

Sandoval County Draft Oil and Gas Ordinance
Public Input Meeting August 30, 2016

Attendees:

Bob Wessely

Benton Howell

Tom Ruhl

Alan Friedman

Matthew Gonzales

Mike Neas

Bob Gorrell

Dan Lorimier

Eleanor Bravo

Tom Mullins

Elaine Cimino

Dr. Daniel Fine, NM Institute of Mining and Technology

Makita Hill, Long Range Senior Planner, Sandoval County Planning and Zoning Division

Notes:

- Oil industry intrusive, not localized, impacts broad areas.
- NMOCD does not regulate surface related issues relative to oil industry. Surface impacts vary widely.
- Number of oil and gas wells in NM far outnumber NMOCD inspectors.
- “Boom and Bust” pattern with bonding. If oil business closes before project is complete, public pays bond.
- Don’t ignore full potential costs to government, taxpayers.
- What are the operational consequences for non-compliance with State, County regulations? Revocation of drilling permits? Periodic fees to operators?
- Draft incomplete on a number of issues.
- History of company should be considered in review and consideration of an application.
- Proposed setback distances in draft ordinance not far enough. Not consistent with single, multi-family residential settings.
- Water degradation should be measured, not qualitative.
- Monitoring wells are needed.
- Hydraulic fracking must be taken into account to address water quality issues.
- Water usage, amount of water for hydraulic fracking is a concern.
- Full geographic extent of hydraulic fracking in any setting is not known or measured.
- Ban on hydraulic fracking recommended. New York State has banned fracking.
- Oil industry not a good fit for County economically. Emphasize health care. Keep our environment safe.
- Does the Rio Rancho Estates Area Plan allow for oil and gas development?
- How many people will be interested in retiring in Rio Rancho area if oil and gas industry takes hold?
- Water is key to life and key to oil industry. Rio Grande water basin is vulnerable. No consideration given in draft ordinance to Basin for County, cities, Pueblos, region.
- Legal exposure to County related to Basin issues.

- Oil and gas applications should include water availability statements, address water impacts.
- Pace of meetings too fast (NM Oil and Gas Association/NMOGA).
- Oil and gas industry should be included in drafting of oil and gas ordinance (NMOGA).
- Wide variety of lot sizes in County, proposed setbacks not meaningful, may leave oil and gas industry cornered (NMOGA).
- Does oil and gas ordinance give County authority to regulate flaring? (NMOGA)
- Oil and gas industry has been in the County for a long time, industry incidents that happen in other states do not happen here (NMOGA).
- Explain ETZ Statutes. City of Rio Rancho's interest in developing their own oil and gas ordinance.
- Meetings for County draft oil and gas ordinance should take place in a variety of locations throughout the County.
- Oil and gas drilling in Rio Grande Basin will affect neighboring counties, cities.
- Need more definitions in draft ordinance. Maps.
- References in draft ordinance to surface regulation should include disposal.
- Monitoring should take place in all areas described in draft ordinance.
- How to address State/Federal/Tribal mineral rights? Should draft ordinance regulate these areas?
- Precautionary Principle important in draft ordinance.
- References and consistency with County Comprehensive Plan, Zoning and Subdivision Regulations, and Area Plans, should be more explicit.
- How to address water availability, water rights, ownership?
- Subdivisions have to prove water availability, oil and gas operators should have to prove water availability also.
- Oil and gas applications should be noticed to the public a minimum of 60 days, with signs posted on the subject site (ES-CA)
- A 1-year Moratorium was requested by citizens and has not been supported. Suggests no interest in stopping oil and gas industry (ES-CA).
- Define the "Precautionary Principle". Was this adopted by the State of NM? How does an applicant prove compliance with this Principle?
- Much is still unknown about the oil industry.
- "Right" parameters for oil industry and longer term impacts should be taken into account. Impacts considered in draft ordinance are too short-term.
- Suggestion to run a mock-up application through the proposed review process. How does the process really work?
- Pre-application base line should be established for water and air quality.
- Set oil drilling unit per square mile standards.
- Penalties are too little. Include criminal penalties for damage to environment.

- Draft ordinance gives “Precautionary Principle” lip service. Principle is important (Sierra Club/SC).
- More time for review of draft ordinance is needed (SC).
- Injection wells not mentioned in draft ordinance. Injections wells cause much of the seismic activity. Area is on a geologic rift (SC).
- Advice from NM Tech must be given within our geologic context (SC).
- Protect health and safety, not oil industry (SC).
- Draft ordinance paves way for industry to victimize County citizens (SC).
- Develop the oil and gas ordinance under a Moratorium. Ask P&Z Commission to support oil and gas Moratorium (SC).

- How does Temporary Use Permit for Exploratory drilling relate to remediation? (Food and Water Watch/FWW).
- Who regulates Flaring? (FWW).
- Draft ordinance should have consultation from environmental groups. Environmental groups have been cut out of this process (FWW).
- Support a Moratorium (FWW).
- More time needed to develop oil and gas ordinance (FWW).
- Corrales has shallow wells and are downstream geographically from where oil and gas drilling will occur. Concrete well casings will not stay intact over the long term (FWW).
- How to negotiate the unknown (FWW).
- Once pollution happens, it is done and cannot be remedied.
- Oil industry will not create jobs in NM, NM unemployment is high, industry will bring workers from out of state (FWW).
- Bring renewable energy development, better land use for the County (FWW).

- Support development of oil and gas development (Synergy LLC/Synergy).
- Regarding SandRidge application, information in application indicated that Entrada formation in the drill vicinity does well with hydraulic fracking (Synergy).
- Oil operations can function with reinjecting used water with no fracking related pollution (Synergy).
- Draft ordinance pollution policy too high an amount at \$10 million, recommend \$2-\$5 million (Synergy).
- Concern with road design and liabilities (Synergy).
- Acknowledge dust, noise, flaring as problems with industry. Should work with government on how to handle these (Synergy).
- County receives revenues from oil development (Synergy).
- Avoid duplicative regulations with State agencies (Synergy).

- Overall good public comments at this meeting.
- Heard about Rio Rancho’s development of oil and gas ordinance and annexation in Estates area. City and County on same schedule to develop oil and gas ordinances?
- Private land is at risk, impacts will be to people. Impacts are a form of taking of property rights?
- Seek legal recourse to development of County oil and gas ordinance.
- Any pollution from industry people will be stuck with.

- If a home can be damaged by flooding, home can be damaged by oil industry also.
- Protection is needed for residents, not industry.
- County and City should coordinate their ordinance efforts.
- Recommend Moratorium. Need more time to develop regulations.
- Oil and gas pipelines are being expanded state-wide.
- With oil industry-related emissions, create jobs to cut emissions.
- Children/schools will be affected by emissions. Setback distances from frilling operations to schools is too short.
- A 30-page oil and gas ordinance is too little regulation.