

BEFORE THE OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

RULE 510 STATEMENT TO THE COMMISSION
CONCERNING THE INTERGOVERNMENTAL AGREEMENT
BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ADAMS COUNTY
AND THE COLORADO OIL AND GAS CONSERVATION COMMISSION

Docket NO. _____
Hearing Date: October 24, 2016

Board of County Commissioners
Adams County, Colorado
c/o Jeffery P. Robbins, Outside Legal Counsel on Oil and Gas Matters &
Heidi Miller, Adams County Attorney
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The Board of County Commissioners of Adams County, Colorado, hereby respectfully requests the Colorado Oil and Gas Conservation Commission (“COGCC”) enter into the Inspector Intergovernmental Agreement with the County which would allow the parties to coordinate the inspection of oil and gas operations in unincorporated Adams County. The Adams County Commissioners recently undertook several actions to ensure a balanced approach to oil and gas development by promoting a robust regulatory landscape that is protective of human health, safety, welfare as well as the environment and wildlife, while also desiring to coordinate regulatory efforts with the COGCC and others to provide for a regulatory framework that is predictable and consistent for industry. In March, 2016, the County initiated a six-week moratorium over oil and gas development to allow it to review its current regulations and to propose amended regulations, which, among other things, provide a site-specific review for all new wells associated with its Memorandum of Understanding permitting process. Following this regulatory amendment, the County has successfully initiated the processing of several Administrative Use by Special Review permits. At the same time, the Board of County Commissioners funded and the county then hired a full-time oil and gas liaison who serves as the lead county employee on oil and gas permit review, on stakeholder outreach, and who serves as the County’s primary point person in the County’s

relationship with the COGCC as its Local Government Designee. As a final 2016 element of the County's commitment to working constructively on oil and gas issues, the County Board directed staff to explore with COGCC staff the concept of the two parties engaging in a coordinated effort to allow the County to staff a full-time oil and gas inspector to assist in the inspection of oil and gas operations in unincorporated Adams County. Since receiving this direction, County Staff and COGCC Staff have met on several occasions to discuss and draft a proposed Intergovernmental Agreement between the County and the COGCC which would allow the COGCC to maintain its historic inspection protocol for unincorporated Adams County while partially delegating a portion of its inspection authority to the County. This would allow a new full-time Adams County employee to serve as oil and gas inspector to perform inspections under both the Commission's authority and the County's authority. Under the IGA, the Adams County Inspector would be a full-time County employee charged with inspecting for compliance with the Oil and Gas Conservation Act, or any rule, regulation, or order of the Commission, as well as retaining authority to inspect for compliance with County issued land use permits and regulations. The IGA contemplates the County and the COGCC coordinating their respective inspection efforts so that they are complimentary. Allowing the County to have its own oil and gas inspector would also provide County residents a county employee as a contact on oil and gas matters and would also assure County citizens that oil and gas operations in unincorporated Adams County are compliant with both state rules and requirements as well as with County land use permit conditions. We believe the new relationship outlined in the Inspector IGA could serve as a model for constructive working relationships between Front Range communities and the COGCC.

This Rule 510 statement is hereby made under oath by the undersigned Commissioners of the County of Adams, Colorado.

Sincerely,

Adams County Board of County Commissioners

Steve O'Dorisio, Chairman

Approved as to form:

Heidi Miller, Adams County Attorney