

Written Comment - Town of Erie Mineral Right - June 16 Council Meeting

Please submit any written comments for the Town Council before **12 p.m. on Friday, June 12** for the comments to be provided in the Council materials packet.

Residents can also provide comment in person or online for the meeting. Attend in person at 645 Holbrook Street in Council Chambers (capacity is limited) or participate online at www.erieco.gov/CouncilMeeting.

Full Name	Abhishek Gangwal
City/Town of Residence	Erie
Email	agangwal2007@gmail.com
Your Comment	I don't support the drilling and the selling of mineral rights. We do not want more drilling in our neighborhoods.

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Full Name	Amanda Loosemore
City/Town of Residence	Erie
Your Comment	Dear Mayor Moore and Town Council, I am an Erie resident and I am strongly opposed to the Draco Pad and to the Town selling its mineral rights for this project. I understand that the Draco Pad has already been approved at the state level, but that does not mean Erie should voluntarily give up one of the few remaining pieces of leverage it has. The fact that Draco was approved over Erie's objections is exactly why Erie should not voluntarily cooperate now. The Town's own FAQ says Erie's minerals make up only about 2.7% of Draco production, yet also says SM Energy would be required to drill around Town minerals if they are not sold and pooled. That makes these rights important, even if they are a small percentage of the overall project. Please do not trade away Erie's leverage for a one-time payment, land, or promises that may not fully protect residents over the long term. Our community will live with the health, safety, noise, traffic, air quality, and environmental impacts long after this deal is signed. Erie should be using every available tool to reduce, delay, challenge, and limit this project, not helping clear the path for it. Please vote no on the mineral rights agreement. Do not sell Erie's remaining leverage. Please prioritize residents' health, safety, transparency, and long-term quality of life over this deal.

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Full Name	Amanda Teo
City/Town of Residence	Erie
Your Comment	Dear Erie Town Council, I am writing to STRONGLY oppose the proposed sale of our municipal mineral rights to SM Energy. It will negatively affect our community. We should not give up our community's legal leverage. Under SB24-185, our minerals cannot be force-pooled, giving us immense power to protect our neighborhoods. Selling these rights now permanently surrenders that protection just to help an oil and gas company meet its May 2028 production deadline. Furthermore, using Alameda Mineral Advisors - a firm led by a former Civitas executive, creates a glaring conflict of interest, and plugging 17 year old wells should be a standard safety requirement, not a bargaining chip for a new deal. Sustainability is Erie's top priority. Please listen to the residents, we do NOT support the sale of the mineral rights.

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Full Name	Amber Ott
City/Town of Residence	Erie
Email	amber.spradley@gmail.com
Your Comment	Dear Town of Erie Officials, I am writing to strongly oppose the sale of the Town's mineral rights and any action that would facilitate the Draco drilling project moving forward beneath or near residential neighborhoods. As a resident and stakeholder in our community, I am deeply concerned about the potential impacts that expanded oil and gas development could have on the health, safety, and quality of life of Erie residents. Drilling operations in close proximity to neighborhoods raise legitimate concerns regarding air quality, noise, traffic, emissions, and other environmental and public health risks. Families should not have to worry about industrial drilling activity occurring beneath or adjacent to the communities where they live, work, and raise their children. I am also concerned about the potential effect on residential property values. Many homeowners have made significant investments in Erie because of its strong neighborhoods, schools, and quality of life. Allowing additional drilling activity associated with the Draco project could negatively affect home values and marketability, creating long-term consequences for residents while providing limited benefits to the community. Selling the Town's mineral rights would remove an important tool for local control and could make it more difficult to influence future development decisions. Once these rights are sold, the Town may lose leverage to protect residents from projects that are inconsistent with community priorities and expectations. I urge the Town Board to reject the sale of the mineral rights and take all available measures to prevent the Draco drilling project from advancing under or near residential neighborhoods. The health, safety, property values, and overall well-being of Erie residents should remain the highest priority. Please include my comments in the public record as opposition to both the sale of the Town's mineral rights and the advancement of the Draco drilling project. Thank you for your consideration. Sincerely, Amber Ott

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Full Name	Andrea Lewis
City/Town of Residence	Erie
Your Comment	We are a family of five living in the Westerly neighborhood, one of the communities located closest to the proposed Draco Pad. We chose Erie because of its reputation as a safe, family-oriented town with excellent schools, parks, trails, and neighborhoods where children can grow up healthy and thrive. We never imagined that a large-scale industrial oil and gas operation would be proposed so close to where our children live, play, and attend school. As parents of three young children, including babies who will spend their earliest years here, we are deeply concerned about the potential health impacts associated with drilling and hydraulic fracturing activities occurring near our home. Scientific studies have linked oil and gas operations to increased air pollution, including volatile organic compounds such as benzene, as well as particulate matter and other emissions that can negatively impact respiratory health. Research has also raised concerns regarding increased risks of asthma, adverse birth outcomes, developmental impacts, and other health effects, particularly for young children whose bodies and lungs are still developing. The concern is not simply about a drilling site in the distance. The Draco Pad is proposed immediately adjacent to existing site and future residential neighborhoods, parks, trails, and schools. Families like ours will be living, walking, biking, and raising children within close proximity to industrial operations that are expected to continue for years. The noise, truck traffic, air emissions, light pollution, and overall industrialization of what was intended to be a residential community are unacceptable burdens for families who chose to call this area home. Our children deserve to play outside without concerns about what they may be breathing. They deserve clean air, safe parks, healthy schools, and neighborhoods designed for families—not neighborhoods overshadowed by large-scale industrial development. While regulations and mitigation measures may reduce some risks, they cannot eliminate them entirely. The fact that restrictions and special conditions have been required for nearby residents demonstrates that even regulators recognize the potential impacts. We understand the importance of energy development, but we believe it should not come at the expense of the health and well-being of families who live directly adjacent to these operations. The families of Westerly and surrounding neighborhoods should not bear disproportionate health, environmental, and quality-of-life impacts for decades to come. We respectfully ask decision-makers to consider the long-term consequences of this project on the families who will live closest to it. Once drilling begins, the effects on

our community cannot simply be reversed. The decisions made today will impact our children and future generations for years to come.

As a family of five raising three young children in the closest neighborhood to the Draco Pad, we urge you to prioritize the health, safety, and welfare of Erie residents. Protect our homes, our schools, our parks, our air quality, and most importantly, our children. The future of our community is worth more than the short-term benefits of placing industrial development next to where families live. Please please please listen to the community members and silence the greed for money.

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Full Name	Andy Hampton
City/Town of Residence	Erie
Your Comment	This is not a decision that can be undone. Once the rights are sold, they're gone — along with the one real piece of leverage we have. SB24-185 means our minerals can't be force-pooled, so Erie is not cornered and doesn't have to take whatever is offered. We'd be giving that up so an energy company can clear the last obstacle to a project the people living above it never wanted. Most of all, I want the council to confront the conflict of interest at the heart of this deal. The town hired Alameda Mineral Advisors to value our assets and negotiate the sale — a firm led by the former Chief Operating Officer of Civitas until 2023. Civitas is the parent of the company operating the Draco Pad, and Civitas was the party that first approached the town to buy these rights. So Erie put a recent executive of the buyer's own company in charge of representing residents against that company. Worse, his pay is tied to closing a deal — up to \$4.5 million, including a commission on the transaction's value — which means he earns little if the town does the very thing that may serve us best: keep our rights and walk away. And he was hired with no competitive RFP, contrary to the town's own purchasing policy. Even setting aside anyone's intentions, that is a structural conflict residents cannot be expected to trust. The risks are just as real: 26 wells running five miles beneath where our families sleep, a park and a planned school within 2,000 feet, hundreds of old abandoned wells that could be disturbed, and 541 million gallons of water spent during a drought. None of it improves a single resident's life. You were elected to take the long view, even when the short-term money is tempting. Protect the rights you are not required to sell, honor Erie's commitment to sustainability, and trust the residents telling you the same thing meeting after meeting. We do not support this sale.

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Full Name	April Archer
City/Town of Residence	Erie
Email	aprilandjt@comcast.net
Your Comment	I am strongly opposed to the selling of mineral rights for the Draco pad's proposed new drilling. My family and I have lived in Flatiron Meadows since 2018, and this is very concerning for health, noise, environmental, and ethical reasons. Please do not allow this drilling to occur (under our home!). We would have never invested in this town or community if we knew that this was a possibility for new drilling. We understood the existing wells near us (most of which are plugged/abandoned), and we're extremely opposed to any new drilling in our neighborhood.

Meredyth Muth

From: Carol Ashcroft <cashcroft99@yahoo.com>
Sent: Thursday, June 11, 2026 7:57 PM
To: Council Mail
Cc: Carol Ashcroft
Subject: RE: Town Council selling mineral rights under Brennan By the Lake Subdivision

External Email: Do not click links or open attachments unless you recognize the sender and know the content is safe.

COUNCILMEMBERS: Please vote NO to selling the Town of Erie's mineral rights to SM Energy. I live in Brennan by the Lake (Canyon Creek PD) and am directly affected by this decision. Even if this were not happening in my neighborhood, I would stand against prioritizing short term profits over the long term health of this town's residents. Your role is to represent us, the people of Erie-- and we say no. Our health matters. Our environment matters. Our neighborhood matters. Additionally, Thomas Reservoir open space is a treasure that should be protected from future drilling.

Thank you.

Grant Ashcroft
685 Brennan Circle
Erie, Colorado

Carolyn Ashcroft
685 Brennan Circle
Erie Colorado

Sent from my iPhone

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Full Name Barbara and Tom Petruzzi

City/Town of Residence Erie

Email barb.petruzzi@gmail.com

Your Comment

Dear Town Council and Mayor,

Your upcoming meeting and vote is extremely disturbing to us. Erie is advertised as "the best place to raise a family," yet you are not upholding your claim.

We moved here after 45 years in the Boulder County mountains thinking that we were on the Boulder County side of Erie and that Erie was progressive enough for us to stay here and protect us from further drilling. Now, it is more concerning after witnessing the disgrace of the Town Council to want to sell away mineral and oil rights. What have you become?

Apparently, this has been discussed for a while behind closed doors, without giving the public much information or much chance to question. (Yes, there was a June 2 session.) Now, suddenly, you're about to vote! Why the rush?? Is the energy company in a hurry, or you? Doesn't something this important and long-lasting deserve more public comment and discussion? A vote in November?

As someone said, "Our issue this minute is that the manufactured rush to the June 16th, 2026 meeting is also a manufactured emergency." Again, why the rush? What deadline does it meet for Draco? The communication has been lackluster at best. It benefits us to receive millions of dollars if we approve the deal? If it is not approved, we do not receive the millions and they have to drill around? And, that is a bad thing and may actually hinder the Draco project?

What about the risks to our health? Even experts admit that despite drilling very deep, rocks can have fissures, and things could work their way up to our homes above. The water used to frack (which will be millions of gallons), according to you, is not coming from Erie - where will it be obtained and where will it go? How might it affect the groundwater and those with wells? Might it contaminate our groundwater?? Have any of you considered this?

You hired a consultant to help you get the best deal. He used to work for the company that you are about to sign a deal with. That certainly seems a conflict of interest, at least in spirit if not by law. You say that the better deal he gets for us, the more money he makes. But if there is no deal, he presumably doesn't get his millions of dollars. So there's an incentive to make a deal, not reject it. That's not evenhanded. That's not impartial or unbiased. What happened to sending out an RFP and receiving multiple bids for consultation? And worse, Matt Owens, is the former president of Extraction Oil, which was bankrupted, and former COO of

Civitas, which merged with SM Energy recently. He also graduated from the Colorado School of Mines, where the mayor works. How can you be so indiscreet about who you are offering this position to?

At the study session on June 2, the deal was presented and explained. It appeared that it had been required to get competing offers for our mineral rights and that maybe that hadn't happened. Is Erie getting the best deal? This also seems like a huge breach of process -- that should perhaps require starting over and collecting bids?

Someone has suggested that our mineral rights are considered real property and, as such, can't be sold without a supermajority vote. It doesn't seem to be presented as such and a simple majority seems poised to okay it. Is it technically real property? Is a supermajority required? This is an important question that has not been addressed.

At a minimum, if we must offer our valuable mineral rights to them, why not lease them instead of selling them outright? Might not future generations regret this sale?

Our community's health and safety is important and you should feel the same. This could blow up in the future, with contamination and sickness and other problems. It can be avoided by rejecting this deal. We can get revenue in other ways -- and this doesn't even seem to be that much money. Remember that we already live with risks from the wells and mines already here. We don't need to add to that.

We urge you to show that you're open-minded and are considering the health and well-being of your neighbors by rejecting this deal and doing the right thing for the future of Erie. If Erie truly is the best place to raise a family, you can help keep that true.

Thank you.

Meredyth Muth

From: Jacqueline Batts <jfbatts@gmail.com>
Sent: Tuesday, June 9, 2026 8:04 PM
To: Council Mail
Subject: Please Vote No

External Email: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Council members,

Please vote NO to selling the Town of Erie's mineral rights to SM Energy.

I live in Brennan by the Lake (Canyon Creek PD) and am directly affected by this decision. Even if this were not happening in my neighborhood, I would stand against prioritizing short term profits over the long term health of this town's residents.

Your role is to represent us, the people of Erie-- and we say no. Our health matters. Our environment matters. Our neighborhood matters.

Additionally, Thomas Reservoir open space is a treasure that should be protected from future drilling.

Thank you,
Jackie Batts

Sent from my iPhone

Meredyth Muth

From: Nathan Brinza <ndbrinza@uwalumni.com>
Sent: Monday, June 8, 2026 1:48 PM
To: Council Mail
Subject: Mineral Rights - I do not support selling

External Email: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Erie Town Council,

As an Erie resident, I am writing to oppose the proposed sale of our municipal mineral rights to SM Energy.

We should not give up our community's legal leverage. Under SB24-185, our minerals cannot be force-pooled, giving us immense power to protect our neighborhoods. Selling these rights now permanently surrenders that protection just to help an oil and gas company meet its May 2028 production deadline.

Furthermore, using Alameda Mineral Advisors—a firm led by a former Civitas executive—creates a glaring conflict of interest, and plugging 17 old wells should be a standard safety requirement, not a bargaining chip for a new deal.

Sustainability is Erie's top priority. Please listen to the residents, we do NOT support the sale of the mineral rights.

Nathan Brinza
Erie, Colorado resident and homeowner
Sent from my iPhone

Meredyth Muth

From: Deborah Cameron <camerondebann@gmail.com>
Sent: Thursday, June 4, 2026 11:40 AM
To: Council Mail
Subject: Erie mineral rights

External Email: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mayor and council:

I'm troubled by the apparent upcoming sale of our mineral rights.

I have a lot of questions and concerns.

-- Apparently, this has been discussed for a while behind closed doors, without giving the public much information or much chance to question. Now, suddenly, you're about to vote!

-- Why the rush?? Is it the energy company in a hurry, or us? Doesn't something this important and long-lasting deserve more public comment and discussion? Maybe even a community vote?

-- We are being communicated with in a not very even-handed way. For example, it's being presented as PRO: We get millions of dollars if we approve the deal. CON: We don't get millions of dollars and they may just drill around us. There are more potential downsides and risks than that.

-- What about the risks to our health? Even experts admit that despite drilling very deep, rocks can have fissures, and things could work their way up to our homes above. Gobs of water will be used for fracking in Erie. It won't come from our water supply, but it will come from somewhere, which might affect us, and where will it go? Might it deplete some groundwater and affect those with wells? Might it contaminate our groundwater??

-- You hired a consultant to help us get the best deal. He used to work for the company we're about to sign a deal with. That certainly seems a conflict of interest, at least in spirit if not by law. You say that the better deal he gets for us, the more money he makes. But if there is no deal, he presumably doesn't get his millions of dollars. So there's an incentive to make a deal, not reject it. That's not evenhanded. That's not impartial or unbiased.

-- At the study session on June 2, the deal was presented and explained. It appeared that it had been required to get competing offers for our mineral rights and that maybe that hadn't happened. I suspect we're not getting the best deal.

-- Someone has suggested that our mineral rights are considered real property and, as such, can't be sold without a supermajority vote. It doesn't seem to be presented as such, though, and a simple majority seems poised to okay it. Is it not real property? Is a supermajority not required?

-- At a minimum, if we must offer our valuable mineral rights to them, why not lease them instead of selling them outright? Might not future generations regret this sale?

Our community's health and safety is a BIG, BIG deal. This **could** blow up in the future, with contamination and sickness and big problems. It can all be avoided by rejecting this deal. We can get money in other ways -- and this doesn't

even seem to be that much money. Remember that we already live with risks from lots of wells and mines. We don't need to add to that.

I urge you to show that you're open-minded and are considering the health and well-being of your neighbors -- by rejecting this deal.

Thank you,

Deborah
Erie Resident and Voter

Meredyth Muth

From: Missy Carrier <syc213@gmail.com>
Sent: Wednesday, June 10, 2026 8:07 AM
To: Council Mail
Subject: VOTE NO TO SELLING MINERAL RIGHTS

External Email: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Erie Town Council,

We are vehemently opposed to selling the Town of Erie's mineral rights to SM Energy (Draco Pad). Please vote NO to this proposal. We live directly above the area that will be fracked in Brennan by the Lake neighborhood. We do not want fracking to occur under our home.

We are registered voters and actively participate in all local elections. Thank you for noting our opposition to this deal.

--

Margaret and Robert Carrier
639 Brennan Circle
303-957-7345 cell
syc213@gmail.com

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Full Name	Chris Bolton
City/Town of Residence	Erie
Email	woodmont.shadows@gmail.com
Your Comment	Dear Erie Town Council, As an Erie resident, I am writing to oppose the proposed sale of our municipal mineral rights to SM Energy. We should not give up our community's legal leverage. Under SB24-185, our minerals cannot be force-pooled, giving us immense power to protect our neighborhoods. Selling these rights now permanently surrenders that protection just to help an oil and gas company meet its May 2028 production deadline. Furthermore, using Alameda Mineral Advisors—a firm led by a former Civitas executive—creates a glaring conflict of interest, and plugging 17 old wells should be a standard safety requirement, not a bargaining chip for a new deal. Sustainability is Erie’s top priority. Please listen to the residents, we do NOT support the sale of the mineral rights.

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Full Name	Christina Bolton
City/Town of Residence	ERIE
Email	ccbolton2008@gmail.com
Your Comment	Dear Erie Town Council, As an Erie resident, I am writing to oppose the proposed sale of our municipal mineral rights to SM Energy. We should not give up our community's legal leverage. Under SB24-185, our minerals cannot be force-pooled, giving us immense power to protect our neighborhoods. Selling these rights now permanently surrenders that protection just to help an oil and gas company meet its May 2028 production deadline. Furthermore, using Alameda Mineral Advisors—a firm led by a former Civitas executive—creates a glaring conflict of interest, and plugging 17 old wells should be a standard safety requirement, not a bargaining chip for a new deal. Sustainability is Erie’s top priority. Please listen to the residents, we do NOT support the sale of the mineral rights.

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Full Name	Christina Bolton
City/Town of Residence	ERIE
Email	blue.tansy.dansy@gmail.com
Your Comment	Dear Erie Town Council, As an Erie resident, I am writing to oppose the proposed sale of our municipal mineral rights to SM Energy. We should not give up our community's legal leverage. Under SB24-185, our minerals cannot be force-pooled, giving us immense power to protect our neighborhoods. Selling these rights now permanently surrenders that protection just to help an oil and gas company meet its May 2028 production deadline. Furthermore, using Alameda Mineral Advisors—a firm led by a former Civitas executive—creates a glaring conflict of interest, and plugging 17 old wells should be a standard safety requirement, not a bargaining chip for a new deal. Sustainability is Erie’s top priority. Please listen to the residents, we do NOT support the sale of the mineral rights.

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Full Name	Christina Bolton
City/Town of Residence	ERIE
Email	boltoncompras@gmail.com
Your Comment	Dear Erie Town Council, As an Erie resident, I am writing to oppose the proposed sale of our municipal mineral rights to SM Energy. We should not give up our community's legal leverage. Under SB24-185, our minerals cannot be force-pooled, giving us immense power to protect our neighborhoods. Selling these rights now permanently surrenders that protection just to help an oil and gas company meet its May 2028 production deadline. Furthermore, using Alameda Mineral Advisors—a firm led by a former Civitas executive—creates a glaring conflict of interest, and plugging 17 old wells should be a standard safety requirement, not a bargaining chip for a new deal. Sustainability is Erie’s top priority. Please listen to the residents, we do NOT support the sale of the mineral rights.

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Full Name	Christine Hackett (Eisenberg)
City/Town of Residence	Erie
Your Comment	David Frank, Director of Environmental Services, has continued to impress me on this topic, beginning with his testimony at the 2024 and 2025 ECMC hearings, through to his presentations to Town Council, including the latest Study Session on 6/2/2026. He demonstrated to me that Erie's residents will benefit from improved health & safety provisions within the Town of Erie Mineral Rights Sales Agreement, and that ill effects from the drilling work are unlikely. I am also impressed with the 6/2/2026 Study Session report by Julian Jacquin, Director of Economic Development, that Erie's residents will benefit from additional retail & commercial development associated with the transfer of 3 parcels of land that have potential sales tax revenues of nearly \$50 million to over \$200 million. New retail & commercial development is a high priority for residents, per the Aug 2025 Community Survey, and the location of these parcels are ideal to serve residents. In addition, the land transfer could support expansion of the Leon A. Wurl Service Center, where additional space is sorely needed by the Dept of Parks & Rec, according to testimony by Luke Bolinger, Director of Parks & Rec, during the Town Council meetings regarding the Page Property. Erie's residents could also benefit from the \$17M+ production revenue and \$4.5M cash payment to support multiple Town expenses, including the Capital Facilities Budget, which shows severe stress in the near-term, according to testimony by Sara Hancock, Director of Finance, during Town Council meetings regarding the Budget. To me, the Town Staff has demonstrated strong arguments for the Town Council to support the Town's Mineral Rights Sales Agreement. And while non-compliance with the Town's Purchasing Policy for the mineral rights consultant occurred under control of former Town Manager Malcolm Fleming, I believe Erie's residents have benefitted from the knowledge and expertise of that consultant, again per testimony by Town Staff. For all these reasons, and the fact that a No vote will NOT stop the horizontal drilling in our Town and under my own home, I support a YES vote by the Town Council to approve the Mineral Rights Sales Agreement relating to the Draco Pad project. Thank you.

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Full Name	Christopher Bolton
City/Town of Residence	Erie
Email	cgbolton@boltonusa.com
Your Comment	Dear Erie Town Council, As an Erie resident, I am writing to oppose the proposed sale of our municipal mineral rights to SM Energy. We should not give up our community's legal leverage. Under SB24-185, our minerals cannot be force-pooled, giving us immense power to protect our neighborhoods. Selling these rights now permanently surrenders that protection just to help an oil and gas company meet its May 2028 production deadline. Furthermore, using Alameda Mineral Advisors—a firm led by a former Civitas executive—creates a glaring conflict of interest, and plugging 17 old wells should be a standard safety requirement, not a bargaining chip for a new deal. Sustainability is Erie’s top priority. Please listen to the residents, we do NOT support the sale of the mineral rights.

Meredyth Muth

From: Anna Clark <amc1012000@gmail.com>
Sent: Tuesday, June 9, 2026 10:01 PM
To: Council Mail; Andrew J. Moore; Dan Hoback
Subject: Town council meeting 6/9

External Email: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mayor Moore and Council Members,

I attended the Town Council meeting tonight, 6/9, where I learned that Council Member Dan Hobak would be unable to attend an important upcoming vote regarding sale of the Town mineral rights. It was very discouraging to hear his request to postpone and reschedule was denied.

I would like this Council to reconsider his request. As a resident, the mineral rights issue is very important and I would expect all Council members to be present for votes and decisions regarding sale or lease. I am particularly concerned as I reside in District 2 and I feel my voice would not adequately be represented.

This vote can impact the future of Erie. We are navigating a new state law. Please reconsider the request to postpone a vote until all council members can be present.

Thank you,
Anna Clark
Erie resident, District 2

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Residents can also provide comment in person or online for the meeting. Attend in person at 645 Holbrook Street in Council Chambers (capacity is limited) or participate online at www.erieco.gov/CouncilMeeting.

Full Name	Colleen Downs
City/Town of Residence	Erie, CO
Your Comment	My name is Colleen, I'm a resident of Erie and I'm writing to express my strong opposition to the proposed sale of our municipal mineral rights. As a resident, Sustainability remains a top priority, and I do not consent to selling our mineral rights. The 4 to 3 council vote proves there is no consensus here, and the 16 to 5 resident opposition at the april 21 special meeting reflects the true will of erie. I urge the council to listen to the hundreds of residents who have consistently shown up, reject this deal on June 16 and keep our community's protection in our own hands.

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Full Name	Corinna Hammersley
City/Town of Residence	Erie
Your Comment	As a resident of Erie since 1998, and Colorado native, it's my strong recommendation NOT to sell Erie's mineral rights.

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Full Name	Corinna Hammersley
City/Town of Residence	Erie
Your Comment	Dear Erie Town Council, As an Erie resident since 1998, I am writing to oppose the proposed sale of our municipal mineral rights to SM Energy. We should not give up our community's legal leverage. Under SB24-185, our minerals cannot be force-pooled, giving us immense power to protect our neighborhoods. Selling these rights now permanently surrenders that protection just to help an oil and gas company meet its May 2028 production deadline. Furthermore, using Alameda Mineral Advisors—a firm led by a former Civitas executive—creates a glaring conflict of interest, and plugging 17 old wells should be a standard safety requirement, not a bargaining chip for a new deal. Sustainability is Erie’s top priority. Please listen to the residents, we do NOT support the sale of the mineral rights. Thank you!

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Full Name	Dave mason
City/Town of Residence	Erie
Your Comment	Dear Erie Town Council, As an Erie resident and taxpayer, I am writing to oppose the proposed sale of our municipal mineral rights to SM Energy. We should not give up our community's legal leverage. Under SB24-185, our minerals cannot be force-pooled, giving us immense power to protect our neighborhoods. Selling these rights now permanently surrenders that protection just to help an oil and gas company meet its May 2028 production deadline. Furthermore, using Alameda Mineral Advisors—a firm led by a former Civitas executive—creates a glaring conflict of interest, and plugging 17 old wells should be a standard safety requirement, not a bargaining chip for a new deal. Sustainability is Erie's top priority. Please listen to the residents, we do NOT support the sale of the mineral rights. And we will remember your decision when it comes time to vote in the next election.

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Full Name	David Ivener
City/Town of Residence	Erie
Email	david.ivener@gmail.com
Your Comment	Absolutely disagree with selling our mineral rights. Listen to your constituents!

Meredyth Muth

From: Sonia Dobinsky <soniadobinsky@gmail.com>
Sent: Tuesday, June 9, 2026 1:35 PM
To: Council Mail
Subject: Town Mineral Rights and Draco Well Site

External Email: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Moore and City Council Members,

We are writing to strongly oppose your plan to sell the town's mineral rights, leaving no barrier between the citizens of this town and the dangers of the plan for drilling at the Draco Well Site. Like many, our decision to live in and spend our money in Erie was predicated on what we saw as the value of living here -- no planned drilling under our homes that would open us up to health dangers, property damage and diminishing property values.

By voting for this move, in our minds, you will be abdicating your responsibilities to protect community members and their properties from harm. We ask you to reconsider making this danger to our community a reality by voting NO on June 16th.

Thank you for your consideration.

Dan and Sonia Dobinsky
1293 Copper Drive

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Full Name	Donald Poole
City/Town of Residence	Erie
Email	dlpoole@gmail.com
Your Comment	Drilling under Erie from the Draco pad SHOULD DEFINITELY NOT BE ALLOWED

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Full Name	Dr. Larisza Krista
City/Town of Residence	Erie
Your Comment	Dear Mayor and Members of the Erie Town Council, I am writing to urge the Town Council to vote NO on the proposed sale of our municipal mineral rights. As a community, we spent more than two years fighting to hold Civitas (now SM Energy) accountable for the Draco Pad. Our neighborhood's position has not changed: sustainability remains our number one priority, as reflected in Erie's own community surveys. We did not vote to sell our mineral rights, and we do not support this deal. I ask the Council to reject this sale based on four critical points: - We Hold the Leverage Under SB24-185: Under current Colorado law, the Town's mineral rights cannot be force-pooled. If Erie refuses to sell, SM Energy is legally required to drill around us. Selling these rights means permanently surrendering the strongest legal tool we have to protect our neighborhood. - Clear Conflict of Interest: The Town hired Alameda Mineral Advisors to negotiate this deal—a firm led by a former Civitas executive. Paying an industry insider to "represent" the community we fought so hard to protect is a severe conflict of interest. The terms of this sale were effectively designed by the very industry benefiting from them. This is extremely concerning. - Plugging Old Wells is an Obligation, Not a Bargaining Chip: The framing of plugging 17 old wells as a "benefit" or a gift to the town is misleading. Remediating these old wells is a matter of basic public safety that should have been addressed long ago—it should not be used as a bargaining chip to justify a massive new sale. The 4-to-3 council vote to begin negotiations, combined with the 16-to-5 public comment against the deal at the April 21 special meeting, proves there is no community consensus here. Furthermore, negotiating a deal of this magnitude largely in private executive sessions undermines public trust. Erie residents have shown up consistently—including the 418 residents who submitted comments during the 2A period and the 271 who went on the official public record. We are asking you to represent our health, safety, and long-term sustainability. Please vote NO on the sale of Erie's municipal mineral rights. Sincerely, Dr. Larisza Krista

Meredyth Muth

From: Steve Drew <sr Drew@gmail.com>
Sent: Tuesday, June 9, 2026 12:24 PM
To: Council Mail; Town Clerk
Subject: Tuesday, June 9th Town Council Materials
Attachments: June 9 Town Council Comments 06092026.pdf

External Email: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Erie Town Council & Town Clerk,

Please see attached for materials that I would like to be included in official minutes this evening.

These comments are made from publicly available information and, as you know, may not reflect all details that are held within Executive Session confidentiality. They also reflect reviews and comments from a non-lawyer who is asking for the Town Council to address potential material impacts related to the signed Consultant agreement and the potential Draco Pad agreements.

- I. Request to hold any discussions open to the public and to provide transparency in these discussions by not holding a June 9th Executive Session;
- II. An assessment of the breach of Contract by Alameda Mineral Advisors for failure to conduct a competitive bid and solicitation;
 - The impact to the Town Council's ability to compare the value of multiple bid and solicitation offers, per the terms of the Contract.
 - How the Town Council will address the completion of the required bid and solicitation process.
 - The impact that this contract breach has on the potential sole-source deal vote on June 16.
- III. Request for the impacts of the Town policy violation issue related to a \$4.5 million sole-source agreement with Alameda Mineral Advisors as noted during the June 2nd Study Session; and
- IV. An early review of the sole-source offer prior to the scheduled June 16th vote.

Best Regards,

Steve Drew
Erie Town Resident

June 9, 2026

Dear Erie Town Council,

The following comments and attachments are for the June 9th Town Council meeting and submitted for record.

These comments are summed up as:

- I. Request to hold any discussions open to the public and to provide transparency in these discussions by not holding a June 9th Executive Session;
- II. An assessment of the breach of Contract by Alameda Mineral Advisors for failure to conduct a competitive bid and solicitation;
 - The impact to the Town Council's ability to compare the value of multiple bid and solicitation offers, per the terms of the Contract.
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- III. Request for the impacts of the Town policy violation issue related to a \$4.5 million sole-source agreement with Alameda Mineral Advisors as noted during the June 2nd Study Session; and
- IV. An early review of the sole-source offer prior to the scheduled June 16th vote.

I. JUNE 9th EXECUTIVE SESSION

This is a specific request for public transparency related to the Draco Pad discussions. Please cancel the June 9th Executive Session and discuss with Town Council and Staff information that should be made public related to the potential sale and transfer of Town-owned mineral rights and properties.

In general, the Town Council has relied on Executive Session confidentiality to withhold information that is typically discussed in an open and public format. A wide range of truly confidential information and traditionally non-confidential information. Mayor Moore has provided several assurances that this information will be made available using terms such as 'when the time is right.'

There is no more time between now and a potential vote on a sole-sourced contract with SM Energy on June 16th. Any discussions between now and the 16th will need to be open to the public.

II. MATERIAL BREACH OF CONTRACT – MATTHEW OWENS & ALAMEDA MINERAL ADVISORS

Per the public discussion during the June 2nd Study Session, it appears that Matthew Owens is in breach of contract for not completing material terms of his Consulting Agreement approved by the Town Council on December 16, 2025 and signed by Mayor Andrew Moore.

Specifically, Exhibit A – Scope of Services states that Matthew Owens (“Consultant”) shall perform the following duties:

Consultant shall conduct a competitive bidding process to secure optimal lease proposals, including valuations of monetary and non-monetary terms, for Town-owned mineral rights and property in the Draco Plan Area.

Consultant shall solicit bids for the sale of Town-owned mineral rights and property within the Draco Plan Area, with comparative analyses of upfront proceeds versus projected cash flows.

During the June 2nd Study Session, the public learned that this process has not been completed and Matthew Owens did not provide the Town Council with results from a competitive bidding process. Owens did not provide the Town Council with evidence that he solicited bids for the sale of Town-owned mineral rights and property and did not provide a comparative analysis.

Also per Section IV.A, - Professional Responsibility, Owens was obligated to run a competitive bid and solicitation process and to provide results to the Town Council based on professional practice terms:

IV. Professional Responsibility

A. Consultant hereby warrants that it is qualified to assume the responsibilities and render the services described herein and has all requisite corporate authority and professional licenses in good standing, required by law. The work performed by Consultant shall be in accordance with generally accepted professional practices and the level of competency presently maintained by other practicing professional firms in the same or similar type of work in the applicable community. The work and services to be performed by Consultant hereunder shall be done in compliance with applicable laws, ordinances, rules and regulations.

Per terms in Section III of the Consultant’s agreement - Compensation:

III. Compensation

In consideration for the completion of the Scope of Services by Consultant, the Town shall pay Consultant a fee set forth in Exhibit B, which, under no circumstance, shall exceed \$4,500,000, unless agreed to by the Town in writing. This amount shall cover all fees, costs and expenses incurred by Consultant, and no additional amounts shall be paid by the Town for such fees, costs and expenses. Consultant may submit invoices for the fee set forth in Exhibit B, which shall be paid by the Town within 30 days of receipt.

Owens clearly failed to meet terms for completion of the Scope of Services and the professional terms required by the Town of Erie in this Contract for Professional Responsibility. Instead, Owens ran a sole-source negotiation with SM Energy / Civitas in breach of contract. Owens did not provide or deliver the required results based on the Contract and on the Town Council’s fiduciary duty.

Section I. B – Scope of Services covers adjustments to the Alameda Mineral Advisors Contract has several impacts to what appears to be a significant breach of contract by Owens.

B. A change in the Scope of Services shall not be effective unless authorized as an amendment to this Agreement. If Consultant proceeds without such written authorization, Consultant shall be deemed to have waived any claim for additional compensation, including a claim based on the theory of unjust enrichment, quantum merit or implied contract. Except as expressly provided herein, no agent, employee, or representative of the Town is authorized to modify any term of this Agreement, either directly or implied by a course of action.

- 1) The Contract does not allow the Consultant to skip material terms of this Contract (e.g. bid and solicitation process) without an amendment to this Agreement.
- 2) There has been no Amendment to this agreement that has been put through the public processes required by Town Council decisions.
- 3) No agent, employee, or representative of the Town is authorized to modify any term of this Agreement, either directly or implied by a course of action. Meaning that an amendment of this Agreement was required for Owens prior to any conclusion to his Contract.

The following concerns have a substantial impact on where the Town Council and Town of Erie stands today with contractual, legal and/or ethical concerns regarding this breach of contract. Once again, the majority of this information should be publicly discussed and not held inappropriately behind Executive Sessions. This request is for the Town Council to discuss openly:

- The likely breach of Contract by Alameda Mineral Advisors and the impact that this has on his fees. Confidential legal advice would not need to be discussed – the Town Council should request specific guidance in an open format.
- The impacts of not holding a competitive bid and solicitation process as it relates to the terms of this Contract and obligations of the Town Council. How this would impact the fact that the Town Council was provided with a sole-source contract outside the terms of this signed Contract.
- The impacts of not holding a competitive bid and solicitation process as it relates to the fiduciary duties of the Town Council – both in terms of the Contract and in terms of having comparative bids.
- The legal and ethical impact of receiving and potentially voting on a sole-source negotiation offer rather than meeting the Contract and fiduciary duty terms of a competitive bid and solicitation process.
- Why the Town Council is rushing a single-source agreement through rather than conducting a competitive bid and solicitation process that meets Town timelines rather than SM Energy timelines.
- Please seek outside Council guidance as to the potential impact to Town of Erie residents and taxpayers prior to voting on the approval of any agreement. Especially with the Town Council

aware of this breach of Contract and that a competitive bid and solicitation was not held. Please provide these assurances to the Town of Erie residents in a specific and public format prior to a vote for approval.

This exposure may include:

- Town Council knowledge of the breach of Contract by Alameda Mineral Partners – especially if knowledge of this breach was held within Executive Session confidentiality
- Fiduciary Duty to the Public Trust (C.R.S. § 24-18-103)
- TABOR and Annual Appropriation Violations (Colo. Const. Art. X, § 20) – Payment associated with an unfulfilled Contract
- “Gift Clause” violations and more

III. TOWN OF ERIE SOLE-SOURCE HIRING OF MATTHEW OWENS & ALAMEDA PARTNERS

The public learned during the June 2nd Study Session that the Consultant was brought on through a sole-source agreement that violates Town of Erie policy.

- Please discuss the impact of this to the process and validity of the Contract. What rules were violated and how this impacts the potential vote to approve a sole-source negotiation.

IV. INITIAL OFFER AND CONTRACT CONCERNS

Per the publicly posted information on <https://www.erieco.gov/2657/Draco-Well>

This information was posted shortly before the June 9th Town Council meeting and the site has forms to ask specific questions. The following is a quick, non-legal review of these contracts from a non-lawyer resident of Erie for consideration ahead of the potential vote on June 16th.

The statements below are for the Town Council consideration and do not represent any legal guidance. That said, there are a significant number of concerns that the Town Council should address openly prior to a vote.

Town of Erie would know more about the comparative value of this agreement if Alameda Mineral Advisors had completed the terms of their Contract. This is the reason the Contract has a bid and solicitation component – it provides the Town Council with assurances that this is the best deal available. It also provides checks-and-balances for reaching final contract terms. The completion of a bid and solicitation would also provide the Town Council and Town of Erie residents with a legal and ethical backstop that assures that the Town received the best offer available.

In general, this agreement appears to be highly asymmetrical in favor of SM Energy or Extraction or 7N or associates. (I'll use a generic SM Energy in the review.) This agreement does not reflect the significant impact that the Town of Erie could have on the financials and timing of Draco Pad Project – positive or

negative. It also does not appear to provide basic assurances that the Town of Erie will receive compensation.

From my read, the Agreement:

1. Contains a big issue where the Town of Erie can no longer object to the Draco Pad and/or there are terms that cause financial harm to the Town of Erie if there is a later vote to overturn this transaction.
2. Appears to not provide Erie with compensation if SM Energy defaults and fails to close. The Town does not appear to have the right to pursue any legal action for financial damages caused by this failure.
3. The Town of Erie waives any rights to recover damages from any representations, warranties, or obligations from SM Energy. If a breach causes a material financial impact to the Town of Erie, the Town must absorb all of those losses.
4. The Town is only protected from environmental damages related to the 158 Acre property for 12 months. Has the Town conducted a full, third-party environmental impact related to this property that has guarantees that extend long-term? If not, this agreement appears that it would shuffle environment issues to Erie in 12 months and would expose Erie taxpayers to any environmental implications for years to come. It appears that this land has significant oil and gas legacy issues.
5. Erie is not receiving value for any non-disclosed mineral rights at the time of this signing. That would include what David Frank publicly described during the December 16 Town Council meeting as *"...The town's mineral rights are typically in subdivisions where we were given the area under the road, under the open space, and so they are sort of intertwined with private minerals."*

Did Alameda Mineral Advisors not complete this portion of their Contract, per the terms of the Contract? Why is Erie not receiving value for these Town-owned assets?

6. The agreement states that the Town will get a fixed price of \$24,000 per mineral acre for mineral rights between month 6 and year 25. This 25 year valuation should have an escalation clause based on the actual value of mineral rights at the time, inflation and more. Erie is losing money here.
7. The agreement puts the title clean-up costs on the Town and SM Energy is not in default if there are title issues. That is a big financial give by the Town in this potential deal.
8. It appears that Parkdale Development may pursue legal options related to property that would be transferred to the Town of Erie. It also appears that the Town must take title to this property. What are the financial impacts related to this disclosure – it appears that this would be a financial burden for Erie taxpayers as part of this deal.

The Contract to Exchange Real Property and Mineral Rights:

1. If the Erie Town Council takes any “formal action to object to the Draco Pad” before production begins, SM Energy can terminate this agreement. That’s a big financial and representation issue that limits the voice of Erie residents and the Town of Erie. The Town is not receiving effective compensation and this is an ethical and possibly legal issue.
2. Agrees to pay \$4.5 million which, oddly, is the same amount that would be paid to the Consultant. That payment from SM Energy (Civitas) does not help with any conflicts of interest considerations.
3. The 200% payout puts significant risk on the Town of Erie potentially receiving revenues. This payment pushes Town of Erie potential revenues well into the future – after that trigger is hit. It also is based on an ROI rather than actual revenues, where SM Energy will apply costs prior to meeting this financial hurdle. The agreement should provide more financial certainty for the Town (e.g. based on revenues rather than ROI) and payments should occur much earlier than the process.
4. The Well Abandonment section allows SM Energy several outs and delays. Deadlines are contingent on permits and third-party approvals. SM Energy appears to have automatic extensions to complete this process – even if these delays are from their own third party partners.
5. The 7N Property appears to come with environmental baggage that will be transferred to the Town of Erie. Midstream Facilities on the property where obligations will be transferred to the Town. No bonds or financial assurances from SM Energy required and associated with the potential liabilities.
6. The Town will not have full control of the 7N property. No development or operations (e.g. Park structures) unless it complies with SM Energy setbacks and siting and access rights. It appears that SM Energy has veto power over any municipal projects on the property as well.
7. It appears that the Town loses the road-paving project, future production payments and any structured timelines for well abandonment if SM Energy terminates this agreement. That would include (but not be limited to) any future Town Council voicing or having the Town Staff take action that SM Energy deems in conflict with Draco Pad. Goodness.
8. SM Energy will require the Town to give notice 7 days ahead of time for any site inspection. Apparently irrespective of any potential emergency or spill? The Town is limited in how many times the site can be inspected.
9. The agreement iterates that the Town will not have any extra regulatory, siting, or enforcement authority over the operations. That seems like a broad hand-wave towards the Town losing any power of issues with Draco Pad.

Meredyth Muth

From: Chris Eberhardt <wcfancyfab@gmail.com>
Sent: Tuesday, June 9, 2026 1:47 PM
To: Council Mail
Subject: No Fracking in Boulder

External Email: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Just saw a message on Nextdoor, that you will be voting on June 16th on a plan to sell mineral rights to a company who wants to frack in Erie. When were you going to tell the public so that we might have a say in this matter. We are in extreme drought at the moment and fracking uses large amounts of water we don't have, what's next data centers the public does not need! When the next election comes around I for one will be voting in my interest and the communities interest, it my not be any of you who get my vote.

WC Eberhardt

Taxpayer from SoBo

Sent from my iPad