

KEEP THE SESPE WILD & FREE

The Newsletter of the Keep the Sespe Wild Committee

PO Box 715, Ojai, CA 93024

(805) 921-0618 • www.sespecwild.org

SEPTEMBER 2013

LEGISLATING TOXIC SUBSTANCES OUT OF THE SESPE WATERSHED

The California Legislature is expected to act by the deadline of September 13 on two bills that may lead to a cleaner environment in the Sespe watershed and throughout California. We hope to see both bills signed by Governor Jerry Brown this fall.

Senate Bill 4, authored by Senator Fran Pavley, will if signed into law enact first-time regulations on the toxic chemicals that are commonly used in hydraulic fracturing, also known as fracking, a process where oil companies inject a high-pressure mixture of sand, water and chemicals deep underground in order to increase the amount oil that flows to the surface. The Sespe watershed north of Fillmore is home to the Sespe Oilfields, where the 300 or so oil wells have likely all been subject to fracking operations.

Secondly, Assembly Bill 711 will if signed into law prohibit the use of lead in all kinds of bullets used by hunters throughout the state. This bill is intended to protect the endangered California and other wildlife from lead poisoning. The Sespe watershed contains the Condor Sanctuary, where condor recovery efforts were first initiated and where condors continue to be reintroduced – and poisoned by lead.

FRACKING TO BE REGULATED IN SENATOR FRAN PAVLEY'S S.B. 4.

The oil industry has been supportive of the passage of S.B. 4, as they realize the public's demand for some daylight with regard to fracking chemicals is justified. At present, as has been the case for many decades, there are no federal or state regulations on fracking. The State of California has jurisdiction over all below ground aspects of oil wells and drilling.

Don't expect an environmentalist's wishlist of fracking regulations in S.B. 4; in order to pass the legislature it must be a significant but modest start. Besides, Governor Brown has stated he will not sign into law a bill banning fracking.

S.B. 4 will require drillers to give 30 days notice before conducting fracking procedures at a well, and it will require that the chemicals used be disclosed to state regulators. An independent study of fracking will be completed by Jan. 2014.

Violators of the new regulations will face fines of between \$10,000 and \$25,000 per day.

Recent amendments to S.B. 4 by its author will prevent oil companies using "trade secret" rules to keep secret their fracking compounds, and also will add oversight to another recently-publicised oil industry practice that gets more oil out of the ground – acidization.

Senator Pavley added acidization oversight to her bill after learning that it is used in 8 out of 10 oil wells in Ventura County. Acidization involves pumping hydrofluoric acid deep into the ground to help produce more oil at the surface. This practice apparently produces more oil than fracking from oil wells drilled into the Monterey Shale formation, which underlies much of Ventura County.

FRACKING CAN CAUSE EARTHQUAKES

Early July saw the publication of a study in Science magazine that concluded that fracking bore some responsibility for recent earthquakes in parts of the US considered to be seismically stable – the East and Midwest. Water in injection wells (where the fluids used in fracking are later pumped into permanent storage in deep rock formations) can lubricate small faultlines. The study's author, Nicholas van der Elst, recommends long-term seismic monitoring of injection well sites.

The San Cayetano earthquake fault runs from Ojai's East End along the base of the foothills past Fillmore and Piru. It is considered by the USGS to be the sixth most active fault in California, capable of a quake similar in size to the Northridge quake in 1994. Incidentally, the San Cayetano fault crosses Sespe Creek just past the end of Goodenough Road north of Fillmore, at precisely the same spot as the location of the long-proposed Oat Mountain dam site.

This fact, uncovered by KSWC over 20 years ago, put paid to further consideration of this location as a viable dam site on Sespe Creek, as Congress was evaluating legislation to add Sespe Creek to the federal Wild & Scenic Rivers system.

Thomas Rockwell of the State University of San Diego has studied the San Cayetano fault over many decades. He stated to the Reporter newsweekly that: “if you’re an oil company and you drill into a large fault and start pumping large volumes of fluid into that fault, then all bets are off.”

There are about 1,010 injection well sites in Ventura County, and numerous earthquake faults.

There is currently an exhibit on fracking at the Ca. Oil Museum in Santa Paula. Expect the industry view.

The BLM has announced it will conduct detailed studies of fracking, in conjunction with the State of California.

FRACKING REGULATIONS LOCALLY

Ventura County Supervisors will in September be receiving a staff report on the potential future regulation of toxic chemicals at oil drilling sites above ground – their jurisdiction does not dip beneath the surface.

Included will be ideas for regulating fracking and water use at the hundreds of old wells in Ventura County that were granted permits many decades ago, at which fracking can now be implemented with no oversight. Old wells had lower standards for the construction of concrete well casings, and their age also makes their casings much more likely to leak pressurized fracking fluids into groundwater aquifers. Regulations will lead to fewer toxic spills.



The boulder field on Sespe Creek below Tar Creek, June 2013. These purple Sespe sandstone boulders are the size of houses.

PLEASE KEEP THOSE DONATIONS COMING OUR WAY!

Your donations to KSWC are what keep us afloat - to keep you up to date with news and alerts on the Sespe watershed and on forest access fees.

Our quarterly newsletter costs \$800 to mail each time to over 1,000 supporters.

While your donation totals always fluctuate from newsletter to newsletter, the June edition brought in an unusually low level of donations. Please help us recoup that after this September edition! Donations are not tax-deductible. Thanks to you all.

LEGISLATING AN END TO LEAD AMMO

In 2007 legislation introduced by former Ca. Assemblyman Pedro Nava (Santa Barbara) was signed into law, prohibiting the use of lead bullets by hunters in the known range of the California condor. Condors, as well as other carrion eaters, are very susceptible to lead poisoning from the ingestion of lead shot and/or bullets. For humans there is no safe level of lead in the body; lead has already been eliminated from our gasoline, paint, cookware & toys.

Lead ammo was long ago banned in the hunting of ducks and other water birds, since wildlife refuges where these birds live are also a source of public drinking water.

However, condors still suffer from lead poisoning, including those spending time in the Sespe Condor Sanctuary. The only remedy for condors with the known symptoms of lead poisoning is to capture them and transport them to a special veterinary facility where they undergo blood transfusions to eliminate the lead from their blood. Condors are particularly susceptible to lead poisoning because their powerful digestive juices readily dissolve lead.

Currently the U.S. Fish and Wildlife Service is spending about \$5 million a year in blood testing and transfusions – hardly a sustainable strategy for the long-term recovery of an endangered species.

How much lead is in the environment in areas where hunting takes place? The U.S. Geological Survey estimates that there can be as many as 400,000 lead shots per acre! Annually an estimated 650,000 metric tons of lead are dispersed into our soils by hunters.

Assemblyman Anthony Rendon, the author of the new, stricter legislation banning lead ammo, AB 711, cites over 500 scientific studies that conclude that lead from ammo is harmful to more than 130 different

species of wildlife. AB 711 will prohibit the use of all lead ammo throughout California.

One problem with Assemblyman Nava's 2007 legislation banning lead ammo in condor territory is that it did not ban lead ammo as used for squirrels and other small critters. AB 711 will close that loophole in the earlier bill.

The Pentagon has been testing copper bullets on a large scale, and found them to be faster, more accurate and deadlier than lead. They do cost about 15% more, though.

The 2007 ban on lead ammo in condor territory has not kept hunters at home – the number of deer tags issued to hunters in that area has gone up.

AB 711 will not be fully implemented until July 01 2020. A thorough, peer-reviewed study of the lead poisoning of condors will be published this fall.

NEW CONDOR DOCUMENTARY

You might also be interested in a new documentary "The Condor's Shadow", an hour and a quarter in length, that tells the story of the California condor's recovery from near extinction only a few decades ago. It was featured at the 2013 Santa Barbara Film Festival, and was based on a story in the Santa Barbara Independent some years ago by journalist Matt Kettman.



The pools on the lower Sespe are still largely filled with sediment from the 2006 Day Fire in the Sespe watershed. It is delightful on a hot summer day to find a pool still deep enough to jump into.

THE SANTA CLARA RIVER ESTUARY

There has been a lot of press recently about the flooded campground at McGrath State Beach. The loudest clamor was for a fix to drain the flooded estuary to recover lost tax dollars from tourists.

The flooded estuary happens in years when low rainfall does not push through the berm of beach sand to the ocean, leaving a large lagoon. This lagoon is home to many species that thrive in this somewhat briny ecosystem.

There are tidewater gobies, an endangered species of small fish in the water, and adjacent on the dunes are nesting California least terns, also an endangered species, which feed at the lagoon. The gobies only live for one year, so their breeding must be successful every summer.

An unauthorized artificial lagoon breach to the ocean in September 2010 led to the deaths of tens of thousands of tidewater gobies. Also dead were several endangered steelhead trout, whose springtime migration to the ocean was blocked by the sand berm, requiring them to spend all summer in the lagoon.

The steelhead might well have grown up in Sespe Creek, the largest free-flowing tributary of the Santa Clara River, and first-rate natural habitat for juvenile steelhead. In the end, the estuary was lowered somewhat by pumps that piped water over the sand without any breach in the berm.

NEW ZEALAND MUDSNAILS ON THE MOVE

We first wrote about this alien invader of our creeks eight years ago. Tiny black New Zealand mudsnails (adults are under one quarter inch long) will take over any local creek they are carried to. In a very short time, they multiply to cover every rock under the water, up to 750,000 a square yard!

They have no predators here. As they take over, wildlife that depends on food supplied by the normal creek waters cannot find anything to eat.

They are carried to new creeks on hikers' and fishermen's boots – the smallest ones are the size of a grain of black pepper. And they can survive out of water on your boots for quite a while.

Researchers put their boots and gear in freezers for 48 hours to kill the tiny mudsnails, and they change gear from one creek to the next.

Since around 2006, there are 12 creeks infested with mudsnails in the Santa Monica Mountains.

Check out www.mudsnails.com

Keep the Sespe Wild
P.O. Box 715
Ojai, CA 93024

Address Service Requested

U.S. POSTAGE
PAID
OJAI, CA
PERMIT NO. 306

Printed on Recycled Paper

All Sespe T-Shirts \$16.00

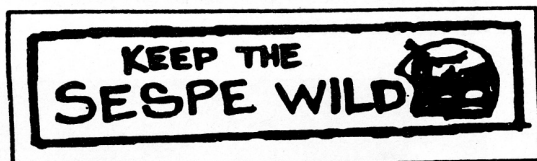
Our original T-shirts are light blue with the Keep the Sespe Wild logo in five colors.

Our newer T-shirts are white with the same five color logo on the back, and with an additional, pocket-sized logo in blue on the left front.

Please state white or blue with your order. Sizes are S, M, L, XL and XXL.

All 100% cotton.

Bumper Stickers \$2.00



All prices include tax and shipping. Please include address and a phone number. Allow 2 to 3 weeks for delivery.

Send your order and check, made out to KSWC to: Keep Sespe Wild, PO Box 715, Ojai, CA 93024

NO-FEE UPDATE

There has been no settlement in the federal court case against the Adventure Pass forest access fee program. So the matter is slowly moving to a court date. We are hopeful there will be a good outcome that will set a national precedent.

As regards the future of the current FLREA fee program, which is due to sunset in December 2014, the agencies (Forest Service, Park Service, BLM) have been asking for a 12 month extension of their fee authority from Congress. This would be achieved with a rider on the funding bill.

However, the House and Senate are so far apart with their versions of next year's funding bills that

(with Syria taking the limelight) there may not be a funding bill. Instead, a Continuing Resolution could keep 2014 funding at current levels – and that procedure just won't be possible with any riders attached. In which case, the FLREA might die a natural death in Dec. 2014. We'll keep you posted.

GRAFFITI ON TAR CREEK

More and more people are visiting Tar Creek to jump into the water from high rocks. There is a website listing it as a prime spot. About 5 instances of graffiti were seen there this summer. KSWC will be doing all we can to prevent more.