



## **Testimony of the National Caucus of Environmental Legislators Regarding Offshore Drilling Legislation Across the Country**

*Created by and for state legislators, the National Caucus of Environmental Legislators is a nonprofit that organizes over 1,000 environmentally-committed state legislators from all 50 states and both parties. NCEL provides venues and opportunities for lawmakers to share ideas and collaborate on environmental issues. NCEL does not lobby or take formal positions on legislation, but rather shares insight to act as a clearinghouse on environmental policies. We submit this testimony to provide a context of similar legislative actions across the country.*

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To Members of the Senate Environmental and Natural Resources Committee:

Oregon is not alone in the effort to limit offshore drilling within its state waters. This year, nine other states representing a bulk of the U.S. coastline introduced bipartisan legislation that would either ban or restrict offshore drilling near their coastlines. These states include Connecticut, Georgia, Hawaii, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and South Carolina.

This momentum of state action has been growing since the Department of Interior (DOI) released their draft plan in January 2018. In March of that year, over 225 state legislators, representing 17 coastal states, signed a letter opposing the proposed leasing program and urging DOI to grant all coastal states the opportunity to opt out<sup>1</sup>. New Jersey became the first state to ban offshore drilling within state waters last year, followed shortly by legislation in Delaware, Maryland, California, and Florida. To date, more than 300 municipalities and over 2,000 elected local, state, and federal officials have formally opposed offshore drilling. This includes nearly every governor along the East and West Coasts - both Democrat and Republican<sup>2</sup>.

States lawmakers know well that offshore drilling threatens their beaches and thus their economies. Coastal tourism, fisheries, shipping, and defense are the underpinning of all U.S. coastal states' economies. The Atlantic, Pacific and Gulf coast of Florida alone support over 2.6 million American jobs and roughly \$180 billion in GDP<sup>3</sup>. By contrast, the economic gains from

<sup>1</sup> <https://www.ncel.net/wp-content/uploads/2018/03/OCS-Oil-and-Gas-Leasing-Program-Sign-On-Letter.pdf>

<sup>2</sup> <https://usa.oceana.org/climate-and-energy/grassroots-opposition-offshore-drilling-and-exploration-atlantic-ocean-and>

<sup>3</sup> <https://usa.oceana.org/sites/default/files/national.pdf>

oil and gas drilling are finite and short-term and come with external costs to the natural environment. States view allowing the expansion of offshore drilling as a financial risk, one that they cannot afford to take.

Expanded offshore drilling would also lead to more greenhouse gas emissions, exacerbating the effects of climate change on coastal and inland communities. States are seeing this as a time to expand clean renewable energy sources rather than continuing to invest in fuels of the past. There is an ever growing interest from legislators and public momentum behind transitioning to 100% renewable energy. As wind and solar continue to be the fastest-growing source of electricity generation for the next two years, there is an opportunity for states to become leaders of the clean energy economy<sup>4</sup>.

Legislators understand that an oil spill anywhere is an oil spill everywhere, impacting not just their constituents but everyone who depends on their coasts for income and recreation. A common state response has been adopting resolutions memorializing their constituencies opposition to offshore drilling and the expanded leasing program. These resolutions have either asked for state exclusion from the drilling policy or for an indefinite extension of the offshore drilling moratorium from the Obama Administration.

Some states have taken to pushing for restrictions on oil and gas drilling, exploration, and transportation activities within state waters such as New Jersey (A 839)<sup>5</sup> and Delaware (SB 200)<sup>6</sup>, while others have established stricter enforcement of liability and penalties on entities that cause spills, or other damages, from offshore drilling activities like Maryland (HB 1456)<sup>7</sup>. States' ability to regulate state waters, which extend three miles out from shore, as well as land within their state's boundaries, offer a blanket of protection to our nation's coastline

Though state bans do not lawfully prohibit drilling in federal waters or federally leased land, they do make it cost prohibitive to continue offshore drilling and exploration. By restricting drilling activities and infrastructure development, such as pipelines and port facilities, in state waters, it makes drilling more difficult and increases the cost of transporting the oil to shore. Each state that is pursuing, or that has passed, legislation is ensuring that no Administration can threaten offshore drilling within their state waters. While some states may be excluded from the leasing program during this Administration, future Administrations could reverse course, increasing the urgency for states to act now.

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<sup>4</sup> <https://www.cnn.com/2019/01/21/business/solar-wind-coal-power-renewable-energy/index.html>

<sup>5</sup> [https://www.njleg.state.nj.us/2018/Bills/AL18/7\\_.PDF](https://www.njleg.state.nj.us/2018/Bills/AL18/7_.PDF)

<sup>6</sup> <https://legis.delaware.gov/json/BillDetail/GenerateHtmlDocument?legislationId=26637&legislationTypeId=1&docTypeId=2&legislationName=SB200>

<sup>7</sup> <http://mgaleg.maryland.gov/2018RS/bills/hb/hb1456E.pdf>