

Texas oil town makes history as residents say no - Guardian, The: Web Edition Articles (London, England) - November 5, 2014

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The Texas town where America's oil and natural gas boom began has voted to ban **fracking**, in a stunning rebuke to the industry.

Denton, a college town on the edge of the Barnett Shale, voted by 59% to ban **fracking** inside the city limits, a first for any locality in Texas.

Organisers said they hoped it would give a boost to anti-**fracking** activists in other states. More than 15 million Americans now live within a mile of an oil or gas well.

"It should send a signal to industry that if the people in Texas – where **fracking** was invented – can't live with it, nobody can," said Sharon Wilson, the Texas organiser for EarthWorks, who lives in Denton.

An energy group on Wednesday asked for an immediate injunction to keep the ban from being enforced. Tom Phillips, an attorney for the Texas Oil and Gas association, told the Associated Press the courts must "give a prompt and authoritative answer" on whether the ban violates the Texas state constitution.

Athens in Ohio and San Benito and Mendocino counties in California also voted to ban **fracking** on Tuesday. Similar measures were defeated in Gates Mills, Kent and Youngstown, Ohio, as well as Santa Barbara, California.

Denton remains a solidly Republican town, and oil companies reportedly spent \$700,000 to defeat the ban, according to the Denton Record-Chronicle – nearly \$6 for every resident.

"It was more like David and Godzilla than David and Goliath," Wilson said. But she said residents were fed up with the noise and disruption of **fracking**, and the constant traffic and fumes from wells and trucks operating in residential neighbourhoods.

The town is probably the most heavily fracked in the country.

The industry has drilled wells on church property, school grounds and on the campus of the University of North Texas, right next to the tennis courts and across the road from the sports stadium (and a stand of giant wind turbines).

In Texas, as in much of America, property owners do not always own the "mineral rights" – the rights to underground resources – so typically have limited say over how they are developed.

It is also often the case that owners of the mineral rights – who profit directly from **fracking** – no longer live in the area.

There are already hundreds of wells within Denton city limits, and nearly a third of the town is permitted for **fracking**. Wilson and other local activists from the Denton Drilling Awareness Group had spent years trying to get local officials to restrict **fracking**, but those measures proved ineffective.

“We did an ordinance but the industry refused to follow it and threatened law suits at every turn. They said they didn’t have to follow the ordinance because of the way the permitting was done,” Wilson said. “There was just no way out of it except to ban it.”

The ban will almost certainly result in a wave of lawsuits from oil companies as well as mineral rights owners, Wilson said. Republican officials in Texas said they would try to overturn the ban in the state legislature.

“As the senior energy regulator in Texas, I am disappointed that Denton voters fell prey to scare tactics and mischaracterisations of the truth in passing the hydraulic fracturing ban,” the railroad commissioner, David Porter, a Republican, told the Denton Record-Chronicle. “Bans based on misinformation – instead of science and fact – potentially threaten this energy renaissance and as a result, the wellbeing of all Texans.”

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