

Larimer County Oil and Gas Regulations Task Force Charter

Mar. 20, 2019

1. Name

Larimer County Oil and Gas Regulations Task Force

2. Purpose and Authority

With increased oil and gas activity occurring on the Front Range and in Larimer County, the County is interested in developing effective local regulations to supplement State regulations that mitigate impacts on land use and public health and address industry changes.

The County recognizes that oil and gas has been determined to be a matter of statewide concern and that the Colorado Oil and Gas Conservation Commission (“COGCC”), along with other state agencies, is responsible for the regulation of oil and gas development and operations at the state level. These State agencies’ mandate and scope of regulations may change related to recently introduced Colorado legislation. Local regulations will provide for responsible exploration and development of oil and gas resources while protecting the public’s health, safety and welfare and prevent and mitigate adverse environmental impacts.

The Task Force will advise the County on the following tasks:

- a. Learn about and understand the extent of local jurisdiction authority in Colorado regarding oil and gas regulations.
- b. Monitor and respond to state legislative changes that might affect local authority regarding oil and gas regulations.
- c. Review examples of regulations from other Colorado counties (e.g., Adams, Arapahoe, Boulder, and Weld) and determine what approaches may work for Larimer County. Topics to address may include but are not limited to: review procedures, notification and meetings, standards for water supply and quality, drainage, air quality, land disturbance, environment and natural resources, pipelines, operational methods, traffic management, roads and access, noise and visual impacts, traffic impact fees, emergency preparedness, financial assurance and decommissioning, and other mitigation measures.
- d. Review and provide input on draft oil and gas regulations developed by County staff, striving to reach agreement to advise staff, Planning Commission, and Board of County Commissioners.
- e. Provide a recommendation related to final set of oil and gas regulations.
- f. During the process, give advice and feedback regarding community engagement strategies for the project.

3. Membership Appointment and Representation

It is the desire of Larimer County to have a diverse, well-balanced, and independent task force that represents diverse perspectives and technical and scientific expertise, including:

- **Environment and conservation** (3 members including a representative from Environmental Science Advisory Board): (topics such as air quality, water quality, soil and land reclamation and wildlife – May include expertise from Colorado State University)
- **Industry representative** (3 members)
- **Landowner / agricultural operator** (2 members)
- **Community members** (3 members from North, Central, and South County not overlapping with categories noted above)
- **Other expertise** (3-4 members initially. Others may be added if BCC decides other expertise is necessary - e.g., public health, economist, business owner/community, real estate agent,

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builder, developer, or other categories)

As listed above, the Task Force will have a total of 15 members and liaisons who represent other County boards and commissions but who will be non-voting members Including: Agricultural Advisory Board, Open Lands Advisory Board, Planning Commission, and Rural Land Use Board, and Board of Health if those boards are interested in participating. -There shall be no alternates to the Task Force.

The County staff and commissioners will invite some potential members to participate based on their known expertise. Interested community members may also apply to be on the Task Force. Appointments for membership will be made by the Board of County Commissioners for potential members who fit the categories noted above and who demonstrate they will contribute positively to a balanced and solution-oriented group composition.

If desired, the Task Force may develop subcommittees to do a specific task or assignment on behalf of the full group. Subcommittees and tasks groups will share their work product for the full Task Force to review and discuss.

4. Voting

Recommendations of the Task Force regarding new standards shall be made by a minimum two-thirds vote of the members. Members in the minority may issue a separate report containing their recommendations.

5. Schedule

The Task Force shall commence its work in May 2019 and conclude its recommendations by fall 2019, meeting approximately every four to six weeks, for a total of five to six meetings. This schedule may need to be adjusted or the Task Force may need to reconvene depending on outcomes at the state legislature.

Possible Meeting Schedule and Topics:

1. Orientation, review Information including local regulatory authority and examples from other Counties, and discussion of desired outcomes (May)
2. Initial list of regulatory topics to consider (June)
3. Initial draft standards and procedures (July/August)
4. Refined standards and procedures (August/September)
5. Final recommendations and standards and procedures ready for County adoption (Planning Commission and Board of County Commissioners) (September/October)

6. Operating and Ground Rules for Task Force

Each member of the Task Force shall have the following responsibilities:

- Attend majority of the meetings and notify staff if unable to attend
- Remain open to other points of view and actively listen to others
- Engage in meaningful and productive dialogue and avoid side conversations
- Treat other members, observers, and speakers with respect
- Read materials prior to meetings; come prepared and become knowledgeable about oil and gas regulations
- Characterize his/her own needs, desires, and interests; let others do the same
- Respect the time of the group; speak briefly and on topic
- Be ready to give clear feedback and explain concerns or objections

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If Task Force members violate these ground rules, the response will be at the discretion of staff and County Commissioners. If violations start to impede the ability of the Task Force to have civil and constructive dialogue or to complete its work, a Task Force member may be removed.

7. County Staff Responsibilities

Staff will facilitate the Task Force meetings and is responsible for:

- Managing meetings to be on point, productive, and on time, enforcing ground rules and ensuring fair treatment of all members, observers, and speakers
- Providing information to the group to aid in understanding and learning subject matter
- Preparing materials and drafts that are reflective of Task Force input
- Working with consultants as needed
- Distributing agendas and materials in advance of meetings so Task Force members have time to review materials
- Providing meeting summaries
- Preparing for and noticing meetings and other events related to the project and Task Force

If members have concerns about the meetings or direction of the Task Force, they may raise them privately at any time with county staff.

8. Relationship with a Technical Committee

In addition to the Task Force, a technical committee of local government staff, engineers, legal advisors, and technical experts will review information and provide data and information to the Task Force for its work. The technical committee will not make policy recommendations.

9. Other Agency Roles and Invited Guests

Representatives from other agencies or the technical committee may from time-to-time participate in meetings as resources to help the Task Force explore technical and legal issues. These representatives will not be members of the Task Force but may attend all meetings and participate actively in discussion as suggested by members of the Task Force or staff and agreed upon by a vote of the group. All agency representatives are subject to the same ground rules (see above) as members and may be excluded at the discretion of staff to ensure a civil and constructive dialogue.

10. Task Force Meetings and Public Input

The meeting schedule, meeting agendas, and final meeting summaries will be available on the County/project webpage. Agendas will be posted the week prior to each meeting. Final meeting summaries will be posted after each meeting as soon as possible.

Task Force meetings will be open to the public to observe, and to the extent feasible, the County will make the meetings available by recording or on Internet. Task Force members may find it useful to engage with individuals or groups to gather input as part of their preparation work for meetings. At the discretion of the Task Force, members may be invited to share comments they have gathered from other community members during a specific agenda item.

11. Other Community Events and Activities as Input to the Task Force

To increase transparency of the work of the Task Force and to give community members opportunities to learn about the work and to provide input regarding ideas and final recommendations, at least one additional public event will occur during the project. County staff may work with the Task Force to design and host additional public engagement event(s) to invite public ideas and input regarding draft

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regulations. Such event(s) may be:

- open house style
- facilitated discussion
- symposia or panel or charrette style
- electronic survey
- other another way to gain input

As the project progresses, the Task Force or staff may share the emerging recommendations with County Boards and Commissions to get feedback and refine the drafts.

12. Documentation of Meetings and Recommendations

County staff will be responsible for preparing meeting summaries. Draft meeting summaries will be distributed to Task Force meetings following each meeting (the goal being within a week); Task Force members will be given an opportunity to suggest revisions to summaries prior to final release. Staff will work to accommodate summary revisions to the greatest extent possible, consulting with Task Force members if needed to clarify or resolve proposed changes. Final meeting summaries will be distributed to the Task Force and made available to the public.