

HYDROCARBON BAN IS FIRST OF ITS KIND



In early May, Mora County, NM made headlines after the successful passing of their *Community Water Rights and Local Self-Government Ordinance*. The Ordinance, created with the help of the Community Environmental Legal Defense Fund (CELDF), banned oil and gas extraction and asserted the County's right to a safe environment. Not only does the ordinance ban hydraulic fracturing and oil drilling as violations of the rights asserted, but the actions of Mora County have reverberated throughout the country as a tactic to elevate the right of people over the rights of big business.

The 2-1 vote in favor of the Ordinance by the Mora County Commission reflects a concern over the state of groundwater resources, especially in times of profound drought. Surprisingly, the dissenting vote comes from Commissioner Paula Garcia who is the executive director of the New Mexico Acequia Association. NMAA is an organization devoted to maintaining access to clean water and the preservation of water as an invaluable resource. Garcia explained her vote by stating that the Ordinance was “experimental” and “not likely to be upheld in Court”.

With nearly a quarter of Mora County’s population of less than 5,000 residents living below the poverty line, protecting and enforcing the Ordinance will not be easy. Shell Oil holds leases on approximately 100,000 acres in the county, making the chances of a legal backlash from Shell of fierce concern. However, it appears Mora County will not be willing to go down without a fight. As county Commissioner John Olivas publicly stated “I’d rather fight industry in court than clean up after them when they leave our community.”

Commissioners Olivas and Eric Greigo made sure that in case the Ordinance becomes nullified for any reason, it will not be the last straw. Section 8 of the Ordinance, dedicated to enforcement, maintains that any nullification will result in an immediate and temporary moratorium on the extraction of oil and gas. During that time, the Board of Commissioners will implement another ordinance banning hydraulic fracturing (“fracking”).

From resisting U.S. takeover from Mexico in 1848 to the 1967 Mora County Cattle War, Mora County residents have a history of standing up for what they value. The passing of the Ordinance represents a continuation of this rebellious legacy. Oil and gas industries have been scouting the Mora County region for its natural gas for years, particularly now that the market value of natural gas has increased. And yet, Mora County has stood firm and demonstrated their resiliency.

Source: <http://readthedirt.org/county-government-writes-history-hydrocarbon-ban-is-first-of-its-kind>