

Fesmire, Mark, EMNRD

From: ssilber1@juno.com
Sent: Monday, November 19, 2007 11:54 AM
To: Fesmire, Mark, EMNRD
Subject: Re: Oil and Gas

"OCD does have hydrologists and is staffed to do what the law requires."

That is the question. Can you be more specific re the extent of OCD's capability? It is a matter of utmost importance as you might imagine. New Mexico is a large state.

Obviously, quality is the major concern but quantity is also an issue especially if there is a future need for secondary recovery techniques which is a subject that has not yet been addressed by Tecton.

Best regards,

Sig Silber.

On Mon, 19 Nov 2007 11:22:11 -0700 "Fesmire, Mark, EMNRD"

<mark.fesmire@state.nm.us> writes:

> Mr. Silber:

>

> The NM Water Quality Act is basically the arbitrator of which agency
> has what responsibility for the water quality in the state. The
> Environment Department, the Office of the State Engineer and the OCD
> are all members of the Water Quality Control Commission.

>

> The State Engineer's traditional responsibility has been to regulate
> the authority to use the water and he has very little authority to
> maintain the quality of the water. Quality issues are generally
> reserved for the ED and the OCD.

>

> OCD does have hydrologists and is staffed to do what the law requires.
> In fact, the current ED Groundwater Bureau Chief spent 14 years with
> the OCD.

>

> I hope this answers some of your concerns.

>

> Mark Fesmire

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> -----Original Message-----

> From: ssilber1@juno.com [mailto:ssilber1@juno.com]

> Sent: Friday, November 16, 2007 1:00 PM

> To: Fesmire, Mark, EMNRD

> Cc: MANAGERSOFFICE@co.santa-fe.nm.us

> Subject: Oil and Gas

>

> I didn't get my question asked last night. I missed the cut by a
> couple of people and I am not sure if you will be at the meeting on
> December 6 so I thought I would ask my question by email. BTW we met
> once at a Conservation Committee Hearing and talked a bit about the
> proposed change to NM law re deep brackish water...Senator Carraro's
> bill which did not pass during the last session. OK here is my
> question:

>

> OCD seems to take the position that among State and Federal Agencies
> it is the only agency authorized to protect groundwater from oil and
> gas activities (including exploration, production, and shut down and
> restoration). NMED gets involved in the disposition of produced water

> but no other State or Federal Agency seems to have a role re
> protection of groundwater. That of course might be a surprise to area
> residents who think of our State Engineer as playing a role in the
> protection of groundwater resources in terms of potential impairment
> to other users and also some may have thought that there was a role
> for the Interstate Stream Commission as they are counting on flows
> from the Galisteo Basin into the Rio Grande to meet New Mexico's Rio
> Grande Compact obligations.
> I personally was surprised to find out that the Corps of Engineers
> basically walks away from its obligations to protect the Waters of New
> Mexico or Waters of the United States in terms of oil and gas
> activities in or near tributaries to navigable waterways i.e. Galisteo
> Creek and possibly the San Marcos Arroyo and other feeds to the
> Galisteo Creek which in turn flows into the Rio Grande.

>
> I think last night you set the record straight that Santa Fe County
> can and should take actions to protect our groundwater resources which
> was very useful to have been said in a public meeting. I appreciate
> that you did that but my question relates to the role of OCD and the
> ability of your agency to perform its part of the mission with respect
> to protecting our water. In particular, I am wondering if you can
> share with us the level of human resources and the mix of skills that
> you have at your disposal in terms of dealing with the interface
> between oil and gas activities and groundwater. It seems to me that
> the required skill set (hydrology oriented) might be a bit different
> and somewhat specialized than for your primary (or at least initially
> assigned) mission of oil and gas resource conservation which is
> petroleum exploration and engineering oriented. To the extent that you
> can be quantitative in terms of your answer to this question, I think
> your answer will be helpful to the community and to Santa Fe County
> Officials.

>
> Of course my question is only a part of the larger question of OCD's
> ability to monitor oil and gas activities and to enforce its
> regulations.
> But my area of interest and recently acquired expertize is water so I
> am focusing my question on the water aspects of oil and gas
> exploration and operations. There are three components to that namely:
> water used by the operator, the impact on groundwater, and the
> disposal of water whether it was water used in the activity or
> produced water. All three of these aspects are challenging and again I
> am interested in the quantity and breadth of the human resources that
> you are able to apply to these challenges.

>
> And of course I wonder if there might be a role for the State Engineer
> to assist with those challenges.

>
> Best regards;

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>
> Sigmund Silber
> Sierra Club Rio Grande Chapter Water Chair and Northern Group Water
> Co-Chair

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