

Amy Lueders
Bureau of Land Management
New Mexico State Office

P.O. Box 27115
Santa Fe, NM 87502-0115

301 Dinosaur Trail
Santa Fe, NM 87508

FAX: 505-954-2010

February 13, 2016

Re: Protest of April 20, 2016 Lease Sale

Dear Ms. Lueders:

I am filing this Protest of the Bureau of Land Management's (BLM) planned April 20, 2016 oil and gas lease sale and Environmental Assessment DOI-BLM-NM-040-2015-61-EA, pursuant to 43 C.F.R. § 3120.1-3.

I formally protest the inclusion of the following parcel, NM-201604-043, covering a total of 258.9 acres. The proposed parcel is on/adjacent to Lewisville Lake.

I am filing this protest on behalf of myself and my two minor children. My name is Cynthia Daly and I live at 1662 Waterford Dr, Lewisville, TX and I can be reached at 972-746-9795. My email address is cdaly23@yahoo.com.

My interest in the matter is I am a citizen and human being who depends on clean water from Lewisville Lake for survival, and the mother of two minor child human beings who also depend on clean water from Lewisville Lake for survival. Furthermore, possible damage to the Lewisville dam caused by hydraulic fracturing and earthquakes caused by hydraulic fracturing pose a risk to our personal safety and property.

STATEMENT OF REASONS:

1. Fracking in this area poses a threat to water supplies for myself and millions of other people in the Dallas Fort Worth Metroplex.

Lewisville Lake is the major water source for the City of Lewisville, where I live, as well as the City of Dallas and many other municipalities throughout the Dallas Fort Worth Metroplex. Hydraulic fracturing is known to utilize carcinogenic and toxic chemicals and creates millions of gallons of contaminated waste water that must be disposed of in a way that it can never come into contact with humans or wildlife. However, there is a history of such chemicals contaminating surface and ground water, whether due to mechanical failure or human error. Consider the following:

- A 2015 peer-reviewed study conducted by researchers at the University of Texas at Arlington examined more than 500 private and public supply water wells drawing from aquifers overlying the Barnett Shale and detected the water had been contaminated by multiple volatile organic compounds, including various alcohols, the BTEX family of compounds, and several chlorinated compounds commonly associated with hydraulic fracturing.¹
- In 2010, well water in Parker County was found to contain methane, benzene, and other contaminants traced back to a natural gas production well.²
- WFAA recently reported that numerous operators in the Barnett Shale are not properly cementing their wells, causing groundwater contamination.³
- In the 2011 case *Mitchell vs. Encana Oil and Gas*, Johnson County property owner Grace Mitchell was no longer able to use her water due to contamination with chemicals found in diesel fuel. The case was settled out of court.⁴
- Johnson County property owners Jim and Linda Scoma filed suit against Chesapeake Energy in 2010 citing water testing results showing increased concentration of the petroleum byproducts benzene, toluene, ethylbenzene, xylene, barium, and iron. The case was settled out of court.⁵
- In 2013 alone in Colorado, 495 spills were reported by oil and gas companies to the Colorado Oil and Gas Conservation Commission. 22% of these spills resulted in ground or surface water contamination.^{6,7}
- In September 2009 in Pennsylvania, a spill of over 8,000 gallons of fracking fluid breached a creek and decimated aquatic life.⁸ Similar spills were reported in Pennsylvania in December 2009⁹, May 2010¹⁰, and May 2011¹¹.

These and many other incidents signify that spills are not extraordinary events, but routine occurrences. Surface water in and around the proposed drilling site flows directly into Lewisville Lake. Any spills, seepage, or runoff of contaminated wastewater pose a significant threat to our water supply. Water is a precious, vital resource that is frequently in short supply in the Dallas Fort Worth area. Drilling so close to a major water source is not responsible or prudent stewardship of our public lands.

2. The Lewisville dam is already weak and fracking poses a threat to its stability.

According to a recent Dallas Morning News article¹² highlighting the structural problems with the Lewisville dam, the Army Corps of Engineers considers the dam one of the most dangerous in the country and the Fort Worth District was considering changing its risk classification to "critically near failure." It is currently listed at "very high" risk. Record floods in 2015 placed further pressure on the dam, causing a massive slide 160 feet long by 23 feet wide. A rupture in the dam would cause catastrophic flooding, threatening the lives of over 400,000 people in the flood path. The Environmental Assessment conducted by the BLM does not take into account the Lewisville Dam's integrity problems, nor do current Corps guidelines on drilling near their property.

The Army Corps of Engineers has expressed concern in the past about the risks to the structural integrity of their dams caused by nearby oil and gas drilling. Anita Branch, regional technical specialist in geotechnical engineering for the Corps Fort Worth office, outlines some of the risks, such as causing differential movement, or shifts along natural faults, weakening dam foundations.¹³ An Army Corps of Engineers report details additional risks of hydraulic fracturing.¹⁴ Drilling in the proximity of Lewisville Lake could exacerbate structural problems with the dam that have yet to be fully repaired.

Further, wastewater injection wells that are an inevitable byproduct of the hydraulic fracturing process are known to cause earthquakes, as has been acknowledged by the US Geological Survey¹⁵. Earthquakes

topping 5.0 on the Richter scale have been triggered by fracking in Oklahoma. Such an earthquake near Lewisville dam could pose additional risks to the dam, as well as homes like mine nearby.

For these reasons, allowing oil and gas drilling on the parcel on and near Lewisville Lake poses significant risks and minimal benefits. Please withdraw this parcel from the April 20 auction and protect my family's health and safety.

Sincerely,



Cynthia A. Daly

¹ https://www.earthworksaction.org/files/pubs-others/ACSA_Comprehensive_Analysis_of_Groundwater_Quality_in_the_Barnett_Shale_Region.pdf

² <http://yosemite.epa.gov/opa/admpress.nsf/ab2d81eb088f4a7e85257359003f5339/713f73b4bdceb126852577f3002cb6fb!OpenDocument>

³ <http://www.wfaa.com/news/local/investigates/rules-ignored-water-fouled-in-barnett-shale/38337835>

⁴ <http://www.scribd.com/doc/45467714/Mitchell-v-Chesapeake>

⁵ <http://www.scribd.com/doc/45467677/Scoma-v-Chesapeake-Energy>

⁶ <http://westernpriorities.org/colorado-toxic-release-tracker-2013-summary/>

⁷ <http://cogcc.state.co.us/cogis/IncidentSearch.asp>

⁸ <http://www.propublica.org/article/frack-fluid-spill-in-dimock-contaminates-stream-killing-fish-921>

⁹ <http://www.prnewswire.com/news-releases/pa-dep-fines-atlas-resources-for-drilling-wastewater-spill-in-washington-county-100888514.html>

¹⁰ http://blogs.star-telegram.com/barnett_shale/2010/05/pennsylvania-fines-ft-worth-company-141k.html

¹¹ <https://www.hcn.org/blogs/goat/fracking-fluid-spill-raises-concerns-over-regulation>

¹² <http://interactives.dallasnews.com/2015/lewisville-dam/>

¹³ <http://www.dallasnews.com/news/community-news/grand-prairie/headlines/20110731-corps-worries-that-fracking-gas-wells-might-hurt-dams.ece>

¹⁴ http://www.publications.usace.army.mil/Portals/76/Publications/EngineerRegulations/ER_1110-1-1807.pdf

¹⁵ <http://www.theguardian.com/world/2015/apr/23/oil-gas-drilling-triggers-man-made-earthquakes-usgs>