

AMENDED IN ASSEMBLY JANUARY 9, 2014

AMENDED IN ASSEMBLY MAY 28, 2013

AMENDED IN ASSEMBLY APRIL 8, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 288

Introduced by Assembly Member Levine

February 11, 2013

An act to ~~amend Section 3106 of~~ *add Section 30315.5 to the Public Resources Code, relating to ~~oil and gas~~: coastal resources.*

LEGISLATIVE COUNSEL'S DIGEST

AB 288, as amended, Levine. ~~Oil and gas: hydraulic fracturing. California Coastal Commission: meeting notices.~~

The existing California Coastal Act of 1976 establishes the California Coastal Commission and prescribes the membership and functions and duties of the commission. The act requires the commission, among other things, to take various actions with regard to the issuance of permits for development in the coastal zone, as defined, and to conduct public meetings and hearings pertaining to matters before the commission. Existing law requires the commission to provide a notice, including a specific agenda, prior to any meeting or hearing of the commission, as specified.

This bill would require the commission to make the notice of any public meeting or hearing of the commission available in both English and Spanish, and would authorize the commission also to make the notice available in any other language.

~~(1) Under existing law, the Division of Oil, Gas, and Geothermal Resources in the Department of Conservation regulates the drilling,~~

~~operation, maintenance, and abandonment of oil and gas wells in the state. The State Oil and Gas Supervisor is required to supervise the drilling, operation, maintenance, and abandonment of wells and the operation, maintenance, and removal or abandonment of tanks and facilities related to oil and gas production within an oil and gas field so as to prevent, as far as possible, damage to, among other things, underground and surface waters suitable for irrigation or domestic purposes by the infiltration of, or the addition of, detrimental substances.~~

~~With regard to the manner in which well activities are to be supervised to prevent damage to underground and surface waters by the infiltration of, or the addition of, detrimental substances, the bill would delete the limitation to waters suitable for irrigation or domestic purposes.~~

~~(2) Under existing law, the supervisor is required to supervise the drilling, operation, maintenance, and abandonment of wells so as to permit the owners or operators of these wells to utilize all methods and practices known to the oil industry for the purpose of increasing the recovery of underground hydrocarbons. Existing law provides that the grant in an oil and gas lease or contract to a lessee or operator of the right or power to explore for and remove all hydrocarbons from any lands in the state, absent a contrary provision, is deemed to allow the lessee or contractor, or the lessee's or contractor's successors or assigns, to do what a prudent operator using reasonable diligence would do, having in mind the best interests of the lessor, lessee, and the state in producing and removing hydrocarbons, including, but not limited to, the injection of air, gas, water, or other fluids into the productive strata, the application of pressure heat or other means for the reduction of viscosity of the hydrocarbons, the supplying of additional motive force, or the creating of enlarged or new channels for the underground movement of hydrocarbons into production wells, when these methods or processes employed have been approved by the supervisor. Existing law provides that there is no legal duty upon the lessee or contractor, or the lessee's or contractor's successors or assigns, to conduct these operations.~~

~~This bill would instead require the supervisor to supervise the drilling, operation, maintenance, and abandonment of wells so as to permit the owners or operators of the wells to utilize all safe methods and practices, as specified, and would authorize the supervisor to allow these owners and operators to utilize all methods and practices to increase the ultimate recovery of underground hydrocarbons if the supervisor makes certain determinations.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 30315.5 is added to the Public Resources
2 Code, to read:

3 30315.5. Notwithstanding any other law, the commission shall
4 make the notice of any public meeting or hearing of the commission
5 available in both English and Spanish, and may also make the
6 notice available in any other language.

7 SECTION 1. ~~Section 3106 of the Public Resources Code is~~
8 ~~amended to read:~~

9 3106. (a) ~~The supervisor shall so supervise the drilling,~~
10 ~~operation, maintenance, and abandonment of wells and the~~
11 ~~operation, maintenance, and removal or abandonment of tanks and~~
12 ~~facilities attendant to oil and gas production, including pipelines~~
13 ~~not subject to regulation pursuant to Chapter 5.5 (commencing~~
14 ~~with Section 51010) of Part 1 of Division 1 of Title 5 of the~~
15 ~~Government Code that are within an oil and gas field. This shall~~
16 ~~be done in a manner so as to prevent, as far as possible, damage~~
17 ~~to life, health, property, and natural resources; damage to~~
18 ~~underground oil and gas deposits from infiltrating water and other~~
19 ~~causes; loss of oil, gas, or reservoir energy; and damage to~~
20 ~~underground and surface waters by the infiltration of, or the~~
21 ~~addition of, detrimental substances.~~

22 (b) ~~The supervisor shall also supervise the drilling, operation,~~
23 ~~maintenance, and abandonment of wells so as to permit the owners~~
24 ~~or operators of the wells to utilize all safe methods and practices.~~
25 ~~The supervisor may allow owners or operators of the wells to~~
26 ~~utilize all methods and practices to increase the ultimate recovery~~
27 ~~of underground hydrocarbons if the supervisor determines that~~
28 ~~those methods and practices are consistent with this division and~~
29 ~~used in a safe manner.~~

30 (c) ~~The supervisor may require an operator to implement a~~
31 ~~monitoring program, designed to detect releases to the soil and~~
32 ~~water, including both groundwater and surface water, for~~
33 ~~aboveground oil production tanks and facilities.~~

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