Action Alert

[SB 12-088](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/C160705F4540CC6D87257981007F1954?Open&file=088_01.pdf)  is scheduled to come before the Colorado Senate Local Government Committee“upon adjournment” (9:30Am - 11:00AM)on Thursday, February 16. The bill, co-sponsored by Douglas County Senator Ted Harvey (R-Douglas County), would block attempts by counties or municipalities to impose regulations on oil and gas development, exclusively reserving same to the state.

Attorney Matt Sura explains some of the ramifications of the bill as it affects Douglas and other counties and local governments.

*Local governments currently have some ability to regulate oil and gas development within their territory, just as they have the right to regulate every other business. This bill would make oil and gas the exception – removing all local regulation of an industrial development that can be placed in the middle of a residential area.*

*Although COGCC has a comprehensive and responsible set of regulations in place, there are gaps in those regulations that fail to address the impact of drilling in or near suburban residential areas like those that make up much of Douglas County*. *The Colorado Oil and Gas Conservation Commission (COGCC), for example, allows oil and gas drilling within 150 feet from a home – without the homeowner’s permission. Following the lead of counties like La Plata and Adams County, Douglas County has proposed local regulations that would prohibit a well from being drilled any closer than 450 feet from a home. If this bill passes, Douglas County will not be able to enforce this reasonable requirement to protect public health and safety.*

*County regulations will also allow local hearings on any proposed oil and gas development. Local hearings give concerned citizens the opportunity to be heard on an issue that will affect their home and community. If the bill passes, your only chance to affect where and how the oil and gas development takes place would be by submitting a comment on the COGCC website. The COGCC does* ***not*** *allow the public to request hearings on well permits.*

***If*** [***SB 12-088***](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/C160705F4540CC6D87257981007F1954?Open&file=088_01.pdf) ***passes, the state would have a one-size-fits-all regulatory scheme that would not take any account of the differences in the local area or the needs of the local people. Douglas County’s current attempt to create reasonable regulations to protect public health, safety, and our environment will be stopped.***

Senator Harvey’s email address is [Ted.Harvey.senate@state.co.us](mailto:Ted.Harvey.senate@state.co.us); his direct number at the capitol is 303-866-4881. Retired lobbyist Jo Evans, a resident of NE Douglas County offers this advice: “Calling … the capitol will usually get an aide or an answering machine. Just leave a message.” Regardless of how your call is answered, “just be succinct, courteous, and firm.”

If you wish to contact members of the Local Government Committee, here are their email addresses:

Joyce Foster (D, Chair) [joyce.foster.senate@state.co.us](mailto:joyce.foster.senate@state.co.us) ; Jeanne Nicholson (D, Vice-Chair) [jeanne.nicholson.senate@state.co.us](mailto:jeanne.nicholson.senate@state.co.us) ; Irene Aguilar (D) [irene.aguilar.senate@state.co.us](mailto:irene.aguilar.senate@state.co.us) ; Tim Neville (R) [tim.neville.senate@state.co.us](mailto:tim.neville.senate@state.co.us) ; Ellen Roberts (R) [ellen.roberts.senate@state.co.us](mailto:ellen.roberts.senate@state.co.us)

If you are concerned about the impact of drilling in and near residential areas, about how far from residential structures well sites can be built, and about the use of potable water for fracking horizontal wells, L.A.N.D. suggests that you let your concerns be known.

**Please – act now.**