



THE VOTER

LEAGUE OF WOMEN VOTERS OF STANISLAUS COUNTY

December 2013

Serving the Citizens of Stanislaus County, California

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President's Message

What a fall our League has had! We did our usual great job with candidate forums and voter registration; we hosted an outstanding community program on the Affordable Care Act to a standing room audience; and we had an informative and interesting series of Lunch and Learn speakers. I am very thankful to all of you for making all of these things happen. We really are making a positive difference in our community. Now we can take a little hiatus over the holidays to enjoy and reflect before we plunge into what promises to be a busy 2014. I hope many of you can attend the Holiday Fling. It is always one of my favorite parts of the season – a chance to visit with League friends, enjoy some good food and wine and Lynn's lovely home.

Wishing you a Happy Thanksgiving, Happy Hanukah, Merry Christmas, Happy Kwanza, Happy New Year – and any other holiday of the season I may have overlooked.

Mary Giventer, Elected President

FINANCE DRIVE CONTINUES

Thank you to all of you who have donated to the Finance Drive. Your support is vital to our continued success. If you have not yet made a donation, it is not too late to do so. Special thanks goes to **Judy Potochnik** who included this original poem with her donation:

More than six decades have we
Supported our Modesto LWV.
Each of you performs a "good citizen" deed
It is vital work we all should heed.
Cheers for your tenacity,
And awesome personality!

Thank you Judy for your words of praise.

I WANT TO ADD MY VOICE TO YOURS BY JOINING THE LEAGUE OF WOMEN VOTERS OF STANISLAUS COUNTY!

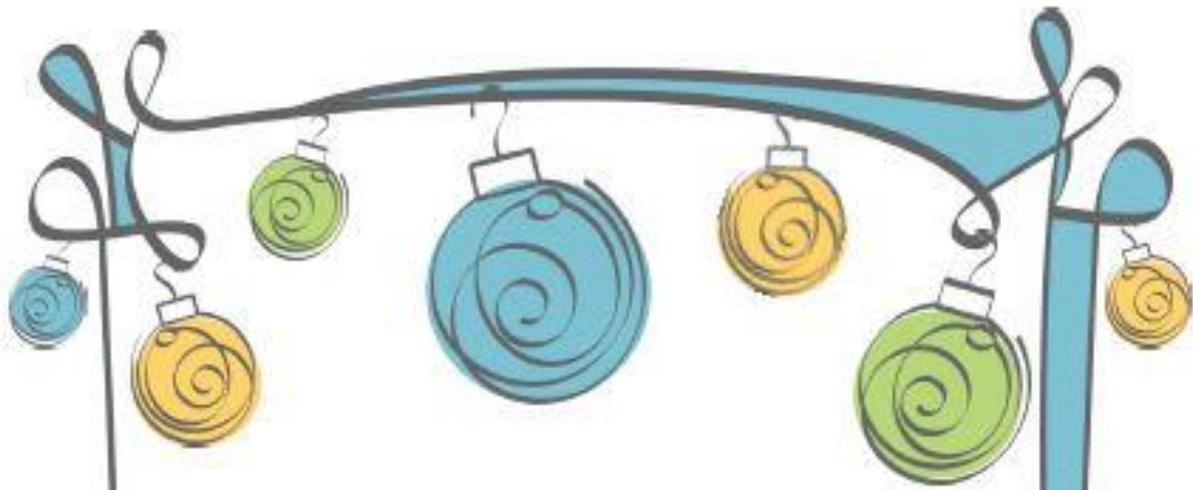
- Student Membership \$25
- Individual Membership \$60
- Household Membership \$90

Please contact me with more information.

Name(s) _____

Address _____

Phone (for directory) _____



League of Women Voters
Of Stanislaus County

ANNUAL HOLIDAY FLING

Our Special Guest will be
Lissa Davila from Townsend Opera
She will perform pieces from La Boheme
Along with Christmas favorites

Monday, December 2

6:30 p.m. to 8:30 p.m.

In the home of Lynn Fenderson

221 El Rio Ave. Modesto

Enjoy wine, appetizers, and League friends

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***District Attorney Birgit Fladager
October Lunch and Learn
“Seek Justice, Serve Justice, Do Justice”***

Stanislaus County District Attorney Birgit Fladager gave an overview and update of her department at the October Lunch and Learn. She joined the DA’s office in 1990 as a deputy district attorney; she was elected district attorney in 2006 and re-elected in 2010. When elected, she simplified the mission statement to the three-point motto (above) which can be seen throughout the department as a visible reminder to all.

With a \$15.7 million annual budget (\$14.6 million from the county’s general fund), she oversees a staff of 120 including attorneys, investigators and support staff. The department prosecutes felonies and most misdemeanors in the county. Law enforcement responds to incidents, makes arrests and completes reports to establish probable cause. Her office then reviews the information and may do additional investigation to prepare a case that will meet the “beyond a reasonable doubt” standard. The DA’s office has multiple partnerships as well as specialized departments, including four gang prosecutors and two prosecutors who only handle auto theft cases. Representatives from various law enforcement agencies meet together monthly.

In her presentation, D.A. Fladager reviewed statistics and trends in crime and law enforcement. Her office made 70,400 court appearances in 2012 – 9,100 felonies, 10,000 misdemeanors – and presented 13,000 cases. Fewer cases are being filed because of reduced staff in her office as well as law enforcement. Changes in the law in 2012 have led to fewer “three strikes” cases given 25 years to life sentences; actually, in 2012 there was none. Overall, felonies are on the increase. With 55 gangs, 3,000 identified gang members and an estimated 3,000 more in the county, gangs are a significant concern. About half the homicides are gang-related. Some good news: juvenile cases are down thanks to work by the Probation Department and various diversion programs.

Marie Bairey, Secretary

Board Highlights

No new Board items for 2013—See you in 2014!

SB4 AND THE REGULATION OF FRACKING

Fracking, the term used for the hydraulic fracturing of gas and oil wells, is a significant environmental and economic issue in the state of California. I recently attended a Summit on Fracking at the University of Merced sponsored by the Independent Voter Project. The summit primarily featured a roundtable discussion about Senate Bill 4, which was passed and signed by Governor Brown near the end of the last legislative session. This bill was supported by LWVC, although the League issued a statement expressing strong concerns about last minute amendments to the bill that could weaken the oversight of the fracking process while the adoption of regulations is underway or could be construed as an exemption to the California Environmental Quality Act review of fracking. The primary author of the bill, Senator Pavley, wrote a letter to the Senate Journal expressing that his intent was that all existing regulations and environmental review processes should continue and that, if necessary, he would pursue legislation to clarify this at the earliest opportunity. SB4 establishes a comprehensive statutory framework – probably the strongest in the country – for regulating fracking and the acidization of oil and gas wells. It requires:

- Disclosure of the quantity and source of water used and the disposal of wastewater, and monitoring of groundwater quality in the area
- Disclosure of the identities of all chemicals injected even if trade secrets are claimed, with provision for additional disclosure in emergencies or threats to public health
- Advance notice to neighbors of proposed projects
- An independent scientific study of the hazards and risks posed to natural resources and public, occupational, and environmental health and safety
- Coordination among agencies to ensure accountability and transparency
- Costs of regulation borne by the oil and gas companies through fees.

SB 4 will result in regulations far stronger than the Division of Oil, Gas and Geothermal Resources (DOGGR) is likely to adopt in its absence. Moreover, it does not prevent local governments from passing their own rules or limit the authority of landmark state laws such as AB 32 in fracking matters.

During the summit the industry perspective was presented by Cathy Reheis-Boyd, President of Western States Petroleum Association. California has perhaps the largest deep shale reserves in the world in the Monterey Shale Formation, which is a 1,750 square mile swath that runs lengthwise through the center of the state, including Stanislaus County. The U.S. Energy Department estimates that the Monterey Shale contains more than 15.4 billion barrels of oil, accounting for approximately two-thirds of the shale-oil reserves in the United States. Ms. Boyd did caution that this oil is 6,000 to 10,000 feet below the valley and it is uncertain how much of it is accessible with current technology. Fracking has been taking place in California for at least 20 years. In 2012 there were 568 wells being fracked, primarily in Kern County, but permits were issued for 2705 more. While environmentalists look on this largely unregulated proliferation with concern, the industry points to it as a demonstration that the process has been done so safely in the Bakersfield area for many years that most citizens were not even aware of it.

As she described the fracking process, a small diameter hole is dug vertically to the shale depth with at least double-walled casing, which ensures well “integrity”, preventing oil or chemical leakage into the ground water. She estimated the possibility of ground water contamination to be “almost zero”. The well is then injected under pressure with a mixture that is 90% water, 9.5% sand and .5% chemicals over a two to five day period, after which the well will hopefully begin pumping oil. The fracking of one well typically requires 116,000 gallons of water. However, she compared this to the 312,000 gallons of water that are used daily to water a golf course. In total for 2012 she reported 202 acre feet of water were used in fracking while 34 million acre feet were used in agriculture. Of course, as we proliferate the number of wells, we also significantly increase the overall water use. At this point 60% of the water used is pumped into sealed deep injection wells, while 40% receives tertiary treatment and is recycled for agricultural use. All of the recycled water must meet California water quality regulations. Research is being conducted to provide recovery of a greater percentage of the water. It does still require 10 barrels of water to produce 1 barrel of oil. Her final assertion was that a 2012 study (I’m sorry I don’t know who conducted or paid for the study) looked at 14 different environmental issues and found fracking had no significant impact on any of them. She, as well as several other speakers, noted that California has probably the strongest environmental regulations in the country and many of the environmental issues that have been reported elsewhere simply could not occur with California regulations.

Justin Malan, a lobbyist for Local Environmental Health Directors and Andrew Grinberg, Clean Water Action, represented the environmentalists on the panel. Both of them represented groups that had supported SB4 although some environmental groups had dropped their support due to the late amendments, which they felt weakened the bill. Their message was that SB4 was a first regulatory framework, which will allow us to gather information and promote good research into the effects of fracking. The next step is to develop the actual regulations and they stressed that all stakeholders need to be kept informed and have input into the regulatory process. They also pointed out that regulations themselves do not guarantee safety. For example, nitrates and pesticides are regulated but that does not mean that there are not problems with water contamination from these substances.

Their other caution is that abundant oil production only increases our dependence on carbon-based products for transportation and will have an injurious effect on valley air quality. In addition, they questioned the sustainability of the economic benefits of fracking. They also noted that in many areas fracked wells have a significant decline in production in a relatively short period of time, possibly setting the valley up for a boom and bust economic situation. The industry representative did acknowledge that decline in well production is being experienced elsewhere, but that the Bakersfield wells have been consistent in production over many years and that the Monterey Shale is larger than any other tapped field. While some environmentalists with more strident anti-fracking views were in the audience, they were not a part of the panel. Ideally, I would have liked to hear from other respected environmental organizations, such as the Sierra Club or the Nature Conservancy.

Nearly every valley legislator spoke during the round table discussion: Adam Gray, Assemblyman 21st Assembly District (AD), who had co-written the bill, Henry Perea, Assemblyman 31st AD, from the Fresno area, Kristen Olsen, Anthony Cannella, Senator 12th SD, and Tom Berryhill, Senator 14th SD. All of them had supported the bill and all of them are quite enthusiastic about fracking and the economic benefits it may have for the Central Valley. A study conducted by the University of Southern California and the Communications Institute, with some funding provided by the Western States Petroleum Association, estimates that fracking would produce 512,000 new jobs by 2015. In addition, they estimate an increase in tax revenue to state, local and county governments of \$4500 million in the same period. Several of them indicated attention needed to be paid to workforce training to ensure that jobs are kept local. Tom Berryhill stated that he had initially been skeptical of fracking but since visiting the oil fields in South Dakota considered it the “best thing since sliced bread”. Canella and Gray both indicated that they were excited about the possibility of significantly decreasing the chronically high unemployment rate, but also had concerns about water and the protection of agricultural interests and planned to monitor the process closely. Adam Gray’s final pronouncement was that SB 4 made no one happy and therefore must be good legislation. The industry had not wanted any further regulation at all while many environmentalists were calling for a complete moratorium – and neither got what they wanted.

I personally came away from the summit feeling that all my concerns were not alleviated, but I did feel somewhat reassured that California’s reputation for “over regulation” meant the issues would be looked at. Now, for those of us concerned about this, and I really think we all should be concerned, it is important to follow the development of the regulations and their implementation. I am thankful to know that the League is following the process and making our voice heard.

Mary Giventer, President

CALENDAR OF EVENTS <u>(Check Website for Updates)</u>	
Monday, December 2nd	Annual Holiday Fling! 6:30-8:30pm Hosted at the home of Lynn Fenderson
	No Board meeting for December 2013
Wednesday, January 8th	Board Meeting 6:30pm Dale Commons, 3800 Dale Road, Modesto
Thursday, January 30th	Lunch & Learn Speaker is Stanislaus County Clerk Recorder Lee Lundrigan 12 pm at Jacob’s Restaurant, McHenry Ave., Modesto \$13

**League of Women Voters of Stanislaus County
P.O. Box E
Modesto, CA 95352**

The League of Women Voters, a non-partisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.