



LGD Newsletter, Fall 2013

Message from the LGLs

Welcome to the Fall 2013 issue of the Colorado Oil and Gas Conservation Commission (COGCC) Local Government Designee (LGD) Newsletter. This issue emphasizes the importance of the LGD program to local governments in dealing with oil and gas and related issues, and points out some of the ways we as Local Government Liaisons (LGLs) can provide assistance.

We realize that most LGDs have significant duties besides those that involve oil and gas, and in many cases, the LGD role is a small part of the daily tasks. But many communities and local governments struggle to manage the balance between benefits of oil and gas exploration and production and the potential impacts of the industry. Citizen-initiated ballot measures to restrict these activities, as well as debate in various forums, are a very tangible expression of this challenge.

As LGLs, we work to provide LGDs, local governments, the public, and others with up-to-date facts, information, and assistance in these discussions. We welcome questions and comments. As always, suggestions for future newsletters are appreciated. Prior issues are available on our website at COGCC.state.co.us, under the “Local Gov” tab.

Thank you! Marc Morton and Nancy Prince

A New Feature — “Did You Know...?”

“*Did You Know*” items (see page 4) are a new element of our Newsletter. Look for these to see discussions of the sometimes obvious but often overlooked aspects of COGCC rules, website, or processes. We hope you find it useful.

Participating in the LGD Program Provides...

- Single point of contact
- Access to the COGCC well and location permitting process
- Standing in other COGCC matters
- 20 years of communication between local governments and COGCC
- Network of 144 LGDs statewide

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Update on COGCC Flood Response

September brought with it rainfall to the Front Range and areas of the eastern plains in quantities not seen in decades. The resultant flooding obliterated roads, bridges, homes, businesses and infrastructure. Oil and gas facilities were not immune: one well and a limited number of production facilities sustained damage from flood water and debris, resulting in a limited number of releases of crude oil and/or produced water, a common byproduct of oil and gas production (and not associated with hydraulic fracturing).

But even before flood waters peaked, COGCC field staff and oil and gas operators were responding to assess and limit impacts to oil and gas facilities. Most wells in the path of floods were “shut in” well before flooding peaked, meaning production (and flow to tanks) was halted before wells were inaccessible.

Due to the situation, COGCC quickly transformed itself into a response mode organization, and, while flood-response work continues, field staff have inspected all potentially impacted oil and gas facilities.

While no release of oil or produced water is good, it is clear that the situation could have been much worse in terms of releases from oil and gas facilities. The same may not be true concerning the amount of untreated and partially treated sewage released into the environment, which far exceeded (by several orders of magnitude) the cumulative crude oil and produced water released.

We want to thank our field inspection staff, environmental field staff, supervisors and managers that engaged in on the ground and office response efforts and follow up. If you come across any of these folks (particularly field staff), be sure to thank them for their efforts.

We also want to express our sincere thanks to all other state agencies involved in the response, most notably CDOT and CDPHE. And while we are at it, thanks to all response agencies at the federal, state, county and municipal level (and other

governmental and non-governmental organizations), and to all those, including members of the public, and oil and gas operators and service companies, who have donated time, equipment, or money to the response efforts. We are truly proud to live in a place where people come together in a time of need!

As LGLs, our main role in the response effort was to coordinate and provide supplemental information to LGDs, affected local governments, the agricultural community, and others. We appreciate the local governments who assisted by reporting issues and damage, and again wish the best to those affected by flooding and its aftermath.

And as we at COGCC resume our regular work, staff and the oil and gas industry will be evaluating the response to this flood, and implementing additional safeguards for the future. We know we can do better and will learn from this experience.

For additional details on COGCC’s flood response efforts, please refer to the October 28 Staff Report (available online at COGCC.state.co.us).

Links to recommendations for the public, and requirements for operators on dealing with flood-impacted facilities are available under the *Hot Topics* banner on the website.

MOUs Between Local Government and Operators

Memorandums of Understanding (MOUs) are a form of binding agreement between entities. These agreements can help local governments inform and alert operators of their issues, concerns, and local permitting requirements. Discussions and negotiations with operators concerning MOUs can have the positive effect of initiating engagement and fostering a level of trust between local governments and operator, even if a formal agreement may never be reached.

Once put in place, MOUs spell out requirements operators and local jurisdictions must comply with, and which generally are a supplement to COGCC rules.

MOUs are unique to the needs of the jurisdiction. For example, components of MOUs may relate to truck traffic, truck speed, and weight; drill site lighting; air, water quality, or noise mitigation measures; neighborhood meetings; emergency preparedness plans; and timing restrictions for drilling or completions to accommodate school bus schedules or special events. Items such as traffic studies and road impact fees may be specified in local regulations, or may be included in MOUs.

When used as a component of the LGD program, the MOU may also specify Best Management Practices (BMPs) at drilling sites or producing areas to limit nuisance impacts of oil and gas operations that must be included in COGCC permit applications.

COGCC may be able to enforce terms of an MOU if the specific items from the MOU are referenced in a drilling or location permit, if those items are within our jurisdiction, and if they are site specific such that they can be evaluated by COGCC staff.

MOUs between COGCC and local governments, state and federal agencies are available for review on the Library Page of the COGCC website. When provided to COGCC, executed MOUs between local governments and operators can be distributed.

For more information on MOUs, on getting the process started, or finding out what operators work in your vicinity, please visit the COGCC website, or contact Nancy Prince or Marc Morton.

LGLs—What We Can Do For You and Your Community

As Local Government Liaisons, our services to local governments include training classes, education at local meetings, and help with finding a staff expert to answer your questions. For example, in addition to day-long LGD training around the state, we also provide informational, topic-specific presentations on request. For towns or counties not currently participating in the LGD program, we'd be happy to share highlights of the program with staff and elected officials. This offer to meet extends across the state, and includes COGCC staff specialists when their input will help answer the questions at hand.

LGLs also assist by fielding questions and inquiries about oil and gas from local governments and the public. Not only do we provide guidance in the use of COGCC's website and its content, we can also help find the appropriate staff to respond to specific situations.

2013 LGD Training

COGCC offered eight LGD trainings in 2013 at locations across the state, and training was provided to 134 individuals including designated LGDs, other local government staff, elected officials, and others. If you are a registered LGD and missed the 2013 training (and we know who you are!), we hope to catch you in 2014, as things really do and have changed quickly with regard to oil and gas in Colorado. Please note that we will be sending certificates of completion in the near future to those of you who attended the training in 2013. Meanwhile, we are working on content, format, schedule, and venues for training planned for 2014. If you have ideas for LGD training, or are interested in hosting a training, please contact us. And look for the rollout of the 2014 schedule in the near future. Our contact information is below.

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Did You Know???

Did you know that oil and gas regulations were originally implemented in oil and gas producing states across the US to allow for fair and equitable extraction of these resources? Do an internet search with the keywords “Spindletop, Texas” to get an idea of what conditions were like prior to those regulations.

Did you know that COGCC has been in existence since 1951? And that the website now includes historical well files, hearing dockets, rules and orders, some going back as far as 1951?

Did you know that the entire COGCC Rule Series (100-1200) is available as a searchable pdf file online at COGCC.state.co.us? Phrases and single words can be easily searched. For example: open the *Complete Rules* and search for “local government,” “local governmental designee” or LGD. You may be surprised how often these terms show up in our rules!

Did you know that COGCC Maps contains over 160 individual map layers, but that due to the amount of data available, the number of layers change with the scale of the map? For example, red dots indicating well location are visible at all scales. The “Well Status” layer becomes visible at an intermediate scale. “Well Name” and “API #” layers are visible only when you zoom in to a detailed level.

Did you know that COGCC uses the Form 29 to register LGDs, and to record all changes in contact information for LGDs and the local government emergency contact? LGDs are responsible for keeping LGD information current, as this will maximize LGD program tools and benefits. Don’t forget to keep us in the loop, and update LGD and Emergency Contact (EC) information if there is a staff (LGD or EC) change, or a new phone number, or e-mail address!

