
From: Roberta Reinstein <xpensivepenny@gmail.com>
Sent: Monday, November 13, 2017 9:26 AM
To: Sidney Hill
Subject: Sandoval County Oil and Gas Ordinance

Dear Mr. Hill:

I am writing to express my grave concerns about the expedited permit processing ordinance for oil and gas drilling permits under consideration by Sandoval County.

I recently relocated to Placitas from Northern California. I chose Sandoval County mostly because of the pristine environment, amazing views and outdoor recreational opportunities. I could have moved anywhere in the country, and I chose Sandoval County. Like many people I've met in this community, I'm alarmed by the lack of environmental protection and aesthetic considerations contained in this ordinance. It truly shocks the conscience. It's as if we are being transported back to the 1950's before we knew what we know now about the environmental impacts of oil and gas exploration.

I am very familiar with this industry. I had a long career as an environmental scientist, planner and environmental attorney cleaning up the handiwork of the oil and gas industry. I have worked on both sides of the table, for government and for oil companies.

I do not have an issue with thoughtfully-regulated oil and gas exploration, but that is not what this ordinance provides. Rather, this ordinance would allow noisy smelly units operating within 750 feet of residences, schools and churches. It will clutter our mesa views with oil derricks. It opens the door to groundwater contamination in the aquifer. This ordinance contains no protection for anything, particularly groundwater. It relies solely on a state regulatory agency that by its own admission is under-funded and under-staffed.

I've dealt with many contaminated aquifers over the years and I would like to make sure everyone is clear on this point. Once a drinking water aquifer is contaminated, there is no technology available to quickly clean it up. Attenuation of petroleum contamination in groundwater, and the known human carcinogens that accompany such contamination, requires decades of expensive injection well treatment and is rarely 100% successful. Not to mention the expense and energy required for the lawsuits, which will surely strain the County's limited resources. The few other residential communities across the nation that have adopted permissive expedited drilling ordinances have encountered many problems. Most are in the process of rewriting or rolling back these ordinances as we speak. This is public information and easily confirmed.

Oil and gas is an important industry in the Southwest and I believe that we should support it in appropriate locations with appropriate controls. There is, however, a time and a place. Sandoval County needs to rethink this one. The ordinance needs to include protections for groundwater, view shed protection (i.e. no development on top of mesas or within residential view corridors), and more generous setbacks. A setback of 750 feet is grossly inadequate.

The ordinance should also contain at least some modest provisions for local hiring. If it does not, then oil exploration will have few direct employment benefits to Sandoval County residents. Oil exploration, like many industries, is becoming increasingly automated, so relatively few workers are needed. Oil companies routinely import people with whom they have worked before rather than train local residents. Most of the workers are transient and engaged during the drilling phase only. They simply return home or go elsewhere when the job is done. Without local hiring provisions, oil and gas exploration will have far less economic benefit than the proponents of the ordinance might expect.

In addition, the ordinance should contain provisions to ensure that the companies who seek to drill are adequately funded and capitalized. There should be bonding and insurance requirements. Often smaller companies in this industry are hastily formed and under-funded. If something goes wrong, there may be no viable underlying entity to hold accountable. In such situations, the County will be left "holding the bag." That's a real liability issue for the County and its taxpayers. Things can and do go wrong in this industry. Despite a relatively good safety record across the industry, accidents do happen. The ordinance should contain reasonable bonding and insurance requirements for drillers to protect taxpayer's interests.

If this ordinance moves forward in its present state, many people with the means to do so will leave Sandoval County, and others will choose not to settle here in the future. This will negatively impact property taxes, gross receipt taxes and local businesses. That's pretty short sighted in my opinion. And for what? I don't see any dramatic benefit from this ordinance other than possibly some increased tax revenue. The downsides are very clear, however. Is it worth removing Sandoval County from the list of desirable residential and retirement destinations for decades to come? Someone needs to do the math. Looks like a loser to me.

The elected officials who support this ordinance in its current form need to think carefully about the implications of this vote. I hope they are all prepared to answer for their vote. This ordinance smacks of blatant pandering to the oil and gas industry. I doubt this will be helpful to anybody's political career in the long term, regardless of their party affiliation.

Thank you for considering my perspective.

Best regards,

Roberta L Reinstein, Esq

Sent from my iPhone