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Only a Moratorium on Fracking Will Help Protect California, say Green Groups

by Maureen Nandini Mitra
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Lone surviving regulatory bill insufficient, Gov Brown should put a halt to all fracking activity immediately, say activists

UPDATE, 2:20 p.m., August 30:
SB 4 has made it out of the House appropriations committee and is now eligible for a floor vote in the state assembly.

California lawmakers will most likely make a decision today on Senate Bill 4, the only fracking regulatory bill still alive during this current legislative session. So it might come as a surprise to some that instead of supporting the bill, 120 environmental, public health, and social justice groups have released a statement calling the proposed legislation “insufficient.”

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“The fight to protect California from fracking has reached a critical juncture. But Senate Bill 4’s



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effort to fill the legislative void on this dangerous practice is insufficient to protect our state, our people and our climate from the myriad dangers posed by fracking,” says the statement, signed by groups like Food & Water Watch, MoveOn.org, Center for Biological Diversity, CREDO, and 350.org.

The groups are calling on Governor Brown impose an immediate moratorium on fracking, or hydraulic fracturing, in California.

SB 4 was introduced in December 2012 by Democrat Senator Fran Pavely, who has in the past authored landmark climate change laws like AB 32 (CA Global Warming Solutions Act) and AB 1493 (clean car regulations). The bill would, among other things, require oil and gas companies to share more information about their op-

erations with the state and nearby property owners, and have the California Natural Resources Agency conduct a study on the environmental repercussions of fracking.

The bill is with the state assembly appropriations committee right now and is expected to be referred to the assembly floor today.

However, many anti-fracking groups are now saying a bill that doesn't, at the very least, put a temporary halt on fracking, is not what California needs at this point. "The Pavely bill does not make fracking any less dangerous. The big picture is we have to stop fracking immediately until further studies are done," says Adam Scow of Food and Water Watch.

"Initially [SB 4] called for a moratorium [on fracking] but there was tremendous pushback from the oil industry and other lawmakers so that demand was dropped," says Patrick Sullivan, spokesperson for the Center for Biological Diversity. The current version of the bill has been amended and watered down several times during the legislative process. "We respect Senator Pavely a lot and she shares our concern about the risks of fracking, but the bill is not what we need at this time," Sullivan says.

Oilmen have been flocking to California, seeking drilling permits and land leases, ever since a 2011 federal report identified the 1,750 square mile Monterey Shale formation in the San Joaquin, Monterey, Los Angeles basins as containing two-thirds of the United States' oil reserves. California has no specific rules governing this controversial drilling method, even though fracking has been going on in the state in a limited way for many years now.

Many activists worry that that an oil shale boom would cause immense environmental harm and slow down California's transition towards a clean energy economy. In an effort to check the imminent drilling rush California legislators introduced several bills seeking to regulate the oil industry's expansion, including three bills tabled earlier this year that sought a moratorium on fracking in the state. But heavy lobbying by the oil and gas industry ensured that all but Pavely's bill survived this year's session. Though if it doesn't move forward tomorrow, it too, will die. (The Western States Petroleum Association, that includes big names like Chevron, Shell, BP, ConocoPhillip, and Exxon, has already spent 2.3 million during the first half of 2013 in lobbying Sacramento — more than what any lobbying group has spent during the same period.)

Anti-fracking activists are now focusing their campaign on Governor Jerry Brown because he has the power to impose a moratorium.

"The legislators have shown that they are ineffective [in the fight against Big Oil]," says Scow. "Regardless of SB 4's outcome, I think we are going to see more and more momentum against fracking over the next year."

Scow cites a recent University of Southern California/Los Angeles Times poll that found that 58 percent of California voters favor a moratorium on fracking and notes that Marin County, and the cities of Oakland, Carson and Culver City already have resolutions calling for a moratorium on fracking. He also points to the federal Bureau of Land Management's decision to postpone oil and gas leases on California public lands following a lawsuit by the Center for Biological Diversity as a sign that the fight against fracking is gathering momentum.

Some activists, however, think SB4's outcome does matter. If it passes, the bill will do more harm than good, they say.

"It's a sad day when we have to protest what was supposed to be an environmental bill, but SB 4 simply won't protect us or our water from the dangers of fracking," Becky Bond, CREDO's political director said in a statement. "This weak bill will allow the fracking industry to massively ramp up fracking in California."

"Worse than having no regulations, weak regulations provide political cover to legislators who could otherwise be pressured to vote for a moratorium on the practice," says Los Angeles based environmental activist Lauren Steiner in a recent post on Common Dreams. "Passage of this bill will remove the regulatory uncertainty currently surrounding fracking. It will give the green light to Big Oil to frack the Monterey Shale."

Scow admits that the "faulty bill" could pave the way for fracking in California but says that instead of arguing about the bill, its time for activists move on and focus the conversation around why we need to get Governor Brown issue a moratorium on fracking as soon as possible.