Tom Schultz, Director  
Bobby Johnson, Oil and Gas Program Manager  
Brandon Lamb, Resource Protection and Assistance Bureau Chief  
Idaho Department of Lands  
300 North Sixth Street, Suite 103  
P.O. Box 83720  
Boise, ID 83720-0050  
comments@idl.idaho.gov  
brjohnson@idl.idaho.gov  
blamb@idl.idaho.gov

Sent via email and attachment

**Comments on the Alta Mesa Services Revised Drilling Permit Application for Smoke Ranch Well 1-20 near New Plymouth, Idaho**

Mr. Schultz, Mr. Johnson, Mr. Lamb, and IDL staff,

On behalf of over 3200 members, friends, and allies of Wild Idaho Rising Tide (WIRT), including potentially impacted, concerned Idaho citizens and residents near proposed and existing Payette County oil and gas facilities, I respectfully offer and request inclusion in the public record of these comments regarding the application submitted to the Idaho Department of Lands (IDL) and later revised by Alta Mesa Services (AMS), requesting a permit to drill the Smoke Ranch 1-20 well near New Plymouth, Payette County, Idaho [1]. We incorporate into this official letter of opposition to IDL permitting of resulting AMS drilling activities on Birding Island the concerns, remarks, and linked citations enclosed in previous WIRT comments addressing Alta Mesa applications to develop the Kauffman 1-9 and 1-34 wells, the ML Investments 1-3, 1-11, and 2-10 wells, and the Smoke Ranch 1-20 and 1-21 wells and the Trendwell West application to drill the Smith 1-10 well [2].

These concerns augment our previous comments on the Smoke Ranch 1-20 well drilling application, in response to obviously arbitrary and capricious neglect of federal, state, and county laws that protect Idaho citizens and their resources from industrial development in vulnerable areas like floodplains near the bottomland outlet of the expansive Payette riverine system. The proposed Smoke Ranch 1-20 well project presents grave risks to the people of Idaho and their potentially polluted drinking water supplies, nearby wildlife refuges, agricultural production and
reliant economies, and recreational uses of the Payette River and immediately downstream Snake River and Hells Canyon, while offering few benefits to Idahoans. That industry never bothered with Idaho gas deposits until extreme energy extraction methods arose over the last decade or two infers that Alta Mesa will likely “mini-frack” its wells, as IDL admitted in response to 2013 grassroots activist campaigns, or acidize gas reservoirs by melting underground rock, or use other risky “well treatment” processes, all which directly threaten the health of ground water, rivers, and streams and reliant communities of every species. Moreover, the scouring force of heavy flood water sediment loads and debris could dismantle earthen berms around this riverside oil and gas well – and perhaps a later storage tank farm, like the six county-permitted ones in the adjacent Willow Creek bluffs last month – and send associated toxins downstream to settle out all the way to the Columbia River and Pacific Ocean.

Nowhere in Alta Mesa Service’s revised Smoke Ranch well drilling permit application does its proponents address how they will flood-proof well structures and associated development equipment, as required by Idaho code § 42-3102 that states,

It is hereby recognized by the legislature that the protection of life and property from floods is of great importance to this state. It is therefore declared to be the policy of the state to provide for the prevention of flood damage in a manner consistent with the conservation and wise development of our water resources and thereby to protect and promote the health, safety, and general welfare of the people of this state [3].

Payette County code accordingly mandates that “New construction or the substantial improvement of any nonresidential structure...must be flood-proofed if the new construction or improvement is not elevated. The structure...must be designed to be watertight to the flood protection elevation or to one foot above the base flood elevation, whichever is higher” [4]. Considering the vast amount of collected information about the impacts and damages caused by and to oil and gas wells and facilities and related spills during the September 2013 eastern Colorado floods, how does IDL permitting of establishment of similar structures in a floodplain only a few hundred feet from the Payette River, “protect and promote the health, safety, and general welfare of the people of this state”? It apparently does not [5-7].

The Payette County Floodplain Ordinance comprises two sections of Payette County code addressing floodplain development: Title 8, Chapter 16, Floodplain Overlay, and Title 12, Flood Control [8]. To accommodate the first well drilled into Birding Island by Alta Mesa during summer 2013 – the nearby Smoke Ranch 1-21 well – “the property owner [did not] obtain a floodplain development permit, as required in Title 12 of this [Payette County] code” [9]. Federal Emergency Management Agency laws also support this requirement, for landowners to meet federal regulations affecting floodplain insurance eligibility, as noted in prior WIRT comments about this well drilling permit application. Section 8-16-4 of Payette County code, Storage of Materials and Equipment, warns that, “Materials that are buoyant, flammable, obnoxious, toxic, or otherwise injurious to persons or property if transported by floodwaters are prohibited.” Natural gas, in all of its volatile, poisonous permutations, fits all of these descriptors.
Moreover, Section 12-1-1 of Payette County code, Statutory Authorization, Findings of Fact, Purpose, and Objectives, notes that,

The legislature of the state of Idaho in Idaho Code 46-1020 through 46-1024 authorized local government units to adopt a floodplain map and floodplain management ordinance that identifies floodplains and that sets forth minimum development requirements in floodplains that are designed to promote the public health, safety, and general welfare of its citizenry...Local governments have the primary responsibility for planning, adoption, and enforcement of land use regulations to accomplish proper floodplain management. The adoption of a flood damage prevention ordinance will serve to promote and protect the health, safety, and general welfare of the citizens of Payette County [4].

State permitting of infrastructure that would violate county laws supported by federal provisions displays blatant disregard for protective laws by both Alta Mesa Services and IDL, obvious in the previous development of the Smoke Ranch 1-21 well and thus predictable for permitting and operating of the proposed Smoke Ranch 1-20 well. Such actions already provoke legal challenges that could impose penalties and revoke prior drilling permits, based on other Alta Mesa applications with similar flaws that WIRT noted in previous comments, but that IDL ignored [10]. As detailed in our prior comments about the proposed Smoke Ranch 1-20 well, this neglect could also compromise the abilities of Payette County and the City of Payette, respectively a National Flood Insurance Program county and community, to obtain and enjoy the benefits of federal insurance that relieves the difficult financial aftermath of floods [11].

As just one example of the many possible Payette County code violations evident in this state permit application for the Smoke Ranch 1-20 well, upon which we would gladly elaborate if requested, consider Alta Mesa’s explanation of Site Preparation on page 5. The company would implement,

appropriate grading, mechanical stabilization (rip-rap or hay bales), chemical stabilization (soil cement), and silt fencing...to prevent soil erosion. All cut and fill slopes are designed with a minimum 2:1 grade to minimize runoff erosion and ensure mechanical stability...The location will have a two-foot-deep trench on downhill sides, where the spoil from that trench will be used to construct an earthen berm around the location. The trench will act as a sump to collect rain and wash water for controlled release or appropriate disposal as required [1].

This description of intended alterations of the land surface in a floodplain tempts rejections of well site plans at the county level, where Payette County code asserts that,

In the areas of special flood hazard,...developments, including fill, new construction, and substantial improvements, shall require...that such developments shall not result in an increase in base flood elevations greater than one foot. The cumulative impacts of such proposed developments, when combined with all other existing and anticipated development, will not increase the water surface of the base flood more than one foot at any point within the floodplain of Payette County [4].
But Alta Mesa says that it will dig a two-foot-deep trench and build an earthen berm from the spoil, presumably also two-feet high, thus displacing flood waters higher than one foot. Soil cement and rip-rap at the well pad modify surface permeability to floodwaters, which could easily disperse silt fencing, hay bales, and earthen berms, because they have not been “anchored to prevent flotation, collapse, or lateral movement” or “constructed with materials and utility equipment resistant to flood damage” [4]. Among myriad other omissions, the current Alta Mesa drilling permit application for the Smoke Ranch 1-20 well completely overlooks floodplain hazards and precautions, which undermines its legality in relation to other government approval processes.

In accordance with the current rules governing Conservation of Crude Oil and Natural Gas in the State of Idaho, and considering the inadequacy and incompleteness of Alta Mesa Service’s application for a Smoke Ranch 1-20 well drilling permit and the aforementioned and other possible significant impacts on fresh water supplies, natural resources, public infrastructure, and associated health, social, and economic conditions, we strongly recommend that the Idaho Department of Lands responsibly address the concerns and issues raised in these comments. For the public record, Wild Idaho Rising Tide requests that IDL reject or at least require revision and extended public review of this Alta Mesa Services application, to ensure the best stewardship of Idaho’s priceless and irreplaceable, public and private resources that their mismanagement could significantly impact.

Thank you for your consideration of these comments and your response,

/s/ Helen Yost, MSEE
Wild Idaho Rising Tide
P.O. Box 9817, Moscow, Idaho 83843
wild.idaho.rising.tide@gmail.com
WildIdahoRisingTide.org
Facebook.com/WildIdaho.RisingTide
208-301-8039

Cc: Tamra Biasco, Risk Analysis Branch Chief, Federal Emergency Management Agency Region X, Bothell, Washington
Brett Holt, Mitigation Planner, Federal Emergency Management Agency Region X, Bothell, Washington
David Ratté, Regional Engineer, Federal Emergency Management Agency Region X, Bothell, Washington
Allison O’Brien, Regional Environmental Officer, U.S. Department of the Interior, Portland, Oregon
Mandy Lawrence, Regional Environmental Protection Assistant, U.S. Department of the Interior, Portland, Oregon
Cliff Rader, NEPA Compliance Division Director, U.S. Environmental Protection Agency, Washington, DC
Susan Bromm, Office of Federal Activities Director, U.S. Environmental Protection Agency, Washington, DC
Elaine Somers, Environmental Protection Specialist, U.S. Environmental Protection Agency, Seattle, Washington
Linda Storm, Wetlands Program Ecologist, U.S. Environmental Protection Agency, Seattle, Washington
James Wernitz, Idaho Operations Office Director, U.S. Environmental Protection Agency, Boise, Idaho
Maria Lopez, Environmental Scientist, U.S. Environmental Protection Agency, Boise, Idaho
Carla Fromm, Environmental Scientist, U.S. Environmental Protection Agency, Boise, Idaho
Michael Carrier, Idaho State Supervisor, U.S. Fish and Wildlife Service, Boise, Idaho
Russ Holder, Assistant State Supervisor, U.S. Fish and Wildlife Service, Boise, Idaho
Mark Robertson, Branch Chief – Consultation/CPA, U.S. Fish and Wildlife Service, Boise, Idaho
Kathleen Hendricks, Partners Program Coordinator, U.S. Fish and Wildlife Service, Boise, Idaho
Clement Leroy “Butch” Otter, Governor, Boise, Idaho
Pete Wagner, Regional Administrator, Idaho Department of Environmental Quality, Boise, Idaho
Lance Holloway, Watershed Manager, Idaho Department of Environmental Quality, Boise, Idaho
Barry Burnell, Water Quality Division Administrator, Idaho Department of Environmental Quality, Boise, Idaho
Michael McIntyre, Surface Water Program Manager, Idaho Department of Environmental Quality, Boise, Idaho
Virgil Moore, Director, Idaho Department of Fish and Game, Boise, Idaho
Scott Reinecker, Southwest Regional Supervisor, Idaho Department of Fish and Game, Boise, Idaho
Rick Ward, Southwest Region Environmental Staff Biologist, Idaho Department of Fish and Game, Boise, Idaho
Payette County Commissioners, Payette, Idaho
Payette County Planning and Zoning Commission Members, Payette, Idaho
City of Payette Mayor and City Councilors, Payette, Idaho
City of Fruitland Mayor and City Councilors, Fruitland, Idaho
Natalie Havlina, Attorney, Boise, Idaho
Alma Hasse, Idaho Concerned Area Residents for the Environment, Fruitland, Idaho
Tina Fisher, Idaho Residents Against Gas Extraction, Fruitland, Idaho
Joe Morton, Gem County Concerned Citizens, Emmett, Idaho
Adrienne Evans, United Action for Idaho, Boise, Idaho
Justin Hayes, Idaho Conservation League, Boise, Idaho
Kevin Lewis, Idaho Rivers United, Boise, Idaho
And others who will receive these comments after initial letter transmission


