

[Bakersfield Californian editorial, Friday, Sept. 13, 2013:](#)

Everyone wins with fracking regulation bill

When environmentalists and oil companies oppose the same piece of legislation, it's often an indication that lawmakers have successfully walked a difficult line. We believe that's the case with Senate Bill 4, which addresses the oilfield practice of hydraulic fracturing, or fracking.

The California Senate approved the bill 29-8 Wednesday, sending it to the desk of Gov. Jerry Brown. SB 4, authored by Sen. Fran Pavley, D-Agoura Hills, requires oil producers to obtain permits for fracking, acidizing and other oil well stimulation practices, and it requires that neighbors be notified, all chemicals used in the process publicly disclosed, and air and groundwater closely monitored.

It's hardly one of those "only in California" laws: at least 14 petroleum producing states, including Texas and Wyoming, now regulate fracking, a process that, in its most basic form, has been around for decades. It involves the underground injection of water, sand and chemicals (including hydrofluoric acid and other corrosive acids) to crack rock formations, loosening oil and gas for extraction.

Some environmental groups complain that SB 4 doesn't go far enough: Fearing groundwater contamination, they wanted an outright ban or moratorium until the process is more thoroughly studied and understood. Oil companies complained that the bill was too restrictive and that its disclosure requirements would force them to reveal "trade secrets," although most allowed that some regulation is acceptable.

But it sounds about right to us. The permitting and monitoring required by SB 4 should provide some measure of environmental protection and peace of mind while allowing the flow of oil and gas, with all of the economic benefits that come with that, to continue.

As Dave Runsten, policy director for the California Alliance with Family Farmers, wrote recently in support of the bill, SB 4 "will provide oversight and transparency to an oil industry that both needs and can afford greater regulation. This will provide protections to family farmers and ensure that agriculture continues to have a clean environment from which to feed all the residents of our state."

We urge Brown to sign the bill.

[Fresno Bee commentary, Thursday, Sept. 12, 2013:](#)

Environmental law needs to work for all

By Alan Autry

As California continues its slow climb out of the recession, now is a good time to look at how this state can create a better climate for job growth.

In particular, environmental regulations from the California Environmental Quality Act (CEQA) have made it difficult for job growth in California. To be fair, California can and should look for ways to protect the environment. But for too long this state has been forced to choose between protecting the environment and creating jobs. This is a false choice. California can do both.

That's why it's important for the Legislature to reform CEQA. The basic problem with the current law is it allows special-interest groups to stop economic growth and abuse the law, which was never its true intent. As a result, CEQA has been great for special interests and lawyers. And while it has helped protect our environment, CEQA has been pretty bad for jobs.

That's why we need real reform that works, which is what Senate President pro Tem Darrell Steinberg, D-Sacramento, declared that he was aiming to accomplish. However this effort was derailed, resulting in nothing more than an exemption to build a Sacramento arena. And this is not the first time a legislator has pushed through a special-interest exemption for a powerful pet project. A similar proposal is in the works for an arena in the Bay Area, and Los Angeles and City of Industry also have received exemptions.

What about the struggling Central Valley? For too long, the hardest-hit economic regions in California have been pushed aside, while CEQA exemptions are made for metropolitan areas that have stronger economic activity. We cannot forget about those who are unemployed and struggling to make ends meet — those who need economic opportunity the most. The Bureau of Labor Statistics reported that the unemployment rate for Fresno fell 0.1 percentage points in July to 12.5%. For the same month, the metro unemployment rate was 3.8 percentage points higher than the California rate.

We encourage Sen. Steinberg and others to go back to the drawing board and propose legislation that will not only benefit the Sacramento arena proposal, but benefit all Californians with new jobs and economic development regardless of where they live in the state.

The current approach does not send a signal of stability, but instead demonstrates that if you have enough resources or clout, the Legislature will grant you an exemption. What's needed is a real reform plan that sends a clear signal to businesses that they can invest and build in California without delays or legal fights.

What would a balanced approach look like?

First, CEQA should focus on fostering an informed debate by the public and decision makers about how applicable environmental standards reduce project impacts.

Second, it would eliminate CEQA duplication. The law should be returned to its original intent and not require duplicative CEQA review for projects that already comply with approved plans for which an environmental impact report (EIR) has already been completed — particularly since existing laws also require both plans and projects to comply with our stringent environmental standards.

Third, it would focus CEQA litigation on compliance with environmental and planning laws. CEQA lawsuits should still be allowed to be filed for failure to comply with CEQA's procedural and substantive requirements. However, frivolous lawsuits would be limited.

Finally, it would enhance public disclosure and accountability. CEQA should continue to mandate comprehensive environmental disclosure and informed public debate for all environmental impacts, including those covered by standards set in other environmental and planning laws.

If these four steps were taken, it would give our state — and our struggling Central Valley — the kind of CEQA reform that we need, one that would both strengthen the environment and strengthen the business climate as well. Let's do it right now for the entire state. But just as important, let's do it right.

Alan Autry is a former mayor of Fresno.