

## GARFIELD COUNTY ENERGY ADVISORY BOARD (EAB) MEETING MINUTES

Thursday, December 5, 2013

Location: Rifle Library, Rifle, Colorado

### Disclaimer

Users of these unapproved DRAFT minutes are cautioned that these minutes are for review purposes prior to being finalized by the board

### CALL TO ORDER/INTRODUCTION

Vice Chair Howard Orona called the meeting to order at: 6:02 P.M. He thanked everyone for attending the meeting on such a cold and snowy evening. Orona asked the members present to introduce themselves.

### **EAB members in attendance:**

Eric Ward	Marathon
Kirby Wynn	Garfield County
Leslie Robinson	Grand Valley Citizens Alliance
Bob Arrington	Battlement Mesa
Michael Meskin	Grass Mesa
Scott Stewart	Roan Creek
Art Riddle	Town of New Castle
Donna Gray	Williams Midstream
Dirk Myers	City of Rifle
Richard Carroll	Chevron
Howard Orona	Parachute/Parachute Creek
Tom VonDette	Taughenbaugh Mesa
Susan Alvillar	WPX
Scott Brynildson	Mamm Creek/Hunter Mesa
Don Mumma	Battlement Mesa O & G Committee
Jeff Powers	Ursa Resources
Daniel Padilla	Oxy

### APPROVAL OF LAST MEETING MINUTES

The board reviewed the minutes from the November 7, 2013 meeting. Eric Ward made a motion to accept the minutes and Dirk Myers seconded the motion; the motion passed.

### OLD BUSINESS

Orona said there was no old business to discuss.

### NEW BUSINESS

#### **Citizen Representatives:**

Kirby Wynn said he had received a joint application for the Dry Hollow Creek area. Kurt and Evelyn Grimm have applied for that citizen position. Kurt is applying as the representative and Evelyn as the alternate. Wynn said he had emailed copies of their applications to board members. Kurt and Evelyn stood and introduced themselves. They said they have lived in the Dry Hollow Creek area for the last 15 years. They want the opportunity to help their neighbors deal with energy development. Bob

Arrington made a motion to accept Kurt and Evelyn Grimm as the citizen representative and alternate for the Dry Hollow Creek Area. Susan Alvillar seconded the motion and the motion passed unanimously. Wynn will forward the application to BOCC for confirmation and approval in advance of the February meeting.

### **Election of Officers:**

Wynn gave a report from the Nominating Committee. He said the nominating committee had been himself, Don Simpson and Art Bollen. He said they had met and had a recommendation for the board for a 2014 slate of officers for EAB. He said the committee recommends Howard Orona for the Chair position, Scott Stewart for the Vice Chair position and Don Simpson to remain as Secretary. Susan Alvillar asked Howard and Scott if they were willing to serve in those positions for 2014; both said they were. Alvillar moved nominations be closed; Tom VonDette seconded the motion and the motion passed unanimously. Wynn read from the bylaws regarding when officers should be elected and it was decided to vote on the slate at the next meeting in February, 2014, the first meeting in 2014.

### **EDUCATIONAL PRESENTATION**

Wynn said the speakers are held up because of a closure of I70 and are running late but should make it to the meeting soon. It was decided to go on with the business of the meeting and have the Tetra Tech consultants speak at the conclusion of the business meeting.

### **PUBLIC COMMENTS**

Orona asked for public comments, asking that each person limit their comments to 3 minutes each.

#### **Marion Wells, Rulison**

Ms. Wells asked if the EAB had resolutions that covered the recent board changes. She said she is a parliamentary procedure buff and that this is a Garfield County Board, representing the County and its residents. She said in October she brought that the Board was not operating within its governing documents. She said she was told at that meeting, if I was concerned that I should go to the BOCC and take it up with the Commissioners, which she did. After that meeting with BOCC she said she received a 6 page letter from the County addressing the comments she had made at the BOCC. She feels despite the letter indicating otherwise the Board is still operating in error. She said the current bylaws do not conform to the latest Resolution. She also said the latest Resolution was never disseminated to the EAB after its adoption by the commissioners; they do not jive. Wells said the bylaws were signed by the Chair, Brent Buss, on a date that doesn't match a meeting of the EAB. She said the letter from the County raises a lot of questions about the operation of this board. She said the public comment limit that we are held to was never voted on by this board. Speaking to the board members she said you guys may have given tacit approval but is not correct parliamentary wise. . As an example tonight, she said you accepted the Grimm's as citizen representatives, but it is not a done deal until they are accepted by the BOCC. She said she knows that it sounds like she is nitpicking but it would be nice if the board assumed professional responsibility for its actions.

Kirby Wynn and Howard Orona corrected Ms. Wells by noting that the new citizen representative and alternate that were approved by EAB this evening would be going before the BOCC for confirmation approval—as was stated during the approval discussion.

#### **Richard Vottero, Carbondale**

Said he was sorry he didn't make last month's meeting as there was discussion about the public comment that was given in October. He said we have an opportunity to change how oil and gas is

relating to our water and air. This study showed some problems that are significant in this creek because of drilling. He thinks this is an opportunity to care and respect our water and air more. While in Denver recently he said, he noticed the air quality difference driving up to Fort Collins and blamed it on drilling. He believes we are the stewards of our environment. He questioned who wins if our air and water are fouled.

### **COMMUNITY COUNTS UPDATE, Susan Alvillar**

Response Line: 866-442-9034 - The response line system is designed to connect residents with the source of their issues and concerns for timely response and resolution. Once Community Counts facilitates that connection, we are no longer involved. The operator and resident address and resolve the issue, and in the future the resident contacts the operator directly. To close the loop with calls that come to Community Counts, the operator gets back with us to let us know the issue has been resolved.

#### **Concerns**

- Jake brakes;
- excessive mud on trucks from Morrisanna Mesa
- road damage on CR 302 due to a truck slipping off the road
- cattle guard issue
- helicopter activity

Rig Count – Total 12 rigs Garfield County and 1 Rio Blanco County

- WPX Energy – 6 Garfield County; 1 Rio Blanco County
- Encana – 4 Garfield County
- URSA Operating Company – 1 Garfield County
- Black Diamond – 1 Garfield County

Community Counts Board Meetings are held every other month on the 2<sup>nd</sup> Wednesday, 3:30 – 5:00 pm at the Town of Parachute. The next Board meeting will be January 8, 2014.

### **EAB MEMBER UPDATES**

#### **Municipalities:**

##### **City of Rifle – Dirk Myers**

No new updates from the City of Rifle. He wished everyone a happy holiday and Merry Christmas.

##### **Art Riddile, New Castle**

Nothing to report and no concerned reported

#### **Organizations:**

##### **GVCA – Leslie Robinson**

She said the GVCA is involved with the air quality control commission current rulemaking and the group is working hard to improve air quality standards. She said Bob Arrington has been working on it and he read the important rulemaking dates.

##### **Battlement Mesa O & G Committee - Don Mumma**

No update and no citizen concerns reported.

##### **Grass Mesa - Michael Meskin**

No update and no citizen concerns reported.

**Citizen Representatives:**

**Battlement Mesa – Bob Arrington**

He said no citizen concerns reported this past month. He said the BCC will be joining Community Counts.

**Mamm Creek –Scott Brynildson**

No update and no citizen concerns reported.

**Parachute/Parachute Creek – Howard Orona**

No update and no citizen concerns reported.

**Roan Creek – Scott Stewart**

No update and no citizen concerns reported.

**Taugenbaugh Mesa – Tom VonDette**

VonDette reported they have had some issues with speeding trucks lately he thinks that are from Black Diamond. He said he had called Community Counts but Black Diamond is not listed as an operator so he didn't report anything. Wynn told VonDette he would follow-up with Black Diamond.

**Divide Creek – Jeff Simonson**

No update and no citizen concerns reported.

**Operators:**

**Williams Midstream - Donna Gray,**

She said Williams has nothing new to report.

**WPX – Susan Alvillar**

Alvillar said WPX had a 3-D seismic program going on this past summer to further delineate their Niobrara holdings in and around Parachute Creek. Helicopters have been ferrying supplies and equipment for the test areas. This project will be ongoing for the next few months, so expect to see more helicopter activity. She said WPX has produced a hydraulic fracturing documentary. It will premiere at CMC, Rifle on January 30, 2014, at 6:30 pm. Alvillar said the trailer is available at [www.downdeeper.com](http://www.downdeeper.com). WPX has 7 rigs operating.

**Marathon – Eric Ward**

He said Marathon is still in production operations, no new updates.

**Chevron –Richard Carroll**

No new updates.

**Ursa Operating Company – Jeff Powers**

He said Ursa is continuing to complete 9 wells on A and B pads in Battlement Mesa and will return to Silt – Rifle area after the first of the year.

**Oxy – Daniel Padilla**

He said the company continues in production mode, no new updates.

## **Garfield County – Kirby Wynn**

(Provided as a Power Point presentation.) Wynn introduced himself as the Garfield County Oil & Gas Liaison. There is an email sign up list available if any new attendees would like to be added to the mailing list for EAB and other notifications, or you can contact [gdubois@garfield-county.com](mailto:gdubois@garfield-county.com) or call 970-625-5915. EAB meetings are held the first Thursday of the month and are held here at the Rifle Library. Newspaper ads were placed in the *Glenwood Post Independent* announcing the November EAB meeting and inviting the public to attend. The paper also included a community brief on the meeting.

Garfield County has 12 active drilling rigs operating from Parachute to south of Silt. Resident calls to the office for September – November 2013 are: 3 odor; 3 noise; 5 traffic- road conditions; and 49 information requests. Wynn encouraged citizens who are having issues or questions about with oil and gas to contact him to get the matter resolved quickly. The quarterly Northwest Colorado Oil and Gas Forum would be held on Thursday, December 12 at 10 am, at CMC in Rifle. Co-chairs of the Forum are Mike Samson, Garfield County Commissioner and Matt LePore, Director of COGCC. The purpose of the forum is to learn and ask questions about oil and gas topics. Oil and gas operators from Northwest Colorado attend and participate by giving updates. The County has had 323 well starts this year, down from the 498 last year. He said approved drilling permits in Garfield County are at 635, compared to 1046 last year.

The County has finished the Hydrogeology Phase III study of the Mamm Creek area and the final report is complete. The consultants will present the report at tonight's EAB meeting. The report is also posted on the Garfield County website <http://www.garfield-county.com/oil-gas/phase-III-hydrogeologic-characterization-mamm-creek.aspx>.

The COGCC spills/release rulemaking process is currently underway. In general it requires operators to report spills within 24 hours of discovery to the local government and the COGCC. The current rulemaking process is determining the actual procedures of the new law that went into effect in August. The purposes of the law include greater transparency in oil and gas operations and to address some concern that E & P waste spills were not managed with enough oversight. The County has party status in this and will weigh in when appropriate. He said the next key date is:

- December 17: Rulemaking hearings. Expected to last no more than 1 day

The Colorado Air Quality Control Commission Rulemaking is in process. Garfield County will participate. Key dates are:

- Jan, Feb, March, April May (2013): Stakeholder meetings
- November 21, 2013 - Request for Rulemaking Hearing
- December 13, 2013 – Request for Party Status Deadline
- December 19, 2013 – Status Conference (Denver)
- January 6, 2014 – Prehearing Statement Deadline
- February 19-21 2014 – Rulemaking Hearing

If folks have questions about oil and gas topics or would like to report an issue please contact Kirby Wynn, Garfield County Oil & Gas Liaison, 970/625-5905 or 970/987-2557 or email at [kwynn@garfield-county.com](mailto:kwynn@garfield-county.com).

## **EDUCATIONAL PRESENTATION**

Wynn introduced the educational topic, presentation of results from the Phase III Hydrogeologic Study of the Mamm Creek Area. Presenters are consultant's David Bohmann, Operations Manager and Chris Gutmann, Hydrologist from Tetra Tech. They explained the results and details of the Phase III Hydrologic Report on the Mamm Creek area. The presentation is posted on the Garfield County website, <http://www.garfield-county.com/oil-gas/phase-III-hydrogeologic-characterization-mamm-creek.aspx>. A question and answer period followed the presentation.

## **ADJOURN**

There being no further business, Orona adjourned the meeting at 9:00 pm.

## **MOTIONS PASSED AT THIS MEETING**

A motion was passed approving the November 7, 2013 meeting minutes. Wynn will forward Kurt and Evelyn Grimm citizen representative applications to the BOCC for approval confirmation in January 2014. A new slate of officers for next year was nominated with a vote on them to occur in February. They are Howard Orona, Chair, Scott Stewart, Vice Chair and Don Simpson, Secretary.

## **NEW ACTION ITEMS:**

Kirby Wynn will follow-up and work with Tom VonDette regarding concerns about truck traffic speed on Taughenbaugh Mesa.

Prepared by Gretchenn DuBois, Garfield County Oil and Gas Administrative Assistant.

Approved by the EAB on February 6, 2014