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**From:** rose.ej <rose.ej@gmail.com>  
**Sent:** Saturday, November 11, 2017 6:23 PM  
**To:** Sidney Hill  
**Subject:** Comments on the Proposed Sandoval County Oil and Gas Ordinance

Dear Mr. Hill / Sandoval Country Commission:

I ask that the Commission please vote to further amend No. 10-11-18 7A

The existing ordinance would allow one sole staffer to approve drilling permits, with no public notification, comment or input.

Drilling permits will simply be checked for completeness then approved within 10-days. Permitting should be approved under a special use provision that allows for public notification, a hearing, and input.

The ordinance lacks measures to prevent the contamination of an aquifer nearly 1-million people depend on--the ABQ Aquifer. This poses a serious threat to our drinking water supply because the NM Oil Conservation Division (NM OCD) does not require companies to drill test wells for routine oil and gas drilling. The ordinance should require oil and gas companies to perform baseline groundwater testing and post-drilling monitoring.

The ordinance allows drilling and hydraulic fracturing activities within 750 feet of homes and private wells without public notice / notice to the homeowners. There is an overwhelming amount of peer reviewed scientific research indicating this is simply too close to safely allow oil and gas exploration/extraction activities such as those under consideration to come to homes, schools, private wells etc. I have included below \_just a few\_ samples of such information. I encourage the commission to read or further study the United States EPA Hydraulic Fracturing for Oil and Gas: Impacts from the Hydraulic Fracturing Water Cycle on Drinking Water Resources in the United States (Final Report) or at least its executive summary. This source (which itself cites 1200 additional sources) outlines not one but numerous ways the proposed activities can contaminate groundwater including but not limited to failures of well casings and surface spills of hydraulic fracturing liquids. The subsequent article shows additional findings from multiple University Geology and Biogeochemistry Departments of well known, well established academic institutions making very clear direct correlation of chemical contamination of drinking water with gases and chemicals (ranging from more mild issues as methane, to more severe impacts from hydrogen sulfide, ethane, propane, benzene etc. etc.) with distance from wells and exploration activities.

<https://cfpub.epa.gov/ncea/hfstudy/recordisplay.cfm?deid=332990>

[http://sites.nicholas.duke.edu/avnervengosh/files/2012/12/PNAS\\_Jacksonetal2013.pdf](http://sites.nicholas.duke.edu/avnervengosh/files/2012/12/PNAS_Jacksonetal2013.pdf)

<https://ehjournal.biomedcentral.com/articles/10.1186/1476-069X-13-82>

A Citizen's version of this ordinance was presented to the country commission requesting a 1 mile setback distance (inside of which exploration/extraction activities could still occur, but notice to and approval from homeowners would be needed, so if a particular well just "has" to be closer to homes at least it could be discussed and negotiated) and this was not considered. My hope is that as citizens repeatedly voice concerns, this distance or at least a compromise distance is considered as research referenced above found contamination in wells 1 or even 1.4 km (3000+) feet away from the activities as well as air quality impacts. The scientific research has been done, showing clear correlation in multiple ways a direct relationship between fracking activities and water source contamination. What'd be helpful is if the industry could provide a simple cost per foot distance analysis on what actual costs/lost profits they'll incur by drilling/fracking further away from homes and ground water sources so that citizens can make an informed decision as to a compromise distance.

Finally, the ordinance fines oil and gas companies only \$300 for violations and does not distinguish between minor or major violations.

A \$300 fine will not encourage oil and gas companies to operate as good neighbors. Although the state's maximum fine is \$1000, there has been a large drop in fines collected by NM OCD since 2009 and a sharp increase in the number of spills prompting consideration of establishing higher amounts to serve as a credible deterrent (<https://www.abqjournal.com/961790/bill-strengthens-state-penalties-for-oil-industry-violations.html>).

Sandoval County must establish a credible fine structure that oil and gas companies will take seriously, at least setting the maximum fine at \$1000 (per day) for major violations.

These requests are made in full knowledge and appreciation of the oil and gas industry's many contributions to the state of New Mexico in terms of taxes that go to schools and community contributions, and overall I do acknowledge a vital need our country has for energy independence. Even so, my belief is that a better compromise can be reached where the oil and gas industry can still make healthy profits and citizens can retain access to healthy, clean drinking water which is even more vital.

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