

A NEW “PRAIRIE GUARD” NEEDED

Letter to the Editor: The Alma Signal Enterprise.

Last week Steve Hund and I drove down to Neosho and Wilson counties to look at the new Coal Bed Methane gas fields there. We wanted to see what Wabaunsee County might look like in a year or two. We were lucky enough to get a first class tour from Bob Kline who is the Neosho County appraiser. He also has been an independent producer in the oil and gas business for the last thirteen years. He currently has two thousands acres under lease. There are 300,000 acres under lease in the area. Production started about eight months ago and forty wells are now in production. They plan to drill 1,200 more in the next four years.

It takes one's breath away to imagine the impact of 1,200 more wells in that area. With just forty the countryside is dominated by wells, pipelines, water disposal facilities, re-injection wells, compressors, pipe and equipment yards, new power lines, new roads, gas processors and pipeline taps. The largest and most complex sites are the water disposal facilities. They cover several acres and consist of five or six 12,600 gallon storage tanks, a separator to remove the gas from the water, a “gunbarrel” to separate oil and solids and a well to re-inject the salt water into. They are located every quarter mile or so. Wells are spaced about one for every eighty acres.

The most controversial facility associated with methane gas fields is the compressors. They are needed to move the gas from the well heads to the water disposal sites and then on to the closest intra-state gas pipeline. Bob told us that the first lawsuits involving a coal gas field are usually about noise pollution from these compressors. And are they loud. They come in three sizes; the smallest is about the size of a stock trailer and the largest the size of an implement shed. They have sophisticated mufflers, but I'm sure no one would want to live near one. Depending on the wind you hear a constant hum or roar. With them placed every quarter mile the noise is a permanent presence.

In terms of our Flint Hills ridge lines and hill tops they will be the first choice in locating these facilities. The companies like high ground best because the drainage is usually good and their equipment can come and go easiest. If what is happening in Wilson and Neosho counties happens in Wabaunsee County the way of life the majority of us said we wanted to preserve will be lost. A few people will make some money and the rest of us will have to live with a changed landscape dominated by truck traffic, noise, and visual pollution. Miles and miles of pipelines, production facilities and roads will disrupt native pastures. New power lines will cross the countryside.

The area we looked at in southeast Kansas is not in the Flint Hills. It has had oil production for decades and is a degraded, fragmented landscape. The people there welcome the development. Ranchers and pasturemen have preserved our native grasslands in Wabaunsee County for generations. Oil and gas interests are poised to take control. The leases being peddled door to door with check in hand as I write this are designed to ensure this.

On our way home we stopped in Emporia to check out the coal bed methane and wind energy forum sponsored by the Lyon County Extension Office. We only heard one speaker, but boy did he have a lot to say. He was Stephen Garlow, an attorney who spoke about the legal considerations a landowner should understand before he signs a lease. He gave out a four-page summary of critical questions to consider. By signing a lease a landowner is selling a partial interest in his property. You are signing away your rights in ways you can't imagine. The lease being presented to local landowners is usually for a term of three years. However when

production begins the term occupancy is indefinite as long as there is production. The lease my grandfather signed in the 1920s is still in effect on my family's land in Reno County. Both Bob and Mr. Garlow said that the biggest mistake a landowner can make is to sign a lease without having an experienced oil and gas lawyer go over it. Any land owner concerns not spelled out in the lease will become legal issues which will have to be taken to court to resolve. For example you will have no say in where they put the wells, roads, water disposal facilities, pipelines etc. unless that right is put in the lease. Issues such as liability, royalty payments and verification, cleanup, hazardous waste disposal, decommissioning and restoration need to be resolved before the lease is signed. That's why they're going door to door trying to get people to sign on the spot, so they won't check with a lawyer who will raise these issues.

Oil and gas companies are notorious for being a revolving door in terms of ownership. The company signing the leases will not be the company drilling and the company drilling will not be the company producing. Ownership will change as the life of the well progresses and the company at the end of the life of the well may leave a landowner holding the bag in terms of cleanup and restoration. These companies have an army of accountants and lawyers that spend their lives figuring out loopholes and ways to dodge responsibility. Does Enron ring a bell?

If I sound alarmed I am. In the last 150 years we as a nation and culture have destroyed 99% of the Tallgrass prairie. The nation is just beginning to recognize what we have lost. We as landowners in the Flint Hills are stewards of the last of this landscape. I cannot stand silent and let the forces of greed destroy the way of life that has preserved these hills up until now. This summer I have been researching the town of Wabaunsee in the territorial period of our state's history. I've been reading about the militia that was formed to go to the aid of free state forces at Lawrence when the border ruffians threatened to destroy the town. The Wabaunsee group was called the Prairie Guards. Perhaps it is time to recognize that we are again under threat from outside forces and a new Prairie Guard is needed.

Michael Stubbs, Rockton