

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 544-5227

March 27, 2017

The Honorable Jerry Brown  
Governor of California  
California State Capitol, Suite 1173  
Sacramento, CA 95814

**Re: Board of Supervisors Resolution No. 84-17**

Dear Governor Brown:

On March 14, 2017, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 84-17 (Supporting California State Senate Bill 709 (Wiener) - Oil Spill Response and Contingency Planning), which was enacted on March 24, 2017.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One certified copy of Resolution No. 84-17 (File No. 170245)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: [board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org).

Sincerely,

A handwritten signature in cursive script that reads "Angela Calvillo".

*f* Angela Calvillo  
Clerk of the Board

- c. Supervisor Aaron Peskin  
Mayor's Director of Legislative and Government Affairs, Nicole Elliott  
Mayor's Legislative Liaison to the Board of Supervisors, Mawuli Tugbenyoh  
City Lobbyists - Shaw/Yoder/Antwih Inc., Paul Yoder, and Karen Lange



City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

Certified Copy

Resolution

170245 [ Supporting California State Senate Bill 709 (Wiener) - Oil Spill Response and Contingency Planning ]

Sponsor: Peskin

Resolution supporting California State Senate Bill 709, authored by Senator Wiener, and co-authored by Senators Allen, Beall, Hill, McGuire, Skinner, and Stern, to establish oil spill contingency plans and revising requirements for Oil Spill Response Organizations to recover and contain non-floating oils, such as tar sands, in the event of an oil spill.

3/14/2017 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

3/24/2017 Mayor - RETURNED UNSIGNED

STATE OF CALIFORNIA  
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

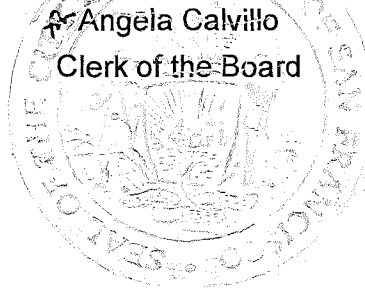
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

March 27, 2017

Date

*Angela Calvillo*

Angela Calvillo  
Clerk of the Board



1 [Supporting California State Senate Bill 709 (Wiener) - Oil Spill Response and Contingency  
2 Planning]

3 **Resolution supporting California State Senate Bill 709, authored by Senator Wiener,**  
4 **and co-authored by Senators Allen, Beall, Hill, McGuire, Skinner, and Stern, to**  
5 **establish oil spill contingency plans and revising requirements for Oil Spill Response**  
6 **Organizations to recover and contain non-floating oils, such as tar sands, in the event**  
7 **of an oil spill.**

8  
9 WHEREAS, The Lempert-Keen-Seastrand Oil Spill Prevention and Response Act was  
10 enacted in 1990 following recent accidents in southern California, Alaska, other parts of the  
11 nation, and Canada, which demonstrated that transportation of oil could be a significant threat  
12 to the environment of sensitive areas, and that existing prevention programs were not able to  
13 sufficiently reduce the risk of significant discharge of petroleum into state waters; and

14 WHEREAS, The Oil Spill Prevention and Response Act currently requires the  
15 Administrator for Oil Spill Response, appointed by and acting at the direction of the Governor,  
16 to implement activities relating to oil spill response, including emergency drills and  
17 preparedness, and oil spill containment and cleanup, and to represent the state in any  
18 coordinated response efforts with the federal government; and

19 WHEREAS, The Oil Spill Prevention and Response Act also requires the Administrator  
20 to adopt and implement regulations governing the adequacy of oil spill contingency plans and  
21 to provide for the best achievable protection of coastal and marine waters; and

22 WHEREAS, California State Senate Bill 709 (SB 709) would require, if non-floating oil  
23 such as tar sand is present, that the oil spill contingency plan filed with and approved by the  
24 Administrator identify one Oil Spill Response Organization (OSRO) capable of oil spill  
25 response activities related to that non-floating oil; and

1           WHEREAS, SB 709 would also require the oil spill contingency plan to describe  
2 procedures, techniques, and demonstrated technologies effective for responding to a spill of  
3 the non-floating oil; and

4           WHEREAS, Existing law authorizes an OSRO to apply to the Administrator for a rating  
5 of that OSRO's response capabilities, and, upon receiving a completed application for that  
6 rating, require the Administrator to review the application and rate the OSRO based on the  
7 OSRO's satisfactory compliance with criteria established by the Administrator; and

8           WHEREAS, SB 709 would require that those elements include the type of oil, including  
9 non-floating oils, such as tar sands, the OSRO is capable of recovering and containing, and  
10 require that certain regulations adopted by the Administrator be consistent with the 2016  
11 United States Coast Guard OSRO classification program; and

12           WHEREAS, Non-floating oils that sink to the bottom or remain suspended in the water  
13 column pose risks to certain resources that are not normally affected by floating oils, including  
14 risks to fish, shellfish, seagrasses, and other benthic (seabed) and water-column biota, and  
15 episodic re-oiling of shorelines; now, therefore, be it

16           RESOLVED, That the San Francisco Board of Supervisors states their support for  
17 SB 709 and urges California Governor Jerry Brown to sign SB 709 into law; and, be it

18           FURTHER RESOLVED, That a copy of this Resolution be delivered to the Offices of  
19 California Governor Jerry Brown and Senator Wiener.

20  
21  
22  
23  
24  
25



City and County of San Francisco  
Tails  
Resolution

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

File Number: 170245

Date Passed: March 14, 2017

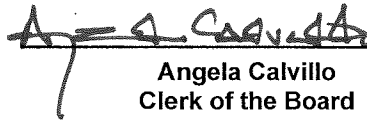
Resolution supporting California State Senate Bill 709, authored by Senator Wiener, and co-authored by Senators Allen, Beall, Hill, McGuire, Skinner, and Stern, to establish oil spill contingency plans and revising requirements for Oil Spill Response Organizations to recover and contain non-floating oils, such as tar sands, in the event of an oil spill.

March 14, 2017 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 170245

I hereby certify that the foregoing Resolution was ADOPTED on 3/14/2017 by the Board of Supervisors of the City and County of San Francisco.

  
Angela Calvillo  
Clerk of the Board

\_\_\_\_\_  
Unsigned

Mayor

\_\_\_\_\_  
3/24/2017

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

  
\_\_\_\_\_  
for Angela Calvillo  
Clerk of the Board

\_\_\_\_\_  
3/24/2017  
Date

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 544-5227

March 27, 2017

The Honorable Scott Wiener  
California State Senator  
California State Capitol, Room 4066  
Sacramento, CA 95814

**Re: Board of Supervisors Resolution No. 84-17**

Dear Senator Wiener:

On March 14, 2017, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 84-17 (Supporting California State Senate Bill 709 (Wiener) - Oil Spill Response and Contingency Planning), which was enacted on March 24, 2017.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One certified copy of Resolution No. 84-17 (File No. 170245)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: [board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org).

Sincerely,

A handwritten signature in cursive script that reads "Angela Calvillo".

Angela Calvillo  
Clerk of the Board

- c. Supervisor Aaron Peskin  
Mayor's Director of Legislative and Government Affairs, Nicole Elliott  
Mayor's Legislative Liaison to the Board of Supervisors, Mawuli Tugbenyoh  
City Lobbyists - Shaw/Yoder/Antwih Inc., Paul Yoder, and Karen Lange



City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

Certified Copy

Resolution

170245 [ Supporting California State Senate Bill 709 (Wiener) - Oil Spill Response and Contingency Planning ]

Sponsor: Peskin

Resolution supporting California State Senate Bill 709, authored by Senator Wiener, and co-authored by Senators Allen, Beall, Hill, McGuire, Skinner, and Stern, to establish oil spill contingency plans and revising requirements for Oil Spill Response Organizations to recover and contain non-floating oils, such as tar sands, in the event of an oil spill.

3/14/2017 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

3/24/2017 Mayor - RETURNED UNSIGNED

STATE OF CALIFORNIA  
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

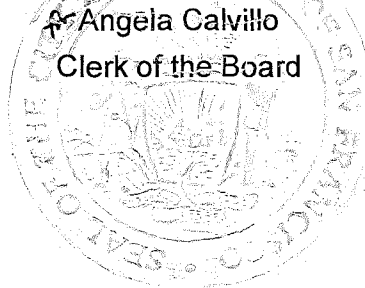
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

March 27, 2017

Date

Angela Calvillo

Angela Calvillo  
Clerk of the Board



1 [Supporting California State Senate Bill 709 (Wiener) - Oil Spill Response and Contingency  
2 Planning]

3 **Resolution supporting California State Senate Bill 709, authored by Senator Wiener,**  
4 **and co-authored by Senators Allen, Beall, Hill, McGuire, Skinner, and Stern, to**  
5 **establish oil spill contingency plans and revising requirements for Oil Spill Response**  
6 **Organizations to recover and contain non-floating oils, such as tar sands, in the event**  
7 **of an oil spill.**

8  
9 WHEREAS, The Lempert-Keen-Seastrand Oil Spill Prevention and Response Act was  
10 enacted in 1990 following recent accidents in southern California, Alaska, other parts of the  
11 nation, and Canada, which demonstrated that transportation of oil could be a significant threat  
12 to the environment of sensitive areas, and that existing prevention programs were not able to  
13 sufficiently reduce the risk of significant discharge of petroleum into state waters; and

14 WHEREAS, The Oil Spill Prevention and Response Act currently requires the  
15 Administrator for Oil Spill Response, appointed by and acting at the direction of the Governor,  
16 to implement activities relating to oil spill response, including emergency drills and  
17 preparedness, and oil spill containment and cleanup, and to represent the state in any  
18 coordinated response efforts with the federal government; and

19 WHEREAS, The Oil Spill Prevention and Response Act also requires the Administrator  
20 to adopt and implement regulations governing the adequacy of oil spill contingency plans and  
21 to provide for the best achievable protection of coastal and marine waters; and

22 WHEREAS, California State Senate Bill 709 (SB 709) would require, if non-floating oil  
23 such as tar sand is present, that the oil spill contingency plan filed with and approved by the  
24 Administrator identify one Oil Spill Response Organization (OSRO) capable of oil spill  
25 response activities related to that non-floating oil; and



1           WHEREAS, SB 709 would also require the oil spill contingency plan to describe  
2 procedures, techniques, and demonstrated technologies effective for responding to a spill of  
3 the non-floating oil; and

4           WHEREAS, Existing law authorizes an OSRO to apply to the Administrator for a rating  
5 of that OSRO's response capabilities, and, upon receiving a completed application for that  
6 rating, require the Administrator to review the application and rate the OSRO based on the  
7 OSRO's satisfactory compliance with criteria established by the Administrator; and

8           WHEREAS, SB 709 would require that those elements include the type of oil, including  
9 non-floating oils, such as tar sands, the OSRO is capable of recovering and containing, and  
10 require that certain regulations adopted by the Administrator be consistent with the 2016  
11 United States Coast Guard OSRO classification program; and

12           WHEREAS, Non-floating oils that sink to the bottom or remain suspended in the water  
13 column pose risks to certain resources that are not normally affected by floating oils, including  
14 risks to fish, shellfish, seagrasses, and other benthic (seabed) and water-column biota, and  
15 episodic re-oiling of shorelines; now, therefore, be it

16           RESOLVED, That the San Francisco Board of Supervisors states their support for  
17 SB 709 and urges California Governor Jerry Brown to sign SB 709 into law; and, be it

18           FURTHER RESOLVED, That a copy of this Resolution be delivered to the Offices of  
19 California Governor Jerry Brown and Senator Wiener.

20  
21  
22  
23  
24  
25



City and County of San Francisco  
Tails  
Resolution

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

File Number: 170245

Date Passed: March 14, 2017

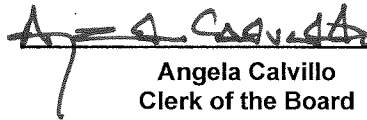
Resolution supporting California State Senate Bill 709, authored by Senator Wiener, and co-authored by Senators Allen, Beall, Hill, McGuire, Skinner, and Stern, to establish oil spill contingency plans and revising requirements for Oil Spill Response Organizations to recover and contain non-floating oils, such as tar sands, in the event of an oil spill.

March 14, 2017 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 170245

I hereby certify that the foregoing Resolution was ADOPTED on 3/14/2017 by the Board of Supervisors of the City and County of San Francisco.

  
Angela Calvillo  
Clerk of the Board

\_\_\_\_\_  
Unsigned

Mayor

\_\_\_\_\_  
3/24/2017

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

  
\_\_\_\_\_  
for Angela Calvillo  
Clerk of the Board

\_\_\_\_\_  
3/24/2017  
Date