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Part 04-Third Hour Audio
February 1, 2012
Hutman Media

[Begin Part 04-Third Hour Audio]

00:00:05

Bernadette Stech: Thank you Gail. My name is Bernadette Stech. I'm a real estate broker and the owner of Paonia Realty. I'm here today to ask the BLM to withdraw all 22 parcels from the proposed August oil and gas lease sale. As an experienced real estate broker it is clear to me that any short-term benefits derived from the sale of these [inaudible] parcels is at the expense of the Valley's established, sustainable businesses.

00:00:36

The North Fork Valley is a desirable place to live. It is quite unique in Colorado. A significant number of the clients to whom I show property come from outside of the Valley. They are attracted to this Valley because it is un-crowded, quiet, friendly, musical, artistic, has clean water, clean air, [inaudible] climate, excellent growing environment, beautiful scenery and has extensive outdoor sports. [*Background Conversations in Mic*]

00:01:06

When clients move to the North Fork Valley they bring a significant income into the Valley. They support the economy in a stable, sustainable way and they derive a great feel of enjoyment from living free.

00:01:21

Since the announcement of the August oil and gas lease sale, some of my out of area clients have had reservations about buying real estate here in the Valley. It is

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obvious to even the casual observer that drilling these gas leased parcels will have a serious impact on all those attributes which makes this Valley a desirable place to live.

00:01:45

I have one client who is beginning the process of making an offer on an acreage property near Paonia. Shortly after the announcement of the gas lease parcel sale these clients stopped the process. They were very straightforward with me. They have stopped the sale process because of the parcel sale that would not--and would not resume the process unless the gas and lease sale did not happen.

00:02:15

I am a small business; so this delay or loss of a sale is a real loss of income for me. As you see, my business has already experienced a negative impact as a result of the potential sale of these leases. I'm very sure that the impact of an actual sale would be much worse.

00:02:39

This is a small community. When real estate loses value it translates into a significant financial impact on the community. We have already seen a negative impact from the recession. As prices move down we see more foreclosures; people lose their homes. I already deal almost daily with clients trying to avoid foreclosure. We don't need any more pressure to move the real estate prices down. These gas lease parcels are just too close to our communities, our farms, our orchards, our vineyards, our ranches, our schools, our water supply, our recreational areas, our wildlife, our home. Please remove all the parcels from the August sale. Thank you. *[Applause]*

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Steve Gulick: Thank you. Hello; my name is Steve Gulick. I'm representing myself, family, and members of the Creek Vista Homeowners Association in Paonia who are mostly retirees.

00:03:44

We are totally opposed to further oil and gas development in the North Fork Valley and I come here to request that the BLM withdraw all 22 parcels from the August oil and gas lease sale.

00:04:00

Six years ago, my wife and I retired to Paonia because of its clean air, clean water, blue skies, wildlife, hiking--all of these things that others have so eloquently expressed before me. And we feel that oil and gas development in the North Fork Valley would destroy all of this.

00:04:21

It would totally transform the character of the community, ruin its tourist industry, and turn the landscape into a wasteland. Our association is on the eastside of Paonia beside Minnesota Creek where three BLM parcels separate us from Mount Jumbo, these parcels being Nos. 6190, 6193, and 6205.

00:04:47

We regularly hike the trails on these parcels where deer and elk are seasonally abundant and mountain lions and bears are sometime spotted. Eagles nest on these lands and there--there is a rich diversity of bird life. We fear all this would be completely ruined by oil and gas development.

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In addition, Creek Vista Senior Center which is a member of our association is just down the road from where we live. It houses about 20 elderly retirees, some of them with respiratory problems and they--some of them use oxygen tanks. At night where we live the cold air moves down the mountainside and settles along Minnesota Creek where this senior center is located. We're concerned the air pollution from the oil and gas development on these parcels could seriously impact the health of these seniors.

00:05:45

But let's be fair; let's step back and tally the tradeoffs of oil and gas development here. So first I'll list the benefits; temporary production of ore, oil, or gas to be exported to make the rich oil barons feel richer, temporary work for those in the oil and gas industry who move from one blighted landscape to the next, and a few temporary low-paying jobs for the local unemployed.

00:06:15

Drawbacks to development; incessant noise, heavy traffic, air pollution, surface water pollution, groundwater pollution, blighted landscape, high prime rate, loss of wildlife, loss of tourism industry, destruction of trail systems, plummeting property values. So the question is--do the benefits which are all temporary outweigh the drawbacks many of which are permanent?

00:06:38

I can't see how anyone could say it is in the national interest to destroy communities in order to obtain a short-term energy benefit. And I can't see how anyone who cares about sustained development in our Valley could see oil and gas development as a solution. Thank you. *[Applause]*

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Kevin Wagner: My name is Kevin Wagner and I'm here to request--actually not to request but to tell the BLM Department what to do because what they don't realize is that they're here to serve the needs of the people. So if they're going against the needs of the people and doing something without our permission that's considered stealing in the laws of this land.

00:07:31

And I just wanted to point out another fact here--is that where is the City Council Members and the Mayors of these three towns? We have the janitor over here but the Mayors and the City Council Members aren't here. *[Applause]*

00:07:49

I moved here from New York five years ago and after I moved here I found out that this was the top-ten safest places in America to live--one of the top ten. And I look at this as a moral issue, because it is stealing. You can't take something that someone owns which we own all this land and then just sell it if we're telling you you're not allowed to do that. You have to listen to what we say.

00:08:17

Also, the issue of water--where are these millions of gallons of water coming from? If we have all this extra water to give to an energy company to shoot into the ground why don't we get our irrigation shares increased and our city tax lowered on how much limit we could use?

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Health issue--someone already talked about the hunting; I'm going to hit it from a health perspective. I'm a health practitioner and I destroyed my health and my endocrine system for a while about 15 years ago from some stupid things I did, over-working, under-eating, and it's literally taken me 15 years to get back on track. I have all this white hair because I prematurely aged, and what people don't realize is when you destroy your endocrine system, you destroy your whole body--how your whole body functions, your adrenals, your pituitary, your thyroid, parathyroid, [inaudible] thyroid, pineal gland. And it's only because of living here and eating all this good meat over the last four years that I'm able--been able to get my health back. And what we're looking at here is the potential massive--massive healthcare issue. It's not like some people will be sick; everyone in this room and everyone who decided not to come here will be sick--forever if they continue to live here.

00:09:44

And economy-wise, I--I'm a produce dealer. I deal with a lot of the people here. I bring them produce over to Aspen and the Roaring Fork Valley--comes here just for the safety and for the peace of mind, knowing that their produce is coming from over here. And I hopefully would like to end up sending truckloads of stuff back to Hunts Point, New York. So thank you for your time. [*Applause*]

00:10:15

Gail Schwartz: So we're looking for Kay Hannah, Daniel Gonzalez, Jack D'Orio, Carolyn Ringo, and Adrianna Heideman. And we'll also ask Vicki Halladay.

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Kay Hannah: Oh it is bright up here. Hi; my name is Kay Hannah and I live on--first I want to thank Senator Schwartz and all of you for being here to listen to our concerns today, everybody--for speaking and coming. I live out on Crawford Road and I'm a Bone Mesa Water District Tap Holder. I own shares of the Minnesota Canal and Reservoir Company and I also have one adjudicated and several other springs on my property.

00:11:04

I've written letters to the BLM addressing the specific parcels and issues of concern, so I'm not going to re-enumerate them all here because there's a lot of them that affect all those things. But overall, I feel that there are way too many unanswered questions about the effects of gas and oil exploration on our air and water quality and quantity, our wildlife and natural landscapes, the traffic impacts on our small rural roads that have you know users from sheep and cattle drives to motorcycles rallies and there are no shoulders; light pollution, you know day and night trucks, and all the other you know negative things that people have brought up and including the consequences of the associated seismic activity that threatens not only our water storage and conveyance but also you know the coal mines on which our economy depends a lot.

00:11:55

I would like to see the industry banned from all of these parcels forever--all 22 taken off the--off the list and never let back on because--because of all the things people have said about the beauty and the pristine quality of where we live and because there have been so many other problems in other places in the country including close to home like Silt and Rifle.

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But at the very least I would request that the BLM not move forward with leasing any of these parcels until the Resource Management Plan is updated including a fully compliant Environmental Impact Statement answering all the questions and concerns that people have raised here to you know--I think that--I think that if that process goes forward they will realize that this is really an inappropriate place for that kind of industry and that you know we have a really good thing going with our agriculture and our viticulture and all the tourist industry and everything and--and you know let's not ruin a good thing. Thank you for your time. [*Applause*]

00:12:59

Daniel Gonzalez: I was still working on this so I didn't have time to print it. Sorry about that. I'm Daniel Gonzalez; I moved here from Southern Chile 10 years ago. I own land in Crawford and a property in Paonia which is--which is situated within 100 yards from Parcel Nos. 6190 and 6193. And I'm here mainly representing my family and my kids--two of them were born here.

00:13:36

Communities around this country are demanding greater oversight of the oil and gas industry. Entire towns, counties, and even cities are calling for moratoriums on drilling and the adoption of local regulations because local communities feel the need to protect themselves from oil and gas operations.

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In the last five years, hundreds if not thousands of complaints in multiple states have been filed with State and Federal agencies from people suffering from headaches, nausea, respiratory problems, odors so severe that people cannot be outside, skin and eye irritation, loud noises, heavy dust, and constant truck traffic transporting waste and toxic chemicals.

00:14:16

According to one 2008 report from the Colorado Department of Public Health and Environment--charged with investigating health concerns due to air and water pollution from drilling in Garfield County, which by year 2025 could have as many as 20,000 wells, noted and I quote: *it should be noted that the estimated free radical cancer risk and non-cancer hazards for benzene in the oil and gas development area appear to be significantly higher--higher than those in the urban and rural areas causing some potential concern. These elevated levels are an indicator of increased potential for health effects related to benzene exposure in the oil and gas development area--end of quote.*

00:15:03

Also according to a report from the Colorado Oil and Gas Conservation Commission during 2010 over 400 spills and releases were reported in the sport but nobody really knows how many more spills take place at any given moment since the reports come primarily from oil operators.

00:15:19

By now everyone knows including our State and Local officials that fracking can and will contaminate our water and air. Technology fails and human errors happen. However, most companies will tell you that their operations have no significant impact

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on people's health, the air you breathe, or the water you drink. If so, then why has the industry spent millions of dollars fighting disclosure of chemicals and keeping their operations exempt from Federal law that applies to all other industries but them, such as the Clean Air Act or the Safe Drinking Water Act?

00:15:53

This Valley we live in and that we have chosen to raise our kids--our kids is admired all over the State for its quality of life which depends greatly on our clean environment that allows organic farms to make a profit or hunters enjoy our beautiful landscapes while spending their dollars locally. I believe that because of the location and number of parcels recently nominated, most of them within yards from our drinking water sources, irrigation, schools, farms, and recreational areas drilling in them represents a direct and clear threat to our way of life here.

00:16:21

The BLM chose to include these parcels in their now 22 year-old Resource Management Plan at a time when they had no understanding whatsoever of the impact associated with drilling and fracking. And this makes their R&P obsolete. I'm here to ask, to request, to demand from the BLM the removal of all 22 parcels from the proposed August oil and gas lease sale. If you guys prove viable in our Valley and hundreds of wells came in I can assure you that our quality of life will diminish and you'll wish it never happened. If you don't believe me, visit Pineville, Wyoming where we used to spend our summers. In Pineville where the BLM has issued more than 50,000 permits to drill since 2000, an [inaudible] coalition of hunters, renters, and environmentalists came together a few years ago to fight in Federal Court against further development of gas and

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oil around their town. They realized a little too late that life was better before drilling took over their community. Thank you. [*Applause*]

00:17:27

Jack D’Orio: Howdy folks; according to protocol I was supposed to have something written, reviewed--all right it’s a tough act to follow up here. My name is Jack D’Orio. I have a farm, an organic farm on Lamborn Mesa just under the shadow of Lamborn Mountain. I’m going to have wear these glasses. I can't see a damn thing up here.

[*Laughs*]

00:17:57

We--we raise produce for the area being vegetables, cut flowers, herbs, and most of it however goes over to Roaring Fork and we--we started a market over there in Aspen and we also started one in [Inaudible]. We now raise produce for restaurants in the Aspen Valley.

00:18:28

I’ll have to tell you that I--I started out in this knowing about four weeks ago when just before Christmas that I found out that this was going to be a problem. And I did a little research and then my anger level rose up to here [*Gestures*] because we work very closely with Bureau Land Management Forest Service in the area. We maintain some 20--25 miles of ditch--the Lone Cabin Ditch Company. There are three--two other--Turner and Minnesota Ditch Companies in our area who also go through--almost all of our ditches go through BLM land. I personally have been up there myself many times and

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I'm on the Board of one of the ditch companies and we spend a lot of time so we have to work closely with these people.

00:19:26

Well when this came out about--about drilling in this area I was caught with my pants down, frankly. I just didn't realize that people would do this. And I--so I got angry and I wrote a letter and I wrote several letters. And they've all shown up in the various newspapers and radio reports and whatever.

00:19:52

Anger was the first phase of my take on this. Second one was I did a little research--oh stop--oh my god, 30 seconds? Oh, **[Laughs]** 10 seconds are gone, all right; well I'll tell you the second one was depression and I--you get depression about 3 o'clock in the morning when everything is dark as hell outside and you wake up realizing that this is the land of life. And--**[Applause]**--.

00:20:52

Carolyn Ringo: Hello; my name is Carolyn Ringo and I'm here as everyone else to ask the BLM to remove all 22 parcels from the proposed August oil and gas lease sale--I live--gas lease--that wasn't really.

00:21:04

I live on Pitkin Mesa near Paonia; Parcel Nos. 6207 and 6189 are adjacent to our water supply. There is evidence that fracking may well pollute the water I rely on for safe drinking. In addition, I have respiratory problems and other health issues that have been greatly alleviated since moving to the North Fork Valley. I get my exercise by walking

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and hiking. If fast-drilling increases in this Valley my quality of life, most importantly my health will be great impacted and I will likely have to leave. And I don't believe I'm alone in this.

00:21:39

It is well-documented that drilling activities greatly decreases the quality of our air. We are also drawn here for the recreational opportunities and for the organic agricultural base. Tourism and agriculture will be adversely affected by drilling activity, not to mention our views, the abundant wildlife and the devastating impact on our infrastructure.

00:22:02

Parcel Nos. 6194 and 6192 will affect me personally with the amount of light and noise pollution.

00:22:12

The West Elk Loop an official Colorado scenic byway has been described by a forest ranger as the closest you can come to wilderness experience in a passenger car. Even through the windshield one is likely to see bears, elk, deer, big horn sheep, coyotes, eagles, and any variety of wildlife. The West Elk Loop provides immersion in the scenery, history and the culture of Western Colorado and passes right through the North Fork Valley. Dare I say it would no longer remain scenic if these leases are permitted?

00:22:43

Parcel Nos. 6193, 6190, and 6189 are adjacent to the water supply of my community supported agriculture food suppliers. The State of Colorado has stated that water is in short supply and our rivers are over-subscribed. Where are the gas companies

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going to get the large amount of water that is needed for fracking--right out of our canals, our rivers, and our wells that support the agriculture that keeps this Valley a viable place to live and to work?

00:23:16

Yes; I say not in my backyard, but I say not in anyone's backyard. We have the technology--we have the technology to develop renewable energy resources. We don't need this dangerous activity here or anywhere. Please take all these parcels off the table as the short-term gains are not worth the long-term partially permanent devastation.

[Applause]

00:23:51

Adrianna Heideman: Wow; you really can't see. My name is Adrianna; some people know me as Judy Heideman and I'm here because I love this place. I'm sure that's why you're here too. And I want to thank the Representatives that have come and heard us except for Mark [Inaudible].

00:24:18

I am here today representing myself and my husband Bernie to ask the BLM to remove the 22 parcels in Delta and Gunnison Counties from the August oil and gas lease sale and any future sale.

00:24:35

What drew us to settle here four years ago was a search for a place to raise a child. I was pregnant at the time and we had no home, so we followed people's suggestions and came here and we fell in love with the place.

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We bought a property with 10 acres of apple trees we knew nothing about taking care of. And we immediately converted to one of the first organically grown orchards in the area. About 11 years later we started Big B's Juices which Bernie ran for 18 years and which continues to grow and thrive under the ownership of Jeff Schwartz.

00:25:21

We stay here because of clean air and water, because of walking up the hill and seeing the elk and deer and the [inaudible]. [*Background Static*] And our kids came back which is an amazing thing too. They tested it out there in the world and came back.

00:25:41

Today over 60 farms in the listed in the Valley Organic Growers' Association Directory and there are many more feeding many people in this area and beyond. However, pure, unpolluted water and clean air are essential for organic certification.

00:25:58

In our neighborhood we have two community-sponsored agricultural farms nearby and we've seen many students come to the Paonia Hotchkiss area to become interns on these and other organic farms. Young people are attracted to this area, to stay, and live and raise their families. It's very important to our national economy, to preserve places where farming and ranching are still practiced and teachers of it are accessible.

00:26:25

Fracking not only threatens water and air, but it threatens education of future farmers, our children, and their children.

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There's so much more to say but you've heard it from most people. Thank you.

[*Applause*]

00:26:42

Gail Schwartz: So next is going to be Colin Dunbar, Lee Overton, [Inaudible], Dori Lee, and Richard Rudin.

00:26:59

Vicki Halladay: My name is Vicki Halladay. I wasn't sure too much before I left home if I was going to speak or not, so I have no big eloquent statement exactly but I'm sincere. I live right on Larue Creek just outside of Hotchkiss. The parcels that would affect my life most would be Nos. 6195 and 6196; they're right up above where we live.

00:27:25

Drilling natural gas wells and the hydraulic fracturing process would directly impact my family's drinking water and irrigation water just like hundreds of other citizens right here. I make a lot of my living and feed ourselves off our land. We worked hard for 20 years to be able to raise high-quality vegetables, fruits, eggs, lamb, and meat chickens for ourselves and other people. None of that would be possible in this high desert without good, clean irrigation water. It's what makes our communities possible.

00:27:58

There's more organic farms in this area than anywhere in the State. Agri-tourism is finally taking off and putting more money in the local economy helping us farmers and ranchers make ends meet. Tourism dollars in general sustain a lot of others in the Valley-

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-artists, my husband is one, store owners, vineyard owners. No one will want to come here if their sources of--if our sources of air, water, soil pollution are in action. Nobody will purchase our produce or meat; nobody will even come take a look.

00:28:35

Our farm is very close to Highway 92 also. Drilling for oil and gas to proceed I would be directly impacted by the resultant vehicle exhaust, the dust, the noise, large trucks, and the increased personal sized vehicles from workers would produce. Our local roads are a mess already and wouldn't stand up to all that traffic.

00:28:57

Fracking contamination is taking place in so many drilling sites across the nation I can hardly believe this is still being considered a viable method for extracting natural gas. The BLM at the very least should update and revise the 20 year old Resource Management Plan. So much is at stake here. We can't afford--we can't afford to lose. Thank you. [*Applause*]

00:29:42

Colin Dunbar: Hi; my name is Colin Dunbar and I live on Pitkin Mesa in Paonia below Parcel No. 6191.

00:29:50

Gail Schwartz: Colin, a little closer to the mic, please.

00:29:53

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Colin Dunbar: I moved here five months ago--oops. **[Laughs]** I want to start out by saying that I'm talking--that what I'm talking--that I'm talking about what is so for me. What I mean to convey by saying that is that I believe I'm responsible for creating my experience of things because I choose the interpretations of things based on my past experiences.

00:30:26

I have struggled with the experience of fear and dread I have created around authorities because my experience has been--sorry--but because my experience has been after speaking to authorities that despite my best efforts at explaining my viewpoint clearly I discovered that I have not been heard and I experience the desperation that is concomitant with that for me.

00:30:58

[Applause] Consequently I have never previously stood up and spoken like this and stated my view. My view is that an authority, the government that was able to think clearly would be subsidizing sustainable sources of energy to the utmost **[Applause]** while encouraging frugality in the use of energy also. My view is that in Gandhi's words *earth provides enough to satisfy every man's need but not every man's greed.*

00:31:44

The true opportunity is in addressing man's uncontrolled, unrealized fear known as ego and that includes me. The true cost of gas drilling is astronomical and incalculable wherever it is. I don't want that cost to be paid by anyone anywhere to supply illusory profits to out of touch corporation without a heart or a sense of responsibility but

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considers it viable to engulf yet more wild land, poke holes in it, puncture it, desecrate it and destroy it and consider that a viable industry.

00:32:24

I'm a resident alien and so I don't have a vote--not that I'm sure that would mean much because of the big business financial pollution of government processes.

[*Applause*] But I have a vote in my own life and that is for focusing attention on loving myself and others by coming to know the wonder and unfathomable intimacy of my developing relationships with this immense and fragile Earth Mother we all emerged from. Please don't frack here or anywhere else. [*Applause*]

00:33:16

Lee Overton: Good afternoon; my name is Lee Overton. I'm against the proposed by the BLM of approximately 30,000 acres or 20,000 parcels in the North Fork Valley for oil and gas development.

00:33:31

I own and live in a house in the Meadowbrook Creek Subdivision east of Paonia within the city limits. My reasons follow:

00:33:41

The Resource Plan pertaining to the leasable parcels within the compadres BLM region has not been updated since 1989. Working with an outdated plan should be considered unacceptable. Further, I would request a full Environmental Impact Statement rather than just an Environmental Assessment.

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An area near me that will be leased, No. 6197 is a source of city water on which I and my neighbors depend. We are also depending upon No. 6193 for irrigation water by the Stewart Ditch. Disruption of the land by drilling and the use of fracking noted for its contamination of soil and water sources will have negative impacts on the quality of these resources. Drinking water, irrigation water, and land cannot afford such threats.

00:34:39

Further, increased traffic, construction noise, and base of lighting, diminished air quality and altered visibility will negatively impact the quality of our neighborhoods.

00:34:50

Citizens of this community live here for the most part by choice because of the clean air, treasured views, quiet surroundings, agricultural pursuits, mining employment, stable community infrastructure and a conscientious citizenry. I believe they do not wish to see a disruption in our status quo.

00:35:11

I am a senior and serious walker in this area, Nos. 6205, 6190, and 6193 and credit my good health in a large part to my environment. I am not alone in my appreciation of this place and again request that the BLM withdraw its proposal to lease these 30,000 acres or 20,000 parcels for oil and gas development in the North Fork Valley. Thank you. [*Applause*]

00:36:00

Dori Lee: Hi; my name is Dori Lee. I've been a resident of the area for around 23 years. I represent myself, my husband John Lee, and my two sons.

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I'm an RN and I work at Delta County Memorial Hospital. I live in Gunnison County on County Road 12. We have about 195 acres.

00:36:19

I'm against drilling on any and all of the 22 proposed parcels. When we first moved to the area we looked for four years for a good place to raise our children, to start our own business, and we intentionally moved here due to the clean air, the pure water, the amazing agricultural environment, the culture itself, and the community.

00:36:46

I'm against all of the drilling due to the negative impact and the decrease it will bring into property values, the damage it'll will do to all of our [inaudible] water; we have three wells from deep aquifers up in our area that are adjacent Track No. 6206. It's about 100-feet, one of the boundaries from our horse farm, and less than 100-feet from Anthracite Creek that also feeds into North Fork, the Gunnison and the Colorado.

00:37:16

Track No. 6215 is going to be--is there next to the boat ramp at Paonia Reservoir and it will be a negative impact with the recreation, swimming, clean water which the dam also drains into the North Fork , the Gunnison, the Colorado.

00:37:38

There is also Track Nos. 6511, 6206, and 6216 that's on the BLM parcel that's involved in the land exchange.

00:37:49

We--we are neighbors to the Bear Ranch on Kebler Pass County Road 12 and the already increase of traffic, road damage, and unsafe passage that has happened due to the

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construction of that area will become worse and the gravel West Elk Byway just was not intended for that type of use.

00:38:11

Also the negative impact on the resident wildlife; the turkey--we winter around 150 turkey up in our valley, the elk calve along there in the winter also with the horses up in that area; the negative impact on the herds, the bears, the hunting, the tourism, and recreation which is a large income for our entire area.

00:38:36

I brought this magazine because I subscribe to *Sunset*. I think it's a great magazine. It says--it's about best places to live. We found your new hometown. I'll have to be honest I was looking at it for my own personal reasons. Paonia is in this magazine and there is a comment that I got on the website and it said *the truth is what Sunset doesn't mention about Paonia is that it's a paradise for extractive industry*. Thank you.

[*Applause*]

00:39:18

Gail Schwartz: Just before Richared starts Jeff Levens, Laurel Webb, Aaron Jaerad, Randy Litwiller, and Lucien Pevic; so again just remember if you go over you're taking the next person's time, so--.

00:39:37

Richared Rudin: Now you say that? [*Laughs*]

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00:39:37

Gail Schwartz: Yeah; I'm just warning you Richared. [*Laughs*]

00:39:40

Richard Rudin: Good afternoon; I'm a 40-year resident and a Board Member for Terror Ditch and Reservoirs, so I guess that makes me a semi-native. I want to thank everybody who spoke before me and you did a great job so I'm going to speak on another tangent.

00:39:56

My name is Richared Rudin and I'd like to thank the Congressmen and the Representatives for your attendance today. I would like to make a point first about--

00:40:06

Gail Schwartz: And our demotion.

00:40:07

Richared Rudin: --good, well thought-out effective resource management and time-permitting, potentially illegal resource management. I'm the spokesperson for a local group called the Concerned Citizens of Delta County. We were the group that successfully appealed the unmitigated coal expansion a dozen years ago. One result of that was the establishment of a local collaborative, the North Fork Coal Working Group, a group that supports environmentally responsible mining of our local super-compliant coal.

00:40:41

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I recently gave a presentation to this group serendipitously attended by geologists and land use personnel from the BLM. My presentation--my presentation centers around the fact that it is no longer whether or whether not the gas extraction creates earthquakes. It has now recently been proven that fracking does and re-injection more so creates seismic activity. The attending geologists went so far as to say my presentation was accurate and the proposition that earthquakes could adversely affect our mines stated *I won't go so far as to say this would happen but it could happen*. And in V-8 moment added, he *hadn't yet thought of this*.

00:41:28

I would argue that introducing an industry that could produce earthquakes into our vicinity of our coal mines is at best dangerous and at worst negligent both to our miners and to the mining businesses themselves.

00:41:42

Bowie Resources has stated that in 2010 we were one bounce from going out of business. I think a large defensive safety zone should be implemented to protect our active mines. The people of New York City have requested a seven mile bumper zone around their most vulnerable underground tunnels of water conveyance. I think we should at least request the same for our underground tunnels full of our families, friends, and neighbors.

00:42:12

So we are proposing that as a matter of good resource management the BLM adopt the position that as long as we have active mining in the North Fork any gas extraction be postponed until they are no longer active. **[Applause]**

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00:42:30

And if I have a few seconds--if I have a few seconds, it's little known and may be not known that the BLM itself has set a threshold for truck particulates as part of the Coal EIS Iron Point decision--they themselves set a threshold for truck particulates being thrown in the air. That was why they told Bowie to get the trucks off the road and build a \$3,000,000 truck load-out. So I would think that it's impossible and would be a deal-killer right off the get-go if they followed their own legal precedent for particulates.

[Applause]

00:43:19

Jeff Levens: My name is Jeff Levens and a lot has already been said so I can kind of summarize a little bit and say, what they said. And then for a few more just personal things--

00:43:31

Gail Schwartz: Jeff, a little closer to the mic, please.

00:43:33

Jeff Levens: --one of the reasons that my wife and I moved here is that I have fairly severe allergies and I've had asthma at times, and so it's quite possible that the air pollution from any--a project of any size like this would cause--cause us to have to leave. I can't even function in urban areas; I get ill and one of the reasons we moved here was because of the clean air.

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00:43:58

We--between the two of us we probably eat--about 80-percent of our diet comes from this Valley and Parcel Nos. 6193, 6190, and 6189 are water supplies for the farms that provide our food and our drinking water on--where we live on Pitkin Mesa comes from wells that are adjacent to or on Parcel Nos. 6207 and 6189. So we're quite concerned about that. And then we have a direct view from where we live of at least Parcel Nos. 6194 and 6192 and so the light and noise would be very disturbing on the light sleeper. And noise--I'll wake up if somebody in the next house rolls over and so light from drill pads across the gully would be enough to disrupt my sleep.

00:44:58

And so I think that's about it--that has--I just request that not just the 22 parcels but all of BLM land in this area be taken out of consideration. Thank you. [*Applause*]

00:45:20

Laurel Webb: My name is Laurel Webb. I raise sheep, poultry, vegetables, and children on Redlands Mesa. My family's health and livelihood depend on clean air and clean well and irrigation water. My husband and I are mountain bikers and as you all know if you mountain bike, some of the best mountain biking trails are located on Parcel Nos. 6190 and 6193.

00:45:46

I request that the BLM withdraw all 22 parcels from consideration for oil and gas leases.

00:45:52

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I'm also here to remind everyone who is concerned about this issue of the obvious. As long as we, the people continue to use these non-renewable natural resources we will continue to see sacrificed areas whether it be the Gulf of Mexico, the North Fork Valley, or someplace we haven't heard of yet. We must remember that we, the people will make significant and lasting changes in this industry by assessing and modifying our investments, lifestyles, and buying habits.

00:46:24

I encourage the BLM to withdraw these 22 parcels for natural gas production and I encourage we, the people to find ways to reduce and eventually the need for natural gas and other non-renewable resources. Thank you. [*Applause*]

00:46:48

Aaron Jaerad Heideman: Hi; my name is Aaron Jaerad Heideman. My mom spoke very eloquently earlier today. I want to thank everybody for being here and giving us the chance to speak. I must say I--I was born here in this Valley and have spent the better part of my life here. And when I saw and heard this lease proposal, at first I couldn't barely believe it. If you look at where these plots are and you look at--and know the farmers and their lives and everybody living here, and I had to put myself in the shoes of those people that made that decision for a minute and think you know they haven't been here. They're looking at some map and some 20 year old plan. So really to keep it very simple it's like we need to not lease any of these pieces until the Resource Management Plan is up-to-date--just the bottom line.

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Continuing spending thousands of hours fighting this on something that's that old seems on the border of ridiculous to me. You wouldn't go to a hospital if you were sick and they said hey, we got 20 year old anatomy here and we feel confident that they knew what was going on. *[Laughs]* *[Applause]* So my demand really is update the plan and let's come back to the table and talk about this because I feel it will be a different picture when you know what this place is. Thank you.

00:48:31

Randy Litwiller: My name is Randy Litwiller and I lived between this area and Rifle for about 50 years. I've been through oil shell boom busts, the Rulison Blast, oil drilling and all kinds of stuff. And I live on Fruitland and I think I can see pretty near ever parcel that's up for nomination. So while I don't have a specific one to talk to I'll talk to them in general.

00:48:58

So for the record, I am against reckless drilling and for that matter any abuse of public land without thought to the impact it may cause to others who choose to use it. With regard to gas drilling in particular, I am against natural gas drilling that utilizes fracking techniques within--within the water-bearing formations or any water-bearing aquifers. I'm against drilling in a legal manner without proper authority permits or required studies of potential negative impacts the drilling may cause.

00:49:35

But what I do support is energy development conducted in a responsible manner with adequate studies minimizing potential impact. If regulations are followed and

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operators are committed to the protection of our resources I believe the energy development can co-exist with a variety of things we use our public lands for and depend on our public lands for. I believe that if any energy developers, no matter who they are, follow the law, follow the volumes of Federal regulations already in place, follow the new laws as they're churned out every day, follow new fracking requirements, and basically get permission to breathe, then energy resource development should be allowed to proceed and we can feel comfortable it will be done with--without negative consequences.

00:50:29

Bottom line, there is always a risk to anything we do to provide a better quality of life for our future generations. There is no reward without risk as long as we demand energy and call it a basic necessity. We better be willing to accept the risk and focus on minimizing the impacts. I know there is always someone else's backyard that is a better place for energy development. But as long as we all benefit like driving here today--from the end result of energy development we're hypocrites to oppose it.

00:51:04

So instead of organizing a witch hunt to put this thing down and I--I say we should look--focus on--towards making this a model that the country adapts for future sites nationwide. Thanks so much. [*Applause*]

00:51:29

Gail Schwartz: Okay; before we have Lucien next and just after that Steve Morris, Don Lareau, Alicia Michelsen, Dominic Anthony, and Rita Clagett.

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00:51:46

Lucien Pevic: Can I start?

00:51:48

Gail Schwartz: Please.

00:51:48

Lucian Pevic: Hi; my name is Lucian Pevic. I'm here representing the Town of Paonia and my family. Thank you guys very much for being here; I am the Mayor for the Town for Paonia, Colorado. Is this working?

00:52:03

Gail Schwartz: Just get close to it.

00:52:04

Lucien Pevic: Okay; my first comments I'd like to make are--are personal and I feel that fracking an injection well will go down in history the same way Rulison did in 1969. I think it's going to end up being a really bad idea for all of us and all of our environmental livelihoods.

00:52:24

On that note, I'd like to speak for the Town. We've prepared a letter to the Bureau of Land Management and it's quite long, so I'm just going to read most of it or some of it until my time runs out.

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00:52:37

Please accept this as legal notification that the Town of Paonia is hereby registering significant concerns with the Bureau of Land Management in its planned leasing of Parcel Nos. 6197, 6193, 6190, 6194, 6205, 6206, 6207, 62015, and 6216 for oil and gas development in the North Fork Valley. As such, we request that these parcels not only be removed for consideration for leasing at this time, but also removed from consideration in any further lease sale of the BLM in perpetuity.

00:53:17

Skipping some paragraphs here--the town of Paonia is a Municipal Water Company Public Water System ID No. CO0115601 that has been in continuous operation since Paonia incorporated in 1902. Paonia supplies water to 1,536 water taps with an average equivalent of 3,300 residents both in and outside of town limits including 26 private water companies.

00:53:43

Paonia's water is acquired via 26 springs and the town passed Watershed Ordinance 2003-02 on February 25, 2003. There is established by the Town of Paonia, Colorado a watershed designation pursuant to Colorado Revised Statutes CRS31157071B. The watershed is that area in which the town shall exercise its powers to maintain and protect the town's waterworks from injury and the town's water supply from pollution. This watershed is created under the authority granted in CRS31157071B as amended. The watershed in these regulations are created only for the purpose of protecting the town's waterworks and water supply and not for the purpose of regulating land--land use activities which--which activities shall continue to be regulated by the

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County of Delta, the State of Colorado, and the Federal government and any other authority with which jurisdiction over land use activities within the watershed. The town shall implement and enforce these regulations for the purpose of reviewing and permitting any activity within that watershed which creates a foreseeable risk or injury to the town's waterworks or the water plant. Thank you. [Applause]

00:55:03

Steve Morris: Hi; my name is Steve Morris. I live on the corner of 2nd and Oak in Paonia. Second Street has been designated as the official truck route through Paonia.

00:55:15

I was going to say a lot of things. I'll see if I can get them all in. I am a small business owner, carpenter, house painter; I am an organic gardener, I am a mountain biker, a backpacker, a mountaineer; you name it--skier, I love it. I love the outdoors. I love the wildlife.

00:55:34

I'm also the Search and Rescue Training Director for our local group and in no way can I really see these leases being conducive to really any of those activities, so I want to start out by saying I--I officially would like BLM to remove all 22 parcels from this 2012--August 2012 gas lease and any other future gas lease.

00:55:57

I think we're all here pretty much for the same reason and that is that we love the North Fork Valley. I'm sure there might be a couple of you out there that love it for the tiny percentage small chance of successful gas exploration, the handful of local jobs that

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might be--you know come at hand from that, and the severance taxes that might boost up some numbers in the County Seat. But I think most of us love it for a whole different reason. We love it for the open space where we--the un-fragmented landscapes where we graze our cattle, where we hunt elk, or where we just meander in awe of beauty and majestic qualities of our North Fork Valley. We love it for the rural character of our--our area, for you know the fact that you not only know your neighbor but you can trust them. We love it for the--the small county roads with very little traffic. We--we love access to wild places; we love access to Jumbo Mountain for trail-running and mountain biking, hiking, bird watching, you name it.

00:57:10

The gas lease is going to affect all of that--all of it in a very negative way. No longer will we have clean air or water that we can raise our organic gardens or our children with. No longer will we have these open spaces; they'll become fragmented, fractured one could say. Wildlife would no longer have their corridors to get--get up to their--you know to their mountain homes, specifically--oh I only got 30 seconds.

00:57:40

Parcel Nos. 6190 and 6205 are either surrounding or adjacent to [McCloskey] and [Rover] Reservoir. Jumbo Recreation Area would be affected by Nos. 6190, 6205, and 6193.

00:57:56

We--we love this place. The traffic, of course I should mention the traffic; I live on 2nd Street, specifically Nos. 6193, 6194, 6192, 6189, 6197, 6190, 6205--all would be funneled down 2nd Street by my home. Do the right thing; this is not a time to sit on our

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hunches and turn our cheeks so that we don't offend our neighbors. This is time to stand up, to unite together in a common voice and say no oil and gas in the North Fork Valley **[Emphasis Added]** **[Applause]** and to say please remove permanently all 22 lease--.
[Applause]

00:58:42

Don Lareau: First I want to say thanks to the CEC Board and Senator Schwartz and the other staff of everybody here and--and shame on Tipton and Corem and the County Commissioners for not being here. **[Applause]**

00:58:57

I'd like the opportunity to formally ask the BLM to withdraw all 22 August 2012 BLM parcels from oil and gas leasing in perpetuity.

00:59:06

My name is Don Lareau and I own land and operate a family farm within a half mile of Parcel No. 6198. My water comes from Parcel Nos. 6197, 6194, and many others. My air comes from all of them. **[Laughs]**

00:59:20

Before we talk about my farm there is Washington, DC where the companies that drill here have spent lots of money so they can do it their way. The rhetoric of the industry says drilling and fracking are safe. Then why did they push the 2005 Energy Appropriations Bill that contains a clause **[Applause]** which exempts them from the Clean Air Act and Water Act and Safe Drinking Act--? **[Applause]** If it was really safe they would need to be exempted from these Acts? With the Colorado Senator here I ask

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that Colorado--that in Colorado the oil and gas industry be stripped of these exemptions. I encourage you Senator Schwartz to safeguard our State from the lack of Federal regulation on fracking and drilling. **[Applause]**

01:00:01

The fabric of our community in the North Fork Valley is why I comment. I'm concerned the fabric of our community will be fracked. How? The traffic will ruin our roads with the asphalt in the quiet country lane; the air pollution will make us sick and like LA on a bad day. The water will be contaminated beyond use. The police, hospitals, jails and other public infrastructure will be overwhelmed. The Valley will probably--will fall beyond people's and my ability to pay for it. This is all documented in areas of the country where there is drilling and fracking. The fabric of our community will be torn and frayed.

01:00:31

The proposed leases are already affecting me as a business person. I have a business plan to utilize my farm capital in name for agri-tourism which would benefit me and my community. Will anyone come here to see a farm and landscape that is polluted? Should I spend money and attract investment to expand my business when the threat of unregulated drilling and fracking are at my doorstep? Any prudent business person would say no.

01:00:56

And so today is tabled. The decision is on your table BLM; your mission demands you act *to sustain and to help diversity and productivity of America's public lands for the use and enjoyment of present and future generations.* **[Applause]** You have fulfilled your

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mission with these parcels. Thank you; the water on any of these parcels feed our farms and people. How do you value that productivity? We breathe the air the trees on these parcels create, a product not on the balance sheet of bankers. You should add them to yours. The people enjoy these lands for hunting, biking, ATV(ing), motor-biking, hiking, skiing, snow mobiling, bird watching, and as their [inaudible]. Oil and gas development threatens these parcels for future generations to enjoy.

01:01:43

My son was crying at the thought of having to move or not being able to move because our property is polluted and no longer worth what we paid for it. Please make the decision that will allow him and his son to enjoy these lands in the future by withdrawing them from oil and gas leasing. Thank you. [*Applause*]

01:02:05

[End Part 04-Third Hour Audio]