

Broomfield City Council and Staff
City and County of Broomfield
One Descombes Drive
Broomfield, CO 80023

August 6, 2018

Dear Mayor, Council Members and Staff,

As stated to you in the 301 Committee's August 1st email, your change from over two years of open dialog and of encouraging public review and input on Oil and Gas development to one of closed door decision making is disturbing. It is especially troubling at this very late stage when you are making final decisions on Extraction's Comprehensive Drilling Plan (CDP). It certainly makes us all wonder how sincere your earlier openness actually was. We feel betrayed.

We assume that CCOB has compared the Drilling Plan with both the Operator Agreement requirements and the BMP's as part of the CDP review process. As the City has done previously with other gap analyses, this should be made public to continue with CCOB's previous work to include residents and property owners in an open process.

At a minimum, this gap analysis needs to include the following:

- Cross reference all requirements of the Operator Agreement (MOU) including all BMPs, and including Extraction's responses to CCOB's 7/6/18 letter showing where each point is resolved in the CDP. The analysis must include detailing of Extraction's follow through on their commitment through negotiations to "Conduct a risk analysis" (CDP Section W 7.5 Item 6).
- Indicate how protection of health, safety, welfare, and the environment has been addressed for each requirement.
- Include trigger points for emergency response for each requirement, and detailed step by step responses to those emergencies (MOU CDP Requirement 9 (J) and MOU Item 19).

Community members are working through the new CDP and will address more specific items separately, but one problem that our initial comparison shows is that emergency planning is not complete. For example MOU 19 (D) calls for "Detailed information identifying access or evacuation routes, and healthcare facilities anticipated to be used."

Extraction's 7/26/18 CDP Item 1.1 states, "The TRP (Tactical Response Plan) specific to the Broomfield Development locations **will be provided** to, and reviewed by, the Broomfield County Office of Emergency Management (OEM) and the NMFDR."

Again, CDP Item 6.1 states, "Evacuation routes **will be pre-planned** in conjunction with NMFDP and Broomfield OEM and will be implemented on a situational basis, if necessary. These will include:

- Code Red notification templates at ½ mile and 1-mile radii
- Area roadways that may be impacted with identified Traffic Control Points (TCPs)"

This is not acceptable. The MOU does NOT say to do this critical planning at some future time. The Emergency Response planning is required by the Operator Agreement Item 9 (J) to be completed and included in the CDP. Emergency response goes to the very heart of protecting health and safety. It is disturbing that the City is ready to accept the CDP without this crucial requirement of the Operator Agreement being fulfilled.

- Include enforcement criteria and mechanisms of enforcement for each requirement.

As this coalition of neighborhood groups wrote to you on August 2, 2018, “Broomfield residents overwhelmingly passed Ballot Measure 301 to ensure that no permits would be issued for oil and gas development, unless the conditions of ensuring protection of public health, safety, and welfare were met.” This has not been done given the still incomplete and flawed status of the proposed Drilling Plan. Frankly it is worrisome that CCOB is ready to approve such a plan. By submitting another incomplete version of their plan, Extraction Oil and Gas remains in breach of the Operator Agreement as detailed in CCOB’s 6/29/18 letter. Additionally, CCOB itself still has significant planning and implementation to do before this project can be allowed to move forward.

Under the Amended City Charter you, as City Council Members and CCOB Staff, must adhere to the Charter’s high standard of protection for the Broomfield Community. The Operator has clearly not complied with the terms and conditions of the Operator Agreement and therefore the CDP cannot be approved.

Broomfield Coalition

