

# Butte Environmental Council



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[www.becprotects.org](http://www.becprotects.org)

## Activities and Events

Environmental Advocacy  
Environmental Education  
Groundwater Protection  
Endangered Species Faire  
Bidwell Park Cleanups  
Chico Area Creek Cleanups  
Wetlands Preservation

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The Division of Oil Gas and Geothermal Resources  
State of California, Department of Conservation  
801 K Street, MS 18-00  
Sacramento, CA 95814-3530

## RE: Comments on proposed Draft Regulations on Hydraulic Fracturing

The Butte Environmental Council (BEC) submits the following comments on the Department of Conservation's proposed Draft for Regulation, section 1700, pertaining to stimulation and hydraulic fracturing for oil and gas production. However, we do so with great reservation knowing that California faces significant water supply issues. The Bay Delta is in decline; entire communities lack sufficient, clean water; and rights, insatiable demands, and greed outpace natural supply at ever increasing rates. 'Fracking' is an industry California can no longer support.

BEC believes in the precautionary rule of "Do No Harm" when taking actions affecting the health, safety, and quality of our air, water, land, people, industry, economy – basically, our entire community.

California's number one industry is agriculture, with 81,000 farms and ranches producing \$43.5 billion in profits for 2011. This is a sustainable industry, which grows our food and feeds our nation. We must not jeopardize our existing sustainable industries for an estimated national shale energy supply of about three years.

It is vital to public health and safety that we take the utmost precautions in protecting our air, land, water, and food. BEC calls for a moratorium on all hydraulic fracturing until the regulatory framework has been established to provide the necessary protections.

To that end, BEC identifies the following concerns that regulation must address:

- 1) California must define realistic water supply availability based on existing and future climate scenarios. It is unfathomable and unconscionable that California squanders finite water resources for the fracking industry despite the needs of our people, our agricultural industry, and our environment.
- 2) An official, living chemical disclosure registry that lists the amount and type of chemicals to be used prior to drilling every well.
- 3) A 60 day notification to DOGGR, landowners, and neighbors within a mile of the drill site; and to water agencies, public health and environmental monitoring agencies (air and water quality) of intent to drill, via certified mail.

- 4) Establish a baseline monitoring system of groundwater sampling **before** and **after** drilling and fracking has occurred.
- 5) Establish air quality protections or pollution limits, including greenhouse gas emissions and volatile organic compound (VOC) emissions with testing and monitoring stations.
- 6) Monitor and track all flowback and production water, including the proper disposal and volume of the wastewater.
- 7) Completion of a CEQA report (EIR) on all wells prior to permit approval.
- 8) Immediate reporting of well-casing failures to surrounding landowners, the public, regional water boards and local water purveyors.
- 9) California is the most earthquake-prone state in the nation. All well permits must be carefully evaluated in relation to nearby faults and aquifers in faults, the volume of frack fluid to be injected into a well, types of toxic and carcinogenic chemicals used and amount of PSI applied for stimulation in terms of damage assessment risks.
- 10) A moratorium on all well drilling until the EPA completes its actual field test drilling studies of water contamination. We must follow the precautionary rule when we stand to lose so much.

These statewide regulations have severe implications for California's water quality, water supply, and impact public and environmental health. We are ready to participate and assist in the impending regulation discussions.

Thank you for considering these concerns.

A handwritten signature in cursive script that reads "Robyn DiFalco".

Robyn DiFalco  
Executive Director, Butte Environmental Council