Denton, TX- Ban on Fracking
A Case Study on Preemption Laws
Why a Ban?
Frack wells less than 200 ft. from homes, schools, playgrounds and other protected uses.
Denton residents own just 2% of minerals underneath the city.
Regulations were not working due to grandfathering, loopholes, SUPs, and a lack of accountability for violations.

Eagle-ridge blowout, April 19, 2013
Denton, TX
A Citizens’ Initiative
STOP FRACKING
Lawsuits and Local Control Bills

- We were sued by TXOGA and the Texas General Land Office
- Texas Legislature presented a flood of bills threatening local control
  - ALEC model bills
  - HB40 specifically:
    - Gives all control of regulating subsurface activities to state
    - Leaves key decisions to a ‘reasonable and prudent operator’
Denton joins with other cities to speak to lawmakers
Gas Well Fire in a Denton neighborhood May 8, 2015
The Effects of HB40

- Forced fracking back upon a community that voted it out

- Effects on our ban:
  - Made it unenforceable
  - Made winning lawsuits dire to impossible, leading to repeal of our own ban
  - Repeal presented challenges to organizing allies on the ground

- Effects on local ordinances across Texas

- Effects on cities in other states
92 year old great-grandmother and her son block the entrance to the first new frack site since vote was overturned

One has a moral responsibility to disobey unjust laws. MLK
Positive Effects of Our Ban

- Educated and engaged our town
- We are now the largest organized voting block in Denton
- Changed the political makeup
  - Two new councilwomen who are anti-fracking
  - Made being ‘Frack Free’ a requirement for local candidates
- Changed the conversation about fracking in Texas
- Sparked the ‘Texas Grassroots Network’ for activists across the state to share resources, working to restore local control
- Connected us to a global battle- Dentonites are currently in Paris for the Climate Summit
Councilwoman Keely Briggs at a Rally for Local Control
Advocates from across the state work together to restore local control.