

August 31, 2012

Setbacks

Dear members of the COGCC,

Homeowners For Responsible Drilling (HFRD) is a group of homeowners with hundreds of members who live in the La Plata County, Colorado, in an area of heavy gas well production (over 3,300 wells).

We are not against common sense drilling and understand the importance of this natural resource to help sustain our growing energy needs and to ensure a healthy economy. However, we have learned a lot living in the "gas patch" as we call it. Unfortunately, because of the minimal 150' COGCC setback, residents and some of the oil and gas facilities have been placed too close for comfort with over 90% of the problems and complaints coming from well pads that are simply too close to residents. The lion share of these close proximity well sites were placed in the 1980s just prior to when our county added increased setbacks. These well pad sites are now subject to multiple wells which makes this matter even more troubling.

This problem has recently become exacerbated by the advent of directional and horizontal drilling. On the one hand this technology helps to limit the number of well pads needed to extract the oil and gas and opens up new formations previously unattainable. This is good as long as the multiple well pad site is not close to residences. On the other hand, drilling multiple wells on a single pad too close to people has become one of our biggest problems making increased setbacks even more important for the following reasons:

- More equipment (Pump jacks, etc.), traffic, drilling operations lasting months, maintenance operations, dust, air and land borne pollution, odors, and noise.
- More gas production entering multiple well pad sites can increase the potential for leaks and possible explosions.
- The multiple wells pad site becomes more and more industrial which makes mitigation more difficult if not impossible to prevent residents' safety, quality of life, and property values from being compromised.
- Multiple wells on a single pad will last a great deal longer (a permanent taking) which will have decades if not over a century of impact on surrounding landowners.
- Drilling too close to people causes enmity between the landowner and the operator making life miserable for both parties.
- More conflict between landowners and the industry means more potential legal issues between local and state governments as local governments pass laws to better protect their citizens.

Most of these problems could be significantly reduced if setbacks were increased to create an adequate buffer zone. A 1,000 foot setback would be ideal.

I personally experience problems living close to a gas well pad with only one well. In one incident, the operator's weed mitigation plan has led to an ongoing problem for the past five years as seen by the attached photos. The well pad has become so heavily saturated with weed spray chemicals that large sections of vegetation on the surface owner's and our property are constantly being killed every time runoff occurs on the adjacent well pad. This is also a threat to our shallow water table (30') as our subdivision uses domestic water wells. One year ago today, my family and I were exposed to a large volume of chemical overspray that entered into our home when the operator sprayed weed killer on a very windy afternoon. This problem could have been avoided if there were more separation between us and the well pad.

Placing an industrial facility literally in a person's back yard is a serious problem for both the operator and the landowner. Especially now with the prospect of increased production and the advent of multiple wells on a single pad in the equation, the outdated 150' setback needs to be replaced with a more common sense, significantly increased distance.

Fortunately, at least in our county, the number of wells pads in close proximity to homes (less than 1,000 feet) only represents a small percentage of the total oil and gas wells in our county. Therefore, a new increased setback requirement would not have a significant impact on the number of existing well pads and would go a long way helping protect citizens who do live near a well pad.

Unless we can keep drilling safe, clean, and minimize conflict, landowners, the oil and gas industry, and local and State governments will forever be at odds with each other which doesn't have to be that way. Out of all the COGCC regulations, setbacks are by far the most inadequate in protecting the public from drilling operations. Increasing setbacks would go a long way to help prevent conflict making life more beneficial and productive for all parties involved.

Our group at HFRD had the privilege to meet with all the Commissioners two years ago in Durango, CO. There, you informed us that setbacks were the highest priority. We are grateful that after many changes to personnel, setbacks are still at the forefront and a resolution may be coming soon. As landowners who have to deal directly with the effects from the oil and gas industry, we are respectfully asking that you increase setbacks for all new wells whether they are placed on existing or new well pads.

To help satisfy Landowners, ranchers, or real estate developers who want to have oil or gas wells close to their property, they could have the option to sign a waiver (as long as it wouldn't encroach on adjacent landowners) to the proposed increased setback of 1,000' with at least a minimum required setback (i.e. 150') which would not be waivable.

Thank you all for your time and consideration to this important matter.

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