

STATE OF NEW MEXICO  
DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES  
OIL CONSERVATION COMMISSION

APPLICATION OF OIL CONSERVATION DIVISION  
TO ADOPT 19.15.27 NMAC AND D19.15.28  
NMAC, AND TO AMEND 19.15.7 NMAC,  
19.15.18 NMAC, AND 19.15.19 NMAC;  
STATEWIDE

CASE NO. 21528

REPORTER'S VIRTUAL TRANSCRIPT OF PROCEEDINGS

DAY 1

January 4, 2021

8:30 a.m.

Hearing Officer Felicia Orth

Chairwoman Sandoval

Commissioner Engler

Commissioner Kessler

REPORTED BY: PAUL BACA, CCR #112  
PAUL BACA COURT REPORTERS  
500 4th Street, NW, Suite 105  
Albuquerque, New Mexico 87102

1 Attorneys Present:

2 Michael Feldewert NMOGA

3 Chris Moander AG Office

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5 Also Present:

6 Dylan Rose-Coss Tech Support

7 Florene Davidson OCC Support

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1 HEARING OFFICER ORTH: Good morning,  
2 everyone.

3 I am Felicia Orth. I am appointed by the  
4 New Mexico Oil Conservation Commission to conduct a  
5 hearing on the application of the New Mexico Oil  
6 Conservation Division to adopt rules related to the  
7 venting and flaring of methane emissions.

8 This matter was docketed as Case  
9 Number 21528.

10 The hearing will be conducted pursuant to  
11 the Commission's Rule Making Regulation 19.15.3 of  
12 the New Mexico Administrative Code, as well as the  
13 Open Meetings Act, the State Rules Act, and  
14 procedural orders entered in this matter by the  
15 chair of the commission and these hearing officers.

16 These orders, along with all documents in  
17 the rule making record, can be found on the web page  
18 of the Energy, Minerals, and Natural Resources  
19 Department, EMNRD, specifically at the Oil  
20 Conservation Commission Outreach and Public  
21 Endangerment web page.

22 If you find yourself on the OCD imaging  
23 file, look for Case 21528.

24 This hearing is being recorded  
25 electronically and transcribed by Paul Baca Court

1 Reporters. A copy of the transcript will be posted  
2 online when it is completed.

3 The petitioner in this matter is the Oil  
4 Conservation Division. Other parties from which  
5 timely prehearing statements have been received  
6 include the New Mexico Oil and Gas Association, or  
7 NMOGA; the State Land Office and Commissioners  
8 Commissioner of Public Lands; a collection of  
9 nonprofits, and they're nonprofits referred to  
10 collectively as the Climate Advocates, which  
11 includes the Center for Civic Policy, Conservation  
12 Voters of New Mexico, Dine CARE, Earthworks, the  
13 Natural Resources Defense Council, San Juan Citizens  
14 Alliance, Sierra Club, and 350 New Mexico, and the  
15 Environmental Defense Fund, as another party in this  
16 matter.

17 The petitioner and other parties will  
18 begin presenting their cases tomorrow. We'll be  
19 starting with opening statements at 1:00 p.m.

20 The time between today and tomorrow at  
21 1:00 p.m. has been reserved for public comment.

22 There are two ways to offer public comment  
23 on the proposed rules before the commission. We may  
24 employ either or both.

25 One is to offer verbal comment, as many of

1 you are here to do today. Anyone may do that by  
2 signing up for an opportunity in one of the many  
3 time slots available between today and January 15.

4 To sign up, as you know, you e-mail  
5 Florene Davidson, who will schedule you in your  
6 preferred time slot, so long as it is available.

7 Please collect your thoughts before you  
8 comment, because comment may only be offered once  
9 during this hearing.

10 Know also that if you comment verbally,  
11 one of the parties or the commissioners may have  
12 questions for you at the end of your comments.

13 In the event you have more to say, or  
14 would prefer not to speak, you may submit your  
15 comments in writing. These submissions also go to  
16 Florene Davidson. Florene is at OCC dot hearings at  
17 state dot NM dot US.

18 You will also find her contact information  
19 on the OCD outreach web page.

20 Just to be clear no public comment will be  
21 accepted through the Webex chat function. That chat  
22 function is limited in this hearing to exploring  
23 potential technological issues you may have with the  
24 OCD staff who is serving as the Webex hosts each  
25 day.

1 Today our host is Baylen Lamkin.

2 Other staff on the line include Florene  
3 Davidson, who supports the commission.

4 If you or a friend have an issue logging  
5 in, please contact Ann Killoy at 508-527-3742.

6 In the event this hearing is interrupted  
7 by an internet outage, for example, or by mischief,  
8 please try to sign back in. If that doesn't work,  
9 check your e-mail or the OCD outreach web page for  
10 further instructions.

11 Know that if the host has heard an attempt  
12 to disrupt this hearing or to use vile language,  
13 that person will be expelled, and that expulsion  
14 will likely occur without any warning from the  
15 hearing officer.

16 So before we begin with the first set of  
17 commenters, let me ask if the commissioners would  
18 like to identify themselves.

19 Madam Chair?

20 CHAIRWOMAN SANDOVAL: I am Adrienne  
21 Sandoval. I am the chair of the Oil Conservation  
22 Commission and the director of the Oil Conservation  
23 Division.

24 HEARING OFFICER ORTH: Mr. Engler?

25 COMMISSIONER ENGLER: Thank you. I am Tom

1 Engler. I am a designee from the secretary on the  
2 commission.

3 HEARING OFFICER ORTH: Commissioner  
4 Kessler?

5 COMMISSIONER KESSLER: Good morning. My  
6 name is Jordan Kessler. I'm a commissioner of  
7 mineral resources.

8 HEARING OFFICER ORTH: Thank you. And  
9 although the technical parties may not all be on at  
10 this moment, if there are any counsel who would like  
11 to offer their appearances, this would be the time.

12 And I'd like to go in the order that we've  
13 established by agreement.

14 Is Mr. Ames with us?

15 No.

16 Mr. Feldewert?

17 MR. FELDEWERT: Yes. My name is Michael  
18 Feldewert. I'm chairman for the commission office,  
19 appearing on behalf of the New Mexico Oil and Gas  
20 Association.

21 I'm likely to join my colleagues and drop  
22 off of this call shortly.

23 HEARING OFFICER ORTH: Thank you very  
24 much.

25 Let's see. Is Mr. Biernoff available? I

1 know some of the counsel will be joining and  
2 separating away throughout today.

3 And for the climate advocates or  
4 environmental defense fund?

5 No?

6 All right. And we also have Chris Moander  
7 on the line. Mr. Moander is commission counsel.

8 MR. MOANDER: Good morning, everyone.

9 HEARING OFFICER ORTH: So let's turn to  
10 the public commenters for this time slot.

11 Please, when I call your name, identify  
12 yourself, your affiliation, if any. And know that I  
13 will ask you to wrap up as we get to two minutes.

14 The first three commenters are Celerah  
15 Hewes, Patricio C. Larragoite, and Nicholas King.

16 Ms. Hewes, are you with us?

17 MS. HEWES: Hello. Can you hear me?

18 HEARING OFFICER ORTH: Yes.

19 MS. HEWES: Hi. I would like to thank you  
20 for the opportunity of speaking today. I'm speaking  
21 on behalf of the other 18,000 Monster Air Force  
22 members here in New Mexico.

23 My name is Celerah Hewes. I have been  
24 with Monster Air Force for four years. I was born  
25 in Corrales. And when I started to have a family,



1 New Mexico was the place I wanted to raise my  
2 children.

3 But today, I'm deeply concerned that the  
4 New Mexico that my eight-year-old daughter is  
5 growing up in is very different, due to the public  
6 health and climate impacts we are experiencing.  
7 These impacts will only be made worse if we do not  
8 answer Governor Michelle Lujan Grisham's call for  
9 emission reduction rules.

10 To achieve that goal, the Oil Conservation  
11 Commission must strengthen the OCD proposed methane  
12 waste rules to eliminate unnecessary waste and  
13 pollution.

14 We'd like the final rule to achieve three  
15 goals.

16 One, ban routine venting and flaring, and  
17 only allow such activities when necessary for health  
18 and safety and require flaring over venting, except  
19 when necessary.

20 Two, require oil and gas companies to  
21 capture 98 percent of the methane by 2026.

22 Three, strengthen state reporting and  
23 public notice requirements to improve transparency  
24 and ensure accountability for oil and gas  
25 operations.

1           These methane rules are needed because we  
2     have a serious methane waste and pollution problem.  
3     Venting and flaring are degrading our air quality  
4     and climate, which will have a lasting effect for  
5     generations to come.

6           Recent scientific analysis by the  
7     environmental defense fund found that New Mexico oil  
8     and gas companies would emit at least 1 million  
9     metric tons of methane a year. It's five times  
10    higher than has been previously reported to the EPA.

11          As we are facing a climate crisis, the  
12    greenhouse gasses we are emitting in the next  
13    ten years will have an enormous impact on  
14    generations to come.

15          In conclusion, I encourage all the state  
16    agencies to work together on comprehensive and  
17    meaningful rules to protect all New Mexicans.

18          So it's -- nearly 70 percent of oil and  
19    gas and methane pollution in New Mexico occurs  
20    through leaks. It's critical that the New Mexico  
21    environment department adopt a rule that holds  
22    producers accountable and cuts emissions. NMED  
23    current rules fail to protect our public health and  
24    our climate by exempting 95 percent of wells from  
25    regulation.

1           Scientists have warned us that we have  
2   until 2030 to make meaningful reductions. The  
3   commission should make clear that the industry must  
4   work in parallel to achieve comprehensive rules to  
5   cut methane pollution and protect the health of our  
6   children from methane pollution and climate change.  
7   Our children are counting on this.

8           Thank you for your time today.

9           HEARING OFFICER ORTH: Thank you very  
10 much.

11          Mr. Larragoite? All right. I can hear  
12 you.

13          MR. LARRAGOITE: My name is Patricio --

14          HEARING OFFICER ORTH: As this sort of  
15 thing happens, I will be happy to accept that  
16 comment at a later time, but we will continue moving  
17 through the list until Mr. Larragoite or any other  
18 commenter joins us and identifies himself.

19          Let's move, then, to Nicholas King.

20          Following Mr. King will be Steve Gross and  
21 Emily Wolf.

22          Mr. King?

23          MR. KING: Yes. Thank you.

24          I'm Nick King, with the Carlsbad Mennonite  
25 Church and the citizens caring for the future here.

1           First of all, I want to thank all of you  
2           for your good work in this, working day and night  
3           and weekends, as I have experienced with Florene, in  
4           answering an e-mail last night.

5           We certainly affirm the direction that you  
6           are going, the governor is taking us, to protect all  
7           of us down in the future.

8           Now, we all dislike more regulations. But  
9           sometimes they are very necessary, like in nursing  
10          home instructions.

11          But this is an existential threat to our  
12          future.

13          The climate, when we see 100-degree  
14          temperatures north of the arctic circle, and the  
15          exceptional drought here in New Mexico.

16          We realize that regulation may adversely  
17          affect our economy. It affects all of us.

18          But I am willing to deal with that  
19          repercussion, make that sacrifice for the good of  
20          all of the future.

21          I also appreciate the oil companies'  
22          verbal commitments to cleaning up and being more  
23          green.

24          But as we see through the eyes of the flip  
25          camera, not much has changed in the last several

1 years, in spite of what is being said. There's  
2 still a lot of methane and DOCs being emitted.

3 And we realize that the skeleton crew that  
4 you are all working with, and the regulation -- or  
5 limitations, it's like having one cop for the whole  
6 state to regulate that.

7 We would hope that even with  
8 self-reporting, that can be improved.

9 Hopefully, through random inspections with  
10 flare cameras, that can be checked out.

11 As Dave Rogers says, there needs to be  
12 reasonable and responsible regulation. With that,  
13 they go with effective enforcement.

14 We don't want more paperwork for anybody,  
15 but random inspections with flare cameras, followed  
16 up by enforcement, are important.

17 And certainly, there should not be any  
18 more drilling permits giving -- being given out if  
19 the people are not in compliance with what they  
20 already have.

21 I think that sounds quite reasonable.

22 HEARING OFFICER ORTH: Mr. King, will you  
23 wrap up, please?

24 MR. KING: Yes.

25 For God's sake, and for the sake of future

1 generations over the whole world, help us to be  
2 responsible in caring for this gift. Let's start  
3 with each of us. It's going to be hard, but  
4 necessary.

5 Thank you for your good work.

6 HEARING OFFICER ORTH: Thank you,  
7 Mr. King.

8 Steve Gross? Is Mr. Gross with us?

9 MR. LAMKIN: He's not in the attendees.  
10 He may be a call in.

11 They should be able to identify  
12 themselves.

13 HEARING OFFICER ORTH: Mr. Gross, if  
14 you're a call-in user, please speak up.

15 All right. We may be able to hear from  
16 Mr. Gross later.

17 Emily Wolf?

18 MS. WOLF: Good morning. Can you hear me?

19 HEARING OFFICER ORTH: Yes.

20 MS. WOLF: Great.

21 I'm Emily Wolf. I am the New Mexico  
22 program coordinator for the national parks  
23 conservation association. Thanks for the  
24 opportunity today to speak about providing some  
25 information on how your rules can have a positive

1 impact on national parks and other public lands in  
2 New Mexico.

3 Strong rules to reduce methane emissions,  
4 as well as compounds released along with methane in  
5 oil and gas industrial processes, are crucial for  
6 the state to develop and implement to reduce waste  
7 and safeguard public health, our climate, ecosystems  
8 in our fragile landscapes and connected to our  
9 national parks, particularly in the Permian and  
10 San Juan Basins.

11 Carlsbad caverns and Guadalupe mountains  
12 national parks combined generated over \$53 million  
13 in local economic output and supported 655 jobs in  
14 2017. But unrestrained industrial development can  
15 have a negative impact on the stable and existing  
16 economy.

17 At Carlsbad, from 1993 to 2016, visitation  
18 decreased more than 30 percent. And a 2018 study  
19 showed that park visitation drops 8 percent or more  
20 when pollution is high.

21 Without strong rules, that will affect  
22 local economies that depend on those visitors.

23 We commend the OCD for proposing strong  
24 rules, and we support OCD's proposed ban, to achieve  
25 flaring, the preference for flaring over venting

1 when necessary, and the 98 percent capture  
2 requirement.

3           However, the rules should be strengthened,  
4 and the commission should do all it can to minimize  
5 methane waste, including requiring green  
6 inhibitions, to minimize methane emissions during  
7 completions and recompletions, incentivizing  
8 compliance by prohibiting new drilling and denying  
9 permits for new wells, if the operators are out of  
10 compliance with their gas capture requirements,  
11 requiring operators to immediately notify persons  
12 and communities at risk for methane venting, and  
13 requiring that any leaks or repairs to the alarm  
14 program are verified by an independent third party,  
15 to ensure the integrity of the program.

16           Air quality resource values, or AQRVs, our  
17 parks identified a list of values they are worried  
18 about being impacted by pollution, including dark  
19 sky in ecosystems. A strong methane rule will state  
20 those values.

21           Combined, more than 4,000 after dark  
22 visitor contacts are reported annually at Chaco,  
23 Guadalupe, and Carlsbad. These tend to impact  
24 visual resources and wildlife, including bats and  
25 the insects on which they feed.



1 National parks are becoming more important  
2 sanctuaries for plants and animals, as well as  
3 fostering wildlife corridors, healthy watershed, and  
4 community scale protections.

5 It's vital to defend public lands and  
6 parks by minimizing the emission of methane on a  
7 state level.

8 Thank you again for the opportunity to  
9 address the commission.

10 HEARING OFFICER ORTH: Thank you very  
11 much, Ms. Wolf.

12 Our next several commenters are Douglas  
13 Meiklejohn, Penny Aucoin, Camilla Feibleman, and Amy  
14 Maki.

15 Mr. Meiklejohn?

16 MR. MEIKLEJOHN: Can you hear me,  
17 Madam Hearing Officer?

18 HEARING OFFICER ORTH: Yes, I can, very  
19 clearly. Thank you.

20 MR. MEIKLEJOHN: Good morning, members of  
21 the commission, Madam Hearing Officer.

22 I am Douglas Meiklejohn. I'm an attorney  
23 with the New Mexico Environmental Law Center. The  
24 law center is a nonprofit environmental law firm  
25 that provides legal services to local communities.

1           We are grateful for the opportunity to  
2 provide our comments on the proposed regulations  
3 limiting methane emissions for oil and gas  
4 facilities.

5           First of all, methane emissions from oil  
6 and gas production are the biggest sources of  
7 greenhouse gas emissions in New Mexico.

8           Methane from oil and gas production also  
9 is emitted with several co-pollutants, including  
10 oxides of nitrogen and volatile organic compounds,  
11 which are harmful to human health.

12           The adverse effects of these emissions are  
13 likely to affect disadvantaged communities  
14 disproportionately.

15           For example, due to their proximity,  
16 communities in the Laguna Pueblo, the Acoma Pueblo,  
17 and the Navajo Nation are likely to be  
18 disproportionately affected by air pollution from  
19 oil and gas production in the San Juan Basin.

20           The Oil Conservation Division's proposed  
21 regulations are generally sound, but they can and  
22 should be strengthened.

23           First, routine flaring of oil and gas  
24 wells must be prohibited. Routine flaring from oil  
25 and gas production releases a tremendous amount of

1 methane and other pollutants into the atmosphere.  
2 It wastes natural gas that otherwise could be  
3 captured and marketed, and it foregoes royalties  
4 that would otherwise be paid to the state to support  
5 education.

6 We support the proposed rules prohibition  
7 on routine flaring, and we oppose any efforts to  
8 weaken it.

9 Second, we likewise support the rules,  
10 generally, on prohibition on venting.

11 Third, we support the 98 percent minimum  
12 capture requirement for methane.

13 However, we believe the amount of time for  
14 industry to meet this requirement is far too long.  
15 The industry has known about the problem of excess  
16 methane emissions in New Mexico for many years.

17 Yet, the new rule would allow almost  
18 six years for industry to come into compliance.

19 We believe --

20 HEARING OFFICER ORTH: Would you wrap up,  
21 please?

22 MR. MEIKLEJOHN: Certainly.

23 We believe the compliance period should be  
24 no more than three years.

25 Fourth, as other speakers have said, an

1 operator who acquires additional wells should be  
2 required to meet its annual minimum capture  
3 requirement on all newly acquired wells.

4 Fifth, if an operator is not in compliance  
5 with minimum capture requirements, the Oil  
6 Conservation Division should not approve any new  
7 permit for that operator to drill a new well.

8 Thank you very much, again, for the  
9 opportunity to speak to you today. We urge you to  
10 make these rules strengthened, to protect  
11 New Mexico's environment.

12 Thank you.

13 HEARING OFFICER ORTH: Thank you,  
14 Mr. Meikeljohn.

15 Penny Aucoin?

16 MS. AUCOIN: Hi. Can you hear me?

17 HEARING OFFICER ORTH: Yes, I can hear  
18 you. Thank you.

19 MS. AUCOIN: My name is Penny Aucoin. I  
20 want to thank you all for letting me speak today.

21 I want to also thank you for everything  
22 you are doing for make our community and home safe.

23 I live here in Carlsbad, right in the  
24 middle of an oilfield. When I came to Carlsbad  
25 there was just a handful of old mobile homes on my

1 street with a huge empty field across the street.

2 Now, that field is filled with oil and gas  
3 operations. Now, my home feels like a war zone.

4 We have had to deal with the noise of them  
5 drilling all day and night with no respite.

6 We have had to deal with all the mice  
7 coming into our homes from that field while they  
8 were drilling.

9 We had to deal with all the trucks  
10 blocking our driveway and running us off the road.

11 We have had to deal with gigantic flares  
12 lighting up the night and roaring so loud it left us  
13 wondering if they were going to blow up.

14 We've had to deal with black oil stuff  
15 falling into our animals' water from those same  
16 flares.

17 And finally, we have had to deal with a  
18 pipeline breaking and covering our land and home  
19 with toxic flowback water.

20 I personally am so happy to see that you  
21 are making changes to help my home be a bit safer,  
22 but I feel that it is not enough.

23 I have seen over and over again that oil  
24 and gas operators continue to harm us and our  
25 environment. Even if they are caught with leaks or

1 spills they continue to operate in the same unsafe  
2 manner.

3 I feel this is because there is not enough  
4 incentive for them to make diligent efforts to  
5 operate safely.

6 I ask you today to keep unsafe operators  
7 from having the permits to continue drilling and  
8 operating unsafely. It is up to you to protect the  
9 lives of people who are living here. These are your  
10 neighbors and friends. We need your help in making  
11 sure we are safe.

12 Thank you.

13 HEARING OFFICER ORTH: Thank you,  
14 Ms. Aucoin.

15 Let's see. Ms. Feibleman?

16 MS. FEIBLEMAN: Yes, I'm here.

17 Can you hear me?

18 HEARING OFFICER ORTH: Yes. You're a  
19 little quiet.

20 MS. FEIBLEMAN: Okay. And is this any  
21 better?

22 HEARING OFFICER ORTH: That's terrific.

23 Thank you.

24 MS. FEIBLEMAN: Thank you. I am Camilla  
25 Feibleman. I'm the director of the Rio Grande

1 chapter of the Sierra Club representing 35,000  
2 members and supporters in New Mexico and West Texas.

3 I will submit full written comments. But  
4 in the meantime, our state, community, and families  
5 are left exposed by the gutting of oil and gas  
6 methane waste and pollution rules at the federal  
7 level.

8 Strong state rules will protect us while  
9 the federal administrative process works to restore  
10 these protections and will prepare our state to  
11 comply with future or federally restored rules.

12 As for these rules at the OCC and OCD, the  
13 Oil & Gas Act prohibits waste and it gives the  
14 commission broad authority to implement this  
15 prohibition, and it should take steps to prevent all  
16 forms of waste, including practices that damage  
17 health, human health, the climate, and the  
18 environment.

19 Venting and flaring of natural gas is  
20 extremely wasteful. Venting releases methane  
21 directly into the atmosphere, along with  
22 smog-causing volatile organic compounds and  
23 cancer-causing toxics of benzene.

24 Flare releases a different set of  
25 pollution, including nitrogen, an oxide which also

1 contributes to smog formation.

2 The oil and gas industry is also the  
3 largest source of greenhouse gas pollution in the  
4 state, responsible for more than 50 percent of our  
5 greenhouse gas emissions.

6 We applaud the division for proposing to  
7 ban routine flaring, for example at wells, due to  
8 lack of natural gas takeaway capacity.

9 This contributes significantly to air  
10 pollution and climate change and deprives the state  
11 of much needed royalties. This practice should end  
12 immediately.

13 The proposal to require operators to  
14 capture 98 percent of their gas by 2026 is an  
15 appropriate backstop.

16 The gas capture requirement should also  
17 encourage operators to reduce waste from devices  
18 such as storage tanks and pneumatic devices, and  
19 from operations such as liquids unloading.

20 These rules demand appropriate enforcement  
21 mechanisms and should be strengthened. No one  
22 should be allowed to drill a new well unless they  
23 are in compliance with their gas capture  
24 requirements. And no one should be able to drill a  
25 new well unless they can show they have the



1 infrastructure in place to capture all of the gas  
2 they produce.

3 Also, we support the proposal by the  
4 climate advocates and DDS, which should ensure these  
5 green completion requirements function as EPA  
6 intended them to.

7 And finally, we support strong performance  
8 standards for flares. We know that flares routinely  
9 malfunction in the field, leading to uncontrolled  
10 venting.

11 Colorado has required companies to use  
12 auto igniters on flares, and New Mexico should  
13 require that as well at all wells, including  
14 stripper wells.

15 And thank you for your work, and thank you  
16 for protecting our families and communities.

17 HEARING OFFICER ORTH: Thank you,  
18 Ms. Feibleman.

19 Amy Maki?

20 MS. MAKI: Good morning. Can you hear me?

21 HEARING OFFICER ORTH: Yes, thank you.

22 MS. MAKI: My name is Amy Maki, and I live  
23 in Santa Fe, New Mexico, and I have for the last  
24 15 years with my family. I'm a mother of two  
25 teenagers.

1           And I, first of all, want to thank the Oil  
2 Conservation Commission for this opportunity to  
3 comment.

4           And all of the other conservation groups,  
5 thank you so much for your hard work.

6           I'm a Level 2 licensed special education  
7 teacher and a general education teacher. I  
8 currently teach at Milagro Middle School in  
9 Santa Fe. And if you see me leave the meeting, it's  
10 only because I have to go to work.

11           So I have a biology degree, a master's  
12 from the Institute of American Indian Arts, in  
13 Santa Fe.

14           Unfortunately, nationwide, New Mexico  
15 ranks very low in education. We are at 49th. We  
16 are the 49th one. We beat out Mississippi for last  
17 place.

18           Education is not a priority, and neither  
19 is the health of our children in this state. Some  
20 of my students don't have a permanent home, and  
21 their families have to make some tough choices, such  
22 as doctor bills or food.

23           And this is long before COVID hit. They  
24 are treading water.

25           And our education system, at 49th in the

1 rankings, is also treading water. They're just  
2 getting by.

3 And education, as we know, provides more  
4 opportunities. And an investment in our youth is an  
5 investment in the future of all of New Mexico.

6 So I strongly agree that New Mexico cannot  
7 afford this methane waste. Each year oil and gas  
8 companies waste 271 million worth of natural gas  
9 through venting, flaring, and leaks. It cost the  
10 state over 43 million in royalties and tax revenue.  
11 And this is money that could help increase student  
12 success, you know, provide more job -- job  
13 opportunities for them in the future, and a better  
14 life. And this money saved could help the at-risk  
15 students.

16 So in such an oil rich state, and gas,  
17 why -- why are so many people so poor?

18 HEARING OFFICER ORTH: Ms. Maki, please  
19 wrap up.

20 MS. MAKI: We need the requirements for  
21 prohibiting methane waste, and it's even a waste of  
22 money. It could be used to help all New Mexicans,  
23 especially our children, our future, and I believe  
24 it needs to change this year.

25 In 2021, it is possible to capture the

1 methane, which would save money and lives, through  
2 health.

3 This is why I support Governor Michelle  
4 Lujan Grisham to call for our nation in leading  
5 methane rules. It can help eliminate unnecessary  
6 and harmful methane waste.

7 And I thank you for allowing me to  
8 comment.

9 And thank you all. That's it.

10 HEARING OFFICER ORTH: Thank you,  
11 Ms. Maki.

12 Our next several commenters are Robyn  
13 Jackson, Jeff Thrope, Joan Brown, and Sister Marlene  
14 Perrotte.

15 Ms. Jackson?

16 MR. LAMKIN: Ms. Orth, we've had a couple  
17 of people ask if you could speak up a little bit.

18 HEARING OFFICER ORTH: Oh, yes. Yes.

19 Mr. Lamkin, while I have you unmuted, did  
20 we -- or do you want to call the list of call-in  
21 users to establish their identity?

22 MR. LAMKIN: I have -- currently, I have  
23 them unmuted, so they should be able to identify  
24 themselves. If not, I can do that.

25 HEARING OFFICER ORTH: So, Robyn Jackson?

1 MS. JACKSON: Good morning.

2 My name is Robyn Jackson. I'm with the  
3 Navajo organization. We work with the Navajo  
4 community. We're in the eastern agency of the  
5 Navajo Nation in checkerboard lands in New Mexico.

6 During my visits to these communities, I  
7 have been made aware that there are many Navajo  
8 residential members who are daily subjected to toxic  
9 gases from oil and gas wells.

10 A health assessment, conducted in  
11 partnership with the Counselor chapter, was released  
12 last year. It reported that of the community  
13 respondents who filled out symptom surveys,  
14 90 percent said they experienced sinus problems and  
15 sore throat.

16 80 percent reported cough, headaches,  
17 itching, burning eyes, joint pain, fatigue, and  
18 sleep disorders.

19 70 percent reported nosebleeds and  
20 wheezing.

21 Further concerning is the growing evidence  
22 of association between proximity to well pads and  
23 negative health outcomes among young children.

24 Recent studies have found symptoms  
25 including low birth weight and prematurity.

1           Children spend more time outdoors,  
2    increasing their exposure to emissions. Their  
3    bodies are still maturing, and they cannot  
4    metabolize or detoxify some toxicants as well as  
5    adults. Their brains are developing, and many well  
6    pollutants are known to interfere with cognitive  
7    development.

8           Children under the age of nine years make  
9    up approximately 31 percent of the population in  
10   Counselor.

11           I urge the OCC members to strengthen the  
12   OCD's proposed methane use rules to eliminate any  
13   unnecessary risk from pollution.

14           The rules should include requiring  
15   operators to immediately notify communities when  
16   methane releases threaten public health and safety.

17           The rule should also include denying  
18   permits to drill new wells if operators are out of  
19   compliance with gas capture requirements.

20           Additionally, the rule should prohibit  
21   routine venting and flaring during pipeline  
22   maintenance and repairs, and only allow for  
23   emergency flaring.

24           These requirements will make a substantial  
25   difference in Navajo communities and their future

1 generations.

2 Thank you.

3 HEARING OFFICER ORTH: Thank you very  
4 much, Ms. Jackson.

5 Jeff Thrope?

6 MR. THROPE: Can you hear me?

7 HEARING OFFICER ORTH: Yes. Thank you.

8 MR. THROPE: Okay. Great.

9 I am Jeff Thrope. I am with Public Land  
10 Solutions, and I live in Abiquiu, New Mexico.

11 New Mexico has a methane waste and oil and  
12 gas air pollution problem, and it's causing harm to  
13 the state's unique outdoor recreation range by  
14 ruining our air and harming our climate.

15 Methane is a powerful climate change  
16 pollutant responsible for 25 percent of the warming  
17 we experience today. And New Mexico is a primary  
18 source of our nation's methane pollution.

19 While we worked to promote our unique  
20 cultural heritage, along with our hiking, eating,  
21 biking, fishing, skiing, rafting, and climbing,  
22 New Mexico is increasingly known as the nation's  
23 leading methane hot spot.

24 Climate change effects will impair the  
25 quality of the outdoor recreation experience, cause

1 health and safety concerns for recreationists, and  
2 inhibit the outdoor recreation economy.

3 The currently occurring and accelerating  
4 effects of climate change on public lands and  
5 waters, recreational opportunities they support, are  
6 extensive and increasingly well documented.

7 When our air is dirty, people won't hike  
8 in our deserts, ride bikes in our mountains, or  
9 raft, kayak, and canoe down our rivers.

10 To keep our air clean and protect the  
11 outdoor recreation businesses that are core to the  
12 New Mexican economy, we need strong rules to reduce  
13 air and climate pollution. We urge NMED and OCD to  
14 improve their methane and air quality proposals to  
15 meet the governor's goals and protect our  
16 businesses. As we all dig out of the current  
17 economic crisis, it's important now, more than ever,  
18 to maintain New Mexico.

19 HEARING OFFICER ORTH: Thank you,  
20 Mr. Thrope.

21 Joan Brown?

22 MS. BROWN: Good morning. Can you hear  
23 me?

24 HEARING OFFICER ORTH: Yes, I can. Thank  
25 you.



1 MS. BROWN: Okay. Thank you so much.

2 Good morning, Madam Hearing Officer.

3 Thank you for holding the hearing and for all of  
4 your hard work.

5 I'm Sister Joan Brown, and I'm the  
6 director of New Mexico Interfaith Power and Light.  
7 We work with thousands of faith leaders, their  
8 communities, and peoples all across New Mexico to  
9 care for creation, the health of communities, and  
10 for climate justice, and we support very strong  
11 methane rules.

12 Clean air, community health, and  
13 addressing a warming climate are ethical and moral  
14 imperatives rooted in the religious teachings to  
15 love thy neighbor and to care for our sacred  
16 creation.

17 I've gone with people of faith to the  
18 Permian Basin and witnessed the pollution, felt the  
19 sickness some of my brothers and sisters experience  
20 on a daily basis, and walked in areas inundated with  
21 oil and gas drilling in our land of enchantment, but  
22 now feel more like wasteland. And with pollution,  
23 our state feels more and more like a sacrifice zone.  
24 We must change this.

25 Some courageous people in the Permian have

1 talked with me about their concerns, including  
2 flaring not done properly, operators who do not  
3 notify communities when methane releases threatened  
4 them and the environment, suffering from routine  
5 venting and flaring during maintenance and repairs,  
6 and operators who are out of compliance and continue  
7 to operate.

8           These concerns must be addressed for the  
9 OCC rules to be strong enough.

10           More than 75 percent of the children under  
11 five years old in New Mexico's largest oil producing  
12 counties live within a mile of an active well site.

13           People of faith are called to protect the  
14 most vulnerable and our children and our climate in  
15 the future, and the OCC rules must do that.

16           Through the rules, we believe that they  
17 need three things:

18           To ban routine venting and flaring, and  
19 only allow those when they are necessary.

20           Two, require oil and gas companies to  
21 capture 98 percent of the methane emissions. And we  
22 believe it could be done and needs to be done before  
23 2026.

24           And three, to strengthen state reporting  
25 and public notice requirements to improve

1 transparency and accountability.

2 Finally, the rules are of no value if  
3 there are not resources and personnel to adequately  
4 enforce them. And this is currently a huge problem  
5 in our state, with OCC and also NMED.

6 New Mexico Interfaith Power and Light has  
7 been working with people of faith to get methane  
8 rules for years now. First at the federal level,  
9 and now, here at the state level.

10 These are really vital to address climate,  
11 our health, care of our sacred creation. We know  
12 that our state agency and citizens care, and we know  
13 you're working very hard. But we support every,  
14 every effort to make this happen, and happen right  
15 now.

16 Thank you so much.

17 HEARING OFFICER ORTH: Thank you, Sister  
18 Brown.

19 Sister Perrotte, Marlene Perrotte.

20 MS. PERROTTE: Good morning, Madam Hearing  
21 officer and Oil Conservation Commission.

22 I am Marlene Perrotte, a sister of mercy  
23 and a member of the partnership for earth, spirit --  
24 for earth, spiritual living, living here in  
25 Albuquerque.

1           Thank you for the opportunity to provide  
2   comment on methane venting and flaring at this  
3   hearing. It is critical that this commission  
4   strengthen the methane waste rule.

5           I have worked in the Artesia area and  
6   personally have observed the emission of methane gas  
7   through an infrared camera. Many of the clients  
8   that I worked with had headaches, asthma, and they  
9   were very prevalent. Even myself, when I went into  
10   that area and came out of that, I would have  
11   headaches. The air quality is very poor.

12           The simple fact of being human moves  
13   people to care for the environment of which we are a  
14   part, realizing that it is our responsibility and  
15   duty to redress the damage caused by human abuse of  
16   God's creation.

17           Social ethics demand caring for our common  
18   own. We are entrusted with helping to raise the Oil  
19   Conservation Commission's redress to the problems of  
20   methane. Following the science, we need strong  
21   legal requirement to prevent methane from being  
22   vented into the atmosphere.

23           It is critical to adopt rules that hold  
24   polluters accountable. I want to stress that.  
25   Adopt rules that hold polluters accountable and cut

1 down emissions across the oil and gas supply chain.

2 The other is, we cannot exempt 95 percent  
3 of wells from regulation across the state from  
4 oversight and basic leak detection and repair  
5 requirements.

6 I strongly encourage the commission to  
7 deny drilling of new wells if out of compliance, if  
8 these polluters are out of compliance with gas  
9 capturing requirements.

10 NMED and New Mexico Energy, Minerals and  
11 Natural Resources Division need to have rules to  
12 protect the earth community: Clean air, clean  
13 water, and healthy soil.

14 We have to have the resources for  
15 implementation -- strong regulations,  
16 implementations, and enforcement. And it cannot be  
17 delayed.

18 All agencies must work together for a  
19 comprehen- -- for comprehensive rules to protect us  
20 and our very life planet.

21 Thank you very much.

22 HEARING OFFICER ORTH: Thank you very  
23 much.

24 Our next commenters are Sandra Ely,  
25 Richard Mark Glover, Ruth Striegel, Kyle Fiore.

1 Ms. Ely?

2 MS. ELY: Good morning, Madam Hearing  
3 Officer and members of the commission.

4 Can you hear me?

5 HEARING OFFICER ORTH: Yes, thank you.

6 MS. ELY: My name is Sandra Ely, and I'm  
7 here for the protection division of the New Mexico  
8 environment department.

9 The environment department and the energy  
10 and minerals and natural resources department have  
11 been working together since early 2019 to develop  
12 strategies to reduce waste and air pollution in  
13 New Mexico's oil and gas industry.

14 These strategies are designed to make the  
15 state's greenhouse gas emission reduction target,  
16 improve air quality, reduce waste of a valuable  
17 resource, and increase royalties to the state.

18 The agency set out to draft separate, but  
19 complimentary rules, with NMED's rules addressing  
20 our pollution and rules addressing waste.

21 With that in mind, the two agencies worked  
22 together for nearly two years. And during that time  
23 jointly held multiple stakeholder meetings with a  
24 diverse group of stakeholders, convened the methane  
25 advisory panel to create the comprehensive

1 technology support document, and met frequently to  
2 discuss stakeholder input and oil development.

3 This approach enabled the two departments  
4 to craft rules that are not duplicative, do not  
5 conflict, and do not leave regulatory gaps.

6 The two sets of rules are designed to work  
7 together to provide full coverage of the industry to  
8 achieve the waste and pollution reductions  
9 New Mexicans deserve, the rules put before the  
10 commission, this rule making body, in April, to  
11 propose a hearing this summer.

12 The environment department strongly  
13 supports the proposed rules before the Oil  
14 Conservation Commission and encourages the  
15 commission to adopt these rules as written.

16 Thank you.

17 HEARING OFFICER ORTH: Thank you very  
18 much.

19 Richard Mark Glover.

20 Mr. Glover? We will hope to hear from him  
21 later.

22 Ruth Striegel?

23 MS. STRIEGEL: Good morning. I'm Ruth  
24 Striegel, from Albuquerque. I'm a retired public  
25 schoolteacher and a church musician. I serve on the

1 board of the New Mexico chapter of Interfaith Power  
2 and Light.

3 Thank you for your work in this area and  
4 for allowing me to comment.

5 I'm asking that the Oil Conservation  
6 Commission strengthen the proposed methane-based  
7 rules. Having spent 35 years teaching in New Mexico  
8 schools, I'm very aware that our school budgets are  
9 always stretched very thin. And an income from  
10 taxes and royalties on extracting industries is a  
11 very important source of revenue.

12 As a person of faith, it's extremely  
13 important to me that we support the health and  
14 well-being of all people, including those living  
15 near oil and gas installations.

16 And as someone who values the natural  
17 world and is extremely concerned about climate  
18 change, I can't begin to understand how we can allow  
19 this potent greenhouse gas to be released into the  
20 atmosphere.

21 The methane waste rule must ban routine  
22 venting and flaring and require operators to capture  
23 98 percent of methane emissions.

24 According to a recent report, the oil and  
25 gas sector is generating over half of the greenhouse



1 gas emissions in New Mexico. We must hold operators  
2 accountable for maintaining their equipment in good  
3 condition, so that leaks don't occur.

4 The methane waste rules should strengthen  
5 reporting and public notice requirements, to make  
6 sure that operators are actually following through.

7 The rule should ensure that leaks and  
8 repairs are verified by an independent third party.  
9 We need more inspectors at the well sites, rather  
10 than depending on the industry to self-monitor.

11 Operators whose equipment is leaking  
12 methane should not be issued new drilling permits  
13 until they clean up their act.

14 Operators should be required to notify the  
15 public when methane releases endanger public and  
16 environmental health.

17 Thank you for the opportunity to comment.

18 HEARING OFFICER ORTH: Thank you,  
19 Ms. Striegel.

20 Kyle Fiore?

21 MS. FIORE: Yes. Can you hear me?

22 HEARING OFFICER ORTH: Yes. Thank you.

23 MS. FIORE: Okay. Thank you.

24 I would like to thank the Oil Conservation  
25 Commission for the opportunity for me to speak.

1           My name is Kyle Fiore, and I live in  
2 Albuquerque. I'm a member of the African Methodist  
3 Episcopal Church and I work with New Mexico  
4 Interfaith Power and Light.

5           I strongly support the commission's belief  
6 that the commission's final ruling needs to strongly  
7 support stronger controls, controls that will ban  
8 routine venting and flaring, except when necessary,  
9 ensure accountability of gas and oil operations, and  
10 require gas and oil companies to capture 98 percent  
11 of methane emissions.

12           It's the nature of these methane emissions  
13 that I want to underscore today.

14           Methane is a dangerous, and in New Mexico,  
15 a precious gas. Methane gas is responsible for  
16 25 percent of climate change.

17           Methane is also a primary component of  
18 natural gas. When methane is properly captured, it  
19 could bring in upwards of \$43 million, money that  
20 could be used to fund public education for our  
21 children.

22           Public education is a right and a  
23 privilege that is very dear to me. As a mother and  
24 a grandmother, I've worked with my children and  
25 grandchildren as they struggled in our public

1 schools. I'm not alone in this struggle.

2 New Mexico public schools ranked 49th in the  
3 United States in 2018.

4 The New Mexico coalition for literacy  
5 estimates that an astonishing 46 percent of the  
6 adults in our state are functional illiterates.  
7 Numbers like this can only exist if you have one of  
8 the worst public school systems in the  
9 United States.

10 Faced with these statistics and the  
11 knowledge that the capture of methane gases could  
12 bring in close to \$43 million to shore up our broken  
13 education system, the proper capture of methane  
14 emissions appears a simple and critical necessity,  
15 both for our environment and our schools.

16 Thank you.

17 HEARING OFFICER ORTH: Thank you,  
18 Ms. Fiore.

19 The three next commenters are David  
20 Patterson, Pat Belleto, and Anita Amstutz.

21 Mr. Patterson?

22 MR. PATTERSON: Yes.

23 HEARING OFFICER ORTH: I can hear you.

24 MR. PATTERSON: Well, good.

25 Are you ready for me to talk?

1 HEARING OFFICER ORTH: Yes, please. Go  
2 ahead.

3 MR. PATTERSON: Okay. Well, first of all,  
4 I want to say thank you. This is the first time  
5 that I have ever been involved in something like  
6 this. I retired a couple of years ago, and my wife  
7 and I have loved New Mexico for years and years.  
8 And back in the '70s and early '80s, she traveled up  
9 and down New Mexico with an artist circle and loved  
10 everything about it.

11 When we retired, I wanted to start  
12 speaking up for nature and trying to help nature.  
13 And in the results of my reading, I started finding  
14 that you can't help nature unless you deal with the  
15 things that are causing extinction in this country.

16 And my wife and I both reached the  
17 conclusion that New Mexico cannot continue to call  
18 itself the land of enchantment when a huge methane  
19 cloud sits over the Four Corners area, home to  
20 thousands of indigenous Americans, many of them  
21 living within half a mile of a production site.

22 The American Lung Association gave  
23 San Juan County an F for ozone. Fine particulate  
24 matter often swipes at more than twice the EPA  
25 levels for hazardous.

1           And so today, I challenge the board of  
2           governors to go to the extraction area, where  
3           thousands of poor people are stuck, and smell the  
4           air and talk to the people most affected, for  
5           ten days, and then make your decision.

6           I would agree with everything that  
7           everyone has said today, with the exception of  
8           perhaps the guy who said none of us like regulation.

9           I love regulation. Regulation keeps us --  
10          has helped us save many, many animals. It's helped  
11          save many, many lives. And I'm a big believer,  
12          especially in -- in more regulation for an industry  
13          that shows very little concern for human life in so  
14          many areas.

15          We all know we're already in a crisis,  
16          with climate change getting more severe every year.  
17          We're already losing thousands of species, living  
18          things, every year because of fossil fuels.

19          You know that. We know that. We all know  
20          that.

21          It's time to act now, to stop methane  
22          leaks, whether they are smaller wells or large ones.

23          Please stop kicking the issue down the  
24          road. You have a responsibility and opportunity to  
25          help New Mexico, as a state, to move much faster to

1 protect our people, our air, our water, our future,  
2 our land. Please act now.

3 Act boldly, to protect this beautiful  
4 state from more deadly pollution.

5 Thank you so much for this opportunity to  
6 speak. And thank you to all of those who have  
7 spoken already today. I agree with them  
8 wholeheartedly.

9 But I want us to act and stop -- and stop  
10 having studies. We know what we need to know.

11 So thank you so much for your time.

12 HEARING OFFICER ORTH: Thank you,  
13 Mr. Patterson.

14 Pat Belleto -- and let me apologize. I  
15 could be apologizing all day, in the event I'm  
16 mispronouncing your name.

17 MS. BELLETO: Thank you very much.

18 My name is Pat Belleto, and I live in  
19 Albuquerque, where I've been since moving from  
20 Gallup. I am a strong Christian, and my Bible  
21 reading disclosed that creation care is the very  
22 core of our Christian walk. And that -- and, plus,  
23 the health and the welfare of my grandchildren and  
24 the children and friends that I've worked with on  
25 the Navajo Reservation.

1           It's at the very core of why I feel  
2           compelled to speak during this public comment period  
3           regarding the methane rules.

4           And thank you for that opportunity.

5           Much of our school funding comes from oil  
6           and gas revenues. But we are not only losing  
7           billions in revenue by not capturing more than  
8           1.1 million tons of wasted methane, but we are  
9           adding to the cost of health, respiratory problems,  
10          damage to our environment, to ourselves, and our  
11          future generations.

12          Methane is a powerful greenhouse gas  
13          responsible for about 25 percent of the climate  
14          change we are experiencing today. Wasted methane  
15          costs our schools upwards of 43 million in royalty  
16          and tax revenue.

17          The proposed rule is a good start, but we  
18          need to strengthen them. We need to strengthen them  
19          by banning routine venting and flaring, and only  
20          allow such activities when necessary for health and  
21          safety, and require flaring over venting, except  
22          when necessary, for health and safety.

23          Requiring oil and gas companies to capture  
24          98 percent of methane emissions, strengthen state  
25          reporting and public notice requirements to approve

1 transparency, and ensure accountability of oil and  
2 gas operations, and not permit oil and gas  
3 operations of the companies who aren't following  
4 safety rules and are not maintaining their  
5 equipment.

6           Once again, I want to thank you for this  
7 wonderful opportunity. I'm so excited to see our  
8 state moving forward on this after many years of  
9 hitting our heads against the wall.

10           Thank you.

11           HEARING OFFICER ORTH: Thank you,  
12 Ms. Belleto.

13           Anita Amstutz?

14           MS. AMSTUTZ: Good morning.

15           Can you hear me?

16           HEARING OFFICER ORTH: Yes, good morning.  
17 Please go ahead.

18           MS. AMSTUTZ: Greetings. I want to -- my  
19 name is Anita Amstutz, and I want to thank all of  
20 the honorable committee members and those who have  
21 spoken today.

22           I am a beekeeper and a board member of  
23 New Mexico Beekeepers Association, and also founder  
24 of I Think Like a Bee, which is a nonprofit for a  
25 pollinator and education and advocacy.



1           When we have beekeepers in both the Four  
2           Corners and the Permian Basin areas of oil and gas  
3           exploration, we all know these days that bees need  
4           clean air, clean water, and clean soil and good  
5           habitat to thrive.

6           These days they are barely surveying, for  
7           all the reasons we've noted on this call, and more.  
8           And we know they are the canaries in the mine.  
9           What's good for bees is good for humans.

10           Today we are talking about methane from  
11           the oil and gas industry, billions of tons poured  
12           into our air regularly.

13           My dad was a farmer. I am a farmer's  
14           daughter. He raised pigs. And when I used to  
15           complain about the smell of the pigs he would say,  
16           Anita, that is the smell of money.

17           Well, in New Mexico, the smell of millions  
18           of tons of vented or flared wasted methane is not  
19           the smell of money. It is the smell of waste.

20           It is money because, as we have heard in  
21           earlier comments, wasted methane, when captured, can  
22           translate to millions of dollars of royalties into  
23           state funds for our schools, infrastructure, and  
24           certainly for our public health crisis right now  
25           with COVID.

1           I fear that New Mexico is a banana  
2 republic, meaning we are dependent on foreign  
3 capital of oil and gas exploration.

4           By allowing any and all companies, no  
5 matter what their industry practices, regardless of  
6 financial solvency, to come into our state and  
7 exploit our natural resources, take the money and  
8 run, means New Mexico gets a fraction of the income.

9           Already New Mexico is still a very poor  
10 state, as we know, while our precious air, water,  
11 and land is used up.

12           So economically, this is a boom or bust  
13 cycle, which will leave us with stranded assets, a  
14 plundered and destroyed landscape, as we heard, and  
15 taxpayers, like all of us on this call, holding the  
16 bag to clean up, while our communities, human and  
17 nonhuman, pay with their health, with respiratory,  
18 skin, and immune system diseases and cancers for our  
19 children.

20           So we must balance our quality of life  
21 with the economics of any industry. Without  
22 reasonable regulation of oil and gas industries, who  
23 have been documented not to care about regulation;  
24 but, rather, about their own money, their greed and  
25 profit, we call for you --

1 HEARING OFFICER ORTH: Wrap up, please.

2 MS. AMSTUTZ: Yes.

3 So I just want to, with everyone else,  
4 call for you, the New Mexico Oil Conservation  
5 Commission, to put our human land, air, water, and  
6 health first, so we can have thriving communities  
7 and strengthen this proposed methane waste rule to  
8 eliminate unnecessary methane waste.

9 And also, I want to just highlight that we  
10 deny or revoke permits to those who are unwilling or  
11 unable to comply.

12 So thank you so much for this opportunity  
13 to speak.

14 HEARING OFFICER ORTH: Thank you,  
15 Ms. Amstutz.

16 Let me look back to the three commenters  
17 who did not speak up when I called their names  
18 earlier in this time slot.

19 Patrico Larragoite. Is Mr. Larragoite  
20 with us?

21 Okay.

22 Steve Gross. Is Mr. Gross with us?

23 And Richard Mark Glover. Is Mr. Glover  
24 with us?

25 No? All right.

1           We are going to move, then, to the public  
2 commenters with the next time slot. I will call on  
3 you in this order: Reverend David Wilson Rogers,  
4 Joanne Ferrary, Yvonne Pesquera, Wendy Atcitty,  
5 Regina Nordquist, Gloria Lehmer, Tara Lujan, and  
6 Leland Bowen.

7           Just two reminders. Please try to keep  
8 your comments to two minutes. I will ask you to  
9 wrap up as you get to two minutes.

10           And in the event you would like to add  
11 more for the commission's consideration as part of  
12 this rule making, please submit comments in writing  
13 to Florene Davidson. You'll find her contact  
14 information on the OCD web page.

15           And commissioners, we will, after this  
16 next set of comments, take a short break, unless  
17 someone needs a break now.

18           Any of you please speak up, or the court  
19 reporter needs to speak up, obviously.

20           Okay. Let's start, then, with Reverend  
21 David Wilson Rogers.

22           Mr. Rogers? Reverend Rogers?

23           MR. ROGERS: Good morning. Are you able  
24 to hear me okay?

25           HEARING OFFICER ORTH: Yes, thank you.

1           MR. ROGERS: Well, I wish to thank all of  
2 you on the panel for taking the time to hear my  
3 concerns. I am the Reverend David Wilson Rogers of  
4 Carlsbad, New Mexico. And I've been living in this  
5 county for 21 years.

6           In this time I've seen and appreciate the  
7 economic value from the industry. But I have also  
8 seen its catastrophic destruction.

9           In 2019 I traveled to Madrid, Spain, to  
10 speak to the United Nations conference on global  
11 climate change, and to speak about our community  
12 here in Carlsbad, which is being overrun by largely  
13 unregulated, unmonitored, and uncontained methane  
14 release. It's no secret that this volatile gas is a  
15 climate problem that is destroying our climate.

16           Yet in Madrid, I also saw firsthand that  
17 deep pockets of the oil and gas industry have been  
18 troubled, both the public at large and global  
19 government, with the lies that they have atmospheric  
20 pollution under control.

21           And I said on that global stage that the  
22 day will come when the bottom would fall out of the  
23 oil and gas market and the inadequate governmental  
24 and industry infrastructure necessary to clean up  
25 the mess would be overwhelmed.

1           Sadly, my prediction came true this past  
2   spring.

3           I also want to reference the September 20,  
4   2020, New York Times article by Pulitzer prize  
5   winning journalists who reported on the deceptive  
6   disconnect between what the industry knows it is  
7   doing, and marking the motivation of the pure profit  
8   the industry intends to communicate.

9           This well-funded marketing effort is  
10   covering up the voluminous expulsion of toxic gas in  
11   our atmosphere, because it makes a better short-term  
12   business profit, to destroy the environment than to  
13   invest the money necessary to save the planet and  
14   environment collapse.

15           My point is simple. The proposed rule is  
16   a good step in the right direction but it does not  
17   go far enough.

18           If we allow violators to continue  
19   violating without sufficient descriptions, and the  
20   exceptions to the rule allow too many loopholes  
21   through which toxic emissions continue to be  
22   allowed, there is no stopping this climate problem.

23           Thank you for your time. I appreciate the  
24   opportunities that you give us to speak our hearts.

25           Thank you.

1 HEARING OFFICER ORTH: Thank you, Reverend  
2 Rogers.

3 Joanne Ferrary.

4 Ms. Ferrary?

5 (Discussion off the record.)

6 HEARING OFFICER ORTH: I will call on her  
7 again after we take the next several commenters.

8 Yvonne Pesquera?

9 MS. PESQUERA: Good morning. This is  
10 Yvonne. Can you hear me?

11 HEARING OFFICER ORTH: Yes, I can hear  
12 you.

13 MS. PESQUERA: Good morning.

14 I'm Yvonne Pesquera. I'm a resident of  
15 Taos and a volunteer with the Sierra Club.

16 Thank you to the oil conservation  
17 committee for this opportunity to provide comment on  
18 methane venting and flaring.

19 As we've heard others say, methane is a  
20 powerful greenhouse gas that is responsible for  
21 25 percent of the climate change we're experiencing  
22 today.

23 Personally, I am experiencing climate  
24 change here in Taos in my past decade living here.  
25 So in just ten years I'm talking about, our winters

1 are shorter, our snowfall amounts are very small.

2 We're skiing on artificial snow.

3 This means the spring runoff is  
4 considerably lower. How low? This past summer Rio  
5 Bravo dropped below 200 cubic feet per second. That  
6 means the water level in the Rio was so low you  
7 could walk across it in some spots like a creek.

8 Now for those of you who don't know, the  
9 Rio here in Taos in the gorge is usually so deep it  
10 drowns a couple of rafters almost every year.

11 So to the fact that we could walk across  
12 it in some spots shows you how low the water level  
13 dropped because there was no snow, no spring runoff.

14 Now, that's just the present that I am  
15 talking about.

16 I'm also personally afraid about the  
17 future of wildfires. As you know, the whole state  
18 is in drought, no matter where you live in  
19 New Mexico. And the Taos population, we sit in the  
20 valley between a dry high mesa and a dry Sangre de  
21 Cristo mountain range. It's like living in a  
22 matchbox. I respectfully request that the Oil  
23 Conservation Commission strengthen the methane waste  
24 rules with three concrete actions.

25 One, please toughen the provisions to



1 ensure that flares stay lit and work properly at all  
2 times.

3 Two, please prohibit routine venting and  
4 flaring during pipeline maintenance and repairs.

5 And three, please deny permits to drill  
6 new wells if operators are out of compliance with  
7 gas capture requirements.

8 Thank you for the opportunity.

9 I am done with my comments.

10 HEARING OFFICER ORTH: Thank you,  
11 Ms. Pesquera.

12 Wendy Atcitty.

13 Ms. Atcitty?

14 I will come back.

15 Regina Nordquist?

16 Ms. Nordquist?

17 Gloria Lehmer?

18 MS. LEHMER: Yes. My name is Gloria  
19 Lehmer, and I am a lifelong resident of San Juan  
20 County, New Mexico, and I live in Farmington.

21 Can you hear me okay?

22 HEARING OFFICER ORTH: Yes, I can.

23 MS. LEHMER: Okay.

24 I serve on the boards of the River Reach  
25 Foundation, on the steering committee on a water

1 group that I am president of our association, and a  
2 private citizen.

3 My thanks to the Oil Conservation Division  
4 to give me the opportunity to provide comment.

5 I support the strengthening of the Oil  
6 Conservation Division's proposed methane waste rules  
7 to eliminate unnecessary methane waste.

8 Living in the San Juan Basin all of my  
9 life, I've gone through the many booms and busts of  
10 the industry.

11 Although I don't deny the so-called legacy  
12 of oil and gas in our area and in our state, I have  
13 been speaking up about the issue of methane waste  
14 and pollution and its impact on public health,  
15 safety, and our environment for many years now.

16 It is not lost on me that the Four Corners  
17 area, in which I have lived since 1959, was  
18 designated as an energy sacrifice done in the 1970s  
19 by then President Nixon.

20 I have seen the negative impacts of  
21 flaring, venting, leaks, explosions, job accidents,  
22 the excess use and destruction of land and water,  
23 and more recently drought and wildfires north of us,  
24 near Durango, Colorado, in the Four Corners.

25 I have witnessed this firsthand. I have

1    been, along with the flare camera operators to see  
2    the chemicals being vented and flared into our air  
3    and gasses. Ten of thousands of well sites dot our  
4    landscape inside and outside of the city limits here  
5    in Farmington and all throughout San Juan County,  
6    near schools and homes, including mine.

7                   Now, during attempts to transform our area  
8    into a tourism and outdoor recreation drop, the  
9    impacts have become even more pronounced.

10                   Personally, my husband and I own land on a  
11   well site currently being abandoned, as it is no  
12   longer producing. There will be no chance of fully  
13   reclaiming it because of what we are told must be  
14   left in place both above and below the surface.

15                   The final methane rule, in my opinion,  
16   must ban routine venting and flaring, except when  
17   necessary for health and safety, and require flaring  
18   over venting, except when necessary for health and  
19   safety.

20                   Please require oil and gas companies to  
21   capture 98 percent of methane emissions by 2026,  
22   which will save millions in royalty and tax revenue  
23   for our state.

24                   Strengthen state reporting and public  
25   notice requirements to improve transparency and

1 ensure accountability of oil and gas operations.

2           Voluntarily -- voluntary reporting by the  
3 industry has not proven to be a reliable method for  
4 transparency and accountability. I believe it's  
5 enough -- it's been enough already. The time is now  
6 for a strong methane rule for New Mexico.

7           We can lead in the nation.

8           Thank you again to the OCC for the  
9 opportunity to speak.

10           HEARING OFFICER ORTH: Thank you,  
11 Ms. Lehmer.

12           Tara Lujan?

13           MS. LUJAN: I'm here.

14           Can you hear me?

15           HEARING OFFICER ORTH: Yes, I can hear  
16 you.

17           MS. LUJAN: Thank you, Madam Chair, and  
18 thank you to the Oil Conservation Commission for  
19 allowing me to have the opportunity today to state a  
20 few words.

21           I'm Representative Tara Lujan. I  
22 represent House District 48 in Santa Fe County.

23           I just want to -- just a minute, here.

24           The EPA administrator, Andrew Wheeler, I  
25 have a quote from the rollbacks and regulations from

1 the Trump administration stated after President  
2 Trump revoked Obama air regulations towards methane  
3 emissions from gas and oil industry in August of  
4 this past year.

5 He stated:

6 "Today's regulatory changes remove  
7 redundant paperwork, and allow companies the  
8 flexibility to satisfy leak-control requirements  
9 while complying with equivalent state rules."

10 And this is why we, here in New Mexico,  
11 have the opportunity to lead. But we can move to  
12 more stronger, more responsible regulations.

13 And as you've heard from many today,  
14 that's what we're asking for.

15 We are in a climate crisis, and the rules  
16 that we are looking at are a very good start. We  
17 need to meet critical strategy rules to make --  
18 we're trying to make significant rules with the  
19 greenhouse gas emissions and meet those goals by  
20 2030, and also support our governor's call for our  
21 nation-leading methane rules as well.

22 We know that this pollutant is responsible  
23 for 20 percent -- 25 percent of our climate change,  
24 and is also released with ozone-forming pollutants  
25 that we know are worsening our public health

1 outcomes.

2 So we are asking for strength and  
3 regulatory health initiative that's already  
4 mentioned with more transparency, more  
5 accountability, more enforcement, rule enforcements  
6 for noncompliance sake.

7 Without these things, we're looking  
8 toward, and asking for -- we are going to worsen the  
9 outcome that we already are facing right now, with  
10 the climate disruption. And what we do now, what we  
11 can do now to stop the earth's temperature by  
12 putting forward regulations, will ensure an outlook  
13 to create a more sustainable future.

14 So I thank you for the time, and I  
15 respectfully ask you to look at this regulation and  
16 these rules and meet with us in a more responsible  
17 and ethical government.

18 Thank you.

19 HEARING OFFICER ORTH: Thank you,  
20 Ms. Lujan.

21 Leland Bowen?

22 Leland Bowen? Mr. Bowen?

23 All right.

24 I'll go back to the others for this time  
25 slot.

1                   Joanne Ferrary?

2                   MS. FERRARY: Thank you. Thank you so  
3 much.

4                   I'm Representative Joanne Ferrary from  
5 House District 37, which is the east side of  
6 Las Cruces.

7                   And I've been concerned about the methane  
8 waste and the toll it has taken on New Mexico.

9                   I'm a house member of the energy  
10 environment and natural resources committee, and  
11 I've been concerned about methane waste and  
12 pollution in our state for a long time.

13                   It's costing our schools millions in  
14 revenue and ruining our air and harming our climate  
15 now and for the future generations.

16                   And unlike other top-producing oil and gas  
17 states, New Mexico has requirement -- has no  
18 requirements prohibiting methane waste and  
19 associated pollution from escaping.

20                   And that constitutes an immediate health  
21 threat to all New Mexicans, and it needs to change.

22                   As a member of the legislative education  
23 study interim committee, we need every dollar  
24 available for education -- for our educational  
25 system, and we can't afford to waste methane

1 dollars.

2 Each year oil and gas companies waste  
3 \$271 million worth of natural gas through venting,  
4 flaring, and leaks, which cost the state over  
5 43 million in royalty and tax revenue that could  
6 fund public education and other critical services.

7 And I'm also house health and human  
8 services committee vice chair. And it's critical  
9 that we understand that methane also is a powerful  
10 climate change pollutant and responsible for  
11 25 percent of the warming we experience today.

12 Southern New Mexico has set record  
13 temperatures -- record-breaking temperatures in  
14 recent years. And the drought, combined, threatens  
15 our future crop production in our state.

16 And in addition, oil and gas operations  
17 release ozone-forming pollutants that worsen  
18 respiratory diseases, such as emphysema and asthma.  
19 And if action isn't taken, increasing oil and gas  
20 production will lead to even higher pollution  
21 levels.

22 We have seen this in Dona Ana County and  
23 the Chaparral area, the southeastern part of our  
24 county. And that area, where there is gas utility  
25 production, it's causing health problems for



1 children and their families.

2 Please consider strengthening the proposed  
3 methane waste rules to eliminate unnecessary methane  
4 waste. We owe it to New Mexico, as well as the  
5 world, to mitigate quickly the effects of methane  
6 waste in order to climate -- to stall climate change  
7 and lasting -- and its lasting effects.

8 Thank you.

9 HEARING OFFICER ORTH: Thank you,  
10 Representative, Ferrara.

11 Let me loop back to Wendy Atcitty.

12 MS ATCITTY: Hello. Can you hear me?

13 HEARING OFFICER ORTH: Yes, I can. Thank  
14 you.

15 MS ATCITTY: Okay. I would like to thank  
16 the Oil Conservation Commission, OCC, for this  
17 public hearing.

18 My name is Wendy Atcitty, and my family is  
19 from the eastern agency of the Navajo Nation that  
20 represents the family basin.

21 I'm adding my comments to the OCC  
22 regarding their regulation.

23 I wasn't aware as a child, in walking  
24 outside my family's land, how I was breathing  
25 decades of harmful, dangerous methane and organic

1 compounds, and ozone gas into my lungs.

2 As a young adult, being mesmerized that a  
3 24-hour flaring of two oil pads being less than a  
4 mile from my relatives' homesite.

5 My family, my relatives, my great  
6 grandchildren's home is in this cloud of methane and  
7 still breathing ozone gases. This was a home meant  
8 to be forever.

9 New Mexico OCC's proposed rules preventing  
10 flares is critical for our health, and that of our  
11 relatives, plants, animals, insects, and water. We  
12 need to speak for them, as they suffer the ills of  
13 the extreme unhealthy mix of putting methane into  
14 our ozone, into our sacred air space.

15 I find it striking, while an adult, having  
16 many oil and gas well pads within feet of sacred  
17 cultural places that our people established hundreds  
18 of years ago.

19 I note the dangerous clouds of gases and  
20 am saddened to see it.

21 In the summer of 2019, I counted oil and  
22 gas well sites within two miles of my family's land.  
23 This proposed rule is critical and must require the  
24 impact of community and public input in developing  
25 safety standards and allow community access to

1 report more transparency.

2 We can make right or wrong for the venting  
3 and flaring regulation for oil and natural gas  
4 production and gathering facilities, as we need  
5 those dollars, more now than ever, that our health  
6 is most sacred.

7 Thank you.

8 HEARING OFFICER ORTH: Thank you,  
9 Ms. Atcitty.

10 Moving back again, Regina Nordquist?

11 MS. NORDQUIST: I'm here. Can you hear  
12 me?

13 HEARING OFFICER ORTH: Yes, clearly.  
14 Thank you.

15 MS. NORDQUIST: Oh, thank you. I had some  
16 trouble.

17 So first of all, thank you, committee  
18 members, for this opportunity to comment on the  
19 proposed oil and gas regulations.

20 My name is Regina Nordquist, and I live in  
21 Placitas, New Mexico.

22 I'm speaking here today because we are all  
23 impacted by the climate changes visible all around  
24 us. And this is an opportunity to make my voice  
25 heard in support of New Mexico oil and gas industry

1 regulations with teeth, enforceable regulations that  
2 make sense for the environment and that would make a  
3 big difference for New Mexico air quality and public  
4 health.

5 For me personally, bad air quality impacts  
6 me, in that I have had pneumonia three times since  
7 moving here in 2007. Prior to moving here I never  
8 had pneumonia. And I'm now regarded as having  
9 compromised lungs.

10 We have a golden opportunity here to  
11 create oil and gas industry regulations that are  
12 environmentally sound and enforceable, that  
13 contribute to the personal health and well-being of  
14 all New Mexicans, and that provide tax and royalty  
15 money to public education.

16 Oil -- all by cutting oil and gas industry  
17 waste.

18 Our Governor, Michelle Lujan Grisham, has  
19 called on New Mexico for nation-leading methane  
20 rules. To do that, the rules, as proposed, must be  
21 strengthened.

22 As presented, New Mexico environmental  
23 department's draft rule exempts 95 percent of wells  
24 across the state from oversight and basic leak  
25 detection and repair.

1           This borders on incomprehensible for me,  
2     since nearly 70 percent of oil and gas methane  
3     pollution in New Mexico occurs through leaks.

4           The new regulations need to include tough  
5     provisions, to make sure flares stay lit and  
6     function properly at all times, to prevent methane  
7     from being vented in the atmosphere.

8           When a leak occurs or a malfunction, there  
9     must be provision in the regulations for reporting  
10    and correcting that.

11          The new regulations also need to deny  
12    permits to drill new wells when operators are out of  
13    compliance with gas capture requirements on their  
14    existing wells.

15          The New Mexico --

16                HEARING OFFICER ORTH:    Would you wrap up,  
17    please?

18                MS. NORDQUIST:    Sure.

19          So unlike other top oil and gas producing  
20    states, New Mexico has no requirements prohibiting  
21    methane waste and associated pollution from  
22    escaping.

23          We have a golden opportunity here, and we  
24    can increase revenues and royalties that will go  
25    directly to public education.

1 Thank you for this opportunity.

2 HEARING OFFICER ORTH: Thank you very  
3 much, Ms. Nordquist.

4 And our final loop back in this session is  
5 Leland Bowen.

6 Mr. Bowen? Mr. Bowen?

7 All right. Our next session begins at  
8 10:30, which is roughly 30 minutes from now. We  
9 will be on a 30-minute break.

10 Let me mention the names of those signed  
11 up in the next time slot, in the order in which I  
12 will call you.

13 Stacie Slay, Denton McCullough, Jon  
14 Klingel, Lari Tiller Howell and Rose Marie Cecchini.

15 Thank you. We'll see you all at 10:30.

16 (A recess was taken from 9:59 a.m. to  
17 10:31 a.m.)

18 HEARING OFFICER ORTH: My name is Felicia  
19 Orth. I'm a hearing officer appointed by the Oil  
20 Conservation Commission to conduct a hearing in this  
21 matter, the rule making hearing for the commission  
22 on preventing methane. Case Number 21528.

23 We're taking public comment today and the  
24 first part of tomorrow.

25 Just a few reminders. Please try to keep

1 your comments to two minutes. In the event you have  
2 more you wish the commission to consider, please  
3 submit that comment in writing to Florene Davidson,  
4 whose contact information is on the Oil Conservation  
5 Division outreach and public engagement page.

6 Those signed up in this time slot -- and  
7 I'll call you in this order -- are Stacie Slay,  
8 Denton McCullough, Jon Klingel, Lari Tiller Howell,  
9 and Rose Marie Cecchini.

10 I apologize if I mispronounce your name.

11 Please identify yourself when you are  
12 unmuted, and identify any affiliation you might  
13 have.

14 I will begin with Ms. Slay, Stacie Slay.

15 MR. LAMKIN: She was just here. It looks  
16 like she dropped off.

17 HEARING OFFICER ORTH: I will invite her  
18 again after we have taken the next commenter.

19 Denton McCullough?

20 Denton McCullough?

21 Jon Klingel?

22 Lari Tiller Howell?

23 Ms. Howell?

24 MR. LAMKIN: Yeah, she's here.

25 HEARING OFFICER ORTH: Ms. Howell?

1 MS. HOWELL: I was hoping that I wouldn't  
2 be the first, so I could figure out how this all  
3 works.

4 But as it is, you get this newbie talking.

5 My name is Lari Tiller Howell. I live in  
6 Albuquerque, and I am a very interested citizen.

7 I've been an interested citizen for decades.

8 And I am very interested in this issue,  
9 and especially making the issue stronger and more --  
10 committing the oil and gas companies to follow basic  
11 rules that are needed for this time period.

12 We, obviously, are coming into a very  
13 serious warming trend, that the methane capture is  
14 necessary. Instead of just slapping hands, we need  
15 to have a purposeful -- you know, a fine, real  
16 consequences, for the misbehavers. We need to ban  
17 the routine venting and flaring.

18 When I was 50 years old seeing venting of  
19 methane gas I thought, My God, this has got to stop.  
20 And that was a while ago, and it's still going on.

21 It's -- the methane may be a pittance to  
22 the oil and gas companies, but it is huge to the  
23 economy of New Mexico and huge to the health and  
24 safety of the citizens of New Mexico and, of course,  
25 the methane that pollutes the atmosphere, and that



1 generates 53 percent of all the greenhouse gases in  
2 the state.

3           Apparently we are the worst state, as far  
4 as not really constraining the oil and gas  
5 industries from doing what they -- the polluting  
6 that they are doing.

7           The amount of money that is spent going up  
8 in flames is tremendous from the state's point of  
9 view, but probably moot from the oil and gas  
10 company's point of view.

11           We need to improve the state reporting of  
12 leaks and be accountable for those leaks and improve  
13 the transparency, and actually have a commission to  
14 oversee whether the oil and gas companies are acting  
15 in a community and earthly best interest, not just  
16 in the bottom line.

17           HEARING OFFICER ORTH: Would you wrap up,  
18 please?

19           MS. HOWELL: That went fast.

20           Anyway, I would like to see more  
21 meaningful fines, transparency, and some third-party  
22 oversight to ensure integrity.

23           That's all.

24           HEARING OFFICER ORTH: All right. Thank  
25 you very much, Ms. Howell.

1           Rose Marie Cecchini.

2           MS. CECCHINI: Yes, good morning.

3           Can you hear me?

4           HEARING OFFICER ORTH: Yes, thank you.

5           MS. CECCHINI: I am Rose Marie Cecchini,  
6 and I am a sister. I work as director of peace,  
7 justice, and creation, a Catholic for the Gallup  
8 diocese, and live in Gallup, New Mexico.

9           And I would like to thank members of the  
10 Oil Conservation Commission for this opportunity to  
11 provide comment at this hearing.

12           In my visits to faith communities in the  
13 counties of northeastern New Mexico, people have  
14 shared with me the adverse health and environmental  
15 impacts they continue to suffer from due to  
16 heightened ozone pollution in the Four Corners area,  
17 as well as the unregulated oil and gas operations  
18 that continue to emit methane gas through venting,  
19 flaring, leaks, and associated toxic pollution.

20           These local residents describe to me how  
21 these sources of ozone pollution are causing  
22 increases in asthma attacks, especially in children  
23 and elders, lung inflammation and injury, heart  
24 attacks, the emergency room visits and  
25 respiratory-related hospitalizations.

1           And all of these adverse impacts are  
2 causing just increased vulnerability in people to  
3 the current coronavirus pandemic.

4           Our faith traditions teach that creation  
5 is God-given and sacred, intended for the well-being  
6 and flowering of all human and planetary life.

7           And Pope Francis states, in care of our  
8 common home, that the air of the atmosphere is  
9 sacred, essential for all planetary life; and,  
10 therefore, it's a sacred trust that requires us to  
11 consider all the moral, ethical, and environmental  
12 justice dimensions that need to be incorporated in  
13 our state and federal laws and regulations, to  
14 ensure the common good.

15           So these unregulated methane releases are  
16 powerful climate change pollutants, 80 times more  
17 pollutants than carbon dioxide. And they're  
18 responsible for 25 percent of the warming we  
19 experience today.

20           So 70 percent of the oil and gas methane  
21 pollution in New Mexico occurs through this leak.

22           We urge the Oil Conservation Commission to  
23 further strengthen the Oil Conservation Division's  
24 proposed methane waste rules to eliminate  
25 unnecessary methane waste, to protect all species of

1 life in New Mexico for present and future  
2 generations.

3 The final rule must achieve three very  
4 important objectives.

5 The first, prohibit routine venting and  
6 flaring during pipeline maintenance and repairs, and  
7 only allow for flaring if necessary for safety.

8 And second, require oil and gas companies  
9 to capture 98 percent of methane emissions by 2026.

10 And third, strengthen state reporting and  
11 public notice requirements to improve the  
12 transparency and ensure accountability of the oil  
13 and gas operations.

14 And thank you so much for taking these  
15 comments.

16 HEARING OFFICER ORTH: Thank you,  
17 Ms. Cecchini.

18 Let me look back to Stacie Slay.

19 Mr. Slay?

20 Mr. Slay?

21 MR. SLAY: Yes.

22 HEARING OFFICER ORTH: I can hear you.

23 MR. SLAY: I'm sorry. I had to get up for  
24 just a second. I'm putting my oxygen on.

25 And so I've got two minutes to go?

1 HEARING OFFICER ORTH: Yes.

2 MR. SLAY: My name is Stacie Slay, and I  
3 live in La Plata, New Mexico, up in the Four  
4 Corners.

5 And the methane problem is really bad out  
6 here. I was trying to get my camera going so you  
7 can see. And I have MS, and I'm on 4 liters of  
8 oxygen a minute.

9 So this has extra special meaning for me.  
10 And I'm supporting Governor Michelle Lujan Grisham's  
11 call for nation-leading methane rules.

12 We are missing out on money that could be  
13 used for our schools and roads. We're missing out  
14 on clean air, which could be used to promote the  
15 state's tourism.

16 The fact that the methane is being allowed  
17 to escape and flaring units are being allowed to  
18 operate without the flaring unit even working, being  
19 that everybody in -- is downwind of all of these  
20 wells are breathing benzene and other horribly,  
21 horribly cancerous agents.

22 I know I have days that are -- I can't  
23 explain why I have problems. But all you have to do  
24 is look at the satellite, and you can see the image  
25 of all the revenue we're wasting. Millions of

1 dollars that could be going towards the state,  
2 towards taxation.

3 So I'm here to basically support Michelle  
4 Lujan Grisham's desire to make nation-leading rules.  
5 We can do this. We have the technology. It is time  
6 to do it. We need to ban routine venting and  
7 flaring and only do such activities when it's  
8 necessary, for health and safety concerns.

9 We need to require flaring and venting  
10 exceptions only for health and safety. It cannot be  
11 just up to anybody.

12 Right now we're trying to get loopholes in  
13 the methane rules we have. We've got to stop that.

14 We need to require oil and gas companies  
15 to capture 98 percent of this methane. This is  
16 absolutely useable and doable. It would mean lots  
17 of money for us.

18 We need to strengthen state reporting and  
19 public notice requirements and improve transparency  
20 and ensure accountability of oil and gas operations.

21 This is described as the wild west out  
22 here, when it comes to oil and gas operations.  
23 Methane is a powerful greenhouse gas, and it's  
24 responsible for about 25 percent of the climate  
25 change we're already experiencing.

1 HEARING OFFICER ORTH: Would you please  
2 wrap up?

3 MR. SLAY: Yes, I am wrapping up.

4 In fact, I basically am just saying that  
5 for health, country, state, and the world, we need  
6 better methane rules. We can absolutely do this.  
7 We don't have this because the powerful people with  
8 money are -- are talking and being heard.

9 So please, please, please, let's get some  
10 better rules and get rid of all the loopholes.

11 Thank you very much for your time.

12 HEARING OFFICER ORTH: Thank you very  
13 much.

14 Moving back, has Denton McCullough joined  
15 us?

16 Denton McCullough?

17 MR. McCULLOUGH: Hello.

18 HEARING OFFICER ORTH: Hello. Is this  
19 Mr. McCullough?

20 MR. McCULLOUGH: Hello. Can you hear me?

21 HEARING OFFICER ORTH: I can hear you.

22 Is this Mr. McCullough?

23 MR. McCULLOUGH: Hello.

24 HEARING OFFICER ORTH: This is Felicia  
25 Orth.

1           Is this Mr. McCullough?

2           MR. McCULLOUGH: Yes, it is.

3           HEARING OFFICER ORTH: Okay. If you  
4 would, please, you have two minutes to offer your  
5 public comment.

6           MR. McCULLOUGH: Okay. As a resident of  
7 the Permian Basin, I'm very concerned about the  
8 release of a million tons of methane into the air  
9 that we breathe. It degrades our natural resources  
10 and can have a detrimental effect on our farming and  
11 ranching economies, our thriving tourism industry.

12           Also, we have two national parks and  
13 several state parks in the area. So I think it  
14 discourages people from traveling to the area  
15 because of the pollution of our air.

16           In addition, it's a tremendous loss of tax  
17 revenue and royalties to the state of New Mexico,  
18 especially for education.

19           I'm especially concerned about the impact  
20 of the release of methane on climate change, and I  
21 urge the State of New Mexico to enact common sense  
22 regulations to curtail the release of methane gas  
23 into the environment.

24           I have been a longtime resident of  
25 Carlsbad. It used to be a really wonderful place to



1 live, but I feel like the oil and gas industry, and  
2 methane in particular, is ruining our environment  
3 and our quality of life.

4 Thank you very much.

5 HEARING OFFICER ORTH: Thank you,  
6 Mr. McCullough.

7 Finally looking back, Jon Klingel?

8 Is Jon Klingel with us?

9 Mr. Klingel?

10 No?

11 All right. Let me see. We will be on  
12 break until 12:30 today.

13 And the first five commenters in the 12:30  
14 slot are Gary Oakley, Hazel James Tohe, Linda  
15 Burchfiel, Susan Selbin, and Jonathan Longoria.

16 Thank you all very much. We'll reconvene  
17 at 12:30.

18 (A recess was taken from 10:47 a.m. to  
19 12:32 p.m.)

20 HEARING OFFICER ORTH: My name is Felicia  
21 Orth. I'm the hearing officer appointed by the Oil  
22 Conservation Commission to conduct a hearing in this  
23 matter.

24 It is the proposed rule making regarding  
25 the venting or flaring of methane.

1           The case number is 21528.

2           This is the afternoon session, in which we  
3 will accept public comments.

4           All three commissioners are with us for  
5 the comment session.

6           We see the chair of the commission,  
7 Adrienne Sandoval.

8           We also have Commissioners Engler and  
9 Kessler.

10          We have commission staff.

11          Commission counsel is on the line.

12          We will also see representatives of some  
13 of the technical parties in this matter.

14          The technical presentations begin tomorrow  
15 afternoon at 1:00 p.m. All of the time between now  
16 and then is devoted to public comment.

17          There are a number of public comment  
18 windows also on every subsequent day of the hearing,  
19 which will end now on January 15.

20          Please go to the OCD -- excuse me -- Oil  
21 Conservation Division web page for outreach and  
22 public engagement, where you will find all relevant  
23 documents in this record.

24          The -- when you make a comment, you may  
25 find yourself with a question from our

1 commissioners.

2 Please note we are asking you to keep your  
3 comments to two minutes. When you hit two minutes,  
4 I will break in to ask you to wrap up your comments.

5 And in the event you have more to say,  
6 please do put it in writing and submit that public  
7 written comment to Florene Davidson. You will find  
8 her contact information on the Oil Conservation  
9 Division web page.

10 Know that in the event there is disruption  
11 or an attempt to use vile language, for example, you  
12 may be expelled without warning. In which case, I  
13 would encourage you to reflect and submit your  
14 public comment.

15 Please collect your thoughts, as we have  
16 just one opportunity for each person to offer  
17 comment.

18 So turning to the commenters, I will call  
19 on you in this order.

20 Gary Oakley, Hazel James Tohe, Linda  
21 Burchfiel, Susan Selbin, and Jonathan Longoria, are  
22 our first five commenters.

23 Gary Oakley, are you with us?

24 Mr. Oakley?

25 No.

1           In the event folks have stepped away from  
2 their computer or have not been able to appear for  
3 their time slot, know that I do move back before I  
4 end each session, and I'm happy to invite your  
5 comments at a subsequent time.

6           Hazel James Tohe.

7           MS. TOHE: Good afternoon. This is Hazel  
8 James. I'm with the San Juan Collaborative for  
9 Health Equity and the center for research and  
10 evaluation.

11           My testimony will include the communities  
12 in northwest New Mexico, historically impacted by  
13 methane's emissions, with a particular concern about  
14 emissions on the checkerboard landscape of the  
15 Navajo Nation.

16           This area has seen increased development  
17 with flaring and unmitigated emissions associated  
18 with oil and gas drilling and production on top of  
19 historic impacts associated with 40,000 existing oil  
20 and gas processing facilities throughout the region.

21           I support 98 percent capture of methane by  
22 2026, establishing a preference for flaring over --  
23 and -- over venting, and for prohibiting routine  
24 flaring.

25           I am most concerned about public and

1 safety of the people who live in the community where  
2 oil and gas facilities impact their lives on a daily  
3 basis. Protective measures for human health AND  
4 safety must be prioritized in this methane rule.

5 Thank you.

6 HEARING OFFICER ORTH: Thank you,

7 Ms. James.

8 Linda Burchfiel.

9 MS. BURCHFIEL: Can you hear me?

10 HEARING OFFICER ORTH: Yes, I can. Please  
11 go ahead.

12 MS. BURCHFIEL: Yeah, I'll go ahead.

13 My name is Linda Burchfiel. I live in  
14 Santa Fe, and I'm speaking for myself.

15 I thank you for this opportunity to  
16 provide comments on the methane rule. I applaud the  
17 governor's decision to reduce methane waste, because  
18 that waste damages New Mexico in at least three main  
19 ways.

20 First, methane is a powerful greenhouse  
21 gas, and New Mexico oil and gas companies are  
22 currently emitting about 1.1 million tons annually,  
23 making up about 25 percent of greenhouse gas.

24 Greenhouse gases are already disrupting  
25 our climate here in New Mexico. And as they rise,

1 climate disruption worsens.

2 Second, with oil and gas companies wasting  
3 \$271 million worth of natural gas each year,  
4 New Mexico loses \$43 million in royalty and tax  
5 revenue; funds we need for public education and  
6 other critical services.

7 A third destructive feature of methane  
8 waste is the ozone form of pollutants that are  
9 released from all of the methane, which exacerbate  
10 respiratory diseases such as asthma, emphysema, and  
11 probably COVID-19 as well.

12 The methane rule needs to be strong and  
13 protected by effective oversight.

14 The rule should, number one, require oil  
15 and gas companies to capture 98 percent of methane  
16 emissions by 2026.

17 Number two, ban routine venting and  
18 flaring and allow flaring only when necessary for  
19 health or safety.

20 Number three, strengthen state reporting  
21 and public notice to improve transparency and  
22 accountability.

23 The proposal before you needs to be  
24 strengthened in many ways, and here are just two of  
25 those ways.

1           Number one, require green completions to  
2 reduce methane waste.

3           Number two, apply the rule to all wells  
4 across the oil and gas supply chain, making each  
5 well subject to oversight of basic leak detection  
6 and repairing requirements.

7           The draft rule exempts 95 percent of wells  
8 from regulation of leaks, even though leaks account  
9 for 70 percent of New Mexico's oil and gas  
10 pollution.

11           I urge you to develop a strong and  
12 protected methane rule for the sake of New Mexico.

13           Thank you.

14           HEARING OFFICER ORTH: Thank you,  
15 Ms. Burchfiel.

16           Susan Selbin?

17           MS. SELBIN: Hi. Thank you for the  
18 opportunity to comment.

19           I am Susan Selbin. I retired to  
20 Albuquerque in 2003 after working abroad. I chose  
21 New Mexico because of the cultural diversity of our  
22 state.

23           But at the time, I wasn't aware of the  
24 extensive oil and gas activity in the state. Those  
25 activities are often out of view of the general

1 public. And I think if the public saw it all, they  
2 would be horrified. In a low-level flight over the  
3 oilfield near Carlsbad, I was shocked to see the  
4 network of drill sites.

5 I do want to mention my most important  
6 point, which the last speaker also mentioned.

7 The draft rule exempts 95 percent of wells  
8 from regulation oversight and leak detection and  
9 repair requirements. So if that is factual, the  
10 commission must address this issue.

11 Now, back to the rest of my comments.

12 In 2019, together with volunteers, we  
13 presented two film festivals with speakers to  
14 promote awareness of climate change. However in the  
15 morning, for example, CBS presented results of this  
16 survey of public concerns. First was political  
17 polarization, second was COVID. The third was  
18 climate change. So climate change is no longer an  
19 issue recognized by a minority of Americans. It's  
20 front and center, and must be addressed urgently.

21 So the New Mexico 2020 climate strategy  
22 report found that greenhouse gas emissions from  
23 New Mexico of oil and gas are more than twice the  
24 amount previously reported. That makes New Mexico a  
25 major source of methane leaks in the country.



1           In the past, sources of methane are  
2 responsible for 25 percent of the global warming  
3 that we feel today.

4           Oil and gas companies release more than  
5 1.1 million tons of methane, which has the same  
6 climate impacts as about 25 coal-powered power  
7 plants.

8           Methane is also a primary component of  
9 natural gas, which means methane waste costs us  
10 upwards of 43 million in royalties and tax revenue.

11          I support our governor's commitment to  
12 adopting national rules to address the New Mexico  
13 methane problem.

14          The methane rule should be strengthened,  
15 and many other speakers have mentioned how that  
16 should happen.

17          Nearly 70 percent of oil and gas methane  
18 pollution in New Mexico occurs through leaks, so  
19 it's critical that the New Mexico environment  
20 department adopt a rule that holds producers  
21 accountable and cuts emissions across the oil and  
22 gas supply chain.

23           HEARING OFFICER ORTH: Please wrap up, Ms  
24 Selbin.

25           MS. SELBIN: Yes. It's just I want to be

1 sure it's true that the rule exempts 95 percent of  
2 wells.

3 Is that a fact? Thank you.

4 HEARING OFFICER ORTH: Thank you very  
5 much.

6 Jonathan Longoria.

7 Mr. Longoria?

8 MR. OAKLEY: Gary Oakley is here.

9 HEARING OFFICER ORTH: Okay.

10 Mr. Oakley.

11 MR. OAKLEY: Thank you.

12 My name is Gary Oakley. I am a board  
13 member of Conservation Voters New Mexico.

14 And I just want to make a comment that  
15 history will look back at us and say, What are you  
16 doing? You are allowing flaring and venting of a  
17 very valuable nonrenewable energy source just to be  
18 wasted into the air that could power thousands of  
19 houses, just to make it a little easier and cheaper  
20 to drill for oil.

21 I think history will say, What were you  
22 thinking? You knew the cost. The cost is less  
23 money for schools, health issues for locals, climate  
24 degradation. It's almost like a river where you  
25 dump waste into it, but you're dumping a valuable

1 waste. And it's bigger than a river. It's the  
2 whole planet that it affects.

3 So please -- you know we have the  
4 technology, is the other thing. So please  
5 strengthen the regulations and don't issue permits  
6 unless there's full compliance.

7 This was a loose, loose, loose situation,  
8 and it really needs to be straightened up.

9 Thank you.

10 HEARING OFFICER ORTH: Thank you,  
11 Mr. Oakley.

12 Let me call for Jonathan Longoria.

13 Mr. Longoria?

14 No?

15 In the event he rejoins us, I'll be happy  
16 to take his comments.

17 The next five commenters in this order are  
18 Cris Moore, Patricia Sheely, Penelope Mainz, Timothy  
19 Peterson, and Jordan Smith.

20 I will call on Cris Moore.

21 MR. MOORE: Thank you, members of this  
22 commission, for this opportunity to speak.

23 I know you have a long day ahead of you.

24 My name is Cris Moore. I'm a professor at  
25 the Santa Fe Institute, and I'm speaking today as an

1 individual.

2 I want to point out a connection between  
3 methane leaks and our use of natural gas and power  
4 and transportation, which is maybe a little bit  
5 different from the points other speakers have been  
6 making.

7 We often hear that natural gas is a low  
8 carbon alternative to conventional fossil fuels,  
9 that it can act as a bridge to renewable energy.

10 It is true, burning natural gas in a power  
11 plant produces only half as much carbon dioxide as  
12 burning coal does.

13 But first, you have to get the gas to the  
14 power plant. And as you know, if any methane  
15 released into the atmosphere gets released along the  
16 way, it is more powerful than carbon dioxide of a  
17 greenhouse gas, and 80 times more powerful in the  
18 short-term, and over 30 times as powerful over a  
19 century.

20 It's an easy math problem to show that if  
21 more than about 3 percent of the methane gets leaked  
22 on its way to the power plant, the climate impact of  
23 natural gas is just as bad as coal.

24 For transportation and fleet vehicles,  
25 like buses and trucks, where natural gas is

1 competing with diesel engines, you're right, the  
2 leakage is even less, about 1 percent. That's all  
3 the way from production at the well through the  
4 distribution system to the engine.

5 And for natural gas to compete with  
6 renewable energy, the margin of error becomes even  
7 smaller.

8 The upshot is that natural gas will not  
9 help us meet our climate goals unless this leakage  
10 is dramatically reduced by up to about 90 percent,  
11 in some studies.

12 The increase we've seen over the past year  
13 shows that market forces alone are not enough for  
14 the industry to get this under control.

15 I urge you to strengthen this draft rule  
16 to prevent venting and flaring, except when needed  
17 for safety, for independent third parties to verify  
18 leaks and repairs, to include all wells, as opposed  
19 to exempting a majority of them, and to require that  
20 existing wells meet these standards before  
21 permitting operators to drill new ones.

22 And please remember that this is not a  
23 zero send down to the industry. Properly monitoring  
24 and preventing methane leaks will create jobs and  
25 avoid wasting a valuable product.

1 I will also submit this in writing by  
2 e-mail and thank you very much for your attention.

3 HEARING OFFICER ORTH: Thank you very  
4 much, Mr. Moore.

5 Patricia Sheely.

6 MS. SHEELY: Hello.

7 My name is Patricia Sheely, and I live in  
8 Gallup, New Mexico.

9 Thank you for allowing me to speak on this  
10 issue, and it's important to me.

11 I'm a person of faith with strong moral  
12 convictions to care for my neighbors and God's  
13 creation.

14 I grew up on a farm in Ohio and developed  
15 a closeness to the earth, as I played in the woods  
16 and in the stream that ran through our farm.

17 I moved to New Mexico in 1993 to work for  
18 Indian Health Service. I love New Mexico and its  
19 people, and made the decision some years ago to  
20 retire here.

21 I am concerned about the health of our  
22 children and their mothers, and the effect that  
23 pollution has on their well-being.

24 I am concerned that many of the residents  
25 of New Mexico are suffering disproportionately from

1 the COVID-19 pandemic because of their already  
2 impaired health status.

3 I am disturbed that many of the native  
4 plants in my backyard, which are drought resistant,  
5 died last summer due to the intense heat.

6 I support Governor Michelle Lujan  
7 Grisham's call for nation-leading methane rules.

8 To achieve that goal, the Oil Conservation  
9 Commission must strengthen the Oil Conservation  
10 Division's proposed methane waste rules to eliminate  
11 unnecessary methane waste.

12 I am submitting my expanded comments in a  
13 letter to the commission.

14 Thank you.

15 HEARING OFFICER ORTH: Thank you,  
16 Ms. Sheely.

17 Penelope Mainz.

18 MS. MAINZ: I am Penelope Mainz, from  
19 Albuquerque, New Mexico.

20 I want to thank the OCC for your work and  
21 for this opportunity to comment.

22 I've been a volunteer with the Sierra Club  
23 and with 350 New Mexico. And I've also been a  
24 volunteer with critically ill children, so I will  
25 address the health of New Mexico children.

1           The American Lung Association state of the  
2 air report in 2020 flunked Eddy and Lea Counties for  
3 ozone pollution, and San Juan County for ozone  
4 pollution.

5           In addition, Dr. Lance Shelton, a retired  
6 Albuquerque pediatrician, states that 28,000  
7 New Mexicans in the Permian Basin live within  
8 one-half mile of wells that would be exempted from  
9 requirements that could protect children's health.

10           Obviously, the loopholes and extensions  
11 for those wells must end.

12           Think back to your grade school years. At  
13 recess on the playground did you prefer the swings?  
14 Did you play tag or spend long times on the seesaw?  
15 Whichever it was, you played hard, unaware of the  
16 air around you, and unaware of the fact that your  
17 young lungs were developing.

18           If you were very unlucky, the air was poor  
19 quality, you may have ended up wheezing with asthma,  
20 unable to say more than one word or short phrase  
21 because you didn't have the air to breathe, unable  
22 to lie down, because your body required the torso  
23 straight up, in order for the few breaths you could  
24 get.

25           Can you imagine that?



1           We adults have the information and the  
2 power to vastly improve the air quality for children  
3 in New Mexico.

4           To do that, we need to have strict  
5 regulations. We need to have the workforce and laws  
6 to enforce those regulations. And we, of course,  
7 need to end the exemptions and loopholes for sites  
8 that have low emissions projected or are at low  
9 production sites.

10           As you've heard before, those wells  
11 comprise over 90 percent of the wells. Let's not  
12 drop the ball for the children of New Mexico.

13           Thank you.

14           HEARING OFFICER ORTH: Thank you,  
15 Ms. Mainz.

16           Timothy Peterson.

17           Timothy Peterson?

18           No?

19           Jordan Smith? Jordan Smith.

20           Let me call one more time for Jonathan  
21 Longoria.

22           All right. The next comment session  
23 begins in seven minutes. So let me read the names,  
24 in the event someone is here a bit early, and I will  
25 be happy to take your comments instead of taking a

1 short break.

2 We have Trish Foschi. And excuse me if  
3 I'm mispronouncing your name.

4 Jacqueline Groveas, Mareyena Kai  
5 Hollenberg, Nancy Weeks Singham, Lilianna Castillo.

6 Let me begin with Trish Foschi.

7 Jacqueline Groveas.

8 Mareyena Kai Hollenberg.

9 MR. LANMKIN: Jacqueline Groveas is here.  
10 Sorry.

11 HEARING OFFICER ORTH: So Jacqueline  
12 Groveas is here. All right.

13 Thank you, Ms. Groveas.

14 MS. GROVEAS: It's Groveas. Thank you.  
15 Yes, I'm here.

16 HEARING OFFICER ORTH: Groveas. Excuse  
17 me.

18 Thank you for identifying yourself. And  
19 if you would, please, you have two minutes.

20 MS. GROVEAS: Thank you. So I'm  
21 Jacqueline Groveas. I work in Las Cruces, and I'm  
22 speaking as an individual.

23 Thank you for giving me this opportunity  
24 to make a comment.

25 New Mexico doesn't appear to be regulating

1 methane waste. You can go -- methane contributes  
2 25 percent to climate change.

3 This is a critical time that requires a  
4 strong methane rule.

5 Currently, the latest data from the  
6 Permian, show the highest release of methane waste  
7 for any US oil and gas basin.

8 And with the current drop in gas prices,  
9 oil and gas companies are going to be looking to cut  
10 corners in any way they can.

11 Governor Lujan Grisham has submitted a  
12 trailblazing methane directive, and the commission  
13 needs to meet this with a strong rule, by banning  
14 methane waste and holding the companies accountable.

15 So venting and flaring need to be banned.  
16 New wells have to be prepared for production with  
17 completion to -- so the gas should be captured at  
18 the wellhead instead of being released into the  
19 environment. And the flaring should be limited  
20 to -- sorry.

21 So they should also be banned from routine  
22 pipeline that is flared. If the gas needs to be  
23 released for safety, flaring should be used over  
24 venting. And the prohibitions should be tough for  
25 them, to make sure that the flares are lit and they

1 are working at all times.

2 We need a five-year target, so companies  
3 should capture 98 percent of that vapor, to make  
4 sense.

5 Secondly, the companies need to be more  
6 accountable to reaching that ban.

7 New permits should be denied for new wells  
8 to be drilled if operators are out of compliance  
9 with gas capture requirements.

10 Third-party inspections should be required  
11 through the alarm program.

12 As I think a lot of other speakers have  
13 said, the current rule is exempting 95 percent of  
14 wells in current regulations and oversight.

15 And last but not least, operators need to  
16 inform the public who are at risk, health risks for  
17 methane purposes, and transparency needs to be  
18 improved by improving state reporting and public  
19 notice requirements.

20 Please develop a strong rule to protect  
21 our health and environment.

22 And thank you for your time.

23 HEARING OFFICER ORTH: Thank you,  
24 Ms. Groveas.

25 Mareyena Kai Hollenberg.

1 Nancy Weeks Singham.

2 MS. SINGHAM: I'm here.

3 HEARING OFFICER ORTH: Okay.

4 MS. SINGHAM: Thank you for listening to  
5 me today. My name is Nancy Weeks Singham. I'm a  
6 former teacher in Albuquerque Public Schools, and I  
7 live in Albuquerque.

8 From my work with 350 New Mexico, I have  
9 learned that constant methane releases now pouring  
10 into the atmosphere from New Mexico are 84 more  
11 times potent as contributors to climate change than  
12 carbon dioxide.

13 And I've also read recent reports that  
14 show the emissions from methane and other pollutants  
15 from leaky equipment, venting, and flaring have more  
16 than doubled in the last 12 months in New Mexico.

17 So clearly, industry self-policing is not  
18 working.

19 For the record, I will support the OCD's  
20 proposal to the commission, as well as the five  
21 additional proposals made by the New Mexico  
22 Environmental Law Center, to close the loopholes in  
23 the proposed regulations.

24 You may know that every year, US  
25 government official documents on climate change has

1 stated that New Mexico is one of the states that are  
2 the most vulnerable to climate change in the entire  
3 country.

4 And my main message to you today is these  
5 changes to our climate are happening now. And the  
6 methane that's been released from our state that are  
7 contributing to climate change are harming us,  
8 especially rural New Mexicans.

9 I know this firsthand, because I'm also a  
10 writer for the educational project called the Land  
11 Witness Project.

12 We've interviewed and made videos telling  
13 stories of rural New Mexicans, from farmers and  
14 ranchers to public land managers, government  
15 scientists, recreational businesses such as rafting  
16 and skiing.

17 And every one of these rural New Mexicans  
18 have shared their stories of how they are already,  
19 right now, being harmed by climate change, even by  
20 our own methane emissions.

21 Ranchers, whose cattle operations are  
22 suffering through drought.

23 Small farmers, whose irrigation has been  
24 shut off before the end of the growing season.

25 Rafting companies, whose businesses are

1 crumbling due to low water levels.

2 The contractors, whose trees are  
3 suffering, and whose future business is uncertain.

4 The ranchers, who have seen more fires  
5 that are endangering migratory birds, lower winter  
6 snow packs, and higher springtime temperatures that  
7 are causing faster drought and lowering some of the  
8 water flows.

9 Northern New Mexico businesses hurt by  
10 fishing recreation due to low water runoff and  
11 higher temperatures.

12 New Mexico, especially northern  
13 New Mexico, is suffering now as a result of our own  
14 state's methane emissions.

15 Thank you very much.

16 HEARING OFFICER ORTH: Thank you,  
17 Ms. Singham.

18 Lilianna Castillo.

19 MS. CASTILLO: Yes, I'm here.

20 Can you hear me?

21 HEARING OFFICER ORTH: Yes, I can hear  
22 you.

23 MS. CASTILLO: All right. Thank you.

24 Thank you for letting me speak today.

25 My name is Lilianna Castillo.

1           For the past 15 years we have shared  
2 stories to bring people together to create local  
3 inclusion through times of crisis.

4           As we have traveled across New Mexico,  
5 we've been hearing from impacted communities,  
6 experts. Their stories have unveiled that we are --  
7 we have work to do when it comes to protecting  
8 people who live alongside the oil and gas industry,  
9 confirmed by data over and over again, as recently  
10 as three weeks ago.

11           There are stories to learn about that  
12 demand our attention, also our actions.

13           We thank Governor Lujan Grisham and the  
14 administration for recognizing how important and  
15 urgent it is to address New Mexico's massive and  
16 growing methane emissions properly and continuing to  
17 prioritize these rules.

18           We have seen these issues become more  
19 pressing as the federal government removed  
20 safeguards for the environment. And health and the  
21 COVID-19 crisis continues to impact our neighbors.

22           While the OCD rules have strong structure,  
23 it should be stressed that it can meet the goal of  
24 nation-leading methane rules and deliver meaningful  
25 action for communities impacted directly by oil and



1 gas pollution and climate changes.

2 The rule should meet the goal of capturing  
3 98 percent of methane emissions by 2026, stricter  
4 state reporting and public notice requirements, to  
5 improve transparency, deny permits to drill new  
6 wells if operators are out of compliance with  
7 capture requirements.

8 And finally, a comprehensive rule to  
9 address methane waste and pollution must include a  
10 strict New Mexico environment department rule, since  
11 nearly 70 percent of oil and gas methane pollution  
12 in New Mexico have occurred through leaks.

13 And many of these draft rules fail to  
14 protect other health and climate issues by exempting  
15 95 percent of wells from regulation across the state  
16 from oversight and necessary leak detection and  
17 repair requirements.

18 The commission should clarify that the  
19 agencies work in parallel to achieve comprehensive  
20 goals.

21 Thank you again for the opportunity to  
22 speak.

23 HEARING OFFICER ORTH: Thank you very  
24 much, Ms. Castillo.

25 Let me look back to Trish Foschi.

1 No?

2 Or Mareyena Kai Hollenberg?

3 No?

4 All right. The next time slot begins at  
5 2:00 p.m. I'll read the names there in the order in  
6 which I will call them.

7 Teresa Seamster, Beverly Singer, Clyde  
8 Williams, June Parsons, and Charmaine Crockett.

9 Is there anything else the commissioners  
10 would like to hear about before we adjourn until  
11 2:00 p.m.?

12 All right.

13 Thank you all. We will convene at 2:00.

14 (A recess was taken from 1:03 p.m. to 2:01  
15 p.m.)

16 HEARING OFFICER ORTH: All right. This is  
17 our second afternoon comment session. This is Case  
18 Number 21528.

19 We are here before the Oil Conservation  
20 Commission to consider rules regulating the venting  
21 and flaring of natural gas from oil and natural gas  
22 production and gathering facilities.

23 My name is Felicia Orth, the hearing  
24 officer appointed by the commission to accept public  
25 comment today, and conduct the rest of the hearing

1 as well.

2 This appears to be the final session for  
3 today. We have several folks who signed up for the  
4 2:00 session. One person who had originally signed  
5 up for the 3:00 session, but will be available now,  
6 and one person who had signed up for the 4:00  
7 session who has now withdrawn from that time slot.

8 So we ask you to keep your comments to  
9 two minutes. In the event you have more that you  
10 would like the commission to consider than can be  
11 said in two minutes, please submit that in writing  
12 to Florene Davidson. You will find her contact  
13 information on the Oil Conservation Division web  
14 page.

15 Mr. Lamkin, would you mute Mr. Baca,  
16 please?

17 Thank you.

18 In the event there's anyone on the line  
19 who might have been signed up for an earlier time  
20 slot today and was just able to call in now, that's  
21 fine. I will take your comments before we adjourn  
22 for the day.

23 Please reach out to our host, Baylen  
24 Lamkin, using the chat function. Just let him know  
25 you are available, and he will let me know that you

1 are available to be called upon.

2 We have all three commissioners with us  
3 today. You see the chair, Adrienne Sandoval,  
4 Commissioner Thomas Engler, and Commissioner Jordan  
5 Kessler.

6 We also have a variety of other staff and  
7 counsel with us today.

8 So I'll call the names in this order.

9 Teresa Seamster, Beverly Singer, Clyde  
10 Williams, June Parsons, Charmaine Crockett, and  
11 Stephen Robertson.

12 Then I will invite anyone who has not  
13 already given comment, but was in an earlier time  
14 slot, to identify themselves if they wish to speak.

15 Let's start with Teresa Seamster.

16 Ms. Seamster?

17 MS. SEAMSTER: Yes. Thank you. Thank you  
18 to you and the commissioners.

19 My name is Teresa Seamster, and I'm a  
20 member of the Counselor chapter health committee  
21 located in the tri-chapter area of the Navajo  
22 Nation.

23 We formed the committee five years ago to  
24 document local health systems, air pollution  
25 complaints, public safety concerns, and other issues

1 caused by a sharp increase in well flaring, well  
2 explosions, oil and contaminated water leaks, and  
3 oil truck and tanker collisions with local vehicles,  
4 and US 550 traffic on the chapter's northern  
5 boundary.

6 Our 2018 help impact assessment reported  
7 resident health symptoms, and we conducted 2.35 air  
8 monitoring at eight different chapter sites.

9 We also sampled four different sites for  
10 75 different DOCs, hydrogen sulfide, and  
11 formaldehyde.

12 Our air pollutant findings were  
13 significantly worse in several areas than those in  
14 the monitored sites in oil patch communities in  
15 Pennsylvania, Wyoming, California, New York, and  
16 Ohio, that submit their data to the National  
17 Environmental Health Project website.

18 One example, with elevated levels of  
19 formaldehyde, which is a potent agent that  
20 researchers use as an indicator near well sites that  
21 other toxic chemicals are likely present.

22 This gas was detected at all four sites  
23 well above the US EPA threshold for mitigation,  
24 which is 0.003 parts per million. Our sampling  
25 rankings were from 007 to 0097 parts per million.

1            Dangerous spikes of formaldehyde exposure  
2 are completely new by state and local -- by state  
3 and several air quality monitoring, because it  
4 doesn't last long in the atmosphere.

5            And that takes us to the issue of trying  
6 to control the mixture of chemicals that people are  
7 being exposed to that are not revealed and put in  
8 the statistics.

9            The Physicians for Social Responsibility  
10 publishes an annual compendium of scientific,  
11 medical, and media findings that demonstrate risks  
12 and harms of fracking. These are published  
13 findings, and they catalog thousands of specific  
14 studies, clinical reports, and reported incidences  
15 of harm directly caused by fracking operations.

16            The PSR calls this the greatest  
17 uncontrolled health experiment ever seen in outdoor  
18 industrial pollution on the American public.

19            This takes us to the unregulated methane  
20 emissions, which is a potent indicator of rural  
21 health -- or pardon me -- rural air pollution.

22            Even though production in New Mexico has  
23 been lowered, greenhouse gas emission, especially  
24 methane, is rapidly expanding.

25            Even with no regulation of emissions, due

1 to the extreme overextraction and extremely high  
2 cost of fracking, the shale oil industry has never  
3 really returned the process. According to a study  
4 by the international accounting firm of Beloit, the  
5 US shale industry has lost \$300 billion over the  
6 last 15 years.

7 HEARING OFFICER ORTH: Would you wrap up,  
8 please?

9 MS. SEAMSTER: I certainly will.

10 The economic harm -- I'm just going to  
11 skip to the bottom here. The economic harm of the  
12 shale industry and unregulated methane authority  
13 cause significant economic harm and long-term harm  
14 to residents' health in the San Juan Basin.

15 Effective methane regulation is a decade  
16 overdue. There is a health price tag connected to  
17 it.

18 On the Navajo Nation, adult and childhood  
19 asthma has doubled, and respiratory illness is the  
20 leading cause of death in the rural eastern Navajo  
21 Nation. And still, the rampant spread of COVID in  
22 Navajo communities has exposed the real cost of  
23 ignoring the largely hidden and unmonitored sources  
24 of methane.

25 Thanks very much.

1 HEARING OFFICER ORTH: Thank you very  
2 much, Ms. Seamster.

3 Beverly Singer. Dr. Singer?

4 (Discussion off the record.)

5 HEARING OFFICER ORTH: I will hope that  
6 she comes back and I will call her name again later.

7 Dr. Clyde Williams?

8 MR. WILLIAMS: Hello.

9 HEARING OFFICER ORTH: Hello.

10 MR. WILLIAMS: Okay.

11 Dr. Clyde Thomas Williams, Clyde T.

12 Williams. I live in Los Angeles. And via Webex, I  
13 am participating because we -- that is the --  
14 Community Coalition for a Safe Community is dealing  
15 with the oil and gas field known as the Englewood  
16 oilfield.

17 But we also participated in the Aliso  
18 Canyon gas venting problems that we had here in 2015  
19 through 2017.

20 And we are also doing oil and gas  
21 regulations for the Englewood oilfield, the City of  
22 LA, the County of LA, and for California Geological  
23 Energy Management.

24 We're quite concerned regarding the basic  
25 elements of methane. That is, we support Grisham's



1 call for legal methane rules, and we would like to  
2 propose, and we will be submitting written comments  
3 also.

4 But summarizing it down, to capture all of  
5 the routine venting and eliminate flaring from all  
6 wells. Because the biggest well of venting was at  
7 the Aliso Canyon, at well SS25. And it had been  
8 installed before 1979. And from 1979 to date, every  
9 annual renewal of it falsified the records. Because  
10 in 1979, they took out a Dumpster and shutoff valve,  
11 and it went through the casings and escaped and  
12 eventually blew out in 2015.

13 However, all annual reports for the well  
14 had indicated that the SSP was there and it was  
15 controlling. But the gas company said, Oh, we took  
16 it out in 1979.

17 But all of their records show it present.

18 So if you can't trust the largest gas  
19 operator to have good records, the real problem will  
20 be either all or nothing. And it's always easier to  
21 control that rather than 95 percent, 92 percent,  
22 99 percent.

23 So we highly recommend full enclosure  
24 during operations, full 100 percent submitting of  
25 all casing annually. And I'd say -- our background

1 goes back to -- my first well was in 1958, in  
2 eastern Kansas. I've been around the oil and gas  
3 industry, and I know what they do and why they do  
4 it. And I'm quite concerned these days about LLCs,  
5 LLPs, and the problem of who's at fault if everyone  
6 declares bankruptcy. Whoever owns --

7 HEARING OFFICER ORTH: Thank you,  
8 Dr. Williams.

9 MR. WILLIAMS: You're welcome. I will be  
10 submitting by e-mail also.

11 HEARING OFFICER ORTH: Thank you.

12 I believe Dr. Singer has rejoined us.

13 Dr. Singer, can you hear me?

14 MS. SINGER: Yes. Can you hear me?

15 HEARING OFFICER ORTH: Yes, quite clearly.

16 Thank you.

17 Please go ahead.

18 MS. SINGER: Good afternoon,  
19 commissioners. Thank you for allowing me to make my  
20 comment.

21 I thought about what I would say today,  
22 and I have written some things down.

23 And then I was listening this morning to  
24 all the comments that were made. And particularly  
25 the woman from the -- who was a beekeeper.

1           And I just thought, You know, it's amazing  
2   that we are at this point in our history in the  
3   state of New Mexico.

4           And I -- I'm from Santa Clara Pueblo and I  
5   have relatives out in the Shiprock area. And you  
6   know, when I travel up there these days, it doesn't  
7   have the same energy or the same -- the landscape  
8   has completely been modified and altered and  
9   desecrated, from my perspective as an indigenous  
10  woman.

11           But you know as a scholar -- and I've  
12  worked in anthropology for the last, I don't know,  
13  many years -- 40 years. And I've been a participant  
14  in looking at environmental issues for years, all  
15  the way back to 1990, when I was on the Sierra  
16  Club's natural sites committee.

17           And then in 1990, we were looking at the  
18  arctic national wildlife refuge.

19           We come back all of these years now, and  
20  we see what's happened there. You know the  
21  development has completely just gone out of control.  
22  And so I think we've reached an apex here in  
23  New Mexico, with regard to oil and gas development.

24           When I say that, I'm saying that, you  
25  know, I know we're considering other renewable

1 energy opportunities and developing those.

2 But what we're dealing with now, in terms  
3 of the -- you know, the pollution and the toxicity  
4 that has been already emitted, out -- certainly in  
5 the Four Corners area -- it is without a doubt time  
6 for looking at this in an integrated way, because we  
7 can't separate out, also, the education for our  
8 young people, you know, in public elementary, junior  
9 high school, students who really don't have any --  
10 probably very little clue as to how dependent we  
11 have become on oil and gas.

12 And I'd like to see the commission put out  
13 some kind of public information, a statement, about  
14 where we are with regard to oil and gas development.  
15 I mean, what -- where does it stand? I don't  
16 think -- you know, people just don't have the access  
17 to this kind of information, you know, unless you  
18 are a representative from that area or you actually  
19 live there and you see, you know, the devastation.

20 And I'll just raise the question also.

21 I mean this last year, when we were -- a  
22 couple of the last past years, we've been able to  
23 witness what it's like to not be able to see the sky  
24 when we had all of those fires burning out in  
25 Colorado and California, and our own fires here.

1           We lost our entire forest here at  
2   Santa Clara Pueblo, and our watershed is nearly  
3   dead.

4           And so the cost to not only the  
5   environment and the people but, you know, just to  
6   the fact that -- you know, I think we've come to a  
7   point now where I'd like to see the consequences be  
8   addressed, where we're at, and move forward with  
9   putting out some kind of information to -- to  
10  everyone, to -- especially to the stu- -- you know,  
11  students and young people, to recognize and be  
12  involved in planning, you know, their future,  
13  because that's what we're talking about.

14           You know, I had an amazing childhood, but  
15  I worry about the future.

16           And I -- and one last thing I wanted to  
17  do, as I was researching this, and I said, You know,  
18  the US is in such a strange -- in strange company  
19  these days, because we are one of the highest  
20  methane and flaring expulsion producers alongside  
21  Iran, Venezuela, and Nigeria.

22           And this does not, you know, fare well,  
23  that we are among that -- that company of countries.  
24  You know, we can do better.

25           And I'd like to see New Mexico do better.

1           So those are my thoughts.

2           Thank you.

3           HEARING OFFICER ORTH: Thank you,  
4 Dr. Singer.

5           Let's move, then, to June Parsons.

6           MS. PARSONS: Yes. Thank you.

7           My name is June Parsons. I'm from  
8 Rio Rancho, Sandoval County, New Mexico.

9           Honorable Oil Conservation Commissioners  
10 and attendees, thank you for this opportunity to  
11 comment.

12           I continue to be very concerned about the  
13 ongoing, harmful influence on our people and  
14 frontline communities, as well as the global health  
15 dangers of viral releases from current wells now,  
16 into the air we breathe, caused in large part by  
17 leaking, venting, and flaring of methane and other  
18 VOCs that are accelerating our climate crisis.

19           Therefore, I offer my public comment in  
20 hopes you will immediately take the following  
21 actions.

22           Number one, codify and enforce OCC's  
23 proposed inclusion of a 90 percent gas capture  
24 required by 2026 for all size wells, beginning in  
25 the second quarter of 2022, after a baseline is set

1 in the first quarter of 2022, with accurate data  
2 from 2021.

3 Number two, incorporate OCC rules that  
4 ensure stronger public notice provisions, that if  
5 and when any release of oil and gas facilities  
6 present any risk to the public, our property, and  
7 our environment.

8 Methane reductions are financially  
9 feasible per the findings of the international  
10 energy agency, that one-third of global methane  
11 emissions could be cut at no net cost.

12 Our land, our air, and our water are vital  
13 shared public resources upon which all of our lives  
14 and our health depend.

15 Commissioners, I implore you to be  
16 present, visionary, and do the right things by  
17 taking responsible actions now for safeguarding our  
18 environment, cleaning our air, preserving our fresh  
19 water, and making the health of all of us your  
20 priority.

21 I respectfully thank you for your time.

22 HEARING OFFICER ORTH: Thank you,  
23 Ms. Parsons.

24 Charmaine Crockett.

25 Charmaine Crockett?

1           Okay.

2           Stephen Robertson.

3           MR. ROBERTSON: Thank you. Good  
4 afternoon, chairman Sandoval, commissioners.

5           My name is Stephen Robertson. I'm the  
6 executive vice president for the Permian Basin  
7 Petroleum Association. I appreciate the opportunity  
8 to provide you with comments about venting and  
9 flaring of natural gas.

10           The PBPA is greatly supportive of the  
11 regulatory work for oil and gas operations in  
12 New Mexico.

13           As presented, the final proposed rules  
14 contain multiple concerning aspects, many of which  
15 are carried forward from previous drafts of the rule  
16 and were commented previously by PBPA. Several  
17 others are new as to this final proposed version.

18           PBPA engaged with the Oil Conservation  
19 Division throughout the drafting process on these  
20 rules.

21           We previously submitted written comments  
22 on September 16, 2020, outlining our suggested added  
23 inserts.

24           We will continue to engage with the  
25 division and commission as rules are being



1 developed, including trying not to put the oil and  
2 gas industry in New Mexico out of business.

3 Specifically as to the final proposed  
4 rule, we want to highlight the following concerns.

5 Even though reporting has been reduced  
6 from the previous draft of the rule to this proposed  
7 final rule, there are still two areas that will lead  
8 to inaccuracies and do not prevent waste.

9 As stated in our previous comments,  
10 accounting software is not designed for any  
11 additional categories, and the required upgrades  
12 will require 18 to 24 months.

13 Further, PBPA leads recording in flared  
14 volumes. C 115 provides the most accurate  
15 information on volumes of wasted natural gas.

16 Definitions for emergency and malfunction,  
17 which received no change from the previous draft,  
18 are overly broad and are likely to resolve in  
19 conflict. We still recommend the definitions for  
20 emergency and malfunction which we offered in our  
21 previous comments.

22 Language taking into consideration the  
23 differing circumstances for low-producing wells,  
24 when compared to other operations, has not been  
25 sufficiently provided for in this final rule.

1           The expense and complication of required  
2 written notice, as sent out to royalty owners, is  
3 likely to result more in the cancellation of  
4 operations than in any other reduction in venting or  
5 flaring while operations are maintained.

6           The authorized third-party certification  
7 verifications now included in the proposed final  
8 rule will not accomplish a reduction in venting or  
9 flaring, but will only increase the cost of  
10 operations and burden our regulated community.

11           We have full confidence in the agency's  
12 ability to certify reported data. We do not have  
13 such confidence in the creation of a cottage  
14 industry to do the same.

15           If this is such a priority, we recommend  
16 the division ask the legislature for money to fund  
17 the agency personnel to do this job.

18           And it still appears, with the final rule,  
19 that the COVID-19 pandemic and the rule's impact on  
20 the state's economy have not been taken into  
21 consideration in fracking.

22           Thank you for your time in listening to  
23 these comments, and we look forward to continuing  
24 working with the OCD and the OCC to develop these  
25 rules.

1 HEARING OFFICER ORTH: Thank you,  
2 Mr. Robertson.

3 Let me call another time for Charmaine  
4 Crockett.

5 And right now I have just one person who  
6 identified themselves as having been scheduled at a  
7 prior time slot and can give his comment now.

8 Jim McKenzie.

9 Jim McKenzie?

10 MR. MCKENZIE: Yes, I'm here. And thank  
11 you.

12 My name is Jim McKenzie. I'm a member of  
13 350 New Mexico, a chapter of the international  
14 organization 350 dot ORG.

15 Greetings. Good afternoon to the  
16 commissioners and the hearing officer and the staff.  
17 Thank you for this opportunity to address you.

18 Strong methane waste regulations are a  
19 broad public interest, as the many public commenters  
20 have demonstrated today and will continue to be  
21 demonstrated through -- through the week, I'm  
22 assured.

23 Oil and gas in New Mexico on both federal  
24 and state law lands belongs to all citizens.

25 The rules under discussion today govern

1 the development of these resources.

2 The industry reminds us consistently how  
3 much they pay for the development and rights of  
4 these resources, and how grateful we should be for  
5 those revenues.

6 The industry often glosses over their  
7 enormous expenses that they are able to externalize  
8 and land up on the public's plate.

9 These regulations under discussion must  
10 hold the oil and gas industry accountable for the  
11 many and varied expenses they cause the public. And  
12 there are economic expenses as well as health and  
13 climate expenses.

14 Many commentators have outlined the  
15 numerous costs of methane pollution. Make no  
16 mistake. Our methane waste has large impacts  
17 locally, regionally, and globally.

18 Methane emissions from the oil and gas  
19 industry in the US is responsible for an estimated  
20 25 percent of all greenhouse gas emissions in the  
21 United States, the country with one of the very  
22 highest greenhouse emissions on the entire planet.

23 The Permian Basin is, perhaps, the largest  
24 player in the world right now.

25 New Mexico is the US's third largest oil

1 and gas producer in the US.

2 The argument that some -- of some that  
3 what we do on our methane waste just doesn't matter,  
4 clearly don't understand the magnitude of the  
5 problem that we are addressing here today.

6 What the OCC does with the methane  
7 regulations in this case has enormous impacts.

8 Thank you very much.

9 HEARING OFFICER ORTH: Thank you very  
10 much, Mr. McKenzie.

11 So we have reached the end of the list of  
12 folks who signed up through Florene Davidson to  
13 offer public comment today.

14 Again, I would be happy to accept your  
15 public comments, in the event you or your friend was  
16 unable to sign in today, and can sign in on any  
17 subsequent day of this hearing between now and  
18 January 15.

19 Also, know that we did have an e-mail  
20 question about the deadline for submitting written  
21 public comment. Please submit that comment by  
22 5:00 p.m. on January 8. That comment goes to  
23 Florene Davidson.

24 All records in the matter, including her  
25 contact information, are on the Oil Conservation

1 Division outreach and public engagement page.

2 If there is nothing further, we will  
3 adjourn until 8:30 tomorrow morning and reconvene at  
4 that time.

5 Have a wonderful afternoon. Thank you.

6 (Proceedings concluded at 2:27 p.m.)

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I, Paul Baca, RPR, CCR in and for the State of New Mexico, do hereby certify that the above and foregoing contains a true and correct record, produced to the best of my ability via machine shorthand and computer-aided transcription, of the proceedings had in this matter.

/s/ Paul Baca

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PAUL BACA, RPR, CCR  
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