# **Earthjustice: California Court - Kern County Violating Law by Rubberstamping Oil Drilling**

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**Body**

Earthjustice issued the following news release on Feb. 25:

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- Victory: ***Kern*** County ordinance written by the ***oil*** and gas industry to permit up to 72,000 new wells falters

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In a monumental victory for both public advocacy groups and local farmers, a California court ruled that a ***Kern*** County ***oil*** and gas ordinance paid for and drafted by the ***oil*** industry violated the state's foundational environmental law.

California's Fifth District Court of Appeals ruled that a key county analysis failed to disclose the full extent of drilling's environmental harm, in violation of state law. ***Kern*** County used the flawed study to pass an industry-friendly ***oil*** and gas ordinance in 2015 and has issued more than a thousand permits a year since it passed.

The court ordered that the environmental impact report and the ordinance be set aside until the county can demonstrate it complies with the law. ***Kern*** County must stop issuing permits under the ordinance within 30 days. The ruling means environmental review of new drilling proposals in ***Kern*** County will revert back to state authorities.

"This is an important victory for ***Kern*** County residents, said Caroline Farrell, executive director of the Center on Race, Poverty, and the Environment. "***Kern*** County residents deserve to know the impacts from ***oil*** and gas operations on their community so that we can reduce those impacts and protect our health and environment."

"***Kern*** County failed to solve drastic water supply and air quality problems when it passed an ordinance written by ***oil*** and gas companies to favor the industry over the health of local families. Today, the court rightfully told them to go back to the drafting table," said Colin O'Brien, staff attorney at Earthjustice who argued the case. "***Oil*** and gas operations compete with families and farmers for scarce fresh water supplies and they pump deadly air pollutants into the Central Valley. Those impacts can't be ignored."

"***Kern*** County communities should not be forced to breathe dirty air and compete for clean water supplies in the name of fossil fuel industry profits," said Sierra Club Senior Attorney Elly Benson. "We are glad to see the court recognize that the county cannot ignore the severe impacts of this unprecedented attack on the health of local families and our environment."

"This is a huge victory for our health and climate," said Hollin Kretzmann, an attorney at the Center for Biological Diversity. "The court ruled that ***Kern*** County violated the law when it fast-tracked more ***oil*** and gas development and hid the immense harm caused by drilling. It's time for state officials to come clean about how much damage this polluting industry is doing to our environment and public health."

According to the ruling, ***Kern*** County violated the California Environmental Quality Act by failing to fully evaluate and disclose the environmental damage that would occur as a result of the county's plan to permit up to 72,000 wells over the next 25 years.

The court agreed with local community groups and environmental organizations, joined by a local farm, that this failure to disclose could cause harm from water use, air pollution, farmland degradation, and increased noise. It also faulted the county for not allowing the public adequate time to review a study on the health impacts of ***oil*** and gas.

A large majority of ***oil*** produced in the state of California comes from ***Kern*** County. The 2015 ordinance -- written by ***oil*** industry consultants -- attempted to "streamline" ***oil*** and gas permitting in the county by not requiring any further environmental reviews or public notice for up to 3,647 wells per year over the next 25 years.

Numerous environmental, public health, and community organizations spoke out against this ordinance, which would have particularly impacted communities of color in ***Kern*** County, who already breathe some of the most polluted air in the country.

The appeal was brought by Committee for a Better Arvin, Committee for a Better Shafter, and Greenfield Walking Group, represented by the Center on Race, Poverty & the Environment, together with the Center for Biological Diversity, and Sierra Club, who was represented by Earthjustice. King and Gardiner Farms, represented by Shute, Mihaly & Weinberger, also appealed and the two cases were consolidated.

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