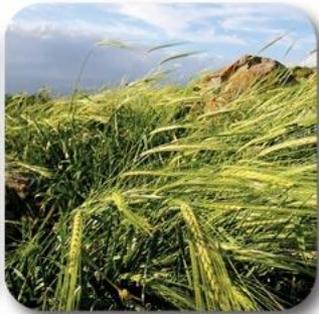


# Boulder County Land Use Department



**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  
March 2, 2020**

# S.B. 19-181 UPDATE

- Boulder County last updated its oil & gas regulations in March 2017
  - Major overhaul of our 1994 set of regulations to reflect current practices (hydraulic fracturing) and technologies, and to address the impacts related to current day drilling operations
- On April 16, 2019, S.B. 19-181 (“Protect Public Welfare Oil and Gas Operations”) was signed into law
  - Prioritizes the protection of public safety, health, welfare, and the environment in the regulation of the oil and gas industry
  - Strengthens local governments’ authority to regulate oil & gas development
- In June 2019, 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
- BOCC enacted a moratorium on oil & gas development and seismic testing until **March 28, 2020** while staff works on changes based on the new authorities granted by S.B. 19-181



# WORK TO DATE

- The update involves both strengthening existing areas of the regulations and tackling several new areas opened up by S.B. 181 (such as noise, vibration, odor, seismic testing, and leaks and emissions at existing facilities)
- Project is massive, incredibly complex, & time-consuming and involves:
  - ✓ legal research
  - ✓ research into technical issues
  - ✓ gathering information and ideas from numerous sources
  - ✓ scouring over pages of already carefully-crafted rules
- Held numerous Stakeholder discussions
- Coordinated with numerous county departments (Public Health, Public Works, Parks & Open Space, Sustainability, EOC, etc.) and other experts
- Collected comments from the public to consider in the changes
- Spent hundreds of hours in internal staff meetings to discuss ideas and changes and draft the changes
- Simultaneously involved in State Rulemaking & litigation efforts

**Boulder County**



# ORIGINAL SCHEDULE (INTRODUCED JANUARY 28)

- At a January 28, 2020 public meeting, staff initially proposed an ambitious schedule for release of new draft regulations and public review before the Boulder County Planning Commission and the Board of County Commissioners.
- The schedule was designed to complete the regulations before the current moratorium expires on March 28, 2020.



# NEED FOR MORE TIME

- Staff has made great efforts to meet the schedule required by the current end-date of the moratorium, but the schedule presented in January revealed a number of issues:
  - Members of the public, and the BOCC, have voiced concerns that the schedule did not allow sufficient time for review and comment by the public of a very complicated and technical set of regulatory issues
  - Insufficient time for the public to review drafts of the updates between public hearings at the Planning Commission and BOCC
  - Overlap with extensive oil & gas rulemakings at the COGCC
  - Insufficient time for staff to complete some of its inquiries into the most difficult technical and logistical issues contained in the updates
- **Consequently, staff has proposed a revised schedule for the Article 12 update**



# REVISED SCHEDULE

- **April 6 at 4:00 PM** - Public hearing for Planning Commission to receive public testimony on proposed oil and gas regulations. Public testimony only; no action by Planning Commission.
- **April 8 at 1:00 PM** - Public meeting for Planning Commission discussion and recommendation to BOCC. No additional public testimony.
- **(If necessary) Monday, April 27 at 4:00 PM** - Planning Commission public meeting continued, if needed.
- **May** - County staff participation at Colorado Oil & Gas Conservation Commission Rulemaking Hearings (currently scheduled for April 29 and May 6-8, 13-15, and 27-29 and beginning of June). No county hearings.
- **June 18 at 4:00 PM** - Public hearing for BOCC to receive public testimony on proposed oil and gas regulations. Public testimony only; no action by BOCC.
- **June 25 at 4:00 PM** - Public Meeting for BOCC discussion and action. No additional public testimony. Adoption of new regulations.
- **(If necessary) Tuesday, July 7 at 1:00 PM, Thursday, July 9 at 3:00 PM, Tuesday, July 14 at 1:00 PM** - BOCC public proceedings continued if needed.



# BOCC ACTION

- The new schedule proposed by staff provides more time for public review and comment by extending the time between release of Draft Regulations for public review and PC / BOCC public hearings.
- Avoids the overlap with the state rulemakings by not scheduling any public hearings in May.
- Implementation of this schedule would require that the Board of County Commissioners extend the moratorium by four months to end on a recommended date of July 31, 2020.
- BOCC accepted written testimony for the purpose of considering the merits of the moratorium.
- Today the BOCC should decide whether the new moratorium should be terminated, extended, or otherwise amended.



# INFORMATION & UPDATES

- Information will be posted on the County Oil & Gas website and emailed to the oil/gas news listserv.
- Oil & Gas website:

[www.boco.org/OilGas](http://www.boco.org/OilGas)

The screenshot shows the Boulder County website's 'Oil & Gas Development' page. At the top, there is a navigation bar with links for Property Search, Jobs, Volunteer, Elections, County Government, Departments, and Contact. Below this is a secondary navigation bar with categories: Families & Adults, Open Space & Recreation, Property & Land, Roads & Transportation, Environment & Sustainability, Safety & Law, and Licenses, Permits & Records. The main content area features a large banner image of an industrial facility with tall smokestacks. Below the banner, the page title 'Oil & Gas Development' is followed by a breadcrumb trail: 'Property & Land / Land Use / Planning Division / Oil & Gas Development'. The main text explains Boulder County's concerns about expanded oil and gas development and its commitment to public health, safety, and the environment. A sidebar on the right contains a list of links: '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', and 'Sign-up for oil/gas news updates'.

# Boulder County



# O&G NEWS UPDATES

Sign-up for oil & gas news updates!



## 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**

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

Enter Your Email Address Or SMS

# Boulder County



# WE WELCOME COMMENTS!

- Email comments, information, suggestions to:

[oilgascomment@bouldercounty.org](mailto:oilgascomment@bouldercounty.org)

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A temporary moratorium on the acceptance and processing of new oil and gas development applications and seismic testing in unincorporated Boulder County is in effect until March 28, 2020.

Information on Public Participation at the COGCC
Boulder County Oil & Gas Development Regulations
Statement on Oil & Gas Development on Open Space
Public Health & Air Quality
Sign-up for oil/gas news updates
Submit a Comment on the Proposed Oil & Gas Regulations

Submit A Comment Via Email

Use tabs below to search for information by subject area

News	Public Comment & Meetings	Crestone CDP	8 North LLC	Attorney General Lawsuit	Oil and Gas Maps
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