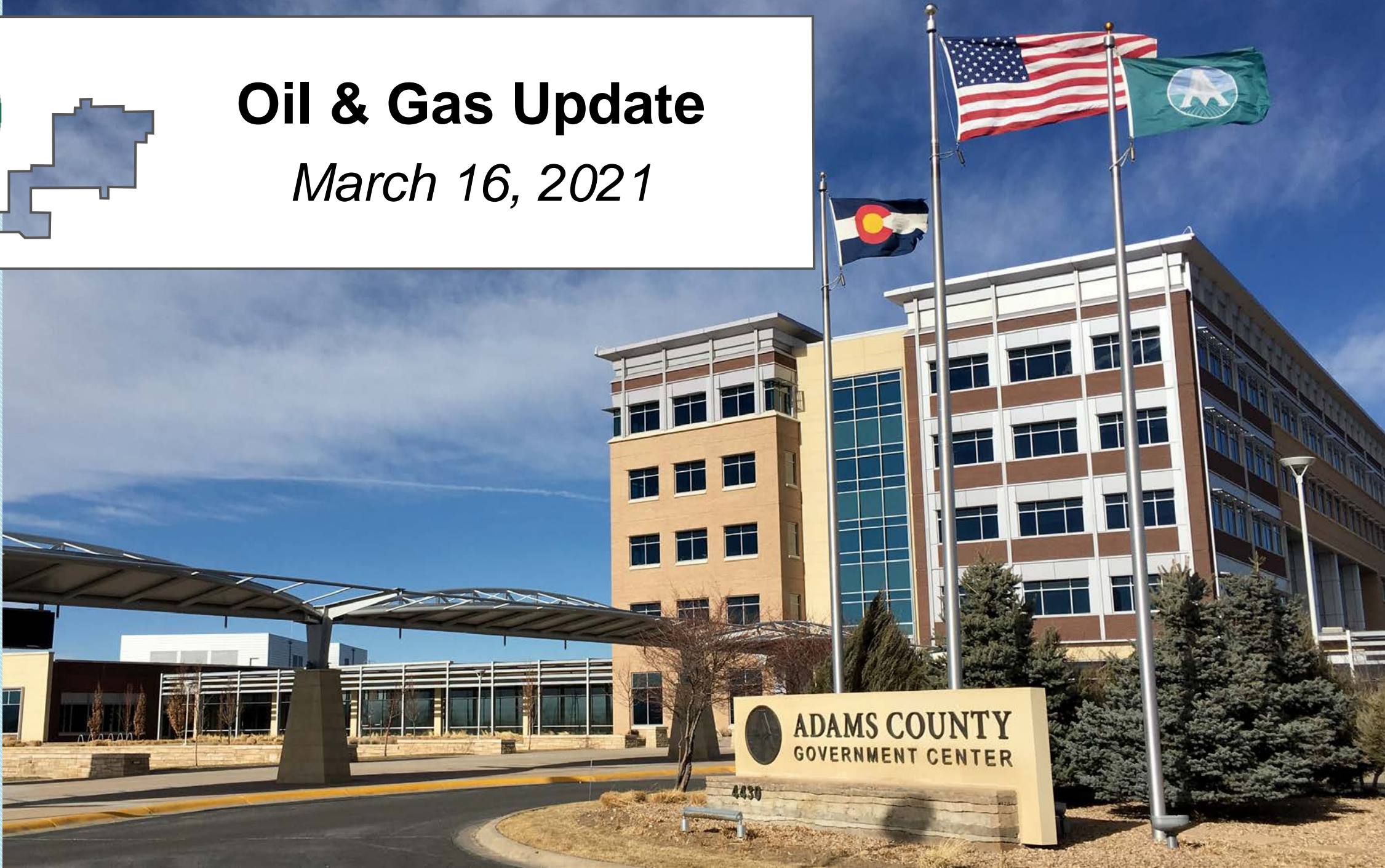




Oil & Gas Update

March 16, 2021





Oil & Gas Update

Regulation Amendments

Agenda



Text amendment process and timeline



OGF permitting decisions



Staff's proposed focus areas

- **Phases of County regulation amendments**
- **Summary of proposed focus areas**
- **Permitting process and conforming performance standard changes**
- **Setbacks**



BoCC direction

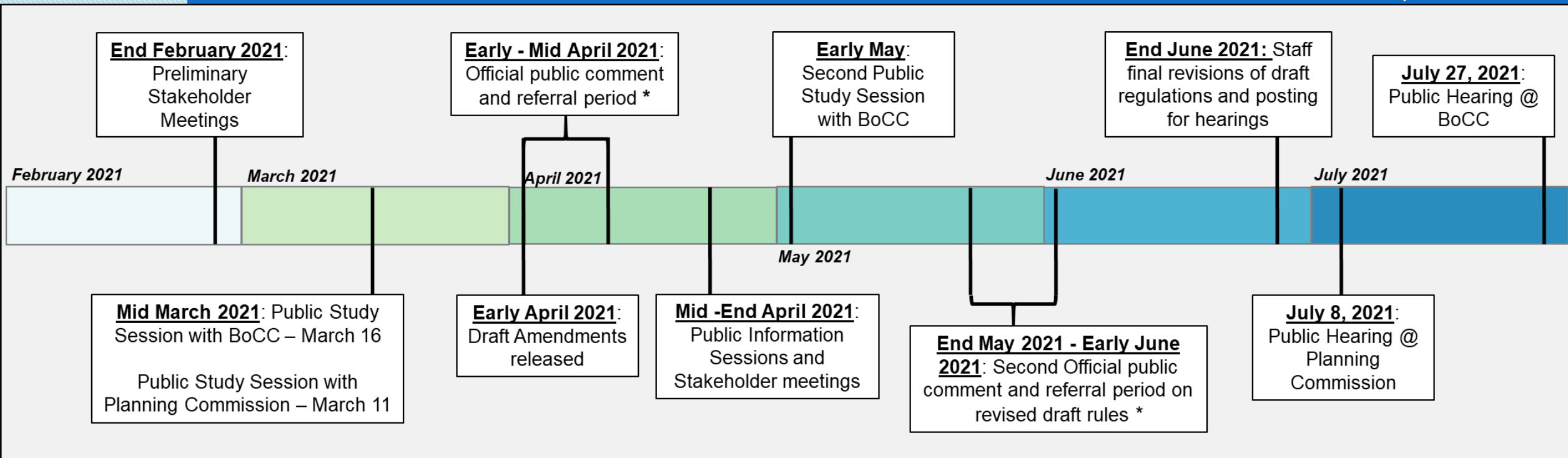


Oil & Gas Update

Regulation Amendments

Process and Proposed Timeline

AdCo Staff's Initial Proposed Timeline



** The County will accept all public comments until the final hearing deadlines*



2021 Oil & Gas Regulation Amendments Stakeholder Meeting

OGF Permitting Decisions

Administrative or BoCC Determination

- ACDS&R maintains the ability for:
 - The Director of CEDD to approve an OGF Permit administratively that meets all ACDS&R
 - The Director of CEDD to send any OGF Permit to public hearing for BoCC decision, regardless if it meets all ACDS&R
 - The Director of CEDD to attach any conditions of approval necessary to implement the AdCo Comprehensive Plan, ensure compatibility with adjacent uses, or that are protective of public health, safety, welfare, the environment, or wildlife resources
 - OGF Permits to be heard at a public hearing in front of the BoCC that requires any non-administrative waivers from any approval criteria or performance standards. The BoCC also maintains the authority to attach any conditions of approval necessary to implement the AdCo Comp Plan, ensure compatibility with adjacent uses, or that are protective of public health, safety, welfare, the environment, or wildlife resources.



Oil & Gas Update

Regulation Amendments

Staff's Proposed Focus Areas

Phase I – February – July 2021

- **Application Submittals**
 - Impact Plans
 - Odor, Dust, and Light Mitigation Plans
 - Water and Wildlife Protection Plan
 - Community Outreach Plan
 - Traffic and Transportation Plan
 - Noise Mitigation Plan
 - Cumulative Impacts Plan
- **Performance Standards**
 - Noise
 - Traffic Impact Studies
 - Other conforming changes
- **Setbacks**
 - Residential Buildings, School Facilities, Parks/Open Spaces, Surface Water, water wells
 - Evaluate current setback distances

Phase II – End 2021 - 2022

- **Air Quality Monitoring regulation revisions**
 - Monitoring Plan specifics and duration
 - Data and report sharing
- **Other topics not covered in Phase I**
 - County permit expirations
 - Non-emergency notices
 - Financial assurances
- **Reciprocal Setbacks (setbacks from new development to existing or permitted oil and gas facilities)**
 - Reciprocal setback distance by well status
 - Measurement of reciprocal setbacks



Oil & Gas Update

Regulation Amendments

Staff's Proposed Focus Areas

★ Staff's proposed focus areas for Phase I of text amendments

Regulation / Topic Area	Current AdCo Regulations vs. new state standards
Pre-Application Process – agency coordination	Not directly regulated by COGCC
Alternative Site Analysis	ACDS&R already exceed new state standards
Emergency Preparedness and Response Plan	ACDS&R already exceed new state standards
Landscaping / Visual Impacts Mitigation	ACDS&R already exceed new state standards
Engineering Plans / Documents	ACDS&R already meet/exceed new state standards
★ Environmental Resources & Water Quality	ACDS&R already meet new state standards
★ Traffic & Transportation	Not directly regulated by COGCC
★ Setbacks	ACDS&R do not meet new state standards
★ Cumulative Impacts	ACDS&R do not meet new state standards
★ Community Outreach	ACDS&R do not meet new state standards
★ Noise Mitigation	ACDS&R incorporates COGCC noise standards, already exceeds many new state standards
★ Dust, Odor, and Lighting Impacts	ACDS&R partially meet/exceed new state standards for Dust ACDS&R already meet new state standards for Odor ACDS&R partially meet/exceed new state standards for Lighting
Air Emissions / Air Quality Monitoring	ACDS&R already meet new state emissions standards ACDS&R can require air quality monitoring for any application, AQCC now regulates air monitoring



2021 Oil & Gas Regulation Amendments Stakeholder Meeting

Staff's Proposed Focus Areas

Permitting Process & Conforming Performance Standard Changes

Impact Plans:

- Require an applicant to submit individual impacts plans that demonstrate compliance with all ACDS&R and/or COGCC rules. Staff's proposal for new or modified plans and conforming performance standard changes are:
 - **Dust Mitigation Plan**; **Odor Mitigation Plan**; and **Lighting Mitigation Plan**: These plans will require Operators do demonstrate compliance with applicable ACDS&R, COGCC, CDPHE, and AQCC rules.

Proposed Performance Standards Changes:

- **Dust**: AdCo can require any BMPs necessary and reasonable to reduce dust including: use of vehicle speed restrictions, regular road maintenance, and restricting construction on high wind days
- **Odor**: AdCo can require all necessary and reasonable actions to reduce odor and require Operator to conduct additional air sampling in response to an odor complaint
- **Light**: AdCo can require BMPs to reduce light including: use of motion activated/timer lighting, no or low-glare lighting, and mounting height and positioning of lighting



2021 Oil & Gas Regulation Amendments Stakeholder Meeting

Staff's Proposed Focus Areas

Permitting Process & Conforming Performance Standard Changes

Impact Plans:

- **Water and Wildlife Protection Plan**: This plan will require Operators do demonstrate compliance with applicable ACDS&R, COGCC, and CPW rules for wetlands, environmentally sensitive areas, water supply and source, water quality protection, water sampling, and habitat avoidance and protection.
- **Community Outreach Plan**: This entirely new submission will require Operators discuss their plans for regular updates to communities, AdCo, and other stakeholders, to identify any Disproportionately Impacted Communities within ½ mile and measures taken to mitigate those impacts, and a plan for how information will be shared with the public and in which language(s).

Proposed Performance Standards Changes:

- AdCo will require a Natural Resources Evaluation for all applications
- AdCo will require quarterly neighborhood meetings from permit approval through the completion of the first wellbore at the facility. AdCo can require additional neighborhood meetings as necessary to address resident questions and concerns
- AdCo can require an Operator provide multi-lingual correspondence and/or representatives for all notices or neighborhood meetings



2021 Oil & Gas Regulation Amendments Stakeholder Meeting

Staff's Proposed Focus Areas

Permitting Process & Conforming Performance Standard Changes

Impact Plans:

- **Traffic and Transportation Plan**: This plan will require an Operator to demonstrate compliance with ACDS&R to ensure public safety and maintain quality of life for all users of County transportation systems, adjacent residents, and affected property owners.

Proposed Performance Standards Changes:

- Conforming changes to Traffic Impact Study requirements in ACDS&R to require such studies:
 - Include project lifetime traffic estimates during each phase of operations
 - Include project lifetime traffic estimates cumulatively and along each proposed route
 - Require a discussion of road width, weight allowance, local government jurisdiction, access on and off location, turning radii, and staging/waiting plans during operations



2021 Oil & Gas Regulation Amendments Stakeholder Meeting

Staff's Proposed Focus Areas

Permitting Process & Conforming Performance Standard Changes

Impact Plans:

- **Noise Mitigation Plan:** This plan will require an Operator to demonstrate compliance with ACDS&R and COGCC Rule 423 for noise

Proposed Performance Standards Changes:

- AdCo will require noise modeling (in addition to an ambient baseline noise study) for all applications. Required noise modeling will demonstrate compliance with all noise standards for each phase of operation, and any required mitigation necessary
- AdCo will require continual noise monitoring at all OGFs located within ½ mile of any residential building unit, school facility, or residentially zoned parcels
- AdCo will require an Operator to comply with the lowest maximum permissible noise levels in COGCC R.423 for an OGF located within 2,000-feet of a land-use designation boundary



2021 Oil & Gas Regulation Amendments Stakeholder Meeting

Staff's Proposed Focus Areas

Permitting Process & Conforming Performance Standard Changes

Impact Plans:

- **Cumulative Impacts Plan**: This entirely new plan will require Operators to submit a qualitative and quantitative (where necessary) evaluation and discussion of proposed OGF's impacts on air, public health and welfare, water, wildlife and ecosystems, soil, traffic, light, noise, dust, and odor.
 - ✓ Cumulative adverse impacts expected and any planned increases in those impacts from all oil and gas and heavy industrial operations occurring within one (1) mile of the proposed site and specific measures proposed to avoid or minimize such.
 - ✓ Demonstrate compliance with COGCC Rule 303.a.5 and Rule 304.c.19.



2021 Oil & Gas Regulation Amendments Stakeholder Meeting

Staff's Proposed Focus Areas

Setbacks

- Proposed OGF must be 2,000-feet or more from any one (1) existing residential building unit, platted residential lots, school facilities, high occupancy building units, environmentally sensitive area, or designated parks or open spaces.
- Proposed OGF must be 1,000-feet or more from surface water bodies and certain water wells
- Setbacks will be measured from the edge of disturbance of the pad to the property line
- Waivers from Setback Requirements:
 - Administrative Waiver: may be obtained if an Operator receives a written waiver from each primary resident and property owner located within the setback. **Administrative waivers cannot be granted for setbacks from school facilities, environmentally sensitive areas, surface water, or water wells.**
 - Other Waivers: may be granted after a public hearing before the Board of County Commissioners only after the Operator has demonstrated the request can meet the criteria for approval or provide **substantially equivalent** protections for public health, safety, welfare, the environment, and wildlife resources.

- Summary of initial stakeholder meetings



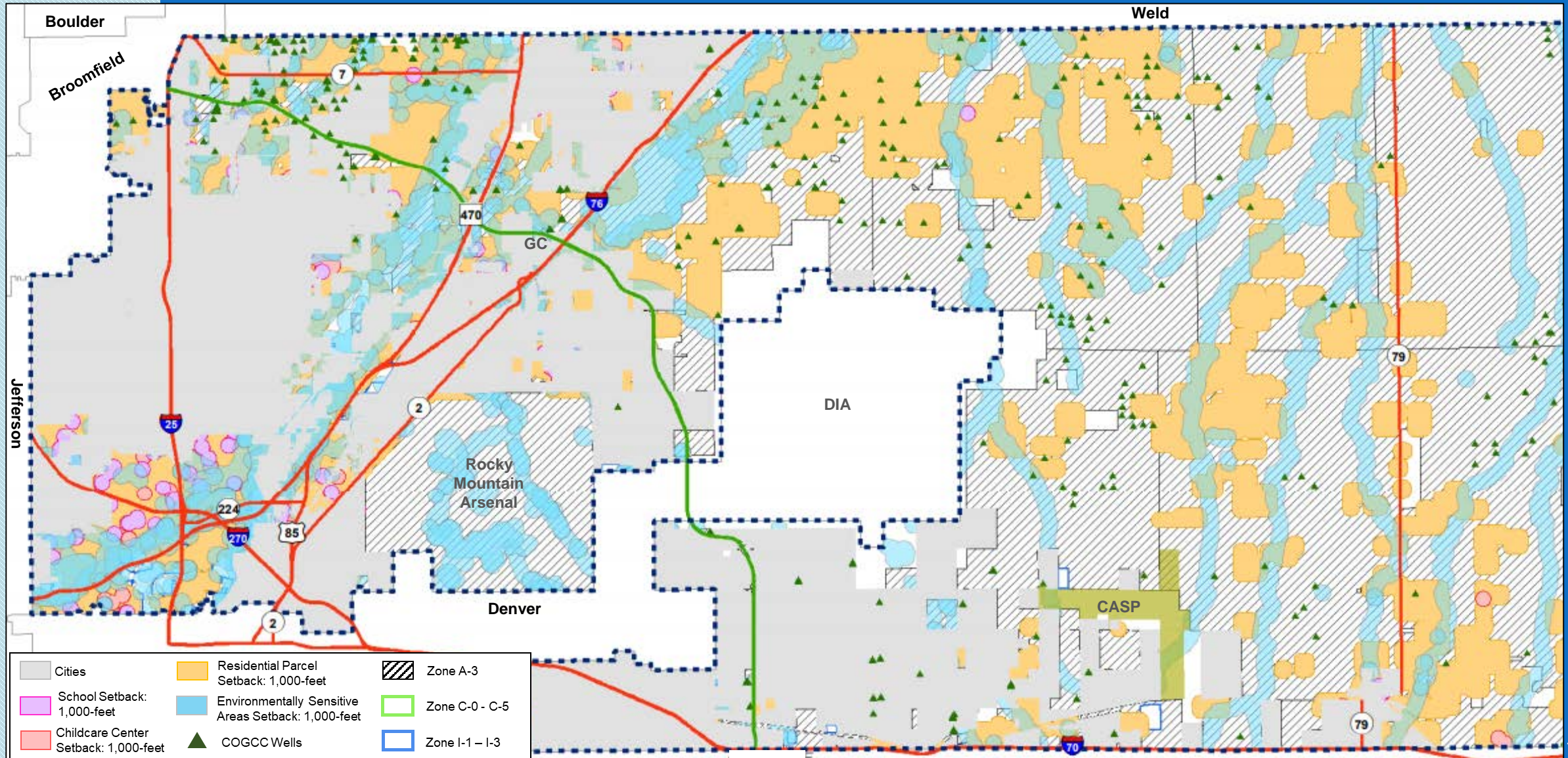
Oil & Gas Update

Regulation Amendments

Setback Maps

Current Adams County Setbacks:

- Residential Buildings and Schools: 1,000-feet
- Environmentally Sensitive Areas: 1,000-feet





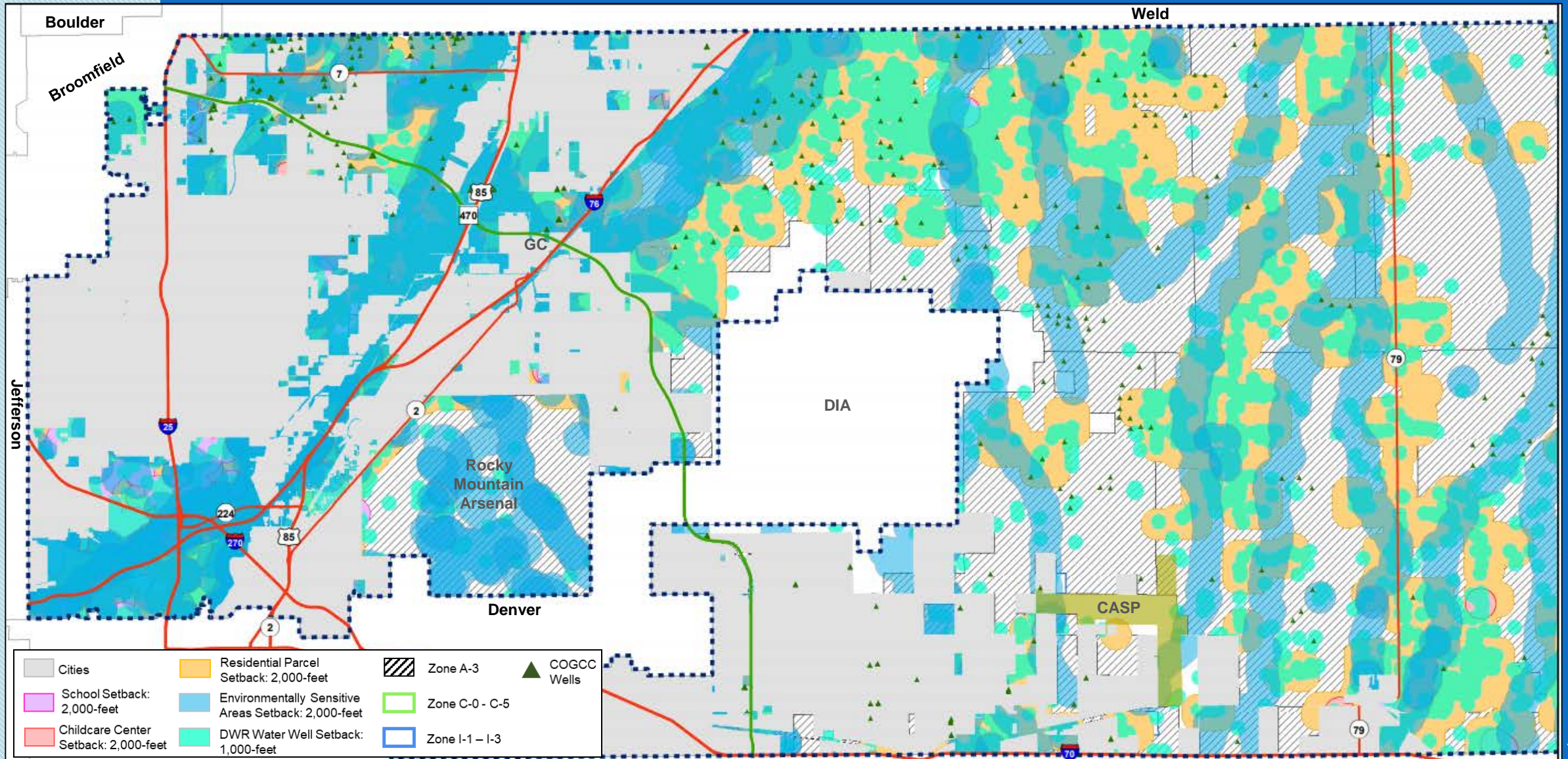
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Regulation Amendments

Setback Maps

Proposed Setbacks:

- Residential Buildings and Schools: 2,000-foot
- Environmentally Sensitive Areas: 2,000-foot
- DWR Water Wells: 1,000-foot



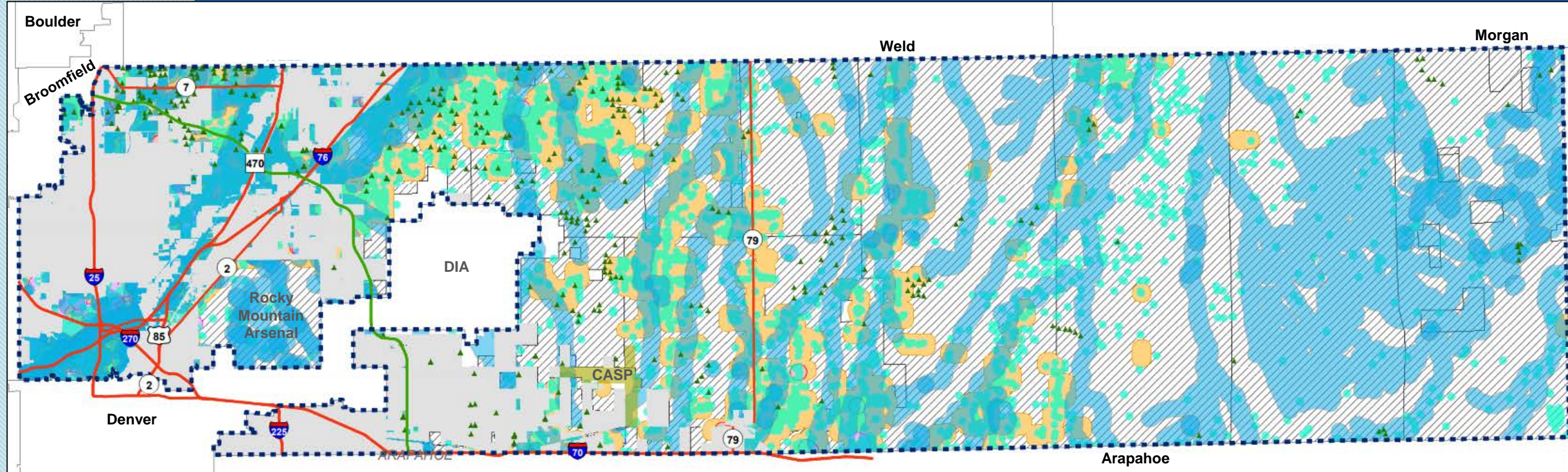
Cities	Residential Parcel Setback: 2,000-foot	Zone A-3	COGCC Wells
School Setback: 2,000-foot	Environmentally Sensitive Areas Setback: 2,000-foot	Zone C-0 - C-5	
Childcare Center Setback: 2,000-foot	DWR Water Well Setback: 1,000-foot	Zone I-1 - I-3	



Oil & Gas Update

Regulation Amendments

Setback Maps



Cities	Residential Parcel Setback: 2,000-feet	Zone A-3	COGCC Wells
School Setback: 2,000-feet	Environmentally Sensitive Areas Setback: 2,000-feet	Zone C-0 - C-5	
Childcare Center Setback: 2,000-feet	DWR Water Well Setback: 1,000-feet	Zone I-1 - I-3	

Proposed Setbacks:

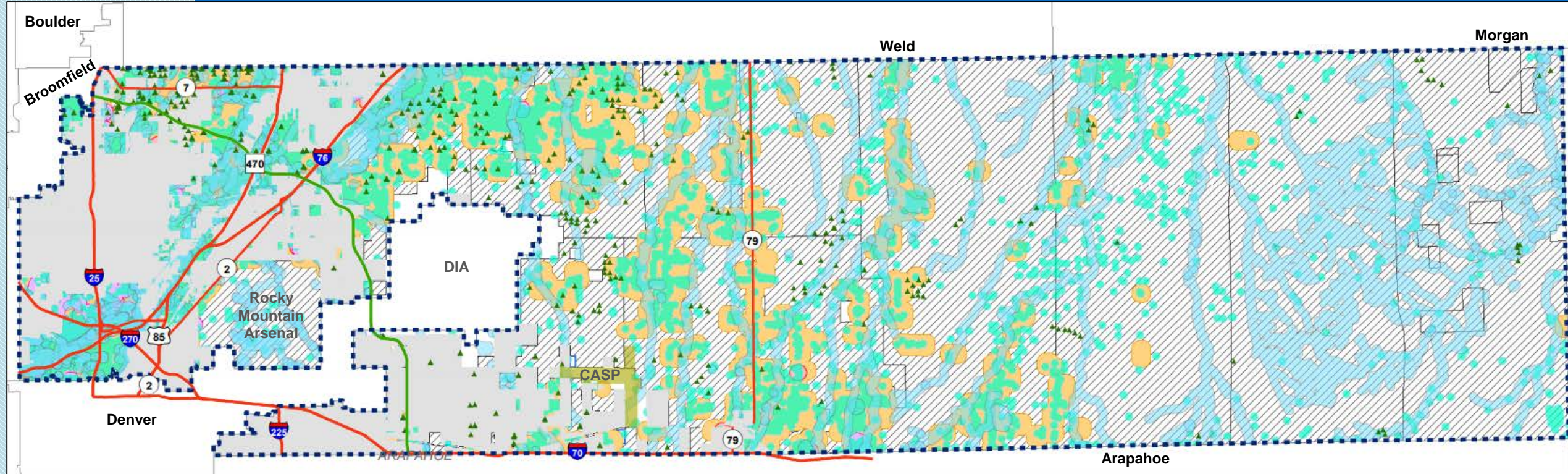
- Residential Buildings and Schools: 2,000-feet
- Environmentally Sensitive Areas: 2,000-feet
- DWR Water Wells: 1,000-feet



Oil & Gas Update

Regulation Amendments

Setback Maps



Cities	Residential Parcel Setback: 2,000-feet	Zone A-3	COGCC Wells
School Setback: 2,000-feet	Environmentally Sensitive Areas Setback: 2,000-feet	Zone C-0 - C-5	
Childcare Center Setback: 2,000-feet	DWR Water Well Setback: 1,000-feet	Zone I-1 - I-3	

Alternative Proposed Setbacks:

- Residential Buildings and Schools: 2,000-feet
- Environmentally Sensitive Areas: 1,000-feet
- DWR Water Wells: 1,000-feet



Oil & Gas Update

Regulation Amendments

BoCC Direction



Requested Direction from the Board

- Staff is requesting direction on the proposed focus areas for amendments to County oil and gas regulations prior to the release of the official draft rule text for initial public and referral agency comment.