

Boulder County Land Use Department



**PUBLIC HEARING TO CONSIDER THE MERITS OF THE
CURRENT MORATORIUM ON BOULDER COUNTY'S
PROCESSING OF APPLICATIONS FOR OIL AND GAS
DEVELOPMENT AND SEISMIC TESTING OPERATIONS IN THE
UNINCORPORATED COUNTY AND WHETHER THE
MORATORIUM SHOULD BE TERMINATED, EXTENDED, OR
OTHERWISE AMENDED**

**Board of County Commissioners
July 16, 2019**

S.B.19-181

- S.B.19-181, known as “Protect Public Welfare Oil and Gas Operations,” was signed into law on April 16, 2019
 - Prioritizes the protection of public safety, health, welfare, and the environment in the regulation of the oil and gas industry
 - Strengthens local governments’ broad authority to regulate oil and gas development
- Boulder County last updated its oil & gas regulations in March 2017
- On June 4 the BOCC authorized amendments to Art.12 of the Land Use Code (Special Review for Oil and Gas Operations) for the purpose of re-evaluating our oil & gas regulations in light of S.B.19-181
- In anticipation of applications that may be filed in coming months, the BOCC enacted a new moratorium on June 28 while staff works on changes based on the new authorities granted by S.B.19-181
 - Current moratorium is in effect until March 28, 2020



LOCAL GOVERNMENT AUTHORITY

- The passage of SB 19-181 was the result of many political compromises. The bill did not grant local governments the authority to entirely ban all oil and gas development.
- S.B.19-181 did clarify and grant additional authority to protect public health, safety, and welfare, including the following matters:
 - the location and siting of oil and gas facilities
 - impacts to public facilities and services
 - water quality and source, noise, vibration, odor, light, dust, air emissions and air quality, land disturbance, reclamation procedures, cultural resources, emergency preparedness and coordination with first responders, security, traffic and transportation impacts, and other nuisance-type effects of oil and gas development
 - financial securities, indemnification, and insurance to ensure compliance
 - inspections oil and gas facilities
 - ability to impose fines for leaks, spills, and emissions
 - ability to impose fees on operators or owners to cover the costs of permitting and regulating, monitoring and inspection programs, and enforcement
- The County's exercise of these powers under the statute must be "necessary and reasonable"

Boulder County



REGULATION UPDATE PROCESS

Next steps:

- Research new areas of authority that have not been included in our regulations previously
- Draft updated regulations
- Stakeholder discussions
- Engage in public process for regulation update/changes
- Planning Commission public hearing(s)
- BOCC public hearing(s)
- Implementation of updated regulations, including internal coordination



SCHEDULE AND INFORMATION

- The schedule has not been confirmed and no public hearings have been scheduled yet
- Information will be posted on the County Oil & Gas website and emailed to the oil/gas news listserv
- Website: www.bit.ly/bocooilgas

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OIL & GAS DEVELOPMENT # / Property & Land / Land Use / Planning Division / Oil & Gas Development

Oil & Gas Development

Boulder County is concerned about the potential for significantly expanded oil and gas development within the county. We support appropriate tighter restrictions and increased local control to mitigate the impacts of these activities.

The Board of County Commissioners and staff have laid the groundwork for how the county will work to address the potentially hazardous impacts of oil and gas development on local public health, safety, and the environment.

In order to maximize the use of its limited local authority and protect county residents, Boulder County is committed to undertaking a series of legislative, legal, environmental, and public health approaches to help minimize the impacts of oil and gas development on people and the environment. View details of the county's multi-pronged approach.

- Information on Public Participation at the COGCC
- Boulder County Oil & Gas Development Regulations
- Statement on Oil & Gas Development on Open Space
- Air Quality Monitoring & Home Gas Detection
- Atmospheric Monitoring at the Boulder Reservoir
- Sign-up for oil/gas news updates

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O&G NEWS UPDATES

Sign-up for oil & gas news updates!



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Sign-up to receive notices of oil & gas meetings and news alerts from Boulder County

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TODAY'S PUBLIC HEARING & BOCC ACTION

- Resolution 2019-59 (adopted on June 28) resolved that staff shall set a public hearing for the purpose of considering the merits of the moratorium
- Received 251 written comments since June 28 through noon today, July 16
- Today the BOCC should consider public comment and decide whether the new moratorium should be terminated, extended, or otherwise amended

