

**ATTN: Florene Davidson**

1220 South St. Francis Drive, Santa Fe, New Mexico 87505,

FAX: (505) 476-3462

**Total Pages Sent: 3****RE: Oil & Gas Drilling in SF County****The Santa Fe County Land Use Development Code (1996) (as amended)****TO: County Commissioners and O&G Revision Review Board:**

Thank-you for taking the time to solicit citizen's input for revisions to O&G ordinances. I applaud your efforts and concerns for addressing these matters.

There are 19 major issues I've addressed that need to be taken into serious consideration.

**Issue #1 - Oil Free Economy**

It is a major goal of US citizens and the Obama Transition Team to become an Oil Free Economy via Green Energy sources using Alternative energy sources; solar, wind. Algae ponds, another alternative energy that the SFCC is currently researching, can provide the "entire" US with all its energy needs. Weekly updates to the President Elect's proclamation and work by the Obama Transition Team can be found at: (<http://www.change.gov/pages/economy>)

The **STATE ENGINEER** declared that **fracturing with any type of water is a known risk and health hazard so why is O&G drilling still being considered?** Continuing to drill for O&G does not fall into the US President Elect's National goals of a Green Economy via dependence on O&G industries for fuel. Your proposal promotes dependence upon dirty fuels that are inefficient and environmentally un-sound.

**Issue #2 Exemptions: hydraulic fracturing methods – Section 11.25.4**

Drilling for Oil and Gas pollutes water resources via hydraulic fracturing methods which use chemicals that are known carcinogens. In your proposal there is an exception about hydraulic fracturing methods. Any hydraulic fracturing methods should be done with non-toxic chemicals.

**Issue #3 - Water**

UNESCO, *United Nations Educational, Scientific and Cultural Organization*, there is only 1% potable water in the World. They predict **"by 2020 water shortage will be a serious worldwide problem. ... 1 out of 3 people will not have access to potable water."** With Santa Fe's population growth the city needs to take into serious consideration their use of potable water -- promoting drilling in Santa Fe does not address water shortage issues.

**Issue #4 – Permitted Water Wells --****Section 9.6b Application for Oil and Gas Overlay Zoning District (8)**

**8- Water Wells** only refers to existing water wells. This needs to include permitted water wells to be drilled in the future.

**Issue #5 – Section 9.2 - Exemptions for Water Rights**

Section 9.2 is Unclear. Needs detail about where the water resources for drilling practices will come from. Will oil or gas drilling be tapping into local residential wells or supplying their own water?

**Issue #6 – Section 9.6.5.2 – Water Availability Assessment**

Needs to include the quality of water used:

- 1- No blackwater is to be used in the fracturing process.
- 2- Acceptable levels of greywater can be used as determined by Santa Fe County
- 3- No potable water may be used in fracturing process

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### Issue #7 - Section 9.6.5.4 through Section 9.6.5.7.2 - Groundwater, section 11.25.4 Fracturing and Acidizing

1- No Exceptions!

2- No local ground water resources are to be used in O&G drilling practices.

The STATE ENGINEER declared that fracturing with any type of water is a known risk and health hazard why is it allowed?

### Issue #8 - Setbacks - Section 11.26 - (For current and proposed residences) and Exceptions. There should be no exceptions.

The currently proposed 750 foot and 600 foot setbacks are inadequate.

In purchasing Real Estate it is a property owner's "lawful right" to purchase property for "Quiet Enjoyment." The setbacks you're suggesting do not seem to allow for quiet enjoyment of one's property. Sound has been referred to in decibels but how is the vibration from drilling addressed and accounted for?

What are the minimum and maximum requirements?

How many feet away from a household can vibrations be felt?

Will O&G drilling displace households?

The vibration caused from deep drilling would require property owners to move elsewhere. I've spoken with an oil rig operator who professed: "I feel sorry for those people. He had an oil rig set-up in front of a woman's home and told her to take everything off the walls and out of her bureau drawers and to move into a hotel because everything will fall off the walls, dresser drawers will fall-out, etc. The vibration will be so bad it would cause your fillings to rattle out of your head."

### Issue #9 - Section 11.23 - Flaring

How will adverse smells be accounted for?

The disclosure of known Adverse Material Facts from REALTOR's and property owners to buyer's considering the purchase of a home is req'd by NM state law specifically because Adverse material facts can severely impact property values.

The suggested set-backs seem inhumane and will not allow for quiet enjoyment of one's property. There are also no provisions for O&G companies to be fully accountable for providing residents with comparable and alternative housing during drilling which could months or years of dislocated parties. Will property owner's savings be depleted by paying for both mortgage costs and the expenses of alternative housing? This seems highly unjust and unfair.

### Issue #10 - Section 11.28 - Visual Impacts

Ridgetop Rules - no structures higher than 14 feet.

County Land Use Ridge Top rules need to be included for O&G - no structures higher than 14 feet which is the County Land Use Zoning required for residential homes.

### Issue #11 - Section 9.6.2 - Adequate Public Facilities & Services Assessments

Building Public Facilities & Commercial Buildings should include Green Building principals, LEEDS and/or HERS energy ratings.

### Issue #12 - Property Taxes - Section 9.6.2.7, Partial Construction or Funding & Section 9.6.2.3 Financing of Adequate Public Services

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I have difficulty accepting that my property taxes should pay for O&G Public Service construction projects for the following reasons:

- 1) Teachers are underpaid in Santa Fe County
- 2) The level of education in NM school systems as a whole are of the lowest in the country.
- 3) Will the O&G that is extracted be used in Santa Fe County?

**Issue #13 – Sections 9.63 and 9.6.3.1 Methodology – Table 3-1**

It seems the amount of public services needed for response in an emergency situation are much less than what is listed in Table 3-1. These services should be listed in accordance with the amt. of O&G wells and the amount of risk associated with O&G drilling.

**Issue #14 – Section 9.7 – Transfer of Development Rights**

Surface Owners should first be notified and allowed to purchase the mineral rights themselves before other prospects are contacted.

**Issue #15 – Section 9.7 – Transfer of Development Rights**

Add - Under no circumstances should surface rights owners land be taken from them via The Power of Eminent Domain.

**Issue #16 – Annual Operating Fee – Section 11.4.1**

- Late fees should be higher, per-facility, and fined on a daily basis (\$5k-\$10k min to promote expediency)

**Issue #17 – Section 11.8.6.6**

Reclamation Plan should include monitoring AND a site improvement plan if reclamation plan has gone astray and/or non-successful. Outright neglect should include severe daily fines.

**Issue #18 – Section 11.3.5.4 - Abandonment, Plugging and Site Remediation**

Site abandonment needs to be dealt with within the first month of abandonment.

**Issue #19** - It is clearly time for the O&G industries to "Move-On" and provide solutions, rather than, problems. It is not in Santa Fe's or the United States' best interests to continue to operate businesses that promote energy dependence, rather than, independence via alternative Energy Sources and a Green Economy. The Mineral owners that bought mineral rights also need to Move-On to more conscientious objectives and thinking. They bought their mineral rights for a song which is much less than what property owners paid for their properties. Many US residents have lost money due to the current Economic Recession due to investments in stock portfolios. Why should mineral owners be excluded from the economic downfall?

Thank-you for your continued support and taking the bull by the horns (O&G industries) and recognizing the need for a GREEN Economy, A GREEN Santa Fe, and a GREEN America.

Sincerely,

Colleen McCann

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