

Mr. Planner –

Oil and gas is an intrusive industry that, unfettered, could place heavy industrial facilities everywhere in the County. Oil and gas facilities are not localized like a gravel mine, nor are they noise, dust and pollution free like a cell tower. The impacts from traffic, pipelines, and worker importation are felt both on-site and even more off-site.

OCD does not effectively regulate on-the surface impacts. OCD's charter and primary thrust is to promote development of New Mexico oil and gas, and while so doing have regulations to control mostly down-hole behavior. OCD has some 100,000 wells statewide and somewhere around a dozen inspectors to enforce their regulations. Depending on whether it takes half or two days to go to a well, inspect it, return, and write a report, OCD can inspect each well once every 25 or 100 years.

Among the unregulated is risk of water and air pollution (many contexts). Beyond those, there is noise, light and dust pollution, widespread proximity of heavy industry to sensitive locations (aquifers, acequias, schools, homes, historical sites, and churches), pervasive heavy-vehicle traffic. There are well-documented health and drug hazards, serious fire and explosive accident risks, 1500 self-reported spills per year in New Mexico, boom/bust impacts on government infrastructure bonds. Nationwide, accident investigations regularly cite weak regulation and/or weak enforcement as a major cause, exacerbated by the operator having cut corners to save money.

Further, there are major additional costs to local government such as extra sheriffs, new jails, specially trained emergency personnel and equipment, property tax devaluations as well as permit review and operation monitoring costs.

Oil and gas representatives tell us (and I think credibly) that operators know how to work responsibly and safely. To protect the health, welfare, and safety of County citizens, elected officials must create an ordinance that incentivizes operators to put safety before profits. The ordinance must, of course, place limits on the imposed nuisances. The ordinance should make operators understand that someone is regularly looking over their shoulder, and that non-compliance will hurt

Many studies cite negative financial impacts to local governments from oil and gas development. The ordinance should enumerate inferential costs and assign them to be paid by the industry via appropriate fees. Or, alternatively, the ordinance should explicitly choose to subsidize to the industry by assigning those external costs to the County taxpayers.

Thank you