

## 17.0. – OIL AND GAS FACILITIES

### 17.1. – Intent and Purpose.

- A. **Intent.** The intent of this section of the Land Use Code is to establish a regulatory framework for new oil and gas facilities (O&GFs) to be located in the unincorporated areas of Larimer County in a manner that acknowledges private property rights and protects the public health, safety and general welfare, protects environment and wildlife, and minimizes adverse impacts.
- B. **Authority:** C.R.S. 29-20-104-(1) provides the County authority to regulate and review applications pertaining to the surface development of O&GFs.
- C. **Purpose:** These regulations are necessary to:
  - 1. Ensure a comprehensive land use process and transparent public process for the development of new O&GFs, in the unincorporated areas of the County.
  - 2. Provide for the managed development, installation, maintenance, modification, reclamation, and removal of O&GFs, while acknowledging the interests of oil and gas developers and operators, or mineral interest owners.
  - 3. Minimize to the maximum extent possible the nuisance effects of O&GFs through the application of best available techniques and technologies.
  - 4. Promote and protect the public health, safety, and welfare, and protect the environment and wildlife by minimizing the adverse impacts of O&GFs.
  - 5. Maximize protection of natural and cultural resources and public facilities.
  - 6. Encourage O&GF's to strategically locate where adverse impacts from such operations can be avoided.
  - 7. Minimize and mitigate the extent and severity of adverse impacts that cannot be avoided.
  - 8. Confirm the financial, indemnification and insurance capacities of the oil and gas developer/operator to ensure timely and effective construction, production, removal and reclamation of O&GFs and infrastructure.
- D. **Applicability:** These regulations shall apply to all new (greenfield) O&GFs, to be constructed on any property in all zoning districts in the unincorporated portions of Larimer County.
- E. **Severability:** If any section, clause, provision, or portion of these regulations should be found to be unconstitutional or otherwise invalid by a court of competent jurisdiction, the remainder of the regulations in this section shall not be affected thereby and is hereby declared to be necessary for the public health, safety and welfare.

### 17.2. – Review Procedures and Required Permits.

- A. **General Requirements.** No person, firm or corporation shall establish, construct, or build a new O&GF, without first having obtained required land use approval(s) and permits as required by this Code. Applications to the County for new O&GFs, may be submitted simultaneously with the Colorado Oil and Gas Conservation Commission (COGCC) permitting process.
- B. **County Review Process:** All new O&GFs, in the unincorporated portions of Larimer County shall require approval of a Special Review application for the proposed facility as set forth in Section 4.5 of this Code. Application and submittal requirements for O&GFs are specified in the following Community Development Department application handouts:
  - 1. Sketch Plan Review Application and Submittal Requirements for Oil and Gas Facilities.
  - 2. Neighborhood Meeting Submittal Requirements and Guidelines for Oil and Gas Facilities.
  - 3. Special Review Application and Submittal Requirements for Oil and Gas Facilities.
- C. **Notification:** All O&GF applications shall have a minimum APO notification boundary of ½ mile

(2,640 feet) for all neighbor referral, neighborhood meeting and public hearing notices, as outlined in Section 12.2.4. and Section 12.3. of this Code.

- D. County Permits.** Prior to the commencement of any construction activity for an O&GF, all required permits for such facilities shall be approved. Required permits include, but are not limited to:
1. Access permits,
  2. Development construction permit,
  3. Building permits for all qualifying buildings and structures,
  4. Electrical permits, and
  5. All federal, state, and local permits.
- E. Non-County Permits:** County approval of an O&GF shall not relieve the landowner or applicant of the responsibility for securing other permits or approvals required by any other applicable County Departments, local fire district, municipalities, or other applicable public agencies.
- F. Technical Expert Review:** Applications for O&GFs may involve complex technical issues that require review and input that is beyond the expertise of County staff. If such a situation arises, the Community Development Director may commission a third-party review of the relevant subject matter and require the applicant to pay reasonable costs for the third-party review. Selection of a third-party expert(s) to review portions the proposal will be at the discretion of the County.

### **17.3. – Standards Required for Oil and Gas Facilities.**

**A. General:**

1. In addition to the standards and requirements of this Section 17, all other relevant standards and regulations set forth in this Code shall also apply.
2. All applications for new O&GFs, shall meet all applicable federal, state, and local standards and regulations pertaining to the development and operation of such facilities.

**B. Setbacks:**

1. Setbacks for O&GFs shall be 1,000 feet from building units, including high occupancy building units, or as required by the rules of the COGCC, whichever are greater. All other setbacks from natural and manmade feature as required by the rules of the COGCC shall apply.
2. To achieve the objectives of Section 17.1.C., the Board of County Commissioners may, on a case by case basis, require setbacks greater than required by 17.3.B.1. above.
3. The Board of County Commissioners may, by request, allow a reduction of the setbacks required by 17.3.B.1. above when it has been determined that the applicant has adequately demonstrated that the setbacks prohibit access to the mineral interests being sought, or the reduced setbacks will achieve and mitigate to the extent necessary the objectives of this code or the expectations of the Board of County Commissioners.

**C. Air Quality:**

1. **An Air Quality Report and Plan** shall be submitted with all O&GF applications. The report/plan shall include baseline air quality data and demonstrate how the development and operation of the facility will avoid and/or mitigate adverse impacts to air quality and demonstrate compliance with and implementation of standards in Sections 17.3.C. and 8.11 of this Code.
2. In addition to all federal and state laws, rules and regulations, applications for O&GFs shall demonstrate how exploration, construction and standard operations of an O&GF will comply with the rules and regulations of the Colorado Air Quality Control Commission (AQCC). Information to be provided shall include all appropriate applications of notifications and permits

- for sources of emissions.
3. Reduced Emission (Green) Completions shall be used for all completions and well workovers. Such completions shall include the use of Best Management Practices including, when available, the following unless an equal or better system exists:
    - a. Closed loop, pitless drilling, completion systems, without permanent on-site storage tanks, for the containment and/or recycling of all drilling, completion and flowback fluids.
    - b. Flaring only allowed during emergencies or upset conditions. When allowed, routing and control of all emissions to a flare or combustor shall provide at least 98% destruction or removal efficiency.
    - c. Zero emission desiccant dehydrators.
    - d. Emission controls of 95% or better for glycol dehydrators.
    - e. Pressure-suitable separator and vapor recovery units.
    - f. No-bleed continuous and intermittent pneumatic devices.
    - g. Automated tank gauging.
  4. O&GFs shall be equipped with electric-powered engines for motors, compressors, drilling and production equipment, and pumping systems unless no adequate electricity source is available, or it is technically infeasible.
  5. O&GF applications shall include operational provisions to reduce emissions on Air Quality Action Advisory Days posted by the Colorado Department of Public Health and Environment (CDPHE) for the Front Range area. The provisions shall include how alerts are received, outline specific emission reduction measures, and include requirements for documenting the measures implemented. Measures should include:
    - a. Minimizing vehicle traffic and engine idling,
    - b. Reducing truck and worker traffic,
    - c. Delaying vehicle refueling,
    - d. Suspending or delaying use of fossil fuel powered equipment,
    - e. Postponing construction and maintenance activities,
    - f. Postponing well maintenance and liquid unloading that would result in emission releases to the atmosphere, and
    - g. Postponing or reducing operations with high potential to emit VOCs of NOx.

**D. Leak Detection and Repair:**

1. **A Leak Detections and Repair Plan** shall be submitted with all O&GF applications. The plan shall disclose techniques, methods and protocols that will be utilized at the proposed O&GF to identify, prevent, contain, document, repair and report leaks, and shall demonstrate how it will comply with and implement the standards in this Section 17.1.3.F.
2. Operators shall conduct leak detection and repair inspections at the frequency required by the APCD (Air Pollution Control Division) for the emission source using modern leak detection technologies (infrared cameras, etc.) and equipment. The results of said inspections, including all corrective actions taken, shall be reported to the Larimer County Department of Health and Environment (LCDHE) and County Local Government Designee (LGD) upon request.
3. Repair of verified leaks shall occur within 72 hours of detection. If it is anticipated that a repair will take longer than 72 hours, the operator shall provide a written explanation to the LCDHE and the LGD as to why more time is required and how the leak will be contained. If a leak is not repaired within 72-hours, the O&GF shall be shut-in until the leak is repaired.
4. Equipment leaks that pose an imminent safety risk to persons, wildlife, or the environment shall

undergo emergency shut down and not be allowed to operate until the operator has provided evidence that the leak has been repaired.

5. At least annually, operators shall provide a 2-week notice of a routine leak inspection to the LCDHE and LGD inviting them to attend and observe the inspection.

**E. Odors:**

1. **An Odor Mitigation Plan** shall be required for all O&GF applications indicating how the operations will prevent odors from adversely impacting the public and wildlife and further demonstrating compliance with the standards in this Section 17.1.3.H.
2. Oil and gas operations shall comply with the CDPHE, AQCC, Regulation No. 2 Odor Emission, 5 CCR 1001-4, Regulation No. 3, 5 CCR 1001-5, and Regulation No. 7, 5 CCR 1001-9 Sections VII and VIII.
3. Proposed O&GFs shall provide protocols for immediate response to odor complaints that include options for ceasing operations, notification of affected residents, and temporary relocation of residents until the source of the odor is identified and resolved.
4. The operator shall communicate the schedule/timing of well completion activities to adjacent and nearby residents which could include an online portal. As part of the application, provide information on how notifications will be communicated to the public.
5. The Odor Mitigation Plan shall include control strategies which shall be implemented upon receipt of an odor complaint(s) or as required by the County depending on the size, location, and nature of the facility. These Odor control strategies may include the following:
  - a. Odorants, that are not a masking agent, shall be added to chillers and/or mud systems.
  - b. Additives to minimize odors from drilling and fracturing fluids except that operators shall not mask odors by using masking fragrances.
  - c. Filtration systems and/or additives to minimize, not mask, odors from drilling and fracturing fluids shall be utilized in the drilling and flowback processes.
  - d. Increasing additive concentration during peak hours provided additive does not create a separate odor. Additives must be used per the manufacturer's recommended level.
  - e. Enclosed shale shakers shall be utilized to contain fumes from exposed mud where safe and feasible.
  - f. Drilling activities shall utilize minimum low odor Category III drilling fluid or non-diesel-based drilling muds that do not contain benzene, toluene, ethylbenzene, or xylene (BTEX).
  - g. Wipe down drill pipe as they exit the well bore each time.

**F. Water Quality and Water Bodies:**

1. **A Water Quality Report/Plan** shall be submitted with all O&GF applications. The report/plan shall demonstrate how the development and operations of the facility will avoid impacts to surface and ground waters in Larimer County, identify all private and community permitted water wells within half-mile and demonstrate compliance with and implementation of standards in Sections 17.3.D. and 8.12 of this Code.
2. Baseline and subsequent water source tests, as typically required by and submitted to the COGCC and CDPHE, shall be provided to the LCDHE and the LGD for the life of the facility and any post-closure assessments, if approved by the owner(s) of the water well.
3. The application shall provide documentation indicating how the COGCC water quality protection standards are being implemented.
4. Locating O&GFs within a Federal Emergency Management Agency (FEMA) designated 100-year

floodplain shall not be allowed unless no other location is feasible, and all other appropriate permissions are obtained.

5. The requirements of this Section 17.4.D shall not prevent discharges reviewed and permitted by the CDPHE Water Quality Control Division, the EPA, and the Army Corps of Engineers.

**G. Spills and Releases:**

1. **A Spill Prevention and Containment Plan** shall be submitted with all O&GF applications. The plan shall disclose techniques, methods, and protocols to be utilized at the proposed O&GF to prevent, contain, document and report any spills or releases, and shall demonstrate compliance with and implementation of the standards in this Section 17.3.G.
2. An Emergency Response Plan shall be provided that includes evacuation plans and routes, inventory of emergency response supplies, and notification requirements. The plan shall include what training opportunities that will be provided for emergency services personnel to become familiar with the site.
3. Secondary containment shall be required and shall conform to the capacity requirements pursuant to the COGCC rules and standards.
4. Unloading areas shall be designed to contain potential spills or direct spills into other secondary containment areas
5. Containment systems constructed of steel rimmed berms, or similar impervious surfaces that are equal to or better, shall be used for all secondary containment areas.
6. Any spill or release of unrefined and refined petroleum products, hazardous substances, fracking fluids, E&P waste, or produced fluids of greater than 25 gallons outside of secondary containment areas on an O&GF, including those thresholds reportable to the COGCC, shall upon discovery, be immediately reported to the National Response Center and CDPHE as well as the following Local Emergency Response Authorities in Larimer County:
  - a. Larimer County Sheriff – Public Safety Answering Point (PSAP) (9-1-1)
  - b. Larimer County Department of Health and Environment,
  - c. Local Fire Department/District,
  - d. Local Municipal Police Department if within in mile of a City or Town,
  - e. Larimer County Oil and Gas LGD, and
  - f. Larimer County Local Emergency Planning Committee (within 24-hours).
7. All spills or releases, whether reportable or not, shall be cleaned up immediately and to the satisfaction of the local emergency response authorities, listed in the Spill Prevention Control and Countermeasure Plan.

**H. Noise:**

1. **A Noise Report and Mitigation Plan** shall be required for all O&GF applications. The plan shall demonstrate how the operations will mitigate noise and vibration impacts to comply with the noise standards contained in this Section 17.3.H. The report and plan shall include the following:
  - a. A five-day (two days being the weekend day) baseline noise analysis.
  - b. Modeled decibel levels for all phases of development shall be presented using contour maps from the O&GF site (combining noise sources) at 350 feet, 500 feet, 1000 feet, and to the property line of the adjacent properties. Contour maps shall be provided that demonstrate both unmitigated and mitigated decibel levels.
  - c. A plan of proposed mitigation measures to be implemented by the O&GF during each phase of development shall be provided to ensure compliance with the maximum permissible

noise levels as listed in Section H.2 below.

2. Noise generated from O&GFs shall comply with the following maximum permissible noise levels appropriate for the Zone Area Designation of the adjacent land uses as determined by the County. Zone Area Designations are defined by C.R.S. 25-12-102 Noise Abatement and will be used as part of the County’s determination for surrounding land uses and may be different than the County’s zone districts.

| <u>ZONE AREA DESIGNATIONS</u>  | <u>7:00 am to next 7:00 pm</u> | <u>7:00 pm to next 7:00 am</u> |
|--------------------------------|--------------------------------|--------------------------------|
| Residential/Agricultural/Rural | 55 db(A)                       | 50 db(A)                       |
| Commercial                     | 60 db(A)                       | 55 db(A)                       |
| Light Industrial               | 70 db(A)                       | 65 db(A)                       |
| Industrial                     | 80 db(A)                       | 75 db(A)                       |

In the hours between 7:00 a.m. and the next 7:00 p.m., the noise levels permitted above may be increased by ten (10) db(A) for a single period of not to exceed fifteen minutes in any one-hour period. Night-time levels between 7:00 p.m. and the next 7:00 a.m. shall not be exceeded therefore requiring strategic planning of noise-inducing activities to be conducted during daytime hours at the site.

3. Sound levels shall be measured at or within 25 feet of the parcel boundary line where the O&GF site is located. When evaluating a noise complaint, the County shall measure sound at or within 25 feet of the parcel boundary line of the O&GF site and other property boundaries which are more representative of the noise impact.
  4. O&GF activities shall be operated so the ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point on a boundary line of the property on which the O&GF is located.
  5. In situations where low frequency noise is a component of the problem, a sound level measurement shall be taken twenty-five (25) feet from the exterior wall of the residence or occupied structure nearest to the noise source, using a noise meter calibrated to the db(C) scale. If this reading exceeds 65 db(C), the County shall require the operator to obtain a low frequency noise impact analysis by a qualified sound engineer, including identification of any reasonable control measure available to mitigate such low frequency noise impact to be implemented by the O&GF. Such study shall be provided to the County for consideration and possible action.
  6. Construction of O&GFs, including drilling/well completions, recompletions, and pipeline installations, shall be subject to the maximum permissible noise levels specified for industrial zones for the period within which construction is being conducted. Construction activities directly connected with abatement of an emergency are exempt from the maximum permissible noise levels.
  7. Quiet design mufflers (i.e., hospital grade or dual dissipative) or equal to or better than noise mitigation technologies shall be utilized for non-electrically operated equipment.
  8. Motors, Generators, and engines shall be enclosed in acoustically insulated housings or covers.
- I. Dust:**
1. **A Fugitive Dust Control Plan** shall be submitted with all O&GF applications. The plan shall disclose techniques and methods to be utilized at the proposed O&GF to prevent or mitigate fugitive dust generated by the construction and operations of the proposed O&GF and shall demonstrate compliance with and implementation of standards in Sections 17.3.I and 8.11 of this Code.

2. Best management practices (BMPs) for the mitigation of dust associated with on-site operations and traffic activities shall be employed at the facility. The BMPs shall be outlined in the Fugitive Dust Control Plan.
3. Produced water and other process fluids shall not be used for dust suppression unless adequately pretreated so that it does not create odors and has been approved for land application by CDPHE Water Quality Control Division.
4. Safety Data Sheets (SDSs) shall be provided with the application for any proposed chemical based dust suppressants.
5. Unless otherwise approved by the County Health and Engineering Departments, only water will be used for dust suppression activities within 300-feet of the ordinary high- water mark of any body of water.

**J. Access:**

1. **A Traffic Impact Analysis and Routing Plan** shall be submitted with all O&GF applications. The plan shall disclose routing alternatives and transportation infrastructure improvements proposed for the proposed O&GF to mitigate projected transportation impacts and demonstrate compliance with and implementation of the standards in this Section 17.3.J.
2. Designs for private access drives shall conform to the Local Low Volume cross section found in the Larimer County Rural Area Road Standards and shall include the following:
  - a. The first 50 feet of access drive from the edge of pavement of the adjacent road will be paved, or made of an approved all weather surface, and the remaining portions of the access drive shall be composed of a minimum of 6 inches of compacted Class 5 road base.
  - b. The access drive entrance shall include returns with a 30-foot radius.
  - c. A mud and debris tracking pad shall be located at the end of the paved portion of the access drive.

**K. Chemical Handling:**

1. **A Chemical and Hazardous Materials Report and Handling Plan** shall be submitted with all O&GF applications. The plan shall disclose the type of hazardous and non-hazardous materials and chemicals that will be used on the site of the proposed O&GF, including how they will be handled to prevent spills and demonstrate compliance with and implementation of standards in this Section 17.3.K.
2. Prior to any hydraulic fracturing activity, the Operator shall provide the County with a copy of the Chemical Disclosure Registry form provided to the COGCC pursuant to the COGCC's "Hydraulic Fracturing Chemical Disclosure".
3. Drilling and completion chemicals shall be removed from the site within sixty (60) days of the drilling completion.

**L. Recycle, Reuse and Disposal of Fluids:**

1. **A Waste Management and Disposal Plan** shall be submitted with all O&GF applications. The plan shall document the techniques and methods of the proposed O&GF to manage wastes generated on the site and demonstrate compliance with and implementation of the standards in this Section 17.3.L.
2. Drilling, completion flowback, and produced fluids shall be recycled or reused whenever technically feasible.
3. If not to be recycled or reused onsite, exploration and production waste may be temporarily stored in tanks for up to 30-days while awaiting transport to licensed disposal or recycling sites.
4. Produced water shall be recycled or reused or shall be transported by pipeline unless easements

are not available.

5. The Operator shall take precautions to prevent adverse environmental impacts to air, water, soil, or biological resources to the extent necessary to protect public health, safety and welfare, including the environment and Wildlife Resources to prevent the unauthorized discharge or disposal of oil, gas, Exploration and Production Waste, chemical substances, trash, discarded equipment, or other oil field waste.
6. The requirements of this Section 17.3.L shall not prevent discharges or beneficial uses of water reviewed and permitted by the CDPHE Water Quality Control Division or another agency with jurisdiction.

**M. Lighting and Visual Impacts:**

1. For all phases of the development of the site, the application shall demonstrate compliance with the visual and aesthetic rules of COGCC and the Larimer County Land Use Code for landscaping, fencing and lighting set forth in Section 8.
2. All O&GFs shall be painted with colors that are matched to or slightly darker than the surrounding landscape, and shall utilize paint with uniform, non-contrasting, nonreflective color tones based upon the Munsell Soil Color Coding System.
3. The location of all outdoor lighting shall be designed to minimize off-site light spillage and glare using best practices recognized by the International Dark-Sky Association. See Section 8.15, Lighting Standards.
4. For all phases of site development, fencing shall be installed for security and visual aesthetics of the use.
5. Sound or screening wall to mitigate for noise during construction and well completion may be required if the O&GF is within 2,000 feet of residential buildings or lots, or if electric requirement is appealed.
6. O&GFs applications shall minimize removal of trees and vegetation on the site.
7. Landscaping and/or fencing for screening and visual quality as viewed from public rights-of-way and neighboring residential areas shall be required within 6 months from the time of well completion and in accordance with requirements for the zoning district.
8. O&GF applications shall demonstrate compliance with weed control requirements of the County Weed District and Forestry Services Department, including for access roads serving the facility.

**N. Well Plugging and Abandonment:**

1. **A Reclamation Plan** shall be submitted. The plan shall demonstrate how well abandonment and reclamation shall comply with the COGCC rules and shall include the following information:
  - a. Removal of all equipment from the well site,
  - b. Restoration of the site surface to the conditions of the site reclamation plan,
  - c. Notice to the County LGD of the commencement and completion of such activity, and
  - d. Coordinates for the location of the decommissioned well(s), and any associated gathering or flow lines, shall be provided with the notice of the completion of well abandonment.

**O. Well Liquids Unloading:**

1. Best management practices, including artificial lift, automated plunger lifts and at least 98% emission reductions when utilizing combustion to control venting shall be employed at all facilities unless technically infeasible.
2. Approved manual unloading shall require on-site supervision of the unloading process.

**P. Flammable Materials:**

1. The location of flammable materials on site shall conform to all COGCC safety standards and



local fire codes.

2. A minimum 25-foot buffer, free of weeds and dried grasses, shall be required around flammable materials or equipment.

**Q. Waste Disposal:**

1. A **Waste Management and Disposal Plan** shall be submitted with all O&GF applications. The plan shall document the techniques and methods of the proposed O&GF to manage wastes generated on the site and demonstrate compliance with and implementation of the standards in this Section 17.3.Q.
2. Oil and gas facilities shall remain free of debris and excess materials during all phases of operation.
3. Burning of debris, trash or other flammable material is not allowed.
4. Temporary storage of materials (up to 30-days) may be allowed with installation of screening to mitigate from aesthetic impacts from public rights-of-way or if requested by landowner.

**R. Removal of Equipment:**

1. There shall be no permanent storage of equipment (i.e., vehicles, trailers, commercial products, chemicals, drums, totes, containers, materials, and all other supplies not necessary for uses on an oil and gas location) on the site of an oil and gas facility.
2. When not in use, or if no longer needed for on-site operations, all equipment not being used on the site shall be removed.

**S. Maintenance of Machinery:**

1. Statewide Best Management Practices shall be used to prevent contamination of soils and stormwater runoff, including equipment and vehicle maintenance and fluid containment.
2. There shall be no maintenance of field equipment involving hazardous materials within 300-feet of a water body.
3. Any fueling on-site shall occur over an impervious surface with a secondary containment berm and sump in case of a spill and shall not occur during storm events.

**T. Flow Lines, Transfer Lines, and Gathering Lines:**

1. All off-site lines transporting process materials, production wastes, product and any other items used or generated by the facility shall be located to avoid existing or proposed residential, commercial, and industrial buildings, places of assembly, surface waterbodies and designated open spaces. Buried pipelines shall be a minimum of 4-feet deep and shall be of detectable material which could include the addition of tracer wire to ensure detection during buried utility locating.
2. The location of pipelines shall be evaluated on a case-by-case basis, with the determining locational factor being the size and type of pipeline being proposed.
3. Coordinates of all flow lines, gathering lines, and transfer lines shall be provided.

**U. Temporary Water Lines:**

1. Temporary waterlines shall be used unless development is not within a water service area.
2. Temporary waterlines shall be buried at all existing driveway and road crossings, or utilize existing culverts, if available.

**V. Financial Assurance:**

1. The Applicant shall demonstrate the financial capability to reclaim all disturbed areas during each phase of the site development and following termination of the oil and gas operation on the site. This shall include meeting any state requirements, and any additional requirements the County deems necessary to protect the public health, safety, and welfare.
2. The Applicant shall, for the life of the use, carry customary and usual environmental liability

insurance.

**17.4. – Appeals.**

- A. Section 22 of this Code shall provide direction for all appeals to standards, processes, and provisions of this Section 17.

**17.5. – Enforcement and Inspections.**

- A. Applications for O&GFs shall demonstrate compliance with this and all other relevant Sections of this Code. Failure of an Operator to maintain compliance with the County approval of an O&GF may result in the revocation of the approval pursuant to the procedures in Section 12 of the Land Use Code. The County retains the right to seek whatever remedy or redress is legally allowable.
- B. The County reserves the right to inspect the property for compliance.

**17.6. – Fees and Security for Reclamation.**

- A. The following fees are applicable to oil and gas facilities:
  - a. A Capital Transportation Impact fee.

**17.7. – Termination or Modifications of Use.**

- A. No modification to an approved O&GF shall be made without obtaining appropriate land use approvals from the County. A modification is any permanent physical change not required by law that substantially increases the site footprint or air emissions.
- B. Upon termination of use, the O&GF shall be reclaimed pursuant to the reclamation plan provided.

**17.8. – Definitions.**

- A. Unless otherwise listed herein, the definitions found within the C.R.S. and Colorado Oil and Gas Conservation Commission (COGCC) regulations shall apply.