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FAX

TO:	FROM:
Mrs. Amy Wedders, State Director	Fr. Anthony Borrows
COMPANY:	DATE:
BLM - New Mexico	2.18.16
FAX NUMBER:	PAGES
505.954.2010	8
PHONE NUMBER:	CC:

RE: Letter of Protest - NM-201604-04/FAX:	
April 20, 2016 Oil & Gas Lease Sale	940.321.6040

☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Original will be sent via certified mail.



February 16, 2016

Mrs. Amy Lueders, State Director
United States Department of the Interior
Bureau of Land Management
New Mexico State Office
301 Dinosaur Trail
P.O. Box 27115
Santa Fe, New Mexico 87502-0115

**RE: Letter of Protest - April 20, 2016, Oil and Gas Lease Sale -
NM-201604-044 (Lewisville Lake)**

Dear Mrs. Lueders,

Earlier this month, reports began circulating the Bureau of Land Management (BLM) is proposing an April 2016 Competitive Oil and Gas Lease Sale in which 285 acres of land rights in Lewisville Lake (the "Lake" - NM-201604-044) are listed to be auctioned. The Lake, with over 183 miles of shoreline, is home to a diverse wildlife population. In addition, the Lake has over a dozen recreational parks and seven campgrounds. The Lake was built in 1927 and later expanded to help with flood control and to serve as a significant drinking water source for the City of Dallas and its surrounding suburbs.

Our Interest - In 1959, the Society of Jesus (commonly known as the Jesuits) founded Montserrat Jesuit Retreat House (Montserrat) on the shores of Lake Dallas, Texas as a place for serving the spiritual needs of those in the Dallas, Fort Worth, Tyler and other nearby Catholic dioceses by offering silent retreats to enrich the spiritual lives of those who come here. People from a variety of faith traditions come to Montserrat to pray and to enjoy the beauty of God's creation, including the Lewisville Lake and the variety of wild life native to this area. The Jesuit community of Montserrat Jesuit Retreat House is firmly committed to this ministry and opposes anything that may jeopardize the sanctuary that we provide. Our ministry would be adversely impacted by the potential threat to structural integrity of the Lewisville Lake dam, the exacerbation of existing air quality concerns, and the contamination of a local drinking water supply. These impacts can only negatively impact the area's biodiversity as well as endanger the property and health of those we serve.

Our Protest - The Jesuit community has lived on the Lake since founding the retreat house in 1959. As residents, we are concerned the BLM made no effort to contact us about the proposal. As a result, there has been little time to prepare a formal response that seriously considers all of the potential impacts that the BLM's proposal would have on the lake, the water supply, the

Lewisville Lake dam, the area wildlife and our facility. The concerns listed here are therefore less specific in scope than we would like. These causes would all clearly benefit from further study and analysis and greater public participation prior to moving forward. For these reasons, the Jesuit Community of Montserrat protests the inclusion of the parcels listed in NM-201604-044 (Lewisville Lake) in the upcoming April 20, 2016 Lease Sale and requests that they be removed from the list of available parcels.

Notification Concerns - The information publicly available on the website makes it difficult to specifically identify the exact parcels proposed for auctioning. After various phone calls and emails, we were able to get a map that allowed us to determine the general area to be affected; however, we are concerned that those living in the area have not received the information necessary to understand the issue fully or exercise their rights to file a well-informed and meaningful protest as is required by law. While not directly in the immediate area of the proposed lease area, we received no notification of the BLM's intent to lease parcels on Lewisville Lake.

Dam Structural Integrity Concerns - It should be noted the Lewisville Lake dam is already listed by the Corps of Engineers as the nation's 8th most hazardous dam and is in urgent need of repair. Further, a specific study of the impact that the proposed drilling could have on the structural integrity of the dam has not been adequately explored. An article in the February 13, 2016 edition of the Dallas Morning News references a presentation by Anita Branch, a U.S. Army Corps engineer, in which she observed that "gas drilling wasn't factored into the design of the dams" and recommends extensive geological testing. Currently, there is not sufficient data to ensure the integrity of the dam. Moving ahead with the lease has the potential to put over 400,000 residents in immediate danger of flooding and could result in billions of dollars of property damage should the dam lose structural integrity. The need for a specific study of how any drilling related to the lease will impact the dam and the subsequent risk that such drilling would have has thus not been adequately addressed in the Environmental Assessment (DOI-BLM-NM-040-2015-61-EA dated October 2015). Overall, the EA is very broad and fails to take a "hard look" at environmental impacts and consequences.

While perhaps anecdotal, the recent and dramatic increases in the number of earthquakes exceeding a 3.0 magnitude in Oklahoma from a few dozen in 2012 to more than 900 last year has caused the Oklahoma Corporation Commission to significantly cut back on production. As such, it is realistic and imperative to consider the impacts such earthquakes might have on an already vulnerable dam and the resultant damage to the families that would be affected by its failure.

Air Quality Concerns - According to the aforementioned EA, the proposed parcel is within the Dallas-Ft. Worth (DFW) non-attainment area. While perhaps a secondary contributor to ozone levels, the VOCs that would be produced if drilling were to be allowed would contribute to the already elevated ozone levels. Page 49 of the EA, acknowledges that "subsequent exploration/development of the proposed lease could increase air borne soil particles blown from new well pads or roads, exhaust emissions from drilling equipment, compressor engines, vehicles, dehydration and separation facilities coupled with volatile organic compounds during drilling or production." Further, on page 50, the EA notes "Currently, it is not feasible to directly quantify

emissions. What can be said is that emissions associated with oil and gas exploration and production would incrementally contribute to increases in air quality emissions into the atmosphere." Such a contribution is contrary to the efforts being made to reduce ozone levels in this nonattainment area which the EA states is already unhealthy for sensitive groups 5.6% of the days per year (page 27). Montserrat Jesuit Retreat House welcomes and serves many individuals who could be identified as being part of these sensitive groups. In 1997, some nineteen years ago, the risk was identified as serious. As a result of significant efforts to reduce air pollution in the DFW area, in 2008 the threat was downgraded to moderate. We must not reverse those efforts by further contributing to an already existing problem.

Water Quality Concerns - Of even greater concern, is the impact that any potential drilling would have on water quality. Lewisville Lake serves as a significant source of primary drinking water for the City of Dallas, which serves an estimated 2.5 million people, and provides approximately 30% of the influent for its drinking water treatment facilities. It is intolerable to risk contaminating such a vital and precious water source. Page 56 of the EA states the "Potential impacts that would occur due to construction of well pads, access roads, fracturing ponds, pipelines, and utility lines include increased surface runoff and off-site sedimentation brought about by soil disturbance; increased salt loading and water quality impairment of surface waters; channel morphology changes due to road and pipeline crossings; and possible contamination of surface waters by produced water." In the same manner, on page 57, the EA notes the concern that "Contamination of groundwater could occur" and that "Failure of the cement or casing surrounding the wellbore is a possible risk to water supplies." Alarming, the EA states that "Petroleum products and other chemicals used during drilling or hydraulic fracturing, accidentally spilled, could result in surface and groundwater contamination."

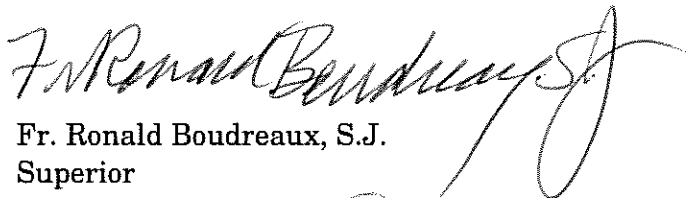
In Pope Francis' encyclical *Laudato Si*, he notes that "access to safe drinkable water is a basic and universal human right, since it is essential to human survival and, as such, is a condition for the exercise of other human rights" (30). In addition, "Sources of fresh water are necessary for health care, agriculture and industry. Water supplies used to be relatively constant, but now in many places demand exceeds the sustainable supply, with dramatic consequences in the short and long term. Large cities dependent on significant supplies of water have experienced periods of shortage, and at critical moments these have not always been administered with sufficient oversight and impartiality" (28). It is thus imperative that we work to protect the water quality of Lewisville Lake.

Summary of Concerns - As members of a religious community, these grave human concerns cannot be ignored. Our faith requires us to speak up to protect these very human interests. While we are certainly concerned for the impact that the proposed lease could have on global climate change, biodiversity and the local ecosystems, our primary concern remains for the human impact it will have. As such, we ask the State Director to remove NM-201604-044 from the areas to be available for lease because of 1) the risk it potentially poses to the over 400,000 residents who would be affected if the already dangerous dam were to lose structural integrity, 2) the inestimable contribution it would cause to already unhealthy ozone levels for sensitive groups, and 3) the potential to contaminate a precious source of public drinking water for the estimated 2.5 million residents it serves.

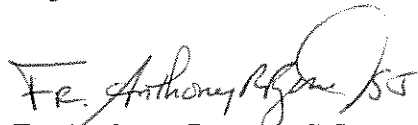
Pope Francis notes "the rise of a false or superficial ecology which bolsters complacency and a cheerful recklessness. As often occurs in periods of deep crisis which require bold decisions, we are tempted to think that what is happening is not entirely clear. Superficially, apart from a few obvious signs of pollution and deterioration, things do not look that serious, and the planet could continue as it is for some time. Such evasiveness serves as a license to carrying on with our present lifestyles and models of production and consumption. This is the way human beings contrive to feed their self-destructive vices: trying not to see them, trying not to acknowledge them, delaying the important decisions and pretending that nothing will happen" (59).

Let us be clear and acknowledge the real risks that the proposed lease poses by requiring additional studies and public involvement to assure we avoid such self-destruction. Significant further study is needed to ensure the integrity of the dam, the impact on air quality and the protection of a major drinking water supply. May we not fall into the error of which Pope Francis speaks and carefully consider the detrimental impact that the proposed lease would have on the residents of Dallas and all those surrounding Lewisville Lake.


Sincerely,



Fr. Ronald Boudreaux, S.J.
Superior



Fr. Anthony Borrow, S.J.
Community Member



Fr. John Payne, S.J.
Community Member

Attachments:

- 1) Resource Management Plan Protest Critical Item Checklist
- 2) Map of Texas Nonattainment Areas obtained from <https://www.tceq.texas.gov/assets/public/permitting/air/factsheets/factsheets-psd-na-maparea.pdf>
- 3) Encyclical Letter *Laudato Si* of the Holy Father Francis: On Care for Our Common Home obtained from http://w2.vatican.va/content/dam/francesco/pdf/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si_en.pdf

Resource Management Plan Protest Critical Item Checklist

The following items *must* be included to constitute a valid protest
whether using this optional format, or a narrative letter.

(43 CFR 1610.5-2)

BLM's practice is to make comments, including names and home addresses of respondents, available for public review. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, be advised that your entire comment--including your personal identifying information--may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so. All submissions from organizations and businesses, and from individuals identifying themselves as representatives or officials of organizations and businesses, will be available for public inspection in their entirety.

Resource Management Plan (RMP) or Amendment (RMPA) being protested:

April 20, 2016, Oil & Gas Lease Sale

Name: Fr. Ron Boudier, Fr. Anthony Barrow, Fr. John Payne, SJ
Address: 600 N Shady Shores Dr. Lake Dallas, TX 75065
Phone Number: () 940.321.6020

Your interest in filing this protest (how will you be adversely affected by the approval or amendment of this plan?):

Resident on Lake Lewisville
Montserrat Retreat House serves many who could be affected
by contamination of drinking water, Air quality, & dam integrity

Issue or issues being protested:

Inclusion of NM-201604-044 parcel (Lewisville Lake)

Statement of the part or parts of the plan being protested:

All references to NM-201604-044
Chapter: BLM-NM-040-2015-61-EA dated 10/2015
Section:
Page: 17, 22, 24, 32, 35, 41, 45, 48, 60, etc.
(or) Map:

Attach copies of all documents addressing the issue(s) that were submitted during the planning process by the protesting party, OR an indication of the date the issue(s) were discussed for the record.

Date(s): See attached letter of protest

A concise statement explaining why the State Director's decisions is believed to be wrong:

Parcel NM-201604-044 needs to be removed
because it represents a threat to the dam
integrity impacting nearly half a million residents
& potentially over a billion dollars in property
damage. Threatens the water supply for
2.5 million persons, & the Air quality in a
non-Attachment zone.

Classification of Nonattainment Areas:

City of El Paso PM10 - Moderate

Dallas-Fort Worth Ozone

1997 8-hr Standard - Serious
2008 8-hr Standard - Moderate

Houston-Brazoria-Galveston Ozone

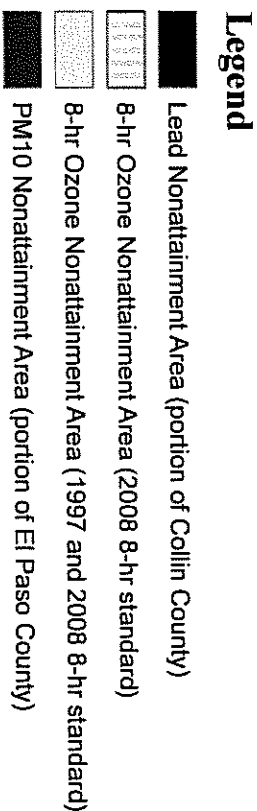
1997 8-hr Standard - Severe
2008 8-hr Standard - Marginal

***Notes:**

- The most stringent nonattainment classification is used for permitting
- The effective date of the 2008 ozone standard is July 20, 2012

Deletion	Insertion
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Lead nonattainment area is located within the ozone nonattainment area of Collin County



Created May 2012 (TPS/ADMT)

