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BOARD OF SUPERVISORS
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December 11, 2012

Board of Supervisors
800 S. Victoria Avenue
Ventura, CA 93009

SUBJECT: Hydraulic Fracturing of Oil and Gas Wells - Request for Report Back from CEO and County Counsel and Letter from Chair to State Legislative Delegation.

RECOMMENDATION:

- 1) Direct the CEO and County Counsel to report back by March 13, 2013 regarding hydraulic fracturing of oil and gas wells, as further described herein.
- 2) Support sending the attached letter to our state legislative delegation requesting urgent legislation regarding hydraulic fracturing.

DISCUSSION:

One of Ventura County's most precious resources is our supply of fresh water in our local aquifers.

Recent media and industry reports have identified the potential for a substantial increase in the oil and gas industry's use of hydraulic fracturing, or "fracking" of both new and old wells, particularly in California's huge Monterey Shale formation. This formation is present in Ventura County, as are other petroleum deposits that may be subject to fracking. The industry website "frackfocous.org" identifies several wells in Ventura County that have recently been fracked. However, no public agency knows the extent of fracking in Ventura County.

Nationwide, numerous environmental and health concerns have been raised regarding fracking. These include:

1. Lack of disclosure of fracking locations, fracking chemicals, potable water usage, and wastewater disposal methods.
2. Possible consumption of large amounts of potable water. A recent *Wall Street Journal* article states that fracking uses between two and four million gallons of water per well, with up to 25% of that amount leaving the well as wastewater.
3. Potential generation of large volumes of contaminated waste water, and the possibility that disposal of this waste water could pollute land and water supplies, or induce earthquakes



(in response to a USGS report linking fracking wastewater injection wells and earthquakes, the State of Ohio enacted regulations of this practice).

4. Possible risks to drinking water and agricultural aquifers from fracking operations and the chemicals used in fracking.
5. An increase in well drilling that may not be adequately regulated to protect public health and safety or nearby residents or agriculture.

In a public workshop held in our Board room earlier this by the State Division of Oil, Gas, and Geothermal Resources (DOGGR), DOGGR staff said that the state has no regulations specific to fracking, and that DOGGR intends to promulgate fracking regulations to address concerns that DOGGR has identified. To date, DOGGR has not released any proposed regulations, but has encouraged voluntary reporting of fracking operations. Several fracking-related bills were introduced in the State legislature in 2012, but none were enacted.

Ventura County is highly dependent on local groundwater for potable and agricultural uses. In some areas, petroleum deposits underlie or adjoin aquifers, aquifer recharge areas, and surface waters. Additionally, water is a precious commodity that is generally oversubscribed in most areas of the county.

Protection of Ventura County's water resources is a very high priority for County government and local water agencies. As both the water supply for homes and businesses and the necessary ingredient for our \$1-billion+ agriculture industry, groundwater resources must be stringently protected. Once an aquifer is contaminated, it may not always be feasible to remove the contamination. Use of scarce local water is a concern, and overdraft of aquifers also poses the problems of land subsidence, seawater intrusion, and degradation of water quality.

At present, we simply do not know enough about fracking to tell our constituents whether there is a significant risk from this process or not. We do not know where fracking is occurring, where the fresh water comes from, or where the toxic wastewater goes.

Historically, environmental protection measures are put into place after the harm is discovered. With our drinking and agricultural water supplies potential exposed to risk, we cannot afford to wait until damage to these critical resources is detected. Accordingly, we request that the CEO report back to the Board on the fracking issue, to include among other issues:

- Available information on the amount and source of fresh water used or expected to be used in local fracking operations
- Available information on the method and location of disposal of local fracking waste water
- The extent of the County's authority over fracking and waste water disposal, and the ability to regulate new wells
- The areas of the county where known petroleum deposits lie under usable aquifers
- The areas of the county with Monterey Shale formations
- The status of state regulations
- Means of obtaining disclosure of fracking locations and fracking chemicals
- The prospects for additional fracking in Ventura County

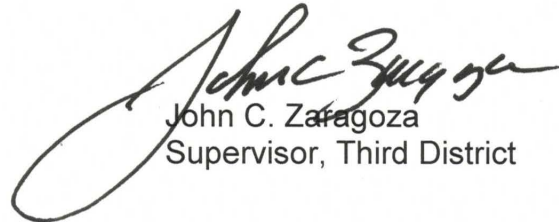
In conclusion, Ventura County's great reliance on local water supplies makes it imperative that we stay abreast of any potential risks to those supplies. Ventura County has historically balanced oil and gas production and the jobs it brings with the protection of our natural and agricultural resources. It is important that this balancing continue to occur, and to do so, we must have adequate information on which we and the public can make decisions. The recommended report back will enable us to be properly informed about fracking in Ventura County and any risks it may pose.

The attached letter that is recommended for transmittal to our State legislative delegation encourages the adoption of urgency legislation to require the disclosure of fracking locations and chemicals, identification of the source of and amount of fresh water used, and the adoption of regulations to assure protection of water supplies, people, and resources from fracking operations and wastewater disposal.

Cordially,



Steve Bennett
Supervisor, First District



John C. Zaragoza
Supervisor, Third District

Attachment

Fifth District