

SUMMARY OF ORDINANCE

Hydraulic fracturing for the purpose of extracting oil and gas is not regulated in California. The oil and gas industry is granted exceptions to compliance with federal legislation designed to protect the public and the environment, including the Safe Drinking Water Act of 1974 and the Clean Water Act of 1972 (amended 1977 and 1987). Wastewater from hydraulic fracturing may be laced with hundreds of toxic chemicals, heavy metals and naturally occurring radioactive materials, as documented by the Environmental Protection Agency (EPA) and due to the volume and toxicity of “fracking” wastewater, treating such complex waste is difficult, making safe disposal a significant challenge and posing threats to the environment and public health and safety.

The proposed Ordinance will ban all new “fracking” in the County. It will also require full public disclosure and testing of all existing fracking sites and injection/disposal wells, and require government access and testing of the chemicals used in existing fracking operations.

Any person or entity violating or failing to comply with the requirements of the ordinance shall be guilty of a misdemeanor, punishable by imprisonment up to six (6) months and/or a fine not exceeding one thousand dollars (\$1,000). Every day any violation of this Section shall continue, shall constitute a separate offense. The Ordinance also permits the County to seek legal, injunctive, or any other relief to enforce this Chapter.