

February 14, 2016

Edward Higgins
230 La Mesa Drive
Highland Village, Texas, 75077

Bureau of Land Management
New Mexico State Office
301 Dinosaur Trail
Santa Fe, New Mexico 87508
Attention:

BLM Associate State Director James Stovall (BLM Associate State Director)
BLM State Director Amy Lueders
BLM Chief, Office of Communications Donna Hummel

Subject: NM-201604-043 258.90 Acres TX TR F-519; TR F-520A; TR F-520B; TR F-524

Dear BLM New Mexico, Oklahoma, Texas & Kansas,

I am a 30-year resident of Highland Village, Denton County, Texas. Our family is dependent upon Lake Lewisville for our drinking water. There are existing structural damages to the lake's dam which would likely be worsened by the effects of fracking the surrounding land. Fracking in this region has indeed had negative impact on this and surrounding areas including methane gas leaks into well water, noise, ergonomic destruction, as well as numerous earthquakes. Prior to fracking in the area, none of these conditions existed. Therefore, I protest any potential actions, including your auction of land presently surrounding and including Lake Lewisville, Texas, that would open the potential of increased area fracking and drilling in the area and specifically under our lake.

The increased use of dangerous fracking processes has already put many local communities in harm's way, causing water contamination, negative health effects, earthquakes, and a host of other disastrous impacts. However, in light of overwhelming and rapidly increasing scientific evidence of harm, I ask that you now consider the inherent dangers in shale development and stand with us and the countless Texas families and communities at risk from fracking across Texas.

The exploration of unconventional shale energy reserves and the extensive use of hydraulic fracturing during well stimulation have raised concerns about the potential effects of unconventional oil and gas extraction (UOG) on the environment.

In an independent study[1] performed by Dr. Zacariah L. Hildenbrand, he presented an analysis of 550 groundwater samples collected from private and public supply water wells drawing from aquifers overlying the Barnett shale formation of Texas. He detected multiple volatile organic carbon compounds throughout the region, including various alcohols, the BTEX family of compounds, and several chlorinated compounds. In Parker county the finding were absolutely terrifying. The methane and propane levels were so

high, that showering in an enclosed space could lead to oxygen depletion, asphyxiation, and death. Can you imagine being concerned about taking a showering?

In 2010 the EPA ordered[2] Range Natural Gas to stop the contamination of methane and other contaminants into drinking water near multiple residences of Parker County. The EPA also asked Range Natural Gas to take immediate action to protect homeowners living near one of its drilling operations who have complained about flammable and bubbling drinking water coming out of their tap.

In the last few years, an avalanche of peer-reviewed studies has confirmed early anecdotal evidence of harm. An analysis by independent experts of the more than 400 peer reviewed studies finds that the vast majority of these studies show problems and harms. For instance, 96% of the papers dealing with health indicate risks or adverse outcomes, 92% of those dealing with air quality indicate elevated concentrations of air pollutants, and 73% looking at water quality indicate water contamination or threats. Notably, 75% of all studies on shale gas development have been published in the past two years. Similarly, the Council of Canadian Academies examined the existing data in a comprehensive 292-page report in 2014, identifying a range of risks, including threats to groundwater

These impacts are being borne by far too many Americans across the country. Water contamination and air pollution with dangerous endocrine disruptors and carcinogens are increasingly common. Many parents now have to worry about what their children are drinking and breathing, often reporting increased rates of asthma, difficulty breathing, excessive nose bleeds, and other acute health problems linked to the chemicals from fracking operations. In Pennsylvania for example, the state has confirmed at least 243 instances of water contamination. In Texas, Wyoming, Utah, Colorado, and elsewhere, researchers have found disturbing levels of ground-level ozone and volatile organic compounds, including carcinogenic benzene and formaldehyde.

In many states, fracking and associated toxic wastewater disposal wells are causing thousands of earthquakes. CNN reported[3] that Fracking has led to an increase of earthquakes in the Dallas Metroplex. In 2015, the Dallas area had 58[4] earthquakes. This parcel of land falls within the stipulation of WO-ESA-7 THREATENED & ENDANGERED SPECIES CONSULTATION. The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM has stated that it may not approve any ground disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. § 1531 et seq.

Earthquakes caused from fracking will cause ground-disturbing activity and threaten any endangered species. This is a direct violation of 16 U.S. Code § 1531[5].

Under 16 U.S. Code § 1531, Civil penalties can be filed for any person who knowingly violates, and any person engaged in business as an importer or exporter of fish, wildlife, or plants who violates, any provision of this chapter, or any provision of any permit or

certificate issued hereunder, or of any regulation issued in order to implement subsection (a)(1)(A), (B), (C), (D), (E), or (F), (a)(2)(A), (B), (C), or (D), (c), (d) (other than regulation relating to recordkeeping or filing of reports), (f) or (g) of section 1538 of this title, may be assessed a civil penalty by the Secretary of not more than \$25,000 for each violation. Criminal penalties can be filed for any person who knowingly violates, and any person who knowingly violates any provision of this chapter, of any permit or certificate issued hereunder, or of any regulation issued in order to implement subsection (a)(1)(A), (B), (C), (D), (E), or (F), (a)(2)(A), (B), (C), or (D), (c), (d) (other than a regulation relating to recordkeeping, or filing of reports), (f), or (g) of section 1538 of this title shall, upon conviction, be fined not more than \$50,000 or imprisoned for not more than one year, or both. Any person who knowingly violates any provision of any other regulation issued under this chapter shall, upon conviction, be fined not more than \$25,000 or imprisoned for not more than six months, or both.

And under section 1540 (g)(1) of this title, any citizen may join a civil suit against the alleged to be in violation of any provision of this chapter or regulation issued under the authority thereof.

If the endangered species factor was not impacting enough, please consider the human value at risk. In January 2015 we had 25 earthquakes in the Dallas area, including one as great as 3.6. While a 3.6 magnitude does not sound that alarming, what happens when multiple earthquakes are centered around the Lewisville dam; an area that is already under great concern because of a deteriorating infrastructure.

Jason Vazquez, Dam Safety Program Manager for the Army Corps of Engineers, has noted that the Lewisville dam is currently ranked as Dam Safety Action Class 2, with "very high" risk and "failure initiation foreseen." When Mr. Vazquez looked at the data for a breach at the Lewisville Dam, he couldn't believe his eyes. It showed hundreds of thousands of people in harm's way. The Corps has prepared maps of the inundation area and casualty estimates but won't release them to the public on orders from the U.S. Department of Homeland Security.

According to Vazquez, a breach in the Lewisville dam would create a 65-foot-tall flood wave traveling 34 mph and would quickly inundate a wide swath of Lewisville, Coppell, Carrollton, Farmers Branch, Irving, Las Colinas and other communities bordering the Trinity River.

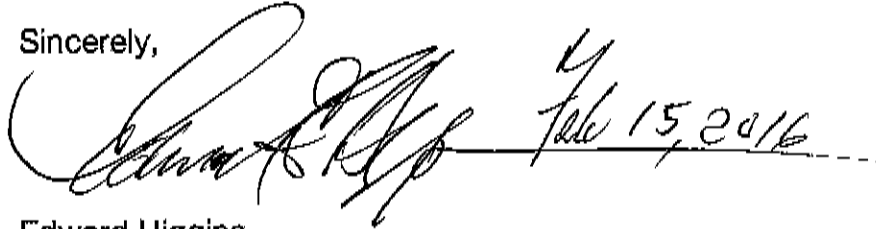
The wave would sweep everything in its path — the Lewisville dump, water treatment plants, LBJ Freeway, the Bush Turnpike, Interstate 35E, the State Highway 121 Tollway, Love Field, the Hospital District, office complexes, senior citizen centers, shelters, schools, playgrounds and 53,000 other structures.

Projected death toll exceeds 431,000.

Please read that again. **Projected death toll exceeds 431,000.**

Given the demonstrable threats that fracking poses to our health, water, and climate, I implore you to listen to the science, listen to the pleas of mothers and fathers who don't want their children to breathe or drink toxic chemicals, and join the anti-fracking majority. I ask that you join us in taking a stand against fracking, and I ask that you do not auction off the parcel of land labeled NM-201604-043 258.90 Acres TX TR F-519; TR F-520A; TR F-520B; TR F-524 Denton County, COE-NSO-LEWISVILLE LAKE.

Sincerely,

A handwritten signature in black ink, appearing to read 'Edward Higgins', is written over a horizontal line. To the right of the signature, the date 'Feb 15, 2016' is handwritten.

Edward Higgins

cc: Kenny Marchant – Congressman 24th District, Texas
cc: Rudy Durham – Lewisville Texas Mayor
cc: United States Senator. Ted Cruz
cc: State Senator, Don Huffines
cc: State Representative, Matt Rinaldi

Physicians Scientists & Engineers for Healthy Energy STUDY CITATION DATABASE on Shale & Tight Gas Development: <http://www.psehealthyenergy.org/site/view/1180>
Concerned Health Professionals of New York. Compendium of Scientific, Medical, and Media Findings Demonstrating Risks and Harms of Fracking (Unconventional Gas and Oil Extraction). December 11, 2014.

Available online: <http://concernedhealthny.org/compendium/>
PSE Healthy Energy working paper statistical analysis of the peer-reviewed scientific literature, 2009-2014: <http://www.psehealthyenergy.org/site/view/123> Council of Canadian Academies. (2014, May 1).

Environmental Impacts of Shale Gas Extraction in Canada: the Expert Panel on Harnessing Science and Technology to Understand the Environmental Impacts of Shale Gas Extraction.

Dr. Zachariah Hildenbrand onsite testing in Parker County -
<https://vimeo.com/138575584> Retrieved June 24, 2014, from <http://bit.ly/1nNicuf>

- [1] <http://pubs.acs.org/doi/full/10.1021/acs.est.5b01526>
- [2] <http://goo.gl/qmnHEI>
- [3] <http://www.cnn.com/2015/05/09/us/texas-earthquakes-fracking-studies/>
- [4] <http://earthquaketrack.com/us-tx-dallas/recent>
- [5] <https://www.law.cornell.edu/uscode/text/16/1531>