

116TH CONGRESS
2D SESSION

H. R. 5936

To require a new supplemental environmental impact statement for oil and gas development in the Bakersfield Field Office planning area, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 21, 2020

Mr. CARBAJAL (for himself and Ms. BROWNLEY of California) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To require a new supplemental environmental impact statement for oil and gas development in the Bakersfield Field Office planning area, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “California’s Land
5 Preservation and Protection Act”.

6 **SEC. 2. DELAY OF OIL AND GAS DEVELOPMENT IN THE BA-**
7 **KERSFIELD FIELD OFFICE PLANNING AREA.**

8 (a) **NEW SUPPLEMENTAL ENVIRONMENTAL IMPACT**
9 **STATEMENT REQUIRED.**—Notwithstanding any other pro-

1 vision of law, the Record of Decision for the Bakersfield
2 Field Office Hydraulic Fracturing published on December
3 12, 2019, shall have no force or effect until the Director
4 of the Bureau of Land Management completes and cir-
5 culates for public comment a new supplemental environ-
6 mental impact statement under section 102 of the Na-
7 tional Environmental Policy Act of 1969 (42 U.S.C. 4332)
8 that considers the environmental effects of all oil and gas
9 development in the Bakersfield Field Office planning area,
10 as such area is described by the Director of the Bureau
11 of Land Management, including considering the effects
12 on—

- 13 (1) air quality;
- 14 (2) greenhouse gas emissions and the climate;
- 15 (3) groundwater quality and availability;
- 16 (4) surface water quality and availability;
- 17 (5) seismicity;
- 18 (6) wildlife and plant species, including threat-
19 ened species and endangered species; and
- 20 (7) low-income communities, communities of
21 color, and indigenous communities, including
22 federally- and State-recognized Indian Tribes.

23 (b) ENVIRONMENTAL PROTECTION AGENCY RE-
24 VIEW.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date on which the supplemental environ-
3 mental impact statement required by subsection (a)
4 is published, the Administrator of the Environmental
5 Protection Agency shall review and publish com-
6 ments regarding such statement, including by—

7 (A) identifying whether there would be any
8 significant environmental impacts of oil and gas
9 leasing in the Bakersfield Field Office planning
10 area that should be avoided to adequately pro-
11 tect the natural resources of such area; or

12 (B) making a determination whether the
13 new supplemental environmental impact state-
14 ment required by subsection (a) contains suffi-
15 cient information to assess the environmental
16 impacts of all oil and gas development in the
17 Bakersfield Field Office planning area.

18 (2) EFFECT OF DETERMINATION OF INSUFFI-
19 CIENT INFORMATION.—If the Administrator of the
20 Environmental Protection Agency identifies a signifi-
21 cant impact under paragraph (1)(A) or determines
22 there is insufficient information under paragraph
23 (1)(B), the Director of the Bureau of Land Manage-
24 ment shall consult with the Administrator before
25 taking any action to proceed with Federal oil and

- 1 gas leasing in the Bakersfield Field Office planning
- 2 area.

