



LGD Newsletter Winter 2015

Message from the COGCC Local Government Liaisons (LGLs)

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 gov-

Welcome to the Winter 2015 Colorado Oil and Gas Conservation Commission (COGCC) Local Government Designee (LGD) Newsletter. Prior issues are available on our [website](#) at COGCC.state.co.us, under the “[Local Gov](#)” tab. We welcome your feedback and suggestions for future issues.

The Task Force regarding State and Local Regulation of Oil and Gas Operations appointed by Governor Hickenlooper (see [Fall 2014 LGD Newsletter](#)) completed their assigned task. Nine recommendations were approved on February 24, some of which will require legislative action and changes to the COGCC rules to accomplish. A final report containing recommendations for balancing land use issues in a way that minimizes conflicts while protecting communities and allowing reasonable access to private mineral rights will be issued soon.

2015 promises to be a very busy year for rulemaking and policy initiatives at COGCC. Local governments have the opportunity to become active participants in any rulemaking efforts at the COGCC. LGDs are encouraged to regularly visit the COGCC [website](#) for current and up to date information on upcoming rulemaking and stakeholder opportunities.

The up to date list of LGDs is available on our [website](#) via the “[Local Gov](#)” tab, [Listing of Participating LGDs](#) link. Please verify that we have current e-mail addresses. Also, it is important that information from COGCC be shared with the appropriate staff or elected officials in each jurisdiction. We appreciate your assistance in valuable communication effort.

We are always available to answer questions about the LGD program. We look forward to talking to current participants and to those cities, towns, counties and special districts contemplating joining the program.

Thank you!

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Annexations Happen...

Any time an annexation or other boundary change is completed in your municipality, be sure to review the COGCC GIS map layer, found by clicking [MAPS](#) on the COGCC [website](#) at <http://cogcc.state.co.us/>

These data are used to generate automatic notifications so it is critical that you contact Dennis Ahlstrand, GIS Analyst with the updates:

dennis.ahlstrand@state.co.us



Plugging and Reclaiming Abandoned Wells (PRAW) Program

Since the inception of the COGCC in the early 1950s, oil and gas operators have been required to provide financial surety (bond or other mechanism) for eventual plugging of a well.

In 1990 the Colorado legislature began to set aside part of the oil and gas conservation levy to fund the plugging and reclamation of wells for which no operator can be found, or to supplement the available bond. Wells for which an owner can not be located are referred to as “orphan” wells.

These wells pose potential risks to groundwater, surface water and air quality. Other concerns are physical hazards associated with open holes or abandoned equipment, and the presence of potentially explosive vapors.

COGCC conducts an initial investigation when an orphan well is identified. Investigations focus on identifying nearby populations and receptors, and evaluating whether any on-going or historic release from the well has occurred. In addition, funding must be secured through the Plugging and Reclaiming Abandoned Wells (PRAW) program.

The PRAW program is managed by Mark Weems, Regional Engineer-SW Colorado. Staff resources required vary by well and often include input from engineering, environmental, field inspection and reclamation groups. Work is completed by contractors under the direction of COGCC and according to COGCC rules.

The status of present and future PRAW projects can be obtained on COGCC website in [Staff Reports](#) and on the [Library](#) page.

If you learn of a potential orphan well, please contact COGCC by completing a [Complaint Form](#) or contact the COGCC at (303) 894-2100 and ask for a representative in the Engineering Unit.

We Would Like Your Input

COGCC and Department of Natural Resources Executive Directors Office have teamed up with a student from the Local Government program in the School of Public Affairs at the University of Colorado Denver.



Jose Loera approached us with the idea of a Capstone project to evaluate the effectiveness and impact of the LGD program.

You will be receiving a survey request soon. The answers will be confidential, but the results will be used by Mr. Loera in this evaluation.

As always, if there is anything you think we should know about how the LGD or LGL program is working, or ideas for improvement, feel free to contact us directly in addition to supporting this great project.

Local Websites

Many jurisdictions have established Oil and Gas pages on the local website as a tool for sharing information about local regulations and permitting. Some also include additional information and links. Here are a few ideas if you are thinking about what to include in your page:

- The status of COGCC permitting activity
- Links to COGCC website/maps
- Information on providing comments and links to COGCC Permit page
- Invitations to public hearings, open informational sessions etc.
- LGD and LGL contact information
- FAQ pages about oil and gas



Rule and Policy Update, Special Reports

[Front Range Flood Lessons Learned Rulemaking](#) Stakeholder meetings began on January 20, 2015 to discuss potential rule changes recommended in the “Front Range Flood Lessons Learned” report published in March, 2014. Check the link above for information presented during stakeholder meetings. This rulemaking is scheduled for COGCC Hearing on Monday, March 2. Comments can be sent to DNR_COGCC.Rulemaking@state.co.us prior to close of business Friday February 27.

[Enforcement and Penalty Rulemaking](#) to amend Commission Rules of Practice and Procedure per Executive Order D2013-004, and HB 14-1356 was completed by the Commission on January 5, 2015. These rules will be effective on March 2, 2015. Click [1412-RM-02 Enforcement and Penalty Rulemaking](#) link for documents. The final rule will be published on the effective date, as will updates to the Index and Table of Contents.

The [Public Complaint Process](#) was recently revised by COGCC to simplify filing a complaint, to increase transparency, and to improve the internal COGCC process. An on-line tool is available on the [Complaints](#) page of the COGCC website. This tool is accessible by any device connected to the internet (smart phone, tablet etc). COGCC Complaint Form 18 is automatically populated from that input.

The complainant is prompted to provide the information necessary to allow COGCC staff to take action: [What](#) is happening, [Where](#) is the problem, [When](#) did it start etc. Use of this [form](#) also gives the complainant the opportunity to participate in any enforcement action that might follow the complaint.

The [Complaints](#) page also has links to helpful documents about the form and the process.

The first month of using the new process and tool has been successful, but please share any comments, questions or concerns with us.

COGCC APD and OGLA Comment Period Extension Requests

Rule 305.d specifies that COGCC will accept public comments to any Form 2 (Application for Permit to Drill—APD) or Form 2A (Oil and Gas Location Assessment— OGLA) provided comments are submitted within 20 days after a permit application is made available for public review, or what we refer to as the “posting” of the permit application to our website. The takeaway is public and LGD comment periods are finite, and not limitless.

The public comment period can be extended at any time during the initial 20-day comment period at the written request of the LGD. For an *Exception Zone Location* or a location within an *Urban Mitigation Area*, the extension is an additional 20 days (40 day total comment period). For all other locations, the extension is an additional 10 days (30 day total comment period). A Public Announcement will be posted on the [website](#) identifying the applications and revised comment due date.

To submit a Form 2 or Form 2A comment period extension request:

- Submit in writing (email is acceptable) prior to the end of the initial comment period.
- The email should go to the Permit Supervisor and the OGLA Supervisor, with a cc to the area LGL. Telephone requests (for comment period extension) must be followed up in writing.
- List document numbers for all appropriate applications.

2015 LGD Training Schedule PROPOSED—Details to follow by email.

The following are proposed LGD training dates. Each session is planned for 9 AM to 3 PM.

Tuesday, March 31 (Denver—COGCC)

Tuesday April 7 (Weld County)

Tuesday, May 5 (Garfield County)

Tuesday, June 9 (SE Colorado)

Tuesday, August 11 (SW Colorado)

Tuesday, September 22 (NE Colorado)

Tuesday, November 3 (Weld County)

Tuesday, December 1 (Denver—COGCC)

To pre-register for training, please send an email to dnr_cogcc.hearings_mgr@state.co.us. Be sure to include “LGD Pre-Registration Request” in the subject line, and names, affiliation, email addresses and phone contact information for all participants. An e-mail confirming registration will be sent in response, followed later by additional details.

Who should take the training? LGD training is recommended every two years for LGDs, associated staff, and all others interested in the regulation of oil and gas in Colorado. If you are an LGD and have not yet attended a session, we recommend you pre-register to reserve your space. If you aren't able to make one of these scheduled dates, please call us to find out about specialized training for your group.

What will be covered? COGCC overview and update on rules and policies; life cycle of a well; well and location permitting; LGD rights, powers, and responsibilities; and website navigation, and how MOUs and other local concerns are evaluated and addressed in the COGCC permitting process.

Training on request may be arranged for groups of 5 or more. Contact one of us to schedule a time.

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Did you know that the COGCC website re-design is underway? A new tab format will make it easier to find familiar features such as the map and database. Expect a roll-out announcement in March 2015. The new format should not impact any links established on local websites, but please let us know as soon as possible if problems occur.

Did you know that there are multiple opportunities for folks to submit comments to COGCC to get their voices heard? These include commenting on pending APDs and OGLA permit applications (must be done within finite comment period) and at any Commission Hearing.

Did you know that regularly scheduled local oil and gas forums are held across the state also allow for public comment? These include Garfield County Energy Advisory Board, Gas and Oil Regulatory Team in La Plata County, the Northwest Forum in Rifle and the Aurora Oil and Gas Committee. Other front range programs are in the planning stages. Contact us for details!!!!



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