

Attachment No. 1. **The Ballot Question.**

Although a ballot question must be drafted, there appears to be no law designating the drafter or law on whether the Board must approve the language. Frequently, the ballot question is drafted by counsel and approved along with the resolution calling for the election. Below are ballot question options. The attached resolution contains County Counsel's recommended ballot question. Two groups have submitted alternative proposed ballot questions to County Counsel.

Monterey County for Energy Independence submitted the following proposed question:

Shall an Ordinance be adopted to amend the Monterey County General Plan to eliminate all oil and natural gas operations in unincorporated Monterey County by: (1) prohibiting land uses within the County's unincorporated (non-city) areas for hydraulic fracturing, acid well stimulation, and other well stimulation treatments; (2) prohibiting new and phase out existing land uses that utilize oil and gas produced water injection and impoundment; and (3) prohibiting the drilling of any new oil and gas wells?

Protect Monterey County submitted the following proposed question:

Shall Monterey County's General Plan be amended to:

(1) prohibit land uses that support hydraulic fracturing ("fracking"), acid well stimulation, and other well stimulation treatments; (2) phase out land uses that support oil and gas wastewater injection and aboveground storage or disposal; and (3) prohibit the drilling of new oil and gas wells; while allowing existing oil and gas wells to continue operating?

Ballot questions must be in neutral language without tending to support or oppose the initiative while also providing sufficient information to educate the electorate about the initiative's purpose. In our opinion, the most appropriate ballot questions come directly from the ballot title or summary circulated along with the petition for signature gathering. In this case the Initiative summary is succinct, educational and neutral. Therefore we suggest the Board approve the following question taken from the Initiative summary:

Shall an initiative amending the Monterey County General Plan, Local Coastal Program, and Fort Ord Master Plan to: (1) prohibit the use of land within the County's unincorporated (non-city) areas for hydraulic fracturing treatments ("fracking"), acid well stimulation treatments, and other well stimulation treatments; (2) prohibit new and phase out existing land uses that utilize oil and gas wastewater injection and impoundment; and, (3) prohibit the drilling of new oil and gas wells in the County's unincorporated areas be adopted?