

November 30, 2022

IN THE MATTER OF A PETITION FOR ) Cause No. 1R  
 CHANGES TO THE RULES AND )  
 REGULATIONS OF THE OIL AND GAS ) Docket No. 220800233  
 CONSERVATION COMMISSION OF THE )  
 STATE OF COLORADO ) TYPE: RULEMAKING PETITION

**DELTA COUNTY PUBLIC COMMENT**

Delta County provides this public comment regarding the Petition for Rulemaking to Adopt Rules to Evaluate and Address Cumulative Air Impacts dated August 30, 2022 (“Rulemaking Petition” or “Petition”), filed by WildEarth Guardians, 350 Colorado, Womxn from the Mountain, Physicians for Social Responsibility, the Larimer Alliance, and Sierra Club (“Petitioners”).

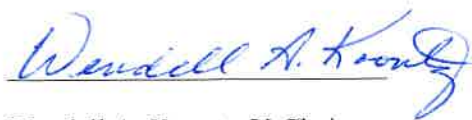
The Colorado Oil and Gas Conservation Commission (“COGCC” or “Commission”) should reject the Petition and not undertake the requested rulemaking. The Petition, if granted and the proposed rules if adopted, would result in a defacto ban on oil and gas development and production in Delta County. The mission of the COGCC states the COGCC is to regulate the development and production of the natural resources of oil and gas not bar development and production. This petition and proposed rules are intended to force the oil and gas industry out of Colorado resulting in job losses, economic downturns, and higher costs.

Delta County has conferred with, endorses and adopts by reference the comments and legal arguments presented in Garfield County’s Public Comment. We believe the Petition must be denied for the following reasons as outlined in Garfield County’s more detailed submittal:

- 1) The Petition exceeds the Commission’s authority because it ignores the Oil and Gas Conservation Act’s multiple goals including SB 19-181 sponsor statements specifying the Act does not allow for a ban on oil and gas development. Draft rules within in the Petition would require COGCC to ban new oil and gas development across most all of the current oil and gas production areas of Colorado;
- 2) The Petition should be rejected because the COGCC is already addressing Cumulative Impacts and Environmental Justice;
- 3) The Petition should be denied because CDPHE is already addressing air quality **and** Environmental Justice issues, the latter of which includes the November 2022 release of the Colorado Environmental Justice Action Task Force Final Report of Recommendations.

Thank you for this opportunity to provide comment regarding the Cumulative Air Impacts rulemaking petition. For the reasons outlined above, we ask that you reject the Petition.

Respectfully,

A handwritten signature in blue ink that reads "Wendell A. Koontz". The signature is written in a cursive style and is positioned above a horizontal line.

Wendell A. Koontz, V-Chair