

# *COGCC SB 19-181 Update*

Parks and Wildlife Commission Meeting  
July 16-17, 2020

July 17, 2020



**COLORADO**  
Oil & Gas Conservation  
Commission

Department of Natural Resources

**Julie Murphy**  
**Greg Deranleau**

# *Who are we and what do we do?*

- Commission:

- 5 full-time Commissioners that bring their specific expertise to bear on COGCC decisions:
  - ◆ Priya Nanjappa - Environment/wildlife
  - ◆ John Messner - Local Government
  - ◆ Karin McGowan - Public Health
  - ◆ Bill Gonzales - Oil & Gas
  - ◆ Jeff Robbins, Chair - Good Decision Maker
- 2 ex officio, non-voting members:
  - ◆ Dan Gibbs, DNR
  - ◆ John Putnam, CDPHE



# Who are we and what do we do?

- Organization:
  - 140 Staff Members
  - Leadership Team organized by discipline:
    - ♦ Deputy: Scott Cuthbertson
    - ♦ Environmental: Greg Deranleau
    - ♦ Permitting: Jane Stanczyk
    - ♦ Engineering: Dave Andrews
    - ♦ Field: Mike Leonard
    - ♦ Regulatory: Mimi Larsen
    - ♦ Communications: Megan Castle
    - ♦ Budget: Hiring underway
- Directive: to regulate oil and gas development “in a reasonable manner to protect and minimize adverse impacts to public health, safety, and welfare, the environment, and wildlife resources and shall protect against adverse environmental impacts on any air, water soil, or biological resource resulting from oil and gas operations.”



# Overview of SB 19-181

- Governor Polis signed SB 19-181 on April 16, 2019
  - Reconstituted the Commissioners (twice)
  - Set a new mission for the COGCC
    - ♦ From foster oil and gas development
    - ♦ To regulate in a manner to protect public health, safety, welfare, the environment, and wildlife resources
    - ♦ Referred to as “mission change”
  - Created new local government authority over surface impacts and siting
  - Clarified compensatory mitigation requirements
  - Directed COGCC to undertake numerous rulemakings



# *Required Rulemakings: COMPLETED*

- 500 Series (COGCC hearing process)
  - *Adopted July 2019*
- Flowlines\* (pipelines that COGCC regulates)
  - *Adopted November 2019*
- Wellbore Integrity (groundwater protection)
  - *Adopted June 2020*



# *Required Rulemakings: IN PROCESS*

- Mission Change\*
- Alternative Location Analysis\*
- Cumulative Impacts\*
- Local Government Provisions
- Wildlife
  - Hearings scheduled August, September, October 2020 for December 1, 2020 effective date



# *Required Rulemakings: TBD*

- Financial Assurance - *Next*
  - Application Fees - *Spring 2020*
  - Worker Certifications - *Spring 2020*
- *If needed: technical clean up and incorporating CDPHE rules*



# *What are the asterisked rulemakings?*

- SB 19-181 directs COGCC to use objective criteria to review permits until four rulemakings are completed
  - Flowlines\*
  - Mission Change\*
  - Alternative Location Analysis\*
  - Cumulative Impacts\*
- Connects SB 19-181 to COGCC's day-to-day operations





# *Day-to-Day Operations*

- SB 19-181 applies to “all conduct” pending before the COGCC as of April 16, 2020 ... how do we do it until new rules implemented?
- Form 2s and 2As
  - Objective Criteria
  - Local government “disposition”
- Drilling and Spacing Units
- Inspections, enforcement, clean-up, reclamation



# *Staff's Proposed Wildlife Rules*

THANK YOU to your staff -

Incredible amount of collaboration between COGCC and CPW to develop, revise, and refine rules and review initial stakeholder input.

... more to come ...



# *Staff's Proposed Wildlife Rules*

- Key Concepts
  - Mitigation Hierarchy: avoid, minimize, mitigate
    - ◆ Landscape level planning - planning tools include wildlife protection plans or wildlife mitigation plans
    - ◆ Early consultation with CPW encouraged



# *Staff's Proposed Wildlife Rules*

- Key Concepts
  - Wildlife Resources Review: High Priority Habitat
    - ◆ Substitution for Restricted Surface Occupancy and Sensitive Wildlife Habitat
    - ◆ Reflects species for which there is sufficient geographical information and available and appropriate best management practices



# *Staff's Proposed Wildlife Rules*

- Key Concepts
  - Compensatory mitigation requirements that provide flexibility for an operator to implement a mitigation plan or pay a fee when direct or indirect impacts are unavoidable



# *Questions?*



**COLORADO**  
**Oil & Gas Conservation  
Commission**

Department of Natural Resources