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April 29, 2019

Jeff Robbins, Director  
Colorado Oil and Gas Conservation Commission  
1120 Lincoln, Suite 801  
Denver, CO 80203

Via Email to: [jeff.robbins@state.co.us](mailto:jeff.robbins@state.co.us)

Re: S.B. 19-181 Draft Required Director Objective Criteria

Dear Mr. Robbins:

The Board of County Commissioners of Weld County thanks you for attending the Weld County Oil and Gas Working Group meeting on Wednesday, April 24<sup>th</sup>. Your introduction, general comments and answers to questions were greatly appreciated. We look forward to working with you and your staff on implementing the new state/local government regulatory framework detailed in S.B. 19-181.

Regarding the S.B. 19-181 Draft Required Director Objective Criteria ("the Draft") dated April 19, 2019, we believe items 1 to 15 are not "criteria." Instead, they represent a list of permit applications which will be "red-flagged" by the Colorado Oil and Gas Conservation Commission ("COGCC") for further scrutiny. The Draft provides no indication of the scope of such further scrutiny. What criteria will you and your staff use to determine if the red-flagged permit applications may be approved? We respectfully assume you intend to provide such criteria in the future and we look forward to commenting on them once they are noticed to the public.

On June 10, 2019, the Board will consider designating the unincorporated area of Weld County as a mineral (oil and gas) resource area of state interest, pursuant to C.R.S. § 24-65.1-202. After designation, the Board will consider enacting regulations to permit the exploration and extraction of oil and gas in a manner which protects the environment and the health, safety and welfare of Weld County citizens ("1041 Regulations"). Such 1041 Regulations would address traditional land use issues associated with oil and gas development. We believe S.B. 19-181 has clarified these are issues within the legal jurisdiction and authority of local governments. Additionally, the powers granted local governments in C.R.S. Title 24, Article 65.1, enhance local control of land use matters. The Board may take advantage of this enhanced local control beginning with its 1041 designation on June 10<sup>th</sup>.

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Regardless of the outcome of the 1041 designation hearing on June 10<sup>th</sup>, clearly Weld County and the COGCC will need to coordinate their respective regulatory areas going forward. You mentioned on April 24<sup>th</sup> that such coordination will be necessary to fully implement S.B. 19-181. We agree and look forward to discussions in this regard.

If you have any questions, please do not hesitate to contact me at (970) 400-4200.

Sincerely,

BOARD OF COUNTY COMMISSIONERS OF WELD COUNTY



Mike Freeman, Chair Pro-Tem

pc: Tom Parko, Director, Weld County Department of Planning Services  
Jason Maxey, Oil & Gas Specialist and Weld LGD  
Bruce T. Barker, Weld County Attorney