

COGCC Rulemaking 2008
CBA Environment & Natural Resources CLE Lunch – February 26, 2008
Perspective of Wildlife, Conservation & Citizens' Groups
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1. The need for the rules:
 - The drilling boom by the numbers, by basin, and on the map.
 - New issues and concerns stemming from new technologies opening new and often unconventional formations, in the Piceance Basin and elsewhere.
 - More drilling and more population leading to more potential conflicts with wildlife, surface owners and other citizens.

2. The legislative process:
 - Negotiations and outreach on 1298 and 1341 led to compromise bills with broad support.
 - The details and specifics were farmed out to a future rulemaking, subject to continuing legislative oversight.
 - New roles for CDOW and CDPHE.

3. The Initial Stakeholder Draft:
 - A good faith proposal to guide discussions and elicit feedback.
 - The State is seeking to meet the legislative intent consistent with the nature of the oil and gas industry and valid existing rights.

4. The Stakeholder meetings:
 - A constructive dialogue with strong participation by a wide range of parties.
 - The goal is to achieve consensus where possible and to define issues where consensus might not be found.
 - Building relationships and furthering dialogue have inherent value moving forward.

5. What's next: formal draft and hearings.
 - Can stakeholders unite behind consensus proposals that resolve most outstanding issues and make the State agencies' job easy?
 - How to draft rules that achieve the legislative intent to improve the regulatory framework – and actually achieve results -- without being overly burdensome.
 - Incentives and ideas on the best approaches to plan development to minimize impacts (direct, indirect and especially cumulative – to borrow from NEPA regs).
 - Balancing the desire for certainty (on all sides) with the advantages of adaptive management and flexibility (again, on “both” or “all” sides).

[over]

6. Long-term vision:

- Can Colorado unite around an oil and gas development regulatory framework that makes sense for industry and allays the reasonable concerns of other stakeholders?
- Can and should Colorado explore a joint energy development framework with BLM and other federal stakeholders?