action Committee of West Marin
Environmental Defense Center
Environmental Justice Catholic Charities of Stockton
Fish On
Friends Committee on Legislation of California
FutureSwell
Heal the Ocean
Humboldt Waterkeeper
Monterey Bay Aquarium
Ocean Conservancy
Ocean Conservation Research
Oceana
Orange County Coastkeeper
Resource Renewal Institute
San Francisco Baykeeper
Santa Barbara Channelkeeper
Save Our Shores
Save The Bay
Sempervirens Fund
Sierra Club California
Surfrider Foundation

The CORE Project
Tomales Bay Foundation
Turtle Island Restoration Network
WILDCOAST

an individual

OPPOSITION

None received

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