

Phase 1 Amendment: Oil and Gas Regulations Revisions

Rule Topic	Proposed Rule
Relationship to State of Colorado Rules	The Operation of a Facility in violation of any applicable federal, state, or other local law or regulation that results in adverse or negative surface impact(s) on or to public facilities and services, water quality and source, noise, vibration, odor, light, dust, air emissions and air quality, land disturbance, reclamation procedures, cultural resources, emergency preparedness and coordination with first responders, security, or traffic and transportation shall constitute a violation of the Land Development Code which may be enforced by law as other violations of the Land Development Code.
Neighborhood Meeting Notifications	Added: Requirement to notify occupants of residences that are different from the property owner of record.
Application Submittal Requirements	Added: Applications shall include an application narrative, photosimulations of the view of the well pad from nearby properties and documentation of floodplain, wetlands and riparian area boundaries.
Applications that Include a Lesser Setback	Those applications must be approved by the Board of County Commissioners through the Use by Special Review process.
Water Reservoir Setbacks	All Oil and Gas Facilities shall be located: At least one mile (5,280 feet) from existing or planned and permitted water reservoirs with a capacity of 100 acre/feet or more, unless the applicant can demonstrate that the Oil and Gas Facility is downgradient from the reservoir, in which case the setback shall be 3,000 feet. The water reservoir setback shall be measured from the Oil and Gas Facility's pad boundary to the nearest high watermark of the reservoir or as mapped on reservoir plans approved with permitting for a planned and permitted reservoir.
<p>Health and Safety Requirements</p> <p>EAP and TRP</p> <p>Post Incident Meeting</p> <p>Alternative Access Roads</p> <p>Handwashing Facilities</p>	<p>The initial Emergency Action Plan and the initial Tactical Response Plan shall be forwarded to the County Office of Emergency Management ("OEM") for review. OEM shall review and approve or deny approval of the EAP and TRP within two weeks of submission by the Operator.</p> <p>In addition to the formal incident report, a post-incident meeting shall be required with County staff. The date, time and location of the post-incident meeting shall be determined by the Public Works and Development Director.</p> <p>If an Oil and Gas Facility site incident could prevent emergency access on public or private roads, the Operator shall construct an alternative access road meeting these standards, unless Office of Emergency Management staff and the fire district having jurisdiction at the facility, determine that the current condition is adequate.</p> <p>Operator shall provide hand washing facilities meeting Arapahoe County Public Health Department requirements at portable restrooms during drilling and completion operations.</p>
Definition of Downgradient	At lower elevation from that of the reservoir measured at its average water level elevation or that there is intervening natural terrain or topography that prohibits

	the surface mitigation of liquids to the reservoir and there is no evidence of other hydrological connection from the proposed location to the reservoir.
Definition of Planned and Permitted Reservoir	An unconstructed, but planned public water reservoir of qualifying capacity for which the location of such planned reservoir is established in the public record at a specific and mapped location within unincorporated Arapahoe County and that: <i>i.</i> has received or applied for approval through a water court adjudication; or <i>ii.</i> has received or applied for federal, state, or local permit approval required under applicable law for construction of a reservoir.