

**From:** Tom Barth  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Fracking  
**Date:** Tuesday, March 14, 2017 12:33:42 PM

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Hello,  
I grew up in Boulder and reside in Boulder (80305).

I'd like to thank the County Commissioners for the regulations that reduce the impact of fracking. I do not want them watered down.

Thanks also for defending the county against attempts to end the moratorium prematurely. I encourage the commissioners to add a prohibition of deep well wastewater injection within county borders. Please also allocate sufficient funds for monitoring our air, water, and soil. I'd also like to ask you to encourage Boulder County Municipalities not to sell their water to frackers.

Thanks,  
Tom Barth

**From:** Pamela Branham  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Citizen comment on Oil and Gas in Boulder County  
**Date:** Tuesday, March 14, 2017 12:36:18 PM

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Please do not let oil and gas companies do fracking or drill in Boulder county I am a firm believer in Boulder using solar as a source of energy for our county and country. We voluntarily installed solar on our home. We are happy and proud of the decision to do so. We need to take stands in every way possible to change our energy sources to renewable non CO2 sources. Please help us fight to accomplish this. I will be at the climate change rally to have my voice heard and in any other way I can to protect the worlds environment.

Thank you  
Pamela Branham  
165 S. 80th Street  
Boulder, CO 80303

**From:** Jerry Vaughn  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Oil and Gas Hearing  
**Date:** Tuesday, March 14, 2017 12:54:54 PM

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**Jerry T. Vaughn** Oil and gas drilling in Colorado must be minimized!!! The thousands of wells already here is quite sufficient compared to the square miles they already cover. Let's see....over 300 truck trips per well, methane gas emitting from thousands of wells, hundreds of thousands of gallons of water used to clear the way with chemicals to dissolve the rock, possible earth tremors created by the invasion of the earth's layers, hundreds of people living next to the wells already showing harmful sicknesses and some being forced to move away. One significant result from oil and gas concentration efforts is automatically showing our efforts to become oil and gas dependent which is just the opposite what we need to do to meet the requirements for reducing our effects on climate change.

**From:** Collins, Bethany  
**To:** [Boulder County Oil and Gas Comment](#)  
**Cc:** [Murphy, Patrick](#); [Sanchez, Kimberly](#)  
**Subject:** OSMP Comments on DC-16-0004  
**Date:** Tuesday, March 14, 2017 1:13:02 PM  
**Attachments:** [image003.png](#)  
[OSMP Comments FINAL 20170314.pdf](#)

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Dear Boulder County Commissioners,

The City of Boulder's Open Space and Mountain Parks Department would like to thank Boulder County for the opportunity to review and comment on the revised land use code "Article 12 "Special Review for Oil and Gas Operations." Our questions, comments and feedback are attached.

If you have any questions or would like clarification on these comments, please contact us.

Sincerely,

**Bethany A. Collins**  
**Property Agent**



**City of Boulder**  
**Open Space & Mountain Parks**

O: # (303) 413-7646

C: # (720) 415-1543

[collinsb@bouldercolorado.gov](mailto:collinsb@bouldercolorado.gov)

66 S. Cherryvale Rd. | Boulder, CO 80303

[www.bouldercolorado.gov](http://www.bouldercolorado.gov)

## Section 12-1400 Definitions

### Definitions and consistent terminology

We recommend that definitions and applicable terminology be made consistent with those found in COGCC Rules and Regulations and the Oil and Gas Conservation Act where possible and then only those terms be used consistently throughout these Article 12 regulations. A singular lexicon will limit confusion for applicants and agency personnel. For example, using “well” instead of “borehole” (which also ensures entire well, whether vertical or horizontally drilled is considered), and “well site” instead of “well pad” where it is the intent to include the entire subsurface well.

“Oil and gas operations” should be made consistent to mean: “Exploration of oil and gas, including the conduct of seismic operations and the drilling of test bores; the siting, drilling, deepening, recompletion, reworking, or abandonment of an oil and gas well, underground injection well, or gas storage well; production operations related to any such well including the installation of flow lines and gathering systems; the generation, transportation, storage, treatment or disposal of exploration and production wastes; and any construction, site preparation, or reclamation activities associated with such operations.” Addition of “*or pipeline; construction, substantial modification, or decommissioning of*” in the amended regulations lacks definition and we suggest it be removed. “Pipeline” as used in oil and gas operations doesn’t typically include water and wastewater pipelines, as intended in the regulations. We suggest “pipeline” be defined (or reference the other areas of the Code where it is defined) and feel they are appropriately addressed separately in the regulations. Also, “construction, substantial modification or decommissioning” are redundant to the definition of “oil and gas operations” if the COGCC’s definition is used.

“Site” should be changed to “Well Site” consistent with the COGCC and the entire definition should be used: “the areas that are directly disturbed during the drilling and subsequent operation of, or affected by production facilities directly associated with, any oil well, gas well, or injection well and its associated well pad.

“Well” and “Wellhead” are not the synonymous, especially if “well” is meant to capture the entire stretch of a horizontally drilled well. “Wellhead” should be defined separately if necessary.

“Well Pad” recommend removing the word “permanent” to be consistent with the COGCC definition.

## Section 12-400 Application Procedure for Special Review

### Review and Community Engagement

12-400(A)(1). Please confirm that it is intended that all activities as defined in “oil and gas operations” (whether as currently amended by the County or as suggested above), including the abandonment of a

well and/or reclamation of a well pad or pipeline be required to complete this special review application process.

### **Special Review Process**

12-400(C). Request that review by the City of Boulder's Open Space and Mountain Parks Department's Open Space Board of Trustees may also be required.

### **Notice**

12-400(H)(2). Request confirmation that where "oil and gas operation" is used in this section, it includes the concept of horizontal drilling. For example, in (b) and (d), all land owners and all water source owners within one-half mile of the entire horizontal track of a well would be notified.

Also, request addition of all Local Government Designees in Boulder County to the notice of applications.

12-400(H)(3)(a). Request clarification that the notice and "Attention:" statement will include any/all elements included in the definition of the "oil and gas operations," and not just the number of wells.

12-400(H)(3)(b). What is the definition of "proposed operation site?" Use of the term "well site" as defined above is recommended. This section requires that the notice must contain a vicinity map. We recommend that "vicinity map" be specifically defined and include elements such as:

- a. The location of the proposed oil and gas operation.
- b. The location of all existing waterbodies and water courses, including the direction of water flow within one mile of the proposed oil and gas operation.
- c. The location of existing oil and gas wells or injection wells as reflected in COGCC records, including any wells within a 1,000-foot radius of the proposed oil and gas operation.

12-400(H)(5). Use of the term "site" (or even "well site") here, especially if the "oil and gas operation" is a horizontally drilled well (or a "pipeline" if using the County's amended definition). What should extent of signage be?

### **Referral**

12-400(I)(1). What is meant by "any appropriate municipality?" Request referral is made to all Local Government Designees in Boulder County. Also suggest language in 12-400(I)(4) "The Director may also refer the application to other government agencies or entities for review and comment" be moved to this section.

12-400(I)(4). Use of "well site" (not defined – see above). We agree with using "well site" to be consistent with COGCC definition. We also request that the referral be forwarded to the City of Boulder's Open Space and Mountain Parks Department for jointly held City/County properties and that this paragraph be expanded to include City of Boulder Open Space and Mountain Parks property and possible referral to the Open Space Board of Trustees for a public hearing.

## **Board of County Commissioners Hearing and Decision**

12-400(N). Suggest addition of “recording or transcript of neighborhood meeting” to the least of items for BoCC consideration.

## **Section 12-500 Application Submittal Requirements**

### **Ownership.**

12-500(B). What is definition of “subject property” as used here?

### **Legal Access and Use of Private Roads.**

12-500(H). Recommend amended language say “The County recommends that surface agreements, **including access agreements** not be finalized until the Applicant has completed special review.”

### **Proximity of Other Wells and Other Oil and Gas Operations**

12-500(I). The word “site” should be changed to “well site” as defined above.

### **Site Plan and Parcel Information.**

12-500(J) throughout. Use of the word “site” – recommend changing to “well site.” Also, use of “wellhead” instead of “well” limits due diligence related to radius from horizontally drilled wells.

12-500(J)(1). Suggest including “wells” and “all facilities (or improvements)” to make sure site plan includes horizontal wells and any other structures or facilities related to the oil and gas operations that are not listed. Suggest removing the word “permanent.”

### **Emergency Preparedness Plan.**

12-500(M). Recommend this information be part of the Operator Registration (12-400(B)) and perhaps updated with site specific information related to application.

### **Transportation Plan**

12-500(P)(3). What is meant by “adjacent residents” and “affected property owners?”

### **Water Supply**

12-500(Q)(2) What is meant by “the project?”

### **Water Quality Plan**

12-500(AA) What is meant by the term “significant degradation?”

## **Section 12-600 Special Review Standards**

### **Pipelines**

12-600(K) As stated above, it is recommended that “Pipeline” be defined in this series – even if referencing 4-514 and 4-517. The language is confusing since there are several “types (oil and gas flow lines, gathering lines, and transmission lines, as well as water and wastewater pipelines and

transmission lines)” as well as on-site vs off-site requirements. Perhaps make two sections – one for “Oil and Gas Pipelines” as defined in 4-514 and one for “Water and Wastewater Pipelines” as defined in 4-514(K) and 4-517(J)? Also there is confusion related to the use of the word “site” in paragraph 1 and the “well pad” used in paragraphs 3, 4 and 6. Please clarify based on definitions of “site” (or well site as recommended above) and “well pad.” Site/well site, by definition extends the full length of a horizontal well, but also includes its associated well pad.

## Section 12-700 Conditions of Approval Applicable to All Special Review Approvals

### **Flares and Combustion Devices.**

12-700(K). Recommend defining “flare” and its purpose.

### **Pipelines**

12-700(S) all. Applicable to Oil and Gas flow lines and gathering lines only? And not transmission lines? Or water or wastewater (produced water) lines? Again, confusing terminology based on definitions. Also, recommend a requirement to consult with ditch companies prior to giving approval for 1(C).

12-700(S)(2)(a) What is meant by “the number nondestructively tested?”

## Section 12-701 Potential Site Specific Mitigation Measures

### **Water Quality**

12-701(B)(2). The term “borehole” suddenly appears here and is not defined. “Well” is defined so as to include the entire hole (“projected track”) that is drilled to create the well (including horizontal drilling). This term is not needed, or should then be applied throughout the regulations. This section also begins to use “well or multi-well site.” Site or well site (as currently defined, or recommended for change above) are defined to include one or more wells or the definition of site or well pad should be redefined and applied throughout the regulations. This section also begins to use the word “Operator” instead of “Applicant” throughout, but it appears appropriate since many of the measures would apply after approval.

12-701(B)(2)(b)(5). What is meant by the term “significant oil and gas activity?”

### **Land Disturbance and Compatibility**

12-701(C)(3). Use of term “well site” instead of “well or production facility site.”

### **Transportation**

12-701(D). Change “site” to “well site?”



## Section 12-900 Procedures Following Approval of a Special Review Application

### **Right to Enter**

12-900(A). Change “site” to “well site.”

**From:** Amie Souza  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Comment re: Boulder County Oil & Gas Development Moratorium  
**Date:** Tuesday, March 14, 2017 1:50:46 PM

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I feel strongly that it is in the best interest of everyone in Boulder County that the oil and gas development moratorium stay in place. Please stand up to the oil and gas industry lobbyists who are only concerned with putting money in their pockets. Please vote against any fracking or oil and gas development in Boulder County.

I've lived in Boulder County for 10 years, I'm a homeowner and tax payer, and an active community volunteer. I don't want to see this beautiful place that we call home polluted by fracking and oil drilling. These oil and gas development activities are a danger to the health and well being of the people, animals, air, water and environment of Boulder County. I know that my neighbors, friends and family (even if they didn't provide a public comment today) stand with me on this.

I'm urging you to stand up for what is right; DO NOT allow fracking or oil and gas development of any kind in Boulder County. Keep this moratorium in place permanently.

Thank you for taking the time read this.  
Amie Souza  
Longmont, CO

**From:** [Wufoo](#)  
**To:** [Boulder County Board of Commissioners](#)  
**Subject:** County Commissioners Contact Us/Feedback Form. [#328]  
**Date:** Tuesday, March 14, 2017 1:53:04 PM

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Name *	Betty Becker
Organization (optional)	na
Email *	<a href="mailto:Betty.Becker@colorado.edu">Betty.Becker@colorado.edu</a>
My Question or Feedback most closely relates to the following subject: (fill in the blank) *	Fracking in Boulder County
Comments, Question or Feedback *	I am unable to attend the hearing on fracking today (3/14/17), but wanted to contribute that I oppose fracking, and in this case specifically, in Boulder County. The consequences of unforeseen events which lead to contamination of our precious water resources are too dire to risk.
Please check box below *	<ul style="list-style-type: none"><li>• I acknowledge receipt of the Open Records Notification</li></ul>

**From:** Donna Sueper  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** No fracking!  
**Date:** Tuesday, March 14, 2017 2:38:53 PM

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Please keep the moratorium in place and keep Boulder County a great place to live!

Donna Sueper  
875 Roxwood Lane #A  
Boulder, CO 80303

**From:** IVES MOLITOR  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Thank you for protecting us  
**Date:** Tuesday, March 14, 2017 2:47:39 PM

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My name is Ives Gentry, I live in Longmont.

I want to thank Boulder County for holding out against Fracking for as long as they have. I dread the destruction to our beautiful county that I fear is now inevitable I hold out hope that the ruin that we have seen in Weld County can be minimized by holding the Oil & Gas companies to the highest, most stringent environmental standards. We have learned from our neighboring counties that the boom & bust of fracking ruins the landscape, the roads, the resale values.... and only fills a few pockets.

Sincerely  
Ives Gentry

**From:** Phillip Doe  
**To:** [Boulder County Oil and Gas Comment](#)  
**Cc:** [Jones, Elise](#)  
**Subject:** Comments on the oil and gas regs, Be the Change  
**Date:** Tuesday, March 14, 2017 3:01:59 PM

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March 14, 2017

Dear Commissioners:

<!--[if !supportEmptyParas]--> <!--[endif]-->

We came before you several months ago to inform you of the study done by our friend, Dr. Wendell Bradley, professor in Physics, retired, from Gustavus Adolphus. He clearly demonstrated, using the industry's own production data, that for drillers in the Niobrara to approach the break-even point the price of oil would have to be around \$78 a barrel. You have that study, and your new regulations indicate you have taken Dr. Bradley's study and our suggestions seriously. We applaud your efforts.

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Still we ask you to judge the effectiveness of your regs against the following real life information. If the evaluation procedures outlined in the regulations would lead, with some certainty, to the denial of a drilling permit based in the information presented below, they are adequate. If they would not, they are not adequate, in our opinion.

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This is the background and specific information we would ask you to judge the adequacy of your regs against, both at 12-200, dealing with what constitutes a public nuisance, and 12-400 the Special Review process for frackers.

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Background:

<!--[if !supportEmptyParas]--> <!--[endif]-->

The industry continues to pipe about how they've reduced production costs and that now money can be made with oil at \$65 a barrel. Some even say the \$50 threshold is inspiration enough to crank up the pollution spewing drilling rigs.

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The facts support the opposite conclusion. Extraction Energy has lost hundreds of millions of dollar in the last several years while oil has hovered near \$50 a barrel. In 2015, according to their SEC filings, they lost roughly \$60 million. In 2016, they lost over \$450 million dollars. Think of it, nearly one half billion dollars in losses. This year they are losing even more as their stock continues to drop in trading—it's gone from \$24 to \$14 a share in the last few months.. Moreover, Extraction is not unique. They are the rule. The largest oil companies in the world are all hemorrhaging money in quantities Croesus would envy.

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And lest you think we exaggerate concerning Extraction's commercial prospects, the SEC filings show that Extraction had only one drilling rig operating in 2016. That rig was in Windsor we believe. It stopped because of a large drilling spill and drilling activity has not returned. In fact, the SEC records show that Extraction has opened only one producing well in the past two years. Strikingly, the production reported to the SEC is about double what is reported on the COGCC website. We will leave it to you to determine what this reporting discrepancy might mean. (One possible explanation is that Extraction salted its reporting with the SEC to enhance its stock value.) They probably have drilled more wells, but they have not gone to production on any of them. If they had, we assert, and as they certainly realize, they would simply have lost more money than they already are. The price of oil is determining.

<!--[if !supportEmptyParas]--> <!--[endif]-->

So, the question is, given the information provided above, which is also information required in your regs at 12-400, would this information be disqualifying for Extraction? If not, it exposes the need to strengthen the economic criteria. We recommend adding the following criteria as essential to understanding the overall economic viability of a proposed permit to drill.

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Require the prospective operator to demonstrate that a net profit from production is possible after deducting the cost of capitol (debt load and borrowing); leasing and royalty payments: costs of bringing product to market, whether by pipeline or truck and rail; and the annual maintenance costs.

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In other words, a business plan should be required of every fracker with a drilling plan. Without such detailed economic information, given the present and prospective economics of fracking, the county is flying blind, and might be guilty of something akin to giving Bernie Madoff the county's investment portfolio to manage.

In order to protect the people and the natural environment of Boulder County, detailed procedures must be devised, with a strong dose of economics, so that Extraction or any other driller clearly establishes they are a legitimate business enterprise, one that will not evaporate in the night leaving the taxpayers of Boulder County with mammoth environmental damage and attendant cleanup costs.

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Additional comments and suggestions:

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We think the county should not allow self insurance as an option for drillers, see language at 12-400 B.4.c. Self insurance for coal mine operators in Wyoming has put that state at substantial economic risk and is being discontinued we believe.

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The regs at 12-600 K.6 establish that pipelines shall not be located closer than 150 feet from residential, commercial, or industrial buildings. If we understand the information that Josh Joshwick and Earth Guardians provided on pipeline actual explosion burn radii, greater setback should be established as a buffer from the burn or explosion radius. We would suggest consulting with insurance company fire safety standards or federal standards on which insurance policies are based for guidelines.

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Finally, there is the question of the inspection of pipelines and who is responsible. Apparently there is a small agency within the Dept. of Transportation that is responsible for inspecting pipelines, including gathering lines. The staff of 5 inspectors is responsible for insuring the integrity and safety of about 5000 miles of pipeline each. This is a bad joke. The county must establish its own staff and criteria, the costs for which should be assigned to oil operators in the county.

<!--[if !supportEmptyParas]--> <!--[endif]-->

Phillip Doe  
Environmental Director  
Be the Change  
303 949 6986



**From:** michelle@acupunctureaccuracy.com  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** science and hydraulic fracking  
**Date:** Tuesday, March 14, 2017 3:04:15 PM

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Dear Council members, COGCC, COGA, and Ms Coffman,

My background is grounded in hard science: BS/BA physics/math UCLA, magna cum laude; MS Chemistry UCLA; MD USC. My family name, Homyak, goes back to 1918, when Ukrainian farmers homesteaded in Weld Co. I love this state.

A very brief search through PUBMED on fracking revealed these recent review articles, both of which conclude that we do not know the consequences of hydraulic fracturing. PLEASE READ THE BRIEF PARAGRAPH SUMMARIES YOUR SELF.

<https://www.ncbi.nlm.nih.gov/pubmed/27986321>

<https://www.ncbi.nlm.nih.gov/pubmed/27921191>

MY CONCLUSION IS THAT THIS IS HIGHLY UNSAFE AND UNPROVEN.

1- The arid climate of CO means that contaminants will be concentrated, not diluted out. Western PA, in contrast, is lush and full of rivers. Any conclusions about fracking in OH, PA, West Virginia don't apply here.

2- The contaminants are not disclosed, making any research impossible. The first step to discovering if hydraulic fracking is safe is to disclose what is proprietary.

3- Chemicals with endocrine effects, that is they act like a hormone in the body, do not have a linear relationship between concentration and effect. A small amount of the wrong stuff could cause huge harm.

4- Young children have undeveloped blood brain barriers, livers, and kidneys. What is a safe level to an adult might cause serious damage to a developing baby's brain. Western PA has one of the highest incidences, per population density, of autism in the country. It is still not clear what is causing this high rate of autism. Proximity doesn't prove causality, but with so little known, why take the risk?

Please consider a moratorium until clear studies are produced.

Thank you,  
Michelle Homyak, MD, MS

**From:** Julie Zahniser  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Keep Fracking Moratorium + Add Strong Protection Regs.  
**Date:** Tuesday, March 14, 2017 3:14:14 PM

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Dear Commissioners,

Thank you for all of your sustained hard work, creating strong historic policies that protect and preserve Boulder County, especially in relation to management of fracking. I support you in continuing to stand strong.

**I urge you to continue the existing moratorium on fracking until its current expiration date** in order to continue to gain information and to develop strong policies to prevent damage to air, land and water, and to ultimately reduce impacts of fracking.

**I refer you to USGS, a fact-based source of information on this subject** so that you can read data for yourself. <https://earthquake.usgs.gov/research/induced/>

USGS has found both exponential increases in earthquake occurrences in state with prolific oil and gas drilling as well as shown strong connections between deep well wastewater injection.

Because of this science, **I urge you to strengthen regulations by adding prohibitions deep well wastewater injection in Boulder County. against this practice.**

Further, we need to make sure that oil and gas developers are monitored and held accountable for what they do to and with our natural resources.

Finally, therefore, **I urge you to build monitoring and enforcement funding into policies and regulations.**

Thank you for all you do!

Julie Zahniser  
3782 Telluride Lane  
Boulder, CO 80305

720 320 4294

**From:** Tracee Bentley  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** CPC/API Comments  
**Date:** Tuesday, March 14, 2017 3:19:30 PM  
**Attachments:** [API comments - Boulder County O&G regulations \(3-13-17\).pdf](#)

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Attached please find our comments are on the draft oil & gas regulations proposed in Boulder County.

Thank you,  
Tracee Bentley

*Tracee Bentley*  
Executive Director  
1660 Lincoln Street, Ste 2320  
Denver, CO 80264  
720.214.7177  
Follow us on Twitter: @COPetroCouncil



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**Tracee Bentley**  
Executive Director  
Colorado Petroleum Council

1660 Lincoln Street, Suite 2320  
Denver, CO 80264

Telephone 720-214-7177  
Email BentleyT@api.org  
www.api.org

March 13, 2017

Boulder County Board of County Commissioners  
Attn: Ms. Kimberly Sanchez and Mr. David Hughes  
P.O. Box 471  
Boulder, CO 80306  
oilgascomment@bouldercounty.org

**VIA EMAIL**

**SUBJECT: Proposed Amendments to Oil and Gas Development Regulations (Docket DC-16-0004)**

The Colorado Petroleum Council (“CPC”), a division of the American Petroleum Institute (“API”), respectfully submits the following comments on the Boulder County proposed regulations regarding oil and natural gas development. CPC welcomes and appreciates the Board of County Commissioners’ consideration of comments ahead of your hearing on Tuesday, March 14, 2017.

CPC hereby reincorporates and restates our comments on the proposed regulations submitted to the Planning Commission on October 12, 2016.

**I. Interest of the Colorado Petroleum Council**

API, doing business in Colorado through its Denver offices as CPC, is the primary national trade association of America’s technology-driven oil and natural gas industry. API’s over 625 members are involved in all segments of the industry, including the exploration, production, refining, shipping, and transportation of crude oil and natural gas. In Colorado alone, 111,500 jobs were supported by the oil and natural gas industry in 2012. These jobs provided \$29.6 billion in state economic activity and over \$1.6 billion in state revenue that same year.<sup>1</sup> CPC members have invested billions of dollars in Colorado’s oil and natural gas industry. Together with its member companies, CPC is committed to ensuring a strong, viable oil and natural gas industry capable of meeting the energy needs of our Nation and Colorado in a safe and environmentally responsible manner.

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<sup>1</sup> See, e.g., <http://www.energyfromshale.org/americas-communities/colorado>.

## **II. Numerous Provisions of the Proposed Regulations Are Preempted by State and/or Federal Law**

As we noted in our comment letter of October 12, numerous provisions of the proposed regulations are clearly preempted by state or federal law and will lead to additional unnecessary and costly litigation against Boulder County. In that same letter, CPC identified no fewer than twelve major provisions of the proposed regulations that would be unlikely to survive judicial scrutiny. In addition, CPC believes the following revisions made to the proposed regulations since our October 12 comment letter, without limitation, are also unlawful under Colorado or federal preemption doctrines:

- Pipelines, §§ 12-600(K), 12-700(S)
- Dust Suppression and Fugitive Dust, § 12-700(G)
- Water Source Sampling and Testing, § 12-701(B)(2)
- Maintenance and Repair, § 12-900(E)
- Amendment to Zoning Regulation and Enforcement Provisions, Ex. A.5

CPC also notes that while the above provisions are likely vulnerable to facial challenges, nothing would preclude affected companies from pursuing as-applied challenges to specific proposed regulations if they were enforced in a manner that conflicted with state law or rendered it superfluous. Indeed, given the extreme breadth of many of the proposed regulations, it is hard to imagine a scenario in which no provision is applied in a conflicting manner at some point in the future. While the effects of the proposed regulations on human health and the environment are speculative at best, it is a near certainty that they will lead to more costly – and avoidable – litigation for the County.

## **III. Boulder County Has Failed to Justify the Need for Additional, Duplicative Regulation of Oil and Natural Gas Production**

As described in our October 12 comments, CPC does not believe that Boulder County has justified the need for additional, duplicative regulations of an already highly regulated activity under state and federal law. Despite this ongoing lack of record evidence, Boulder County has failed in its latest draft regulations to supplement the record with any additional data or information to substantiate either its original proposed amendments or the significantly expanded amendments found in its latest draft. CPC believes that without a sound evidentiary foundation, the proposed regulations are fatally flawed from both a policymaking and an administrative law perspective and should be withdrawn.



#### IV. Other Specific Comments on the Proposed Regulations

We are disappointed that in addition to retaining preempted provisions of the regulations as described in Section II above and our comment letter of October 12, Boulder County has also failed to address our specific comments on the proposed regulations. CPC hereby reincorporates our October 12 comment letter's discussion of specific provisions, and adds the following specific comments:

- *Disruption.* Section 12-701(C)(3) removes a discretionary system of payment of disruption costs in favor of a mandatory calculation divorced from market data and professional opinion. CPC believes this system could actually result in a reduction of payments to disrupted individuals and recommends that the revisions be removed.
- *Equipment.* Section 12-701(C)(10) contemplates the use of so-called “ ‘quiet’ drilling and completion equipment,” which is ambiguously defined by reference to a single specific technology provided by a single supplier. CPC strongly opposes the use of specific technological regulatory mandates imposed without regard to availability, cost-benefit analysis, and other reasonable commercial considerations. CPC requests that this additional sentence be removed.
- *Definition of “gathering lines.”* CPC is concerned that the new definition of “gathering lines” found in Art. 4-514(E)(1)(b) may conflict with the recently revised definition and jurisdiction of the federal Pipeline and Hazardous Materials Safety Administration (PHMSA). CPC recommends this definition be removed, or revised to restate PHMSA’s current definition, as the revised regulations propose to do with respect to the definition of “transmission lines” in Art. 4-514(E)(1)(c).

\* \* \*

Thank you for the opportunity to provide comments. If you have any questions, please do not hesitate to contact me at (720) 214-7177, or [bentleyt@api.org](mailto:bentleyt@api.org).



Sincerely,

A handwritten signature in blue ink that reads "Tracee Bentley". The signature is written in a cursive style with a large, looping "T" and a long, sweeping "y".

Tracee Bentley  
Executive Director  
Colorado Petroleum Council

**From:** Jan & Brian Wilson  
**To:** [Boulder County Oil and Gas Comment: Sanchez, Kimberly](#)  
**Subject:** Comments on draft oil and gas regulations  
**Date:** Tuesday, March 14, 2017 3:53:43 PM  
**Attachments:** [COMMENTS ON DRAFT O&G ARTICLE 12.docx](#)

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Was unable to attend the public hearing today, so am sending the attached comments for your consideration.

Thank you,  
Brian Wilson



## COMMENTS ON DRAFT ARTICLE 12, SPECIAL REVIEW FOR OIL AND GAS OPERATIONS

Submitted by:

Brian and Jan Wilson  
7557 Rodeo Drive  
Longmont, CO  
glaseden@gmail.com

Article 12-400 B.4.c: \$1,000,000 liability insurance could be quickly exceeded in an accident. Suggest this be increased to \$5,000,000.

Article 12-600: The last sentence states “Depending on site specific factors, a greater number of wells on a site is likely to have greater impact and, as a result, may require more mitigation measures than a pad with fewer wells”.

While perhaps a correct statement, consolidating more wells at one site also has some advantages:

- Impacts fewer homeowners in a field development
- Allows better focus for operations and monitoring

I think consolidation of wellheads is desirable, and suggest deleting this sentence.

Article 12-600.K.6: Suggest changing the setback of oil/gas pipelines from structures to no less than 250’.

Article 12-701 B.2.b: States: ... “the Applicant may be required to identify and sample all available water sources located within one-half mile of the projected track of the borehole....”

I believe this should be requirement that the Applicant identify and sample several, but not all, water sources within one-half mile of the projected track of the borehole. They should also be required to advise owners of all water sources within the one-half mile limit of the borehole of that fact and the results of sampling and testing.

Article 12-701.C.2: I have the same issue here as for Article 12-600.

I suggest adding a requirement that well pads be setback from existing occupied structures at least 1000 feet.

**From:** Mike Duignan  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Fracking  
**Date:** Tuesday, March 14, 2017 3:55:28 PM

---

Commissioners,

Stand up to to the Colorado AG and the Oil and Gas industry that wants to pollute our air and water.  
The USA currently has way more oil and gas production then we need for domestic use.  
The industry just wants to sell it abroad while we suffer the environmental damage.

Regards,  
Mike Duignan

**From:** michael@southcreek3.com  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Fracking Moratorium - Boulder County  
**Date:** Tuesday, March 14, 2017 3:57:10 PM

---

Dear Commissioners

Please extend the moratorium on fracking in Boulder County! I appreciate the past moratoriums that have made Boulder a cleaner and safer place to live. Please uphold these moratoriums and do not fold to the pressures of the oil and gas companies! Please help maintain that Boulder County is properly regulated - including banning deep well wastewater injections, increasing our air/water/soil monitoring, and preventing the sale of water to frackers.

I appreciate your time.

Michael Ellis  
80305

**From:** Cynthia Anderson  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** oil and gas regulation  
**Date:** Tuesday, March 14, 2017 4:03:35 PM

---

Dear Commissioners,

I would like to thank you for creating legislation to defend our environment from the damage expected from oil and gas exploration and extraction. I also commend and thank the county commissioners for defending the county against an industry and State attempt to end the present moratorium prematurely. I encourage you all to add to our existing legislation a prohibition of deep well wastewater injection within our county borders, as there are many documented problems with this disposal method. Please make sure that sufficient funds are budgeted for the increased air, water and soil monitoring required in the regulations. I also ask that you encourage Boulder County municipalities from selling water to be used in fracking operations.

Sincerely,  
Cynthia Anderson  
1193 Old Tale Rd.  
Boulder, CO. 80303

**From:** [Wufoo](#)  
**To:** [Boulder County Board of Commissioners](#)  
**Subject:** County Commissioners Contact Us/Feedback Form. [#329]  
**Date:** Tuesday, March 14, 2017 4:45:53 PM

---

Name *	Virginia Winter
Organization (optional)	Equinox Consultancy LLC
Email *	<a href="mailto:gwinter@equinoxconsultancy.com">gwinter@equinoxconsultancy.com</a>
Phone Number (optional)	(303) 355-4924
My Question or Feedback most closely relates to the following subject: (fill in the blank) *	Docket DC -16 -0004: Amendments to Oil and Gas Development Regulations

Comments, Question or Feedback \*

Dear Commissioners, I could not make the hearing today and my comments may be moot but please receive them regardless.

Thank you so much for your courage in confronting the negative effects of fracking in our communities here in Boulder County. I understand you are truly in a difficult situation in needing to comply with state law when so many of your constituents want an outright ban on fracking, as I do as well. I really admire your standing up to the Colorado Attorney General Coffman's demand that you end the present fracking moratorium before our County has had time to consider and adopt regulations that will protect our citizens. To this end, I urge you to adopt the strongest regulations possible to protect our air from potent greenhouse gas methane leaks and protect our water and soil from contaminants associated with the fracking process.

I realize the state of Colorado, in alliance with oil and gas producers, is pushing you before you are prepared to tackle the large numbers of permit applications that are coming. Please resist the state. Specifically, we need to prohibit deep well wastewater injection, as this has produced earthquakes in parts of Colorado, and in Oklahoma. We will need adequate funding available for increased monitoring of air, water and soil, so please make sure we budget for it. Finally, please encourage municipalities in Boulder County to refuse to sell water to frackers as that enables more fracking and wastes/ contaminates our precious water resources.

Thank you for your hard work on this issue.

Please check box below \* ☒ I acknowledge receipt of the Open Records Notification

**From:** Leslie Glustrom  
**To:** [Boulder County Board of Commissioners](#)  
**Subject:** Thank You for Continuing the Moratorium on Fracking!!  
**Date:** Tuesday, March 14, 2017 5:15:12 PM

---

Dear Commissioners--When our current legal structure is not protecting our health or our community's right to decide what kind of development we undertake locally, that legal structure must be challenged.

Thank you for continuing the moratorium on fracking!!

Leslie Glustrom

*Leslie Glustrom*

*Boulder, Colorado  
303-245-8637  
[lglustrom@gmail.com](mailto:lglustrom@gmail.com)*

**From:** unity sferrazza  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** In support of climate bill of Rights and fracking ban  
**Date:** Tuesday, March 14, 2017 6:38:58 PM

---

My name is unity vincent sferrazza and I live at 16909 w.55th dr. Golden, CO 80403. I am in support of an outright ban on fracking and oil and gas development. I appreciate your willingness to make regulations that would make it very difficult to frack in Boulder County. I am disheartened to say that they are not enough. We cannot have fracking and oil and gas development under any circumstance. It is a risk to our children's right to a healthy climate. Thank you

**From:** Eric Stoutenburg  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Thank you for protecting our community from the health and environmental hazards of fracking  
**Date:** Tuesday, March 14, 2017 6:51:00 PM

---

I wanted to thank you for defending our community from the dangers of unregulated or poorly regulated hydraulic fracturing for oil and gas in Boulder County. Please continue to resist the state's efforts to bulldoze the county's smart regulations. I want to strongly express my support for the commissioners to:

1. prohibit the use of our valuable municipal water resources for fracking
2. prohibit deep well wastewater injection to avoid the risk of earthquakes
3. increased funding, paid by the oil and gas operators, for monitoring and enforcing safety, health, and environmental regulations

Thank you,  
Eric Stoutenburg  
Citizen of Boulder



**From:** Michael Sweeney  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** oil & gas  
**Date:** Tuesday, March 14, 2017 6:55:01 PM

---

I was wondering what I would say if I were pressed to speak.  
The question in my mind is what motivates the commissioners? Is it fear of losing their careers?  
I would say "we would happily set up a fund and find employment for you"

**From:** VegasGustav  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Can we afford to live with fracking?  
**Date:** Tuesday, March 14, 2017 7:19:38 PM

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The case against fracking is more and more damning. I am disappointed the state is not banning the practice. Do we actually need it? The claim that the industry creates jobs is not all that impressive. Studies have shown that there actually are only few. Can we bare the cost of living with an industry that has left an increased incidence of Leukemia in its wake?

<http://www.motherjones.com/environment/2014/08/inquiring-minds-anthony-ingraffea-science-fracking-methane>

**From:** Stuart Paul  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** additional comments  
**Date:** Tuesday, March 14, 2017 8:01:24 PM

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Hi Boulder Commissioners,

Long day huh.

I spoke this afternoon. Second to last before the dinner break.

I had a couple of additional comments that I'd like to make. Lets be on the same side on this issue.

In order to get the full picture as to where the EBCU folks are coming from I invite you to read the following:

An amazing pamphlet by the Community Environmental Legal Defense Fund —<http://celdf.org>. This is the organization that has helped 200 communities in a dozen states protect themselves from factory farming and the oil and gas industry.

Its called "On Community Disobedience in the Name of Sustainability" and you can read it online here: <https://tinyurl.com/henf7el>

Every American should take the time to read this 50 page pamphlet. This is what I learned so far:

That the narrative we have been taught is not true—"that we actually live in a democracy where we have the ability and authority to govern ourselves within our own communities." That local law is superseded by state law, which is superseded by federal law that derives from our Constitution.

That environmental laws and labor laws are not intended to protect the environment or workers but rather to facilitate commerce in an orderly fashion. The founders set up the constitution to protect property owners and to facilitate interstate commerce—and this was important 200 years ago to grow our country and make us powerful. That this underlying philosophy continues today, but is not sustainable any more.

"That the US Supreme Court first recognized constitutional rights for certain corporations as early as 1819," and has continued to do so up to and including the recent Citizens United decision which has resulted in unlimited corporate money in our politics.

That our system is flawed and that the next great, and certainly necessary, social movement with be to change the US Constitution to make the rights and protections for property and commerce subordinate (below) the rights of people, communities and nature. And that this movement will be on the scale of suffrage, abolition and civil rights—taking many years to accomplish with great struggle.

"That building a movement that fundamentally changes the structure of the current system requires that enough people penetrate the camouflage and fully understand how the current system operates, and who benefits from it. It then requires action that leverages that

understanding at the grassroots level—action that poses a real and credible threat to the current structure, and that eventually transforms the structure by eradicating the old one.”

This is an OPPORTUNITY for Boulder, an enlightened place, an innovator. The laws that we pass here along with those created in other municipalities will serve as a template for the state and federal constitutional structures of the future. Lets do this.

**Stuart Paul**

122 Artesian Dr, Eldorado Springs, CO 80025

**From:** Beth Williamson  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Fracking moratorium  
**Date:** Tuesday, March 14, 2017 8:16:18 PM

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This makes so much sense, except to those standing to lose money in the oil and gas industry.

Some people say natural gas is better than coal, but that's not clear!

Methane is much worse for the environment. Also, the industry does not properly regulate its operations!

--

"Behold the turtle. He makes progress only when  
he sticks his neck out." - James Bryant Conant

"In the garden of gentle sanity  
May you be bombarded by coconuts of wakefulness."  
– Chogyam Trungpa Rinpoche

**From:** Beth Williamson  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Fracking moratorium  
**Date:** Tuesday, March 14, 2017 8:17:52 PM

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And, citizens should be allowed, encouraged even, to stand up to government that says we have no say in our health! This is how our country has become great.  
Beth Williamson

--

"Behold the turtle. He makes progress only when he sticks his neck out." - James Bryant Conant

"In the garden of gentle sanity  
May you be bombarded by coconuts of wakefulness."  
– Chogyam Trungpa Rinpoche

**From:** [Wufoo](#)  
**To:** [Boulder County Board of Commissioners](#)  
**Subject:** County Commissioners Contact Us/Feedback Form. [#330]  
**Date:** Tuesday, March 14, 2017 8:27:32 PM

---

Name *	Marie Adams
Email *	<a href="mailto:marieadams366@gmail.com">marieadams366@gmail.com</a>
Phone Number (optional)	(303) 810-7920
My Question or Feedback most closely relates to the following subject: (fill in the blank) *	Extending the Fracking Ban Moritorium
Comments, Question or Feedback *	I urge to to adopt the Climate Change Bill of Rights for Boulder County. At the very minimum, extend the moratorium on fracking for another six months.
Please check box below *	<ul style="list-style-type: none"><li>• I acknowledge receipt of the Open Records Notification</li></ul>

**From:** Tina Ortkiese  
**To:** [Ken Cunefare](#); [Boulder County Board of Commissioners](#)  
**Subject:** Re: Fwd: FW: Oil and Gas regulations in Boulder  
**Date:** Tuesday, March 14, 2017 9:32:35 PM  
**Attachments:** [Contact info for Boulder Broomfield.docx](#)  
[Broomfield CO Intro Letter.docx](#)

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Ken:

Attached is a draft letter, addressed to the City Council of Broomfield but intended to be a form letter that can be tailored to any of the contacts listed below. Also attached is a Word doc with full contact information for the contacts below.

Some background on Colorado oil and gas:

The Colorado Oil and Gas Conservation Commission (COGCC) has written the rules for oil and gas in the state of Colorado. Their COGCC Rule 805 contains the regulations controlling noise from oil and gas drilling/completion/operation. <https://cogcc.state.co.us/documents/reg/Rules/LATEST/800Series.pdf>

Local governments appear to have limited authority when it comes to regulation of oil and gas activities. Counties, cities and special districts have a "Local Government Designee" (LGD) who interfaces with the COGCC. For Boulder County, this person is Land Use Director, Dale Case. For Broomfield City/County, this person is Deputy City and County Attorney Pat Gilbert. Ms. Gilbert has resources online that speak to the regulatory environment and what role local regulations can play (or perhaps can't play as it were). <https://drive.google.com/file/d/0BxAJnoFWbi4RTTFBVWJEzY0X28/view>

Contact information for Broomfield:

[council@broomfieldcitycouncil.org](mailto:council@broomfieldcitycouncil.org) Recipients include mayor and all 10 council members  
Local Government Designee: [oilandgas@broomfield.org](mailto:oilandgas@broomfield.org) Pat Gilbert  
[pgilbert@broomfield.org](mailto:pgilbert@broomfield.org)

Contact information for Boulder County:

[commissioners@bouldercounty.org](mailto:commissioners@bouldercounty.org) Recipients include all 3 county commissioners: Deb Gardner (chair), Cindy Domenico, Elise Jones  
Local Government Designee: [planner@bouldercounty.org](mailto:planner@bouldercounty.org) Dale Case  
[dcase@bouldercounty.org](mailto:dcase@bouldercounty.org)

Thanks,  
Tina

On Fri, Mar 10, 2017 at 2:56 PM, Tina Ortkiese <[tortkiese@arpeggioacoustics.com](mailto:tortkiese@arpeggioacoustics.com)> wrote:  
Will do...

On Mar 10, 2017 11:44 AM, "Kenneth A. Cunefare" <[ken.cunefare@arpeggioacoustics.com](mailto:ken.cunefare@arpeggioacoustics.com)> wrote:

Parsing Murray's grammar a bit more closely, I think his "both" refers to all Boulder County commissioners and the entire Broomfield City Council.



You might want to take to cut at a "what we bring to the table" letter for an introduction of us to these folks.

----- Forwarded Message -----

**Subject:**FW: Oil and Gas regulations in Boulder

**Date:**Tue, 28 Feb 2017 14:59:21 -0600

**From:**Murray Stacy <[mstacy@soundfighter.com](mailto:mstacy@soundfighter.com)>

**To:**[ken.cunefare@arpeggioacoustics.com](mailto:ken.cunefare@arpeggioacoustics.com)

Ken,

FYI

Please let me know if you reach-out to them, one way or the other

Thank you,

**Murray**

**Murray Stacy**

Vice President

Sound Fighter Systems, L.L.C.

T: [866-348-0833](tel:866-348-0833)

F: [318-865-7373](tel:318-865-7373)

W: [www.soundfighter.com](http://www.soundfighter.com)

**From:** Chris Parks [<mailto:cparks@chrisparkslaw.com>]  
**Sent:** Tuesday, February 28, 2017 2:52 PM  
**To:** Murray Stacy ([mstacy@soundfighter.com](mailto:mstacy@soundfighter.com)) <[mstacy@soundfighter.com](mailto:mstacy@soundfighter.com)>  
**Subject:** Oil and Gas regulations in Boulder

Mur,

Attached are three separate articles from today's Daily Camera, which is the Boulder paper. I think they will give your friends the information they need to pursue lobbying to help with a sound ordinance. From reading them it looks like the time is ripe to reach out to both Boulder County commissioners and the city council of Broomfield.

Hope this helps.

--

*Chris Parks*

[318-422-1235](tel:318-422-1235) (c)

--

Tina Ortkiese  
Principal  
Arpeggio Acoustic Consulting, LLC  
1947 Aspen Dr. NE  
Atlanta, GA 30345  
[www.ArpeggioAcoustics.com](http://www.ArpeggioAcoustics.com)  
Phone: [404.895.0242](tel:404.895.0242)  
Fax: [404.816.6104](tel:404.816.6104)  
Email: [tortkiese@arpeggioacoustics.com](mailto:tortkiese@arpeggioacoustics.com)



Arpeggio Acoustic Consulting, LLC  
1947 Aspen Dr. NE  
Atlanta, GA 30345  
(404) 216-7714  
(404) 806-6104 (FAX)  
ken.cunefare@arpeggioacoustics.com  
tortkiese@arpeggioacoustics.com

March 15, 2017

Broomfield City Council  
City and County of Broomfield  
One DesCombes Drive  
Broomfield, CO 80020

Re: Noise Regulation of Oil and Gas Development in Broomfield

Dear Council Members:

We are contacting you to offer our services in oil and gas noise ordinance development, as you set out to update your regulations of oil and gas activities in Broomfield, Colorado. Arpeggio Acoustic Consulting is experienced with municipal noise ordinance development, generally, and as it relates to oil and gas activities specifically. During the expansion of oil and gas development in Haynesville Shale around Shreveport, LA, Arpeggio consulted with Bossier and Caddo parishes to draft their noise ordinances and develop Noise Management Plans guidance for operators.

Comment [A1]: Tailor to the recipient

Based in Atlanta, Georgia, Arpeggio draws upon the combined experience and capabilities of a team of five consultants to offer a wide range of expertise in all areas of acoustics including architectural acoustics, noise control, and vibration. We are experienced at serving as expert witnesses in litigation. More information about our firm can be found at our website, [www.arpeggioacoustics.com](http://www.arpeggioacoustics.com).

With regards to noise regulation of oil and gas development in Broomfield, CO, our services may include:

Comment [A2]: Tailor to recipient

1. Noise ordinance drafting: Authoring a noise ordinance which comprehensively addresses the issues that arise due to oil and gas development.
2. Technology assessment: Assess the noise control technologies and practices currently available and employed within the oil and gas development and production industry, with particular attention paid to practices used in populated and sensitive areas.
3. Modeling: investigate local conditions and their effects on the existing noise environment and noise propagation within the county, yielding a contour map of existing ambient noise levels.
4. Monitoring: measure ambient sound levels throughout the county to inform the ordinance development.
5. Noise Management Plans (NMP) guidance: define pre-permit activities and methods for the operator to demonstrate compliance with the ordinance. Development of guidance for oil and gas operators in developing their noise management plans.

As the Broomfield City Council works to improve local regulations with respect to oil and gas, please feel free to contact us if we can be of assistance to you. We look forward to working with you.

Comment [A3]: Tailor to recipient

Sincerely,

Kenneth A. Cunefare  
Principal  
Arpeggio Acoustic Consulting, LLC

Tina M. Ortkiese  
Principal  
Arpeggio Acoustic Consulting, LLC

CITY/COUNTY OF BROOMFIELD:

Mayor of Broomfield  
Randy Ahrens (Worked in oil/gas field early in career)  
1901 Aspen Street  
Broomfield, CO 80020  
rahrens@broomfieldcitycouncil.org  
303.469.1498

City Council Members:  
[council@broomfieldcitycouncil.org](mailto:council@broomfieldcitycouncil.org) Email distributed to all 10 city council members and the mayor  
City and County of Broomfield  
One DesCombes Drive  
Broomfield, CO 80020  
Names and phone numbers: <http://www.broomfield.org/954/Council-Members>

Local Government Designee: Ms. Pat Gilbert  
[oilandgas@broomfield.org](mailto:oilandgas@broomfield.org)  
pgilbert@broomfield.org  
Pat Gilbert  
Deputy City and County Attorney  
City and County of Broomfield  
One DesCombes Drive  
Broomfield, CO 80020  
Phone: (303) 464-5806 x  
Fax: (303) 464-5849  
E-mail:pgilbert@broomfield.org

BOULDER COUNTY:

County Commissioners: Deb Gardner (chair), Cindy Domenico, Elise Jones  
commissioners@bouldercounty.org Email distributed to all county commissioners  
Boulder County Commissioners (Ms. Jones active environmentalist)  
PO Box 471  
Boulder, CO 80306  
303.441.3500

Local Government Designee: Dale Case  
planner@bouldercounty.org  
dcase@bouldercounty.org  
Dale Case  
Land Use Director  
Boulder County  
PO Box 471  
Boulder, CO 80306  
303-441-3930

**From:** Tina Ortkiese  
**To:** [Boulder County Board of Commissioners](#)  
**Subject:** Re: Fwd: FW: Oil and Gas regulations in Boulder  
**Date:** Tuesday, March 14, 2017 11:50:24 PM

---

Please disregard my e-mail sent earlier this evening. It was inadvertently sent to [commissioners@bouldercounty.org](mailto:commissioners@bouldercounty.org).

Thank you

On Tue, Mar 14, 2017 at 11:32 PM, Tina Ortkiese <[tortkiese@arpeggioacoustics.com](mailto:tortkiese@arpeggioacoustics.com)> wrote:  
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Local Government Designee: [planner@bouldercounty.org](mailto:planner@bouldercounty.org) Dale Case  
[dcase@bouldercounty.org](mailto:dcase@bouldercounty.org)

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**To:**[ken.cunefare@arpeggioacoustics.com](mailto:ken.cunefare@arpeggioacoustics.com)

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**Murray**

**Murray Stacy**

Vice President

Sound Fighter Systems, L.L.C.

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**Sent:** Tuesday, February 28, 2017 2:52 PM  
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**Subject:** Oil and Gas regulations in Boulder

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--

*Chris Parks*

[318-422-1235](tel:318-422-1235) (c)

--

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Principal  
Arpeggio Acoustic Consulting, LLC  
1947 Aspen Dr. NE  
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[www.ArpeggioAcoustics.com](http://www.ArpeggioAcoustics.com)  
Phone: [404.895.0242](tel:404.895.0242)  
Fax: [404.816.6104](tel:404.816.6104)  
Email: [tortkiese@arpeggioacoustics.com](mailto:tortkiese@arpeggioacoustics.com)

--

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Phone: 404.895.0242  
Fax: 404.816.6104  
Email: [tortkiese@arpeggioacoustics.com](mailto:tortkiese@arpeggioacoustics.com)

**From:** Randall C.  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Say NO to fracking in Boulder and say NO to the Colorado AG  
**Date:** Wednesday, March 15, 2017 1:28:01 AM

---

I as a citizen living in Boulder County do not want fracking in my community. The Attorney General has no right to force Boulder County to do his bidding.

We as the citizens have the right and obligation to decide what we want in our community. I do NOT want fracking in my community, environment and world.

What happens to me reverberates to others. We don't need fracking at it is important for us to be forward thinking enough to stop this practice which will poison our water.

Please vote my wishes.

Thank you,

Randall C.  
Boulder County resident.

**From:** Christopher Allred  
**To:** [Boulder County Board of Commissioners](#)  
**Subject:** Follow-up to Public Hearing about Oil and Gas Development  
**Date:** Wednesday, March 15, 2017 7:01:51 AM

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Dear Boulder County Commissioners,

In follow-up to the public hearing about oil and gas development, I would like to thank you for listening to the public and working to address the public's concerns. It is meaningful to know that local elected officials are standing with the citizens.

Although the state and oil and gas companies try to intimidate with lawsuits, we have a possibility to set a new precedent that would inspire other areas who are under pressure from the oil and gas industry. We have seen injustice by the oil and gas industry against indigenous rights, rights to people's health and safety, and rights to a clean, sustainable environment. This is a crucial time to stand up to the injustices by the oil and gas industry.

I would encourage working for a ban or an ongoing moratorium on hydraulic fracturing. In doing so, I strongly believe that the public will stand with you in support.

Sincerely,

Chris

**From:** Todd Adelman  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Comments  
**Date:** Wednesday, March 15, 2017 9:21:11 AM  
**Attachments:** [fracking letter.docx](#)

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Elise, Deb and Cindy,

Thanks for all of your efforts on what is a very complex situation.

Please feel to reach out to me if there is anything I (and the community) can do to help you fight for us.

I have attached my comments of which I got through about half of yesterday at the hearing. I had a few additional thoughts and questions (I am not expecting you to answer them, just want to raise them) after hearing all of the testimony:

-Once all of the testing concludes what we already know, what do we do then – throw them out? Make the O & G companies implement safeguards that do not and most likely will never exist. If we are unable to keep them out, we need to make the guidelines prohibitively stringent – to the point that we set the acceptable levels for each criteria and if they do not meet them, force them to remove the wells, clean up the operations and get out of our community. Josh Joshwick (who spoke yesterday) seems to be an expert on how to extremely regulate these companies. Get him involved.

-Where is the water coming from? A statistic got thrown out yesterday that indicated the full capacity of Gross Reservoir would be needed to supply the Fracking industry. What is Denver Water's involvement? Gross Reservoir Expansion? The water issue is out of control.

-The disruption payments seem way to low – if the numbers were multiplied by 10, they still would not be commensurate.

-What is going to be done to keep our citizens safe when they are protesting and expressing civil disobedience? This should be a priority of our community.

All the best,

Todd Adelman  
1890 Lazy Z Rd  
Nederland, CO 80466

**Todd Adelman**  
*Sr. Loan Consultant*



**New American Funding**

1881 9th Street Ste. 115  
Boulder, CO 80302

Phone: 720-627-8809

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My name is Todd Adelman and I have been a Boulder County resident since 1989.

Fracking in Boulder County would be one of the biggest disasters in our history. In my opinion, fracking does not belong anywhere, but it certainly does not belong here.

I have 2 young daughters, and for their sake, and for mine, I wake up every morning infinitely hopeful. Hope is one thing that no president, no congress, no local government and no corporation can take away from me.

My hope these days, is that we as a country have hit the absolute bottom...

That 2017 goes down in history as the time when the decent people of this nation said no more and take back our democracy.

Take it back from every domestic terrorist that poses a threat to the spirit of the constitution, to our civil rights, to our environment and to our basic human values.

It is no mystery that the vast majority of Boulder residents are vehemently opposed to fracking, the question seems to be how do we successfully keep it out of our community now and forever.

Democracy is not and has never been free, it comes with a huge cost and that price starts with standing up for what you believe in and not backing down until you have no other options.

As Boulder County Commissioners, it is your responsibility to represent the values of your community and to be the spokespersons. You need to protect us and instruct us on how we can help you win this battle.

Fracking is a threat to our way of life, the health of our children, our food supply, our property values and our overall economy.

Boulder has changed immensely over the years but I like to think that some of the fundamental values that brought so many of us to this town still exist.

Boulder is now a wealthy town, a very wealthy town – our citizens have resources. Google, (to use as one example) will soon have roughly 1500 or so employees. They are one of the most powerful corporations in the world. It is time to solicit these types of companies – they need to get involved and provide funding, legal aid and lobbying power to protect the very community where their employees live and work. They need to help us change the laws on fracking.

We stand up here and speak not just for ourselves and our community, but for all of the conservation minded citizens that have come before us. For all of the Native American people who understood and still understand harmony. For all of the anti-fracking organizations and environmental organizations that fight the battle every day to provide a safer and more sustainable planet for all of us. Lastly, we speak for every species of plant and animal that also rely on this planet for survival.

The laws of this state regarding Oil and Gas are flawed, they are preferential and they must be changed. They must be changed now.

Precedent can be a dangerous thing in the hands of the wrong people and it has been started with the rulings regarding Fort Collins and Longmont -- towns that have fought as hard as we have to keep fracking out of their communities.

We need to change the law. We need to work with other progressive minded politicians to change the law so that our Colorado communities can protect themselves from fracking.

I implore the 3 of you to take this fight as far as it needs to go and from my limited understanding, it most likely means fighting it all the way to the Colorado Supreme Court.

Your constituency voted you in to office to do a job and to represent our ideals and values. Do whatever is necessary to win. Go down in history as heroes, as fighters, and as representative leaders. Set a new precedent. Make Boulder the national poster child of the community that successfully changes the law and evens the playing field.

Thank you for your time.



This endorsement is unconditional is the basis of our floundering democracy.

Empower yourselves and your constituents with clear directions on how we win this battle. If it is outside of your scope, then appoint a local organization to work along side you.

that used to inhabit Colorado and understood.... for all of the conservation minded progressive thinkers in the US and around the world and just as importantly for

We need to take this to the supreme court in Denver and change the law.

Let's bring 10,000 people down to the steps of the capital and protest this nonsense enough is enough.

Everything is at stake and precedent can be a very dangerous thing in the hands of the wrong people...

I hope the headlines don't read in a year or so "Make Boulder Great Again"

These hearings are one sided and it takes 2 sides to win this fight.

foreign cars. The dive bars and bohemian beat shops have been replaced with Sushi restaurants and over priced boutiques and the times have changed – dramatically changed. One aspect hasn't changed and that is that most of us have chosen to live here...not born here and we have chosen Boulder because of what. Is it a marketing slogan? Are we full of shit? Maybe?

We are nowhere near this point.

in fear, not wavering, not succumbing to more powerful forces

No more

This democracy is broken and has been for a long, long while.  
Democracy is not free

I implore you to go down in history as heroes, as fighters, as leaders and as good human beings.  
Your constituency voted you in to office to do a job and to represent certain values and ideals.  
This endorsement is unconditional. It does not have any asterisks.

Let's see what we are made of....

Dirk Walker

**From:** Kate  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Oil and Gas Regulation  
**Date:** Wednesday, March 15, 2017 12:32:22 PM

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Dear Boulder County Commissioners,

Thank you for producing regulations that will lessen the environmental impact of oil and gas drilling.

I applaud your efforts to maintain a moratorium on new oil and gas drilling in Boulder County until new regulations are finalized. Our well water quality and air quality are truly a public concern, and a corporation or single industry should not have the power to damage either. I encourage you to add a prohibition for deep well wastewater injection as a means of preventing potential earthquakes and well water contamination.

Sincerely,  
Boulder County resident  
Kathleen Newberg

My testimony will address sections of the proposed regs. that deal specifically with gathering lines and their siting, which is a matter of public safety.

Sec 12-600 K

Sub (2)

"To the maximum extent practicable, and subject to any provisions contained elsewhere in Article 12, gathering lines and flow lines within Applicant's area of operations shall be sited to avoid areas containing residential, commercial, and industrial buildings; places of public assembly; and surface water bodies."

Quote "...operations shall be sited to avoid areas containing residential, commercial, and industrial buildings", the words "existing or proposed (platted)" should be added to residential, commercial, and industrial buildings; places of public assembly;

Sub (4)

"Any pipelines outside of the well pad and subject to Article 12 review shall, to the maximum extent practicable, be sited to avoid areas that will impact county open space or impede road rights-of-way. Surface impacts and habitat fragmentation and disturbance must be minimized where such pipelines are permitted."

Specifically the mention of Surface impacts: you ought not rely on the COGCC to enforce reclamation standards. Such things as did the reclamation just become a weed patch are issues you should assert control over. Also you should consider allowing the surface owner of an easement the ability to determine how weeds are controlled in the easement.

## 12-600 K Sub (5)

“To the maximum extent practicable, Applicant shall share existing pipeline rights-of-way and consolidate new corridors for pipeline rights-of-way to minimize impact.”

12-700(S) On some level addresses pipelines sharing rights of way

Any pipe installed underground must have at least twelve (12) inches of clearance between the outside of the pipe and the extremity of any other underground structure...

This is an issue to which there are questions but no current solution, the question being how far apart buried lines should be from one another in case of failure. But as more data emerges, this should be re-visited.

## 12-600 K Sub (6)

“A pipeline must not be located closer than one hundred and fifty (150) feet from a residential, commercial or industrial building, a place of public assembly, or the high-water mark of any surface water body except in extraordinary circumstances. All setback distances will be measured from the nearest edge of the pipeline.”

I would recommend doubling that 150 foot setback; the risk to the public from explosion is too great not to. Also have the setback distance be measured from the edge of the easement, not the nearest edge of the pipe.

## 12-500 J 12

The term ‘Estimated worst case spill volume’ should be added to that list.

12-701(C)(14)

**"The Director will have the option of requiring a risk-based engineering study".**

Siting gathering lines is a matter of public safety, and The Director must have and should not hesitate to exercise this option. There are calculations that help determine whether or not the sites of proposed gathering lines are appropriate. If it is deemed that the proposed sites are not appropriate, the application should be denied, and alternatives must be examined.

and that leads to my editorial comments.

About your job, I've done your job 12 years, to paraphrase the poet: "This ain't no work for the weary kind." I get the impression that you three are not the weary kind. I don't know if you three commissioners consider yourselves fortunate or not, but from where I stand, you are. It is in your hands to DO something. And you know that it is ONLY in YOUR hands, because the feds sure as hell are not going to do anything, and the state sure as hell is not going to help your citizens...can I have another ten minutes to go on that rant... it is up to YOU. Be as strong as you can be. And when threatened as you know you will be, you tell COGA and their boy John Hickenlooper to bring it.

Josh Joswick  
Earthworks Oil & Gas Accountability Project  
970-903-0876  
PO Box 107  
645. Los Pinos Dr.  
Bayfield, CO  
81122

Statement from 350 Boulder County  
delivered by Micah Parkin on Mar. 14, 2017  
to Boulder County Commissioners regarding updated draft oil and gas regulations

Dear County Commissions and Staff,

Thank you for your leadership and careful attention to this issue. 350 Boulder County represents about 2,000 members in the County who are deeply concerned about the impacts of fracking on our land, water, air, climate, quality of life, public health and safety.

First, we **urge you to uphold your moral and fiduciary duty to Boulder County residents who have for decades paid taxes to promote sustainability and protect open space land and our air, water and climate by extending the moratorium on oil and gas development despite threats of lawsuits from fossil fuel companies who's only care is profiting at our people's expense and government officials who are the puppets of these companies. Recent research findings** about the damage from fracking on public health, water, air, climate would render any decision to allow fracking to be a dereliction of responsibility to our current and future community members.

One such report released in September, by Oil Change International showed that **we can bring on NO new fossil fuels if we are to have a chance of staying below 2 degrees C** global temperature rise, which is what our country and others around the world agreed to in Paris in an effort prevent runaway climate change.

Allowing fracking in Boulder County would fly in the face of Sustainability Taxes and other measures that voters approved to do our part to address climate change and shift to a clean energy future. The resulting methane leakage from oil and gas fracking and the burning of these fossil fuels would almost certainly undermine our collective efforts to reduce greenhouse gas emissions.

Another important recent report released on Oct 24th, from Yale School of Public Health found that fracking is linked to cancer-causing chemicals. They examined over 1,000 chemicals that may be released into air or water as a result of fracking. For 119 of these compounds, 44% of the water pollutants and 60% of air pollutants were either confirmed or possible carcinogens. 20 chemicals had evidence of increased risk for leukemia or lymphoma specifically. The lead author of the report Nicole Deziel, Ph.D. has called for additional research, especially looking at impacts on children, as they are a "particularly vulnerable population." It would be terribly irresponsible for us to not use the precautionary principle and all means within our power to prevent our children from exposure to these chemicals.

Given the fact that the fracking boom appears to be busting with 90 gas and oil producers in the US and Canada having filed for bankruptcy in the last 20 months (Jan. 2015 - Aug. 2016) and with 135 oil companies on the edge of bankruptcy it is likely that county residents would be stuck trying to clean up the mess left by insolvent companies if fracking is allowed. Most of these companies are only functioning because of ongoing bank loans, demanding continued fracking regardless of the poor economics at play.

Despite the Supreme Court's ruling that local governments cannot place extended moratoria or bans on fracking, many Boulder County residents who voted for a local moratoria have not had their day in court to defend our right to initiative. We must remember that many other oppressive policies, such as slavery and women and people of color not having the right to vote, have at times in history been the rule of law, and it is our duty to stand up against unfair and unsafe laws - in court and through direct action if necessary.

We thank the Commissioners and staff for your efforts to create as protective regulations as possible, and we encourage their adoption, as well as a continued moratorium until and unless it is proven safe. We believe that your fiduciary and moral duty to Boulder County residents takes precedent over other legal obligations you face.

Thank you.

**From:** [Wufoo](#)  
**To:** [Boulder County Board of Commissioners](#)  
**Subject:** County Commissioners Contact Us/Feedback Form. [#331]  
**Date:** Wednesday, March 15, 2017 1:13:50 PM

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Name *	Lincoln Miller
Organization (optional)	Sierra Club
Email *	<a href="mailto:lincolnisaac@gmail.com">lincolnisaac@gmail.com</a>
Phone Number (optional)	(303) 883-2526
My Question or Feedback most closely relates to the following subject: (fill in the blank) *	Fracking

Comments, Question or Feedback \*

Good afternoon Boulder County Commissioners,

The struggle that lies at the intersection of climate justice and social justice is the critical fight of this century! The oil and gas industry wants to take it all, they will extract it from the ground, poison our waters, they will destroy our soil and burn it all, till the climate apocalypse and all for the love of MONEY. To accomplish this, the oil and gas industry is pouring millions into organizations like CRED. They are buying up city councils all across this great state. They bought the Denver Post, they own the fricken governor and he wants to be president.

But against all that, each and every one of you pushed back. THANK YOU Boulder County Commissioners for your leadership!

Your critical regulations will reduce the impacts of fracking and stay within state law. I think that last part is critical because if we have a set of regulations that are struck down by the courts, they will protect no one. Let's keep the moratorium till the 15th to give us all the time we need to get this right.

I want to encourage you to do the following in addition to what you have already done:

- Add a prohibition of deep well wastewater injections, this can help prevent earthquakes that have occurred in the past.
- Please budget sufficient funds for increased Air, Water and Soil Monitoring that you require in the regulations.
- Encourage all cities to REFUSE to sell water to frackers, they need this water so let's NOT give it them, we should resist with every legal means available to us.

Thanks again for all you do.

In cooperation,  
Lincoln Miller

Please check box below \*

☒ I acknowledge receipt of the Open Records Notification



**From:** Tanya Markle  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** DEMAND That We Uphold Our Moratorium  
**Date:** Wednesday, March 15, 2017 2:14:07 PM

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Hello,

I was unable to attend the hearing, but I would like to put my voice out there, demanding that we uphold the moratorium.

Thanks!  
Tanya Markle

**From:** Karen Dike  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** copy of the testimony I provided at the hearing  
**Date:** Wednesday, March 15, 2017 2:29:03 PM

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## Deb Asked that I send this in so she had the specifics

Karen Dike, 708 Hayden Ct, Longmont.

I want to start by thanking you for the time and care you took writing these regulations. I understand that as commissioners you would prefer not to have this polluting industry invade our county. Since the Governor will not protect us and has taken a stance of being a denier of all the scientific research that has accumulated, I understand that your hands are tied.

Since the county will be over run just as my city of Longmont will be by this industry, I would recommend the following be added to the regulations as they currently stand.

First, it is imperative that continuous air monitoring occurs near all operations and that nearby residents are warned when any increase in VOC's or other harmful chemicals are noted. A FLIR camera should be utilized weekly to search for any leaks, including along pipelines.

Second, health studies should be conducted. I would suggest the following:

Prior to any drilling a health assessment form validated by a known researcher such as Lisa McKenzie, should be made available. All residents within a 5 mile radius should complete this assessment or be able to abstain. This assessment should be repeated at the time of fracking and flow back and whenever a well is re-fracked. It should also be repeated whenever residents report odors, with any flaring, and whenever a FLIR camera reveals leaks.

Additionally, records should be kept of any births to residents in the area and reports made of any birth defects, premature babies, low APGAR scores or fetal deaths. Residents who move away should also report any of these conditions if they became pregnant or lived close to fracking while pregnant.

Lab tests for VOC's should be drawn from a sample of residents in the area where Oil and gas extraction will occur. These should be repeated at the same time frame as the health assessments.

The industry should set aside money to reimburse for the health study and for any liability that occurs.

Third: all residents should conduct a radon test prior to drilling/fracking operations and repeat after the fracking. They should be reimbursed by industry if the radon test is positive after the fracking for radon mitigation.

Fourth All residents should notify their insurance company that they will be within x feet of a well. If the insurance rates increase, the industry should compensate them.

Fifth: A study of current home values should be completed for all homes within 5 miles of the well pad. This should be repeated after the well pad is completed and the home owner should be compensated for any loss of property value.

I believe these are common sense additions to the regulations that will help the surface owners and residents be compensated for their risks and losses.

Thank you

**From:** Kristina Woodall  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Oil and Gas Comments  
**Date:** Wednesday, March 15, 2017 4:31:52 PM

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Kristina L. Woodall

PO Box 18662

Boulder, CO 80308

720-327-7648

RE: Comments on oil and gas moratorium (fracking) in Boulder County

I have lived and worked in Boulder since 2003. I grew up in Denver and there wasn't a time in my life there that I didn't want to live, play, and work – be a part of – Boulder. It was always the shining light of health, happiness, and harmony on the hill. Even when I lived in California for a few years (always missing home), when I spoke of Boulder, people always smiled. Boulder isn't just a place; it's a state of being. Its very nature is its indelible and, if we fight to preserve it, its enduring value.

It's my home. It's where I've invested heart and soul, money and time, passion and purpose, and my dream of a healthy, happy life. It is, in essence and reality, my "pursuit of happiness" to the core.

Now I'm sure you have quantitative proof a hundred miles long on the severe negative impacts to the overall health and well-being of people related to the immediate and residual effects of fracking; to the health and viability of wildlife habitat and corridors affected by the placement, construction, and traffic associated with drilling and maintaining fracking sites, as well as to domestic animals (as this study from Cornell University attests: <http://news.cornell.edu/stories/2012/03/reproductive-problems-death-animals-exposed-fracking>); to the health and safety of once-clean water that's been pumped full of (proprietary) fracking materials (including Benzene, which the American Cancer Society, <https://www.cancer.org/cancer/cancer-causes/benzene.html>, calls a direct link to cancer); and to ... just about everything to do with the health and safety of the people of Boulder County.

I truly believe that you all already know the damage that can, and will be done, if people who do not call Boulder home get the chance to come in to our county and frack for their own profit, then move on to lay waste to another area in Colorado with

the misfortune of providing them a new opportunity to pillage for personal gain.

I know that you feel the agony, or at least I hope you do, when you foresee (see and smell and know) the irreversible damage that will be done to the quality of our physical, mental, emotional, and even spiritual existence during this one-and-only life we have to live if they are allowed to frack us to dust. This will be devastating to our heritage of preservation and protection; to our vision of open space and fresh air and clean water. There is no doubt about the harmful impacts associated with, and imminent threat to health as a result of, fracking.

So, I will give you a qualitative comment. One that I presented in a letter to the editor to the Boulder Daily Camera -- one that I am writing specifically to you; you with the power to actually do the right thing at the right time:

*What would we, the people of Boulder County, do if we knew that an invading force was gathering at our borders with the purpose of pillaging and plundering for profit – with no care or concern for the sickening swath of destruction they will bring to our pristine land, air, and water; to our wildlife and their wild ways; to our protected and preserved visual vistas; to our legacy of clean open spaces; to our ability to breathe free our fresh air and drink deeply our wondrous water; and to our very quality and, for some, our very quantity, of life?*

*Well, we're about to find out because the formidable fracking forces are at our door, ready to feed upon our pursuit of health, happiness, and harmony within our own home.*

*When, like many others, I awoke last November to the insatiable insanity that threatens to rip the democracy from our nation and the light from our flag, I held on to the comfort that our State was an indelible sanctuary blue.*

*When, like many others, I drive down I-25 and see the darkness fracking through Weld County, bringing tears to my eyes, constriction to my throat, and anguish to my soul, I hold on to the comfort that I just have to make it to the border of my blessed Boulder County.*

*When I know, deep in my soul, that the Governor's dream to have them "frack the hell out of Colorado" (his words) has turned into our nightmare of fracking the heaven out of her, I hold on to the comfort that we, the people, will find our voice – and will fight for our values.*

*The Native Americans liken the oil and gas monstrosity to a black snake, one that will, as foretold in ancient prophecy, bring the ultimate destruction to our land if not faced down with a warrior spirit in the seventh generation – our generation.*

*To me, the coming of the oozing onslaught seems more the shape of an unbridled black spider, with her sticky, spindly legs stealing across the landscape until she punctures deep a hole, forever fracturing the sanctity of sacred space. Then, puncturing deeper, she spews in her self-proclaimed propriety potion of poison so she can suck out her plunder – entangling ever-thicker her insidious black web and leaving behind a gaseous, gluttonous gloom as her darkening belly grows more and more full.*

*She knows that the time of her own destruction is near, for there is less and less gas to be garnered and then sold at too high a price for our precious planet to continue to bear. The black spider has her own nightmare -- the coming of a yellow spider that can spin a glistening web of unlimited power from unmetered sunshine and unchained wind.*

*She instinctively knows that she's on her last legs. She – and those who lustfully cast her across our landscape so they can laughingly leave with burgeoning bank accounts – knows that this current assault is for one final frenzied proliferation of profit. There is no remorse for the unnecessary undoing of the irreplaceable or for the irreversible destruction of the divine. When she is fat and full, and the rich are richer, they will simply crawl on until forced to end their destruction by a people, and a market, wise to a brighter, cheaper, and cleaner future.*

*But what will we, the people of Boulder County, do now – before our lands are scoured and scarred; our water is tormented and tainted; our wildlife is evicted and eviscerated; and our children are cursed with our carelessness?*

*It's time to find out.*

*Even if you missed, or were kept from joining, the March 14th Board of County Commissioners' public meeting weighing resolve to protect against remorse of plunder, they are still taking comments at [oilgascomment@bouldercounty.org](mailto:oilgascomment@bouldercounty.org)*

*Now is the time to find our voice. Now is the time to fight for our values – across our nation, across our state, across our county, and across our doorstep.*

*Now is the time to restore the sanity and the sanctity; it's time to stop – before it starts – the fracking of our future.*

--

Kristina Woodall  
GLOBE Program/GLOBE Implementation Office  
Communications Specialist II  
UCAR/NCAR  
PO Box 3000  
Boulder, CO 80308  
email: [kristina@ucar.edu](mailto:kristina@ucar.edu)  
phone: 303-497-8806

**From:** Mike Hingle  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Legally Stopping Fracking  
**Date:** Wednesday, March 15, 2017 4:41:49 PM

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Attorney Earl Staelin, chairman of the ***Rocky Mountain Public Banking Institute***, said if someone shows a free energy device that is much cheaper than natural gas or oil, then fracking and oil drilling can be easily stopped by local courts.

**From:** Patrick Newton  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Please say no to fracking right here where we live in Boulder county! Vote NO!  
**Date:** Wednesday, March 15, 2017 10:01:46 PM

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Sent from my iPad

**From:** Fred Peck  
**To:** [Boulder County Oil and Gas Comment](#)  
**Date:** Thursday, March 16, 2017 8:08:51 AM

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My wife and I are against any fracking operations in Boulder county

Fred and Kathy Peck



**From:** Jan DeCourtney  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** DC-16-0004  
**Date:** Thursday, March 16, 2017 8:39:52 AM

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Hello County Commissioners,

As a long-time Boulder resident, I would like to express my concern about DC-16-0004 and fracking in Boulder County.

NO FRACKING. I strongly urge you to BAN ALL FRACKING in our community, our county. Fracking increases incidence of earthquakes, pollutes the land, uses vast amounts of water, among other problems.

NO FRACKING. I see NO reason whatsoever to endanger the lives of our community members by allowing ANY fracking at all in our county. Fracking is going to destroy the quality of life of our community. I don't want it.

NO FRACKING. Instead, I would like to see the county commissioners develop a plan to increase use of sustainable energies such as wind and solar power, electric automobiles, etc. I would like to see the county commissioners work with the oil companies to help them change from using oil to developing sustainable energy resources for us.

NO FRACKING.

Sincerely,  
Jan DeCourtney

6150 Willow Lane  
Boulder, CO 80308  
303-527-2886

**From:** Bonnie Sundance  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Comments  
**Date:** Thursday, March 16, 2017 10:19:10 AM  
**Attachments:** [Mar 14 Fracking hearing comments my ed.docx](#)

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Dear County Commissioners,

Please collaborate with citizens in every way possible to keep fracking out of Boulder County for all the reasons you heard at the hearing.

I attach my comments presented at the hearing on Tues. 3/14. I email them so they become part of public record.

Thanks for all your work and concern about this issue.

Blessings,

Bonnie Sundance

From: Bonnie Sundance, 2380 Hillsdale Way, Boulder, CO 80305

To: the Boulder Country Commissioners, Cindy Domenico, Deb Gardner, Elise Jones

Re: Gas and Oil Companies doing Hydraulic Fracturing in Boulder County

March 14, 2017

It is customary among many Indigenous tribes at gatherings to acknowledge our inherent connection to the Natural World. The Iroquois have given us a 1000-year-old Haudenosaunee Thanksgiving Greeting which I invite you to participate in to open this Hearing. If you wish you might imagine sitting next to a quiet place on Boulder Creek as you do so.

We greet and give thanks to the clear Water, the living Soil, the warmth of the Sun, the fresh Air we breathe, the insects and animals, the giving trees and plants, and the Great Life Force. We give thanks to ancestors before us who cared for this Earth. Now our Minds and Beings are One, as we invite the greater reality of our Earth into our proceedings today.

I am very scared about the current overheating of our atmosphere especially for the people worldwide who depend on glaciers for their water, glaciers now melting.

We as a culture aren't encouraged to connect how we live our lives with how people in other parts of the world are now at the ill-effect of the fossil fuel we have burned to run our cars, electrify and heat our homes, and fly in airplanes.

If the law makes it ok to overheat the atmosphere and make people sick through fracking, then it is the law which is wrong. It is time for us to oppose the Colorado State laws which condone unhealthy fracking practices which not only toxify water but also overheat our planet with the fossil fuels extracted and with shoddy techniques which let methane escape.

I applaud the Voters in Monterey County, California's fourth-largest oil-producing county, who passed a Measure to ban fracking, by more than 55 percent of the vote, despite supporters being outspent 30 to 1 by oil companies.

Let's follow New York state which banned fracking in 2015 with this comment from state health commissioner Howard Zucker, "Would I live in a community with [fracking] based on the information we have now? ... After looking at the plethora of reports, my answer is no." "I cannot support hydraulic fracturing in the great State of New York."

I add, the amount of clean water it takes to create a well and the water it toxifies with each well is untenable and unsustainable.

I appreciate the comments submitted to you in 2017 by Dan Leftwich, Attorney, on the Commissioners website. His supporting evidence points to your constitutionally backed right and fiduciary duty to protect public health and to preserve environmental integrity of Open Space and the Sustainability initiatives.

I am against fracking and against your establishing regulations for any hydraulic fracturing in Boulder County. I am against the County accepting and processing any applications for fracking wells. Dan Leftwich sites other county's experiences with disrespectful companies and the inevitable mistakes that result.

You are where you are as women in the seat of County Commissioner, because of women before you who saw a defect in the laws and stood up for women's right to vote and because of the 1970's movement for women's liberation for an equitable place in the world.

Please consider standing up in your role as Boulder County Commissioners to contribute to the health of citizens and the planet. Resist unjust laws which allow more methane into the atmosphere through fracking and allow toxifying water.

Whatever you as Commissioners and we as people need to do to prevent all fracking from entering Boulder County, it is time to do it, including disobeying Colorado State Law and standing up for the rights of all life on this planet. This isn't just about protecting Boulder County; it's about taking care of our atmosphere and water for everyone and for all species. It's about supporting and taking action to put into place renewable sources of energy: wind, solar, geothermal and hydrogen so all Life can thrive on this beloved planet.

Thank you,

Bonnie Sundance

**From:** [Wufoo](#)  
**To:** [Boulder County Board of Commissioners](#)  
**Subject:** County Commissioners Contact Us/Feedback Form. [#332]  
**Date:** Thursday, March 16, 2017 11:14:21 AM

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Name \* ANN FREEMAN

Email \* [ANNFREEMAN80301@GMAIL.COM](mailto:ANNFREEMAN80301@GMAIL.COM)

Phone Number (optional) (303) 408-9090

My Question or Feedback most closely relates to the following subject: (fill in the blank) \* FRACKING IN BOULDER COUNTY

Comments, Question or Feedback \* Dear Commissioners,

I am very concerned about fracking for fossil fuels in Boulder County, and in the country as a whole. We all know, the scientific evidence is in, and is conclusive and indisputable, fracking is harmful to the land and the resulting effects of using fossil fuels are damaging our planet.

I urge the commissioners to sign on to the Climate Bill of Rights and Protections. We have to be the leaders in CO and I believe we can.

Ann Freeman  
1925 30th St. Apt 144  
Boulder, 80301

Please check box below \* ☒ I acknowledge receipt of the Open Records Notification

**From:** Dona Smith  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** fracking  
**Date:** Thursday, March 16, 2017 3:11:05 PM

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Please ban fracking in Boulder county.  
Too many bad effects too close to so many people.  
Thank You for listening  
Dona Smith  
303-258-3715

**From:** Charlie Farrell  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** fracking regulations  
**Date:** Thursday, March 16, 2017 5:52:13 PM

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Dear County Commissioners,

I request that you continue to maintaining a fracking ban in Boulder county. I certainly understand there are multiple sides to this issue, but I do not feel it's appropriate given the density of the county, the disruption to residents, the external costs from noise, road use, potential water pollution and many other external costs that are not borne by the fracking firms. Any industrial damage done may take years to understand, and it's likely residents and the county will need to bear these costs.

This is certainly a "not in my backyard" position, but residents have paid a lot of money to have their backyards in Boulder county and inserting industrial operations and production in these environments is totally inappropriate.

Charles Farrell  
Nederland, CO

**From:** Claudia Murphy  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Oil and Gas Development in Boulder County  
**Date:** Thursday, March 16, 2017 9:53:09 PM

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Dear Boulder County Commissioners,

I am writing today to express my concern and hope for the continued tranquility and natural wonder of Boulder County. Specifically, I am writing today to ask when you vote, you vote to keep Hydraulic Fracturing from occurring in/on/around our beautiful lands. I am concerned by the high levels of VOCs vented at hydraulic fracturing sites. I am concerned about potential ground water contamination from spills and the drilling itself. I am concerned about the level of truck traffic. I am concerned about the hydrocarbons released that accelerate climate change. And primarily, I am concerned for the millions of gallons of water used during hydraulic fracturing of a single well that would be chemically poisoned and undrinkable for generations to come.

Sincerely,

Claudia Murphy  
530 Concord Ave.  
Boulder, CO  
303.449.3188



**From:** Paul T. Little  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Thank you in advance for supporting a total ban on fracking  
**Date:** Friday, March 17, 2017 12:16:53 AM

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Hi, and thank you for your time. Thank you in advance for supporting a total ban on fracking. The water contamination is reason enough to ban fracking:

Fracking wells, which inject water, sand, and chemicals deep into the ground to extract natural gas, inevitably create significant runoff into groundwater systems. 40,000 gallons of 600 different kinds of chemicals are used in each fracking well, including formaldehyde, mercury, uranium, and hydrochloric acid. To run all the fracking wells in the United States, it takes 360 BILLION gallons of those harmful chemicals. And only 30 to 50 percent of those chemicals are reclaimed, while the rest is left in the ground, not biodegradable. Pennsylvania, a major fracking state, has just admitted that fracking has contaminated local water supplies 243 times in 22 counties.

<https://stateimpact.npr.org/pennsylvania/2014/08/29/dep-publishes-details-on-248-cases-of-water-damage-from-gas-development/>

In California 3 billion gallons of fracking waste just leaked into aquifers containing precious drinking water reserves for residents. Josh Fox's film "Gasland" illustrates that homes affected by fracking have flammable water. Drinking the water can cause respiratory, sensory, and neurological issues. And the situation in California is just a prelude to what's to come if fracking is allowed to continue. In West Virginia, where 300,000 people had their drinking water contaminated by a chemical used by the coal industry this January, government officials are weighing proposals to frack under the Ohio River, which supplies drinking water to 3 million people.

<http://www.nbcbayarea.com/investigations/Waste-Water-from-Oil-Fracking-Injected-into-Clean-Aquifers-282733051.html>

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Regards,  
Paul

Paul T. Little  
plittle@ptlittle.com  
720-317-7014

**From:** M.J. Kahn  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Fracking in Boulder County: Comments  
**Date:** Friday, March 17, 2017 12:35:55 PM

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Dear Commissioners,

My family and I support a total ban on fracking in Boulder County, and the disassembly of current fracking operations as soon as operations cease. By all means continue the moratorium. And if the County is sued it will bide us some time and generate more much-needed state and national publicity on this critical topic. Shame on the current government for replacing the meaning of the state of Colorado as "its citizens" with the "the oil and gas industry."

Let's be brave and go for it! We need to take our stand, make our line in the dirt. Here it stops. No more.

Thank you,

M.J. Kahn  
3625 Conifer Ct.  
Boulder, CO 80304

**From:** J Leonard  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Writing in support of the Climate Bill of Rights  
**Date:** Sunday, March 19, 2017 3:00:06 PM

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Dear Boulder County Commissioners,

As a resident of Boulder County, I am writing to ask you to support the Climate Bill of Rights. Protecting our environment and promoting a healthy climate is foundational to our community's emotional, psychological, physical and financial well-being. Fracking is not good for the earth. It is not good humans. It is not good for communities.

I have lived the majority of the last 23 years on the Colorado Front Range, the last 10 in Lafayette where I bought a home in 2009. I love Boulder County and the natural beauty here. This is my community – I care about our county and about our people. I have friends and neighbors here. I am a self-employed licensed psychologist in private practice with an office in Louisville and the majority of my clients are Boulder County residents. This is my home.

The citizens of Lafayette (along with several other communities on the Front Range) clearly expressed that they do not want fracking in our communities when we voted to approve the ban on fracking last year. This was then overturned. We were told that we as citizens don't have a right to determine what happens in our communities. This is an unjust law. And since our voices can't be heard through other channels, we are now seeking support through the Climate Bill of Rights to be protected in engaging in nonviolent direct action to express our voice and to defend our communities without fear of injury or harm.

Nonviolent direct action – consistent and continuous peaceful presence in response to injustice – is what has transformed unjust laws, communities and countries. Ghandi's actions freed India. Here in our country, nonviolent direct action was integral to bringing about the granting of Civil Rights for African Americans, and to women obtaining the right to vote. I have been the beneficiary of these movements. It is time to pay it forward, for me to stand up with and for the environment. Protecting a healthy climate is the civil rights issue of our day. Once the damage from fracking is done, there is no repair for that. I've watched what has happened in Weld county and it breaks my heart. I don't want people looking at Boulder County in 2 years or 5 years or 10 years to say the same thing.

I am not a radical. I am an ordinary concerned citizen. I'd rather not be thinking about standing up to the oil and gas industry...but we only get one planet. And if we are not good stewards of our resources, we don't get to go to the store and buy a refill. Living in a semi-arid climate here, I'd deeply concerned that each fracking job takes billions of gallons of potable water out of the water cycle forever. Water is life. We can't drink oil.

Individuals and businesses don't come to Boulder County because we are a

cesspool of toxic waste. They come here in large part because Colorado is a great place to live – a place that offers them and their employees an active healthy lifestyle and easy access to beautiful wilderness. And business won't thrive if citizens lose money because property values take a nosedive or we are paying medical bills as we deal with the health consequences of the toxic effects of fracking.

I ask you to vote in favor of the Climate Bill of Rights. Whether or not the bill passes, this is coming to our community. Oil and Gas is standing on the doorstep of Boulder County, waiting for moratoriums to expire. The question is, are we going to be allowed to stand in our foyer and protect our homes, our families, our health, our property values, our quality of life? The oil and gas industry doesn't care about our well-being as individuals or as a community. They care about their bottom line. They are concerned about extracting as much as they can as fast as they can to line their pockets and then leaving communities with the tab – the expense of dealing with toxic waste, polluted water, decreased property values and health consequences. They will soon be drilling in our backyards, our schoolyards, our churchyards – based on watching what they have done elsewhere, nothing is sacred in this process. COGA doesn't live here. We do. I am hoping you will vote to support citizens, not corporations; to vote people above profits.

In these turbulent times, preserving citizens' rights to a healthy climate and to a voice is essential. Have courage, stand with your citizens, and vote yes on the Climate Bill of Rights. This is an opportunity to lead Colorado and the nation, to be a guiding light and a beacon of hope as we take on what is one of the current day's most pressing concerns – climate health.

Thank you for your service to our community, and your careful consideration of the Climate Bill of Rights.

Respectfully,  
Jean Leonard  
3505 Nyland Way  
Lafayette, CO 80026  
303-868-5881  
jmlactivism@yahoo.com

**From:** Bonnie Sundance  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Additional Input  
**Date:** Sunday, March 19, 2017 8:51:03 PM

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Dear Commissioners Cindy, Elise and Deb,

I spoke 3/14 encouraging you to keep fracking out of Boulder County.

I found this resolution introduced into the US House and find it supportive to your efforts to ameliorate fracking effects including excluding it from our County on this basis

The resolution resolves that “the House of Representatives commits to working constructively, using our tradition of American ingenuity, innovation, and exceptionalism, to create and support economically viable, and broadly supported private and public solutions to study and address the causes and effects of measured changes to our global and regional climates, including mitigation efforts and efforts to balance human activities that have been found to have an impact.”

Thanks for considering,  
Bonnie Sundance  
2380 Hillsdale Way  
Boulder 80305



Virus-free. [www.avast.com](http://www.avast.com)

Tim Gale

March 15, 2017

6465 Red Hill Rd.

MAR 20 2017

Boulder, CO 80302

REC'D BY \_\_\_\_\_  
TIME \_\_\_\_\_

**Subject:** Prohibit Hydraulic Fracturing in Boulder County

Dear Boulder County Commissioners:

I am 54 years old and have lived in Boulder for the last 30 years. My above listed address is in the North Boulder foothills about 3 miles from the city limits; I have resided here for 20 years. I am writing to let you know how staunchly opposed I am to lifting the fracking moratorium and allowing the oil and gas industries to begin operations either near schools, hospitals or neighborhoods or on open space lands. I believe there should be no hydraulic fracturing allowed on any Boulder County property.

I attended the public hearing on this issue this past Tuesday, March 14, 2017. I was impressed by the passionate outpouring and reasoned arguments of people with an environmental protection ethic like me. I did not expect to see mothers and fathers and other concerned citizens openly weeping at the microphone and often found myself in a similar state. Any person of reasonable mind realizes just how dire the global climate change situation is. Spring arrived three weeks early this year. Many of the plants in my garden are a full month ahead of schedule. In an average winter I use my snow blower 8-10 times. Thus far I've used it once.

Sometimes I work from home where, from my living room, I have a direct line of sight to Denver. I don't need sophisticated instruments to keep tabs on the air quality of the Front Range corridor, air quality that has steadily worsened over the years. If there's a bit of thermal inversion or a day with little or no wind the smog quickly gathers in the morning. By 10:00 AM it looks like layered cake of brown, gray and oily blue. Sometimes Denver is completely obscured by the murky haze. I love living in Boulder because I can park on a side street off Lee Hill Dr. and meet almost all my local travel needs by bike on the network of bike paths. I have a grid tied photovoltaic array on my roof and pay, on average, \$7/month for electricity.

Boulder's growth is exploding right now. The traffic is nearly unmanageable some times. Finding a parking spot in town is a complete headache. I loathe driving any more. I consider all these factors and wonder: if fracking is allowed, just how much worse can/will the air quality get? I consider Weld County a sacrifice zone already blighted with well pads. Then I listen to citizens who live out east in Lafayette and Louisville where they are affected by the pall of methane, VOCs and ozone drifting west. Boulder has a host of problems already: a swelling homeless population, unaffordable housing, accelerating gentrification, local businesses who can't afford rent, etc. etc. Do we need to add yet another problem like fracking with all its deleterious, collateral effects into the mix. **NO WE DON'T!**

Many people at the hearing alluded to the notion of Boulder as a trend setting city, a progressive hub where people are creatively grappling with the mind-numbing onslaught of environmental issues now confronting the human race. If Boulder caves to fracking it will send a terrible message of appeasement throughout Colorado and beyond. Do we want air quality on par with that of Beijing, Delhi, London, or Mexico City where people huddle by their air purifiers all day long and forbid their children from playing outside? **NO WE DON'T!**

Boulder should push for municipilization ASAP and not let Excel continue procrastinating the volte-face we need to embrace full scale renewables like solar and wind. Longmont and Lyons own their not-for-profit generation and grid--so why can't Boulder? Other countries are pulling away from the United States in the clean tech race while Trump and his ridiculous billionaire, climate-denier cronies are trying to rewind us back in time 50 years. Ridiculous! Basic conservation and electrification via renewables is the obvious solution, not fracking away for dirty methane and mining for coal.

I pray and hope you will honor your constituents' pleas for rationality and not let COGA trample over the people's environmental rights. Thank you for the work you've done already and for not buckling under. All of us appreciate it. And, if you get a chance, please read the online article by Nafeez Ahmed entitled: "Beyond Trump: Rebooting the System from Inside the Death Machine." It's a real eye opener as to the dystopian future that awaits all of us if we don't start changing **Now, Now, Now!** Protect or Poison? The choice is yours.

Thanks For Your Time,

*Justin Dale*

**From:** Deb Seigel  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** meeting on fracking in Boulder, CO  
**Date:** Monday, March 20, 2017 12:09:58 PM

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I am totally opposed to ANY fracking ANYWHERE when there are perfectly excellent options to use such as **wind energy** and **solar energy**. Wind and solar options will produce jobs and respect our precious land.

Most Sincerely,  
Deborah Seigel



**From:** Arpita Kishen  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Please Ban Fracking in Boulder County  
**Date:** Tuesday, March 21, 2017 8:46:27 AM

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My name is Arpita Kishen and I live at 18 Juniper Heights Road, Golden, CO in Boulder County. I do not want drilling in Boulder County under any circumstances. It is a violation of our land, the health of our families, and the well being of our communities and climate. Any attempt to forcefully move fracking into Boulder County is a violation of our fundamental rights. The laws that seek to remove us from control of our land, our local environment, and our right to self govern are in every way immoral and illegitimate. We have the right and obligation to protect our climate, our environment, our families, and our communities. All government officials and staff will be asked to side with the people in every capacity, refuse to administer the destruction of our land, and enforce the will of the community to protect ourselves from any intrusive industry that fails to recognize these fundamental rights. We want you to BAN FRACKING. No more moratoriums.

Sincerely,  
Arpita

**From:** Stuart Paul  
**To:** [letters@boulderweekly.com](mailto:letters@boulderweekly.com); [Boulder County Oil and Gas Comment](#)  
**Subject:** editorial  
**Date:** Tuesday, March 21, 2017 2:33:02 PM

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On Thursday, March 23rd at 2pm the Boulder County Commissioners (BCC) are likely to pass the fracking regulations that have been recommended by staff. The BCC are opposed to fracking but feel that their hands are legally tied and that they have no alternative but to allow fracking to move forward with new regulations.

The regulations include (in Section 12-701(C)(3) and Attachment B: Disruption Payment Appendices) provisions for payments from O&G for the relocation of residents who are "significantly adversely affected by drilling and completion activities." Families will be able to take their children and pets and leave their family home to go somewhere safe, and when its all over return to their poisoned and disrupted home to resume life for free, or partly free.

The regulations are designed to minimize damages to our air quality, water contamination, soil contamination, eco-systems, communities and children by an industry and extraction technique that nobody can say any longer is safe, or wise with regard to warming of the planet. If you read the regulations you continually hear phrases like: minimize impacts, compensate for damages and continual monitoring. The regulations themselves prove that fracking is dangerous, toxic, disruptive and unwise.

Speaking with friends in Boulder I am astounded by the fact that almost all of them have no idea that fracking is coming to Boulder County. There is a general public ignorance on this issue.. But when I have informed my friends about what is happening they are now angry and feel energized, and they want to know what they can do.

I tell them that the only solution is for the Boulder County Commissioners to BAN FRACKING and that they can email the BCC at [oilgascomment@bouldercounty.org](mailto:oilgascomment@bouldercounty.org).

—

**Stuart Paul**

122 Artesian Dr, Eldorado Springs, CO 80025  
720-275-1350

**From:** [Galvan, Alexis](#)  
**To:** [Haines, David](#)  
**Subject:** O&G comment call  
**Date:** Tuesday, March 21, 2017 3:43:46 PM

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3-21 Call from Sharron Bloom

As a South Boulder resident, she wanted to express her concerns on fracking, and commented that they support the extension of the current moratorium. She stated we don't need fracking in Boulder County.

Thank you,

Alexis Galvan  
Boulder County Commissioners' Office  
[agalvan@bouldercounty.org](mailto:agalvan@bouldercounty.org)  
303.441.3500

**From:** Scott Allen  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Extend fracking moratorium  
**Date:** Tuesday, March 21, 2017 8:10:02 PM

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Dear Boulder County Commissioners,

I implore you to ban fracking in the county by extending the moratorium past the May 1 end date.

As a long time Boulder resident (since 1967) I am opposed to this wasteful method of gas extraction.

We all need and deserve more intelligent and creative green energy options to power our future.

Thank you for staying committed to keeping Boulder green.

Scott Allen  
105 S. 36th S.  
Boulder, CO  
80305

**From:** [Wufoo](#)  
**To:** [Boulder County Board of Commissioners](#)  
**Subject:** County Commissioners Contact Us/Feedback Form. [#339]  
**Date:** Wednesday, March 22, 2017 8:19:29 AM

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Name \* James Hill

Email \* [jimdrjhill@msn.com](mailto:jimdrjhill@msn.com)

Phone Number (optional) (303) 929-4225

My Question or Feedback most closely relates to the following subject: (fill in the blank) \* fracking

Comments, Question or Feedback \*

I understand you are considering allowing oil and gas companies to frack the lands in Boulder County. As a physician, I urge you not to permit this, especially anywhere near our towns and cities, for 3 reasons: 1. The chemicals used are frequently kept secret for "proprietary reasons", but really because of the potential liabilities from the poisoning of nearby residents through the contamination of ground water. 2. States like Oklahoma that have allowed fracking have seen a tremendous increase in earthquakes since that activity has begun. 3. We cannot spare the tremendous amount of water that would be consumed by the fracking process. We need that water for the everyday needs of our citizens and farmers. If you allow yourselves to be misled by oil and gas representatives, and guess wrongly that this might not cause that much harm, you could damage our environment FOREVER. Please consider the risks to our children and grandchildre n. Thanks for your consideration. James R. Hill, M.D.

Please check box below \*

• I acknowledge receipt of the Open Records Notification

**From:** JOAN ORIGER  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** No Fracking  
**Date:** Wednesday, March 22, 2017 12:21:22 PM

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Dear Commissioners,

I am a 45 year old native of Boulder and was raised in the house that my father built in 1956 on 3rd St. He himself grew up on Pine St. My grandfather was a mail carrier for the Boulder area.

I am very disappointed that so far you have decided to sell the health of the citizens of Boulder County to the oil and gas industry. I have always been very grateful that I live in a place that values a healthy environment and makes policy decisions that for the most part, proactively protect the health of our right to clean air and water. By allowing fracking to move into our county, you are taking the health and lives of each and every one of us into your own hands and offering it to the oil and gas industry so they can profit from it.

Elise Jones, Deb Gardner and Cindy Domenico are you prepared for your names to forever be attached to the poisoning of our county? I cannot understand why you would want this to be your legacy?

We the people of Boulder County have spoken and we do not want fracking in our county. Period. Not even highly regulated fracking. What a joke!

Do the right thing and end your cooperation with poisoning our land and our children.

Hoping,

Joan Origer

**From:** AAH  
**To:** [Boulder County Oil and Gas Comment: harperdeltufo@earthlink.net](mailto:harperdeltufo@earthlink.net)  
**Subject:** Fracking in Boulder County  
**Date:** Wednesday, March 22, 2017 1:06:27 PM

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Hello County Commissioners,

I would like to thank you for your commitment to the public during the process of gathering information and opinions about the future of oil and gas in Boulder County.

You have exhibited patience, good listening skills, rigor, a strong back bone and a reasoned approach to the moratorium process and to the development of your regulations.

I spoke at the last meeting about my 2 year fight to stop 24 wells from being drilled within 1200 feet of my home - 1/2 mile from the Boulder County line. Unfortunately during my presentation I got emotional, had prepared too much material and did not get to share many important points, so would like to do so here, now.

I think at this point clarity is of utmost importance:

1. Your proposed regulations are thorough, well thought out, considerate of the the public experience of modern day oil and gas extraction, environmentally more sound than any other regulations except for New York State and Vermont - and - it doesn't matter. If you remove the moratorium, Matt Lepore, the COGCC and the Industry will wear your constituents down financially and energetically while they fight for their rights to health safety and welfare in their own homes and neighborhoods. Those 3 will cost the Boulder County Tax Payers lots of money while you continually put forth your local USR and regulations against a completely already decided system. The default is to approve almost exactly how the industry submits the applications. The 18 wells already being proposed on East County Line Road will take over the residents lives if they want to fight for their constitutional rights - your rules will not help them. State Control overrides any helpful Local Control.

The only default that Matt Lepore is required to follow are the regulations of the state. In the end, he will rubber stamp as many wells as the Industry wants according to the Sate Laws that were made by the Industry - no matter how they want to say the public was involved it was a rigged rulemaking.

Your Regulations would be better used with a newly created Regulatory System that fully bypasses the COGCC. Your money would be better spent putting forth an initiative to create and have the state vote on a new Publically Controlled oil and gas regulatory agency. One that actually regulates them. Just an idea.

2. If you let them in, Boulder County is ruined. It will be no different than Weld except that it will appear you support the constituents, which I know you do, however your true power only exists while the moratorium or a ban is in place. Any fight that happens after they are let in, is purley time delay and for a show. Matt Lepore will ALWAYS default to State Regulations. Remember we are working with an archetype here; Sauron and Voldemort. The great deceiver will always land on the side of his intent, which is to frack every possible drop of oil and gas out of the ground in Colorado - completely irregardless of who it is harming. If that sounds sociopathic, that's because it is.

3. You only stand strong with repeated temporary moratoriums or with a Ban - irregardless of the Colorado Attorney General. The fact is, you have the support of way over 1/2 the residents in the state. A Counter Class Action Lawsuit against the state: Colorado Citizens VS COGCC, for not protecting the citizens. A lawsuit such as this would bring millions of dollars through Crowd Funding, Summit County, Pitkin County, all will likely support your fight financially. You are the last hope for Colorado. Matt Lepore and the COGCC and the oil and gas Industry are going to eat this state. Boulder County - with all of it's environmentalists and wealthy land owners, alive. Make no mistake about it.

4. I implore you to fight the REAL FIGHT. If you let them in, you will drained of the life force in Boulder County, fight by fight year after year, and you will lose them all. Boulder County as we know it will be destroyed. Please continue to use short moratoriums until all possible options: including the possibility of, and starting the process for, a serious exploration of instituting a new Regulatory Agency in Colorado, using your proposed regulations (which have no power over the state regulation) AND a Class Action Lawsuit - The People of Colorado VS the COGCC have been exhausted.

5. Please be on the right side of history.

6.. The end of my very intense and life draining story is that Matt Lepore rubber stamped approval for the wells 1200 feet from my home, with a Major Industrial facility site 700 feet from Boulder Count and 1800 feet from my home. He always approves the wells and always will, because he can. My family and I had to move from our farm into Boulder County, we left our investment and home because of the utter disrespect and disregard for our requests. Is this the fate you want to give to your Boulder County residents? Ruthless. I look at all of the beautiful land in Boulder County and imagine the horrors of 8, 12, 16, 34, 149 wells with the associated Industrial Sites scattered across them....for me it only takes a small step in imagination - please don't make the mistake of thinking 'that can't happen to us'. It will happen if you don't keep them completely out.

Best,

Amanda Harper



**From:** Stuart Paul  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** pass the climate bill of rights  
**Date:** Wednesday, March 22, 2017 1:37:41 PM

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Lafayette has done this and we need you to do the same.

[http://www.dailycamera.com/lafayette-news/ci\\_30872303/symbolic-reproach-lafayette-passes-vexed-anti-fracking-bill](http://www.dailycamera.com/lafayette-news/ci_30872303/symbolic-reproach-lafayette-passes-vexed-anti-fracking-bill)

**Stuart Paul**  
Eldorado Springs

**From:** Linda.Rosales  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Western values  
**Date:** Wednesday, March 22, 2017 2:19:52 PM

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The wasteful practice of venting and flaring natural gas has been wasting over \$330 million in taxpayer-owned American energy.

We already have a solution – it's the new BLM Natural Gas Waste rule. But the Senate is threatening to let partisan politics come before taxpayers.

We need our leaders to ensure that the Natural Gas Waste rule will not pollute our air and water.

Prohibit practice of venting and flaring and using local water sources.

Please make setbacks 2000 feet away from school property lines, 4000 feet away from business areas, 6000 feet away from residential areas.

Sent from my T-Mobile 4G LTE Device

**From:** Carolyn Brinski  
**To:** [Boulder County Oil and Gas Comment](#); [Boulder County Board of Commissioners](#)  
**Subject:** Comments for 3/23 Decision by Commissioners on Fracking  
**Date:** Wednesday, March 22, 2017 3:10:03 PM

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Dear County Commissioners:

I am writing on behalf of the Rocky Mountain Peace and Justice Center in relationship to fracking in Boulder County.

First we want to thank you for putting in place a series of moratoria over the last several years in order to protect Boulder County from fracking. It is clear that you understand the catastrophic long term hazards of fracking and have acted responsibly and repeatedly to protect the people and environment of Boulder County.

It is also clear that the people of Boulder County want you to defy the unconstitutional power grab by the state government in relation to the rights of the people of local communities to protect their lives and their communities. They want you to refuse to allow fracking in Boulder County by extending the moratorium and/or putting a ban in place. Any resulting lawsuits are much more acceptable than the deadly hazards of fracking. **The RMPJC supports a moratorium and a ban on fracking.**

**Stronger regulations, even with the best of intentions, will unfortunately not protect the people from the dangerous and dirty practices of fracking.** As Dan Leftwich points out (p.3, bottom half of the page of the public comments on the County's oil and gas page, updated 3/13/17), COGCC is not protecting the public health, safety, and environment from oil and gas operations and has a history of NOT doing so. COGCC will not do so in the future because they promote oil and gas in the state and cannot at the same act as the regulator. Their regulatory role in the state is compromised-- they will never protect us.

**In addition to enacting a ban, we urge you to pass a resolution supporting the Climate Bill of Rights which will codify the right to a healthy climate and community members' ability to enforce this right through community led, nonviolent direct action.** Even if the Sheriff is the person who ultimately makes the decision about whether to arrest, your voice on this matter is essential. The Climate Bill of Rights is based on the First Nation principle of protecting the environment for seven generations.

**We urge you to exercise your fiduciary duty to preserve the value and integrity of the open space lands for their intended purposes** (p. 5, Leftwich, Boulder County public comments, 3/13/17). You have the authority and fiduciary duty to use Open Space Trust Funds for the defense of our open space and sustainability programs (P.6, Leftwich, public comments).

If you believe your relationship with the state presents a conflict of interest, **you can petition the court to appoint an independent trustee to take legal actions against the state to protect the Open Space Trust**, (P.6-7, Leftwich, public comments).

**You can provide resources for the beneficiaries of the trust, the citizens of Boulder County, to sue for protection of their own property** (P.7, Leftwich, public comments). In the event the county is sued by the state over its regulations, the citizens of Boulder County could seek to intervene to protect their interests or file a separate class action for that purpose.

Boulder County residents have constitutional rights to protect their lives, liberties, safety and property, and these rights cannot be preempted by the State (P.8-9, Leftwich, public comments).

Please support Dan Leftwich's proposals for protecting our people and environment from the corporate greed and malfeasance of the oil and gas industry.

Pass a moratorium or ban on fracking.

Pass the Climate Bill of Rights.

As Boulder County citizens prepare to risk their lives to stop fracking, **you as our commissioners must leave no stone unturned and no promising effort untried** if the end result could be to save Boulder County from the long-term devastation of fracking.

Thank you.

Carolyn Bninski  
Rocky Mountain Peace and Justice Center  
720-509-3378

**From:** Johanna Hurley  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Oil and Gas Development  
**Date:** Wednesday, March 22, 2017 3:31:03 PM

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To the Boulder County Commissioners,

Please extend the Moratorium on development of oil and gas. It would be a shame to have Boulder's beautiful open space dotted with fracking equipment, not to mention possible contamination of nearby water and soils.

Thank you,

Johanna Hurley  
7000 Sunshine Canyon Dr  
Boulder, Co 80302

303-440-7227 h  
203-331-5752 m

**From:** michelle@acupunctureaccuracy.com  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** full disclosure of fracking chemicals  
**Date:** Wednesday, March 22, 2017 4:35:16 PM

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Dear Commissioners:

In order for epidemiology and toxicology to be applied to the health concerns of people in areas near fracking, the substances used must be fully disclosed. As the ACOEM puts it, not just for emergencies, but also for chronic, long term health conditions, the substance must be disclosed.

Please see the public letter from the American College of Occupational and Environmental Medicine:

[http://www.acoem.org/Comments\\_FracturingResponsibility.aspx](http://www.acoem.org/Comments_FracturingResponsibility.aspx)

From the well-know medical database, Up To Date, on environmental toxicology diagnosis:

"The practitioner needs to proceed with more detailed questioning once there is a suspicion that symptoms could be related to occupational or environmental conditions... Getting more information about chemical exposures can be initiated with obtaining the generic names of the agents used. This can be accomplished by having the patient bring in a label or a Material Safety Data Sheet (MSDS); the latter is the manufacturer's description of the product's generic name, ingredients, known health hazards, and recommendation for safe handling. These sheets vary in accuracy and completeness [59,73]. MSDS's can be obtained from the manufacturer or employer, and some can be found on internet sites (one good source is from the Vermont Safety Information Resources). Information about health effects related to these toxins can also be found by consulting other sources, such as poison control centers (1-800-222-1222), consultants, agencies, and useful references."

"Once it is clear what is being handled, the next question is whether or not there is an opportunity for actual exposure. The patient should describe how a substance is handled: What are the operating or cleanup practices? What protective measures are used? What type of ventilation and exhaust is provided? Does the worker need to wear a respirator, and if so, is it the proper respirator, and is it worn and properly maintained? A good source for information about respirators can be found at the NIOSH website. Then consider the mode of entry: Is it inhaled? Is it ingested by eating at the workplace? Is there skin contact? Is there use of protective clothing or appropriate gloves to prevent skin absorption? Are other workers exposed? Do others have any symptoms?"

"Pediatric environmental health history — A child's physiology and behavior puts him or her at an increased risk for adverse effects from many toxins. Most attention concerning environmental exposures to children previously centered upon lead and second-hand cigarette smoke. More recently there has been increasing awareness about the potential health effects of other exposures, including chemical allergens and irritants (eg, formaldehyde resins), indoor and outdoor air pollutants, pesticides, and other toxins [36,74]. "

"The practitioner must know what agent to look for, the desirable test medium (urine, blood, hair, tissue), appropriate timing, and influences upon test results [75]."

Fracking without full disclosure is unethical.

Yours Truly,  
Michelle Homyak, MD

**From:** Rick Casey  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Fracking in Boulder County  
**Date:** Wednesday, March 22, 2017 5:38:14 PM

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Please register me as a citizen who is very much AGAINST lifting the moratorium. The commissioners should have the political backbone and moral courage to stand up to the state government, and resist their strong arm tactics trying to publicly pressure them into succumbing.

Know it for certain that they would backed by a solid majority of local residents, who would gladly welcome getting sued by the state over the issue. Screw 'em!

Rick Casey  
Lafayette, CO

Sent from my iPad



**From:** [Wufoo](#)  
**To:** [Boulder County Board of Commissioners](#)  
**Subject:** County Commissioners Contact Us/Feedback Form. [#340]  
**Date:** Wednesday, March 22, 2017 6:36:42 PM

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Name \* Barbara Parnell

Email \* [barbaraparnell@hotmail.com](mailto:barbaraparnell@hotmail.com)

My Question or Feedback most closely relates to the following subject: (fill in the blank) \* Oil & Gas Moratorium

Comments, Question or Feedback \*

Dear Commissioners,

I'm writing to request that you do the following:

- 1) Adopt the Climate Bill of Rights (if not in whole, at least in part; essentially placing a ban on fracking in Boulder County under a community rights theory, which the CO Supreme Court case did not consider.
- 2) Continue the moratorium on oil and gas development, as it is reasonable to argue more time is warranted to consider how best to protect Boulder County residents, land, air and water given there is no conclusive proof it is safe. I think any lawsuit cost pales in comparison to the significant costs and impacts of fracking. I want the county to exhaust every legal theory possible before permitting fracking and there are so many more theories to explore and argue.
- 3) Acknowledge that county open space can't be permitted for oil and gas development due to the specific requirements for that land use; you have a fiduciary duty to taxpayers to proceed in that manner.
- 4) I wholeheartedly know and believe that regulations will not protect the citizens of Boulder County or our land/property. I ask that you do know less than continue the moratorium or ban fracking outright. In reference to your regs in general. Require that any testing of soil, air, or water etc. must be conducted by an independent research team. I'm concerned that oil and gas has been known to partner with CU and provides monetary donations. I'm concerned about this with respect to the State Dept of Health.

Gathering lines must be addressed and the expert who recently gave a talk about this recently said he thinks there are grounds to require under ground camera inspections by the o & g company and state, as well as their own setbacks.

Thank you

Please check box below \*

☒ I acknowledge receipt of the Open Records Notification

**From:** Patricia Irby  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Please Ban Fracking in Boulder County  
**Date:** Wednesday, March 22, 2017 6:52:33 PM

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Dear Boulder County Commissioners,

I am writing to ask you to ban fracking in Boulder County and to pass the Climate Bill of Rights.

I moved to Boulder 17 years ago, because I fell in love with the mountains, the bike paths, the rivers, and with what I saw as a progressive, illuminated mind-set here in Boulder. Now I feel like our way of life is being threatened by the onslaught of fracking. Something we did not vote for, something we did not choose. It is being thrust upon us against our will, endangering our lives and everything we hold dear. Fracking poisons our air, water, and soil, and creates an environment that puts our health and well-being at risk.

We as citizens have an inalienable right to life. So it would stand to reason that we also have a right to the things that support life such as clean air, water, and soil in which to grow our own food. We have a right to be free from the toxins that our state government is permitting.

It is very important that Boulder County pass the climate bill of rights and that we ban fracking from Boulder County.

The laws that seek to remove us from control of our land, our local environment, and our right to self govern are in every way immoral and illegitimate. I am making a distinction between legitimate and legal. Anything that the government does is legal because they make it legal, they pass the laws. Until the civil war it was legal for people to own other people, till 1920 it was legal to deny women the right to vote. This is not about legality, it is about what is legitimate government.

If the government is protecting and securing the rights of it's citizens it is legitimate. If it is not doing that, and instead is harming it's citizens and their rights, or giving a third party the power to harm it's citizens, that is an illegitimate use of government.

Our current system is set up so that the Oil and Gas Industry, with its massive amounts of wealth, has been able to prevail on our state and federal legislatures to get laws passed that make it illegal for us to protect ourselves against them, so that they can come in and make money by destroying our land. That is a misuse of government by the standards that were set in the establishment of our country's government and our state governments.

This system is broken, it needs to change. This change will not happen from the top down, it needs to happen from the bottom up, with the direction action of courageous citizens. If the city, state and courts fail to protect our rights to clean air, water and soil, then we need to be protected in our rights to do peaceful Direct Action to protect

our climate for ourselves and for future generations.

I am an organic farmer. I grow beautiful food and feed a small community of friends. We water our fields from a well and we are completely dependent on our ground water. So I will do what I must to protect the purity of the land and the purity of the water, because once we destroy that, there is no turning back.

You have an opportunity to do something truly heroic, to make history, right here in Boulder County. We all have a choice. Will we cower and allow our land to be destroyed, or will we stand up and defend that which we hold dear? You must do the right thing. You must ban fracking in Boulder County. You must stand up to the oil and gas industry. You must represent the will of the people. You must pass the Climate Bill of Rights with support for citizens who want to do direct action to protect our climate, protect beautiful Boulder Count.

With Gratitude,  
Patricia Irby  
Boulder County Resident

**From:** KAYE FISSINGER  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Comment to oil and gas regulations  
**Date:** Wednesday, March 22, 2017 8:15:50 PM

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## Commissioners:

I would like to congratulate the commissioners and Boulder County staff for the excellent and very thorough job on crafting the regulations governing oil and gas in Boulder County. Your clearly stated purpose for New Article 12, Special Review of Oil and Gas Operations is to protect public health, safety, welfare, and the environment."

There are those who want you do dig in your heels and ban or continue with moratoria. I serve as President of Our Longmont and was Campaign Manager for Longmont's charter amendment ban on fracking and disposal of its waste products. No one would like more than I too see this procedure end -- now and forever. By the way, I noticed that injection wells were not covered in the regulations summary. They should be.

However, because our state is a wholly-owned subsidiary of the oil and gas industry, it would be foolish to re-litigate preemption. Unfortunately, nothing has changed on that score since the Colorado Supreme Court ruled against Longmont's ban and Fort Collins' 5-year moratorium. Boulder County doesn't even have the benefit of Home Rule to use in its defense.

If there is to be litigation, the issue of health, safety and wellbeing MUST be the basis of litigation. The Defendant Intervenors in the Longmont ban case, attempted to bring this issue before the Colorado Supreme Court. We were intervenors by "permission" not by "right" and as such were limited in the degree to which we could introduce evidence of this nature. Between 2012 when the Longmont voters mandated a ban, the level of evidence supporting dangers to health, safety and wellbeing has only escalated. The defendants should have been allowed to present this evidence at trial. However, the Court brushed aside the entire issue of health -- clear evidence that the State of Colorado at virtually all levels is captive by the oil and gas industry, its greed and its power.

I have no doubt that when you adopt the regulations before you, you will be sued. Bring it on -- But make it about health, safety and wellbeing, the first order of responsibility by any government.

Kaye Fissinger

2199 Creekside Drive

Longmont, CO 80504-7337

303-678-7267

**From:** aster starr  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** fracking  
**Date:** Thursday, March 23, 2017 12:35:38 AM

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Hi Boulder County Commisioners,  
Boulder county has a dry climate and it's predicted to get warmer and drier with climate change. We cannot afford to be wasting water by providing millions of gallons of water to be poisoned with toxic chemicals for fracking purposes. Boulder county must make water conservation a commitment and move toward a sustainable low carbon emmision energy system. We must protect our water, land, soil, and people from pollutants. There have been statistical reports that show people get ill living near gas and oil facilities. Benzene one of the toxic chemicals used in fracking can cause leukemia. Benzene has no safe limit in ambient air and the EPA and the state don't test for the accumulative amount of ambient air toxins. Methane, a potent greenhouse gas emitted during fracking is often underestimated. How many of you would feel safe living near a fracking site? Lafayette just passed a Climate Bill of Rights ordinance. Boulder needs to do the same. Since the state and constitution aren't protecting us. We need to make laws that protect us now, like our own bill of rights. We need to be expanding our use of clean technologies and not allow corporations to exploit and pollute the land and put peoples and animals health and welfare at risk. Please don't let this happen. Sincerely, Aster

**From:** Jim Morris  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** comments on oil and gas regulations  
**Date:** Thursday, March 23, 2017 12:35:50 AM

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Dear County Commissioners, Thank you for trying to protect our air, water, and health by devising stronger regulations. However, we need to stop fracking near homes, schools, hospitals, groundwater, surface water, and wildlife habitat. Studies show that 60 % of fracking wells leak toxics into the water. The EPA in December, 2016 concluded that fracking has the potential to contaminate drinking water. Two court cases in Pennsylvania have shown the connection between fracking and polluted ground water. The concrete casings crack, leaving pathways for toxics to migrate between different levels underground. The oil companies cannot clean up their oil spills when they occur above ground; it is impossible for them to clean up toxics spread widely underground. We need to regulate fracking the way New York state does- by banning it. Fracking uses large quantities of water, and then it pollutes that water with carcinogens such as benzene, and toxics like toluene, xylene, diesel fuel, arsenic, and heavy metals. The polluted water needs to be disposed of. Often they inject it underground, which causes earthquakes and pollutes the groundwater. Or they put it into pits which leak. Fracking causes air pollution, which causes asthma, respiratory illness, and heart attacks. Fracking in the front range is the major cause of its smog. We need clean air and water in order sustain a healthy local food ecosystem. Wildlife, citizens, children, and tourists need air that is safe to breathe. With global warming, there will be less more intense weather, which could include more severe droughts. I am grateful for Elise Jones's and Deb Gardner's 5-18-16 letter of support for Obama's new methane rules. The fracking will contribute to the global warming thru methane leaks, yet take immense amounts of water and pollute the water. The vast profits of the oil and gas industry let them buy or intimidate politicians, hire pr firms and think tanks to create deceptive ad campaigns, and fund the campaigns of oil and gas companies to stop the regulations that protect public health and the environment.

Share the Earth,  
Jim Morris  
60 S. 33rd St., Boulder, CO 80305

**From:** Carroll McCorkle  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Fracking  
**Date:** Thursday, March 23, 2017 7:04:43 AM

---

To the Boulder County Commissioners:

I respectfully request that you ban ALL fracking in Boulder County. This is a health and safety issue we cannot allow to happen.

Sincerely,

Carroll McCorkle  
3856 14 St  
Boulder, CO 80304

Sent from my iPad

**From:** McCormack  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Fracking in Boulder County  
**Date:** Thursday, March 23, 2017 7:35:32 AM

---

Dear Boulder County Commissioners,

I am writing to ask you to ban fracking in Boulder County. It is a dangerous, toxic process, it wastes water, and it will worsen our air quality. Please don't let this happen in Boulder.

Sincerely,  
Alison McCormack  
492 Utica Ave  
Boulder, CO 80304



**From:** Harriet Jessie Peck  
**To:** [oilgascomment@BCC.org](mailto:oilgascomment@BCC.org)  
**Subject:** Fracking  
**Date:** Thursday, March 23, 2017 7:40:34 AM

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Boulder County commissioners,

I am very strongly against fracking for Boulder County.

The dangers are clear and it goes against everything that makes Boulder tries to do to create a healthy life for people here.

Harriet Peck  
329 29th st Boulder

**From:** [Wufoo](#)  
**To:** [Boulder County Board of Commissioners](#)  
**Subject:** County Commissioners Contact Us/Feedback Form. [#341]  
**Date:** Thursday, March 23, 2017 8:03:38 AM

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Name \* jaimie epstein

Email \* [jaimiee@mac.com](mailto:jaimiee@mac.com)

My Question or Feedback most closely relates to the following subject: (fill in the blank) \* fracking regulations vote

Comments, Question or Feedback \*

hi!

i realize that there's nothing i can say at this point to prevent the rape & pillage of our homelands, that all you are going to do is approve the conditions of our surrender to the oil & gas industry. but i want you to know that i consider it shameful & immoral for anyone to rollover & protect corporate "rights" over the rights of citizens to enjoy clean air, water & soil. ... t

here is no such thing as safe fracking. it is an abomination to the land & people. it makes absolutely no sense from the standpoint of how many resources, fragile resources, scarce resources (water? hello, we don't have enough! we live in a desert! everyone knows that water is going to soon be the most valuable commodity in the world! we cannot spare it!) will be sacrificed to produce a teensy amount of energy. the only value produced is value for oil & gas. our resources will be depleted, our air & water & soil poisoned. ... with all due respect, i hold anyone complicit in this total destruction of the well-being of the citizens of boulder county accountable. i ask you to do the right thing, even if the right thing isn't the legally sanctioned thing, & do everything in your power to keep fracking out of our precious homeland. ...

thank you for your service & thank you for your time. ...

respectfully, j  
aimie epstein  
resident of boulder

Please check box below \*

☒ I acknowledge receipt of the Open Records Notification

**From:** Thomas J Lemieux  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Fracking is unsafe, dangerous and unnecessary  
**Date:** Thursday, March 23, 2017 8:06:16 AM

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Dear Boulder County Commissioners: I urge you to ban fracking in Boulder County.  
"Minimizing impacts" and "compensation for damages" are not acceptable terms. If fracking is needed, it should be conducted far away from counties with significant populations.  
Thank you,  
Tom Lemieux

---

thomas.lemieux@colorado.edu  
Ecology and Evolutionary Biology  
UCB334, Ramaley N122  
University of Colorado  
Boulder, CO 80309  
303-492-3387 greenhouse  
303-520-4314 cell

**From:** Elizabeth Frick  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Please ban fracking in Boulder County  
**Date:** Thursday, March 23, 2017 8:24:44 AM

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Please ban fracking in Boulder County. Fracking is dangerous, toxic, disruptive, and unwise. Our air quality is already seriously compromised. By allowing fracking, you'll be driving down the quality even further.

Thank you.

Elizabeth (Bette) Frick  
Gunbarrel resident

**From:** Libby Berry  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Vote  
**Date:** Thursday, March 23, 2017 8:39:42 AM

---

I am very much against fracking in Boulder County after reading and listening to many arguments pro and con.  
Please vote to ban it. Elizabeth Berry

Sent from my iPhone

**From:** Birkenkamp, Dean  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Oppose fracking in Boulder Country  
**Date:** Thursday, March 23, 2017 9:04:33 AM

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Dear Commission members,

The rise of public action in Colorado and around the nation opposing fracking in urban and semi urban areas shows that mineral laws made 100 years ago—when our population was vastly lower—are out of date. I hope you will vote to protect citizen and homeowner rights by opposing any measure that opens up populated areas to fracking.

Dean Birkenkamp

**Dean Birkenkamp**

Senior Editor | Sociology

720-315-5664

Dean.Birkenkamp@taylorandfrancis.com

I work from my office at home: 3131 Noble Court, Boulder, CO 80301 USA



an Informa business

**From:** Lisa  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Fracking  
**Date:** Thursday, March 23, 2017 9:13:44 AM

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BCC,  
Let's keep Boulder fracking free.

We don't need the air pollution, we don't need more sick children, we don't need more soil contamination, we don't need more earth quakes( like Oklahoma, where they have increased by incredible numbers).

Let's use some common sense,

Lisa Peterson  
Boulder

Sent from my iPhone

**From:** Dr. Donald McCormack  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Fracking in Boulder County  
**Date:** Thursday, March 23, 2017 9:25:19 AM

---

Dear Boulder County Commissioners,

I am writing to ask you to ban fracking in Boulder County. It is a dangerous, toxic process, it wastes water, and it will worsen our air quality. Please don't let this happen in Boulder.

Sincerely,  
Donald McCormack, MD  
Boulder Medical Center  
2750 Broadway St  
Boulder, CO 80304

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BMC Disclaimer: This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Please consider the environment before printing this e-mail.



**From:** brown.kimberly@att.net  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Ban fracking in Boulder County  
**Date:** Thursday, March 23, 2017 9:29:43 AM

---

Hello,

I would like the Boulder County Commissioners to vote to **ban** fracking in Boulder County!

Thanks,

Kim

**Kimberly Brown**  
**RE/MAX of Boulder**  
**303-875-1596**  
Serving Boulder County and beyond since 1991

**View testimonials and do a property search**  
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**Check out my new MOBILE HOME SEARCH APP**  
[app.boulderco.com/KimberlyBrown](http://app.boulderco.com/KimberlyBrown)

**From:** Russ Davis  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Ban Fracking in Boulder county  
**Date:** Thursday, March 23, 2017 9:48:53 AM

---

Hi,

Please vote to ban fracking in Boulder county!

Thank you,  
Russell Davis

**From:** [Wufoo](#)  
**To:** [Boulder County Board of Commissioners](#)  
**Subject:** County Commissioners Contact Us/Feedback Form. [#342]  
**Date:** Thursday, March 23, 2017 9:48:57 AM

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Name \* Barbralu Cohen

Email \* [blu@boulder.net](mailto:blu@boulder.net)

My Question or Feedback most closely relates to the following subject: (fill in the blank) \*

Comments, Question or Feedback \*

They need to stand up to the oil and gas industry and current state laws that give that industry rights and privileges while giving citizens the proverbial shaft. Only a ban on fracking is acceptable! Then we can follow the ensuing legal battle all the way to a statewide ban on fracking, which other states are instituting. It is time to change the power structure in Colorado!

Fracking regulations will not keep us safe--please support an outright ban on fracking. Bring on the legal challenges ~ our state constitution and its clarity on power being derived from the people will prevail. Thank you!

Please check box below \* ☒ I acknowledge receipt of the Open Records Notification

**From:** Deborah Byrd  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Ban Fracking in Boulder County  
**Date:** Thursday, March 23, 2017 9:51:48 AM

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County Commissioners ~

Please ban fracking in Boulder County. Protect our citizens who will be adversely affected by drilling and injection of unknown chemicals - poisons! - into the ground.

Our air and water quality will be polluted. This activity is unwise, will hurt vulnerable populations.

Stop killing us.

Deborah Byrd  
Boulder County  
Sent from my iPad Also

**From:** Rebekah Van Sweden  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Attention to fracking ban  
**Date:** Thursday, March 23, 2017 10:09:44 AM

---

PLEASE BAN FRACKING. I am a Boulder County employee and live in the city of Boulder. I did not realize a vote was imminent and so I do not have a statement ready except to say PLEASE. Thank you.

Rebekah Van Sweden, MSW  
2601 Juniper Ave. 80304  
[webeone@mac.com](mailto:webeone@mac.com)  
303-955-8885

“During times of universal deceit, telling the truth becomes a revolutionary act.”  
~George Orwell

**From:** [Wufoo](#)  
**To:** [Boulder County Board of Commissioners](#)  
**Subject:** County Commissioners Contact Us/Feedback Form. [#343]  
**Date:** Thursday, March 23, 2017 11:36:11 AM

---

Name *	David Paradis
Email *	<a href="mailto:dhparadis@gmail.com">dhparadis@gmail.com</a>
Phone Number (optional)	(303) 998-1058

My Question or Feedback most closely relates to the following subject: (fill in the blank) \*

Comments, Question or Feedback \*

Thank you for your service. All of you seem like dedicated public servants, interested in the well-being of the people that you represent. It is, therefore, hard to imagine why you would consider any action beyond an outright ban of fracking in our county. If there were a national shortage of oil and gas and exigent circumstances existed that made fracking the only option, I could understand allowing regulated fracking, but we are not facing those types of circumstances. Please offset the failure of our national government to contain climate change and pursue other energy initiatives that reduce our dependence on fossil fuels.

Please check box below \* ☒ I acknowledge receipt of the Open Records Notification

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**From:** Gini Fortier  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Ban Fracking in our community!  
**Date:** Thursday, March 23, 2017 12:22:39 PM

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Dear commisioners;

While I undersgand you feel your hands are tied with regard to fracking, it is of the highest imperative that you continue to protect our communities from the shattering effects of this process which should never be allowed to take place close to or within our neighborhoods. If it is to happen at all let it be on undeveloped land, with the consent of any who live nearby-and crrtainly not by legal force or coercion!! If the industry cannot prove the safety of the process they have no right to inflict it upon us. Thank you for your continued attention to this matter. Sincerely, Gini Fortier. Parent, taxpayer, concerned citizen for the safety, welfare and preservation of our people and city under threat

**From:** kimberly gibbs  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Ban Fracking  
**Date:** Thursday, March 23, 2017 1:47:45 PM

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Dear Boulder County Commissioners,

I realize the difficult position that you are faced with regarding your authority to regulate oil and gas operations. We believe in the rule of law and we must pick our battles carefully.

I live in Gunbarrel and when I walk up to the Heatherwood water tower there is a clear view for many miles all around. To the southeast is Denver. To the northeast is Weld County - where a growing cloud of green and brown muck hangs in the sky for miles. It is a disgusting and alarming sight to behold.

If ever there was a time to throw down the gauntlet, this is it. I urge you in the strongest possible way to ban fracking instead of adopting knowingly inadequate regulations to reduce the harm of this heavy industry on our community.

Take on this fight.

-Kimberly Gibbs

\*\*\*\*\*

### *Fracking*

Wake up, Boulder County

Today, March 23, at 2 p.m., the Boulder County Commissioners are likely to pass the fracking regulations that have been recommended by staff. The BCC are opposed to fracking but feel that their hands are legally tied and that they have no alternative but to allow fracking to move forward with new regulations.

The regulations include (in Section 12-701(C)(3) and Attachment B: Disruption Payment Appendices) provisions for payments from the oil and gas industry for the relocation of residents who are “significantly adversely affected by drilling and completion activities.” Families will be able to take their children and pets and leave their family home to go somewhere safe, and when it’s all over return to their poisoned and disrupted home to resume life for free, or partly free.

The regulations are designed to minimize damages to our air quality, water contamination, soil contamination, eco-systems, communities and children by an industry and extraction technique that nobody can say any longer is safe, or wise with regard to warming of the planet. If you read the regulations you continually hear phrases like: minimize impacts, compensate for damages and continual monitoring. The regulations themselves prove that fracking is dangerous, toxic, disruptive and unwise.

Speaking with friends in Boulder I am astounded by the fact that almost all of them have no



idea that fracking is coming to Boulder County. There is a general public ignorance on this issue.. But when I have informed my friends about what is happening they are now angry and feel energized, and they want to know what they can do.

I tell them that the only solution is for the Boulder County Commissioners to *ban fracking* and that they can email the BCC at oilgascomment @ bouldercounty. org.

STUART PAUL

*Eldorado Springs*

**From:** Susan Cloar  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Ban Fracking  
**Date:** Thursday, March 23, 2017 4:44:27 PM

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We chose to live in Boulder County for it's perceived healthy lifestyle. Please ban fracking in Boulder County! It is not good for us to allow this practice in our county and communities.

Susan Cloar  
9715 Niwot Road  
Niwot CO 80504

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Susan Cloar

**From:** Susan Cloar  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Ban Fracking  
**Date:** Thursday, March 23, 2017 4:48:55 PM

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There is no place for Fracking in unincorporated Boulder County! Please ban this activity going forward.

Jim Cloar, Resident  
Unincorporated Boulder County

**From:** janice harvey  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Fracking  
**Date:** Thursday, March 23, 2017 4:52:00 PM

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Boulder County Commissioners,

Protect our health and our environment from the horrible consequences of fracking. Ban fracking in Boulder County. It is your moral duty as elected officials to do the right thing for Boulder County.

Janice Harvey

**From:** [Wufoo](#)  
**To:** [Boulder County Board of Commissioners](#)  
**Subject:** County Commissioners Contact Us/Feedback Form. [#344]  
**Date:** Thursday, March 23, 2017 4:48:51 PM

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Name \* Bonnie Sundance

Email \* [OurSacredEarth@outlook.com](mailto:OurSacredEarth@outlook.com)

My Question or Feedback most closely relates to the following subject: (fill in the blank) \* Oil and Gas

Comments, Question or Feedback \*

FYI Earth Guardians won their appeal, with the court saying that the district court's siding with CO Oil and Gas Monsters was erroneous interpretation of law. Namely, that the law does NOT mandate a balance between resource extraction and other concerns, clearly health and safety are primary, they say. Now case goes back to district court. Could this be a last-minute game-changer for us here in BoCo?

From the decision:

"The clear language of the (Oil and Gas Conservation) Act . . . mandates that the development of oil and gas in

Colorado be regulated subject to the protection of public health, safety, and welfare, including protection of the environment and wildlife resources."

<https://www.ourchildrenstrust.org/press-releases/>

PRESS RELEASES — Our Children's Trust

[www.ourchildrenstrust.org](http://www.ourchildrenstrust.org)

Leading the game-changing, youth-driven, global climate recovery campaign to secure the legal right to a stable climate and healthy atmosphere.

Please check box below \*

☒ I acknowledge receipt of the Open Records Notification

**From:** Sarah Pritchard  
**To:** [Boulder County Oil and Gas Comment](#)  
**Cc:** [Larry Pritchard](#); [Stewart & Phyllis Guthrie](#)  
**Subject:** Great job  
**Date:** Thursday, March 23, 2017 6:30:45 PM

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I know it may not have been easy to stand up to the money and influence of the oil and gas industry. Thank you, thank you for listening objectively and acting responsibly as one of the last lines of defense for the health and quiet enjoyment of your residents. Good job!

Sarah Forsythe Pritchard  
Sent via mobile device.

**From:** Julie Zahniser  
**To:** [Boulder County Board of Commissioners](#)  
**Subject:** Fracking - Earth Guardians Triumph in CO Appeals Court  
**Date:** Thursday, March 23, 2017 8:44:01 PM

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Dear Commissioners,

Below is a non-legal expert's comment and a link to a press release for a case brought by Boulder's own Earth Guardians that could provide you with both food for thought and legal support for standing strong to keep the Boulder County fracking moratorium in place.

Thank you for your hard work deliberating on fracking issues and protecting our citizens health and welfare, and our County's public lands

All the best,  
Julie Zahniser

Earth Guardians won their appeal, with the court saying that the district court's siding with CO Oil and Gas was erroneous interpretation of law. Namely, that the law does NOT mandate a balance between resource extraction and other concerns, clearly health and safety are primary, they say. Now case goes back to district court. Could this be a last-minute game-changer for us here in BoCo?

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## PRESS RELEASES — Our Children's Trust

[www.ourchildrenstrust.org](http://www.ourchildrenstrust.org)

Leading the game-changing, youth-driven, global climate recovery campaign to secure the legal right to a stable climate and healthy atmosphere.

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Julie Zahniser  
3782 Telluride Lane  
Boulder, CO 80305

[720 320 4294](tel:7203204294)



**From:** Rick Casey  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Fwd: Boulder County adopts strongest set of regulations on oil and gas development in the State of Colorado  
**Date:** Thursday, March 23, 2017 9:17:48 PM

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Dear Boulder County Commissioners:

As a concerned citizen on this issue, I wanted to ask: what is the budget for enforcing this "strongest set of regulations on oil and gas development in the State of Colorado", and where will it come from?

As this appears to be a new direction for Boulder County, and an unexpected development this year, has this been anticipated in this year's budget?

And congratulations on your decision today: I'm sure the prospect of 1,800 gas wells getting drilled in Boulder County will endear you to the local citizenry, who are likely remember you dearly come next election time, after the oil and gas industry has rolled into the open space like an invading conqueror.

Sincerely,  
Rick Casey

----- Forwarded message -----

**From:** **Boulder County Commissioners** <[bouldercounty@public.govdelivery.com](mailto:bouldercounty@public.govdelivery.com)>  
**Date:** Thu, Mar 23, 2017 at 5:20 PM  
**Subject:** Boulder County adopts strongest set of regulations on oil and gas development in the State of Colorado  
**To:** [caseyrick@gmail.com](mailto:caseyrick@gmail.com)

Having trouble viewing this email? [View it as a Web page.](#)

The banner features the Boulder County logo on the left, which consists of a green circle with a white mountain silhouette and the text "Boulder County". To the right of the logo is a photograph of a large, multi-story stone building, likely the County Administration Center, with bare tree branches in the foreground.

**Boulder County Commissioners**

<b>For Immediate Release</b> March 23, 2017	<b>Boulder County Commissioners' Office</b> Barb Halpin, Public Information Officer <a href="tel:303-441-3500">303-441-3500</a>
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**Boulder County adopts the strongest set of regulations on oil and gas development in the State of Colorado**

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## The regulations will apply to oil and gas development applications filed after May 1, 2017

**Boulder County, Colo.** - At a public meeting on Thursday, March 23, the Board of County Commissioners voted to adopt new regulations for oil and gas operations in the unincorporated areas of Boulder County. The new regulations are considered to be the most stringent in the state of Colorado and will serve to employ the county's land use authority to protect local public health and the environment. The regulations will apply to oil and gas development applications filed after May 1, 2017.

- The [full 40-min. video recording of the public meeting](#) is available under the 2 p.m. Land Use Department Public Meeting: Docket DC-16-0004 Amendments to Oil and Gas Development.
- A copy of the [staff presentation](#) which provides an overview of the regulations and the extensive public process that went into drafting the regulations is available on the [county's oil and gas website](#).
- A [copy of the final draft regulations](#) that were adopted today

During their deliberations, the county commissioners expressed their continued regret and frustration that state law preempts local control in many areas of oil and gas development. They also affirmed their ongoing multi-pronged approach to gaining more local control over oil and gas extraction activities.

The first prong in protecting Boulder County's community and environmental interests was accomplished today by adopting the toughest possible regulations anywhere in the state of Colorado. Additional areas of focus will be discussed at a public meeting scheduled for Tuesday, April 25 at 11 a.m. in the Commissioners' Hearing Room in Boulder.

### Statements from the Board of County Commissioners

"Without a tough set of regulations in our Land Use Code, we risk losing the ability to protect our community from oil and gas activity that is currently allowed under state law," said **Deb Gardner**, Chair of the Boulder County Commissioners. "If we didn't adopt these regulations today, and we lost the lawsuit currently filed against us by the Colorado Attorney General and members of the oil and gas industry, our old outdated regulations would stand in place - and we can't afford to have that happen."

Commissioner **Elise Jones** said, "We and the State of Colorado do not agree on where the authority over local drilling operations should lie. But, by working with staff, legal counsel, and members of the public for many years to get these regulations as protective as possible, we are confident that these new regulations are by far the most comprehensive and protective local regulations in Colorado. While we wish we could completely control or prevent all aspects of oil and gas development within Boulder County, we are doing everything we can under the current law to protect our local air, water, public health, and the environment with these new regulations."

Commissioner **Cindy Domenico** added, "Like everyone we've heard from over the past several years, we are very concerned about the potential for expanded oil and gas activity in Boulder County. The intensive drilling operations that we see along the Northern Front Range of Colorado are heavily industrial in nature. We need to have in place strong new regulations

that maximize our ability to use our land use authority – one of the few local control tools we have under current state law - to protect our residents and the environment.”

“This is an important step in our approach to addressing concerns about oil and gas development raised by our residents,” added Commissioner **Domenico**. “But this is only one piece of the puzzle. We will continue to examine every option available to us.”

“The oil and gas industry has already sent lawyers to Boulder County to claim that these new regulations go too far,” added Commissioner **Gardner**. “We felt there was too much at stake for our residents to expose them to our outdated regulations and leave the county vulnerable to much more intensive drilling operations than when we passed our last set of regulations in 2012.”

Commissioner **Jones** closed by saying, “The regulations are not enough, but they are necessary. We acknowledge that they alone do not give us enough control over what happens within the boundaries of Boulder County when it comes to oil & gas development. On April 25 we will talk about the many other ways that we are working to address this effort on all fronts.”

## Background

In May 2016, Colorado Supreme Court rulings invalidated fracking bans and long-term moratoria. These rulings called into question a Boulder County moratorium that was scheduled to expire in July 2018.

After the Colorado Supreme Court rulings, Boulder County terminated its prior moratorium and adopted a new, temporary moratorium, which is set to expire May 1, 2017. Early in 2017, the Colorado Attorney General and oil and gas industry groups challenged the county’s latest moratorium in court.

The county enacted the new moratorium in order to provide the county with enough time to review and update the oil and gas regulations that were adopted in 2012, and to prepare for implementation of those regulations. In the time since the last regulations were adopted, significant changes have taken place in the ways that industry extracts oil and gas in communities along the Colorado Front Range. Specifically, the trend is towards large-scale, consolidated facilities that leave a much larger footprint and have much greater impact on the communities in which they reside.

**The new 2017 regulations address these (and other) concerns that were not adequately covered under the 2012 regulations:**

- Industry’s shift toward large-scale, consolidated facilities
- Concerns with intensity of oil and gas development
- Additional information about impacts
- Rulemaking at the State level (Governor’s Task Force, etc.)
- Concerns with impacts on community and environment

### **What will the new regulations do?**

Under the approved regulations, the County will require **Special Use Review** for all new oil and gas development in unincorporated Boulder County.

**The new regulations are:**

- **Comprehensive** – They ask for detailed information and plans from operators in order to fully evaluate impacts and assess site-specific circumstances related to each oil and gas development application. They ask for alternative site locations.
- **Inclusive** – The regulations require extensive notice to surrounding landowners, provide multiple opportunities for public input, including a neighborhood meeting and public hearings in front of the Planning Commission and Board of County Commissioners.
- **Protective** – The regulations will closely scrutinize all proposed oil and gas development and hold operators to a high standard. The county will use 17 criteria to evaluate potential impacts on the surrounding area and the environment.
- **Specific** – The regulations provide details on conditions of approval and mitigation measures that the county may impose to reduce the impacts on neighboring landowners and preserve the county land and environment.
- **Enforceable** – all approved oil and gas development will be subject close monitoring and operators will be required to comply with all requirements and mitigation measures.

**Some of the more defining components new regulations include options for:**

- Air quality monitoring
- Hydrocarbon emissions control measures, including use of infra-red cameras to detect and repair leaks of equipment used on the well site
- Water well sampling and testing
- Conditions of approval that will reduce impacts to the site/area/resources, including change in location, use of pipelines to reduce truck traffic, reduction of the number of wells, adjustment of pad dimensions, use of shared infrastructure, visual buffering/landscaping, etc.
- Disruption payments to surrounding occupants of residential structures who are affected by drilling activities – an operator would be required to pay the cost to rent a replacement home for the number of months construction and drilling take place, plus the cost to move away and back
- Emergency preparedness and response plan
- Reporting, monitoring, and inspections

[View Commissioners' Meeting Documents and Records >>](#)

**For more information about the county's role in oil and gas development, visit the county's [Oil and Gas Development webpage](#).**



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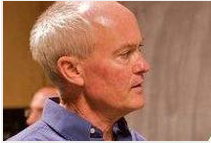
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This email was sent to [caseyrick@gmail.com](mailto:caseyrick@gmail.com) using GovDelivery, on behalf of: Boulder County Colorado · 1325 Pearl Street, Boulder, CO 80302

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**Rick Casey**  
[about.me/rick.casey](https://about.me/rick.casey)

**From:** kmanteuffel  
**To:** [Boulder County Oil and Gas Comment](#)  
**Subject:** Ban Fracking in Boulder County Now!  
**Date:** Thursday, March 23, 2017 9:58:40 PM

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My name is Karl Manteuffel and I live at 3333 Eldorado Springs Dr Eldorado Springs, Co 80025. We have spoken clearly on the issue of oil and gas development and it is resolved that we do not want drilling in Boulder County under any circumstances. It is a violation of our land, the health of our families, and the well being of our communities and climate. Any attempt to forcefully move fracking into Boulder County is a violation of our fundamental rights. The laws that seek to remove us from control of our land, our local environment, and our right to self govern are in every way immoral and illegitimate. We have the right and obligation to protect our climate, our environment, our families, and our communities. All government officials and staff will be asked to side with the people in every capacity, refuse to administer the destruction of our land, and enforce the will of the community to protect ourselves from any intrusive industry that fails to recognize these fundamental rights. No more moratoriums. We demand that you to BAN FRACKING.