



The Elbert County Oil and Gas Interest Group (ECOGIG) Page

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Hi All:

The long journey to craft specific regulations regarding oil and gas regulations in Elbert County is drawing to a close.

First, we want to extend our thanks and appreciation to the citizen volunteers who have spent close to two years working on the draft regulations and Memorandum of Understanding (MOU) that will be considered by the Planning Commission NEXT THURSDAY, MAY 23RD AT 7 PM. It is scheduled to be held at the County Administration building in the BOCC room, but check the County website closer to the meeting to verify.....our hunch is it may be moved to the Exhibition Hall at the fairgrounds.

We cannot overstate to you the importance of your attendance at this meeting.....and the follow up meeting in June when the BOCC will consider the new regulations. We would submit to you this is as important as the hearing held in August 2011 when over 1,200 county residents attended the BOCC meeting which was to consider the Wildpointe (Karl Nyquist's group) application to become a statewide water authority so that Elbert County water could be sent to other areas. Not only will this impact WATER; but also lifestyle, property values, individual health, air quality and the overall country environment we all cherish in Elbert County.

And just so you know, we are not a level playing field. The county commissioners held a study session earlier this week in which representatives of COGA (Colorado Oil and Gas Association--an industry group), COGCC (Colorado Oil and Gas Conservation Commission--the state regulatory agency) and the Colorado Attorney General's Office were allowed to speak (with no public comment) about the proposed regulations. Our good friend Rick Blotter (who has educated himself on the oil/gas issue and testified at the state legislature on your behalf) wrote us some pertinent summary points:

"At the Board of County Commissioner's study session on May 14, the commissioners heard from representatives of the State Attorney General's office, the Colorado Oil and Gas Association (the industry), and the Colorado Oil and Gas Conservation Commission (the state regulatory agency). The AG's office (and COGA) found fault with some of the oil and gas regulations that have been drafted by county representatives. Our regulations are slightly more stringent than the State's. One issue was with our regulation to require a hearing for an application for open pits to store produced water and flowback. (Produced water can contain heavy, carcinogenic, metals and radioactive materials.) The other was with our requirement that no produced water be used for road dust mitigation.

A law firm hired by the county, when the regulations were first drafted, told us specifically that the county does have the authority to protect our water. The county has been given the right to control land use issues. Open pits and the use of produced water to mitigate dust on roads have been linked to contaminated ground water and adverse health impacts on people, livestock and pets throughout the country."

Commenting on these two points, another active ECOGIG member said:

"If the BOCC compromises on both of these issue, then surface control would be entirely abrogated (relinquished). It is also important to note that the State representatives did not openly contest any issues within the regulations and MOU as directly in dispute with preemption rules."

Rick and we ask you to set aside the time to attend this critical meeting!

Thanks in advance for your continued interest and activities.

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