



June 11, 2013

The Honorable Bob Wieckowski
State Capitol Room 4016
Sacramento, CA 95814

RE: AB 7 (Oil and gas: hydraulic fracturing) OPPOSE unless amended

Dear Assemblymember Wieckowski:

Thank you for reaching out to the environmental community for recommendations on how to strengthen AB 7. We appreciate your leadership on the issue of hydraulic fracturing and oil and gas production, and are pleased to have the opportunity to suggest amendments that will make the bill more protective of public health and the environment. As currently written, the bill presents some problems, which have led to opposition from many environmental groups. We hope that you will consider taking the following amendments and therefore give our organizations reason to remove our opposition and consider supporting the bill.

1. Expand scope of the bill to cover all well stimulation processes that are not regulated by the Underground Injection Control program. We suggest the following definition of well stimulation: "Well stimulation means a treatment conducted to restore or increase the flow of hydrocarbons from the underground formation to the well bore by modifying the permeability of the reservoir rock through the use of pressurized fluids. Examples of well stimulation treatment includes, but is not limited to hydraulic fracturing, gas fracturing, acid fracturing, and matrix acidization."
2. Create a positive approval permit process for applications for well stimulation processes. DOGGR must make a written finding that the treatment will not cause unreasonable risk to the environment or public health and safety.

3. Trade secret language must be greatly improved. Our organizations call for full transparency of chemicals used in well stimulation processes. Companies should not be able to keep confidential the identities, volumes or concentrations of chemicals injected into the ground.
4. Remove doctor gag order. Medical professionals must have the freedom to access and use all information about chemicals used in well stimulation processes, regardless of trade secret claims, to protect the public, conduct research, treat patients, communicate with colleagues and issue public health advisories. As suggested above, eliminating trade secret protections for chemical identities will eliminate the need to silence medical professionals.
5. Require advance notice to residents, not just landowners, located within 1,500 feet of the well head or 500 feet of the horizontal projection of all subsurface portions of the well to the surface.
6. Require a comprehensive, independent and peer-reviewed study on the hazards, risks and potential hazards of well stimulation processes.
7. Require interagency cooperation and formal agreements between all relevant agencies to delineate the existing statutory authority and regulatory responsibility relating to well stimulation.
8. Implement setbacks from sensitive receptors, including homes, hospitals, nursing homes, schools, drinking and irrigation water wells, waterways and wildlife preserves.

Thank you for considering these suggested changes to AB 7. We look forward to continuing to work on strengthening the bill.

Sincerely,

Jena Price, California League of Conservation Voters
John Brooks, Citizens for Responsible Oil and Gas-Ventura
Andrew Grinberg, Clean Water Action
Jennifer Krill, Earthworks
Susan Harman, East Bay Move to Amend
Brian Segee, Environmental Defense Center
Bill Allayaud, Environmental Working Group
Damon Nagami, Natural Resources Defense Council
Kathryn Phillips, Sierra Club California
Elizabeth Dougherty, Wholly H2O

cc: Assembly Natural Resources Committee Chair Chesbro and committee members