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Bloomberg Law

# California Skips Environmental Review of Oil Projects, Suit Says

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• **COURT:** Cal. Super. Ct.

California's primary oil and gas regulator needs to be blocked from approving projects without conducting the environmental due diligence required by law, a green group says in a complaint filed Wednesday in state court.

The state of California approved thousands of oil and gas drilling and fracking projects without the required environmental review, the Center for Biological Diversity says in the suit filed in Alameda County Superior Court.

The California Geologic Energy Management Division's ignoring of its pre-permit legal obligations violated the California Environmental Quality Act, the suit says.

CalGEM has a "consistent and ongoing pattern and practice" of ignoring the legal requirement that it conduct an environmental review before issuing oil and gas permits, the complaint says. In 2020, the agency approved nearly 2,000 permits to drill new oil and gas wells without conducting such a review, and similarly approved numerous well stimulation and oil and gas injection projects.

CalGem either issues permits without any review documentation, relies on inapplicable CEQA exemptions, or issues permits based on inadequate or invalid analyses performed by local governments, the suit alleges.

The group seeks a declaration of CalGEM's responsibility under the CEQA, and that it's current pattern of approvals violates state law. The suit also seeks a permanent injunction forcing CalGEM to comply with the statute.

In response to the lawsuit, the state Department of Conservation said Wednesday that "CalGEM follows all state laws and regulations in approving permits."

“This administration has strengthened oversight, imposed more rigorous standards for permit review and institutionalized independent scientific and technical review of its processes,” Department of Conservation spokesperson Jacob Roper told Bloomberg Law.” California standards exceed those of any other state in the country.”

**Causes of Action:** California Environmental Quality Act.

**Relief:** Declaratory relief; permanent injunction; attorneys’ fees; costs.

**Attorneys:** The Center for Biological Diversity is represented by internal counsel and the Environmental Law Clinic.

The case is [Ctr. for Biological Diversity v. California Geologic Energy Mgmt. Div., Cal. Super. Ct., 2/24/21.](#)