

U.S. FOREST SERVICE  
BUREAU OF LAND MANAGEMENT  
SAN JUAN FIELD CENTER and SAN JUAN NATIONAL FOREST

PUBLIC COMMENT HEARING

Regarding

DRAFT ENVIRONMENTAL IMPACT STATEMENT,  
NORTHERN SAN JUAN BASIN COALBED METHANE PROJECT

JULY 14, 2004  
BAYFIELD HIGH SCHOOL  
BAYFIELD, COLORADO  
6:00 P.M.

Taking Public Comments:

HEARING OFFICER:

Mr. Ron Duvall, Administrative officer  
San Juan Public Land Center

and

Mr. Mark Stiles, Forest Supervisor  
Bureau of Land Management Center Manager  
San Juan Public Land Center

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1                   MR. DUVALL: Okay. I know we have people  
2 still filing in, but we need to get started.

3                   Tonight we are here to provide an  
4 opportunity to offer oral comments into the official  
5 public record for the Northern San Juan Basin Draft  
6 EIS. And that means the agencies are here to listen  
7 tonight.

8                   My name is Ron Duvall, and I will be  
9 the hearing officer for tonight's proceedings. My  
10 primary role is to ensure that we have an orderly  
11 process and that we provide an opportunity for everyone  
12 that wants to to provide oral comments.

13                   First, I just want to remind everyone  
14 of the emergency exits. There's two exits in this  
15 room, one behind you to your right, one behind you to  
16 your left. The primary exit is the door you came in  
17 that's behind you to the left.

18                   Before I lay out the ground rules for  
19 tonight's process, I want to introduce Mark Stiles, who  
20 is the San Juan National Forest Supervisor and the BLM  
21 Center Manager.

22                   MR. STILES: Good evening, thanks for coming  
23                   tonight. As Ron said, tonight is a public hearing.  
24                   That's a fairly formal process for us to receive your  
25                   comments. We'll take oral and written testimony, if

5

1                   you'd like to submit it tonight as well, on a proposal  
2                   by six energy companies to develop natural gas in the  
3                   northern portion of what's called the San Juan Basin.

4                   The industry has proposed a total of  
5                   about 300 wells. 200 of those would fall under the  
6                   purview of the federal agency, either because they're  
7                   on federal minerals underlying private service, or  
8                   federal minerals underlying federal service.

9                   The Forest Service and BLM, acting  
10                  as a joint agency in this case, have developed an  
11                  environmental impact statement to consider the total  
12                  development of those 300 wells, including the 200 on  
13                  federal minerals.

14                  We've completed a draft environmental  
15                  impact statement, which right now is out for public  
16                  comment. The draft EIS is available for 90 days. That  
17                  period will end -- the 90-day public comment period --  
18                  will end in about the middle of September. The  
19                  agencies also have seven other public forums scheduled,  
20                  in addition to tonight, for you to offer comments or

21 to obtain some more information about what exactly is  
22 being proposed and what we found through our analysis  
23 to date.

24 Comments received during tonight's  
25 hearing, and comments received during those seven other

6

1 public forums, which will be a combination of open  
2 houses and public meetings, and any written comments  
3 submitted during the 90-day comment period, will all  
4 become part of the official record for the environ-  
5 mental impact statement and will all be analyzed and  
6 addressed in our final environmental impact statement.  
7 It is scheduled for us to be working on this sometime  
8 in the fall after the end of the comment period.

9 Obviously, further development of  
10 natural gas in the San Juan Basin, especially in  
11 the Northern San Juan Basin, is a very charged and  
12 contentious issue. The agencies, the BLM and the  
13 Forest Service, don't have all the answers by any means  
14 at this point. We intend to listen very carefully  
15 throughout the comment period and throughout this  
16 evening, and at the hearing tonight it's our time for  
17 the Forest Service and the BLM to listen to you.

18 Our time for the hearing tonight is

19 limited. We will in a moment here divide out how much  
20 time we have and come up with an amount of time, but we  
21 will do our best to try to help keep on track for the  
22 hearing tonight, and we ask for your help in that as  
23 well.

24 There have been a number of questions  
25 raised to date. I've seen them in the press and also

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1 have had them raised personally to me whether there  
2 will be an additional comment period, an extension of  
3 the comment period, additional meetings, more time to  
4 comment, and more opportunities to comment. At this  
5 point this evening, I'm not going to come up with a  
6 determination on that, but I will say we're going to  
7 closely monitor that as we go along and see how the  
8 process is going. We want to have a chance to get  
9 through some of these open houses and meetings, in  
10 addition to this evening, before we make that choice.

11 But with the comment period ending in  
12 the middle of September, sometime in late August we  
13 hope we'll be able to make that decision so that you'll  
14 have time and it won't be a last-minute thing, you'll  
15 still have a couple weeks before the end of the comment  
16 period. So you'll know at that point. We'll announce  
17 it clearly in the press either way, whether we will

18 provide an extension for other public hearings or  
19 meetings, or if we do not do that. We'll let you know  
20 that in the press.

21 Ron?

22 MR. DUVALL: Thanks, Mark.

23 Okay. The ground rules for tonight,  
24 we will close the hearing promptly at 10 p.m. We will  
25 take a break at 8 o'clock for about five minutes.

8

1 At the moment, we're expecting  
2 approximately 70 speakers, so we're going to limit each  
3 person to three minutes at the podium. Obviously,  
4 we'll need to take some steps to ensure that everyone  
5 receives an equal opportunity to speak.

6 If there is time remaining at the end  
7 of the speakers, we'll canvas the front desk and see  
8 if there's additional speakers that have signed up,  
9 and we will offer the remaining time for those that  
10 need to come back and want to offer additional comments  
11 to the record.

12 To start, after I go through the ground  
13 rules, I'll call the first three names of those that  
14 have signed up to speak. Then after each speaker, I  
15 will call one additional person to line up in the

16 queue. I'll call each speaker forward, I'll ask them  
17 to state their name for the record, and if they are  
18 speaking off any written comments, they can drop their  
19 written comments in the box there on the table by the  
20 court reporter.

21 To provide everyone an equal opportunity  
22 to utilize their allotted time, please hold your  
23 applause. Speakers will follow the time limits. We  
24 have a timer in the front, right in front of the podium  
25 here, and he will show cue cards to the speaker with

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1 one minute remaining, with 30 seconds remaining, and  
2 when the time is up.

3 At or before the speaker's time is up,  
4 the speaker will end their testimony and the recorder  
5 will stop recording. So let me repeat that. At the  
6 end of the speaker's allotted time, the recorder will  
7 stop recording. Also, the recorder will not be  
8 recording any comments from the audience. She will  
9 only report comments from the speakers at the podium.

10 As I said earlier, we're also accepting  
11 written comments tonight. Make sure your name is on  
12 them, and if you're reading from them, please drop them  
13 in the box on the table. In approximately two weeks,  
14 the transcript will become a part of the public record

15 and available for review at the San Juan Public Land  
16 Center.

17 Okay. The first three speakers we  
18 have tonight -- and forgive me if I mispronounce  
19 your name -- Charles Wanner, Bill Vance, and Brian  
20 McCracken. Charles, will you please approach the  
21 microphone? Bill Vance, you're next in line, and Brian  
22 McCracken is after that. Please sit in those two  
23 chairs behind the court reporter.

24 Charles, please state your name for  
25 the record.

10

1 MR. CHARLES WANNER: Okay. My name is  
2 Charles Wanner. I live in La Plata County at  
3 706 County Road 220. I'd like to make you aware of  
4 a special offer tonight. We have special autographed  
5 copies on acid-free paper in a limited edition avail-  
6 able at the office for a nominal charge, suitable for  
7 your family archives.

8 Really, there's a lot of people that  
9 want to speak in a short time, so in an effort to keep  
10 that going, I've submitted my comments in writing and  
11 will only give a few high or low spots, however you see  
12 it, in this presentation.

13 MR. DUVALL: Could you speak up, please?

14 MR. WANNER: Yeah.

15 In general, we feel that the draft is  
16 not adequate in regard to water as a resource and does  
17 not answer several questions regarding impacts on the  
18 surface and ground water quality.

19 It fails to recognize the need for  
20 adequate systematic monitoring on the impacts of the  
21 recommended alternative. It does not consider the  
22 current condition of some heavily impacted streams.  
23 It shows some ignorance of historical conditions which  
24 influenced recent new listings under the Clean Water  
25 Act in New Mexico in the Animas River, and the draft

11

1 does not consider species of warm-water fish occurring  
2 in the Upper San Juan Basin, and shows a lack of  
3 knowledge of current practice regarding the use of  
4 produced waters in coalbed methane production.

5 Some of the areas of concern are  
6 current 303 and 305 listings in New Mexico on the  
7 Animas River are understandably not addressed, as they  
8 only were listed a month ago. Listings for inade-  
9 quately supporting Coldwater Fishery, Stateline to  
10 Estes Arroyo, due to sediment with possible causes  
11 including petroleum activities, not fully supporting

12 cold and warm water fishery, San Juan River to Estes  
13 Arroyo, with possible causes, including petroleum  
14 activities. Sediment accumulation is listed as the  
15 cause of this failure to fully support.

16 In regard to the Colorado Basin  
17 endangered fish in the San Juan Basin Recovery Program,  
18 barriers to fish travel are being removed and fish are  
19 moving upstream to the Animas. Understandably, the  
20 sampling on July 8, 2004 of a juvenile pit tagged  
21 pikeminnow by the Bureau of Reclamation two miles  
22 upstream from the confluence with the San Juan River  
23 was not included in the draft. This occurrence should  
24 cause a substantial change in the level of concern  
25 regarding possible sedimentation in the lower Animas

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1 River and potential impacts on the warm water fishery.

2 PAH pollution is being considered as a  
3 cause of lesions on a variety of fishes in the upper  
4 San Juan Basin and the lower Animas River. The report  
5 dismisses pollution from petroleum drilling as probably  
6 not a cause and stops there. This is obviously a  
7 potential cause and needs further investigation.

8 The use of produced waters is not prop-  
9 erly discussed. Contrary to the reports inferenced,

10           there are two reported cases of produced waters having  
11           been applied for agricultural purposes in La Plata  
12           County. These specific instances do not seem to be bad  
13           in practice at this point in time; however, they do  
14           point to a loophole in Colorado's administration of  
15           its delegated authority under the Clean Water Act  
16           pertaining to --

17                         MR. DUVALL: Mr. Wanner, your time is up.

18                         MR. WANNER: Thank you. You have my comments  
19           already.

20                         MR. DUVALL: Bill Vance is the next speaker,  
21           and Tim Kelly is next on the queue.

22                         MR. BILL VANCE: Hi. My name is Bill Vance.  
23           I live on Yellowjacket Pass, 13 miles east of Bayfield  
24           in the HD Mountains, and I own and run a 360-acre ranch  
25           out there. It's an old homestead and put up a large

13

1           quantity of hay. And I depend on water out there from  
2           domestic wells and springs and from runoff that fill up  
3           ponds to irrigate and support my livelihood there.

4                                 I'm quite concerned with the fact  
5           that they are proposing to drill on three sides of my  
6           property. One side of my property is on the outcrop,  
7           the other side -- on two sides is a steep robles area.  
8           And they're proposing to drill on all three of those

9 sides.

10 By drilling in the outcrop, they have  
11 acknowledged that there will be increased methane seeps  
12 which can come up in homes, under mine possibly, under  
13 my sister's home, who also lives there, and I did note  
14 in the EIS that they show homes along the outcrop.  
15 They're missing at least half of the homes that are  
16 there. So I think they're really misrepresenting that.

17 They're also showing probably less than  
18 half of the registered wells and springs along the  
19 outcrop. So that's also a misrepresentation.

20 And they also are showing everything  
21 in Archuleta County, basically, where I live, as  
22 undeveloped land. Well, my farm has been farmed  
23 for 120 years, so I think the EIS is showing a gross  
24 misrepresentation of what is actually along the outcrop  
25 there. There are many ranches that are agricultural.

14

1 We all depend on water from the springs and wells,  
2 which could be contaminated.

3 Also, we also depend on water from our  
4 ponds, which would easily fill up with sediment from  
5 erosion if they let them drill and make roads in the  
6 steep robles area behind us.

7                   And they say that they will fix the  
8                   roads, and there's a four-year impact. Well, the area  
9                   is highly erodable and prone to massive slides, and I  
10                  think the damage would be permanent and excessive as  
11                  far as the erosion in the roads are concerned.

12                  And, anyway, that's -- I just feel very  
13                  strongly about this. This is a family place, and a  
14                  lot of people live out there, and I feel the EIS has  
15                  just misrepresented the whole function or area out  
16                  there. It has shown that it's an undeveloped area with  
17                  only a few homes and a few springs, and it is not.

18                  MR. DUVAL: Brian McCracken is the next  
19                  speaker, and Nathan Ballenger is the next one in the  
20                  queue.

21                  MR. BRIAN McCracken: Good evening. My name  
22                  is Brian McCracken. My family also owns a small ranch  
23                  in the Yellowjacket Pass. It was also not mentioned in  
24                  the study. I have several springs on my property and  
25                  ponds that feed Yellowjacket Creek, which runs all

15

1                  the way down to the Piedra. If my springs and my  
2                  neighbor's springs dry up because of this drilling, it  
3                  will affect many people downstream from us who have  
4                  water rights to that stream.

5                  They also irrigate and they also take

6 care of their livestock from a lot of those streams.  
7 Even if it doesn't drain them or kill my springs and  
8 my neighbor's springs, and it contaminates them, that  
9 contamination flows downstream all the way down to the  
10 Piedra.

11 The HDs are also known very well as a  
12 major migration route for a lot of elk and deer, and  
13 with the amount of roads that they're talking about  
14 putting in and the amount of wells they're planning on  
15 drilling, we're going to see a lot of those animals  
16 change their migration route.

17 My family has raised sheep and horses  
18 on this property for a number of years. One of the  
19 reasons we moved up there was for the peace and the  
20 solitude and the beauty of the area. I believe these  
21 are qualities that the families that live up there move  
22 there for and are in grave danger from this project,  
23 and we would like to see that stopped.

24 There are many places that they can  
25 drill throughout the country. One little pocket where

1 it's known to be a problem with all the drilling is  
2 near the outcrop. All of these ranches up there are  
3 right along the outcrop, so all our water, all our

4           vegetation, and all our homes are put at risk for this.  
5           And there is adequate proof of this, because the State  
6           does have the one and a half mile restriction from  
7           drilling close to outcrops. And if you study this map,  
8           you'll find that many of those wells are drilling right  
9           on the edge, and in some cases right on the outcrop.  
10          Why repeat that history? Thank you very much.

11                       MR. DUVALL: Tim Kelly is next up to speak,  
12           and Jeff Berman is in the queue. Nathan Ballenger, and  
13           then Jeff Berman.

14                       MR. TIM KELLY: My name is Tim Kelly, I'm a  
15           ground water geologist who specializes in water supply  
16           and water problems. About seven years ago, a large  
17           number of people -- well, rather six, I guess -- living  
18           in the vicinity of Cedar Hill on Highway 50 just south  
19           of the state line filed suit against Amoco and  
20           Meridian, charging them their water supply wells had  
21           been contaminated by methane gas.

22                                Their lawns were full of gas, their  
23           property values plummeted, and they were suffering  
24           health problems that couldn't be accounted for.

25                                The trial was held in Albuquerque in

17

1           Federal Court. I testified as an expert witness on  
2           behalf of the plaintiffs, and we proved to the Judge

3 and the jury that it was the methane from the coalbed  
4 production in the neighborhood that had caused all  
5 these problems.

6 Now, I noticed in the EIS statement  
7 here that BLM believes they've solved the gas seepage  
8 problems through Bradenhead testing existing wells,  
9 sealing the older wells, and the enforcement of new  
10 bore hole sealant.

11 The problem is that that's not the  
12 problem. That presupposes that all the methane that's  
13 seeping into the ground and into these wells is coming  
14 from defective gas wells. But, in fact, what happens  
15 is in order to produce the gas, which is trapped in the  
16 coal, they have to reduce the water pressure in that  
17 formation. And that allows the gas to follow the zones  
18 of natural availability, which are readily available to  
19 the gas. An obvious point of flow is the nearby gas  
20 well.

21 However, that assumes that all the gas  
22 goes into that well. But, in fact, there are numerous  
23 fractures and faults in the earth zones of permeability  
24 through which this gas migrates upward through the  
25 formations, and eventually dissipates in the surface.

1 Unless, of course, you happen to have a domestic well,  
2 and then that is simply a conduit for the transport of  
3 the natural gas in the water to come into your home.  
4 And then it causes all these problems.

5 So none of these proposed testing  
6 procedures that they have suggested are going to do  
7 anything about preventing the natural migration of the  
8 gas, which has been freed through the process of  
9 getting up into other wells and causing the problems.

10 So I can guarantee you that that's  
11 going to happen if the gas production is allowed in  
12 this EIS area. Thank you.

13 MR. DUVAL: Nathan Ballenger is our next  
14 speaker. Bob Thompson, you're in the queue.

15 MR. NATHAN BALLENGER: My name's Nathan  
16 Ballenger, I'm from Durango, Colorado.

17 When I got here, I was asked if I had  
18 written testimony to submit in addition to what I'm  
19 going to say. And I said no, I only have some pumpkin  
20 seeds here. And then I thought about it further and  
21 I actually realized that I did spend the last year  
22 putting together a documentary film called "Gas?"  
23 with a question mark that a number of people in the  
24 audience, including some of the Forest Service  
25 representatives, have seen. And so that's somewhat of

1 my written testimony and following this whole subject.

2 I still to date have been compiling  
3 my thoughts in relation to the environmental impact  
4 statement. But as a public comment period, first of  
5 all I wanted to thank Mark and the other National  
6 Service employees for being stewards to all of us  
7 for our national forests, and I think that that's  
8 a courageous step if one's life to choose such an  
9 occupation. So thank you very much.

10 But when it comes to what's going on  
11 in the HD Mountains, this cup is filled with some  
12 tamari-flavored pumpkin seeds, that's why they're  
13 green. Green I thought was appropriate, because  
14 that's the national forest. But I'm actually relating  
15 it not to the trees, but to the gas that's in the HD  
16 Mountains.

17 These seeds represent the number of --  
18 the amount of gas that is in the San Juan Basin, which  
19 is a much bigger region than the HD Mountains. And  
20 if I could, I would ask everybody in the audience to  
21 guesstimate how many of these seeds do we need to take  
22 out to equate to the amount of gas that we're going to  
23 get out of the HD Mountains that's going to cause all  
24 of the negative environmental impacts that everybody is  
25 going to get up and talk about.

1                   Not one, not a half a one, not a fourth  
2                   of one, not a tenth of one, not a hundredth of one, but  
3                   about a two-hundredth of one of these seeds is how much  
4                   gas we're going to get out of the HD Mountains. And I  
5                   think that if people had the passion to come here, they  
6                   have educated themselves and have discovered that the  
7                   HD Mountains are not only a pristine beautiful place,  
8                   but I would like to turn that statistic back to the  
9                   Forest Service and ask is one two-hundredth of a seed  
10                  so important that we're going to go in and we're going  
11                  to put in dozens of miles of roads, we're going to cut  
12                  up a natural forest area to extract some gas that's  
13                  going to last for about one day and it's going to take  
14                  us up to 20 years to drill it.

15                  And as stewards of our land, please  
16                  take that into consideration outside of exactly what  
17                  you are contending in your environmental impact  
18                  statement. Thank you.

19                  MR. DUVALL: The next speaker is Jeff Berman.  
20                  And Shelley Ballenger is in the queue.

21                  MR. JEFF BERMAN: Good evening. My name is  
22                  Jeff Berman. I am the Executive Director of Colorado  
23                  Wild. But I'm not going to be here in that capacity  
24                  tonight.

25                  You might expect me to talk about the

1 old growth and the wildlife and the critters and the  
2 water quality and the birds and the soils, and I'm not  
3 going to talk about that, either. I want to talk about  
4 a little bit larger issue geographically.

5 If you ever want to learn a lot about  
6 an issue, I recommend you run for a political office.  
7 You will learn more than you ever wanted to know very  
8 quickly. Last year I ran for La Plata Electric. I'm  
9 an electrical engineer, and I learned an awful lot  
10 during that process about renewable energy, about our  
11 energy supply, and the outlook for all of that.

12 Just yesterday I finished a comment  
13 letter on a coal mine up by Peyote. They're going to  
14 continue expanding a coal mine underground, build more  
15 roads on the surface to vent the methane.

16 Approximately .4 percent of the United  
17 States greenhouse gas contribution is from this one  
18 mine, not to mention burning the coal. .4 percent, so  
19 it's a small amount, no problem.

20 I haven't read the EIS yet, and it's  
21 going to be some small percent of our total contri-  
22 bution throughout the country. Yet every one of these  
23 adds up. At what point do we, as a society, as a  
24 species, insist that we exercise some restraint? What

25 place is important enough, what place with money under

22

1 the ground is important enough that we decide we have  
2 the capacity as a society to exercise some level of  
3 restraint?

4 I would like to ask a question here  
5 tonight. Are there any gas industry representatives  
6 here tonight in the audience? We have one, two --  
7 don't be afraid, I've been in a hostile crowd many  
8 times before. Five, six, seven. These are also the  
9 decision makers in the room. I came here tonight not  
10 as a representative of Colorado Wild, but for a very  
11 specific reason.

12 I want to be frank. I want to talk  
13 about what's really driving this: It's not only the  
14 money under the ground and the industry's ability to  
15 make that money, it is the people we have in government  
16 today.

17 If this administration and this  
18 Congress continues past November, we have a 99.9  
19 percent chance of this project going forward. If we  
20 change that situation, we have a 50/50 chance of  
21 stopping this ridiculous and dangerous proposal.

22 So don't only address these stewards of  
23 our land, address Congress, address the elections, and

24 address the gas industry representatives here today.  
25 Thank you.

23

1 MR. DUVALL: Gunnar Conrad is in the queue,  
2 and Bob Thompson is the next speaker. Bob Thompson,  
3 the next speaker, Gunnar Conrad is in the queue.

4 MR. BOB THOMPSON: I'm kind of falling suit  
5 here. My name is Bob Thompson, and I live on top of  
6 Vallecito, and I'm a retired college professor. And my  
7 comments are for you people, not for the government.

8 And from what I understand from what  
9 I read so far, good science has been ignored in this  
10 project. A lot of others in this area will serve good  
11 scientific information and personal opinions with you  
12 concerning the local problem. The U.S. government  
13 proposes to step on good science and local people's  
14 lives.

15 But this is not just our local problem,  
16 it's actually an epidemic of recklessness. Let me  
17 share with you some insight into the depth of the  
18 situation, who is against you, the American public, and  
19 then look at the causes, not the symptoms.

20 This is not my personal opinion  
21 talking, rather the material comes from others, and

22 I'll share my sources with you.

23 First of all, a comment from July 9th,  
24 2004, ENS newswire.com, quote: "Back in February,  
25 60 leading scientists, including 20 Nobel laureats,

24

1 urged President Bush to stop manipulating scientific  
2 knowledge for political purposes. The request fell on  
3 deaf ears. Citing new evidence, now more than 4,000  
4 scientists, including 48 Nobel laureates, 62 Medal of  
5 Science recipients, and 127 members of the National  
6 Academy of Scientists have signed a union concerned  
7 signed statement criticizing the administration's abuse  
8 of science.

9 To quote Dr. Carl Guthrie, an American  
10 Professor of Physics at Cornell, "The White House has  
11 been dismissive of the scientific community's concerns,  
12 and new cases of unacceptable political interferences  
13 have come to light. Science is being distorted and set  
14 aside in a cavalier way."

15 Now, as a result, the number of  
16 scientists that are willing to speak out, including  
17 myself, has grown exponentially. We even ran a full  
18 page of editorial complaints in Science Magazine these  
19 days.

20 In a new report released July 8th, the

21 UCS details new incidents of suppression and distortion  
22 of scientific numbers. Does this sound anything like  
23 the Forest Service's preferred recommendations of gas  
24 drilling in the HD Mountains, folks? From what I read,  
25 we're not getting very good science.

25

1 So with that in mind, let's look at  
2 where the U.S. stands with its political appointees.  
3 Remember, we have a president and a vice president that  
4 were not elected, they were appointed by the Supreme  
5 Court. Both of them were oilmen.

6 Secondly, we have the Secretary of  
7 Interior, who previously worked for the United States  
8 Legal Fund, an anti-environmental organization that  
9 specialized in suing the Department of Interior,  
10 who has declared the Dangerous Species Act to be  
11 non-Constitutional, who's written legal opinions  
12 against the National Environmental Protection Act.

13 And we could go on. The Deputy  
14 Secretary of the Interior, a lobbyist for oil and gas,  
15 and the Director of the United States Forest Service,  
16 who has recently been nominated as the Free La Plata  
17 Environmental Offender of the Month.

18 What can you do? Get involved or get

19 steamrolled. Voice your opinions. Study the studies  
20 and the science. Press your political representatives  
21 for their stands, vote the bums out, vote the good guys  
22 in, and let's get back to good science in the United  
23 States. Thank you.

24 MR. DUVALL: Rachel Cooper is in the queue,  
25 Shelley Ballenger, you're next at the podium.

26

1 MS. SHELLEY BALLENGER: Hi. My name is  
2 Shelley Ballenger, I'm a member of this committee, of  
3 Durango, Colorado.

4 I'm pretty concerned about the drilling  
5 that's going to be happening in the HG Mountains if  
6 this passes. I think that the amount of resources  
7 that are going in to building the roads that are needed  
8 and the possible 20 years that it's going to take to  
9 do this is ridiculous when you look at the oil that  
10 we have left over for the next -- amount of our lives.  
11 I think that we should use the resources that we're  
12 putting into this project for alternative ways to  
13 get energy.

14 And that's all I wanted to say.  
15 Thank you.

16 MR. DUVALL: Rachel Cooper is next in the  
17 queue, and Wally White is next after Rachel. Next up

18 to the podium, Gunnar Conrad.

19 MR. GUNNAR CONRAD: Gunnar Conrad, Durango.  
20 I just wanted to say a few words specifically about the  
21 part of this plan that concerns the HDs.

22 And I'm not going to paint the energy  
23 companies as bad guys. They have constituency, they're  
24 stockholders. And their responsibility to those people  
25 is to make money, and that's all well and good. But

27

1 there's another constituency, and that's all of us,  
2 the American public. And it's the public land agencies  
3 who look out after our interest, or are supposed to.  
4 We are their constituency.

5 I don't think our interests are served  
6 by sacrificing the HDs so that a few people can make  
7 those few dollars. I don't think the energy companies  
8 are evil. If they are evil, then we are all evil, too,  
9 because we all use energy. We need energy, we use  
10 energy. But, like Jeff said, it's about restraint.  
11 You have to draw the line in some places.

12 I think -- that being said, I think  
13 that the energy companies and the public agencies have  
14 been more than a little bit disingenuous when they talk  
15 about how many acres will be impacted in the HDs.

16                               When they say so many hundred acres  
17                               will be quote-unquote "impacted," it's sort of like  
18                               me coming to you and saying, you know, I got a couple  
19                               hundred fence posts here that I want to store on your  
20                               property. And you've got like five acres, they only  
21                               take up a couple hundred square feet of room. And you  
22                               say okay.

23                               And then I say but, by the way, we  
24                               need to store them individually, randomly, all over  
25                               your property. We need to sink them in the ground and

28

1                               we're going to make little roads between all of them.  
2                               All of a sudden, the character of your five acres is  
3                               changed dramatically.

4                               I guess the last thing I want to say is  
5                               this is not about energy independence or the national  
6                               good, this is about a few people making some money.  
7                               And that's all well and good, we need the energy. But  
8                               not at the expense of the HD Mountains. Thank you.

9                               MR. DUVALL: Jennifer Gehrman, you're next to  
10                               the queue. Rachel Cooper is next to the podium.

11                               MS. RACHEL COOPER: Hi. My name's Rachel  
12                               Cooper, and I'm talking on behalf of my son, Corneal  
13                               Ballenger. I'd like to say that it's time  
14                               that we -- it's past time that we stopped thinking

15 about the immediate future and begin to think about  
16 the generations to come. And I think we need to  
17 begin doing that by not drilling in the HD Mountains,  
18 keeping it wilderness, and preserving it for the next  
19 generation. Thank you.

20 MR. DUVAL: Werner Heiber is next in the  
21 queue, and Wally White is the next speaker.

22 MR. WALLY WHITE: My name is Wally White,  
23 589 High Llama Lane, Durango. I'm not going to try  
24 and reiterate everything that's been said here, but  
25 I support every word that has gone on record so far.

29

1 And I would really like to urge the  
2 national forest to extend this comment period. You've  
3 got a document that took four years to write, and  
4 you're giving us 90 days to try and analyze it and  
5 comment on it. It does not give us enough time.  
6 We all work, we need some more time. Please extend  
7 this period.

8 I'm an economist by training, which was  
9 a long time ago, and much of my education has kind of  
10 gone by the wayside in that respect. But in reading  
11 the analysis of the EIS, there's one thing that jumped  
12 out at me that has not yet been mentioned. In addition

13 to the things that have been mentioned, like destroying  
14 domestic wells, creating landslides, polluting the  
15 streams, I'm going to read here: "The accelerated  
16 methane seepage will result in the loss of 59 billion  
17 cubic feet of gas over the life of the project."

18 Well, okay, we've got some loss there.  
19 But it also says the HDs only contain an estimated  
20 110 billion cubic feet of gas. So half as much will be  
21 lost to venting as is pumped into the pipelines.

22 Now, from my standpoint, that doesn't  
23 make good economics. And I'm trying to figure out how  
24 the oil and gas companies can make that good economics  
25 to their constituents and how those things work out.

30

1 Thank you.

2 MR. DUVAL: Jiri Duskocil is next in the  
3 queue, and Jennifer Gehrman is the next speaker.

4 MR. WERNER HEIBER: Hi. My name is Werner  
5 Heiber, and I live in Bayfield. I was going to talk  
6 about the data, the facts, the EIS. And enough people  
7 talking about it. I would like to go into a little  
8 bit into ethics.

9 I grew up in Switzerland, and I want  
10 to become a forester. And I want to become a forester  
11 because I love this land. I love wild land, I love

12 pastures, I love land that's farmed. And I'm sure that  
13 most of you that aren't in this profession that work  
14 for the land, that many of you have a biology degree  
15 or a forestry degree. And I just want to ask you to  
16 remember why you went into that profession.

17                   When I came to this country, I was  
18 right out of Leopold, and land ethics left a real  
19 impression. I'd like you again to go back to that.  
20 So when you make the decision and you write an EIS,  
21 you're living here. You're not living in Washington,  
22 you're enjoying yourself here. Is it really worth that  
23 little gas that easily can be saved by a little bit of  
24 conservation? Is it really worth to drill over there  
25 in a wilderness area? Is it really worth it to

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1 disturb, to take chances with the water table?

2                   Go back again to why you are public  
3 servants. And you have a great challenge, and I don't  
4 envy you. It's a tough position you're in. But go  
5 back to why you're in that profession and what chances  
6 you're making in regards to the use of better energy.  
7 Thanks.

8                   MR. DUVALL: Dan Randolph is in the queue.

9                   MS. ANN BOND: This is for all the speakers.

10 The closer you get to the mike, the louder you are.  
11 The farther you pull back, we can't hear you as well.  
12 So when you're speaking, pull the mike down to where  
13 you are and speak close to it. Thank you.

14 MR. DUVALL: Dan Randolph is in the queue and  
15 Jennifer Gehrman is the next speaker.

16 MS. JENNIFER GEHRMAN: I'm Jennifer Gehrman,  
17 I live six miles east of Bayfield, right on the edge of  
18 the HD Mountains, and I'd love to talk about how sick  
19 this proposal makes me as someone who is going to have  
20 to live with it.

21 But I'm not. I'm going to talk about  
22 something that the Forest Service can respond to  
23 directly, I'm going to talk about what isn't in the  
24 draft EIS and what I will see in the next version.

25 The draft EIS does not explore the

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1 no-drill alternative in any realistic way. They  
2 mention it, because they are required under the NEPA  
3 process, but they do not, really. They simply dismiss  
4 it, saying we have to mention it, but we're not going  
5 to deal with it any further.

6 I want to see the no-drill alternative  
7 explored in a realistic way. I want to know how much  
8 it would cost to buy back the leases from the

9 companies, and I would like to see a cost benefit  
10 analysis done to explain how much it would cost the  
11 taxpayers to buy back the leases versus how much it's  
12 going to cost us to clean up the mess at the end of  
13 the project.

14 According to federal regulations,  
15 apparently gas companies right now are required to  
16 provide a \$10,000 minimum per lease per operator for  
17 the wells that they drill, or a \$25,000 blanket bond  
18 for all the leases in a single state, or \$150,000  
19 blanket bond for all leases nationwide.

20 That's not enough money to clean up the  
21 number of well pads and the miles of roads that are  
22 going to be put into the HD Mountains. And as we all  
23 know from past experience of other toxic waste sites,  
24 problem sites, the burden to clean up this mess in the  
25 end will fall on the taxpayer. We will end up having

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1 to pay for it one way or another. I would rather buy  
2 out the leases now, rather than have to pay for  
3 clean-up later on.

4 I would like, therefore, for the  
5 BLM and the Forest Service to undertake a study and  
6 determine exactly how much it will cost. A recent BLM

7 study indicates that working wells in the west actually  
8 cost at least \$19,000 per well to clean up. Some of  
9 them cost as much as \$75,000. That's your study.

10 BLM officials have the discretion to  
11 raise bond minimums, and I can quote you the Code of  
12 Federal Regulations number if you want, I'll put it  
13 in my written comments. I want to see you do that,  
14 require a -- if we were -- as we are, we're the  
15 landlords of this land, they're our realty agents,  
16 the gas companies are our tenants. I want a security  
17 deposit, a great big fat one. So I would like you to  
18 determine how much it would actually cost to reclaim  
19 each well pad and each mile of road.

20 And I would also like you to determine  
21 realistically how much it would cost to buy out the  
22 people whose wells are going to be destroyed because  
23 of this project and make sure that there is some kind  
24 of funds set aside. I don't know if that's in your  
25 guys' picture or not, but the project is on federal

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1 lands and effects private owners, and I think that it  
2 does fall under your jurisdiction.

3 But I'd like to know how much it costs  
4 to buy out people whose wells will be destroyed, and  
5 I would like to have an account set up and money put

6           aside to do all of that. And you do have the federal  
7           authority to do that, to set up a higher bond. And if  
8           it costs more for the industry, they need to find a  
9           cheaper place to rent.

10                   MR. DUVALL: Scott Koch in the queue, and  
11           Jiri Duskocil is the next speaker.

12                   MR. JIRI DOSKOCIL: Hello. My name is Jiri  
13           Duskocil, and I am a natural resource specialist  
14           for the Jicarilla Apache Nation. And we will be  
15           submitting our written comments, but just a few  
16           details here.

17                   Thanks to the fact that this document  
18           was so inadequate, it was impossible for us to conduct  
19           an individual analysis, and therefore we need to  
20           request a lot more information and data from the  
21           agencies. And this is going to take quite a long  
22           time. And we need to request an extension of the  
23           comment period now.

24                   Also, my understanding is that the only  
25           reason that this project received a green light from

35

1           the U.S. Fish and Wildlife Service is the assumption  
2           that the operators will purchase valid water rights  
3           that fall under the environmental baseline.

4                   This might be very difficult to monitor  
5                   and enforce. Therefore, I believe that that provision  
6                   should be made in the final document, that before any  
7                   permit or PDA is issued, the operator has to show  
8                   clear proof of valid water rights that falls under  
9                   the environmental baseline. And all water rights  
10                  holders in the San Juan Basin have a specified amount  
11                  of time to respond to this in comments or challenges.  
12                  Thank you.

13                  MR. DUVALL: Gene Merrill is in the queue,  
14                  Dan Randolph is the next speaker.

15                  MR. DAN RANDOLPH: Hello, my name is Dan  
16                  Randolph, I live at 1846 County Road 207. I do work  
17                  with the San Juan Citizens Alliance, but this is a  
18                  personal statement.

19                  Tonight I'm focusing on the difference  
20                  between lease rights, property rights, and the Forest  
21                  Service mission. The Organic Act of 1897, which was  
22                  one of the originating acts of the Forest Service,  
23                  said no public forest reserve reservation shall be  
24                  established except to improve and protect the forest  
25                  within the reservation, or for the purpose of securing

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1                  favorable conditions of water flows and to furnish  
2                  continuous supply of timber for the use and necessity

3 of the citizens of the United States.

4 The current mission of the Forest  
5 Service from the web site of the U.S. Forest Service  
6 says the mission of the U.S.D.A. Forest Service is to  
7 sustain the health, diversity, and productivity of the  
8 nation's forests and grasslands to meet the needs of  
9 present and future generations.

10 Further down the same page, they have  
11 guiding principles. To realize our mission and vision,  
12 we follow these 13 guides and principles, and I'm going  
13 to read the top 3 of those 13.

14 "We use an ecological approach to the  
15 multiple use management of the national forests and  
16 grasslands. We use the best scientific knowledge in  
17 making decisions and select the most appropriate  
18 technologies in the management of resources." And,  
19 "We are good neighbors, we respect private property  
20 rights."

21 The BLM, not the Forest Service, gave  
22 leases in the HDs to industry beginning in the 1970s,  
23 and my understanding is through 2002, virtually without  
24 any public involvement in any of that.

25 By doing so, the BLM put itself, not

1 the public, itself and the Forest Service, not the  
2 public, in a bind. There are landowners that bought  
3 property during the past century or more with the  
4 reasonable expectation that the government would not  
5 destroy their homes, wells, agricultural fields,  
6 forests, or springs.

7 Now you, the Forest Service, must  
8 figure out how not to harm these private lands while  
9 handling the lease contracts that the BLM signed with  
10 the oil and gas companies.

11 The draft EIS was written without any  
12 reasonable alternative that does not include drilling  
13 in the HDs. The Forest Service must include an alter-  
14 native that meets its -- the Forest Service's --  
15 mandate, and preserves the rights of the neighboring  
16 landowners, such as a lease buyback.

17 If the Forest Service moves forward  
18 with the preferred alternative, it will essentially  
19 be taking long-held private lands along the outcrop a  
20 nd in neighboring areas of the HDs in order to meet  
21 the recent BLM contracts with industry.

22 I encourage you to meet your Forest  
23 Service mandate and mission and let BLM extricate  
24 itself from the legal mess it made without public  
25 involvement. Thank you.

1                   MR. DUVAL: Michael Walker is next in the  
2 queue, and Scott Koch is the next speaker.

3                   MR. SCOTT KOCH: My name is Scott Koch, and  
4 I live in Bayfield, Colorado.

5                   I'm opposed to drilling in the HDs.  
6 I believe the draft EIS is inadequate, I am for a  
7 no-drill alternative.

8                   We live at the top of the Colorado  
9 River watershed, and I really wish all the people  
10 downstream from here that might be impacted by drilling  
11 in the HDs were here to speak. Because I would just  
12 love to hear people talk about how their ears were  
13 burning, especially the people that are the stewards  
14 of our land that are supposed to be in charge of just  
15 letting us have our say in what's going on.

16                   And I feel over the last few years I've  
17 been let down, and I would hate to see another sell-out  
18 to the industry giants. So that's my words. Thanks.

19                   MR. DUVAL: Mark Pearson is in the queue,  
20 Gene Merrill is the next speaker.

21                   MR. GENE MERRILL: Good evening. I'm Gene  
22 Merrill, a local resident, a local businessman, a  
23 member of the Four Corners Back Country Enforcement,  
24 and the San Juan Citizens Alliance, Trails 2000, and  
25 the Vallecito Church.

1                   The HD Mountain gas development  
2           proposes economic disaster for La Plata County. The  
3           economics of the outdoor recreation, hiking, mountain  
4           biking, and horseback riding in our county is a big  
5           business with a great growth potential, considering  
6           our large population growth and our tourist increase.  
7           Speaking strictly in terms of the horse industry, this  
8           is what I foresee.

9                   We can build a super strong equestrian  
10          industry in La Plata County, pay farmers, ranchers,  
11          trainers, veterinarians, horse breeders, feeders, tack  
12          stores, et cetera, et cetera, and they'll all be  
13          economic winners. But riding horses in the oil patch  
14          is miserable. Just visit Cox Canyon, and you'll  
15          understand why we need the HDs for pleasure riding  
16          without the gas industry's roads, wells, and compressor  
17          stations.

18                  There are a lot of us that ride the  
19          HDs, especially in the winter, spring, and fall, and  
20          already Spring Creek and Sauls Creek are getting  
21          crowded. So where are all the new potential horseback  
22          riders in our community supposed to go? In fact, with  
23          the new proposed gas wells in Spring and Sauls Creek,  
24          where will any of us go for pleasure riding? We need  
25          these low-lying mountains for future recreational

1 activities.

2                   The EIS does not address multiple use,  
3 only gas production. I strongly feel that the local  
4 business and recreationists deserve a small portion of  
5 our county to do what we moved here for -- to play and  
6 maybe make a few dollars. Please leave these precious  
7 mountains for the people, for us to enjoy. Don't drill  
8 the HDs. Thank you.

9                   MR. DUVALL: Janine Fitzgerald is in the  
10 queue, and Michael Walker is the next speaker.

11                   MR. MICHAEL WALKER: My name is Michael  
12 Walker. I live here in Bayfield. I tend to try to  
13 look at the big picture of things, and one of the  
14 things that's come to my attention is that the amount  
15 of fuel that we're likely to get out of the HDs ends  
16 up being enough to take care of this country's energy  
17 needs for about two days. That's the science that I'm  
18 familiar with on it. Two days.

19                   If we assume that the people who came  
20 up with that were really way off, they were 300 percent  
21 wrong, maybe it takes care of things for a week. And  
22 for that, we're looking at doing -- having all this  
23 impact, doing this damage.

24                   And it calls to mind the image of

25 living in a house and cannibalizing the house to feed

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1 the wood stove. So, you know, we're going to knock off  
2 these two back rooms because we need to have enough  
3 heat for two more days. And then two days later, we've  
4 got to knock off a couple more rooms. Pretty soon we  
5 don't have a house any more because we've burned it all  
6 to heat the house that we don't have any more.

7 I think we need a place to live, and so  
8 this is where the word "sustainable" makes sense to me.  
9 It's used in all kinds of fancy ways, but it simply to  
10 me means can we keep doing this and have it work?  
11 Clearly, it doesn't seem like we can do this.

12 In the EIS, one of the things I'm  
13 noticing is there are various references to the  
14 economics of it, the money. There are references to  
15 how much royalty money ends up coming back to the  
16 state, you know, X hundred thousand dollars. And these  
17 are all kind of interesting numbers, all big numbers.

18 The oil and gas industry, it says,  
19 in 2000 paid \$146 million in royalties to the U.S.  
20 government. And I think we'd all like to have our  
21 government have some money. But that's probably about  
22 one-one thousandth of what our government has spent  
23 just in these last couple of wars, let along the things

24 we really need the money for. So there doesn't seem  
25 to be a lack of money to the government, it seems to be

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1 a lack of wisdom in how we're using it.

2 And, finally, there's a number that  
3 says since 1997, the oil and gas industry has donated  
4 \$67 million to the Colorado school systems. Again,  
5 it feels like a buzz word, because we're all in favor  
6 of education. We would like -- that's a good thing,  
7 \$67 million is philanthropic.

8 Great. While we're poisoning the  
9 students. Which, to me, is just a subtler form of the  
10 cannibalizing that I was talking about before. We're  
11 cannibalizing by eating our children.

12 I don't want to give them money while  
13 we're killing them. I'd rather give them their  
14 birthright of real air, real water, real land, and  
15 a place that's worth living in. Please don't do this.  
16 Thank you.

17 MR. DUVALL: Josh Joswick is in the queue,  
18 and Mark Pearson is the next speaker.

19 MR. MARK PEARSON: Good evening. My name's  
20 Mark Pearson, and I'm the Executive Director of the  
21 San Juan Citizens Alliance, and we'll certainly be

22 providing some more exhaustive written comments for  
23 you later.

24 But I guess what I sort of wanted to,  
25 I guess, touch on tonight was that this proposal,

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1 industry proposal to drill the outcrop and drill the  
2 robes area, is incredibly troubling to a wide spectrum  
3 of our community. And because it's a vast amount of  
4 new drilling in a part of the basin, the last little  
5 tiny sliver of the San Juan Basin that's not been  
6 drilled. And it's bringing in all the impact of the  
7 oil and gas development to the only place in the entire  
8 San Juan Basin that does not yet have those kind of  
9 impacts. And I think that's what is stirring so much  
10 passion here about drilling the HDs and drilling on the  
11 outcrop in particular.

12 I'm really glad to see that some of the  
13 industry folks are here, and I hope all the companies  
14 that are proposing this activity are represented here  
15 tonight. I've spoken a bit with Dave Brown with BP to  
16 see if we can have some more face-to-face meetings  
17 between the industry proponents of this action and the  
18 people who are going to be directly impacted by what  
19 the industry is proposing to do. And I think it  
20 would be worthwhile for us to have those kinds of

21 conversations.

22                   Because I think -- I mean, I hope the  
23 industry is really clear that there is a tremendous  
24 amount of passion here in this community and among the  
25 organized groups here about this development proposal,

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1 and it will be bitterly contested in every conceivable  
2 forum for as long as possible before any government  
3 approvals are authorized to do this.

4                   So I would certainly -- you know, I  
5 think we and all of our members and all the land owners  
6 that we've talked to would love to be able to talk  
7 face-to-face with the people who are proposing to do  
8 this kind of activity.

9                   I think that a lot of people are  
10 touching on the fact that it's really difficult to  
11 comment on this document. There's a lot of information  
12 that's not included in the EIS, things about the fact  
13 that Ignacio Creek is proposed as a research natural  
14 area, the fact that there's a large number of new  
15 archaeological districts proposed in the HD Mountains.  
16 Those things are never mentioned in the EIS, and we  
17 probably would never even know those were under  
18 discussion.

19                   The fact that there's a whole issue of  
20 leases that don't allow surface occupancy inside the  
21 HD Mountains. That will just be banished, essentially,  
22 and opened up to development.

23                   To be fair, I think the community --  
24 we need more time, we need a document that completely  
25 reveals everything that's at stake, and we need all the

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1 stakeholders, including the people proposing this  
2 action, to sit down and talk face to face with us.

3                   Thank you.

4                   MR. DUVALL: Vernon Greif is in the queue,  
5 and Janine Fitzgerald is the next speaker.

6                   MS. JANINE FITZGERALD: Hi. My name's Janine  
7 Fitzgerald, and I'm trying to get close like Ann told  
8 me to. I live at 1030 County Road 525, I live out  
9 against the HD Mountains, and grew up there. I feel  
10 very, very strongly about that. I'm also the head of  
11 the SJCA Coalition, or whatever the heck name we have.

12                   I'm very happy that we have this public  
13 meeting where we all get to hear each other, because  
14 the fact is that the people in this room know a lot  
15 more about the ecology of the HD Mountains than the  
16 people who wrote this document.

17                   This document was mostly written by

18 Graystone employees in Denver. And then the Forest  
19 Service, bless their hearts, scrambled as much as they  
20 could to try to fix it. But it's a disaster.

21 It's full of omissions and it's going  
22 to be very hard in an open meeting to be able to talk  
23 to people, because you don't know what's not there.  
24 So we need lots of public meetings like this to know  
25 what's missing.

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1 I've been asked to say what is the  
2 position of the Save the HD Coalition on this, and all  
3 I can come up with is it's utterly insane. The whole  
4 project is totally, utterly insane. And we believed  
5 that when we knew they were going to drill in the  
6 wilderness area.

7 When the EIS -- when the draft EIS came  
8 out and said that, you know, 20 wells and springs were  
9 going to go dry and two people's houses might blow up,  
10 I thought it's more insane than I thought. But I guess  
11 these are insane times, so we should talk directly  
12 about this insane project and this insane EIS.

13 There's overwhelming flaws in it.  
14 Any page you open up to, you're going to find a bunch  
15 of flaws. But I'm going to try to focus on two major

16 issues.

17 First of all, the EIS admits the  
18 problems that are going to happen because of drilling  
19 on the outcrop. It's very interesting. They say  
20 there's going to be all these problems, we're going to  
21 put all these public health, safety, people in danger.  
22 And so -- they do a pretty good job of that, they tell  
23 us what might happen. In terms of what will happen to  
24 the robles area, in terms of describing the ecology of  
25 the HD Mountains, it's an utter disaster.

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1 If you look at the map on riparian  
2 areas, they have no riparian areas at all in the HD  
3 Mountains. If you walk up Ignacio Creek -- my kids and  
4 I went and, you know, GPS marked 10 springs until we  
5 got sick of it. There's water running down, there's  
6 cottonwoods -- somebody has to know what they're doing.

7 I just want to end by quoting from  
8 Gifford Pinchot, who was the original Director of the  
9 Forest Service. He wrote this letter, the Pinchot  
10 letter, on February 1st, 1901:

11 "In the administration of the forest  
12 reserves, it must be clearly borne in mind that all  
13 land is to be devoted to its most productive use for  
14 the permanent good of the whole people." Permanent

15 good of the whole people. "And not for the temporary  
16 benefit of individuals or companies. The vital  
17 importance of forest reserves to the great industries  
18 of the western states will be largely increased in  
19 the near future by continued steady advancement in  
20 settlement."

21 Let me just read this last sentence  
22 to you all, even though it's not being recorded. "The  
23 permanence of the resources and reserves is, therefore,  
24 indispensable for continued prosperity, and the policy  
25 of this department for their protection and use will

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1 invariably be guided by this fact. We must have the  
2 greatest good for the greatest number of people."

3 That is the mission statement of the  
4 Forest Service. That has been the gospel. They  
5 should do it.

6 MR. DUVALL: Janine, your time is up. Karen  
7 Dolby is in the queue, and Josh Joswick is the next  
8 speaker.

9 MR. JOSH JOSWICK: I should know by now not  
10 to follow Janine. I should know better than that.

11 I'm Josh Joswick, I live here in  
12 Bayfield. And and I'm a County commissioner working

13 in La Plata County, and I will not be speaking to the  
14 County tonight. The County is reviewing the document,  
15 and we will be providing written comment in a timely  
16 manner.

17 So I guess what I'm doing tonight is  
18 just talking as Josh. And I would like to -- I've read  
19 some of this document, some that I haven't read, and I  
20 would like to comment on a piece on Page 3-312 where  
21 it says Alternative 1 is consistent with the interim  
22 criteria for Fruitland coalbed methane development set  
23 forth in the NTL to lessee. These criteria require  
24 that no wells will be developed on federal jurisdiction  
25 within one and a half miles of the outcrop to the

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1 Fruitland formation, pending completion of this EIS.

2 This EIS then becomes the basis for  
3 evaluation and further development within the near  
4 outcrop zone, and the extent of permanent development  
5 will be outlined in the record decision for this  
6 project. It is not inconsistent with interim criteria  
7 for the industry to propose development within the  
8 zone, CPM development on private or state leases which  
9 conform with both OGCC requirements and existing land  
10 use policies.

11 As I read this, it's contradictory, and

12 I think it needs to be cleared up. It's open-ended as  
13 to whether or not drilling is going to be allowed  
14 within a mile and a half or not be allowed within a  
15 mile and a half, seemingly allowing the industry to  
16 propose this, despite the statement that no drilling  
17 would be allowed within the mile and a half outcrop.

18 And I think for the sake of  
19 consistency, that it would only be prudent to treat  
20 the outcrop the same. Doesn't matter what land it's  
21 on, doesn't matter the jurisdiction. Regardless of the  
22 jurisdiction, it's the outcrop.

23 And we have some pretty good examples  
24 of what happens there, and that is one of my main  
25 concerns is development near the outcrop and how the

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1 development could potentially result, in among other  
2 things, coalbed seam fires. And while this is touched  
3 on in the EIS, as I read it, more questions are left  
4 unanswered than answered.

5 And to hurry along here, it says that  
6 this development could affect up to 20 homes, 20-plus  
7 homes. 20 homes. And I would hope that this number  
8 is as significant to the BLM and the Forest Service as  
9 it is to us, as it is to the 20 families whose life

10 savings are tied up in those homes and whose lives are  
11 lived up there. 20. Might not sound like much, but it  
12 matters. And I hope we haven't become so callous as to  
13 see that the these people's lives and their investments  
14 are less important -- they cannot be viewed as less  
15 important than the production of an arguably insignifi-  
16 cant amount of gas and -- or less important than the  
17 profits of the production companies.

18 And I would say two things about this:  
19 A, don't do it; and B, if you do it, please use a  
20 better document as your guide than this EIS.

21 Thank you.

22 MR. DUVALL: Rebecca Koeppen is in the queue,  
23 Vernon Greif is our next speaker.

24 VOICE: I have to ask to state those names  
25 after the applause, because I haven't heard a name that

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1 you said, and I've been waiting to find out.

2 MR. VERNON GREIF: Vernon Greif, Durango.  
3 I'm a retired petroleum engineer, I worked for 30 years  
4 in the oil and gas industry, most of it drilling. The  
5 best alternative for this population, this area in the  
6 country, is not to drill any of these wells. There's  
7 too many technical reasons brought up -- the water,  
8 health problems, environmental issues, roads.

9                                   And there's more and more of the public  
10                                   that's beginning to understand there's a minuscule  
11                                   amount of energy to come out of this project that's  
12                                   going to last 40 or 45 years. Just minuscule, it's  
13                                   laughable.

14                                   This body doesn't seem to be charged  
15                                   with doing an economic analysis to discern whether  
16                                   it's really worth it, based on a competent analysis.  
17                                   It seems to be not their problem. If an oil company  
18                                   wants to lose money doing it, well, that's their  
19                                   problem.

20                                   However, they should know that oil  
21                                   companies are sitting on record amounts of cash.  
22                                   They're not doing anything. All we've had for the last  
23                                   six months is energy, energy, energy. What has been  
24                                   done by the oil companies? Virtually nothing.

25                                   The reason is there's nothing to do.

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1                                   This project isn't anything to a big company like BP,  
2                                   Exxon, Mobile, or any of those guys. To a smaller oil  
3                                   company, they can make some money on it.

4                                   This group has an obligation to look at  
5                                   the safety issues and put some technical specifications  
6                                   to make these guys do it, if they want to do it, to

7 have the least impact on the land.

8                   They should require that all wells be  
9 horizontally drilled and that perhaps a consortium of  
10 companies can go together and do some feasibility and  
11 develop this to whether it will work or won't work.  
12 But just to give them a carte blanche to go out there  
13 and say you can drill them any way you want is  
14 patently ridiculous.

15                   I've heard George Bush and his cronies  
16 say so many times that we have the technical capability  
17 to develop these sensitive areas in an environmentally  
18 friendly, technical way, that I'm going to throw up.  
19 Because there's nothing technical in this book that  
20 makes the companies do it to the way George Bush leads  
21 you to believe we're going to do things when we work in  
22 these areas. Thank you.

23                   MR. DUVAL: Heather Snow is in the queue,  
24 and Karen is the next speaker, Karen Dolby. Rebecca  
25 Koeppen? Okay. Heather Snow is next in the queue, and

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1 the next speaker should be Karen Dolby.

2                   MS. KAREN DOLBY: I'm Karen Dolby. I'm a  
3 recently retired family physician. I got my M.D. at  
4 the University of Michigan in 1959, but I grew up in  
5 rural Colorado.

6                               I moved to Bayfield with my husband in  
7                               August, 1995. We live on Palo Verde Drive in Northeast  
8                               Bayfield. Our first winter here, we regularly counted  
9                               112 elk, numerous deer, coyotes, and bald eagles from  
10                              our kitchen window. But I'm not talking about them  
11                              now, although we miss them.

12                             I'm speaking on behalf of public health  
13                             and safety, especially as regards to the potential for  
14                             contaminating people's domestic water supply.

15                             For many years, I was the public health  
16                             officer in another rural Colorado county. I was made  
17                             aware by the State Health Department that by State  
18                             statutes, I was required to fine persons and entities  
19                             found to be contaminating other people's domestic water  
20                             supply \$100 per day until they ceased and desisted from  
21                             doing so.

22                             This was 40 years ago in 1964, and the  
23                             fine, I would guess, has probably increased at the same  
24                             rate as the price of a postage stamp has.

25                             In addition to methane, I understand

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1                             that during the fracking process, toxic chemicals are  
2                             pumped in under pressure that may easily enter the  
3                             water supply and poison adults, children, domestic

4 livestock, and wild animal and plant life.

5 Perhaps you should contact your local  
6 San Juan Health Department, specifically Joe Fowler,  
7 R.N., who I believe is your public health officer,  
8 about levying such fines.

9 Although our ancestors survived at  
10 least long enough to reproduce without having natural  
11 gas or petroleum products for a millennia, but none has  
12 ever survived without having water.

13 Last winter a gas well was drilled on  
14 the ridge just to the east of our home. It looked like  
15 an Eiffel tower lit up for Christmas, and the roar all  
16 night outside our windows was deafening. We miss the  
17 elk, the deer, the coyotes, the jackrabbits, and the  
18 bald eagles that fledged every previous spring since we  
19 moved to Bayfield, as all of them are gone now.

20 I suggest contacting Dr. John Pape,  
21 that's P-A-P-E, the epidemiologist in the Colorado  
22 Department of Health in Denver. Thank you.

23 MR. DUVALL: Root Routledge is in the queue,  
24 Rebecca Koeppen is the next speaker.

25 AUDIENCE VOICE: Can you repeat the queue

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1 name?

2 MR. DUVALL: The next speaker is Rebecca,

3 and then in the queue is Heather Snow and Root  
4 Routledge.

5 MS. REBECCA KOEPPEN: Hi. I'm Rebecca  
6 Koeppen, I'm a citizen of La Plata County. I'm a user  
7 of HG Mountains, and I'm a volunteer board member with  
8 the San Juan Citizens Alliance.

9 Some of you may already know, I know  
10 that the Forest Service does, that the company who  
11 produced this document originally was Graystone, who  
12 is famous for doing really a terrible job in another  
13 state. This cost ultimately taxpayers thousands of  
14 dollars. And the Forest Service has done an admirable  
15 job of scrambling to try and produce it and get it out  
16 there, but it's a flawed document. It's a deficient  
17 document.

18 There are many aspects that it doesn't  
19 address. It does not address water issues and it does  
20 not address archaeological issues. It has flawed maps,  
21 just to name a few.

22 So we have a difficult situation  
23 here, you know. We have a situation where there are  
24 corporate interests who own the minerals that are under  
25 the ground. They legally own these. Not only that,

1 the company that produced these do so for the benefit  
2 of the American public. However, that's in conflict,  
3 apparently, with the people who live on the surface  
4 whose lives and homes and health will be affected.

5 So it seems as to me that the least  
6 that we could have is a truly efficient document,  
7 one that addresses current modern technology more,  
8 one that does not make it possible for 20 homes,  
9 20 lives -- more than 20 lives, 20 families -- to be  
10 so severely impacted.

11 There are 25,000 gas wells in this  
12 basin. The small number of wells that may be drilled  
13 in the HDs do not represent adequate tax revenue, do  
14 not represent adequate job loss or job gain to equal  
15 the impact that it would have on the families, on the  
16 species involved.

17 And so I ask you, please, Forest  
18 Service, not to do anything that would allow what my  
19 husband always says about the BLM to be true, which is  
20 that BLM stands for "been logged and mined."

21 MR. DUVAL: Melanie Mazer is in the queue,  
22 and Heather Snow is the next speaker.

23 MS. HEATHER SNOW: My name is Heather Snow,  
24 and I live on County Road 510 in between Durango,  
25 Bayfield, and Ignacio. I'm going to read a letter that

1 I wrote to the editor, and I want to say that reading  
2 the EIS is absolutely impossible for the layperson such  
3 as myself, who has no scientific background. You can't  
4 understand it. So if they're going to write these  
5 documents, they should put them in a language that  
6 normal people can understand.

7 I want to say that I've enjoyed riding  
8 my horse through private and public lands out here on  
9 the mesa for many years. I've seen herds of elk, bear,  
10 a wide variety of birds, and many coyotes all around  
11 my house.

12 Last year a huge gas pipeline and roads  
13 were built between here and Gem Village. Approximately  
14 ten miles of underground pipe extended to fields and  
15 forests of pinon and cedar trees. In order for them to  
16 span this pipeline, they had to destroy many trees and  
17 break the ground up.

18 I rode that pipeline and watched what  
19 their ugly, huge machinery can do to a landscape. The  
20 pads for the rigs are equally ugly and destructive,  
21 with their waste water pits filled with cracking  
22 plastic and broken fences.

23 The industry says they will reseed  
24 the land, but they can't provide water, so all their  
25 seeds lay dormant, and the ground is bare. There will

1 never be reclamation of the land, they can't put it  
2 back the way it was.

3 To say the oil and gas industry does  
4 not create havoc with nature and cause devastating  
5 environmental degradation is just plan denial.

6 The HD Mountains are currently under  
7 the threat of the same thing happening. Remember, it's  
8 not just pipelines, there has to be road infrastruc-  
9 ture. The roads are wide, and so are the pipelines.  
10 Many old trees will be lost. The sad thing about this  
11 drilling proposal is the yield will equal about two  
12 days' worth of energy supply for the USA. Two days.

13 It is not necessary for oil and gas  
14 companies to go everywhere. They could leave the  
15 HD Mountains alone, as it is, our last redoubt area  
16 in the southwest. This is a super important fact.

17 When you watch Nathan's movie and they  
18 show the HDs from the air, it's this one little patch  
19 of ground left untouched, one tiny little patch, and  
20 they want to go in there and rip it up. And I'm  
21 telling you, when they get their gas lines going,  
22 it's not pretty.

23 Now where I live, the coyotes have  
24 all moved to quieter ground, and the elk, too, have  
25 scattered, and the land is not the same to ride on,

1 and my horse becomes skittish in those woods. There's  
2 a certain kind of foreboding that follows those  
3 pipelines.

4 And you also can't ride your horse on  
5 the pipeline roads once they're done with it, because  
6 they leave it like nasty little stones and gravel, and  
7 you can't even walk on it on your feet.

8 So, please, hear the cries of the  
9 people and be the stewards of the land, and don't let  
10 the drilling happen in the HD Mountains. Thank you.

11 MR. DUVALL: Connie Cummins is in the queue,  
12 and Root Routledge is the next speaker.

13 DR. ROOT ROUTLEDGE: My name is Root  
14 Routledge. And, gentlemen, I am here to speak not  
15 only as a Bayfield citizen for over a decade, but a  
16 former Forest Service employee. I was on the lower  
17 National Forest in the late '70s to the '80s in  
18 long-range planning, Operations Research Analyst.

19 I became very familiar with the policy  
20 of laws, of all these sustained acts -- the NEPA, EIS  
21 process, and the National Courts Management Act, of  
22 which we were the lead forest. So I have appreciation  
23 and respect for the job you and your staff are doing.

24 The first point I want to make is what

25 is meant by multiple use and sustained yield. And,

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1 briefly, multiple use is an objective -- it's a  
2 National Forest objective, multiple resources used.  
3 It is not related to a specific unit of land.

4 Secondly, sustaining means sustained  
5 out indefinitely, it does not mean lasting through one  
6 administration to the next, or anything like that.

7 So there are conflicting objectives.  
8 And when I was there, it was the Reagan years, and so  
9 some people were saying well, maybe, you know, we  
10 should kind of lean this way, resource extraction  
11 versus the other, because we know that's the way the  
12 administration would like. And a wise old forest  
13 supervisor said, you know what? Administrations come  
14 and go, but we have a professional job to do for the  
15 people of this country.

16 I also learned to -- being in emergent  
17 Forest Service cultures, that in the process of plan-  
18 ning, there's a balance that you have a sense of if  
19 you're not hearing from the industry side too much  
20 noise or from the environmental side, something might  
21 be out of balance. And if you're hearing a lot of  
22 decibels from each side, you feel like you're making  
23 a nice compromise decision, well balanced. But,

24 actually, what you're doing is compromising integrity,  
25 because it leads to the lack of courage to make

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1 difficult resource decisions on sustainability.

2                   There's new thinking in sustainable  
3 development, and particularly the economics of it, and  
4 it's related to investing in resource value. And the  
5 way you do that is to leave it. It's like leaving  
6 money in the bank and letting it accrue in its value.

7                   So by leaving, by not drilling the HDs,  
8 we are investing in our resources in two ways: One, of  
9 course, the gas is still there, I don't think it's  
10 running anywhere. And to drill is sustaining. The  
11 roadless area is still there, and we're investing in  
12 that as leaving it there. To drill and road that area,  
13 by definition, is not sustained, and it's gone forever.

14                   So we need to reframe our decisions.  
15 The industry argument that gas only has value if you  
16 burn it up instead of leaving it in the ground --

17                   MR. DUVALL: Mr. Routledge, your time is up.

18                   MR. ROUTLEDGE: Thank you very much.

19                   MR. DUVALL: Richard Grossman is in the  
20 queue, Melanie Mazer, speaker.

21                   MS. MELANIE MAZER: Hi. I'm Melanie Mazer.

22 My husband and I own the Pine River Times, so we  
23 produce a paper here that covers Vallecito, Bayfield,  
24 and Ignacio. I'm editor and publisher, and I'm here  
25 to express my personal and the newspaper's editorial

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1 opposition to drilling in the HDs.

2 My husband and my son and I hunt in  
3 that area for deer and elk, and we really enjoy it,  
4 along with, I think, about everybody else in this room.  
5 I do not think drilling needs to take place there,  
6 unless it can be done in a more sensitive manner, using  
7 the cross drilling outside the roadless area and  
8 outside of the old growth areas.

9 I also believe the comment period needs  
10 to be extended. Ninety days for a thousand-page  
11 document is not sufficient. And it is very difficult  
12 to read. I haven't even attempted to read it, I just  
13 had Carol do it. So I read what she's says. I would  
14 like to thank the BLM and the Forest Service for having  
15 this open session where you can hear people talking.

16 I have been at the open houses, and  
17 they're nice if you have a question, but you cannot  
18 hear your other residents, your other citizens  
19 speaking. I wish there were more open houses in  
20 this process.



19 development, you are effectively putting a price tag  
20 on this special place. In addition to the old growth  
21 forests, there are ancient puebloan ruins that require  
22 preservation and wildlife habitat that shouldn't be  
23 destroyed.

24 The Forest Service is the agency  
25 responsible for protecting all of the resources of the

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1 national forests. This kind of industrial development  
2 is simply not compatible with other uses, nor  
3 appropriate in this area.

4 For what price are we willing to sell  
5 the beauty of the HD Mountains forever? At what cost  
6 to our children and future generations if we lose this  
7 unspoiled place? Thank you.

8 MR. DUVAL: Jim Fitzgerald is in the queue,  
9 Richard Grossman is the next speaker.

10 MR. RICHARD GROSSMAN: Good afternoon.

11 Thank you, Mark, for allowing this  
12 public comment. I'm Dr. Richard Grossman, and although  
13 I work and practice medicine in Durango, I choose to  
14 live under the watchful eye of the HD mountains, and I  
15 really appreciate having the opportunity to comment.

16 Isn't there an amazing amount of  
17 expertise and passion here in this room? I think

18 it's amazing that this little community has gathered  
19 so many experts.

20 I've made a list of the comments so  
21 far. People are concerned about soil erosion, water  
22 quality. The EIS has taken many hits. There is an  
23 effect an animal migration in the proposed possibili-  
24 ties, the methane leaks and seepage could be a real  
25 problem, the amount of gas that would be released for

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1 our use is minuscule compared to the amount that we  
2 use. And the amount that would be released to the  
3 atmosphere is really concerning.

4 I have an interest in public health,  
5 and a degree in public health, and I was amazed at the  
6 billions of cubic feet of methane, one of the worst  
7 greenhouse gases that be released. Good science is  
8 ignored in the EIS.

9 We need to conserve rather than  
10 develop the natural resources. The EIS is disingenu-  
11 ous, whatever that means, and ignores many subjects,  
12 and is incomprehensible.

13 This is all about making money, the  
14 comment period is too short, green gas -- oops, I  
15 already said that. We can perhaps save money by buying

16 back the leases, the bond minimums are too low. We  
17 talked about the economic value of the impact on the  
18 HDs.

19 What I would like to talk about,  
20 though, is aesthetics. Perhaps you'll remember  
21 Gloria Plura, one of my heroes, who when she was the  
22 supervisor of the Lewis and Clark National Forest, did  
23 not allow drilling or -- I'm not sure exactly what  
24 happened, but she thought that the aesthetics of the  
25 land were more important than the money that could be

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1 made from the proposed drilling. And I think that she  
2 is a good example of what can be done in this area.

3 Thank you.

4 MR. DUVALL: Mark Thompson is in the queue  
5 and Keith Fox is the next speaker.

6 MR. KEITH FOX: Good evening. My name is  
7 Keith Fox, I live near the HD Mountains on County  
8 Road 525, and I work in the Four Corners area of  
9 preparing the environmental documents, working as an  
10 environmental consultant.

11 And I just wanted to comment that in  
12 reviewing the EIS, it's very clear that it's pretty  
13 poorly prepared. It seems like a lot of different  
14 people maybe worked on different pieces of it, and

15 nobody really put it together very well.

16 There's an inadequate analysis of  
17 resources, particularly the wilderness areas or the  
18 wilderness aspects of the HDs and the riparian areas.

19 I think as far as the Forest Service  
20 goes, it does not seem that any of the Forest Service  
21 employees ever really went into the HDs, and that's  
22 very clear from the document. And you just wonder why  
23 couldn't they at least walk in the HDs and see what  
24 it's like before destroying it? So it would be nice  
25 just to see if anybody did go into the HDs, see what

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1 their impression was, and maybe that would change the  
2 document.

3 As far as the alternatives go, I think  
4 that it really doesn't explore a good low impact  
5 alternative. I know a lot of people have already said  
6 that tonight, but I think that's a real important  
7 issue, that the document should really look at getting  
8 the gas out, if necessary, but in a very low impact  
9 way, particularly saving the wilderness or the roadless  
10 area that's right in the center of the HDs.

11 So I'd really like to see the whole  
12 EIS kind of reevaluated, possibly reissued. Or maybe,

13 if it doesn't seem necessary, just junk the thing.  
14 Because the EIS doesn't work, and all the issues that  
15 are raised tonight seem to say the public are really  
16 against this possibility. So thank you.

17 MR. DUVALL: Terry Fitzgerald is in the queue  
18 and Jim Fitzgerald is the next speaker.

19 MR. JIM FITZGERALD: My name is Jim  
20 Fitzgerald, and I live in the HD mountains. We have  
21 for 35 years. We raise cows and sheep and horses and  
22 children and grandchildren.

23 We have a spring on our land that  
24 wasn't there when we arrived, and we did some things,  
25 and it's grown and grown and grown, and it's flowed

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1 all through the drought times. It's flowing now very  
2 strongly. If we lost that spring through the drilling,  
3 there's not enough money in the world that could  
4 reimburse us.

5 I would like to comment on this  
6 meeting. First of all, I'm glad we have a public  
7 meeting, but I seriously object to the way the Forest  
8 Service has set up these meetings. They give far more  
9 attention to the open houses when they talk to people  
10 one by one. And if you schedule only one public  
11 meeting, schedule it from six to ten at night, you

12 don't get the same kind of insensitivity in the  
13 economic and social impact sections.

14                   It doesn't talk about families and  
15 doesn't talk about how ordinary people live their daily  
16 lives and how this will disrupt them when they schedule  
17 a meeting from six to ten, lay down ground rules that  
18 say each person will talk for three minutes, no  
19 applause, and send signs up to tell people to sit down,  
20 no interaction between any of the Forest Service people  
21 or some of the people there on the one single public  
22 meeting.

23                   Now, that's necessary because they  
24 decided to schedule only one public meeting. If there  
25 were more public meetings, there would be a lot more

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1 time for public input collectively as a community. I  
2 have no objection to a few open houses, but I think  
3 the public meetings are much more important. We're  
4 educating each other, we're not just talking to you.

5                   I would like to concentrate especially  
6 on the alternative sections, what other people have  
7 done, but I have to mention that I also agree that the  
8 EIS was not well written. And I see there's a one  
9 minute remaining sign, which means my talk won't be

10 official after one minute.

11 For the alternatives, they're not good  
12 alternatives. NEPA said there's supposed to be a range  
13 of alternatives. Here there's kind of a variety, a  
14 hodge-podge of alternatives. Three of the alternatives  
15 are irrelevant, no-one proposes to do them. The full  
16 development alternative, industry doesn't want to do  
17 that, they never proposed it. The alternative which  
18 goes back to the old 1991 EIS is also something that  
19 industry isn't proposing, I don't know why it's there.

20 The no-drill alternative in the EIS  
21 says don't take it seriously, we can't do it, it's just  
22 there for a baseline. So three alternatives don't  
23 count. Curiously enough, there's two so-called low  
24 impact alternatives, one with 158 wells and 62 miles of  
25 roads, another with 212 wells and 78 miles of roads.

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1 MR. DUVALL: Mr. Fitzgerald, your time is up.

2 MR. FITZGERALD: I wish they would combine  
3 those two. I would like to see more alternatives  
4 and more public meetings, and I'd like you to think  
5 about --

6 MR. DUVALL: Jay Lynch is in the queue and  
7 Mark Thompson should be the next speaker.

8 MR. MARK THOMPSON: My name is Mark Thompson,

9 I'm a Durango resident, owner of Dave's Recycling.

10 I do not live next to the HDs, I am not  
11 representing any organization, and I only visit it a  
12 couple times a year. But as a citizen, my understanding  
13 is that I own it and I value it and I want the you, the  
14 Forest Service, to protect it. I'd like to make just  
15 three quick points.

16 As an average citizen, I have not  
17 had the time to read, much less understand, the  
18 Environmental Impact Statement. Please extend the  
19 comment period.

20 Second, I use energy, I need energy.  
21 And by extension, I guess I'm in favor of gas drilling,  
22 but not here, not in the HDs. The benefits of drilling  
23 a day or two of gas are more than offset by all the  
24 costs, both to the environment, to nearby residences,  
25 to future generations, and the list goes on and on

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1 and on.

2 Third, people have said the Forest  
3 Service has a difficult decision to make. I disagree.  
4 The Forest Service works for the people, and public  
5 opinion is very clear. I assume you have been  
6 listening. I believe that the decision is very easy.

7 Show a little restraint and please leave the last  
8 corner of the San Juan Basin without wells. Thank you.

9 MR. DUVAL: Robert Delzell is in the queue,  
10 and Terry Fitzgerald is the next speaker.

11 MS. TERRY FITZGERALD: Responsible citizenship  
12 and belief in democracy, although a bit jaded these  
13 days, I'm afraid, compels us to participate in this  
14 process, which the Forest Service and the BLM had  
15 decided how to do.

16 Then we get a document that's poorly  
17 written, that is contradictory, that is full of  
18 statements that we by either gut or experience don't  
19 believe in, and we're expected to figure this all out  
20 in 90 days and go on and live our lives in the busiest  
21 time of the year. Please give us an extension and do  
22 it soon. We can't really make this happen -- and  
23 follow your directions -- if you don't do that.

24 I'd like to address the time frame  
25 given in the document. It says 42 years. The

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1 declarations that they are using sounds like the stuff  
2 we heard when CBM's development first started in this  
3 county, 20 to 25 years ago, for the wells.

4 We have heard over and over in the last  
5 five years that that's not true, the wells are going to

6 last a whole lot longer. And we don't even talk about  
7 the absolute downspacing to 80 acres that we will see  
8 in the next five years, and probably to 40 acres in  
9 10 to 15 years.

10 What are we -- what can we expect in  
11 this area from the dewatered outcrop depletion and the  
12 down dip of the HDs? What can we expect in our way of  
13 life and what habitat that has been depleted for the  
14 next hundred years?

15 Dan Randolph said that the Forest  
16 Service was being a good neighbor. Well, how come  
17 haven't we talked about the fact that our water is  
18 going to be gone, we're going to be living with  
19 incredible sediment if we live near the HDs? What's  
20 going to happen to all this wildlife as they struggle  
21 to survive? And as long as they last, guess where  
22 they're going to be? Eating up every blade of grass  
23 down on the flat parts.

24 The bears are going to be eating our  
25 chickens. We just really don't feel this is a very

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1 good neighborly policy.

2 You give us all your lists of how the  
3 best practices will be followed, you don't give us the

4 number of staff that will be hired. Surely you will  
5 not redo the same mistake Farmington BLM did where they  
6 have hundreds of wells and no staff to police. You  
7 wouldn't do that. So please list the number of staff  
8 you're going to hire or else tell us how you will stop  
9 the drilling to keep in balance with the number of  
10 staff you have.

11 I'm told I'm finished. Good-bye.

12 MR. DUVALL: Lauri Schell is in the queue,  
13 and Jay Lynch is the next speaker.

14 MR. JAY LYNCH: My name's Jay Lynch. I live  
15 at 4588 County Road 523, Bayfield. Our property  
16 adjoins the national forest that is part of the HDs.

17 We have lived here for 28 years. My  
18 kids have grown up, my friends are here, my family  
19 includes my daughter and son-in-law and grandchildren,  
20 who are living very close to the outcrop in the area  
21 that's most seriously impacted by this proposal.

22 I have attempted to read some of the  
23 EIS, discussed it with my friends and family. It is  
24 the opinion of all of us that this is an absolutely  
25 confused mass of undifferentiated facts, misinfor-

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1 mation, omissions, and errors that leads logically to  
2 no reasonable conclusion.

3                   The alternatives presented to us have  
4                   no relation to the information in the EIS. I am --  
5                   for fun, I do logic problems. This is the worst logic  
6                   problem I have ever seen. And we have -- if we had  
7                   the time and perhaps a little money, but certainly  
8                   the time, we could itemize the innumerable errors and  
9                   omissions in this document, and perhaps even correct  
10                  some of them. It is just -- as Janine Fitzgerald says,  
11                  it's just insane.

12                  My personal specialty is energy  
13                  conservation, and I have tried over the years here to  
14                  encourage people to build well, to conserve energy, to  
15                  utilize solar energy. And, unfortunately, I'm not a  
16                  very good teacher, because every time I go through a  
17                  subdivision I see more and more garages with their bare  
18                  walls facing south, doing nothing.

19                  But, anyway, we have here the best  
20                  potential of utilizing solar energy, and I think that  
21                  it's time for this government to shape up, to sponsor  
22                  some real energy conservation, to back off on the HDs,  
23                  to stay out of the robles areas, to stay out of the  
24                  outcrop, and to give us a little breathing room.

25                  Thank you.

1                   MR. DUVALL: Lynne Sheller is in the queue,  
2                   Robert Delzell is the next speaker.

3                   MR. ROBERT DELZELL: My name is Robert  
4                   Delzell. My wife and I own land, a cabin, and are  
5                   trying to build a house near Yellowjacket Pass, the  
6                   southeast, the base of the HD Mountains.

7                   We are very concerned about all the  
8                   alternatives. The no action alternative, by the way,  
9                   is a misnomer, because wells are still allowed to  
10                  be drilled, at least on private land. We are very  
11                  concerned about the methane escaping from the ground  
12                  water, from the ground -- from the air escaping from  
13                  the ground in our area. It's doing so naturally.  
14                  Can you imagine what drilling and the cavitation  
15                  process could do in that area, and especially to the  
16                  land owners all around us?

17                  We have a spring, which is in a  
18                  sandstone outcrop. It's the only spring we have.  
19                  We have no well water. They were proposing to drill  
20                  a well down through that formation. I believe we stand  
21                  a chance of having that well contaminated with methane  
22                  -- or that spring contaminated with methane, or lose it  
23                  entirely. It's a possibility that we don't like the  
24                  thought of.

25                  I was employed for 33 years with

1       USDA Soils Conservation Service, I'm a certified  
2       professional erosion control specialist. I've had the  
3       opportunity also to observe the construction of a road  
4       in 1964 that goes from the top of Yellowjacket Pass to  
5       a relay station road, a relay station tower. That road  
6       goes up a total of 2000 feet, so we know how far the  
7       sediment and so forth has to go.

8                       That road has experienced significant  
9       slides, which closed the road a number of times. The  
10      construction has caused significant irreversible long-  
11      term erosion. This road, and any roads built in this  
12      rough terrain in the HDs, will concentrate water and  
13      collect in bar ditches. That water will go into  
14      arroyos, will go into streams, cutting them deeper  
15      and causing the sediment to enter areas of ponds and  
16      streams, also leaving sediment behind, creating water  
17      pollution problems.

18                      The road is three miles long. Can you  
19      imagine what will happen with these kinds of things  
20      going on in the three miles of roads that we have, and  
21      you extend that to the many miles that are proposed in  
22      the proposal? We need to correct and add to the EIS  
23      and allow more time to review it. Thank you.

24                      MR. DUVAL: Jewel Wellborn is in the queue,  
25      and Lauri Schell is the next speaker.

1 MS. LAURI SCHELL: I'm not an expert in  
2 anything, but we sure have had a lot of amazing experts  
3 up here telling us the damage that drilling in the HDs  
4 will do. I'm amazed at the variety of the speakers  
5 we've had that are experts.

6 I am just a lover of this place. I  
7 have rode, hiked, and hunted in the HDs for 25 years.  
8 And looking at the EIS, I don't think any of the people  
9 that wrote this incredibly impossible to read document  
10 ever set foot in the HDs. To me that's appalling.

11 They want to go in and destroy this  
12 incredible place full of plants and birds and wildlife,  
13 and they've never even set foot in it.

14 Something that was not mentioned at all  
15 is noxious weeds. They came to this county by well  
16 drilling, building roads. And this -- that many roads,  
17 that many miles of roads, is going to fill the HDs with  
18 noxious weeds. This place is a beautiful place. It's  
19 a -- you have to be there to know. I can't imagine  
20 the devastation that many wells will do to the HD  
21 Mountains.

22 And where are all the animals going  
23 to go? Where are they going to go with that many  
24 wells? There is an abundance of wildlife in there,  
25 you have no idea. The people that wrote that document

1 have no idea.

2                   The air quality -- we have the  
3 Weminuche Wilderness right there. What is that many  
4 wells going to do to the air quality in the Weminuche  
5 that has the most pure air quality, supposedly -- not  
6 for long if we continue on this path. I just can't  
7 imagine. I've watched the air quality in this area  
8 deteriorate. Just look -- try to look at the La Platas  
9 lately. I mean, it's amazing to me how the air quality  
10 has deteriorated in this county in the past 15 years  
11 because of the amount of drilling.

12                   I have one minute remaining. This is  
13 really bothering me, too, that we have this one public  
14 meeting, that we're going to drill on this public  
15 land -- public. There is the public, and they're  
16 telling you they don't want this drilling on public  
17 land.

18                   We need more meetings. We need  
19 meetings like these, not where you sit and tell us what  
20 you're going to do. We need meetings where we can talk  
21 to each other. And to have three months to respond to  
22 this huge document is ludicrous. We need definitely  
23 extended time. I know you've heard that over and over,  
24 but I think that's very important. We need more time.

25 I mean, it's impossible to read anyway, but -- anyway,

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1 thank you.

2 MR. DUVAL: We will be taking a break at  
3 eight o'clock, so I'll have two more speakers, and then  
4 we'll take a five-minute break. Lynne Sheller is the  
5 next speaker.

6 MS. LYNNE SHELLER: Thank you. I'm Lynne  
7 Sheller, I'm a Durango resident. I'm a management  
8 consultant by occupation, a lawyer by training, and for  
9 fun I'm something of a civic activist.

10 I'm here to oppose drilling in the HD  
11 Mountains. And what I want to look at is a simple  
12 cost benefit analysis, like many of the speakers before  
13 me have looked at. If we allow drilling in the HD  
14 Mountains, what is the benefit that's going to be  
15 provided to us? As has been discussed previously,  
16 there's such a nominal amount of energy that will be  
17 provided to us that it really is not going to be worth  
18 the cost that will be associated with it.

19 What are the costs, as people have been  
20 discussing all evening? There are many. Destruction  
21 of the pristine ancient forests, destruction and  
22 erosion of vegetation, creation of roads in a roadless  
23 area, potential for ground water contamination,

24 potential for air and noise pollution, hard to control  
25 any cultural sites, reduction of agricultural and

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1 recreational usage, reduction of property values where  
2 the gas wells will be developed, and creation of fire  
3 and explosion hazards. Is that worth the benefit of  
4 the small amount of energy that will be provided to us  
5 by drilling?

6 I think the other thing that we need  
7 to look at is what's the greatest good for the most  
8 people? And if we're really serious about our energy  
9 policy in this country, we need to look at a number of  
10 different options that are available to us.

11 Something that I learned in the LPEA  
12 publication that came with my bill was about hog  
13 farming and how that can result in the same natural  
14 gas that's used in home burners that are produced by  
15 the drilling that's proposed here.

16 We can also explore geothermal heat,  
17 we can explore solar energy and wind power via diesel  
18 fuel. And combining all of these alternative energy  
19 possibilities with conservation, we can really make  
20 headway.

21 Drilling will leave the HD Mountains

22 in an unrecognizable form, so I ask that you say no to  
23 drilling in the HDs.

24 I want to thank you for the opportunity  
25 for letting us comment today, but I sincerely hope that

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1 you listen to this very vocal opposition. Thank you.

2 MR. DUVAL: Jewel Wellborn is our next  
3 speaker, and then we'll be taking a five-minute break.

4 MS. JEWEL WELLBORN: And you'll want one  
5 after this. My name is Jewel Wellborn, I'm a  
6 consulting geologist out of Denver, Colorado. And I  
7 just happened to be visiting this week, working with  
8 the Southern Ute Reservation area on their drilling  
9 wells, coalbed methane.

10 I won't promise that I'm an expert  
11 on all of this, but I do have some observations that  
12 I think are -- that you'll want to hear.

13 Number 1, I've worked for oil companies  
14 for the past 30 years. And they're not unfeeling,  
15 unsensitive souls. They are real people like you and  
16 me, they have jobs. And they look at oil and gas as  
17 part of their job.

18 But they also have homes that, in most  
19 cases, they would want to listen to what you're saying.  
20 The oil companies, I'm talking about the gas developers

21 and drillers of this.

22 I find that you guys have a small  
23 community of thousands of experts who have lots of  
24 intelligence and lots of independent thinking. And  
25 that is exactly the kind of thing that needs to be

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1 presented to these companies. And I suggest -- and  
2 these are only suggestions: That one, that you call --  
3 that you ask for those representatives from those  
4 companies to all come and have a two-day symposium.  
5 I'll just say a two-day because that may not be the  
6 right time frame. And have face-to-face, and talk  
7 about the issues.

8 Before they get here, you guys pull it  
9 together. But it can't be with a lot of animosity.

10 All of you signed titles to your land,  
11 and many of you signed those leases, and they have a  
12 right to those leases because that's their business.  
13 Doesn't make it that you showed up and you don't have  
14 the mineral rights. I'm sorry, you should have read  
15 your ownership manual. Your title company has that.  
16 Go home tonight and look at the mineral rights. They  
17 are probably not yours.

18 (Audience comments.)

19                               Okay, I'm just saying -- some of you  
20                               have some public land, okay. Some of them are the  
21                               others. There are a lot of misunderstandings about  
22                               drilling, there's a lot of misunderstandings about  
23                               hydrology, and I really suggest that you bring somebody  
24                               that is not part of the problem, but that they come in  
25                               and discuss and train and educate you as a community

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1                               about what you're getting into.

2                               Not somebody that's way on the  
3                               environmental side or somebody that's way on the oil  
4                               and gas side, but somebody who can sit and talk both  
5                               sides reasonably.

6                               AUDIENCE VOICE: How do you suggest we pay  
7                               for that?

8                               MS. WELLBORN: Let me finish up. There are  
9                               people who will do that to get the understanding out,  
10                              and you have college professors right around the corner  
11                              here that would help you, I promise you.

12                              Wait a minute. Listen, guys, I'm  
13                              trying to say -- I work for these companies, and I know  
14                              what would work for them to help them understand what  
15                              you are complaining about and what your concerns are.  
16                              And you know what? They need a field trip. During  
17                              that two-day symposium, you take them on your mountain.

18 You take them up there and you show them.

19 I have no time remaining, but I thank  
20 you for listening. And I think you have a chance.

21 MR. DUVALL: We're going to take a short  
22 break right now, and we'll return in about five  
23 minutes.

24 (Off the record.)

25 MR. DUVALL: Okay, we're going to get started

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1 again. We really do appreciate everybody following  
2 the schedule. That's been very beneficial to Barbara,  
3 the court reporter, and also getting the testimony on  
4 the record.

5 Looking at the sign-up sheet, we only  
6 have about 10 more speakers, so we're going to change  
7 the format a little bit after that. If we have any new  
8 speakers that still need to sign up, please sign up out  
9 front and we will evaluate the number of speakers, the  
10 new speakers after that. It looks like we're going to  
11 have some extra time here tonight, so those of you that  
12 have already provided comments and would like to do  
13 another three minutes, we will do that after we listen  
14 to all the new speakers.

15 And with that, let me call out the next

16 three names so we can get people queued up. The first  
17 speaker will be Amber Clark. The next person in the  
18 queue will be A.M. O'Hare, and then Colby Metcalf will  
19 be the second person in the queue. Amber?

20 MS. AMBER CLARK: Hi. My name is Amber  
21 Clark, and I'm a Durango resident. I've lived in  
22 Southwest Colorado my entire life. I've spent a lot  
23 of time at the base of the HDs when I was a child with  
24 some family friends. I've been back many times since,  
25 and it's a place that's near and dear to my heart, as

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1 are the people that live around these mountains.

2 I have been involved with the EGM  
3 Coalition since, I think, January of 2002, and I do  
4 public land work with the San Juan Citizens Alliance.

5 I just have one real specific comment.  
6 I'd like to point out the lack of capacity that the  
7 industry has in undertaking this project. According to  
8 information supplied by industry for the draft Environ-  
9 mental Impact Statement, the companies proposing to  
10 drill in the heart of the HD Mountains and along the  
11 outcrop are totally undercapitalized.

12 And what that means is they don't have  
13 the money, they don't have the capability to do it.  
14 For example, Petrox objects to horizontal drilling

15 because it is more expensive and thus might jeopardize  
16 the company's ability to obtain bank financing for  
17 drilling.

18 Also, Elmridge claims it should be  
19 able to experiment with fracture stimulation technology  
20 in the HDs until the technology is, quote, either  
21 successful or fails.

22 Drilling in the HDs will be the most  
23 expensive, technically complex, and challenging  
24 location as anywhere in the San Juan Basin to drill  
25 gas and oil. The Forest Service should not allow

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1 undercapitalized and inexperienced companies looking  
2 to experiment with new technology in a location as  
3 difficult and sensitive as the HD Mountains.

4 And I would also like to echo the  
5 response that many people have made tonight to please  
6 extend the comment period. We need longer to look at  
7 this document. Thank you.

8 MR. DUVAL: Bonnie Cramer is in the queue  
9 and A.M. O'Hare is the next speaker.

10 (Pause.)

11 Okay, we're waiting for A.M. O'Hare.

12 Colby Metcalf or Bonnie Cramer.

13 MS. BONNIE CRAMER: My name is Bonnie Cramer,  
14 and I'm 14, and I live in Bayfield, and I'm very much  
15 against drilling in the HDs.

16 Me and my mom horseback ride back there  
17 all the time, and we see how much damage the gas wells  
18 that are already there have damaged the wildlife. And  
19 putting three more -- almost three more gas well pads  
20 in there would just be devastating to the wildlife and  
21 plant life.

22 I would like to some day when I grow  
23 up and have children be able to take them up there and  
24 enjoy the woods and the forest, and maybe even their  
25 children, and not be seeing these gas wells and having

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1 the ground ripped up.

2 We need to write letters, we need more  
3 public meetings. These are our mountains, and we need  
4 to take care of them. The next time you go to the HD  
5 Mountains, when you stand on that ground and you feel  
6 the wind in your face, think about how instead of  
7 digging up that ground for energy, think about how you  
8 can use the wind and the water for energy instead of  
9 digging up the earth.

10 MR. DUVALL: I'm going to go ahead and call  
11 three names here. A.M. O'Hare, Colby Metcalf, and Paul

12 Bendt? Looks like Paul is coming up. I'm going to go  
13 ahead and call two more names. Sharon Tate would be  
14 next in the queue, and Patrick Cummins after that.

15 DR. PAUL BENDT: I'm Dr. Paul Bendt. I live  
16 in Durango and hike and enjoy the HD mountains. I have  
17 not yet had time to read through the EIS, so although  
18 I fully believe that it has deficiencies that other  
19 people have described, I'll read it myself and send in  
20 written comments on the deficiencies.

21 My comments tonight are really going  
22 to be more general in nature. And that is that even  
23 with a very complete document, a document that really  
24 describes what the damage is going to be, the final  
25 answer is the environmental costs are too great, that

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1 we don't want the drilling. And even if the document  
2 is complete enough to carefully document and meet the  
3 NEPA requirements, when you eventually provide a  
4 document that meets the NEPA requirements, it will  
5 still have that the impacts are too great for the very  
6 small benefits.

7 Many of the existing leases in the  
8 HD Mountains are ones that do not grant surface  
9 occupancy, so that the companies have a right to the

10 minerals, but only if they can get to them without  
11 doing any damage to any occupancy of the surface.

12 The proposal here is to give them --  
13 literally give them the treasure of this community,  
14 to give them the right to go in on the surface and  
15 do the damage.

16 And I would say that I want to see a  
17 document that includes an alternative that says let  
18 them drill, but let them drill using the existing well  
19 pads only. Don't give them any new surface occupancy,  
20 but require them to get at the minerals as their  
21 current leases are. Don't give them additional free  
22 treasures from our community, allow them only what they  
23 are entitled to by their existing leases.

24 And I want to see that, and I want to  
25 see it not only included, but selected as the preferred

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1 alternative.

2 And you'll be getting written comments  
3 that address more of the technical deficiencies, but  
4 ultimately that's the big picture, is don't give away  
5 our treasure. Thank you.

6 MR. DUVAL: Okay. Last call for A.M.  
7 O'Hare. Colby Metcalf, Sharon Tate? Patrick Cummins  
8 is next, Casey Brown is in the queue.

9 MS. SHARON TATE: Hi, friends and neighbors.  
10 I have lived here for 25 years. I picked specifically  
11 where I wanted to buy my property in the HD Mountains  
12 for the very reason that it was so pristine in a  
13 wildlife corridor.

14 My property is in the middle of a  
15 wildlife corridor. I love hearing the elk and the  
16 coyotes at night, catching the elk and deer running  
17 freely through my home and go back up into the forest,  
18 and feel free to go and live in their natural home.  
19 I ride my horses back there, I've been to the heart of  
20 the HD Mountains, where these people that have written  
21 the EIS statement have never been.

22 I'm beginning to wonder what they  
23 thought EIS meant. Did they think it meant  
24 environmental ignorance statement? I am totally  
25 appalled. I've been part of this protest since the

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1 early '80s when we shut down the bulldozers out in  
2 Sauls Creek, and then they have viciously accelerated  
3 their work as much as -- their devasation.

4 How many times -- like when are they  
5 going to get it? It's not worth it. We do not want  
6 the drilling here, it's just not worth it. And

7           everybody I talked to feels the same way. I mean, if  
8           they wanted it in their backyard, why don't they do it  
9           there? If they want to do it so bad -- if this was  
10          happening in their back yard, you bet they would be  
11          totally flipping out.

12                           And, I mean, I've put as much energy  
13          as possible into reading the Environmental Impact  
14          Statement. It doesn't make a bit of sense. No matter  
15          where I thumb through, it looks like they just picked a  
16          bunch of land and then put it together to make a big  
17          thick packet that nobody would have the time or the  
18          energy to read. And please have some respect for our  
19          homes here. Thank you very much.

20                           MR. PATRICK CUMMINS: My name is Patrick  
21          Cummins, and I live on County Road 523 in Bayfield near  
22          the HD Mountains, where I've been hiking, camping, and  
23          riding horses for more than 30 years.

24                           And I'm here tonight to voice my  
25          opposition to the drilling in the HD Mountains,

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1          including near the outcrop and in the roadless area.

2                           Page 1 of the EIS in the summary says  
3          that national mineral leasing policies and the  
4          regulations by which they are in force recognizes the  
5          statutory right of lease holders to develop federal

6 mineral resources to meet continuing needs and economic  
7 demands, so long as undue and unnecessary environmental  
8 degradation is not incurred.

9                   It's the so-long-as part that caught  
10 my attention. Based on the information contained in  
11 the EIS, it is clear that aspects of this project,  
12 especially drilling along the outcrop and in the  
13 HD Mountains, will result in undue environmental  
14 degradation, and therefore cannot and should not  
15 be approved.

16                   The litany of environmental  
17 degradation, as set forth by the Forest Service and the  
18 BLM in the draft EIS is so long that I do not have time  
19 to do even a quick summary, and this despite the fact  
20 that the EIS contains numerous errors, omissions, and  
21 inadequacies, which are also too numerous to cite in  
22 three minutes.

23                   So this leaves me with questions which  
24 I ask you to answer as part of this process. If this  
25 project does not meet the standard of undue environ-

1 mental degradation, what does? What criteria have you  
2 used and what analysis has been done to conclude that  
3 this project does not result in undue environmental

4 degradation?

5                   Apparently, you have reached this  
6 conclusion, since as stated in the draft EIS, your  
7 preferred alternative, quote, "represents the  
8 alternative the BLM and the Forest Service would likely  
9 select in their respective RODs following issuance of  
10 the final EIS."

11                   If that turns out to be the case, then  
12 the final question must be does the federal government  
13 really mean anything when it talks about developing  
14 mineral resources in an environmentally responsible  
15 way, whereas this just PR lets you make an unaware  
16 public feel good about what's happening on our public  
17 lands.

18                   Your decisions on this project will  
19 speak volumes about the answer to that question, and  
20 I only hope that these words really do mean something.  
21 Because if they do, you will surely not see this  
22 project approved.

23                   Regarding the preferred alternative,  
24 the EIS does not provide an explanation of why you  
25 have selected 1-A as your preferred alternative, it's

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1 just a compilation of facts, as the previous speaker  
2 indicated.

3                               Why does the Forest Service prefer an  
4 alternative that will destroy the HD wilderness area?  
5 Why does the Forest Service prefer an alternative that  
6 will create methane seeps, contaminate wells, dry up  
7 springs, result in landslides, destroy wildlife  
8 habitat, on and on, as you state in the EIS?

9                               What is the basis for your selection of  
10 this alternative? What criteria was used to make this  
11 choice? What factors were made and how much importance  
12 was given to each factor?

13                              These are all questions that I ask  
14 you to answer for the public, and allow the public  
15 to respond before making a decision. This strongly  
16 suggests the need for a supplement to the current draft  
17 EIS, and please extend the comment period. Thank you.

18                              MR. DUVAL: Casey Brown, Gretchen  
19 Fitzgerald, and Beth Vance.

20                              MR. CASEY BROWN: Good evening. I'm Casey  
21 Brown, and we live on County Road 318 west of Ignacio  
22 about three miles.

23                              Unfortunately, we arrived here this  
24 evening about five minutes till eight, and we really  
25 know that this is a very important meeting. We

1 appreciate the opportunity to speak and to express our  
2 opinion, and that other people have a chance to express  
3 their opinions.

4 The reason we were late is because I  
5 had to go to Kayenta today. And I've driven about  
6 550 miles since three o'clock this morning to be able  
7 to make this meeting tonight. And barely got here, and  
8 I appreciate -- I thought everybody would be through.

9 But unfortunately, I missed the words  
10 of wisdom of previous speakers. And, you know, I might  
11 -- I hope that I'm not as inflexible as my age looks  
12 like I would be. And I might have been able to be  
13 convinced by some words of wisdom that have come before  
14 me, and excuse me, please, if I repeat things that have  
15 been already said.

16 We -- right at the present time, the  
17 gas companies are drilling two wells on our land at  
18 Ignacio. And we favor the development of natural  
19 resources. We don't have any mineral rights, and we  
20 were kind of Johnny Come Latelies, we've just been  
21 there 25 years. And we haven't -- the minerals were  
22 already gone on our land before we bought it.

23 So the -- but the gas companies have  
24 been very, very fair. They have treated us real  
25 well -- am I just about out of time, sir? Okay.

1                   I just want to say that we favor what  
2           -- well, first, that I don't know two organizations  
3           more conscious of environmental impact than the Forest  
4           Service of the United States of America and the gas  
5           companies, the gas industry. They have to be conscious  
6           of environmental concerns, and they are. And they're  
7           doing a good job, and we favor what they want to do.

8                   Am I out now? Are you going to blow a  
9           whistle? Thank you very much.

10                   MR. DUVAL: Next in the queue is Darsi  
11           Olson, and the next speaker is Gretchen Fitzgerald.

12                   MS. GRETCHEN FITZGERALD: My name is Gretchen  
13           Fitzgerald, and I'm not representing any organizations,  
14           and I grew up in Bayfield in the HD mountains.

15                   And I was going to hold my tongue,  
16           because I thought everybody would say everything I  
17           thought needed to be said, but there was a couple  
18           things I just had to bring up.

19                   I've been trying to plow through this  
20           document, and the two things that I saw was that in the  
21           1980s, the gas and oil companies came and they drilled  
22           wells on my parents' property. And that's when the  
23           Canadian Thistle and the Bull Thistle took over our  
24           property. And since then, my parents and my niece and  
25           nephew and my sister and my kids have been fighting

1 Bull Thistles.

2                   And I do not feel that the Forest  
3 Service or the county or anyone else has any handle on  
4 noxious weeds. And I have not seen anything in this  
5 document to help me believe that noxious weeds are  
6 going to be controlled from these trucks coming from  
7 Farmington and coming from other places, and how  
8 they're going to stop the spread of noxious weeds.

9                   The other points that I see in this  
10 document have to do with the mitigation measures. And  
11 when I look at the mitigation measures, they say things  
12 like, "where possible," "when it's feasible." And I  
13 don't understand what that means. Does that mean that  
14 the Forest Service is going to say that they have to  
15 do it on a site specific basis? Or does that mean gas  
16 companies, you do as you like, and if you can, do you  
17 mind kind of moving around this old tree?

18                   I don't understand when it says they're  
19 going to be asked to close the gates. Does that mean  
20 that there's going to be Forest Service people out  
21 there enforcing that those gates stay closed? I have  
22 driven around, and I have seen gates left open all the  
23 time by the gas and oil companies. They don't want to  
24 be opening and shutting gates all the time, they hate  
25 it. And I don't -- there's a whole lot of indications

1 in here that say "where possible," "when probable."  
2 That sort of language, that doesn't mean to me that --  
3 I don't read that saying that the Forest Service is  
4 going to require this kind of regulation.

5 The last thing I was going to bring up  
6 was that under the title of "Compliance of laws and  
7 regulations," there is just sort of a general statement  
8 that says that there's some issues with the roadless  
9 areas, there's some issues with non-service occupancy,  
10 and this EIS, therefore, meets all other laws and  
11 regulations.

12 But when I read the specific  
13 categories, it says that it might not meet the Clean  
14 Water Act, it might not meet the Clean Air Act, it  
15 doesn't meet Forest Plan Regulations, doesn't meet  
16 Forest Plan standards and guides. And I don't see that  
17 being said up front.

18 And I would like to see an analysis of  
19 how this document -- I know it meets -- but it says all  
20 alternatives, and so I'm assuming that alternative --  
21 the no-action alternative does not meet certain laws,  
22 or otherwise we wouldn't -- the Forest Service wouldn't  
23 be required to drill. And the other ones would say  
24 no, that would explain how it meets other laws and

25 regulations. So I'd like to see that kind of analysis

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1 in this document. Thank you.

2 MR. DUVAL: A.M. O'Hare is in the queue, and  
3 Beth Vance is the next speaker.

4 MS. BETH VANCE: Hello. I'm Beth Vance, and  
5 I have grown up in the HD Mountains for 30-some years  
6 now. And I simply would like to ask to extend the  
7 comment period.

8 And I want to emphasize the importance  
9 of extending the comment period, that the Forest  
10 Service has had a group of experts working on this  
11 EIS, getting paid to work on the EIS for at least two  
12 years now, and they want the public to submit educated  
13 specific written comments in three months. And I just  
14 think that that's ridiculous.

15 And as Joe Public, non-expert, I think  
16 that we should have at least four years to comment on  
17 this document. If the experts have had two years,  
18 then the public, who doesn't know, needs at least  
19 four years.

20 And I would also like to ask that the  
21 Forest Service lets the public know if they are going  
22 to extend the comment period in a reasonable amount of  
23 time so that we know what we need to be prepared for.

24 And I think a reasonable time for that, for us to know  
25 that, would be August 1st. Thank you.

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1 MR. DUVALL: A. M. O'Hare is in the queue,  
2 and Darsi Olson is the next speaker.

3 MS. DARSI OLSON: Hello. I'm just getting  
4 here, so I haven't heard some of the other public  
5 comments.

6 But I would say I got involved with  
7 the oil and gas issues probably about nine years ago on  
8 a Halloween evening. I saw a fire off in a distance,  
9 and I thought it was either a forest fire or a house  
10 burning. I was farming up on the Cerrillo Mesa, and  
11 I was concerned it was a fire at Navajo Lake or Mesa  
12 Verde and over Turtle Lake area had fires. And I set  
13 off on foot, walked a couple miles, and discovered that  
14 it was an oil and gas well in a subdivision.

15 And I'm a fairly chemically sensitive  
16 person, I had extreme environmental illness. I was out  
17 of work in the public for about two and a half years,  
18 and after I walked up to that well, I was real sick.

19 My concerns for all these years has  
20 been what level of this is safe for kids, and what  
21 level of that is safe for kids? And if we don't know,

22 maybe we need to slow down on getting methane in water,  
23 hydrogen sulphide in water, flooding the air, issues  
24 like that.

25 The year that Mesa Verde was first

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1 burning, I drove over to look at it, and on the way  
2 back I heard on the radio at six in the morning that  
3 the fire was headed towards a gas station by Mesa  
4 Verde. And the little wheels in my head started  
5 questioning well, what would happen if a fire hit our  
6 gas fields?

7 And so I got home and called up the  
8 COGCC. Rich Rieger didn't get on the phone with me,  
9 but Patricia Beaver assured me, the manager did. And  
10 I asked Patricia what -- if we had a fire, what is the  
11 emergency preparedness plan? And at that time, she  
12 told me that they did not have a plan, that it was up  
13 to the individual drill operators.

14 And so when the fire started up by  
15 Missionary Ridge a few summers ago, you know, as it was  
16 creeping towards the gas fields, I felt really alarmed.  
17 And I didn't go to any public meeting and say anything  
18 like this about my concerns, because I didn't want to  
19 scare kids. And I just quietly encouraged people to  
20 say a big prayer of protection around the gas field,

21 because it would have been really sad to just see it  
22 go boom! And then, you know, who knows if it's safe  
23 and it can actually all get turned off and nothing is  
24 going to happen, you know.

25 And I called the Amoco folks, BP, and

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1 they were real nice. And I felt like they were the  
2 leaders in a sense, and that they probably were doing  
3 things more responsibly. So the fellow that I talked  
4 to I knew previously, and I encouraged him to talk to  
5 the different drilling operators, Petrogulf and so  
6 forth, and unify a plan. And I was really thankful  
7 that that didn't happen.

8 That's a big concern of mine. It's a  
9 drought, the fires area -- you know, and the fact that  
10 it's the last wilderness area close to us. And where  
11 are the kids going to go? Now, if you envision this  
12 whole room full of kids, the whole hallway, the  
13 building -- you know, today's kids, the future kids --  
14 keep them in mind. Each and every day when you have  
15 a meeting, please keep the children in mind in all  
16 these issues.

17 Thank you.

18 MR. DUVALL: Mr. O'Hare? You're the next

19 speaker.

20 MR. A.M. O'HARE: My name is Mickey O'Hare,  
21 I live a mile or two from the HDs. I also have two  
22 coalbed methane wells on my property. The first one  
23 was drilled about 10 years ago, and the second one was  
24 drilled last year.

25 I guess I came to this meeting to find

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1 out when my kids are going to be dying, when my house  
2 was going to blow up, and I haven't heard anything here  
3 that would convince me that's going to happen yet.

4 In fairness, I will reveal that I'm  
5 part of the oil and gas industry, and I have worked  
6 in it for about 22 years. I use natural gas off of  
7 one of the wells on my place to run my lights, to heat  
8 my home, to cook my food, and I've never had a problem  
9 with it.

10 As far as the second well goes, when it  
11 was drilled, a new spring was discovered on our place,  
12 thanks to the drilling of that well. We've never had  
13 any problems with the existing water well that we've  
14 been using for our home, for our family.

15 I have heard of methane in water wells,  
16 and I'd be happy to show people how to take that  
17 methane out of the water and use it for their

18           beneficial use.

19                               Also, I want to point out that what has  
20           been termed as a minuscule amount of gas here is enough  
21           gas to heat every home in La Plata County for the next  
22           two centuries. That minuscule amount of gas will help,  
23           will benefit every household in this county if drilling  
24           is allowed in the HD mountains. Thank you.

25                               MR. DUVAL: From the front desk, are there

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1           any more new speakers that have signed up? We have  
2           additional time for those folks that have already  
3           signed up if they would like an additional three  
4           minutes to get up and speak.

5                               MR. CASEY BROWN: Casey Brown again from  
6           County Road 318, Ignacio. I'd just like to say come,  
7           let us reason together. Let us start by telling the  
8           truth. And we have heard some things on ads on the  
9           radio that are not true. We've heard some things here  
10          tonight that are not true. And I'd like for each  
11          person to think about what they've said and make sure  
12          it's not just what they think, but what's true that  
13          they've said.

14                               You know, the oil and gas industry  
15          provides 65 to 68 percent of tax revenues for La Plata

16 County, depending on the year. While -- there hasn't  
17 always been companies that could utilize and develop  
18 natural resources, and while we have these companies  
19 here, I think we need to develop and use the natural  
20 resources that are available. And these guys can  
21 develop and provide jobs, provide tax revenues, provide  
22 a lot of things. Our residents in Ignacio doggone sure  
23 appreciate the gas and oil industry.

24 I'd like to say that it's important for  
25 us individually, me and my family, to have the gas

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1 and oil industry develop natural resources here in  
2 La Plata. It's important to the county, it's important  
3 to the state, it's important to our nation.

4 We need to develop far more, we need to  
5 develop every natural resource that we can while it's  
6 available and while we can. It's not going to last  
7 forever, but we can profitably produce and utilize  
8 natural resources.

9 The last thing I'd like to say is vote  
10 for President Bush. Thank you.

11 MR. DUVAL: Those speakers that would like  
12 to have an additional three minutes, I think the best  
13 methodology to do this, if we just queue up where we  
14 were queueing up before -- and you can queue up two or

15 three at a time, and we'll just keep rotating through.  
16 And please restate your names for the record.

17 MR. ROBERT DELZELL: I'm Robert Delzell, and  
18 I spoke about a number of different things. But one  
19 thing that I mentioned was the opportunity to watch a  
20 road being constructed in the HDs and the problems that  
21 have resulted -- the landslides and accelerated erosion  
22 that occurred over a 40-year period.

23 One thing I did not mention is it's  
24 extremely difficult, and I would suggest impossible,  
25 to completely get those road banks, especially the

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1 cuts, rehabilitated to the point where there is no  
2 substantial erosion. The reason for this is that  
3 the topsoil, the thin topsoil, because you're on a  
4 hillside, is in most places relatively thin. And you  
5 cannot get an adequate amount of revegetation done on  
6 many of those slopes where that topsoil is gone.

7 Consequently, you will continue, beyond  
8 the 40-year period mentioned in the EIS, to have  
9 erosion problems and downstream pollution of water and  
10 sedimentation and that sort of thing.

11 So as we are thinking about what's  
12 going to be done in the HDs, I think we have to

13 remember some rehabilitation is not really possible.

14 MS. CONNIE CUMMINS: Connie Cummins, Bayfield  
15 resident. I wanted to tell you about my daughter's  
16 idea, and Mark touched on this. We do need to talk to  
17 each other, we need to try to understand each other and  
18 not be polarized, if possible.

19 My daughter, my 11-year-old daughter,  
20 had a really good idea, that perhaps some of the gas  
21 representatives from gas companies from BP and other  
22 companies would like to come up for a hike or a  
23 camp-out in the HD Mountains, and see what we are  
24 talking about. Do we -- are we all talking about the  
25 same place?

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1 I'd also like to touch on the impor-  
2 tance of developing renewable energy. My understanding  
3 is that BP touts itself as a company that it leaves no  
4 environmental impact. I don't understand how they can  
5 use that slogan if they would like to develop -- and  
6 I've also heard and read that BP does have solar energy  
7 development projects. And I would like to encourage  
8 those, and the HD Mountains would be a great place for  
9 solar energy.

10 And I also want to touch again on the  
11 value of unspoiled wilderness. How do we put a price

12 on that, what is the value? Who can do a cost  
13 analysis? Who can tell me how much it's worth? How  
14 much is it worth to go up there and be in that place?

15 Another issue that hasn't really been  
16 touched on -- a little bit it has, but there are some  
17 huge impacts regarding noise of this gas well develop-  
18 ment. The compressor stations and roads and truck  
19 traffic and lots of noise. And it's bothersome, to  
20 say the least.

21 And other really important issues are  
22 what about the water rights of land owners and people's  
23 homes, you know?

24 So there's just too many negative  
25 impacts. And we really need to carefully consider if

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1 we are going to do the drilling, how are those things  
2 going to be mitigated? What measures are we going to  
3 do to make sure that this area isn't completely ruined?

4 Thank you.

5 MR. MARK PEARSON: My name is Mark Pearson  
6 with the San Juan Citizens Alliance. I've been in  
7 Denver the last couple of days, and flew back actually  
8 just late this afternoon. And for once, Mesa Airlines  
9 was on time, and so I got here in time for the hearing.

10                   But I guess it was serendipity that  
11                   because of big thunderstorms, they had a different  
12                   flight plan today, so they came in over Wolf Creek Pass  
13                   and straight east into Ignacio and the airport. And  
14                   they flew straight over the top of the HD Mountains  
15                   right a little bit before the rain started, right over  
16                   Ignacio Creek and right over the top of the HDs.

17                   And you could look down and just see  
18                   all of those natural slumps that characterize the  
19                   topography of the HD Mountains. And it made me think  
20                   about the construction of the 15 miles of roads and  
21                   24 well pads on high-hazard landslide areas and how  
22                   that could possibly be feasible technically.

23                   In the EIS, it makes an assertion that  
24                   BLM will require -- the Forest Service will require  
25                   the best geotechnical engineering of these roads and

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1                   everything will be hunky-dory and they won't slide,  
2                   which I don't believe that's technically possible.  
3                   But if it is, I think the EIS needs to reveal what  
4                   the price tag of that is and how many millions of  
5                   dollars per mile it will take to construct roads  
6                   on those high-hazard landslide areas that will  
7                   collapse and fail.

8                   And I think the dollar figure is

9 important, because the companies are already screaming  
10 bloody murder that they cannot afford to put clean-  
11 burning engines on their wells.

12 The EIS is proposing a higher standard  
13 emission limit on wellhead engines of 2 grams per  
14 horsepower hours instead of the 8 or 10 or 12 that's  
15 already -- that's typical. And if the companies can't  
16 afford just cleaner burning engines, how in the world  
17 can they possibly afford to do this state-of-the-art,  
18 high-tech, geotechnical engineering and construction  
19 that's going to prevent massive landslides on the top  
20 of the HDs?

21 And that, I think, is the sort of just  
22 basic cost benefit financial capability analysis that  
23 has to be revealed to the public, and to you as  
24 decision-makers to think is this even in the realm of  
25 feasibility, that these companies are remotely capable

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1 of building in this kind of terrain and to these kinds  
2 of specifications, when they're already claimed that  
3 they're strapped to do just the basic clean burning  
4 engines. So that is simply one of my additional  
5 comments.

6 DR. ROOT ROUTLEDGE: My name's Dr. Root

7 Routledge, and I want to continue with a few thoughts  
8 that I had at the end of my last talk. And also pick  
9 up on this industry versus environment framing of this  
10 issue.

11 It isn't kind of all of us against all  
12 of them. There are what, two or three, I don't know,  
13 BP is the major one, corporation devices involved in  
14 this effort to drill in the mountain. And their  
15 representatives are corporate functionaries. Their  
16 motivational reward system is -- what they get promoted  
17 on and so forth is getting more. And they don't come  
18 back as advocates for the homeowners and the people who  
19 live in this area.

20 I teach courses in environmental and  
21 industrial statistics, and I have had clients -- mining  
22 engineers, geowater chemistry people, and all kinds of  
23 range of people from corporations to -- including  
24 Bechtel, and things like that. And these are good  
25 people, I agree with that, they try to do an honest

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1 job.

2 But you have to look at the -- the  
3 patronizing statement that the corporate oil executive  
4 made going out. I see how frustrated you all are, kind  
5 of like the industry's Big Daddy up here, and we're up

6           against it is a complete wrong framing of the issue.

7                           So the -- I want to reemphasize that,  
8           in fact, we are investing in these resources by leaving  
9           them where they are, by leaving them in a sustained  
10          base, and in particular robles areas. Because when  
11          they're gone, they're gone. That makes it priceless.

12                           We are not -- we have this small area  
13          here. The amount of benefit is minuscule to the  
14          corporation. It's a dot on their bottom line. The  
15          impact here is huge.

16                           I teach about risk and decisions, and  
17          this is a very misunderstood concept. Risk is the  
18          chance of something going wrong. And what people miss  
19          in that discussion is the hazard. The hazard is what  
20          happens if it does go wrong. And some hazards, like  
21          destruction of water resources, permanent loss of  
22          springs. And those are gone.

23                           It's like global warming. The hazard  
24          is the plan. You don't roll the dice on that. And the  
25          default assumption that the corporation should be able

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1          to do this, and unless we can come up with a good  
2          reason to inform them not to, is wrong. The default  
3          assumption is we have a balanced ecosystem with a

4 balanced environment, and that's what should be  
5 the base of all assumptions, and work from there.  
6 Thank you.

7 MR. DAN RANDOLPH: Hello. My name is  
8 Dan Randolph, I live at 1846 County Road 207. Today  
9 the Durango Herald ran a story on the use of a new  
10 technology for well completion new to our area. Also,  
11 there are two very successful horizontally drilled  
12 wells in La Plata County.

13 The oil and gas industry is a very  
14 innovative and technically capable entity or industry.  
15 The Forest Service can and should develop and adopt  
16 an alternative that requires no more well pads than  
17 currently exist.

18 This does not exclude the development  
19 of the resource. It does require that the industry  
20 develop and use the alternatives, the technologies to  
21 get that gas.

22 But the Forest Service, the BLM did  
23 lease those minerals. The Forest Service does not have  
24 to say therefore, all the other values that everybody  
25 spoke about tonight go out the window.

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1 Thank you. And also, because I don't  
2 think I mentioned it before, thank you for hearing

3           comments. I also encourage an extension of the comment  
4           period. Thanks.

5                       MR. JOSH JOSWICK: Josh Joswick, Bayfield.  
6           Just real quickly, to get to some specifics, and it  
7           might be, to you, minutiae, but I think it's important  
8           to define the term "feasible." Is that the same as the  
9           term "reasonable" as defined by the COGCC? I'm not  
10          really sure what feasible means. Does that mean  
11          possible or viable?

12                       And I think Dan Randolph just alluded  
13          to this on Page 2-2, Horizontal Drilling. It's the  
14          third-to-the-last sentence. Horizontal drilling has  
15          met with mixed success. I'm not really sure what  
16          "mixed success" means.

17                       On Page 2-4, right under 2.2.1,  
18          Alternative 1, environmentally sound drilling, it says  
19          Alternative 1 would be to allow environmentally sound  
20          drilling. I don't know what that is, either. I'm not  
21          really sure what that means.

22                       And, finally, on Page 2.2-7, 2.2.2, it  
23          talks about using -- directional horizontal drilling  
24          technology is used to the maximum extent. Once again,  
25          it's a matter of definition. I'm not really sure what

1 "maximum extent" is defined as in here.

2 And in the spirit of speaking the truth  
3 in this meeting, La Plata County's total tax revenue  
4 is not 68 percent provided by the oil and gas industry,  
5 but our property tax revenues range from 50 to 60  
6 percent, not the oil and gas industry. Just wanted to  
7 clear that up. Thank you.

8 MR. PATRICK CUMMINS: Patrick Cummins,  
9 Bayfield. I read my last statement as fast as I  
10 possibly could. I'm going to try to talk a little  
11 slower this time.

12 And there was something I didn't get  
13 to read. And it says, "I commend Mr. Stiles for the  
14 column he wrote in the Durango Herald when the EIS  
15 came out, expressing his interest in a meaningful and  
16 productive public dialogue on the difficult problems  
17 posed by this project. And that, of course, is partly  
18 in terms of extending the comment period -- got that  
19 message.

20 But I also believe that there has to  
21 be more than that. There has to be a really meaningful  
22 public dialogue.

23 I have spent 18 years doing environ-  
24 mental policy work at the federal, state, regional, and  
25 local level. I know how hard this is. You expressed

1 that in your column, Mr. Stiles, and it's certainly  
2 true. Trying to bring diverse interests together  
3 and finding a solution that really works and that is  
4 practical and that can be implemented is not easy.  
5 It will not happen in 90 days, it will not happen  
6 solely as a result of meetings like this.

7                   You've set up several other opportuni-  
8 ties for people to get together and talk, and that's  
9 excellent, and I'm going to try to come to those and  
10 participate, and I know many others are as well.

11                   I am a member of the San Juan Citizens  
12 Alliance, I am a member of the HD Mountain Coalition  
13 here in Bayfield, and, you know, I don't believe that  
14 there is -- the previous speaker said, you know, it's  
15 not industry -- the failure of the industry against  
16 environmental groups. It's not working that way.

17                   I know that your staff has worked --  
18 spent a lot of time and works closely with local  
19 citizens and with those local organizations. We need  
20 to continue that and we need to find a way to have some  
21 really meaningful dialogue. It's not all or nothing.

22                   I have not heard anyone suggest that  
23 we're going to -- or want to stop all drilling in  
24 La Plata County. That's not what the message is, at  
25 least from my perspective. But what we are saying is

1 maybe there are some places that shouldn't be drilled,  
2 that should be off limits, or maybe we should wait  
3 20 years until we can do it without having an undue  
4 impact on the environment.

5 So I hope we can extend the comment  
6 period, and I hope that we can find additional ways to  
7 really work through this and end up with a solution and  
8 not end up in Court. Thank you.

9 MS. KATHLEEN DELZELL: My name is Kathleen  
10 Delzell. You heard my husband speak already. I live  
11 at 29450 West Highway 160, Bayfield, the address.  
12 We're at the top of Yellowjacket. We're the green  
13 mailbox when you go up and over towards Pagosa Springs.

14 I'd like to speak to extending the  
15 comment period. The Bureau of Land Management, I  
16 understand from Dan Randolph, let the leases to many of  
17 you if you're still here from the oil companies without  
18 knowing and understanding how strongly those of us that  
19 live in the HDs, especially those of us that live near  
20 the outcrop, which our situation, is extremely  
21 different than perhaps the man from Ignacio.

22 We have personal experience with the  
23 Bureau of Land Management not giving us, as land  
24 owners, a chance to comment on something that happened.  
25 We have personal experience.

1                   Several years ago, my husband went out  
2                   to put in a fence. There was a corner -- I don't quite  
3                   know the vocabulary, but he found there was a corner  
4                   that didn't exist before. If you recall, Bob told you  
5                   he's worked for the Oilfield Conservation Service, he  
6                   was the District Conservationist in Pagosa Springs  
7                   in 1962 to '66. He walked our property and all the  
8                   property around us, and he knows where these boundaries  
9                   are.

10                   Our experience with the Bureau of Land  
11                   Management several years ago was that the national  
12                   surveyor out in our area declared the cornerstone  
13                   missing. He was instructed by his Denver office --  
14                   and I have read his file, we asked for a file review --  
15                   he was instructed to contact all land owners that would  
16                   be affected by a change if he declared that cornerstone  
17                   missing.

18                   He ignored that directive. Our address  
19                   was the same throughout the time period. We were  
20                   reachable. We could come to Colorado, we didn't live  
21                   here at that time any more. We were never notified --  
22                   not until Bob walked the line and was going to build  
23                   him a fence.

24                   I strongly say you've got to give us

25 more time. I'm trying to find every landowner between

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1 Milepost 109 up and over Yellowjacket where we are  
2 at Milepost 114, and I'm trying to contact every  
3 landowner down the outside, down towards the Piedra  
4 River.

5 I can't possibly find those people and  
6 give them a chance to read this big document. Even  
7 if I sent them a CD, even if they tried to get your  
8 document on line. And if they do it that way, I've  
9 already heard from one of them, and they read the CD.  
10 And she thought Alternative 5 literally meant no  
11 drilling. She did not realize that Alternative 5  
12 allowed drilling on the school section and allows  
13 drilling -- or proposes drilling near us on our  
14 private land.

15 So please give us more chance. We've  
16 got to talk about it. People have to understand what's  
17 going to happen to them.

18 And I'm real in love with this area.  
19 And my children are, and my 44-year-old daughter  
20 already talks about retirement here.

21 Thanks very much.

22 MS. JANINE FITZGERALD: My name's Janine  
23 Fitzgerald, I live at 1030 County Road 525. I'm

24 just going to be very specific. Just like you want  
25 me to be.

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1 You talk in the EIS about the proposed  
2 actions could possibly cause 20 water wells to go dry.  
3 And then you follow up on Page 3-126, a sentence about  
4 -- or a section about consumptive use and water rights.  
5 The cumulative effects -- the first paragraph talks  
6 about consumptive use in terms of the industry and does  
7 not mention the word "water rights."

8 The following paragraph says -- and  
9 listen to this, okay? "Cumulative effects to consump-  
10 tive use and water rights under Alternative 2 would be  
11 greater than the effects discussed for Alternative 1  
12 because of the higher level development in the project  
13 area. Alternative 1-A, 1-B, 3, 4, and 5 in ascending  
14 order of impact would all result in less consumptive  
15 use of surface water resources than Alternatives 1 and  
16 2."

17 So, in other words, we know that 1-B  
18 isn't as bad as all the others, but you never address  
19 what happens to those people's water rights when you  
20 make their wells go dry.

21 I've talked to two lawyers, and they

22 said it's completely a taking. And the Forest Service  
23 saying that they will go in and restore water by  
24 hauling it is -- that's completely out of -- if you own  
25 water rights on your well and there's an action that

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1 causes your water well to go dry, then basically you've  
2 stolen their water rights.

3 So either way, it should be addressed  
4 better than saying 1-B isn't as bad as all the others.  
5 Thank you.

6 MR. GUNNAR CONRAD: Gunnar Conrad, Durango.  
7 One of the speakers a minute ago alluded to something  
8 that as I sat here and listened, that maybe there's an  
9 alternative that needs to be addressed. And that is  
10 to just leave the gas in the ground for now.

11 It will still be there in 20 years.  
12 Drilling technology will be better. Maybe horizontal  
13 drilling won't have, quote-unquote, "mixed results" at  
14 that time and they can get it from existing well pads.  
15 And the gas will be worth more then, too. Thanks.

16 MS. DARSI OLSON: Hello again, my name's  
17 Darsi Olson.

18 Regarding water, a number of years ago  
19 I was farming with a fellow who owned some additional  
20 land down in Bondad next to the fire station across

21 from Carl Weston's place. And Petrogulf wanted to  
22 drill, needed his signature. And so he entered up  
23 entering into negotiations. Thank you, Nancy Grief,  
24 for helping us.

25 And I had previously been at a meeting

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1 and heard that the fire station down there was going  
2 to be provided through -- I think it was Petrogulf;  
3 it could have been Pure, but I think it was Petrogulf,  
4 a \$2000 water remediation system to extract methane and  
5 hydrogen out of their water.

6 And I remember, you know, getting  
7 concerned. And so my partner at the time got on paper  
8 from Petrogulf, I believe it was, that Petrogulf would  
9 pay he or his successor of the land in 2004 about  
10 \$2,000. It was about eight years ago, I think, for a  
11 water remediation system if, indeed, that was needed,  
12 which it probably would be, because most of the  
13 people's water is depleted down there.

14 And so I began to question at meetings  
15 if and when in 10, 20 -- whatever amount of years folks  
16 living around here should start finding methane and  
17 H2S -- and we don't know what levels are safe, but if  
18 they have done testing for a safe level, it's typically

19       been an adult 150-pound male body.  It's not a woman,  
20       it's not an elder, it's not a child, it's not an  
21       infant.  And until they know what levels are safe, we  
22       are the test.  And I don't think that's fair.

23                       And so I'm asking the Forest Service  
24       and the industry if these people's water around this  
25       drilling area gets polluted, will you all pay for the

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1       system?  Thank you.

2                       MR. JIM FITZGERALD:  Jim Fitzgerald, County  
3       Road 525.  I'd like to tie some things together, and I  
4       would hope that you develop some new alternatives in  
5       the course of the development in the final EIS.

6                       And a lot of the comments have made me  
7       think that they could be tied together in certain ways  
8       for some of the problems that I have with the EIS.

9                       One of them is spacing.  There's no  
10       justification given in this draft EIS for 160-acre  
11       spacing.  The EIS does mention that 160-acre spacing is  
12       authorized by the COGCC and the Forest Service in the  
13       year 2000, but neither has produced a document showing  
14       the need for downspacing to 160 acres.

15                       Anything could be peer reviewed.  And  
16       since many of us suspect that the issue is not more gas  
17       but getting the gas out more quickly, it would raise a

18 lot of serious issues if that were true. So I think  
19 there needs to be a justification before you go from  
20 320 to 160.

21 There's no public document from the  
22 COGCC that was done with oral testimony, and we have no  
23 document, no technical things that we could give to  
24 other experts to look to show the need from going from  
25 320 to 160.

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1 The second issue -- and I tried to  
2 tie these in -- the second issue is there's a lot of  
3 confusion in the EIS about the impacts of this and how  
4 long they'll last. This has been mentioned, but you  
5 ought to look it over much more seriously.

6 In the introduction, it says the  
7 impacts will be 40 acres. When you talk about wild-  
8 life, it says 30 -- I'm sorry, 40 years. And when you  
9 talk about wildlife, it gets cut down to 30 years, and  
10 then the wildlife will all come back and we'll all be  
11 happy. I think the range of impacts might be much  
12 greater. I'd just like you to deal with that in a more  
13 sophisticated way.

14 Fracking. I urge you to look at the  
15 article by Bob Aiken in last Sunday's Herald about

16 fracking, which directly contradicts what you say in  
17 the EIS about fracking.

18 I'm running out of time, so I won't  
19 read it to you, but he says -- and he's someone with a  
20 lot of expertise in this area -- that fracking does  
21 cause vertical migrations, and that is a very serious  
22 issue. At least deal with that.

23 The last thing I'd want to say real  
24 quickly is that you say that you reject a staged  
25 alternative, and you say the only way you could do that

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1 would be if it showed that gas would be wasted, okay?

2 Well, I think that the 50 percent of  
3 the gas wasted under the current situation would  
4 certainly be justification for talking about a staged  
5 alternative. And I want to then tie all of these  
6 things into horizontal drilling, which uses no  
7 fracking, the spacing might be as much as a thousand  
8 acres or more, and what you present about horizontal  
9 drilling is minimal in that.

10 My time is run out. You give us so  
11 much to complain about and so little time to do it.

12 MR. VERNON GRIEF: Vernon Grief, Durango.  
13 I guess I'd like to clarify some of the thought process  
14 of that horizontal drilling. We've had horizontal

15 drilling for over 30 years, this is not a new  
16 technique. It may be a new technique trying to do it  
17 in a coal seam, coalbed methane drill, but they've been  
18 doing that for over 10 or 15 years that I know of.

19 The people in Oklahoma are using quite  
20 successfully drilling laterals in coalbed methane.  
21 Production is four times what you would normally get.  
22 It's much less invasive. They've done it in New  
23 Mexico, Burlington Industries has done it, it's been  
24 done around here. And there's areas that it's been  
25 done where it didn't work worth a darn because the

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1 hole keeps collapsing.

2 So just because you're dealing with  
3 some companies that don't have any personal expertise  
4 that's doing that is no sign to reject that  
5 requirement. There are plenty of companies that can  
6 hire the personnel and the technology and the tools to  
7 do it. And it certainly deserves a look.

8 MS. CATHERINE CALLETTE: My name is Catherine  
9 Callette, and I just wanted to say that I would  
10 appreciate an extension of the comment period, because  
11 I am a student and I have no possible way of under-  
12 standing the draft of the Environmental Impact

13 Statement and would appreciate that, because I know  
14 that I'm not the only one who can't understand it.

15 And I also believe that if there is an  
16 alternative, that there should be one included that is  
17 definitely no drilling. Because we have to look at  
18 other ways of getting our energy and supplying our  
19 companies -- not companies, our economy needs, you  
20 know. There's definitely a better way to fund our  
21 schools than by taking away a place for the kids to go  
22 in the future, like myself. So thank you very much.

23 MR. DUVALL: Is there anyone else who wants  
24 to provide additional comments?

25 (Pause.)

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1 MR. STILES: No other takers? Okay.

2 Before we close, then, I just want to  
3 say thank you very much for being here. Thanks for  
4 taking the time to come over tonight. Thanks for  
5 putting up with the system that we went through.

6 Hopefully, we did give you a chance,  
7 and everybody that wanted a chance to speak did get a  
8 chance to do so. Thanks for speaking your minds.

9 And I do want to remind you -- another  
10 thing I wanted to add is also thanks for the level of  
11 respect that you showed for every speaker. I think

12 that was definitely laudable, and we appreciate that  
13 greatly.

14 I do want to remind you that we are  
15 going to have four -- this was mentioned earlier --  
16 four open houses. The open houses aren't going to  
17 be set up where we record each individual comment.  
18 It will be an opportunity for you to submit written  
19 comments at an open house on a little simple forum,  
20 if you like.

21 We'll take oral comments and written  
22 documents on the site, if you like. But the real  
23 purpose of the open house is to have dialogue back and  
24 forth. And we'll be scattered around the room so that  
25 some of the comments mentioned earlier today can be

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1 received. It won't be an opportunity where everybody  
2 can hear what everybody is saying, but we will have a  
3 chance to share some information and get some questions  
4 answered.

5 The main purposes of the open houses is  
6 to enable you to have all the information to prepare  
7 your written comments and make sure that we understand  
8 the stuff that's there. Just hearing a statement and  
9 being able to discount or think of the way you're

10 saying it, this gives us a chance to follow up and make  
11 sure we really understood your comment.

12 In addition to those four open houses  
13 -- and those open houses will be scattered around,  
14 one here in Bayfield, one in Ignacio, one in Pagosa  
15 Springs, and then one in Durango. And they're right  
16 there on the wall, yeah, thanks.

17 And in addition to that, we will have  
18 three meetings of a subgroup of the Southwest Colorado  
19 Resource Advisory Council, which is a group of 15  
20 persons scattered all over, from Crested Butte to  
21 south of Pagosa Springs, and they cover the area from  
22 basically Crested Butte to Pagosa Springs over to the  
23 Utah line, and down to the New Mexico line. This is  
24 an advisory council, a citizen's advisory council, to  
25 provide advice to the Bureau of Land Management.

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1 They represent the gross interest of  
2 a subgroup that tries to take a smattering of each  
3 general category of interest within this draft. Those  
4 three persons have agreed to come down and basically  
5 hold listening meetings. Those will be public meetings  
6 where you'll have a chance to speak. The three  
7 subgroup members will have a chance to ask you some  
8 follow-up questions, make sure you get it.



7 houses, three of these advisory council meetings  
8 scattered around -- again, those three will be Pagosa,  
9 Bayfield, and Durango, and those dates are also on the  
10 wall, and the 90-day comment period is open until  
11 September 13th. And we've heard plenty of comments  
12 tonight about extending the comment period. We will  
13 take that into consideration and think on it very hard,  
14 give it a very hard look and try to get the word back.

15 I know there was a recommendation to do  
16 that by August 1st. I'm not sure we'll be able to do  
17 it by August 1st or not, because we very much would  
18 like to see some of these meetings play out, and we'll  
19 have a better idea as to where we stand on it.

20 But we will take that into very careful  
21 consideration.

22 So I want to thank you again. Thanks  
23 for coming. And Ron, it's up to you to close the  
24 meeting.

25 MR. DUVALL: Is there anyone else who wants

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1 to provide three minutes of oral comments?

2 (Pause.)

3 With that, let the record show there  
4 are no takers on additional comments, and we are  
5 adjourning at 9:23.

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(The public hearing adjourned at  
9:30 p.m.)

REPORTER'S CERTIFICATE

I, BARBARA J. ELLIS, a Certified Shorthand  
Reporter and Registered Professional Reporter,  
DO HEREBY CERTIFY that I did report the hearing above,

Pages 1 through 129, in Stenographic Shorthand, and the foregoing is a true and correct transcription, to the best of my ability, of the proceedings had upon the taking of this public hearing.

I FURTHER CERTIFY that I have retained the Original Copy of this hearing to seal and deliver to Dee Lewis, San Juan Public Lands Center, 15 Burnett Court, Durango 81301.

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BARBARA J. ELLIS, CCR NO. 256, RPR  
July 26, 2004

My commission expires: 12/31/04