

HB 7245

2006

1 A bill to be entitled
2 An act relating to oil and gas drilling; creating s.
3 377.061, F.S.; prohibiting activities associated with the
4 exploration for and production of oil, gas, or other
5 petroleum products in sovereignty submerged lands and
6 waterways; prohibiting Outer Continental Shelf energy
7 activities; prohibiting local governments and state
8 agencies from granting approval for certain licenses,
9 permits, activities, and projects; requiring the
10 Department of Environmental Protection to submit such
11 provisions to the United States Department of Commerce to
12 be made part of the state's coastal zone management
13 program; providing an effective date.

14
15 WHEREAS, the State of Florida is comprised of 2,276 miles
16 of tidal shoreline, 8,426 miles of detailed tidal shoreline, and

17 WHEREAS, sand beaches comprise 1,350 miles of coastline,
18 and

19 WHEREAS, in 2004, 13 million state residents lived along
20 the coastline, and

21 WHEREAS, the tourism industry attracted 79.7 million
22 tourists to Florida, who spent \$57 billion in the state and
23 generated \$3.4 billion of tax revenues in 2004, and

24 WHEREAS, tourists are attracted to Florida by virtue of the
25 pristine beaches, waterways, and coastal recreational
26 activities, and

27 WHEREAS, saltwater fishing contributed \$5.8 billion and
28 59,418 jobs to Florida in 2005, and

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29 WHEREAS, the commercial fishing industry generated an
30 estimated \$562 million of revenue and provided 9,787 jobs to
31 Florida in 2005, and

32 WHEREAS, Florida has more seafood processing plants than
33 any other state and the seafood processing industry shipped \$614
34 million worth of products and provided 3,108 jobs statewide in
35 2005, and

36 WHEREAS, Florida fishers catch more than 90 percent of the
37 nation's supply of grouper, pompano, mullet, stone crab, pink
38 shrimp, spiny lobsters, and Spanish mackerel, and

39 WHEREAS, the value of Florida aquaculture sales ranks third
40 in the nation and reached \$95.5 million in 2003, and

41 WHEREAS, the total economic impact of Florida's seafood
42 harvest is more than \$1 billion annually, and creates more than
43 20,000 full-time and 10,000 part-time jobs, and

44 WHEREAS, the coral reef in Key West is the third largest in
45 the world and the largest in North America, and

46 WHEREAS, oil and gas drilling would potentially damage or
47 destroy living bottom communities, beaches, coastal barrier
48 islands, wetlands, seagrass beds, mangroves, corals, and animal
49 life, and

50 WHEREAS, such damage would result from pipeline placement,
51 increased barge and tanker traffic, construction of supporting
52 facilities, discharge of trash and debris, and rig construction
53 and removal, and

54 WHEREAS, the release of hydrocarbons, chrome, lead, barium,
55 cadmium, copper, antimony, arsenic, mercury, and other toxic
56 chemicals would result from the discharge of drilling muds,

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57 production waters, and oil or gas, and

58 WHEREAS, the chemicals released into the environment from
59 these discharges are virtually nonrecoverable and are extremely
60 toxic, and

61 WHEREAS, the Legislature declares that the state has a
62 vital interest and responsibility to protect its citizens,
63 coastal areas, natural wildlife, and economy, and

64 WHEREAS, the Legislature further declares that the
65 possibility for spillage of oil or other pollutants as a result
66 of the activities associated with the exploration and production
67 of oil, gas, or other petroleum products in certain lands and
68 waters surrounding the state constitutes a grave threat to the
69 health and welfare of the state's citizens, coastal areas,
70 natural wildlife, and economy, and

71 WHEREAS, the Legislature finds that despite safeguards that
72 could be imposed on the activities associated with the
73 exploration and production of oil, gas, or other petroleum
74 products from certain lands and waters surrounding the state,
75 the potential serious harm caused by these activities cannot be
76 eliminated, and

77 WHEREAS, the possibility of an oil spill cannot be
78 eliminated and pollution from an oil spill would be catastrophic
79 to the citizens, coastal areas, natural wildlife, and economy of
80 this state, NOW, THEREFORE,

81

82 Be It Enacted by the Legislature of the State of Florida:

83

84 Section 1. Section 377.061, Florida Statutes, is created

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85 to read:

86 377.061 Prohibition of exploration for and production of
87 oil, gas, or other petroleum products.--

88 (1) The exploration for and production of oil, gas, or
89 other petroleum products in the sovereignty submerged lands and
90 waterways over which the state has jurisdiction or control, now
91 or in the future, is prohibited.

92 (2) No Outer Continental Shelf energy activity, as defined
93 under s. 1453 of the Coastal Zone Management Act of 1972, as
94 amended, shall be permitted by this state.

95 (3) No state agency or local government shall approve any
96 license, permit, activity, or project that violates this
97 section.

98 Section 2. Prior to October 1, 2007, the provisions of
99 this act shall be submitted by the Florida Department of
100 Environmental Protection to the United States Department of
101 Commerce pursuant to the Coastal Zone Management Act of 1972, as
102 amended, to be made part of the state's coastal zone management
103 program under chapter 380, Florida Statutes.

104 Section 3. This act shall take effect July 1, 2006.