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Gov. Schwarzenegger Signs Legislation to Enhance State's Oil Spill Prevention and Response

Building on a series of administrative changes announced earlier this year that have strengthened California's oil spill prevention and response, Governor Arnold Schwarzenegger has signed a comprehensive package of legislation that will improve marine oil spill prevention and response, enhance the state's oiled wildlife search and rescue collection efforts, step up enforcement and fines for polluters and for the first time focus on inland oil spill prevention and response similarly to how we already approach our coastal waters.

"California's coastline and waterways are a national treasure, and this package of legislation will help us better protect and preserve our natural resources for future generations," Governor Schwarzenegger said. "Following the devastating oil spill last November, we took steps to improve oil spill response times and environmental protections. Today, I am building on those actions by signing legislation that will ensure California has the additional tools and resources we need to prevent another spill of the magnitude we saw last fall."

Following the November 2007 spill of 58,000 gallons of fuel oil into San Francisco Bay, the Governor took immediate action on response and clean-up. He also committed to taking steps to prevent that kind of spill from happening again. Today, the Governor continued his follow through on that commitment by signing seven bills that will further enhance the state's oil spill prevention and response.

[AB 1960](#) by Assemblymember Pedro Nava (D-Santa Barbara) creates a comprehensive Inland Oil Spill Prevention Program by requiring effective maintenance standards and oversight of inland oil-producing facilities. It ensures that the Department of Conservation's Division of Oil, Gas and Geothermal Resources effectively oversees the inspection, testing, maintenance and operations of oil production facilities. The bill will also enhance the state's oversight of inland oil production facilities, including the ability to shut down high frequency oil spillers, in order to better prevent expensive and environmentally damaging oil spills.

[AB 2031](#) by Assemblymember Loni Hancock (D-Berkeley) directs the Office of Spill Prevention and Response (OSPR) Administrator to provide a program for training and certification of local government spill response managers, authorize managers to train and certify volunteers and offer grants to local governments with jurisdiction over marine waters to deploy oil spill response equipment. The bill also requires the responsible party to provide updates to the Office of Emergency Services (OES) if the initial spill report is inaccurate, incomplete or if the quantity of oil spilled has changed.

[AB 2911](#) by Assemblymember Lois Wolk (D-Davis) enacts a comprehensive Inland Oil Spill Response and Clean-up program within OSPR, similar to what currently exists in law for marine oil spills, and strengthen enforcement penalties for inland and marine oil spills. The bill will also enhance the state's efforts to conduct search, rescue and treatment of oiled wildlife following an oil spill.

[AB 2935](#) by Assemblymember Jared Huffman (D-San Rafael) requires the Department of Fish and Game (DFG) to close waters to fisheries within 24 hours of an oil or other petroleum product spill of 42 gallons or more. Within 48 hours of a spill, DFG and the Office of Environmental Health Hazard Assessment (OEHHA) must assess the public health hazard in the area of the spill, the need for additional closures and develop weekly expedited testing. The bill also requires OSPR to significantly expand response planning for environmentally sensitive areas and consider utilizing private working craft for spill response and cleanup.

[SB 1739](#) by Senator Joe Simitian (D-Palo Alto) ensures first-responders are adequately trained and prepared to take action on marine oil spills by ensuring that routine, thorough emergency drills and practices are taking place. The bill also makes it mandatory for oil spill response organizations to actually demonstrate, through inspections and announced or unannounced drills, that they can deploy the response resources outlined in their contingency plans.

The Governor also signed the following two bills to increase oversight and accountability of the Board of Pilot Commissioners and the pilots the Board licenses and regulates:

[SB 1217](#) by Senator Leland Yee (D-San Francisco) requires the Board of Pilot Commissioners to submit an annual report to the Legislature regarding its licensees and incidents, with the first report due on April 15, 2010. The bill also requires a board appointed physician to review physical fitness of a pilot and any medications that are prescribed to make a determination whether the pilot is fit for duty. Additionally, this bill requires a pilot to report any change in prescription medicines within 10 days, as specified.

[SB 1627](#) by Senator Patricia Wiggins (D-Santa Rosa) moves the Board of Pilot Commissioners under the oversight of the Business, Transportation, and Housing Agency, and requires the Bureau of State Audits to complete a comprehensive performance audit of the Board by October 1, 2009 and a comprehensive financial audit of the Board by January 1, 2010.

In addition to signing this comprehensive package of legislation, the Governor and his Administration have taken the following steps since last fall:

- The Office of Spill Prevention and Response (OSPR) has sped up the response times to oil spills in high-traffic ports. Oil spill response organizations have to comply with regulatory changes to speed up response in the San Francisco Bay and the Los Angeles/Long Beach ports and be able to demonstrate their ability to meet the new standard. These changes are currently going through a public outreach process and are expected to be in place early next year.
- The Governor's Office of Emergency Services (OES) has improved accuracy of information and is more quickly notifying local governments and neighboring counties. OES has changed its protocols for notifying local governments that are potentially impacted by an oil spill, and OSPR is working with OES to ensure the State Warning Center always has the most up-to-date and accurate information.
- The Administration is developing new guidelines to enhance recovery and rehabilitation of wildlife affected by an oil spill. Through a coordinated effort with the Oiled Wildlife Care Network, OSPR has developed recovery and training classes for volunteers, as well as established two new positions focused on wildlife recovery and rehabilitation.
- The 2008-09 state budget includes \$300,000 for a 24-hour monitoring program in the San Francisco Bay. The Physical Oceanographic Real-Time System in the Bay is a 24-hour-a-day program that measures the currents, depth, salinity and wind in San Francisco and Suisun Bays every six minutes.

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