

June 28, 2012 Gas Drilling Review Committee Meeting Notes



GAS DRILLING REVIEW COMMITTEE MINUTES

June 28, 2012

3:00 p.m.

Council Chambers- City Hall

1000 Throckmorton Street

1. Introduction to City Staff

Rick Trice, Planning and Development, Chair	Present
Patrina Newton, Planning and Development (On behalf of Eric Fladager)	Present
Gordon Alderman, TPW	Present
John Lopez, Water	Present
Christi Lemmons, Planning and Development	Absent
Melinda Ramos, Legal (On behalf of Christa Reynolds)	Present
Cornell Gordon, PACS	Present
Sheila Hill, Park Board Member	Absent

1. Devon Energy – Todd North Pad D MGWSP

My name is Wendy Wharton with Devon Energy. I believe it is Pad D, Todd North Pad D that you have in front of you. We are requesting a multiple gas well pad site permit. This is an existing pad site with one well that was drilled by Chief in February of 2003. All our pad sites on the Todd Lease are designated pad sites that were negotiated as part of surface use agreement with the property owner. This particular pad site is 2.673 acres; any future drilling will not be expanded past that acreage. At this particular moment, we do not have any gas wells planned for that pad site. We have been working with the developer in that area, to be proactive to go in and get our pad site permits, so when they do put their development together, they will know what their setbacks are and plan their developments accordingly. We were required to get eight waivers; there are eight homes within 600 feet of the pad site boundary. We didn't

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receive any responses from any of those residents. As far as the tank batteries go and any setbacks from the existing residents, we are well beyond that. All of the tank batteries on this pad site are located on the north side of the pad site and they will remain there should any additional wells be drilled from this pad site. That is the summary, if you have any questions I will be happy to address those.

Trice – You said the site was designated as a pad; as a pad boundary?

Wharton – The pad boundaries are designated in surface use agreements.

Trice – Does that encompass both the platted properties that are subdivided plus the colored areas to the north?

Wharton – Wait.

Trice – Was there one developer that owned all that tract?

Wharton – Yes. At one time it was. Let me look at my list here, there may be a couple of different developers; the different colors are the different developers. Yellow is Willow Ridge, purple and blue are-

Trice – I guess my question is the colored area plus the subdivided area was that all part of a concept plan or preliminary plan at one time?

Wharton – No it was not.

Trice – And of the eight waivers, how many of those lots are developed in that subdivision? Are there any vacant lots within the 600 feet?

Wharton – No.

Trice – So those are all structures within that radius?

Wharton – Eight structures within the 600 feet.

Trice – But no vacant lots within the 600 feet?

Wharton – No.

Trice – The only other question I have is the green area, I looked on our GIS and the green, is that park? There is no park within that 600 feet?

Wharton – No.

Trice – I was looking at your color and typically green is going to trigger a park in our head.

Wharton – No.

Trice – Any efforts to contact how did you contact these eight?

Wharton – We contacted them via letter and also the gentleman who handled the contacts moved on to a different area. So to be honest with you, I am not sure if he contacted them personally or not. He did mention to me that he talked to some residents and I don't know if they called him or if he made that contact, I can't tell you that because I am not sure.

Trice – Do we have any other questions for Ms. Wharton?

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Cornell Gordon – How close are you to the homes?

Wharton – I have that information. There is one home; the closest home is the corner of the structure is 283 feet from the pad site boundary to the corner of the home, and then it goes up from there 316, 370, 461, 488, 508, 570 and 593.

Gordon – Was there any consideration on moving further away from those properties and lessening the impact to them?

Wharton – Being an existing site, that would require us to do a couple of things. It would require us to revisit the surface use agreement it would then not benefit the developer because we would be taking up additional lots that he would potentially build.

Trice – This site was not grandfathered right? There was no development around it in 2009?

Wharton – It was drilled in 2003.

Trice – Right, but you didn't have a protected use within 300 feet at that time?

Wharton – No.

Trice – So the closest a well could be to a protected use would be 300 feet if you were to add a pad site permit, even though the closest is 283 to the pad? With the 75 foot you would still be well over the 300 feet.

Wharton – We can get an individual well permit. We would still have to get waivers, maybe one or two waivers. That still would not help out the future developer which is one of the main reasons. Devon has a good history with developing in neighborhoods and providing sound litigation as well as security at all of the sites. I have consulted with our group in Oklahoma City and there are no plans to drill wells on either one of these pads in the near future.

Trice – Is your pad site boundary continuous with the caliche pad that is on the ground today?

Wharton – Yes.

Trice – Anyone here want to speak on this issue?

Speaker – Can you identify the property that is 283 feet from this on her map?

Wharton – I sure can, Sisson.

Speaker – That is me.

Trice – Go ahead and introduce yourself.

Speaker – My name is John Sisson, I am the property owner of 908 Carrington Court, Hazlet, TX which is on the Devon map, I believe is the one identified as number ten just south of there. A couple points I would like to make, I bought the property in 2003, the homes were built in 2002 so it was existing, was already there. That pad site was already there and they built the other one since then, so that is a summary of the history. I want to go on record right now saying I oppose this, I plan to fight it, and whether it is relevant or not, I served in the Marine Corps for 28 years in harm's way by choice, but I choose not to live that way now. In my opinion this is a health and safety

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issue. Some points of interest here too, is the fire hydrants in our subdivision, which I understand right now, are nothing more than test points as they don't have enough pressure for our area which to me is an even greater risk. I have a private well for my drinking water on the very back of my property back there almost 15 feet to the back property line closest to the well it self and I do not want that contaminated. I am also disabled I suffer from migraine headaches, sleep apnea, and ringing of the ears. All that sound back there with 1H aggravated the situation even more. I believe it will deprecate my property; that truck route goes right back behind my house and can't sleep at night. I oppose to them putting any other additional drilling or multiple pad site or single well site or anything. I intend to fight it.

Trice – You said your house was built in 2003?

Sisson – Yes sir.

Trice – But the pad site was there?

Sisson – I am sorry my house was built in 2002. I retired from the Marine Cor. and moved here. To be quite honest with you, I didn't know what the thing was when I moved here. I asked the real estate agent and he didn't know either. I have learned to live with what is there right now I do not want any additional wells back there. I don't understand personally the same question you asked, why do they keep having to encroach on an established development that is already there, why can't they go more north and work it out, right? If they go north tract then the trucks would not have to come far south. Working with the developer and trying to do that, this is an established neighborhood, it has been there for quite a while, and I do believe that it is a health and safety issue.

Trice – This matter does appear that it will not be successful in granting voluntary waivers, so the next step is that it will make its way to the City Council and you will be notified again of another hearing and all your neighbors who have or have not signed waivers. They really are the decision makers; we will list your objections in the action that goes before the Council.

Sisson – I talked to the other neighbors and nobody sent the waivers back in. Nobody had any intention of granting the waivers.

Trice – At some point Devon the energy company will say we are not going to be successful in getting waivers and then they will request that it be brought before the Council.

Sisson – I just hope that the Council and the City of Fort Worth won't put both of us in jeopardy.

Trice – Do we have any questions?

Melinda Ramos – To your knowledge where you or any of your neighbors contacted by Devon other than by letter? Was there any discussion about sound mitigation?

Sisson – I do believe that my wife received a phone call and said that they hadn't received the waiver and my wife told them that we had not intention of granting a waiver. So yes someone did contact us, but I can not answer for my neighbors. My

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neighbors are opposed to it, the ones either side of me are on vacation and didn't give me letters.

Trice – I would just invite you to make your voices heard when the hearing takes place in probably be within 30 to 45 days.

Cornell Gordon – Just to let you know, we do have a sound ordinance in place, if you do have sound problems, you can contact the Gas Well Department and they will address that.

Sisson – Don't get me wrong, I moved in with what is there right now and so I believe with that part I can live with, but adding more increases the risk of danger and even more traffic.

Trice – Did you want to speak on the issue? Introduce yourself for us.

Speaker – I am Yondale Mears I live at 11232 Round Lane East which is on the Todd North East 1 and 4H; property number 57. It was not there when we moved there and has come in since we were there.

Trice – Are you speaking about the east pad? That is the next item.

Mears – He is in the same subdivision. Sound mitigation, if that thing is in your backyard anyway, would you rather hear it or see that big tan boards that are posted up? Besides the fact that their permit has not been issued, they have been putting in meters and trenching pipe miles and miles of pipe for two weeks now as if everything is a go. So that really concerned me as far as what is the point of a hearing if they are certain enough of approval to be spending the type of money they have been preparing for something.

Trice – The site I understand has a well on it. I am not sure of the pipeline you are talking about. If the site has been previously developed, then the pipelines are still needed regardless if there are future wells or not it is for the wells on the site today.

Mears – They are doing something different that's all I know. They have put in electric meters which that pad site has been there for four or five years now. I think a year or two after we brought our property is when that one went in. There is something different.

