

Oil well appeal delayed

Fracking technique at issue in bid for southern Monterey County wells

Jim Johnson, Monterey County Herald, 3-31-11

An appeal of an oil company's bid for exploratory wells in southern Monterey County using the controversial fracking technique will be delayed seven months.

But the groups that filed the appeal will get their \$5,000 fee returned because, in the words of one county planning commissioner, they performed a "public service" by drawing attention to the drilling plans.

On Wednesday, the county Planning Commission unanimously granted a second continuance of the appeal, this time until Oct. 26. The delay, supported by Denver-based Venoco and the appellants, is intended to allow county staff more time to review federal, state and regional regulations and oversight of drilling practices, as well as investigate permitted test wells in the county.

Led by the Ventana Conservation and Land Trust and Halt Oil Drilling Now, a group of county residents filed an appeal in October challenging the county Zoning Administrator's approval of three test wells in September. They asked for more study on the potential impact of hydraulic fracturing, also known as fracking, on the water supply, including nearby Salinas River.

The technique involves injecting pressurized fluid, which can contain petroleum products, into rock formations in an attempt to release oil and natural gas.

Opponents believe the practice can contaminate water supplies, threaten the environment and compromise people's health.

The appeal, originally set for consideration in December, was delayed until Wednesday to allow county staff time to investigate.

Venoco and the appellants agreed to the latest continuance, albeit for different reasons.

Venoco asked for the second delay to allow it more time to assess results from existing test wells to determine if it wants to proceed with the new test wells. The company said it may have used the fracking process on local test wells, though it challenged the county's right to regulate the technique.

The appellants and opponents of fracking said they hope the delay would allow more time for passage of legislation prohibiting the technique.

County planner Taven Kinison Brown warned the commission that county staff may not have any clearer understanding of fracking's environmental impact by October.

Brown said Venoco has not responded to the staff's attempts to contact the firm since December about conducting additional environmental review. He said he believes the firm simply wants to continue drilling in its current wells.

Though the commission approved the appeal fee waiver, commissioner Martha Diehl said she wanted to make it clear that it applied only to the current case and was not a precedent. She said the appeal involved "unique environmental and regulatory issues" that the county should have taken into consideration.