

Guide for Commenting on New County Oil and Gas Policy—Contra Costa County General Plan

***** This offers relevant historical background, citations you can use in your own written comments, and some talking points in red for the May 11 study session. Feel free to adapt and add your own spin! The more personal you can make your comments, the better.***

First, what is a General Plan? From the [EnvisionContraCosta2040](#) website: “The General Plan outlines the County’s goals for physical growth, conservation, and community life in the unincorporated area, and contains the policies and actions necessary to achieve those goals. County staff members use the General Plan to guide decisions about zoning, permitted development, provision of public services, and transportation improvements.”

County Background: The Conservation Element in the previous Contra Costa County General Plan adopted in 1991—still in effect until the new General Plan is approved later this year—stipulates that “production of oil and gas production resources shall be encouraged as a way to support the agricultural viability of rural areas.” Because of this policy directive, in July 2019 county planners approved an application for new oil drilling on Deer Valley Road in unincorporated Antioch (County File #LP19-2013). The still-pending 2020 Powerdrive permit application for new drilling on county land bordering Brentwood (County File #LP19-2019) falls under the aegis of the existing General Plan, not the new one currently under development.

The drilling site operator (who is also the permit applicant for the new drilling site) says he’s intent on draining any remnant oil in the Old Brentwood Oil and Gas Field, which Chevron and Exxon previously worked in the 60s and 70s. He’s on a one-man mission to resurrect oil drilling in Contra Costa County.

The new proposed policy, which will dictate land use decisions for the next twenty years, *still* encourages oil and gas production, although it does explicitly prohibit drilling within 3200’ of “sensitive receptors.”

- This is definitely a good step in the right direction, but we still need much stronger health and environmental protection than these setbacks can provide.

It also prohibits drilling in “sensitive ecological areas” such as wetlands (as does the existing Conservation Element).

- Given the climate crisis, the whole planet could be designated a sensitive ecological area. We should not be greenlighting new drilling, period.

The new policy “requires new or expanded oil or gas wells to mitigate impacts, particularly those related to public health and safety, surface and groundwater quality, subsidence, noise, aesthetics, air quality, habitat, and greenhouse gas emissions.”

- Encouraging further fossil fuel extraction that contributes to more climate emissions undermines the County’s own Climate Action Plan (CAP). The CAP is a strategic framework for achieving significant greenhouse gas reduction in the county. Unspecified mitigation strategies (enforced by whom?) are no substitute for eliminating greenhouse gas emissions *before* they are emitted. This applies as well to the whole range of toxic pollutants that are co-emitted by drilling.
- Close alignment between the County’s Climate Action Plan and General Plan is imperative. Contra Costa must walk its talk by designing and implementing consistent and robust climate-related policy.
- Oil and gas extraction releases methane, 86 times more potent a greenhouse gas than carbon dioxide over a twenty-year period, which is the period of time that actually counts for lessening the catastrophic impacts of global warming. GHG reduction was not of concern when the current General Plan was adopted in 1991, but it’s of central concern now. The Conservation Element of the new General Plan must take a far more rigorous position on fossil fuel extraction.

In September 2021 the Board of Supervisors adopted a “**Declaration of Climate Emergency in Contra Costa County.**”

http://64.166.146.245/docs/2020/BOS/20200922_1574/43116_BO_ADOPT%20Climate%20Emergency%20Resolution%2C%20as%20Recommended%20by%20the%20Sustainability%20Committee.pdf

- Allowing new fossil fuel production is fundamentally inconsistent with the principles established in this new governing document. The Contra Costa Climate Emergency resolution admirably calls for transition away from a fossil fuel-dependent economy along with protection of vulnerable communities. The County’s General Plan directives must embody these principles.
- Declaring a climate emergency is supposed to generate a sense of urgency and deepen our commitment to going beyond half-measures. Allowing more fossil fuel extraction, albeit with modest setbacks, is not a credible example of bold climate action.
- What happens in Contra Costa does not stay in Contra Costa—it has regional and global consequences. This is everyone’s climate emergency.

The County actually has popular support for taking more rigorous action. Over the last two years, there has been strong public demand for greater protection against the multiple harms caused by fossil fuel extraction in East Contra Costa County.

- Over 3,300 people—mostly Contra Costa residents—have signed a petition calling on the County to prohibit all new oil and gas drilling and phase out existing

drilling, with protective provisions for those fossil fuel workers whose jobs could be impacted.

- East County communities most directly impacted by fossil fuel production have demonstrated their concern about health, safety and environmental impacts, as well as preservation of property values, which are negatively impacted by drilling.
 - The City of Antioch passed an ordinance in January 2022 removing oil and gas operations as permitted uses in zones where it had once occurred. In other words, Antioch banned drilling. Per their resolution, this “will protect the ability of Antioch residents to enjoy clean air and water, and live and work in a healthy and commercially thriving community.”
 - In April 2022, driven by similar concerns, the City of Brentwood put a moratorium into place while it develops a permanent ban.
- In December 2021 the Democratic Party of Contra Costa County passed a resolution calling for the prohibition of oil and gas drilling in the County and a phase out of existing drilling.
- In October 2021 the Board of Directors of the Diablo Water District passed a resolution stating Opposition to Future Oil and Gas Wells in East Contra Costa County. It argued that as a Ground Sustainability Agency in the East Contra Costa Subbasin it has the authority and responsibility to protect water quality in local groundwater aquifers and prevent groundwater quality degradation, and that both could be threatened by new and refurbished oil and gas wells.
- In July 2020 the Contra Costa County Sustainability Commission, mandated to advise the Board of Supervisors on sustainability issues and Climate Action Plan implementation, sent a letter to the Board of Supervisors calling on them to “replace permission with prohibition” and end oil and gas production in the County. Over 70 county organizations and elected officials signed a letter in September 2020 supporting the Sustainability Commission demands.

Health Impacts of Drilling Operations and Setbacks

https://www.conservation.ca.gov/calgem/Documents/public-health/Public%20Health%20Panel%20Responses_FINAL%20ADA.pdf (pdf p.14).

To help guide new state rulemaking on oil production, the state legislature appointed a Scientific Advisory Panel made up of preeminent California scientists and public health experts to advise on the health impacts of oil and gas drilling. Following the release of the Advisory Panel’s report, Governor Newsom and the state’s oil and gas regulators, CalGEM, proposed 3200’ (.6 mile, or 1km) setbacks from “sensitive receptors” to protect them from the toxic air pollutants emitted by drilling sites. (This proposal has not yet been adopted by the state.)

That distance is not specifically recommended by the Advisory Panel's report, however. The Panel did find very significant exposures to toxic air contaminants at a distance of a half-mile from well operations, but it also pointed to "evidence of harm linked to OGD activity at distances greater than a km [or 3,281']." The Advisory Panel clearly states that the *most* health-protective approach is reduction or elimination of new and existing wells.

- The 3200' setbacks proposed both by CalGEM and Contra Costa County are well-intentioned but still inadequate for fully protecting vulnerable communities from the harms of oil and gas extraction.
- What's more, these proposed setbacks of 3,200' apply only to new drilling. They don't apply to existing drilling sites, like the one on Deer Valley Road in unincorporated Antioch within *that very distance* from large numbers of "sensitive receptors."
- We need to remove oil and gas drilling from permitted land uses in the county and phase out existing drilling. It is not only the State of California that has this prerogative. Cities and counties do, too, as they are legally entitled to set land use policy that protects the health and safety of their residents. In fact, Los Angeles County, the largest county in California, just banned oil and gas drilling and committed to an equitable phaseout of existing drilling. Contra Costa should follow its example.

<https://news.stanford.edu/2021/10/12/living-near-oil-gas-wells-increases-air-pollution-exposure/>

This Stanford study, published seven just months ago, reviews 14 years of scientific data and concludes that serious negative health impacts occur within a **2.5 mile radius** of oil and gas production. The County, following the state's lead, is proposing only .6 mile setbacks—and only for new drilling.

- Here we have further compelling scientific evidence that 3,200 setbacks are insufficiently health-protective. We must listen to the advice of our scientists and act accordingly. By allowing drilling to continue, the County is placing drillers' profits over the health of its residents.
- Fear of lawsuit is a poor excuse for failing to protect public health. There are countless examples of city and counties standing up to the oil industry and winning. Just look at the City of Richmond and its recent court victory upholding its ban on coal exports.

California State Policy

<https://www.reuters.com/business/energy/california-governor-seeks-end-oil-drilling-state-by-2045-2021-04-23/>

In April 2021 Newsom directed the state to phase out oil drilling by 2045. (The County's extension of permission for oil and gas drilling through 2040 falls within this timeline.)

- **Granting new drilling permits while declaring the necessity of phaseout in twenty years is illogical. Among other things, it adds to the burden of site reclamation and remediation, which could (and should) be avoided in the first place.**

Phaseout of all oil drilling by 2045 reflects the state goal for reaching climate neutrality. However, many climate experts agree that this timeline is inadequate. The Speaker of the State Assembly, Anthony Rendon, famously said at last fall's UN Climate conference that our state is not meeting even its current climate goals and is no longer a global leader on climate.

- **Contra Costa County can and should reach beyond insufficient state policy goals and become a real climate leader.**

Climate Impacts – the Global Framework

https://iea.blob.core.windows.net/assets/7ebafc81-74ed-412b-9c60-5cc32c8396e4/NetZeroBy2050-ARoadmapfortheGlobalEnergySector-SummaryforPolicyMakers_CORR.pdf (pdf p. 11).

The International Energy Agency (IEA), a major player in global energy policy known for its conservative analysis, published a watershed report in May 2021 stating “there is no need for investment in new fossil fuel supply in our net zero pathway,” and “no new oil and natural gas fields are needed in the net zero pathway,” and that exploitation and development of new oil and gas fields needed to end in 2021 if the world were to stay within safe limits of global heating and meet the goal of net zero emissions by 2050.

<https://unric.org/en/guterres-the-ipcc-report-is-a-code-red-for-humanity/>

The Intergovernmental Panel on Climate Change (IPCC) issued an August 2021 report described as a “code red for humanity” by UN Secretary-General António Guterres: “This report must sound a death knell for coal and fossil fuels, before they destroy our planet.... Countries should also end all new fossil fuel exploration and production, and shift fossil fuel subsidies into renewable energy.”

- **County oil and gas policy is inconsistent with current international consensus about the need to end fossil fuel expansion in order to ensure a livable planet.**

- On what basis do we grant ourselves an exception from the moral obligation to curb climate emissions? The very existence of human civilization is at stake, no more and no less.

Never mind “moral virtue.” What about our need for oil and energy independence?

Here are a few things to remember about California oil production and consumption.

These conclusions are based on California Energy Commission data:

- Demand for fossil fuel products has been steadily dropping in the state since 2010. This overall decline is still the case even as the market rebounds from the total “demand destruction” triggered by COVID.
- The oil industry has been making up for lessening in-state demand by exporting more of its products. From 2007-2018, West Coast refinery production actually increased in order to increase the export of refined fuels.
- Given declining oil field output, California refineries have already been importing two of every three barrels they refine. Only one-third of the crude they refine is from California, and the relatively small amount that Contra Costa could contribute would make little impact on this situation.
- Our refineries have been importing foreign crude in order to export, not just to meet local demand for finished petroleum goods. This means that California drilling and refining has been polluting our communities to produce fuel that’s consumed elsewhere and which we increasingly don’t need.
- Our dependence on oil and gas doesn’t provide us with “energy security.” It gives us wars for oil, deadly pollution, oil spills, gas leaks, and climate devastation.
- Real energy independence means transitioning off fossil fuel as fast as possible, vastly increasing energy efficiency, and rapidly developing clean power sources like solar and wind.

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