



## **Environmental Groups ask Governor to Restore California Coastal Act Protections for Refugio Oil Spill Cleanup**

*40-year Landmark Coastal Protection Law suspended in wake of Refugio Oil Spill*

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*Santa Barbara, CA.* Environmental organizations from around the State have joined together to ask the Governor to ensure full protection of the coast by rescinding his suspension of the Coastal Act in response to the recent Refugio Oil Spill. This spill has already had a devastating effect on the California coast, causing the deaths of numerous marine mammals and seabirds, closure of two popular State Parks and 138 square miles of fishing grounds, and fouling more than 40 miles of beaches. Every day the evidence of the damage increases. The Coastal Act, arguably the most significant coastal protection law in the nation, is essential to ensure the fastest possible recovery for the State's treasured coastline.

One day after the spill, the Governor issued a Proclamation of a State of Emergency. While such proclamations are beneficial in that they provide necessary funding and resources to respond to an emergency such as this oil spill, the Governor's proclamation also suspended the California Coastal Act. As the organizations' letter points out, this suspension is not only unnecessary, it will make a bad situation significantly worse.

"The oil spill occurred because of a weakening of regulatory oversight," pointed out Linda Krop, Chief Counsel of the Environmental Defense Center in Santa Barbara. "We don't want the damage to be made worse by further weakening regulatory oversight in response to the spill."

"The Coastal Act is truly the voice of the people who carried petitions and mortgaged their houses to raise funds in order to get Proposition 20, the Coastal Zone Conservation Act, passed in 1972. And, this is the first time, in history, that the Coastal Act and the authority of the Coastal Commission have been suspended. Given the provisions in the Act to act expeditiously in the event of an emergency, this suspension was ill-advised, unnecessary and has set a significant adverse statewide precedent that should not be underestimated" said Susan Jordan, Director of the California Coastal Protection Network.

The letter points out that the Coastal Act already provides for emergency permits and waivers in the event of a disaster such as this oil spill, and that these permits and waivers can be issued immediately to avoid any delays in spill response and clean-up. In fact, in 1997 the California Coastal Commission issued an emergency permit to Torch Oil & Gas Company in response to another pipeline oil spill, without causing any problems or delays. Without an emergency permit or waiver, the Commission and local governments do not have the authority to require post-emergency mitigation and restoration. In fact, the Governor's proclamation specifically prohibits mitigation under the Coastal Act.

Suspending the Coastal Act will further the environmental harm caused by the spill. Ironically, the Coastal Act was one of the primary responses to the massive oil spill off the Santa Barbara coast in 1969 and contains some of the strongest environmental protections in the country. In particular, the Coastal Act provides important protections for environmentally sensitive habitats, wetlands, and the marine environment. It also protects commercial and recreational fishing, and cultural resources, all of which have been impacted by this spill. No other state agency is empowered to mandate and enforce the protections in the Coastal Act.

“Considering the delayed manner in which a full-scale shoreline response was initiated, it is imperative that all regulatory agencies are involved with response efforts. The Coastal Commission can help ensure long-term mitigation and restoration efforts are effectively established quickly” said Stefanie Sekich-Quinn, of the Surfrider Foundation.

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**Environmental Defense Center**, a non-profit law firm, protects and enhances the local environment through education, advocacy, and legal action and works primarily within Ventura, Santa Barbara, and San Luis Obispo Counties. Founded in response to the 1969 Oil Spill more than 40 years ago, EDC has represented itself and other organizations to advance environmental protection. Learn more about EDC at [www.EnvironmentalDefenseCenter.org](http://www.EnvironmentalDefenseCenter.org).

**California Coastal Protection Network**, founded in 1999, is a 501(c) 3 dedicated to environmental advocacy on large scale, precedent setting coastal and ocean development projects on a statewide basis. CCPN works with national, state and local advocacy groups to advance coastal protection in California.

**The Surfrider Foundation** is a non-profit grassroots organization dedicated to the protection and enjoyment of our world’s ocean, waves and beaches through a powerful activist network. Founded in 1984 by a handful of visionary surfers in Malibu, California, the Surfrider Foundation now maintains over 250,000 supporters, activists and members worldwide. For more information on the Surfrider Foundation, visit [surfrider.org](http://surfrider.org).