

PANELISTS



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BROOMFIELD

BW EVENTS

ENERGY BW SUMMIT



What Local Governments Are Doing to Implement SB 181

Broomfield's Perspective

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OVERVIEW

- **SB 181 provided local control over the surface aspects of oil and gas development**
- **Allows local governments to regulate oil and gas impacts based on the character of the community and the needs of its residents**

City and County of Broomfield

- Colorado's smallest county at 34 square miles
- Population: 66,529
- Density: 1,957/sq.mi.
- Combined City and County - primarily suburban development

Weld County

- Colorado's 3rd largest county at 3996 square miles
- Population: 325,000
- Density: 81/sq. mi.
- 32 incorporated municipalities and miles of agricultural land

History of Oil and Gas Regulation in Broomfield

- **1993 - Broomfield first adopted oil and gas regulations**
 - vertical wells and facilities
- **2013 - Broomfield voters adopt 5 year ban on hydraulic fracturing - overturned by courts**
- **2017 - oil and gas amendments to comprehensive plan which included best management practices**
- **2017 - citizen initiated Charter amendment**
- **2018 - amended municipal code regulating oil and gas consistent with comprehensive plan and state law**

Broomfield's Charter Provision

With regard to oil and gas development near the City's populated areas and within the City's boundaries, such powers shall include but not be limited to plenary authority to regulate all aspects of oil and gas development, including land use and all necessary police powers. As such, Broomfield shall condition oil and gas development permits to require oil and gas development to only occur in a manner that does not adversely impact the health, safety, and welfare of Broomfield's residents in their workplaces, their homes, their schools, and public parks in order to protect the public's health, safety, and welfare and to safeguard the environment and wildlife resources.

Broomfield's Current Regulations

- **Oil and gas facilities are permitted in all zone districts as a use by special review**
- **Provide for permitting by use by special review or by approval of an operator agreement (MOU)**

Broomfield's Current Regulations

- **Codified the best management practices developed during the comprehensive plan update process**
- **Where there was no conflict with state law, the BMPs were adopted as requirements**
- **Where there were conflicts, Broomfield adopted state standards**
- **More stringent BMPs are to be applied by agreement or based on site conditions**

How SB19-181 Changed Local Authority

- **Pre-emption issues regarding surface impacts eliminated**
- **Clarified local authority over**
 - **Land use**
 - **Location and siting of oil and gas facilities**
 - **Nuisance issues like noise and odor**
 - **Financial assurances**
 - **Fees**

Amendments Broomfield May Consider

- **Use land use authority to specify zone districts where oil and gas development will be permitted and where it will not be allowed**
 - Residential districts
 - Parks
- **More stringent air quality regulations**
- **Additional noise mitigation**
- **More stringent pipeline requirements (location, leak detection)**
- **More controls to prevent and mitigate liquid spills and releases**

Amendments Broomfield May Consider

- **More stringent water quality protections**
- **Additional regulations to minimize land disturbance**
- **Financial assurance requirements**
 - **Insurance**
 - **Bonds for abandoned wells**
- **Fees to cover costs of permitting, monitoring, inspection and regulation**
- **Changes to fine structure**

Working With COGCC

- **Broomfield will participate in COGCC rulemaking process**
- **Work with COGCC/CDPHE staff on inspection and regulatory issues**
- **Broomfield will monitor the evolution of COGCC into a regulatory agency**



QUESTIONS, COMMENTS, AND DISCUSSION

