To: Air Quality Control Commission  
From: Colorado Local Elected Officials  
Re: Rulemakings  

Date: June 18, 2020  

Dear Air Quality Control Commissioners and Staff,  

As elected officials representing residents from across the entire state of Colorado, we write in support of the work being done by the Air Quality Control Commission (AQCC) and to encourage the Commission to continue its rulemaking efforts to develop real, meaningful regulations that protect all Coloradans, the air we breathe, and the environment in which we live and recreate. We understand that there are two overlapping and related external factors impacting the work of the Commission and staff: the Covid-19 pandemic and the collapse of the global oil and gas futures market. However, we ask that as the rulemaking process moves forward, the voices of all Coloradans across the state continue to be heard.

Our primary concern is the perception of a divide between the needs of rural and urban communities across the state. Every Coloradan deserves to be able to breathe clean air, drink clean water as well as live, work, and recreate in a safe, healthy environment. SB19-181 expressly grants local governments the power to regulate oil and gas activity above and beyond the level of the state government. Contrary to arguments made elsewhere, this is an expansion of our authority as local elected officials, not a limitation. Local protections paired with robust statewide rules from the AQCC will allow each and every local government in the state to adapt to the unique circumstances of our jurisdictions and truly protect our residents. The strong statewide floor we request here will also help local governments deal with the impacts of oil and gas operations in close proximity to but outside their jurisdiction.

The oil and gas industry has always been a volatile source of both revenue and jobs. According to staff reports, applications and approvals for new wells at the COGCC are down significantly from last year. The ongoing crash of oil and gas markets is caused by over production and greatly decreased demand as the result of the Covid-19 crisis, not Colorado’s nascent regulatory overhaul. We commend the state for the work it has already accomplished on SB181.

Challenging or attempting to delay rulemaking efforts in Colorado cannot fix the structural decline of the oil and gas markets, nor would it address the burden placed on state, county, and municipal governments to clean up orphaned wells and locations left behind by distressed operators. Obstructing the rulemaking process would only subject Coloradans across the state to more harmful air pollutants in the middle of a respiratory pandemic. In fact, the Center for Disease Control has found that those with serious underlying medical conditions are at a higher risk for more severe effects of Covid-19.
According to the Air Pollution Control Division, oil and gas operations are the leading, human-caused source of volatile organic compounds (VOCs). That pollution can create ozone or smog, which can worsen respiratory diseases such as asthma and emphysema and cause heart disease. Moreover, climate change means hotter, longer summers that worsen ozone pollution. And given the fact that oil and gas is the largest industrial source of methane emissions in Colorado and a powerful climate change pollutant, it is critical that the AQCC continue to make progress in cutting both VOCs and methane.

While we as elected officials from across the state are certainly feeling the impact of the COVID19 crisis on our capacity, we recognize that the work being done at the AQCC is vital to protecting our public health and climate. Moreover, we believe that the state’s rulemakings are in fact a key tool to our economic recovery post-pandemic. The AQCC needs to develop regulations for an industry experiencing massive market volatility, not delay the development and implementation of rules to protect the health and safety of our constituents.

According to the American Lung Association, several counties along the West Slope see high ozone days, including La Plata County, which has received a failing grade three years in a row for ozone pollution. Likewise, many Front Range counties have received poor grades for air quality. All Coloradans deserve the same protection and consideration, whether they live in eastern, central or western Colorado.

This is the time to be proactive. What we need is a commitment to this process, strong rules, and statewide application. This is especially true as the Trump Administration works to undo decades of environmental regulations across the board. Recently, the U.S. Environmental Protection Agency issued guidance that could allow oil and gas operators to skirt federal regulations. And the BLM continues to offer more and more Colorado lands up for oil and gas leasing without proper safeguards to protect our air, water, climate and communities. These federal policies are inconsistent with Colorado’s goals for public health, the environment and our climate, and leaves Coloradans more reliant on state regulations than ever before. It is therefore vital that we as a state affirm our commitment to the goal of protecting our residents in as timely a fashion as possible.

Sincerely,

County Commissioner Eva Henry, Adams County, Colorado
City Councilor Skippy Mesirow, City of Aspen, Colorado
City Councilor Ann Mullins, City of Aspen, Colorado
City Councilor Rachael Richards, City of Aspen, Colorado
City Councilor Juan Marcano, City of Aurora, Colorado
Mayor Sarah Smith Hymes, Town of Avon, Colorado
County Commissioner Deb Gardner, Boulder County, Colorado
County Commissioner Matt Jones, Boulder County, Colorado
City Councilor Aaron Brockett, City of Boulder, Colorado
Mayor Sam Weaver, City of Boulder, Colorado
City Councilor Laurie Anderson, City of Broomfield, Colorado
City Councilor Heidi Henkel, City of Broomfield, Colorado
City Councilor Deven Shaff, City of Broomfield, Colorado
Town Trustee Luis Yllanes, Town of Carbondale, Colorado
County Commissioner George Marlin, Clear Creek County, Colorado
County Commissioner Randy Wheelock, Clear Creek County, Colorado
City Councilor Susan Noble, City of Commerce City, Colorado
City Council President Jolon Clark, City of Denver, Colorado
City Councilor Robin Kneich, City of Denver, Colorado
City Councilor Amanda Sawyer, City of Denver, Colorado
City Councilor Barbara Noseworthy, City of Durango, Colorado
Former Mayor & City Councilor Dick White, City of Durango, Colorado
County Commissioner Kathy Chandler-Henry, Eagle County, Colorado
County Commissioner Matt Scherr, Eagle County, Colorado
Town Councilor Adam Palmer, Town of Eagle, Colorado
City Councilor Michal Rosenoer, City of Edgewater, Colorado
Town Trustee Sara Loflin, Town of Erie, Colorado
Town Trustee Christiaan Van Woudenberg, Town of Erie, Colorado
Town Councilor, Jessica Burley, Town of Frisco, Colorado
County Commissioner Ron Engels, Gilpin County, Colorado
County Commissioner Linda Isenhart, Gilpin County, Colorado
County Commissioner Gail Watson, Gilpin County, Colorado
Mayor Pro Tem Shelley Kaup, City of Glenwood Springs, Colorado
City Councilor Paula Stepp, City of Glenwood Springs, Colorado
City Councilor JJ Trout, City of Golden, Colorado
County Commissioner Gwen Lachelt, La Plata County, Colorado
Mayor Jamie Harkins, City of Lafayette, Colorado
City Councilor Stephanie Walton, City of Lafayette, Colorado
County Commissioner John Kefalas, Larimer County, Colorado
City Councilor Polly Christensen, City of Longmont, Colorado
Mayor Ashley Stolzmann, City of Louisville, Colorado
Town Councilor Earle Bidez, Town of Minturn, Colorado
Town Councilor Eric Gotthelf, Town of Minturn, Colorado
Mayor John Widerman, Town of Minturn, Colorado
Town Trustee Alan Apt, Town of Nederland, Colorado
City Councilor Katherine Goff, City of Northglenn, Colorado
City Councilor Julie Mullica, City of Northglenn, Colorado
Mayor Pro Tem Jenny Willford, City of Northglenn, Colorado
County Commissioner George Newman, Pitkin County, Colorado
County Commissioner Greg Poschman, Pitkin County, Colorado
City Councilor Harald Kasper, City of Salida, Colorado
Mayor P.T. Wood, City of Salida, Colorado
County Commissioner Hilary Cooper, San Miguel County, Colorado
County Commissioner Kris Holstrom, San Miguel County, Colorado
County Commissioner Lance Waring, San Miguel County, Colorado
County Commissioner Karn Stiegelmeier, Summit County, Colorado
Mayor Pro Tem Todd Brown, Town of Telluride, Colorado
Mayor DeLanie Young, Town of Telluride, Colorado
Mayor Pro Tem Kim Langmaid, Town of Vail, Colorado
Mayor Pro Tem Anita Seitz, City of Westminster, Colorado
City Councilor Jon Voelz, City of Westminster, Colorado
Senator Faith Winter, State Senate District 24, Colorado