

## Comments Received between May 25, 2013 and August 22, 2013

To Whom It May Concern:

I am very concerned about fracking in the Broomfield area. My children attend Prospect Ridge Academy and I want them to have fresh air and water that is clean and healthy. I know that fracking affects both the air and water in the surrounding areas. Please do not allow fracking!

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Dear City Atty,

We need an attorney that can enforce the City's codes on Geology, noise, visual and wildlife. The proposed wells and fracking violate all of them. As a home rule municipality, Broomfield can fight this. I care for this community and do not believe it is right that many will suffer at the expense of a greedy enterprise. The proposed fracking company has a horrific track record including failure to remediate spills. I would hope that you would enforce the codes the City has in place to prevent this. If you are not up for the job, please step down and have someone that will do it. Once children get sick, and they will, people in office here will realize they had a major hand in ruining lives. Also, many homeowners have years of hard work tied up in the equity of their houses. Ruining them for the sake of a greedy company is just wrong. We need an atty. that will fight for us! Is that you? My neighbors and I sure hope so.

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City Council Members:

Your extensive efforts in understanding citizen concerns on fracking are greatly appreciated. In response to questions asked by Mr. Jurcak and Mrs. Derda during the May 22 Town Hall meeting I wish to reiterate and clarify my request for a moratorium. Based on my research of available studies and interviews with experts in the field, I feel there are substantial uncertainties in the current oil and gas extraction industry that are a result of recent increases in unconventional production (specifically, horizontal drilling and fracking). Accordingly, until these uncertainties can be resolved and best practices put in place to mitigate all risks, I believe an immediate moratorium is the only prudent and reasonable act. I believe the moratorium should be for a minimum of 2 years, and should be lifted only on the successful completion of the following tasks:

- Assessment of a comprehensive study of the impact of fracking on human health: Many studies indicate substantial adverse health impacts are caused by the environmental impacts of hydraulic fracturing of horizontally drilled wells. Attached please find a memo excerpting key conclusions from several peer-reviewed studies and government-issued reports documenting this assertion. Many of these reports were cited in presentations you heard at the Town Hall meeting. I would also respectfully refer you your April 16, 2013 study session. During this session Mr. Anderson asked Gordon Pierce, of the CDPHE, if the full extent of the health impacts from fracking were known. Mr. Pierce explicitly confirmed (paraphrased) that the full extent of the health impact of fracking was not fully understood. He also stated his opinion that while no study will provide all of the answers, "three years would help." The conclusion that there is substantial uncertainty as to the health impact is consistent with commentary from many in the scientific community, as well as with comments in the COGCC's purpose statement included in their regulations and in COGA's written response letter to the McKenzie report. If you haven't read the COGCC or COGA references let me know and I will provide them.

As discussed at the town hall, there are multiple studies that have either recently commenced or that will be commencing shortly, including the three in Colorado that were mentioned at the Town Hall meeting (CDPHE, the University of Colorado, and Colorado State University). In addition to those, the EPA is undertaking a study of the impact of fracking on water, and the Geisinger Health System (a Pennsylvania physician-led health care system) is doing a study based on the health histories of hundreds of thousands of people who live near the Marcellus Shale, which was subject to extensive fracking.

A 24 month moratorium would allow for availability of a much more complete body of evidence to assess health impacts. It would allow assessment of 1) the mid-point report of the study funded by the National Science Foundation, 2) the preliminary results of the Geisinger Health System report, 3) the EPA's study of the impact on water, and 4) time for further evidence to emerge from recent drilling activity in Colorado and around the country. With this body of evidence available, the City Council and the citizenry they represent will be much better positioned to make an informed decision on whether or not to allow this practice in our residential areas in accordance with COGCC standards, to require standards above and beyond those set by the COGCC, or to continue to study the impacts with a further moratorium.

- Update City Regulations: The majority of Broomfield's oil and gas production regulations were last updated in 1993. This is the same year Boulder County had most recently updated theirs until their recent moratorium. The Oil and Gas industry is quick to point out that the recent boom in domestic onshore oil and gas exploration is due to recent technological advances and increases in "unconventional production." We should evaluate our regulations to ensure they are still adequate given the recent changes in extraction methodology. It would be a shame and potentially a liability to the city if an accident or spill occurred that would have been prevented by a simple regulation update, particularly if the spill could have been precluded by a regulation update made by our neighboring county during their recent moratorium.

Given all of the changes in the industry, we should also consider whether the Planning and Zoning Commission needs to have a member with oil and gas experience when reviewing well permit applications. A cursory review of public profile information (via Linked in or other public profile sites) for those on the Commission does not identify any oil and gas experience. If there is no industry experience, the Commission may be best suited to engage outside industry expertise to assist reviewing oil and gas drilling permits. The cost of this consultation could be recovered through increased permit application fees.

An assessment should also be made of the impact of unconventional drilling on the right of neighboring homeowners and businessowners to peaceably enjoy the property they purchased. Property rights are fundamental to any efficient economy, but just as the owner of the mineral rights wishes to extract, the owner of the surface rights should be able to enjoy the property they acquired. The increased amount of truck traffic, the potential for around-the-clock drilling, and the added likelihood of excessive light, noise, or vibration caused by unconventional production should be understood and reflected in Broomfield's regulations to ensure the protection of current surface right owners. Prior permits were likely for an entirely different type of extraction (i.e., vertical) with an entirely different impact to neighboring surface right owners.

- Assess Impact to Infrastructure: The impact on our infrastructure of heavy truck traffic is likely more extensive with unconventional production than was the case when the original permitting fees were assessed. We should re-evaluate our fees to determine if

incremental charges are required to prevent the taxpayer from carrying an unfair burden. Further, unconventional production techniques in use now may have created additional infrastructure requirements not required for previous drilling operations. For example, first responders may need additional training or different equipment or supplies in responding to emergencies at the site of unconventional drilling operations than was the case for conventional wells. They may need further education on the risks introduced by newer chemicals utilized in the fracking process. These points should be evaluated as part of the moratorium.

This view is consistent with that held by many of your residents. 281 residents of Anthem signed a petition requesting a moratorium be put in place until a community impact study can be completed. Over 500 signatures were collected from across all other wards of Broomfield requesting the same. The city has posted a 69 page compendium of e-mails from the citizens of Broomfield which includes the word moratorium 93 times. Most speakers at the town hall supported a moratorium, or at the very least had many unanswered questions that need to be addressed and are best addressed before unconventional production is allowed in the city. Many others from around the greater metro area wished to speak but the response from the Broomfield community was so strong that time did not allow them to speak. I've attached a significant testimony of one such speaker, Wes Wilson, who spent 30 years of his career with the EPA.

In summary, collectively we have many unanswered questions. It is my position that allowing unconventional production prior to having these questions answered is not a responsible act, and therefore I am advocating a 24 month moratorium. As always, I appreciate your time and am more than happy to make time available to discuss the basis for my position or answer any other questions you may have, as a group or individually.

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Extremely disappointed that the City is rushing to oil and gas development instead of doing what Boulder did. Makes me think there is a major conflict of interest in favor of the applicant.

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Dear Board Member,

As a Broomfield resident and civil engineer, I am troubled by the Sovereign proposals for new "fracking" wells near Interstate 25 and 160<sup>th</sup> avenue. Reviewing the available documents regarding these proposals raises a number of concerns.

The May 24, 2011, Memorandum from the Office of the City and County Manager with the subject: *Oil and Gas Wells in Broomfield* states, "*The Use by Special Review process allows the commission and City Council to look at the requested placement of an oil and gas well in relation to the character of the surrounding neighborhood and the adverse environmental influence that might result from its location, based upon the factors set forth in ordinances and consistent with local authority to regulate wells.*"

Based on the community reaction, and communications from the Anthem developer, it is fair to state these proposed wells do not conform to the character of the surrounding neighborhoods and could have negative impacts to property values as seen just to the north in Erie. Further, the wells are in conflict with the Broomfield Comprehensive and Sustainability Plans. Future development of this area may not be possible once the area is blighted by new gas wells.

Most of the proposed facilities are adjacent to creeks. Using these tributaries, potential spills could quickly enter the surrounding ecosystem. The severity of a spill is not completely known as the fracking chemicals are not publically disclosed. This raises further concerns as per the Sovereign plans; North Metro is to respond to emergencies. Without proper information, emergency responders may be ill equipped to handle potentially toxic substances. The

Sovereign plans state that the production manager is charged with directing emergency personnel and disclosing information to the public. In the event of a spill, the production manager must retrieve and consult the Spill Prevention Control and Countermeasure Plan maintained at Sovereign Denver. Valuable time could be lost by failing to keep the plan on site and committing to train all employees and emergency personnel on appropriate emergency procedures.

The majority of stated operations rely on truck transportation including the transportation of potentially hazardous chemicals. Emergency response times may be further impacted by the substantial increase of construction and operation truck traffic in the area, which could further endanger the residents of Anthem and surrounding areas.

The adjacent roads are frequently used for recreation by runners, walkers and bikers. One of the primary reasons is the associated relatively low traffic volumes. The increased Sovereign traffic would further put recreation users at risk. The existing asphalt and chip and seal roads will quickly degrade under the increased truck traffic requiring repair which will further disrupt local traffic and recreation while causing additional expenses to Broomfield.

The Sovereign plans also contain inaccuracies. For example, existing gas lines are not accurately mapped in all locations and in one instance, the gas line does not reside within the dedicated easement. In another instance, the depicted 100-year flood plain, does not reflect the current creek path as the creek is shown outside the flood plain entirely. In another area, no creek has been shown or identified with the associated flood plain. New drainage studies, including applicable CLOMRs/LOMRs should be prepared and submitted to the applicable agencies to accurately define the flood plains to correct the inaccuracies and ensure the proposal has no impact on the 100-year flood plain.

A cursory review of the Broomfield municipal codes identified a number of instances where the current proposal could be considered in violation:

- **8-16-010-** *Anything which is injurious to the health or morals, or indecent or offensive to the senses, or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property is declared a nuisance, and as such shall be abated.*
- **17-02-010-** *The zoning regulations and districts, as set forth in this title, which have been made in accordance with a comprehensive zoning and land use study, are designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote the public health and general welfare; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements. These standards have been made with reasonable consideration, among other things, as to the character of each district and its peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city.*
- **17-38-01-** *(B) To provide for well-located, clean, safe, and pleasant industrial sites involving a minimum of strain on transportation facilities; (F) To lessen the burden of traffic on streets and highways; (G) To encourage the building of new neighborhoods incorporating the best features of modern design; (H) To conserve the value of the land; (J) To encourage integrated planning in order to achieve the above purposes and the directives of the current master plan.*
- **17-54-010-** *This chapter is enacted to protect and promote the health, safety, morals, convenience, order, prosperity, or general welfare of the present and future residents of the city. It is the intent of the city council by enacting these regulations to facilitate the development of oil and gas resources within the city while mitigating potential land use conflicts between such development and existing, as well as planned, land uses. Municipal governments have a recognized, traditional authority and responsibility to*

*regulate land use within their jurisdiction. These regulations are intended to be an exercise of the land use authority of the city.*

- **17-54-150-** (A) *To the maximum extent practicable, oil and gas facilities shall be located away from prominent natural features such as distinctive rock and land forms, vegetative patterns, ditch crossings, city-approved open space areas, and other approved landmarks.*
- **17-54-290-** *The city manager may revoke approval of a facility if it is determined after an administrative hearing, held on at least ten days' notice to the applicant, that the applicant provided information or documentation upon which approval was based, which the applicant, its agents, servants, and employees, knew, or reasonably should have known, was materially false, misleading, deceptive, or inaccurate.*
- **17-58-020-** *The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, best promote health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, the promotion of safety from fire, flood waters, and other dangers, adequate provision for light and air, the promotion of healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, the promotion of energy conservation, and the adequate provision of public utilities and other public requirements.*

Broomfield currently has an excellent community reputation. Residents believe in the core values glorified on the web site such as, "Broomfield prides itself on its safe streets, neighborhoods and shopping areas. Kids can safely walk or bike to parks and recreation amenities, to visit friends, or just to, well, be kids", "The City and County of Broomfield is a town conceived, planned and managed for quality, controlled growth with a community feel", "Broomfield is constantly looking toward the future, seeking new and better ways to work with business in partnerships that benefit all its residents", and the Planning Division reviews "to maintain and improve our citizens' quality of life, protect the environment, and plan for the future needs of the community".

The reality is companies routinely cut corners in the name of productivity or profit and accidents do happen. The news is full of examples where even the best engineered drilling facilities still result in spills, accidents, fracking seismic events and even explosions. Approving these wells would expose the Anthem Community and surrounding residents to number of potential dangers and would be in direct conflict with Broomfield's core values and Master Plans.

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Broomfield City Council - If you vote against a fracking moratorium, please don't use national energy needs as your rationale. Nobody will believe you. The attached Jan 29, 2013, article is from Field and Stream -- which is a more "NRA-right" than "activist-left" periodical. I've attached the 2 pictures from the article as .jpg files. I am not sending you malicious content but please scan them anyway.

The article is written in the context of preserving fishing and hunting resources. (note: I've added the bold font.) That frame doesn't devalue the basic fact that we have so much gas that we're choosing to burn it off into the atmosphere. Explain to me why we need more drilling near our homes, schools, and places of recreation before we know the health impact?

So please, if you vote against a moratorium, give us the courtesy of explaining your actions with something other than US domestic-energy self sufficiency. For this matter, don't use "clean

natural gas" either. It's a cleaner alternative only when we extract it responsibly. What rationale remains -- the interests of Industry over the potential health impact to the people of Broomfield? <http://www.fieldandstream.com/blogs/conservationist/2013/01/burned-oil-fields-are-wasting-enough-natural-gas-daily-heat-half-milli>

## **Burned Up: Oil Fields Are Wasting Enough Natural Gas Daily to Heat Half-Million Homes**

*By Hal Herring*

There was a lot of hubbub around the West when NASA revealed the beautiful "Black Marble" [satellite images of America and the world](#), showing the intensity of our settlements through the brilliance of our electrical lights. So much of the eastern and southern U.S. is lit, and the lights only began to fade as you reach the northern Great Plains, and then look to the northern Rocky Mountains, which remain fairly dark.

**But it was a spot of glaring light, burning like a huge fire in North Dakota and far eastern Montana, that caught people's eye. This fire is the [booming Bakken oil fields](#), the economic superpower of the Plains, centered near Williston, North Dakota. The light is literally fire, the burning or "flaring off" into the atmosphere of 240 million cubic feet of natural gas, according to the story linked above, each and every day, enough gas to heat half a million homes. Natural gas prices are low right now, as supplies have exceeded demands, and the export terminals planned to ship our gas to Asia and Europe are not yet finished. So it burns.**

For almost ten years now [we've covered the issues](#) surrounding natural gas drilling and development and big game and other wildlife: loss of winter range, pollution of streams and rivers, loss of hunting opportunities as mule deer and antelope herds give way to a dense matrix of roads, well pads and truck traffic. Plentiful supplies of natural gas, and the technology to bring it forth from deep in the earth, has been a blessing to our economy and to our employment figures. But it is not without a cost. And that cost was always supposed to be lessened by new and better ways to get the gas without sacrificing wildlife and other resources. We as a nation were going to become hyper-efficient-- the model for the world--in using our energy resources. A few years ago I wrote a post for this blog about [how efficient appliances mean bigger mule deer and more habitat](#), because we don't have to drill our public lands for what we don't need to burn.

Last week, Bob Marshall wrote here of the plans to [drill from 15,500 to 18,000 new gas wells in the "mule deer factory"](#) of the White River country of Colorado, winter range to our nation's largest elk herd, holdout of imperiled sage grouse, largest herd of mule deer left on earth, beloved by generations of sportsmen. Such development will cost us much of the landscape and an estimated 30% of the mule deer herd, though such estimates are vague--the mule deer on the Mesa outside of Pinedale, Wyoming, site of another huge gas play, have declined by more than 60%--and no, folks, coyotes are not the culprits for the devastation. Only someone who has never been there and witnessed the development would say that.

**We are accepting these sacrifices, and planning new ones (on the Atlantic Rim of Wyoming to name only one) even though, right now, we are burning off 240 million cubic feet of North Dakota gas every day? Really?**

As a hunter and a fisherman and a reporter (and gas consumer) who has written on these issues for over a decade, I have come to accept and celebrate the finding and development of cleaner burning natural gas--even as I have tried my best to advocate for such wildlife saving

strategies as directional drilling techniques to limit the miles of roads and the number of well pads, ideas for core habitat preservation such as the [TRCP's Backcountry Conservation Areas](#), the reapplication of the [Clean Water Act and the Safe Drinking Water Act to the drilling process](#), phased development of gas fields, where one area is reclaimed before another is developed, and on and on.

**I've been pretty dumb, I know. That great fire of wasted natural gas, visible from the black reaches of space, is a tough thing to witness. We'll flare that North Dakota treasure house of gas into our atmosphere, and later, when the price of gas goes up, we'll bring the heavy industry and the roads and traffic into my big-game hunting country here in Montana, and yours in Colorado, Wyoming, Pennsylvania, Ohio, and Alabama. We'll just go get more gas. What incentive is there to conserve it? We'll sell that gas on the global market, so we can compete for our own resources with our economic rivals in Asia, and we'll live with the losses, the billions of gallons of water, the landscapes, the hunting.** Some of us will still hunt the White River country when there are 15,000 gas wells there. A lot of us will choose to go somewhere else, and realize that the hunting in the American West is not nearly as endless as it looked, once upon a time.

When the gas is gone, we'll try to explain it to our children, try to explain what it was we thought we were doing with our energy and our water and land and the hunting and fishing that should have been theirs. We can tell them that we abdicated our responsibility as citizens. We let somebody else make the rules. We blew it.

**Or we can start making the rules ourselves, right now**, while gas is still so cheap that we are lighting the skies with it, to limit the impacts of energy development on our wildlife and our hunting.

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I am writing today to request an immediate moratorium on fracking in our City and County of Broomfield. The health and safety of our residents is of utmost concern and until scientific studies can be done and prove it will not have ill effects on the health of our citizens, I ask that you implement an immediate moratorium on fracking and do not approve any more gas well permits.

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Broomfield City Council - I've suppressed a dozen urges to write inflammatory e-mails that would make me feel better in the short run but damage my access in the long run. So I resist. The reason I need my discipline is my perception that members of the Broomfield City Council aren't listening to their citizens. Maybe this is strategy. Maybe this is on the advice of your wise lawyer. Or maybe I'm right. What am I to think? What would you think?

You and I sat in the same town hall session on the topic. I didn't keep score but we probably heard 70 voices of caution for every 30 "drill-baby-drill" advocates. In a general election among those who choose to vote this is a landslide. Some national politicians have called much smaller margins a mandate for action. The voices of caution had studies. The "drill-baby-drill" advocates had half-truths and conjecture. "It must be safe, we've been drilling for 80 years." One speaker demonstrated sufficient lack of refinement, delicacy, and sensitivity to ask, "If drilling is so bad, where are all the sick people?" That clap of thunder we all heard was God's jaw hitting the ground. He's watching this debate.

Even a council member felt justified to issue the triple insult of abruptly kicking back his seat during an impassioned address by a mother of children, storming off stage and allowing the door to slam loudly behind him, and subsequently conducting a side-bar conversation at the

side of the theater. Mike, your action was so surprising that everyone will forever remember your behavior. Did you need to urinate that badly or were you tired of hearing the majority of your citizens tell you they want a temporary moratorium because it conflicts with your world view? I might actually understand the former having been there more than once myself. I actually would understand the latter, too, but I expect more disciplined behavior from an elected public official.

For those of you who appear hostile to our concerns I ask, "Whose side are you on? What set of principles do you hold as incontrovertibly true?" I understand free-market capitalism. I see the need to respect the rights of mineral rights owners. I can appreciate the desire to avoid the expense of a legal challenge. Nevertheless, in cases such as this shouldn't a concern for human health prevail? Isn't one purpose of the courts to challenge the entrenched powers for the good of the people?

We aren't asking for much. We're asking Industry to wait for the completion and assessment of funded health studies. Let's identify the risk so we can all make informed decisions. If there is no risk then Industry starts drilling and converting minerals into profit. The gas will be waiting for the trucks, water, and toxic fracking chemicals to arrive. Any operator that can't financially sustain itself over the duration of the moratorium is unlikely to drill the "safe" wells supporters say the industry drills. And if there is as much gas in the ground as we hear in the news then there are other, less-populated sites for Industry to drill. Maybe this means Industry must accept a slightly lower rate of financial return on some of its wells.

Sooner or later you will declare your position. I'm afraid 70/30 means nothing. I'm afraid you will not stand with your citizens. I'm afraid my wife and I made the wrong decision to move our family to Broomfield County. What am I to think?

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I wanted to share the below article with you. As a mother of two young children, I try to do right by them as much as possible. I cloth diaper my children the majority of the time, so they do not have the chemical-laden disposable diapers laying next to their delicate skin and I don't send mass quantities of disposable diapers to the landfill to sit and decompose over the next 250 years. I feed my family with as much real, whole, and organic foods as possible, avoiding GMOs; growing some of it myself, or purchasing locally via a CSA so as to reduce the carbon footprint of my food traveling cross-country to a grocery store. I breastfeed my children and give them the most superior nutrition when they are infants and toddlers. We bathe and moisturize ourselves in the safest products I can find and afford so as to not cover our bodies in chemicals like formaldehyde, SLS, phthalates; petroleum byproducts like mineral oil; and preservatives like parabens. We do not use pesticides, herbicides, or other chemicals on our lawns or in our homes- not only protecting our children from the harmful effects, but also to not introduce more of these chemicals into the ecosystem and water supply via runoff.

Do I use a disposable diaper for convenience at times? Yes.

Do I hit the McDonalds drive through once in a while? Sure do.

Point is: I am not a crazy environmentalist. I am just trying to do everything within my means, education, and within reason to care for this earth and my children in a way that is compatible to modern life.

I am frustrated and feel helpless when it comes to this major industrial activity moving in to our town. I understand this activity has occurred in Broomfield already in the past. It has been sporadic in comparison to neighboring Weld County. Does it need to continue, and more importantly, at full speed ahead? I worry that in 5 years the truth about the affects of fracking will surface and my children will already be suffering ill effects because the council will not take

this role on to protect our health. I sincerely hope for our health, our land and air, and for your civic service legacy that fracking is deemed safe and not the lead, asbestos, or superfund site of our generation. Problem is, it the studies are already coming out that there ARE issues with it. I'm not going to bore you citing the studies you have already heard about probably hundreds of times now.

I am not looking to argue how I live (although I know a couple of you will most likely take issue with it). I am just asking you to take a time out on fracking in Broomfield. The natural gas isn't going any where. Let's let the health studies come in. Let's get a little more history under our belt. Let's protect our town for the most important and vulnerable citizens of Broomfield: OUR children.

This is my heartfelt plea to my local representatives. I am just one mom. I need your support and help voice my concerns at a larger level- both the city and state level. As council members, you are elected to represent the people. Please: Speak up for me, and most importantly, my children. The issues with fracking are numerous- Is there not one issue that honestly does not give you pause? Think about our littlest citizens and understand how they are so much more vulnerable than us adults.

Article I mentioned above:

"Many harmful chemicals that we have been working so hard to eliminate from consumer products are now being used in mass quantity by fracking operations. In many instances, residents near fracking sites have [already suffered from chemical pollution](#) in their air and water," said Ansje Miller of CEH, a co-author of the report.

<http://ecowatch.com/2013/report-fracking-health-risks-pregnant-women-children>

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We can no longer see the mountains from Broomfield on most days..

### [Fracking's Dirty Air Secret](#)

Drilling near Denver is adding to the area's worsening smog problem

Denver smog. Brought to you in part by fracking.

Last week, supporters of the controversial drilling practice know as fracking held a rally in Denver. According to [media reports](#), one booster drew laughs from the crowd when he said that fracking's economic benefits would eventually "trickle down to attorneys [and] doctors."

Colorado doctors are probably already seeing increased business because of fracking, but not in a humorous way.

Oil and gas drilling [is a contributor to ozone](#)—better known as smog—on Colorado's Front Range.

Smog is a health problem. As the [American Lung Association](#) explains, ozone is "the most widespread pollutant in the U.S" and "is also one of the most dangerous." Smog causes shortness of breath; chest pain when inhaling; wheezing and coughing; asthma attacks; and increased need for people with lung diseases to go to the hospital to get treatment.

And let's not forget death. Thousands of premature deaths occur every year due to ozone levels above the current health standard set by the EPA.

Thanks in part to the fracking drilling boom, smog has gotten worse in Colorado over the past couple of years.

How bad? This summer was the [worst Front Range smog year since 2006](#) with a month of unhealthy air days. State data for 2012 also show air in Greeley and Fort Collins north of Denver—near the heart of the fracking boom—exceeding health standards and getting worse.

And if that's not enough, Rocky Mountain National Park was crowned the [smoggiest national park outside of California](#) this year. For the first time in the decade or so that the Park Service has records online. Can't imagine that's good for the tourism business, let alone the trees, wildlife and visitors.

It's true that many industrial activities—and drivers—add to smog. Weather patterns, including the sunny days of summer, can create conditions that cause ozone levels to spike. Protecting public health by reducing smog may take significant commitments and actions across a range of activities.

But greed shouldn't blind one to reality. With the fracking boom, scores of diesel-spewing drill rigs and fossil-fuel compressor stations are worsening the Front Range's already unhealthy air. So yes, fracking boosters, you're probably already helping keep doctors busy. That's not something to laugh about.

### **Guardians Calls for More Aggressive Action to Cut Fracking Pollution in Colorado**

2013 Smog Season Brings Major Clean Air Challenges for State; Western Colorado Violates for First Time

Contact: Jeremy Nichols (303) 437-7663

Denver—Colorado air regulators will give a presentation this Thursday showing that the state's smog problems are worsening, with monitors on the western slope now violating federal standards for the first time. In response, WildEarth Guardians is calling on regulators to act more aggressively to reduce pollution and safeguard public health and welfare.

“Colorado's clean air is being lost to smog in the face of ramped up oil and gas drilling and fracking, expanded coal mining, and other industrial development,” said Jeremy Nichols, WildEarth Guardians' Climate and Energy Program Director. “It's time for state regulators to stop watching the problem get worse and start taking meaningful steps to curb this harmful pollution.”

Ozone, the key ingredient of smog, forms when air pollution from tailpipes, smokestacks, and oil and gas drilling reacts with sunlight. A poisonous gas, ozone is linked to a number of adverse health effects, including asthma attacks and even premature death. Children, seniors, those with respiratory conditions, and even active adults are most at risk.

Because of its danger, the Clean Air Act limits concentrations of ozone in the air to no more than 0.075 parts per million over an eight-hour period.

In a presentation planned for Colorado's Air Quality Control Commission meeting this Thursday, May 16, Air Pollution Control Division staff intends to provide a preview of the 2013 ozone season. This presentation can be [downloaded here](#) >>

The presentation paints a dismal view of Colorado's smog situation. So far in 2013, ozone levels have been so high in western Colorado that a monitor in Rangely, located in Rio Blanco County, is now in violation of federal ozone standards. It's the first time in history that a site in western Colorado has violated ozone limits.

Although any time ozone concentrations exceed 0.075 parts per million there is cause for health concern, a violation of the standards occurs only when the three year average of the fourth highest annual ozone reading at a monitoring site exceeds 0.075 parts per million. A violation thus occurs only when air quality is bad for an extended period of time. It triggers stricter air pollution controls and imposes a mandatory duty on the state to clean up the pollution.

According to the state's presentation (see slide 11), the current three year average of the fourth

highest annual ozone readings at the Rangely monitor is now 0.077 parts per million. The state's presentation states that the area is now violating ozone standards.

"With Colorado's western slope now violating federal smog standards, it's critical that the state respond quickly to restore our clean air and the health of this state," said Nichols. "Smog is clearly a statewide issue and it deserves statewide solutions that work."

The Rangely violation coincides with exceptionally high ozone concentrations recorded this year at adjacent Utah monitoring sites to the west. Data shows that eight-hour ozone concentrations exceeded 0.10 parts per million for several days. A monitor in Vernal, Utah for example, recorded 22 exceedances of the ozone standards and now has a fourth highest reading of 0.102 parts per million, 36% higher than the standard.

The violation also comes as Colorado's Front Range faces rising smog levels. Before 2012, only two monitors in the region were violating ozone standards. However, after 2012, eight monitors now show violations, including monitors in Fort Collins, Greeley, Rocky Mountain National Park (see slides 3 and 5 of presentation), which have never before violated ozone standards.

Seven counties, including Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, and Jefferson, as well as portions of Larimer and Weld, are already considered to be a part of a "nonattainment area" due to violations of the ozone standard. The state faces a Clean Air Act deadline of December 31, 2015 to bring the entire Front Range into compliance.

The reason for the state's growing ozone problem is tied to increased oil and gas drilling. Two key pollutants are responsible for high ozone, including nitrogen oxides, a byproduct of combustion, and volatile organic compounds, which are byproducts of oil and gas drilling.

According to state regulators, oil and gas operations release nearly 50% of all volatile organic compounds in the state, as well as nearly 20% of all nitrogen oxides (see [Jan. 2013 presentation by APCD](#), slides 11-13). Key sources of pollution include fracking operations, tanks, compressor engines, and drilling rigs. This data comes as state air regulators are currently permitting more oil and gas activity than ever before, which coincides with a more than twofold increase in active oil and gas wells since 2002 (there are now more than 50,000 wells statewide).

Much of this drilling increase has taken place along the Front Range and in Rio Blanco, Garfield, and other western Colorado counties.

Although state regulators are weighing whether to adopt stronger emission limits for oil and gas operations (see the state's webpage on the effort [here](#)), both along the Front Range and statewide, a rulemaking won't happen until the end of 2013 at the earliest. Even then, the state has not indicated it intends to actually reduce emissions, but rather only to ensure that new sources of emissions are controlled, a move that will ultimately allow oil and gas industry emissions to climb higher. Further, the state is weighing whether to rollback permitting and reporting requirements, a move that WildEarth Guardians' opposes.

"The state seems poised to do too little too late," said Nichols. "With the oil and gas industry continuing to take a tremendous toll on the air we breathe, we need solutions that actually reduce emissions, that increase scrutiny of drilling practices, and that, most importantly, ensure that these serious smog problems don't happen in the first place."

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We support the energy efforts in America and in Colorado. We feel the process is safe. The area of noise, smell and allnight lighting on rigs needs to be addressed, also. For people in the near vicinity of these work areas, life could be stressful. Perhaps that more than anything is what causes people to support banning fracking, etc.. All of the negatives need to be discussed.

Thanks for your efforts in the ongoing discussion!

---

Dear Broomfield City Council,

Thank you for supporting fracking in Broomfield and the affordable energy it provides to the families in our community and across the country. Despite false claims and intimidation from anti-fracking activists pushing for policies that would hike our energy costs, I know that the natural gas hydraulic fracturing produces is not only inexpensive, but also safe, clean, and efficient. I oppose measures which would reduce my standard of living by needlessly prohibiting fracking.

Again, thank you for supporting access to clean, affordable energy for the members of our community! I urge you to stand strong for the citizens of Broomfield against those who seek to cut us off from the benefits that fracking provides.

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---

Dear Council;

Please consider the citizens of this community when you go forward with fracking in Broomfield. Would you want your property within a mile of one of these wells??? I think not.

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I am asking that you hold off on issuing any fracking MOUs or permits until after the next election and the community's voice will be heard. Many of us live off of well water, and fracking will pollute this vital resource.

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Having listened and read much of the discussion on this subject I thought to add my observations as well. My extended family has lived in the Wilcox subdivision since before 1927. Fourteen (?) wells or well pads exist in the subdivision. We have seen the wells in discussion come and be drilled prior to most current residents moving in to the subdivision. Several have had additional drilling and work-overs done to them without the current concerns being offered up today. Again, new residents since the 1980's were aware that these wells were in existence and have been operating within the subdivision since being drilled.

The current concerns have come about due to objections by members of the Prospect Ridge Academy. The proximity of the two well pads of Nordstrom 2-4 and Nordstrom 5-4 are 2000 feet or more beyond the building structure of the school. This is the same school that proposed to build within the Wilcox subdivision at the corner of Zuni and 144th but never had any problem with the well pad located on that property which would have been located just beyond 250 feet of the building structure. I am not sure why the wells are of greater concern now, but were not when the school was trying to acquire the property to build the school.

As to the flow lines for the gas and oil recovered from the wells within the subdivision you may want to survey your own property lines. There are five collection and processing points within the subdivision and the production from the fourteen well sites is transported via pipelines to those processing plants along and through many individual properties. New pipelines are not being proposed but those currently in place will remain and continue to be operated.

It has also been suggested the there will be an increase of heavy truck traffic due to the new wells proposed to be added. The existing well operations are electronically monitored and visually inspected on a weekly basis. Trucks generally make a weekly visit to the collection and processing plants to pick up the oil and water recovered from the wells. This traffic is far less than the increased traffic created by the addition of new homes and families to the Wilcox subdivision.

I do not support a ban on drilling or fracking. I also do not think the City Council should stop and wait until a November election to continue moving forward with negotiations with the oil and gas industry. We elected them to represent us and make decisions for us and I believe they have a

broader base of information and facts than any of us could possibly collect on our own. If we have new information which they have not heard, present it at the meeting, otherwise let's move forward and let them make the decisions we elected them to make.

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I attended the meeting last evening and was disappointed in the manner the final ballot issue language was decided. This is an important issue that can affect the health of Broomfield residents through the risk to our water supply. It also has the potential to affect the health of our children and grandchildren for the same reason. Fracking produces micro-earthquakes and when these come under pressure from waste water they have the potential to become larger; they also can increase in size due to an earthquake in another part of the world-as appears to have occurred in Oklahoma. Even if that risk is discounted, we plan to put toxic products, under pressure, into the ground in the vicinity of our new reservoir and above a very important aquifer that is largely depleted and, therefore, has space that can be filled by toxic liquids. In my opinion, this potential public health and economic disaster for all of us significantly outweighs whatever property rights individual homeowners hoping to profit from fracking may have. Even if the per cent of perceived risk is not large, it grows over time and that makes the common risk too great. I have attached the article on micro-earthquakes; it is only one page and the essence of the message is in the figure. Do not permit fracking in Broomfield.

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I am writing to object with Councils going ahead with the Oil and Gas MOU before the November ballot election.

Citizens of other Colorado communities: rural Weld county, Garfield county, the cities of Silt and Rifle have reported serious environmental issues. Do we really want to expose the citizens of Broomfield to the chance of a serious spill or leak? Do we want to use so much of our precious water to inject into these wells and then count on the Oil and Gas industry to handle the produced water responsibly year after year? Are we ready to risk contaminating our air with VOCs and potential carcinogens or other unhealthy gas emissions?

Help our community understand the risks of Fracking and investigate the problems other Colorado citizens have experienced before giving the green light to the Oil and Gas Operators. The 5 year moratorium would allow the time to really investigate the safety and impact of Fracking.

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Oil and gas development., specifically hydro cracking. I just left the city council meeting at 10:45 pm 8/13/13, the meeting was still in session. First I want to thank you for your service. I just want to mention that when I got home and put my 10 year old daughter to bed, I turned on the tv, channel 12 , Colorado public tv, and I believe there are no coincidences, but the program that was being aired was Split Estate, please watch it (cpt12), it was about fracking and oil/gas development. Specifically Colorado and new Mexico.

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Dear Broomfield Council-

Although I am unable to attend tonight's meeting, I wanted to express my disappointment that the council has decided to proceed with MOUs to allow a large amount of new wells to be fracked within city limits. All over the nation and across Colorado, citizens and voters are demanding that fracking operations not take place near populated areas.

I cannot understand why Broomfield's council is moving ahead with fracking operations when there is clearly a large portion of the resident population against expanding operations. As a homeowner and owner of several businesses in and around Broomfield for the past 5+ years, I

have supported almost all of the council's plans, but the council's actions on this particular topic seem to be failing to represent their constituents' needs.

I have attended other public meetings about this topic, and put in quite a bit of research on the topic of modern fracking. It is clear that the oil and gas industry and its benefactors are the only ones pushing forward for expanded development, while the scientific community at large is raising huge red flags over the modern processes. At a national level, oil and gas are employing the same PR firm and strategy that tobacco used throughout the 70's and 80's to confuse the clear cut issue of public safety. This should cause concern to any public servant representing any city or county.

I challenge any council member that would vote to proceed with expansion of drilling, and any executive of Sovereign or other oil & gas operators to locate their home residence and children next to newly fracked wells to demonstrate exactly how safe it is.

I feel strongly enough about this issue that I will move my family and take my business elsewhere, where more responsible safety policy strategy is being adopted, should expansion proceed without the residents of Broomfield having a say. I will also be supporting similar policy adoption at the state level, where interests are clearly in conflict.

I acknowledge we need oil and gas. I am all for fracking in unpopulated areas, well away from neighborhoods and families, where the public health risks are minimal. There are literally millions of acres of open land suitable for this purpose in Colorado, why do we need to locate any more industrial operation in the middle of developing neighborhoods? As one other citizen put it recently, "We may all love bacon. That doesn't mean we should put the pig farm in our back yard."

Please delay adoption of any new drilling operations until after the general election this November, which I believe will provide the council with a strong voice of their constituents wishes. Thank you.

---

Dear Mayor and Council Members,

I write this note to express my dismay that you will be voting on the MOU for Sovereign's drilling/fracking operations that will be in close proximity to residential areas in Broomfield. This action, in the light of significant objections (expressions in public hearings, petitions to let the citizens decide at the ballot box, and simply conversations in Broomfield neighborhoods) strikes me as a "slap in the face" to Broomfield residents, who really do care about the future of our wonderful city.

I appreciate the fact that you have delayed the Sovereign approval while you gain further knowledge and understanding of the potential impacts (both positive and negative) on the citizens of Broomfield. I also am very supportive of the additional regulations that you have put in place to better insure a safe drilling operation. However, after some 30 years of working for a major player in the oil/chemical business and having dealt with many unscrupulous operators, I have to question whether these tightened regs have gone far enough to protect your neighbors in Broomfield.

A front-page article in today's Daily Camera shines bright light on the fact that the Colorado Oil and Gas Conservation Commission is basically a shill for the oil and gas industry! The article points out the clear conflict of interest where the agency's role is to both enforce

regulations and encourage oil and gas development projects at the same time. (Further, I understand that a majority of Commission members are representatives of the oil and gas industry.)

The Camera article focuses on incidents involving substantial spills during drilling operations. In one case, Anadarko personnel discovered a spill that resulted in the contamination of groundwater by cancer-causing benzene at levels over 300 times higher than state limits. Anadarko is now planning a clean-up operation. In the second case, PDC paid a meager \$35,000 fine as a consequence of their spilling 84,000 gallons of toxic fluids in agricultural fields north of Windsor. I'm sure they considered this insignificant fine as merely a cost of doing business in an extremely lax regulatory environment. Another example is an additional Anadarko spill of over 90,000 gallons of drilling-related fluids into Weld County soils.

And I would ask you to guess which two operating companies were recently presented "Outstanding Operator" awards by COGCC. You guess it--Anadarko and PDC shared this award!! If these two companies and their respective spills set the COGCC's standards of excellence for oil and gas field operations, I would hate to think of how the less competent operators will perform, including Sovereign Energy!

Please vote against the Sovereign MOU. Let the citizens of Broomfield decide in November whether we want to be known as a city that allows the oil and gas industry to frack at will within our city/county limits, or should we continue to be known as a locale where families can live safely and thrive in an environment of innovative industries and wide open spaces and trails NOT dotted by drilling/fracking operations.

Thanks for considering the points offered in this note.

We are unable to attend the city council meeting tonight but do want to register our disappointment with the fact that you appear to be going ahead with allowing fracked wells. We are two of the many people who signed the petition to put the fracking moratorium question on the ballot. With the number of Broomfield residents that favor the moratorium, I am surprised that you are not waiting until the results of the vote are complete.

As we drive down highway 7, there are a number of new developments planned which make us very proud . . . . .

Coming . . . a new medical center

Coming . . . a new retail center

Coming . . . new restaurants

Coming . . . a new housing development

I wonder how excited/proud Broomfield residents would be if there were a sign that said . . .

Coming . . . FRACKED WELLS

Even though the COGCC says there are regulations in place, each well is inspected only once every five years and accidents happen. From reading the article in the Camera today, it

doesn't sound as if the penalties for infractions are very harsh. I fear that unscrupulous operators will consider these minimal fines to be a cost of doing business.

The amount of water use is staggering. Are you asking Broomfield residents to conserve water for personal use so that we can save the water for fracking??

We are senior citizens, so we might not be around that long . . . but we're concerned about the adverse effects these wells might have on our young Broomfield residents.

---

Dear Broomfield Council-

Although I am unable to attend tonight's meeting, I wanted to express my disappointment that the council has decided to proceed with MOUs to allow a large amount of new wells to be fracked within city limits. All over the nation and across Colorado, citizens and voters are demanding that fracking operations not take place near populated areas.

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I have attended other public meetings about this topic, and put in quite a bit of research on the topic of modern fracking. It is clear that the oil and gas industry and its benefactors are the only ones pushing forward for expanded development, while the scientific community at large is raising huge red flags over the modern processes. At a national level, oil and gas are employing the same PR firm and strategy that tobacco used throughout the 70's and 80's to confuse the clear cut issue of public safety. This should cause concern to any public servant representing any city or county.

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Please delay adoption of any new drilling operations until after the general election this November, which I believe will provide the council with a strong voice of their constituents wishes. Thank you.

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My wife and I have lived in Broomfield for 10 years and have enjoyed it immensely; however, over the past few months I have become greatly disappointed with Broomfield's fracking policy. I had no idea fracking was going on in our community until I learned of the proposed sites near Prospect Ridge Academy, my daughter's school. I cannot believe that any council member would put children in jeopardy with the drilling of wells so close to the school. Simply think of your own children. In fact, I cannot understand how it is okay to pollute the earth for the sake of greed. Broomfield is a lovely community; however, it is hiding a dirty secret underneath the earth. It is time to enact a moratorium on fracking. I hope you all will have the guts to do what is right.

I have attached to recent academic studies that appeared in peer-reviewed journals. These are academic studies, not mere pop-culture or political propaganda. I hope they may guide your decision.

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I do not have the knowledge to judge fracking on its oft claimed hazardous aspects. However there are two aspects of fracking sites that are rarely mentioned by the media, or by advocates on either side of the debate:

(1) Fracking sites are often visual blight. Those in Erie, for example, are visible from nearby homes and trails, and look terrible, partly because of the light brown tarp covered wire fences. In my opinion fracking sites should be below ground level, or be surrounded by stone walls, or be surrounded by bushes or trees, or be suitably camouflaged. In other words they should blend into the landscape.

(2) Values usually decline for properties adjacent to fracking sites; presumably this would result in lower property taxes to the city and to other agencies.

I trust the city will consider these aspects during the approval process for future fracking operations.

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Mayor and City Councilmembers:

I will not be able to attend the upcoming city council meeting so I am sending my thoughts, concerns in this email.

My name is Kim Cavanagh and I live at 2590 West 148th Court.

First of all, thank you for allowing the citizens to speak out on the fracking issue and for not rushing to approve any new drilling sites. This is a true demonstration of democracy. I would hate to see this be the only demonstration of democracy by the City Council. Therefore, I am asking that you delay any decision on approving the new drilling sites at this time. I would respectfully ask, that if the signatures on the petition to ban fracking are found to be valid, that you put the issue on the ballot for all the citizens of Broomfield to vote on this issue. If the signatures are found to be invalid, I would ask that you adopt the strongest possible regulations on any new drilling sites.

I have read in the Broomfield Enterprise about the proposed regulations/rules that are being discussed and they are well thought out. My concern is - Who will be overseeing and enforcing the regulations? We all know for a fact, that the oil/gas industry does a poor job of policing themselves. It is great to have all the regulation but if there is no oversight or enforcement than they are just words on a piece of paper.

I currently live 500 feet from an active well site so I am familiar with the activity that occurs around the wells. A few years ago, the well was being vented and there was no capture of the air/vapors coming out of the well. I had to shut all my windows and bring my children and my pets inside because the smell was making us all sick. This is the kind of thing people are concerned about. I have no idea what we inhaled that day and we were not notified by the company that they were doing the venting, nor was the vapors coming out of the well captured.

When we lived in Aspen Creek, the active well behind the subdivision was leeching Benzene, a known carcinogen, into the ground around the well. My neighbors behind us all had their backyards tested to determine if any of the Benzene had leached into their yards. A concern that lasts well after the well has been drilled.

Recently, there have been a few studies done to determine the effects of fracking on the surrounding soil, water and air. I am attaching 3 articles relating to these studies that demonstrate that fracking does contaminate the area surrounding the well site. The factual consequences of fracking lead to the toxins of arsenic, methane and methanol being found around the sites. Methanol is not found in nature so we know that it is coming from the well. The most compelling article, in my opinion, is the article of the study done by EPA officials on their own time- so if you don't have a lot of time to read I urge you to read this article. ( Study - high levels of arsenic)

My concern is the long- term consequence of these wells in addition to the drilling process. If you do proceed with approving these new sites - please answer these questions - WHO WILL BE MONITORING AND ENFORCING THE REGULATIONS? WHO WILL BE TESTING THE SOIL,AIR AND WATER AROUND THESE SITES AND HOW OFTEN WILL THEY BE TESTED?

This debate is about so much more than the actual drilling of the wells. It is about the long- term consequences of these wells.

I urge you to please hold off on any decision on the new drill sites until the signatures on the petition can be verified. If the signatures are verified, then I ask that you to put this issue on the ballot and give us the citizens of Broomfield another opportunity to participate in the democratic process by exercising our right to VOTE.

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Dear City Council members,

I came to last night's City Council meeting to show my support for including fair and balanced language for the contentious fracking ballot measure, and to learn more about the MOU with Sovereign Energy (PLEASE KEEP READING – DO NOT TOSS ME NOW). I appreciated the efforts of Council members Jercak and Jacobs for trying to make the verbiage more acceptable to all sides, but alas, the Council unfairly voted to approve language that was far from equitable to non-mineral rights stakeholders.

During the discussion, I heard a great deal about the impact this ballot measure would have on property rights, particularly those property rights of persons who own, and might want to sell, their mineral rights to oil companies. I wish the same attention had been spent thinking about the rights of non-mineral property owners – particularly family homeowners.

The vast majority of Broomfield residents (those of us who own our homes) do not own the mineral rights under our homes. We live in subdivisions like Anthem, McKay, The Broadlands,

Aspen Creek, etc who bought our homes in good faith having no idea that the mineral rights UNDER our homes could be, and were sold to someone else. This group of “property owners” seem to have no rights and no voice on this council. We cannot sell these mineral rights that reside under our backyard vegetable gardens, nor can we withhold the sale of these rights. Rather, we can only stand by helplessly and watch while an oil company who DOES own the mineral rights under or adjacent to our houses drill a horizontal frack line UNDER or adjacent to our homes.

As you must know, failure rates are quite high for these installations (this is not a debatable fact), so it is not out of the range of possibilities that this “property owner” and our families could be subjected to noxious gasses, poisoned water, and other catastrophic repercussions that are neither our choice, nor our fault. But it will affect our wellbeing, our health, and the issue you seem to understand best: property values and property rights.

While the health and environmental risks may sound far-fetched to some, I URGE you to watch the documentary on this subject “Gasland 2.” This documentary clearly illustrates the ramifications of fracking gone wrong. Good, hardworking people, many of them farmers, have had their entire livelihood irreparably destroyed. They cannot drink their water, their crops are ruined, and in many cases, they are sick. I assure you, it is not a bunch of tree-hugging hippies with dirty hair singing kumbaya in this film, it is card-carrying, N.R.A-Bush voting-farmers and others who by no fault of their own, were delivered a life they did not sign up for and there is nothing they can do about it. Is this the future of Broomfield? For our children?

Then there is the issue of zoning. One of the most important jobs of every city is to oversee responsible planning. Broomfield is growing so quickly, we must prioritize planning and zoning that allows the people to thrive at least as well as the businesses do. As you know, a big part of good planning is deciding where you will put things – to create a balance of residence and industry. This is why cities are typically divided into residential and industrial areas – to keep the industrial (and often toxic) activities away from children and families. It is shocking to me that we would, as a city, decide to eliminate those boundaries, and allow industry to move into, or underneath our homes and schools. It doesn’t take a rocket scientist to conclude that this mixed landscape might prove dangerous to our collective health. I’ve talked to fracking scientists who believe close contact such as this is a mistake. Colorado as a state will need to work this out too, but it seems to me that you start out as geographically remote as you can and then, perhaps over time, you consider working your way closer to cities. This is just common sense. Common sense!

I appreciate the efforts of your legal staff to negotiate a more stringent MOU with Sovereign Energy. The fact that there were experts consulted and provisions included to protect the public’s health is a significant step in the right direction. My concern with this MOU is in the execution. It would be nice to believe that Sovereign is motivated to make concessions because they “care” about the community’s concerns and want to do the right thing. But the reality is that they have revenue goals to fulfill and they will say what they need to say to quickly pave the way to active fracking. My sense is that you could ask Sovereign to have a cupcake party at the completion of each well drilling and they would agree to it because THERE IS NO ONE TO MAKE SURE IT HAPPENS! You can have as many rules and provisions you want. But if there is no enforcement (which there isn’t), the rule/MOU is irrelevant. The industry operators are constantly pointing to the rigorous regulatory environment in Colorado. And while there might be some good rules on the books, compliance and enforcement of those rules are pathetic at best. Another step in the right direction with this MOU would be to add a full time employee from COGCC per well site to oversee start-to-finish operations.

In conclusion, I want to state my optimism. I believe this council is comprised of smart, well meaning people. You do more than your civic duty, take time away from your families to make tough decisions, and you truly seem to care about the city and the people who live here. I depend on you to overcome partisan politics that seem to be overshadowing the real issues here. It is not a democrat vs republican matter. It is a life changing decision that will affect our communities for generations, and determine the future of this terrific city. I encourage you to move thoughtfully and cautiously, for all of us.

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Mayor Quinn and Council Members,

As it appears you are moving forward with the MOUs with Sovereign and other future Oil and Gas companies, I have a comment on the MOU: is there any way to add additional notification requirements of the oil company like a drilling schedule if you live, work, or attend school within the 1/2 mile radius?

I'd like to suggest large notification signs placed near the closest intersection (for instance at 160th and Sheridan Parkway for the wells in the North Park area) stating what is happening when they are drilling, fracking, and completing the wells? I know this might sound ridiculous, but think about it as a resident living nearby: I normally take the roads adjacent to these existing wells that are proposed to be fracked. I would like to at least have the knowledge of what is going on adjacent to the roads I travel daily (and of course, the same roads the trucks carrying toxic chemicals, water, drilling machinery, etc will be traveling). This would give citizens in the area the knowledge to travel on different roads and stay away from the area, if they so choose.

I also wanted to thank the council for their time and efforts put forward on the MOUs. This is a significant improvement on the existing Oil and Gas regulations and long overdue.

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