

# A Rush to Judgment on Fracking

*Federal regulators are pushing to ramp up fracking in California based on an incomplete study.*

**Robert Gammon, East Bay Express, 9-3-14**

Federal regulators announced last week that the US government would start issuing leases again next year to oil companies that intend to frack for fossil fuels on public land in California. This declaration by the US Bureau of Land Management (BLM) coincided with the release of a new study that concluded that the direct environmental impacts from fracking in the state "appear to be relatively limited." The study, however, also attached numerous caveats to its findings, readily acknowledging that the report was based on scant and incomplete data.

In fact, the BLM's decision to use the study as proof that fracking is safe represents a rush to judgment, environmentalists say, and provides yet another example of a regulatory agency bending over backward to appease industry rather than protect the public and the environment. Moreover, the study also contains some troubling, previously undisclosed findings that raise fresh concerns about the potential for groundwater contamination in the state.

Fracking, also known as hydraulic fracturing, involves shooting massive amounts of water and toxic chemicals deep into the earth in order to break up rock formations and release trapped fossil fuel. The extraction method has been linked to groundwater and air pollution, and the disposal of fracking fluid, which is typically injected back into the ground in new wells, has caused earthquakes in other states.

Many environmental groups have called for a moratorium on fracking in California until scientists can fully assess its environmental impacts. However, Governor Jerry Brown and other moderate Democrats have sided with Republicans and industry in allowing fracking to move forward in the hopes that it will spark an energy boom.

In 2011, the BLM began issuing a flurry of leases to oil companies that sought to frack on federal land in California. But environmental groups, led by the Center for Biological Diversity, sued to halt the leasing program, arguing that it was illegal because the BLM had failed to conduct a thorough environmental assessment. After the environmental groups prevailed in court, the BLM began its environmental review. The newly released study is part of that process, and was conducted by the California Council on Science and Technology (CCST), an independent nonprofit created by the state legislature, and the Lawrence Berkeley National Laboratory (LBNL).

The study's authors noted that, since 2011, the likelihood of a fracking boom has diminished in California. Federal scientists had originally estimated that fracking could release 15 billion barrels of oil from the Monterey Formation, a massive underground shale deposit that runs through Central California. But earlier this year, the US government greatly revised its estimate, concluding that, even with fracking, recovering most of the Monterey shale oil would be cost-prohibitive.

The CCST-LBNL study's authors, however, also noted that fracking could still have an impact in the state: namely, that it could help oil companies suck about 6.5 billion barrels out of existing oil fields in the southern San Joaquin Valley. And it's this region of California that environmentalists are concerned about now.

Although the CCST-LBNL study concluded that direct fracking in the state "likely will be limited," it also noted that oil companies have been fracking in the San Joaquin Valley at much shallower depths than in other states — at levels typically no deeper than 2,000 feet, and usually at less than 1,000 — because of the location of oil deposits in the valley. This finding is pivotal, because industry has repeatedly argued that it's impossible for fracking to cause groundwater pollution because hydraulic fracturing occurs at deep levels — well below aquifers and the water table. But the study noted that fracking in California is often conducted at the same depth as underground water supplies. "Hydraulic fracturing at shallow depths poses a greater potential risk to water resources because of its proximity to groundwater," the study stated.

The study's authors also said they were hampered by a lack of information about whether oil companies have been fracking close to aquifers, and noted that no one has been testing underground water supplies near fracked wells to determine if they're now contaminated. The authors also acknowledged they had "no information" on roughly one-third of the fracking chemicals used by oil companies, and thus could not determine whether they posed risks to humans and wildlife. "We can only tell you what the data we could get says," Jane Long, a former director at Lawrence Livermore National Laboratory, told reporters. "We can't tell you what we don't know."

As such, BLM California State Director Jim Kenna's announcement that the study provided enough evidence to resume fracking leases in the state was grossly premature, environmentalists say. "It underscores in so many ways how federal and state officials are serving the major oil companies, and not the public," said Kassie Siegel, director of the Center for Biological Diversity's Climate Law Institute, in an interview.

That's long been the case with the BLM, which is supposed to regulate the oil, natural gas, and coal industries, but has often viewed itself as an agency whose mission is to help corporations exploit the nation's natural resources. In 2010, the BLM came under intense scrutiny for its cozy relationship with fossil fuel company executives and its failure to adequately monitor deep-water oil drilling following the BP Deepwater Horizon disaster in the Gulf of Mexico.

Environmentalists are also concerned that the BLM and its fossil fuel leasing programs could singlehandedly undermine President Obama's climate change goals. Two recent reports from the Center for American Progress and Greenpeace noted that the BLM plans to lease sales for 10 billion tons of coal in the Powder River Basin in Wyoming, a move that could release 17 billion tons of carbon pollution when the coal is burned for electricity.

"It's a classic case of an agency captured by industry — an agency that's supposed to regulate and ends up serving the industry instead," Siegel said.