



SB 4 (Pavley): Regulation of Fracking

SB 4 (Pavley) was passed by the Legislature and sent to Governor Brown on September 11. This bill establishes a comprehensive statutory framework—probably the strongest in the country—for regulating hydraulic fracturing (“fracking”) and acidization of oil and gas wells.

Fracking has been occurring without regulation in California for decades, despite evidence of harm from around the country. SB 4 provides permitting, accountability and transparency in well stimulation, including both fracking and acidization. The bill requires:

- Disclosure of the quantity and source of water used and the disposal of wastewater, and monitoring of groundwater quality in the area
- Disclosure of the identities of all chemicals injected even if trade secrets are claimed, with provision for additional disclosure in emergencies or threats to public health
- Advance notice to neighbors of proposed projects
- An independent scientific study of the hazards and risks posed to natural resources and public, occupational, and environmental health and safety
- Coordination among agencies to ensure accountability and transparency
- Costs of regulation borne by the oil and gas companies through fees (“polluter pays”).

SB 4 will result in regulations far stronger than DOGGR (the Division of Oil, Gas, and Geothermal Resources) is likely to adopt in its absence. Moreover, it does not prevent local entities from passing their own rules or limit the authority of landmark state laws such as AB 32 in fracking matters.

The League of Women Voters of California has strong concerns about recent amendments to the bill that could weaken the oversight of the fracking process while the adoption of regulations is under way or could be construed as an exemption to California Environmental Quality Act (CEQA) review of fracking. We regret that a remedy was not found before the Legislature went into recess for the year. However, we are committed to working with policy makers and our allies to put a correction to the CEQA language into place in the coming months.

We will also monitor implementation of the bill and participate in the various public processes it establishes.

1107 9th Street
Suite 300
Sacramento, CA
95814-3608

September 13, 2013

916 442.7215
888 870.8683
916 442.7362 fax

lwvc@lwvc.org
www.lwvc.org
www.smartvoter.org
www.easyvoter.org