

GARFIELD COUNTY ENERGY ADVISORY BOARD (EAB) MEETING

Thursday, December 3rd, 2009

Minutes (FINAL)

Location: Garfield County Health & Human Services Building in Rifle, Colorado

CALL TO ORDER/INTRODUCTIONS

Ms. Betsy Suerth called the meeting to order at 6:03pm.

EAB members introduced themselves. EAB members in attendance:

Suerth, Betsy	EAB Chair – Town of Silt
Braaten, Mike	EAB Secretary – City of Rifle
Jordan, Judy	Garfield County
Riddile, Art	Town of New Castle
Rothman, Artie	Town of Carbondale
Mumma, Don	Battlement Mesa Oil & Gas Committee
Wizer, Joyce	Grand Valley Citizens Alliance (GVCA)
Meskin, Michael	Grass Mesa Homeowners Association
Hamilton, Theresa	Garfield County School District RE-2
Brynildson, Scott	Mamm Creek/Hunter Mesa
Savage, Joann	Taughenbaugh Mesa
Simonson, Jeff	Divide Creek
Donato, Scot	Bill Barrett Corporation
Baird, Cary	Chevron
Long, Sher	EnCana
Leis, Ken	Laramie Energy II
Ryland, Curtis	Marathon Oil
Kohn, Judi	Noble Energy
Padilla, Daniel	OXY
Alvillar, Susan	Williams

MINUTES FROM PREVIOUS MEETING

Betsy Suerth entertained a motion to approve minutes from the last meeting. Susan Alvillar with Williams asked for a correction to the minutes under the Williams update to read, “The oversight was not caught by the County, Williams or Battlement Mesa Partners.” Mike Braaten moved to accept the minutes with the changes and Susan Alvillar seconded. The board voted unanimously to approve and the motion carried.

PUBLIC COMMENT

- Jim Rada, the Garfield County Environmental Health Manager reported that they just completed a two year process of finishing up a grant from the EPA Regional Geographic Initiatives Grant Program that involved looking at air quality impacts by oil and gas development as well as other air quality impacts in Garfield County. The four tasks involved:
 1. Targeted air monitoring around oil and gas development sites
 2. Update of GarCo emissions inventory
 3. Air Quality Assessment document
 4. Development of citizen’s guide to air quality in GarCo
- Jim Bell asked for details on Williams’ recent purchase of lease area in New Castle. Susan Alvillar said that Williams did recently purchase some Orion Energy assets and asked Jim to please call her for more information as she did not have the exact details with her.

UNFINISHED BUSINESS

- The citizen representative interview committee reported that they are conducting final interviews on December 10th and will bring its recommendations to the EAB at the January 7th meeting and then to the BOCC sometime in January.
- Betsy Suerth reported that she will give an EAB update to the BOCC on December 14th and will report on the public comment spreadsheet and the educational presentations that have been given and asked the board for any additional ideas of what to report to the BOCC. Judy Jordan suggested bringing up a request again for help with conflict resolution. Susan Alvillar moved for Judy to look into the feasibility and cost of bringing someone in to meet and speak with the board on conflict resolution and Scot Donato seconded the motion. The board voted unanimously to approve and the motion carried.
- Public comment spreadsheet update from public comments at the last EAB meeting:
 1. Marion Wells reported damage to driveway apron on CR 301. Jake Mall with Garfield County Road & Bridge said the driveway had no damage caused by the paving contractor or anything that the County did performing any work on CR 301. However, the County will add some road base to the driveway.
 2. Marion Wells commented that the construction borings under county roads need to be checked for integrity due to past problems under the Interstate and CR 309. Bryan Hotard with Williams said that after recently paving CR 309 a Williams employee noticed a small area on the side of CR 309 that looked like a depression in the general area of a Williams bore. They immediately called Jake Mall with Garfield County Road & Bridge who joined Williams to visit the area to review together. They dug up a square area of road for closer review and the County and Williams determined that the depression was not caused by the boring, but is an area of road that is prone to sloughing off. Bryan said that even though the Williams bore was determined not to be the cause, they took the lead and packed down and re-paved the area to County standards. Williams said they followed up with Jake Mall who said they did an outstanding job repairing the area.
 3. Update on tour of Marion Wells property from her previously reported stormwater issues. Jeff Simonson, Scott Brynildson and Leslie Robinson visited the Wells property and the Williams Stubbs pad in November. They would like to meet with Noble and Williams and bring back the responses to the EAB. Susan Alvillar with Williams directed a question to the Chair on what they should expect as an outcome from this process. Scott said they will discuss their recommendations to the companies in their report. Jeff said the main concern is what the cumulative effect may be from the drainage off all the upper pads as a whole which might not have been addressed between the two companies. Susan said oil and gas activities are governed by other agencies such as the COGCC who oversees permitting and the CDPHE who oversees stormwater management and wonders if the outcome considers the fact that they do have regulatory bodies that overlook what they do and that the Stubbs pad is still in an active investigation with the CDPHE and they have no control over what action might be announced. But Williams is willing to set up a date to meet with the group. A discussion followed between Scot Donato, Susan Alvillar, Joann Savage and Mike Braaten as to what the role of the EAB is in this type of situation. Mike Braaten read number 4 in the current EAB resolution that states, 'The EAB may provide recommendations to the BOCC on proposed changes to legislation, regulations, zoning resolutions, master plans and industry plans. In addition, The EAB may provide recommendations to the BOCC on other matters or as may be requested by the BOCC. Recommendations from the EAB to the BOCC shall be through adopted motions as the EAB bylaws define in Article IV, Section 4: "VOTING".'

NEW BUSINESS

- Nominations and elections for new EAB officers to start in January 2010 went as follows:
 - Chair** – Susan Alvillar moved to nominate Jeff Simonson as the new Chair and Scot Donato seconded the motion. The board voted unanimously to approve and the motion carried.
 - Vice-Chair** – Sher Long nominated Mike Braaten as the new Vice-Chair. Susan Alvillar and Scott Brynildson seconded the motion. The board voted unanimously to approve and the motion carried.
 - Secretary** – Susan Alvillar volunteered for the new Secretary seat. Jeff Simonson moved to elect Susan as the new Secretary and Mike Braaten seconded. The board voted unanimously to approve and the motion carried.

EDUCATIONAL PRESENTATION

Jennifer Miskimins, Associate Professor of the Petroleum Engineering Department with the Colorado School of Mines, gave a presentation on hydraulic fracturing.

- Please visit the EAB website at <http://www.garfield-county.com/Index.aspx?page=768> and click in the table for the 12/3/09 EAB meeting to view the power point presentation titled “Hydraulic Fracturing Basics”.

EAB MEMBER UPDATES

Battlement Mesa Oil & Gas Committee – Don Mumma reported that the committee had its first workshop two weeks ago and they are still dissecting Antero’s SUA to try and get it into balance with what they think it should have. More workshops are planned for the near future as well as more meetings with Antero. They will have another meeting with Antero on December 15th at 1:30pm at the Battlement Mesa Activity Center. Their next regular Oil & Gas meeting is on December 8th at 3:30pm at the Activity Center.

Chevron – Cary Baird reported that on November 11th they had a release of produced water from a well they were working on for normal well head servicing. There were no injuries and the water was contained to the top of the well pad itself. They cleaned up the release and removed all soil that was affected. They are investigating the cause. They notified the COGCC, the CDPHE and the Town of DeBeque and no fresh water was affected. They have had no safety incidents since the last EAB meeting. They now have driving improvement monitors in their cars. They have been doing a lot of community involvement work and several employees will be helping with a science fair for GarCo High Schools. They are participating in a food drive along with Oxy in their building to make a sizeable food donation to the Food Bank of the Rockies for the holiday season.

EnCana – Sher Long reported that they have 4 rigs running with 2 rigs in North Parachute Ranch, 1 rig South of Battlement Mesa and 1 rig in Grass Mesa. Sher responded to a comment made at the last EAB meeting by Michael Meskin about recent water well sampling activities on his property by EnCana and USGS. EnCana conducted sampling on the Meskin’s property per their sampling procedure, which is to sample all land owner approved domestic water wells within a half mile of a completed gas well. The G33NW gas well was completed prior to sampling the Meskin’s domestic water well and falls within that half mile buffer. EnCana can’t speak for the USGS’s sampling techniques or the time frame which they purge wells prior to sampling, but their sampling procedure is to collect water within the domestic water well to determine water quality. The Meskin residence is an occupied house where water is not remaining within the piping structure for extended periods of time. Therefore, the 30 gallons purged in addition to normal household usage will give an accurate representation of the water quality within the well. EnCana is also aware that Western CO has many water wells that have limited water supply and tries to conserve the ground water and possible pump damage due to running a well dry. EnCana has just received the sample results and a report will be generated by EnCana which will include sample analysis from the Laboratory for the Meskins to own.

Laramie Energy II – Ken Leis reported that they have one rig in the Una Bridge area with 2 wells to drill and will be moving that rig to Taughenbaugh Mesa on Laramie property to drill 2 wells.

Marathon Oil – Curtis Ryland reported that they have one HP 324 flex rig on top of North Parachute and they moved to a closed loop system mid last year and continue to drill with that system. Their completion activities are suspended for the winter and they plan to continue spring of 2010 with a fairly large number of wells waiting for completion with the new Enterprise gathering system about to come on line.

Noble Energy – Judi Kohn reported that they have one rig running and will continue with that same plan for the rest of the year. They are still in communication with DOW about some wildlife mitigation plans for their entire area and hope to have something to the COGCC and the public in early 2010.

OXY – Daniel Padilla reported that they have two completion rigs operating with one in the Cascade Creek area and one in Mesa County. They plan to start drilling in the Cascade Creek area mid January.

Williams Production – Susan Alvillar reported 8 rigs running with 7 in Garfield County and 1 in Rio Blanco County. They went before the Planning & Zoning Committee on November 18th to pursue permits for pads located inside the Battlement Mesa PUD and the committee voted unanimously to pass along the matter to the BOCC. They will go before the BOCC on December 14th. Rick Matar with Williams and Ron LaPlatt with EnCana will give a power point presentation on Air Quality 101 and answer questions at the Battlement Mesa Oil & Gas regular meeting on December 8th at 3:30pm at their Activity Center.

Garfield County Oil & Gas – Judy Jordan reported that the Oil and Gas Department has just completed an oil and gas mapping project. Many times when speaking with an operator they refer to the well pad name which the department had no information on. With the new COGCC rules a Form 2A is now required for any new surface disturbance/new well pad and the pad name and surface location information is a required field on the Form 2A, which now gives them a way to map the well pads. They had their intern Ryan Clarke work extensively with the GarCo GIS department on creating a new well pad layer and updating their compressor station layer on their internal ArcMap GIS using the new 2009 aerials, well location information from the COGCC database and information from GarCo Building & Planning Department on County permits for compressor stations. Ryan and Wendy gave an overhead presentation on the new layers. Many of the well pads have been hand mapped by Ryan and now with the Form 2As the department is mapping all new well pads and able to label them with a pad name and surface location. After Ryan placed a point for each of the well pads on the GIS map they were able to figure a rough estimate of a little over 2000 well pads mapped on the new layer. The department recently received a call about light shining into a residence from a nearby compressor station and with the new updated compressor station layer they were able to identify the compressor station and contact the operations manager of the station who in turn was able to re-direct the light and the issue was resolved.

SUGGESTIONS FOR FUTURE AGENDA ITEMS/EDUCATIONAL PRESENTATIONS

- Injection Well Education
- There was a previous discussion about inviting Theo Colburn and other toxicologists for a panel discussion with varied opinions. Judy Jordan asked for suggestions on other names to invite. Sher Long suggested Dollis Wright who is a toxicologist with her own consulting agency in Denver and is familiar with the GarCo area. Susan Alvillar suggested Teresa Coons.
- Susan Alvillar suggested an educational presentation program on spills. Maybe invite someone from the CDPHE to give a presentation on their SPCC plans and talk about the whole process.
- Curtis Ryland suggested a presentation on well bore integrity.

PUBLIC COMMENTS

- Marion Wells said that she was the one who suggested Theo Colburn to give a future presentation at EAB and she does not understand why a panel is necessary for Dr. Colburn when industry has given presentations without a panel. She was very pleased with the presentation given tonight by Ms. Miskimins. Marion said the issues she brings to EAB are not always just hers but are problems happening in Garfield County. She feels the landowners are being excluded from the process and how can the EAB meet a mission of conflict resolution when it dismisses the person on the other side of the conflict. The decision made about the apron damages was a decision made without consulting the landowner who could have refuted a lot of things that GarCo Road & Bridge decided. She said when you take out the person who filed the complaint you are just eliminating the conflict which she feels puts the landowner on uneven footing and she is one of those landowners. The tour she agreed to give was co-opted by industry which demonstrates how much control industry has over information. The COGCC and the CDPHE never contacted her on the stormwater issue and she was the complainant. The CDPHE report demonstrates 8 compliance advisory findings that require correction effort just on the Stubbs pad. She thinks it is time to acknowledge there is an issue with the EAB not meeting their mission and dismissing the person(s) on the other side which does not resolve the conflict.
- Linda Dixon asked the board to elaborate on the purpose of the panel for Theo Colburn. Judy Jordan said it is to give a counter perspective because the industry's perspective is that Dr. Colburn has a very biased point of view. Linda said that assumption is insulting and she has watched the DVD which was clearly informative although she is not an expert and she does not need an industry generated panel to give another point of view. To her this proves that what Marion Wells says is true about the EAB being co-opted and controlled by the industry to get out their PR and that is what angers the landowners and residents.

- Betsy Suerth closed the public comment period and welcomed any responses back from board members. Sher Long addressed the comment Marion Wells made about residents not having as much access to industry. Sher said she disagrees and the COGCC has a local office in Rifle and anyone is welcome to stop into their office or call them anytime with concerns. Marion said they never contacted her back after she called but they did contact Williams six times. Susan Alvillar said she thought that someone from COGCC had contacted Marion and Marion said she had to call and complain to Dave Neslin, the Director of the COGCC, before anyone from the local office would finally call her back.

ADJOURN

Betsy Suerth adjourned at 8:32pm.

MOTIONS PASSED AT THIS MEETING

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Prepared by Wendy Swan, Garfield County Oil and Gas Administrative Assistant

Approved by the Energy Advisory Board on

Date

Mike Braaten, Secretary of the Board