

## WATER:

### **Governors group outlines best practices for resource protection during shale development**

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Amid a wave of recent federal rules and studies addressing shale drilling and water protection, state leaders from across the country are now making their own recommendations.

In a [report](#) released yesterday, the National Governors Association recommends best practices for water use, well integrity, seismicity and other aspects of shale oil and gas production. The study reflects the findings of an experts roundtable -- convened by NGA in Philadelphia in March -- that focused on "regionally appropriate protective practices" for avoiding water contamination while developing shale plays.

The panel, which has 35 state policy advisers, regulators, academics, industry representatives, environmentalists and federal officials, developed a list of objectives governors should work toward when crafting energy policy:

- Reducing the amount of water used in hydraulic fracturing.
- Ensuring the integrity of wells during and after drilling.
- Managing the risks of water contamination from fracking fluid.
- Mitigating the risks of wastewater contamination and seismicity.
- Leveraging the unique role of governors to enhance coordination, communication and research capacity.

Many of those best practices have already been implemented by other states, which can serve as a model for those considering policy changes, the report says.

To cut back on water use -- especially important in drought-prone states -- the report recommends that states require or encourage operators to increase the reuse of fracking flowback and other wastewater, report the amount of water used, and use lower-quality water for fracking. Drillers in Utah, for example, already have to submit a water management plan before drilling.

For well integrity, the experts recommend that states update requirements for well construction and perform regular pressure tests to account for changing levels of activity in shale fields. However, the report cautions against strict command-and-control regulations, urging state leaders to also establish performance-based standards that simply specify what results the states expect and allow operators to determine the best technology to accomplish those results.

The report goes on to recommend that states require base-line water testing, pre-fracking neighbor notification, buffer zones between wells and sensitive areas, injection well siting that avoids natural faults, and increased regulatory staff, among other reforms.

In a statement yesterday, Wyoming Gov. Matt Mead (R) said the report demonstrated how states can best learn from one another.

"Water is our nation's most important natural resource," he said. "State policies balance protection with responsible energy development. Wyoming was the first state to regulate fracking and one of the first states to establish baseline water rules. States are in the best position to make the right policy decisions for these resources."

State-versus-federal regulation of fracking has been a particularly touchy subject this year, as the

Bureau of Land Management in March unveiled its final rule for fracking on public and tribal lands, and U.S. EPA last month released its long-awaited report on fracking's safety.

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