What a Difference an Ordinance Makes ….The September 2018 Choices

On Tuesday, September 25, the Planning and Zoning Commission will decide which ordinances will be recommended to move on to the County Commission for review and approval. These are not final versions so expect future changes.

The Baseline Ordinance is the “Block ordinance” with a few changes.

We hope this chart helps you to understand key differences. We urge you to support the hard work of the Citizens Working Group. Please attend this critical meeting.

Sandoval County Oil and Gas Ordinance Citizens’ Study Group  Contact: Alan Friedman email: alfreedo@comcast.net

### County areas not addressed in ordinances

<table>
<thead>
<tr>
<th>Citizens Working Group Ordinance Team</th>
<th>Citizens Working Group Science Team</th>
<th>Block/Baseline Ordinance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal lands, tribal reservation lands, state lands, and incorporated municipal lands</td>
<td>Yes. Divides county into northwestern, south eastern and transition areas (<a href="#">CWG Science Team Map</a>)</td>
<td>Yes. Divides county into eastern and western areas (<a href="#">Block Map / Baseline Map</a>)</td>
</tr>
</tbody>
</table>
| Divides county into districts | District A = San Juan Basin  
District B = "Transition Zone"  
District C = Albuquerque Basin. | Area A (western area): Includes San Juan Basin.  
Area B (eastern area): Includes rest of county (ABQ Basin) |

### Public notice

- Notice of hearing before P and Z published on website, in local newspapers and posted in at least 4 conspicuous public places.
- Notice to owners of record within 2 miles,
- Notice to all Sandoval Tribes and Pueblos, to agencies responsible for public lands and to municipalities within 5 miles of site.
- In addition, all others who have requested to be on notification lists.

### Permits and hearings

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</table>
| Three stages of Permits  
1. Preliminary Exploration Permit  
   Permissive use: staff decision (no drilling)  
2. Exploratory Drilling Well Permit  
   Conditional use: Final decision at Planning and Zoning Commission public hearing  
3. Development Permit Conditional use:  
   Final decision at Planning and Zoning Commission public hearing. | Two Types of Permits.  
1. Exploratory Permit (surface disturbance with no drilling)  
2. Development Permit (includes exploratory with drilling)  
Hearing requirement depends on District  
District A: (San Juan Basin) Permissive use: Staff decision (no hearing)  
District B: (Transition Zone) Planning and Zoning public hearing and final decision  
District C: (ABQ Basin) Planning and Zoning public hearing and recommendation. County Commission public hearing and final decision. | Two Types of Permits  
A (western area): Permissive use: Staff decision. No public hearing. See above notice requirements  
Area B (eastern area): Planning and Zoning public hearing and final decision |

Go to the county website (under County Commission meetings) to download the four ordinances.
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<tr>
<th>Required application Information</th>
<th>Geology-based districts</th>
<th>No sitting/geological restrictions</th>
</tr>
</thead>
</table>
| • Requires documentation of state agency permits/approvals.  
  • Surface owner must submit statement that applicant has complied with Surface Owner Protection Act.  
  • Requires waste disposal plan that includes copies of agreements and permits from OCD facilities.  
  • Requires list of chemicals and other hazardous materials used in drilling and production, including where they are stored. Confidential list to be provided to Fire Chief.  
  • Financial solvency information required.  
  • Environmental compliance history information required. | • District C (ABQ Basin) only: Only vertical drilling permitted.  
  • Districts A and B: Horizontal drilling and fracking as well as vertical drilling are permitted. | • Any drilling – conventional and unconventional – allowed though out the county.  
  • Requires operator to use “best practices” to ensure water protection. |

<table>
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<tr>
<th>Water protection – Siting requirements</th>
<th>Site specific determination</th>
<th>Geology-based districts</th>
</tr>
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<tr>
<td>• Requires onsite and offsite baseline water testing of public and private wells. May require onsite monitoring wells.</td>
<td>• Unless aquifers are protected due to geology (San Juan Basin area) the applicant must demonstrate adequate protection of drinking water based on a geological/hydrological analysis of the proposed drilling site.</td>
<td></td>
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</tbody>
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<th>Baseline water testing and monitoring</th>
<th>Geology-based districts</th>
<th>Tribal/Pueblo Input</th>
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<td>• Requires baseline testing only on any public drinking water wells within one mile. Quarterly ongoing water quality tests.</td>
<td></td>
<td>• No drilling within 1,000 feet of identified cultural sites.</td>
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<th>Who pays for roads and emergency services?</th>
<th>Baseline water testing and monitoring</th>
<th>Tribal/Pueblo Input</th>
</tr>
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</table>
| • Applicant/Operator pays for road upgrades and road deterioration.  
  • Operator may pay for special emergency services and equipment. | • Requires onsite and offsite baseline water testing of public and private wells. May require onsite monitoring wells. | • Notice of application to all tribes with request for input.  
  • Proof of easements through tribal lands.  
  • Requires compliance with EPA approved tribal environmental rules. |

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<th>Insurance requirements</th>
<th>Tribal/Pueblo Input</th>
<th>Enrollment</th>
</tr>
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</table>
| • General liability: $5 million.  
  • Environmental insurance $15 million. | • Identify and protect cultural sites as identified by NM Historic Preservation. | • Cease and desist order letter if harm to public health, safety, environment.  
  • County may suspend or revoke the permit.  
  • $300 fine maximum for any violation. |

General liability: $5 million.  
• Environmental insurance $10 million.  
• General liability: $5 million.  
• Cease and desist order letter to be sent when significant safety/environment hazard $300 fine maximum for any violation.  

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