



PRESS RELEASE

For Immediate Release: April 24, 2019

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Judge denies oil company's request to continue fracking offshore California despite moratorium

SANTA BARBARA—A federal judge issued an order last night declaring that the oil company DCOR, LLC cannot proceed with its two proposed permits to conduct fracking in the Santa Barbara Channel at Platform Gilda. In November 2018, the judge ruled in favor of the Environmental Defense Center (“EDC”) and Santa Barbara Channelkeeper (“SBCK”), prohibiting the Trump Administration from approving the use of well stimulation treatments, including fracking and acidizing, offshore California until required environmental protection processes conclude. Despite that important order, DCOR sought a special exception from the Court to proceed with fracking, alleging that the Court’s order caused it financial harm. However, the Court denied that request, ruling that the harm to threatened and endangered species from offshore fracking outweighs any monetary harm to the oil company, and upheld its moratorium on these practices.

“There is no reason the oil company DCOR should be allowed to skirt around the Court’s important order that ensures offshore fracking will not harm threatened and endangered species, such as the Southern sea otter and Western snowy plover,” said Maggie Hall, Staff Attorney at EDC. “We applaud the Court’s decision for recognizing that preventing harm to wildlife trumps the industry’s financial interests.”

“The impacts of offshore fracking and acidizing on local wildlife have never been meaningfully analyzed,” said Kira Redmond, Executive Director of SBCK. “These practices will extend the life of existing oil platforms in a sensitive marine environment which is still recovering from the 2015 Plains All American Pipeline rupture that devastated our coastline. We need information to understand the potential impacts of these practices so that appropriate measures can be implemented to protect marine life, our coast, our communities, and our economy.”

In DCOR’s request to the Court it claimed that the company would suffer financial harm from not being allowed to proceed with fracking from Platform Gilda. The Court concluded that endangered species are to be given “the highest of priorities” and that the financial harm DCOR claimed from this temporary ban was a speculative “parade of horrors.”

EDC and SBCK filed a lawsuit in November 2016 alleging that fracking and acidizing can harm species protected under the Endangered Species Act (“ESA”), such as the Southern sea otter, and that such activities must be stopped until federal wildlife agencies can conduct their review to ensure that these species are not harmed. The Court agreed with EDC and SBCK, concluding that the government agencies Bureau of Ocean Energy Management (“BOEM”) and the Bureau of Safety and Environmental Enforcement (“BSEE”) violated the ESA when they approved the practices of fracking and acidizing from platforms offshore California. In ruling in favor of EDC and SBCK, the court issued an injunction “to prevent the irreparable harm” that will occur if BOEM and BSEE issue well stimulation permits before the Fish and Wildlife Service completes its review.

The court also ruled in favor of the State of California’s claim that fracking and acidizing cannot occur offshore California until the Coastal Commission has an opportunity to review the potential harm to our State’s coastal zone. The Commission’s review will require a full public hearing process.

The use of offshore fracking and acidizing in the Santa Barbara Channel poses significant risks to the sensitive marine environment. The Santa Barbara Channel harbors such incredible biological diversity that it has been dubbed the “Galapagos of North America.” Acidizing and fracking are both potentially dangerous oil production processes involving the injection of large amounts of water and chemicals below the seafloor in order to fracture or dissolve rock. More information can be found in EDC’s [Dirty Water: Fracking Offshore California](#) report.

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The Environmental Defense Center, a non-profit law firm, protects and enhances the local environment through education, advocacy, and legal action and works primarily within Ventura, Santa Barbara, and San Luis Obispo counties. Since 1977, EDC has empowered community-based organizations to advance environmental protection. EDC’s focus areas include protection of the Santa Barbara Channel, ensuring clean water, preserving open space and wildlife, and addressing climate and energy. Learn more about EDC at www.EnvironmentalDefenseCenter.org.

Santa Barbara Channelkeeper is a grassroots non-profit organization dedicated to protecting and restoring the Santa Barbara Channel and its watersheds through science-based advocacy, education, field work and enforcement. Learn more about SBCK at www.sbck.org.