

KEEP THE SESPE WILD & FREE

The Newsletter of the Keep the Sespe Wild Committee

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THE OIL DRILLING BOOM IN VENTURA COUNTY

There has been a great deal of publicity in recent months about the new oil drilling boom in California, which is closely related to new drilling technologies such as horizontal drilling and hydraulic fracturing, also known as fracking, where high pressure fluids are injected into the oil-bearing rocks to open up fissures, allowing the oil to flow more freely to the surface.

We now know that the approximate total of 300 oil wells in the Sespe Oilfield north of Fillmore have likely all been fracked over the past decades. As was stated at a Ventura County Supervisors' hearing on fracking on April 09, it is possible to frack an oil well for half an hour and have the well produce for 50 years – though this must be an extreme case.

There have been attempts at the local and state level to regulate fracking and new well drilling recently, though most statewide fracking legislation died at the end of May, which is the deadline for this year's bills to pass out of the Assembly or Senate and proceed to the other chamber.

Moving out of the State Senate was SB 4, authored by Sen. Fran Pavley. This bill will require drillers to give 30 days notice before fracking a well, and it will also require that the fracking chemicals be disclosed. An independent study of fracking will be undertaken. The oil industry favored this bill, as they now realise that some regulation of fracking is inevitable. If no legislation passes, a Ca, citizen ballot initiative could follow, which if successful would likely be tougher on fracking and the industry.

All bills failed to pass that would have initiated any moratorium on fracking. Also stopped for now is Sen. Hannah-Beth Jackson's bill, SB 395, which would have required fracking fluids that return to the surface from underground to be classified as Class 1 wastes, and fall under the jurisdiction of the Dept. of Toxic Substances Control.

Fracking fluids are usually about 95% water, 4% sand (to hold open the pores in the rock) and 1 – 1.5% chemicals. Since fracking a well can take between

200,000 and 300,000 gallons, that small percentage of chemicals – among which may be any of 29 known carcinogens – may total 4500 gallons, or 90 barrels. All fracking fluids will eventually return to the surface, where a separator removes the oil from the fracking fluids.

Assemblyman Das Williams' AB 982 also died in committee for now. It would have required testing of nearby well water before and after fracking, to enable any contamination to be noticed. While the industry calls fracking safe, the lack of any testing renders this claim meaningless. It is understood that most well casings leak over time, which is how fracking chemicals may in some cases leak into groundwater aquifers.

We have unconfirmed reports in Ventura County that Seneca plans 300 new oil wells in the Sespe Oilfield north of Fillmore. When we called DOGGR (the state's Dept. of Oil, Gas and Geothermal Resources) about this, they could not confirm those numbers. But the next day we got a call from a Seneca official in Pittsburgh, who said those numbers did not match their current investors' presentation for the coming year. He did not say that they were not part of a long-range plan. Simply getting a call back from a high-level Seneca official in Pittsburgh after a call to DOGGR in Sacramento implies two things – that something big may in the works for the Sespe Oilfield, and that the regulators and the industry work hand in hand.

DOGGR has responsibility for all oil drilling activity beneath the surface in California. They have not monitored fracking so far, but public hearings have taken place around the state and regulations for fracking will follow in about 18 months from now. Do not expect a moratorium from DOGGR on fracking – the new DOGGR chief, Mark Neclodom, was appointed by Gov. Brown with the understanding that he would not call for a moratorium (as he stated at a recent hearing in Santa Barbara). He also spent a Saturday morning earlier this year touring the Sespe Oilfield.

FRACKING REGULATIONS IN VENTURA COUNTY

The County of Ventura is moving to regulate new oil wells locally, and to tighten up the rules for drilling under Conditional Use Permits (CUPs) that may be decades old.

Currently, one or more new wells may be drilled at a well site that was approved say 40 years ago, with County approval of “minor modifications” only.

While DOGGR has authority over all below-surface aspects of oil drilling, the County can take some steps to protect our drinking water supplies.

Santa Barbara County recently adopted a two-tier approval process for new oil wells. Regular oil wells will use the same permit process as before, but wells where fracking will occur must now undergo CEQA (Ca. Environmental Quality Act) environmental review, and the waste-water storage and disposal must comply with the state’s Health and Safety Code.

The fact that Occidental has recently purchased the mineral (i.e. oil) rights to 9,000 acres (that’s 14 square miles) of Ventura County agricultural lands is a wake-up call as to the scale of the ambitions of the oil industry locally. While farmers may be concerned about the pollution of their irrigation water from oil operations, they are also worried about other factors that may bring the demise of their way of life down the road, such as citrus pests for which there are no remedies.

Ventura County has 2870 active oil wells and 1875 that are idle, or not used for 5 years. DOGGR states that 2012’s county-wide production was 10.76 million barrels of oil. Along with that oil, 97 million barrels of water (including an unknown quantity of fracking fluids) came out of the ground. Where does all that waste-water go? It is either injected back deep into the ground, below drinking water aquifers, or it is sent to special disposal sites. There are apparently 35,000 class 2 injection wells in the county.

DOGGR databases show that there were 868 surface spills at oil well sites in Ventura County between Jan. 1994 and Feb. 2013. That is at a rate of about one spill a week for 20 years.

Ventura County Supervisors have moved forward with proposals to tighten up regulations for oil wells at the surface, where they do have jurisdiction. In May, they voted to add new questions to the permitting process for new oil wells, including whether fracking will be used at those wells.

If so, then the timing of fracking will have to be disclosed, as well as the chemicals to be used, and how the waste-water will be disposed of.

County staff and legal counsel are still researching how to develop more oversight over new well drilling under the ancient CUPs, and whether there can be restrictions placed on the quantities of water used in fracking. Remember that very old oil wells are much more likely to have well casings that are leaking.

The Sespe Oilfield area drains down Tar Creek and other nearby tributaries into the lower Sespe north of Fillmore. Any spills or leaks from damaged well casings at one of the 300 well sites are likely to end up in the waters of the Sespe downstream.



UPPER SESPE LANDOWNER PLOUGHS UP HIS ACREAGE

This enormous field (only half of it is in the picture) on the west of Hwy. 33 opposite Wolf’s Grill/ Pine Mountain Inn was ploughed up this past winter. Los Padres ForestWatch and KSWC sent a complaint to Ventura County about the unpermitted brush clearing.

A County inspector took a site visit and concluded that the clearing fell under an invasive weed exception to the County’s vegetation clearing ordinance. Apparently yellow star thistle had infested the site, though the series of narrow strips ploughed between parallel strips of chaparral do not conform to natural growth patterns for star thistle.

The owner wanted better habitat for deer and quail. The Sespe’s headwaters are just below Hwy. 33 here.



ROSE VALLEY WORKCAMP GOES WILD

The Quonset huts next to the Rose Valley Lakes were a workcamp for many decades until more recently when no tenants could be found. Originally used by the Seabees from Port Hueneme, who graded the road from Rose Valley to the Sespe Hotsprings every summer- we have heard tell of a stretch limo at Hotsprings Canyon in the 1960's – the facility was in the past few months dismantled and carted off, including the asphalt roads. All that remains are two helipads and the perimeter fence, useful for temporary fire-fighting camps, etc. This picture looks from the back end of the site towards the road and Rose Valley Falls, with the lower lake off to the right.

IMPROVED ROADWAYS TO THE SESPE

The road up from the summit of Hwy. 33 to Pine Mountain and Reyes Peak Campgrounds is being resurfaced this summer. All the asphalt is being taken up and reground into a new road surface. Expect the road to be open to all vehicles in early August.

The road to Dough Flat north of Fillmore is now open all the way to the end again, after a couple of years when the Forest Service did not have the funds to clear some rough patches a mile or so from Dough Flat trailhead.

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LAKE PIRU LANDSWAP GOING FOR A COMEBACK

The proposed landswap at Lake Piru was first introduced in the House of Representatives in D.C. in 2001, by then-Congressman Elton Gallegly. It meant to exchange federal lands beneath Lake Piru for nearby acreage owned by United Water, who operate Santa Felicia Dam and Lake Piru.

Local environmental organizations, including the Sierra Club, Friends of the Santa Clara River, Los Padres ForestWatch and KSWC, along with statewide groups Caltrout and Friends of the River, have been watching and critiquing the landswap proposal for over a decade now.

United Water has never been upfront about the reason for the landswap in the first place. First they said they needed the exchange because the U.S. Forest Service was too slow to clear the several miles of roadway they own on the west bank of the lake after winter flood damage. It hardly seemed necessary to pass legislation in D.C. to help clear dirt off a road, but that is what then-manager of United Water Dana Wisehart wanted us to believe.

Congressman Gallegly introduced the bill again and again in each two-year session of Congress through 2011, the final time being when he attached it to his proposal for more Wilderness and Wild and Scenic Rivers in his District, last year. United Water was not happy with that move, as the wilderness bill went nowhere and took the landswap with it. Of course, the Republican-controlled House in D.C. passed no Wilderness legislation in the last session of Congress, a first in the decades since the Wilderness Act was passed in 1964.

Not that the landswap bill would have passed without being attached to a Wilderness bill. Our California Senators, Barbara Boxer and Dianne Feinstein have never supported it, and support from them is required for a small piece of legislation within California to pass.

It turns out that the real reason for the landswap is more ominous. United Water is held to the provisions of the Endangered Species Act (ESA) for the recovery of the endangered southern steelhead, under Section 7 of the act. If they can use the landswap to remove the lands beneath the lake from federal ownership, then the federal link is broken that requires Section 7 recovery actions for the steelhead. Instead they would have Section 10 of the ESA, which is very different. *(continued on back page)*

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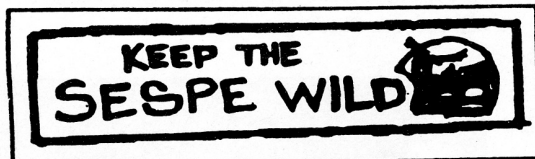
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Section 10 of the ESA has no enforcement mechanism and no timeline for action, meaning that United Water could delay and postpone steelhead recovery actions for the long term, which tactics they have used successfully for years further downstream on the Santa Clara River at the Freeman Diversion Dam near Saticoy.

A lot of money is at stake for United Water, who have committed to spending a million dollars over the next few years to study potential fish passage past Lake Piru's Santa Felicia Dam. Fish passage itself past the dam could cost many tens of millions of dollars.

While United Water would clearly like not to spend large amounts of money on steelhead fish passage, most of it may end up coming from government grants.

The surprising part is that United Water is still trying to sell the landswap to our local legislators and the environmental community, now that their previous legislative champion Rep. Elton Gallegly has retired from office.

KSWC believes the landswap idea should be put to rest at long last, and we are working to see that happen.

