



Oil & Gas Focus Group (Meeting 5 of 5)

June 26, 2019

Meetings Overview

- Meeting 1 (April 24)
 - Introduction / Overview of Oil and Gas
- Meeting 2 (May 22)
 - Best Management Practices & Potential LDC changes
- Meeting 3 (June 5)
 - Additional BMP Discussion and zoning
- Meeting 4 (June 19)
 - Zoning, Process, and Enforcement
- Meeting 5 (June 26)
 - Rulemaking topics with COGCC / wrap up

Scope of Focus Group and Intentions

- Focus group established for the sole purpose of providing non-binding input to City Staff regarding legislative efforts, both within the city and at the state level
- The focus group will not take formal positions
- City staff will report or summarize the input of the focus group
 - Intended to be a listening session



Land Development Code Updates

- Following the final focus group meeting, staff will take the feedback from the group that was generated, and begin the process of drafting LDC amendments.
- Stakeholder participation meetings, meetings with the general public, and study sessions with Planning Commission and City Council would be conducted as part of this process before any changes are adopted.
- Potential draft ordinance(s) could be generated around late August / September for consideration.



COGCC Rulemaking



Previous Rulemakings

- January 2012 – Hydraulic Fracturing Chemical Disclosure
- May 2013 – Statewide Groundwater Baseline Sampling & Monitoring
- August 2013 – Statewide Setbacks
- November 2013- Wildlife Map Rulemaking
- February 2014 – Spill Reports
- 2015 – Governor’s Taskforce Rulemaking
- February 2018 – Flowline Rulemaking
- December 2018 – School Setback Rulemaking

SB-181

- Section 11 of SB-181 directly states the COGCC shall conduct a number of rulemaking efforts on the following topics:
 - Conducting an alternate location analysis for facilities proposed in populated areas
 - Consideration of cumulative impacts
 - Proper wellbore integrity
 - Public disclosure of flow line information
 - Inspections of inactive, abandoned, and shut in wells
- Section 11 requires the commission to protect and minimize impacts on health, safety, environmental impacts on air, water, soil, and wildlife.
- Additional sections of the bill also require other rulemakings either directly or indirectly.



COGCC Rulemaking Schedule

- Tentative schedule:
 - November '19
 - Alternative Site Analysis (CDP's)
 - Local Government Provisions
 - Technical Review Board
 - January '20
 - Wellbore Integrity
 - February '20
 - Flowlines & Inactive Wells
 - March '20
 - Cumulative Impacts
 - April '20
 - Public Health, Safety, Welfare, etc
 - July '20
 - Financial Assurances
 - September '20
 - Application fees
 - Worker Certification

Current Process

- Process outlined in the “Colorado Administrative Procedure Act” (CRS 24-4-101) and “Oil and Gas Conservation Act” (CRS 34-60-101)
 1. Stakeholder Meeting
 - At least one meeting conducted with a representative group of participants with an interest in the subject of rulemaking
 - Oftentimes, *many* stakeholder meetings are conducted
 2. Notice of Proposed Rulemaking
 - Sent to Local Govt Designees, Attorneys, and published in the Colorado Register. Will include expected date of hearing, and how to file for party status
 3. Draft Rules and Statement of Basis and Purpose
 - Concurrent with step 2, draft rules are produced, along with a statement of basis and purpose.
 4. COGCC Rulemaking Hearing
 - May take many several days to adopt
 5. Final Adoption of Rules
 - 180 days to file adopted rules with the secretary of state. Rules go into effect 20 days after publication.
- From start to finish, this process can take several months per rulemaking topic.

Getting Involved

- 3 Options
 - Filing for Party Status
 - Gives an organization, business, or individual the ability to file a pre-hearing statement and alternative rule proposal, and have allocated time at the hearing to address the commission and call witnesses.
 - Submitting a rule 510 statement
 - Provides any person the opportunity to make a longer statement at any commission hearing.
 - Giving Public Comment
 - Any member of the public can attend a COGCC rulemaking hearing and provide public comment. The COGCC may limit public comment to as little as two minutes per person.





Wrap Up



Wrap Up and Next Steps

- Following the final focus group meeting, staff will take the feedback from the group that was generated, and begin the process of drafting LDC amendments.
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- **THANK YOU** for your participation in this group!

