Fracking can be done safely, report says; green groups howl

Anne C. Mulkern, Environment & Energy Publishing, 1-15-15

Hydraulic fracturing in California can be done safely, the state said yesterday as it released a draft environmental study on unconventional drilling.

The California Department of Conservation issued its preliminary environmental impact report required under S.B. 4, the state's law that mandated the first-ever rules for unconventional drilling. The EIR found several "unavoidable" negative effects of hydraulic fracturing or "fracking" and other drilling techniques. But it said that those could be handled with mitigation measures.

"Most of the significant environmental impacts identified can be reduced to the level of 'less-than-significant,' including potential impacts to groundwater and surface water, as well as the threat of seismic activity," state Oil and Gas Supervisor Steven Bohlen said in a statement. California's Division of Oil, Gas and Geothermal Resources (DOGGR), he said, "is confident well stimulation treatment activities can continue in California without the kind of environmental problems that have plagued well stimulation treatment in other states."

Some environmental groups slammed the results, saying that California's process for regulating fracking was "backward." The EIR was done after the regulations were finalized, when normally an EIR is done first and it then informs what rules are needed, said Kassie Siegel, senior counsel at the Center for Biological Diversity.

"This just shows that the fix is in, and the study is a sham," Siegel said. She added that the EIR is "incomplete."

"It's so flawed as to be useless for decision-makers, but also for ordinary people so they can understand how this affects air, water" and other parts of the environment, Siegel added. "There's no discussion of that in EIR."

Green groups also criticized that the independent scientific study on the effects of unconventional drilling, ordered as part of S.B. 4, won't be finished until summer. That analysis therefore didn't inform the EIR, they said.

Volume one of that scientific study was released yesterday. It looked at the types of unconventional drilling in the state, how much it's happening and where it's located. Two more parts due out in summer will address the impacts. That analysis, from the California Council on Science and Technology and Lawrence Berkeley National Laboratory, originally had been due by Jan. 1. But last summer, the state Natural Resources Agency said more time was needed to do it properly.

A representative of oil companies said that the EIR is a study, and that it looked at impacts and concluded that those could be safely addressed.

The Center for Biological Diversity's "goal is to shut down domestic oil and gas production," said Rock Zierman, CEO of the California Independent Petroleum Association, or CIPA, so "every time, they have to say oil and gas production is scary."

On the EIR and the green group, Zierman said, "because the conclusions don't reflect their political goals,

they don't like it." He noted that well stimulation has happened in the state for 50 years, and "if there was evidence of harm, we would know about it."

Sen. Fran Pavley (D), author of S.B. 4, said in an email that "the environmental impact report and well stimulation regulations are just first steps in a process of continuous review, evaluation and oversight set in motion" by the law.

"The public and the Legislature expect the administration to revisit the regulations and make changes as necessary as new information becomes available," Pavley said.

The draft EIR will now be open for comments, with a final EIR expected later this year.

Ed Wilson spokesman for the Department of Conservation, said in an email that "after the programmatic-level EIR is complete, project-level analyses will be required for many projects seeking permits, therefore, any finding and conclusions from subsequent volumes of the scientific study can be considered then."

Los Padres Forest group worried

The EIR noted that unconventional drilling causes "unavoidable impacts to aesthetics, air quality, biological resources (terrestrial environment), cultural resources, geology, soils and mineral resources, greenhouse gas emissions, land use and planning, risk of upset/public and worker safety, and transportation and traffic."

It then listed mitigation measures that could be used for each problem. To prevent drilling from affecting groundwater quality through surface spills or leaks, the EIR said, California could require a well operator to annually inventory equipment and report on any aging infrastructure and its likelihood of failure leading to spills.

The EIR looked both statewide and at impacts related to three oil and gas fields, Wilmington and Inglewood in Los Angeles County and Sespe, north of Santa Barbara. The latter is near Los Padres National Forest. A group working to protect that area found the EIR alarming.

"This report confirms our worst fears -- that fracking in the Los Padres National Forest has caused and will continue to cause significant risks to the environment, outdoor recreation and public health," said Jeff Kuyper, executive director of Los Padres ForestWatch.

He said the EIR noted seven "significant and unavoidable" impacts caused by fracking in the Sespe oil field, "including air pollution, odors, safety hazards involving transport of oil, pipeline leaks and spills of hazardous fracking fluid."

Zierman, however, said the EIR also said those effects can be mitigated.

Scientific study: Calif. not like the others

The first volume of the scientific study on drilling released yesterday said that over the last decade, about one-fifth of oil production in California came from wells where fracking was used. During the same period, companies "fractured about 125 to 175 wells" out of the roughly 300 wells installed every month in the state.

Fracking is the predominant type of unconventional drilling happening in California, it said. Oil and gas companies use acid stimulation about 10 percent as often as fracking. About 95 percent of wells with hydraulic fracturing were in the San Joaquin Valley, with the bulk of that in four oil fields in Kern County.

Fracking in California is done differently than it is in other states, said Jane Long, co-leader of the scientific assessment for the California Council on Science & Technology.

"A lot of conclusions that people have drawn about the nature of hydraulic fracturing are not true in California," Long said, adding that "people think a huge amount of water is being used. People think there's a lot of groundwater contamination."

In California, she said, the fracking is done at shallow depths, while in other states, it typically involves deeper drilling. That means less water is used in the Golden State.

As well, in California, it's usually a single large fracture rather than a network of fractures, said Preston Jordan, a geologist at Lawrence Berkeley National Laboratory. The fluids used in California have more concentrated chemicals, the researchers said. That's because the fluid needs to be thicker to flow through the rocks.

Long said that while the risks in California aren't the same as in other states, that doesn't mean there aren't areas of concern. One that the researchers are looking into further for volume two of the study is that in some cases, water left over after fracking is mixed with other water and used to irrigate crops.

Long said it's not clear how often that happens or if the water's being tested to see if it's toxic.

Zierman with CIPA, however, said local water districts must approve using for agriculture water from oil and gas operations.

"This idea that willy-nilly, oil companies give their water to other people and they just spray their crops with it just isn't factual," he said.

The study was based on a review of existing data. Long noted, however, that upcoming volumes on the impacts of unconventional drilling will offer limited answers.