

CALIFORNIA LEGISLATURE

STATE CAPITOL
SACRAMENTO, CALIFORNIA
95814

March 17, 2016

Brian Salerno, Director
Bureau of Safety and Environmental Enforcement
U.S. Department of the Interior
1849 C Street, NW
Washington, D.C. 20240

Abigail Ross Hopper, Director
Bureau of Ocean Energy Management
U.S. Department of the Interior
1849 C Street, NW
Washington, D.C. 20240

Re: Draft Environmental Analysis—Programmatic Environmental Assessment of the Use of Well Stimulation Treatments on the Southern California Outer Continental Shelf

Dear Directors Salerno and Hopper:

As members of the California State Legislature, we are writing regarding our concern over troubling shortcomings in the draft environmental analysis titled, “Programmatic Environmental Assessment of the Use of Well Stimulation Treatments on the Southern California Outer Continental Shelf” (assessment). We believe the assessment inadequately analyzes impacts to California’s ocean and coastline, warranting the continuation of the current moratorium on Well Stimulation Treatments (fracking and acidizing) in offshore oil operations.

The first troubling aspect of the assessment is the finding that fracking and acidizing pose virtually no risk to the ocean. Oil companies are allowed to discharge wastewater into federal waters, which can then travel into both state and international waters. The distinction between federal, state, and international waters is political and does not reflect any real, natural barrier. If the moratorium on offshore fracking and acidizing is allowed to expire, wastewater discharge will necessarily include fracking and acidizing chemicals that will migrate into state waters, putting the environment and public health and safety at risk.

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Under Senate Bill 4 (2013), California has begun obtaining information on the chemical composition of fracking and acidizing fluids. Because federal standards do not require fracking and acidizing fluid composition disclosure, we are left only to assume that the same types of chemicals are being used and produced. These chemicals include known carcinogens, toxic chemicals with known impacts, and chemicals of unknown toxicity, all of which pose serious risks to marine and human life. Although these chemicals will dilute in the ocean, we cannot continue to live by the mantra: “the solution to pollution is dilution.” There is emerging science demonstrating that even trace amounts of toxic chemicals or carcinogens can impact people, plants, animals, and ecosystems in unpredictable ways. In California, we are making every effort not to discharge these compounds into the environment, especially if we don’t know what the impacts might be and it is not necessary. While offshore wells may be *more* productive if they are fracked or acidized, they do not need to be fracked or acidized to be productive. It is troubling that the assessment contains an undertone that it is the responsibility of the federal government to promote enhanced extraction over promoting the protection of our natural resources and public health.

Another troubling aspect of the assessment is the assertion that not allowing fracking and acidizing offshore may necessitate fracking and acidizing onshore. While we hope that is not the case, even if more onshore wells are drilled and then fracked or acidized, the produced water is not discharged directly into the ocean. A recent, independent scientific report by the California Council on Science and Technology recommended that contents of fracking effluent be disclosed, fracking and acidizing effluent be chemically evaluated, and waters be protected from hydraulic fracturing chemicals and stimulation reaction products. The proposal to allow fracking and acidizing in federal waters undermines California’s actions and future ability to protect its coastal resources and public health.

Although the Refugio Oil Spill last summer originated on land, it is a lamentable reminder of what happens when oil is spilled into the ocean: hundreds of oiled and dead animals discovered and an uncountable number more that were not discovered, closed beaches and fisheries, miles of oiled coastline, and hundreds of millions of dollars in lost economic benefits and jobs. For these reasons, we urge the current offshore fracking and acidizing moratorium to remain in place until a more comprehensive evaluation focused on impacts to marine life, ecosystems, and coastal communities is completed.

Sincerely,



HANNAH-BETH JACKSON
Senator, 19th District



MARTY BLOCK
Senator, 39th District

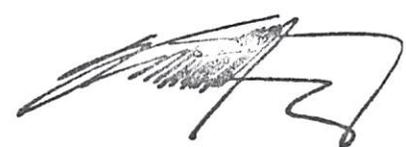
Directors Salerno and Hopper

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Senator, 17th District



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Senator, 2nd District



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Senator, 10th District



BENJAMIN ALLEN
Senator, 26th District



JACQUI IRWIN
Assemblymember, 44th District

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