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**From:** Elaine Cimino <ecimino10@gmail.com>  
**Sent:** Monday, November 13, 2017 1:28 PM  
**To:** Sidney Hill; dmaes@sandovalcounty.gov; Michael Springfield; Dave Heil; Don Chapman; Kenneth Eichwald; James Holden-Rhodes  
**Subject:** RE: Comments On Final Draft Oil and Gas Ordinance and CZO Revision

Sandoval County Commission

November 10<sup>th</sup>, 2017

1500 Idalia RD,

Bernalillo NM 87004

**RE: Comments On Final Draft Oil and Gas Ordinance and CZO Revision**

Sandoval County Commission,

There are several procedural issues in the oil and gas ordinance process surrounding the Sandoval County Commission and P&Z commission in which numerous violations have occurred, these issues deserve to be redressed.

We are asking the County Commission to declare a moratorium for 1 year to remedy the issues surrounding is failed procedures and become the transparent advocate the Commissioners purport to be.

The Commissioners are listening to unsound advice and or only running after its ideological political promises without regard to the health and safety of the Citizens of the Sandoval County that they pledged to protect and serve. The Commission is known statewide of having gone rogue and will be held accountable for violations for its governmental and ethical misconduct if they pass this ordinance without redress of the issues including Tribal concerns of the 12 tribes of Sandoval County.

The Final Draft Oil and Gas Ordinance would give sole authority to approve and or deny drilling applications and this opens up the County to legal actions. The County by doing so is willfully negligent and is risking negative economic fiscal impacts to its budget because of the impacts of this industry is not being considered. This ordinance offers no protection to the Citizens because the State and Federal regulations are not enforced or have been deregulated. The Commission has been given evidence of this and is ignoring this evidence.

The Commissioners' have chilled public participation in this process by ignoring holding these meeting in venues that will support the public's will but instead have followed the steering of the oil and gas throughout this entire process.

The County is within its jurisdiction to require conducting baseline studies prior to damages to water and air. The State does not monitor groundwater for the constituents from Oil and gas emissions and the County is within its jurisdiction to do so. The fees associated with this activity should be calculated into the cost of the application to drill. The County is within its jurisdictions to do so. By

not doing protecting residents risks of harm to health and public safety it is knowingly and willfully violating the public welfare trust. The Stoddard ordinance has several untruths by stating the fallacies on groundwater monitoring is one example.

The County has the right under the Browning Mora Decision that allows required setbacks over and above the restrictions of the NM OCD from schools and residences, testing, financial assurances and rules on traffic and noise and can do so under public health and safety, e.g. this ordinance allows 70 DBA and to 130 DBA as it currently reads with the CZO that will cause health issues to impacted residences.

The County depending on the State to fine the oil and gas industry. This is a joke since the State NM OCD have only levied .01% fines since 2010. The County has let political ideology supersede public health and safety and for that is the most disgusting aspect of the Commission's decision-making. You have been sent information showing the list of hundred of the spill and groundwater pollution in the state from O&G.

Unrestricted fracking will send property values plummeting, destroy drinking water and foul air causing more health issues making Sandoval County the last place anyone would want to live and causing more reliance on the health services provided by the County. Your reliance on spending money on Economic development and promotion of Sandoval is irresponsible since you are voting on an ordinance that would effectively destroy the quality of life here.

It is advised that the County redress the NM Tech Service Contract include parties not associated with the Oil and gas industry to oversee the current geo-hydrology "biased" study on the Issue of groundwater protection, seismology and other issues that need to be considered.

Finally, the County has not asked for any risk assessments especially regarding the impacts of earthquakes on the earthen dams in the Jemez and the at Cochiti Lake.

There are several Pueblos and communities along the Rio Grande including impacts to Bernalillo and Corrales and Albuquerque that would be destroyed if the earthquakes from fracking cause these dams and levees to breach.

The current state of the safety in the Sandoval County is highly inadequate because it does not offer adequate protection countywide to all its citizens.

Sandoval County Planning and Zoning Department have issued permits over the years that have encroached on easements on pipelines of the oil and gas industry without regard to the safety of the citizens; to allow the Planning and zoning department to sole authority to approve and or deny drilling applications is irresponsible. The County Commission is aware of these known impacts and failed to do anything about it and continues to support a planning director that is has risked the lives of residents in the county for approving such permits. These areas are now "high consequences areas" designated by the federal government.

This is not only dangerous it is beginning to appear to be criminal.

The Common Ground Community Trust is asking that the County Commission vote down this ordinance and make am a motion for a moratorium on oil and gas in Sandoval County, while the redress to the issue as stated above are addressed.

Respectfully,

Elaine Cimino

Co-director Common Ground Community Trust

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