

# The California OCS Local Government Coordination Program

## Facilitating the Local Role in Offshore Drilling Decisions

### **Why Local Governments Need to be Involved in Offshore Drilling Decisions:**

Local communities bear the primary impacts of offshore drilling, even though the drilling activities occur on the Outer Continental Shelf (OCS) under the federal jurisdiction of the Department of Interior. Air pollution from drilling operations inevitably blows ashore, the commercial fishing industry is displaced by drilling rigs, oil spills close recreational beaches, and onshore industrial facilities are needed to support petroleum development offshore. For these reasons, local government agencies were granted a role in federal OCS leasing decisions when Congress adopted the OCS Lands Act Amendments in 1978. Post-lease decisions relevant to offshore drilling come under local jurisdiction through the Local Coastal Programs adopted pursuant to the Coastal Zone Management Act, as well as through other local land-use and planning policies.

In spite of a clearly-defined legislative mandate for local participation in the OCS decisionmaking process, experience in California over the past decade has demonstrated that local agencies must protect their interests with an assertive, coordinated, and high-profile strategy. Balanced against the considerable economic power and lobbying clout of the oil industry, local communities have found it necessary to diligently pursue their legitimate role in this dialog or be largely left out of the process. The protection of local interests, such as regional economies based on commercial fishing and coastal-dependent tourism, requires an ongoing effort. An effective local role relies on a constant flow of information between local agencies and the Congress, the Governor, and the Department of Interior. City Councils and County Boards of Supervisors need to remain constantly in close contact with one another, with their Congressional Delegation, with the State Legislature, and with their own constituents. The periodic opportunities for local input need to be met with an appropriate and timely local response. In California, for the past eight years, this critical city and county role in OCS decisions has been effectively facilitated by the Local Government Coordination Program.

### **The Local Government Coordination Program— Staff Support and Lobbying Services for Local Agencies Statewide**

Californians place a very high priority on coastal protection. This fact is evidenced by the extensive system of parklands which grace our coastline, as well the intensive public use which these parklands enjoy. While California remains the fourth largest producer

of domestic petroleum nationwide, the public has grown increasingly concerned over how and where new offshore drilling will occur. This intense public concern over coastal drilling has created increasing responsibilities for local governments which must respond to federal OCS leasing proposals and also address plans for creation or expansion of onshore facilities to support offshore drilling. Local elected officials in coastal jurisdictions now find themselves on the front lines of a controversy which pits major multinational corporate interests against public policies favoring coastal protection. Frequently, staff support on OCS issues at the local level is unavailable or overburdened.

Eight years ago, local agencies along the California coast came up with a cost-effective solution to the need for local expertise by creating the Local Government Coordination Program. Since that time, the Local Government Coordination Program, directed by Richard Charter, has responded to the needs of local officials statewide with a proven track record of legislative successes, timely information, and technical expertise on OCS matters. This program has successfully addressed the many facets of the OCS leasing dialog throughout the terms of two federal Administrations, four Interior Secretaries, and two California Governors. The Coordination Program works on an ongoing basis with the California Congressional Delegation in a bipartisan fashion. The results of this cooperative intergovernmental effort speak for themselves.

### **A Winning Track Record:**

The Local Government Coordination Program operates according to a well-defined work program administered by the County Administrative Office at the County of Santa Cruz. This work program emphasizes interagency coordination among participating local governments as well as close cooperation with Congressional representatives. The Local Government Coordination Program does not formulate policy, but rather develops suggested position papers which are made available to local officials for consideration as appropriate OCS decision points present themselves. Local agencies, acting with the staff support provided by the Program, adopt their own resolutions as determined by constituent participation and local concerns. The Coordination Program then works to translate these local positions into legislative policy. This involves coordination with the responsible federal agencies and with the Congress. Frequently, interests shared in common with other coastal states permit multi-state legislative strategies which facilitate major Congressional actions addressing local concerns.

## Critical Services Provided by the Local Government Coordination Program:

### Interagency Coordination:

Your agency needs to know when it is time to take action on behalf of your coastline. You need to know what comprises an appropriate response in a given situation. You need to know where to direct your views. Important deadlines appear quickly. Your participation in the Coordination Program ensures that key actions are taken by your agency in time to meet these deadlines in concert with other local governments. You will receive regular "OCS Action Alerts" as well as the popular new publication, "On the Coast". These publications make it easy to stay up to date.

### Staff Support:

The Program provides timely technical information and legislative analysis which is tailored to the needs of local governments. Clear, concise action alerts let you know what's going on, how to influence decisions, and when you need to act. Your decisions and actions will benefit from the perspective provided by a national overview. Your agency will benefit from a comprehensive knowledge of the legal precedents, the legislative history, the Congressional agenda, and a careful analysis of political strategy.

### Tracking Legislation and State and Federal Agencies:

What's going on along your coastline? What is the Department of Interior doing right now? What is the Congress doing and when will they act? What is going on in the State Legislature? Where does the Governor stand? How does the Environmental Protection Agency influence the decision at hand? What authority does the California Coastal Commission have? The OCS issue is moving rapidly on myriad fronts. When something is happening in Washington, D.C. or in Sacramento which affects your coastline, you'll know about it and you will be a participant.

### Lobbying Activities:

When the time comes for a group of local officials to engage in direct lobbying in Congress, you will be able to join in the effort. Legislative target lists, talking points, and access to key players is provided. There is no legislative tactic which is more successful than going to the decisionmakers in person, at the appropriate time, to make your case. Legislative action has proven to be one of the greatest successes attributable to the Coordination Program.

### Media Relations:

The print media, television, and radio are primary tools utilized by the Program on behalf of local governments. The public wants to know what is happening with regard to federal plans for offshore drilling on the California coast. The Coordination Program provides an educated response to local, regional, and national press whenever OCS news is breaking. Reporters nationwide call the Program every day for OCS information. The news media is constantly seeking basic background, an informed quote for a deadline story, or a list of news sources for detailed research. Because the Coordination Program has been consistent in providing reliable information, it enjoys a long-term credibility with reporters. The

Coordination Program maintains state-of-the-art telecommunications contact with news services such as United Press International, Associated Press, and the Washington Post, as well as traditional clipping services which track local papers and the petroleum trade publications. Relevant news items are forwarded to Coordination Program participants as necessary. The Coordination Program has produced successful press events for local officials visiting Washington, DC, as well as conducted numerous press conferences held in California. The Program maintains a membership in the PR Newswire in Washington, DC, enabling instant dissemination of local news items to the national media via computer when needed.

### Public Relations Services:

Generating broad public awareness of the concerns of local governments relevant to the OCS issue comprises one of the major work tasks for the Program. Professional graphic arts and video production services are provided by the Coordination Program, based on twenty-two years of public relations experience serving major commercial clients. Newsletters, brochures, posters, and radio and television commercials have been designed and produced for participating local agencies. An aware and educated public is frequently the most important element in determining the outcome of key decisions affecting the coast. Turnout for public hearings, written comments in response to document review periods, or draft letters in support of important legislation have all been provided through the outreach services of the Program. The results of this outreach program have been extremely successful in elevating the OCS controversy in the public consciousness.



A number of the publications which have been designed and distributed by the Local Government Coordination Program.

### Information Clearinghouse:

The offshore drilling issue requires local agencies to stay abreast of current information on a broad range of topics. The Local Government Coordination Program serves as an information clearinghouse for technical data relevant to the OCS issue. The Program tracks all relevant technical conferences, reviews scientific and industry publications, and researches relevant technical subjects. When you need information about any facet of the OCS topic, one phone call will bring you prompt answers to your questions. If what you need is not already in the extensive library maintained by the Program, the answer will be researched without delay.

### Legal Coordination:

When necessary, the Coordination Program serves as the facilitating entity for a coordinated legal response to inappropriate actions undertaken by federal agencies. The clout of local agencies in the courts has been significantly enhanced through multi-agency legal actions. The Program identifies appropriate legal options, suggests competent counsel, and facilitates cooperative legal strategies. The courts logically exhibit a greater receptivity to an action brought by twenty plaintiff agencies acting in concert than to unilateral actions undertaken by a single entity. The economic efficiency provided by coordinated legal action makes possible the best possible legal representation when such action becomes necessary in defense of the coast.

### Speakers Bureau:

Gatherings of civic groups, national conferences, and legislative hearings have all benefitted from detailed presentations on the OCS issue presented by Coordination Program Director Richard Charter. The public awareness of the OCS topic has been greatly enhanced by periodic reports to the state legislature, speeches to national groups, and updates for individual Boards of Supervisors and City Councils provided by the Program. These presentations serve to broaden the understanding of the complex OCS topic by those in a position to influence the outcome.



Photo: Martin L. Nelson

Richard Charter has directed the Local Government Coordination Program since its inception.

## Accomplishments of the Program:

### Moratorium Provisions—Congressional Protection for the Coast:

Seven consecutive years of protection have been provided through Congressional action. This protection has primarily been accomplished by utilization of annual Congressional funding bans applied to the Appropriations Bill for the Department of Interior. As the aggressive OCS leasing policies of Interior Secretary James Watt threatened the most sensitive portions of the California coastline, local government pressure articulated through the Coordination Program was instrumental in convincing Congress to intervene. After Interior Secretary Hodel reneged on his 1985 agreement over OCS leasing offshore California, the Coordination Program helped to convince Congress to delay all new California OCS leasing until the next Administration (February 1989).

### Preserving Coastal Zone Management Authority in OCS Leasing Actions:

When Interior Secretary Watt proceeded to lease environmentally-sensitive tracts offshore central California over the objections of the California Coastal Commission, the Coordination Program enabled numerous local agencies to mount the necessary legal challenge in response. Twenty-four local governments ultimately joined the State of California as Intervenor in pursuing legal action through the U.S. Supreme Court. More recently, the Department of Commerce has undertaken actions aimed at undermining legitimate Coastal Zone Management authority in California. The Coordination Program has facilitated "Dear Colleague" letters and other Congressional actions designed to preserve the important coastal management role being carried out by the California Coastal Commission.

### Protecting the Local Role in OCS-Related Land Use Decisions:

The Program has been instrumental in Congress and in California in assisting Santa Barbara County in protecting their local voice in decisions during the development phase of OCS activities. With the assistance of the Coordination Program, Santa Barbara County was able to achieve a favorable outcome in the county's confrontation with Exxon over company plans to continue utilization of a risky and polluting "Offshore Storage and Treatment Vessel" off of the Santa Barbara coast. In addition, the Coordination Program has assisted in the passage of a total of seventeen local ordinances throughout California which are designed to preserve the local voice in land-use decisions related to onshore OCS facilities. Recently, when the Western Oil and Gas Association filed suit seeking to overturn many of these local ordinances, the Coordination Program brought together a collective legal defense strategy which has resulted in a cost-effective and well-planned legal defense.

## Accomplishments:

### Expanding Local Agency Involvement in OCS Issues in California:

The network of local agencies served by the Local Government Coordination Program in California has undergone extensive expansion since the Program was first established eight years ago. A computer data-base of interested and dedicated local officials is maintained and is constantly being expanded. The Coordination Program has been used as a model by other coastal states seeking to strengthen the local role in federal OCS leasing decisions.

### Creation of a National Coalition on OCS Issues:

In March of 1988, representatives of major coastal interest groups from Florida, New England, the Gulf states, Alaska, Oregon, Washington State, and California held their first meeting in Washington, DC. A very considerable constituency nationwide was represented at this three-day meeting. The media coverage of this conference helped to elevate the coastal protection issue from a multi-regional provincial topic to the national political agenda. This meeting saw the formulation of a strategy involving multi-state cooperation in Congress and the courts. Two weeks after this national conference, Interior Secretary Hodel announced that he was deleting the Florida Keys from further consideration for leasing in the current Five-Year OCS Plan, an action potentially related to the national response to his leasing proposal. Continued cooperation among various regions of the country is now taking place, with the Coordination Program playing a key role in these efforts. Congressional intervention in Interior's leasing plans for sensitive areas offshore California and New England, a stronger role in leasing decisions for coastal states under the Coastal Zone Management Act, and a national media campaign focused on coastal protection are a few of the elements encompassed in the national strategy. The offshore drilling controversy has clearly become a national issue in the 1988 Presidential campaigns.

### Liaison Between Local Governments and Citizen Groups:

The commercial fishing industry, the visitor-serving industry, and numerous established citizen groups have many interests in common with coastal local governments with respect to the OCS issue. In recognition of this fact, the Coordination Program assisted in the formation, eight years ago, of a statewide coalition of interest groups responding to OCS-related proposals. The Coordination Program continues to participate in the OCS Coalition on an ongoing basis. In addition, a new Southern California OCS Coalition has recently been founded with assistance from the Coordination Program.

### Technical Support and Liaison with the California Congressional Delegation:

A bipartisan consensus on OCS topics within the California Congressional Delegation is due in large part to the close communication between local officials and their counterparts on Capitol Hill. This intergovernmental communication has been facilitated by the Coordination Program. Since 1985, Richard Charter has spent as many as three and four months of the year maintaining

an office in Washington, DC, for the purpose of providing staff support to Congressional representatives engaged in day-to-day deliberations over OCS proposals for the California coast. This direct ongoing presence has enabled local agencies to stay in close contact with the Congress at critical junctures in the decisionmaking process.

### Protection for the Commercial Fishing Industry:

The Local Government Coordination Program has played a key role in legislative and regulatory initiatives aimed at protecting the commercial fishing industry along the California coast. Most recently, the Coordination Program played a pivotal role in helping to convince the California State Lands Commission that permits for seismic survey activities conducted by geophysical vessels operating within state waters should be subject to preparation of an Environmental Impact Report. Evidence of significant impacts on the commercial fishing industry was researched and incorporated in testimony presented by the Program at key hearing opportunities in Sacramento. The resulting unanimous ruling by the State Lands Commission has curtailed all seismic survey activities within state waters until a full environmental impact document is prepared and subjected to public review.

### Legal Coordination:

The California Attorney General is presently engaged in litigation challenging the Department of Interior Five-Year OCS Leasing Plan on behalf of the State Lands Commission and the California Coastal Commission. The Coordination Program has facilitated the participation of several local agencies as Intervenor in this litigation on behalf of the State of California. Several other coastal states are also participants in this action. At issue is whether or not the Department of Interior complied fully with relevant federal laws when preparing the current Five-Year OCS Leasing Plan.

### National and Statewide Conferences:

The Local Government Coordination Program co-sponsored the successful "Troubled Waters: The Future of the Coast" conference held on November 9, 1987 in Santa Monica, California. This conference attracted an overflow crowd from around the state and the nation. Conference presenters included key Congressional players, local leaders on the OCS issue, informative technical panels, and "Cheers" television star Ted Danson. Mr. Danson presided over a unique awards ceremony for local officials who have played important roles in protection of the coast. All Presidential candidates were invited to address the conference via videotaped interviews. On January 25, 1988, the Coordination Program produced another well-attended conference in San Francisco, entitled "Saving the North Coast: A State of the Coast Conference on Mendocino and Humboldt County Offshore Drilling Issues". Speakers at this conference included California Lieutenant Governor Leo McCarthy, Attorney General John Van deKamp, local elected officials, and several well-received technical panels. This "Saving the North Coast" conference helped to set the stage for the massive turnout for the public hearings on Lease Sale #91 held two weeks later in northern California.



Over 3500 people attended the Lease Sale #91 public hearings held by the Department of Interior in Ft. Bragg.

Inside the hearing, Lieutenant Governor Leo McCarthy, Attorney General John Van deKamp, former San Francisco Mayor Dianne Feinstein, and a nearly endless procession of elected officials and citizens testified against Lease Sale #91 and in favor of proposed California Ocean Sanctuary Legislation. The Department of Interior had sent out written confirmation of specific timeslots for presenting testimony to many of the 1000 individuals who had signed up to testify. Over 750 people who had pre-registered to testify were eventually turned away by the Interior Department without being allowed to speak. After two days and half of one night filled with 25 hours of highly-charged testimony, the hearing panel finally gave up due to exhaustion and closed the proceedings. The legal process for Lease Sale #91 may have been seriously flawed by the premature conclusion of the hearing. The national media, in the meantime, had a field day with the immense crowd scene. The Ft. Bragg public hearing was covered on NBC Nightly News by Tom Brokaw, the "Today" Show, and the Boston Globe, among others. All over the nation, and especially on Capitol Hill, Americans were awakened to the threat posed by OCS development to the national treasure represented by the north coast. Logistical support in preparation for the Ft. Bragg hearing provided by the Local Government Coordination Program included design and production of 60,000 brochures publicizing the event, production and distribution of 10,000 posters, funding for 15 television spots, and a 15,000 piece mailing to coastal property owners. Media relations before, during, and after the event were a primary responsibility of the Coordination Program.

### The Largest Public Hearing Ever Held in California:

In early February of 1988, a Department of Interior hearing panel traveled to northern California to take public testimony on the Lease Sale #91 proposal, which targets the coast of Mendocino and Humboldt Counties. The hearing panel began to get the idea that something unusual was occurring when the February 1 hearing in Eureka overwhelmed the hearing room and had to be continued for eighteen hours, well into the early morning hours. But the Eureka hearing, extensive as it was, proved to be only a warmup for the followup hearing begun on February 3 in Ft. Bragg. Over 3500 people turned out for the Ft. Bragg event, quickly filling the hearing hall beyond its 600-person capacity. Another 200 individuals gathered in a nearby church to watch the proceedings on a video link. Eventually, an entire block-long section of the street outside was closed, filling with people from end to end. The massive crowd outside was addressed by author Alice Walker and other luminaries, and entertained by singers Bonnie Raitt and Holly Near.



Senator Pete Wilson addresses the November 1987 "Troubled Waters" Conference in Santa Monica.





## Program Administration:

Over the years, several counties have volunteered to administer the Local Government Coordination Program, collecting and passing through the funds at no charge to the sponsoring agencies. Currently, the County of Santa Cruz serves as the lead agency for the Program. The Coordination Program is funded on a yearly basis through shared sponsorship provided by participating local agencies statewide, including an equal funding share provided by the County of Santa Cruz. The Program is completely reliant on local sponsorship for financial support. An appropriate yearly share is requested from each county and each city which participates in the Program. The funding cycle for the Program begins each year on July 1, and sponsoring agencies are strongly encouraged to submit their funding share promptly to the County of Santa Cruz to ensure uninterrupted Program services. The Santa Cruz County Administrative Office administers Program funding in compensation for the monthly claims submitted by the consultant. An independent trust fund is maintained by the County of Santa Cruz for the Program, and accrued interest derived from this account is returned to the account itself. The County of Santa Cruz maintains a contractual agreement with the consultant which establishes a monthly ceiling on expenses and consultant services. Periodic written progress reports are provided by the consultant to enable evaluation of each of the specific task elements

in the work program. All publications, action alerts, and relevant activities of the Local Government Coordination Program are made available to all participating agencies. In addition, public outreach and public participation activities are emphasized through Program activities in each of the participating jurisdictions.

### Protect Your Coastal Resources— Join Us as a Supporting Agency:

The cost savings provided by participation in this shared program are obvious. Retaining additional in-house staff would cost your agency several times the amount required for the shared staff support provided by the Coordination Program. The proven effectiveness of this project and its ability to enable local governments to participate fully in the OCS decisionmaking process guarantees that your agency will receive full value for your commitment as a funding agency. The coming year will offer many challenges to local agencies as the OCS issue enters a very dynamic phase, both in Congress and in the administrative process. Be prepared for the challenges confronting your coastline. Return the coupon below immediately for full information on how your agency can join as a sponsoring member of the Local Government Coordination Program.

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Yes, we care about our coastline. Send us, without obligation, a complete information package with details about the Local Government Coordination Program. Thank you.

Send to:  
Supervisor Gary A. Patton  
Board of Supervisors  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060-4069

April 1988.

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