

**RESOLUTION
OF
THE BOARD OF OURAY COUNTY COMMISSIONERS**

**Re: Protection of Colorado's Natural Resources –
Support for the Colorado Water Quality Control Commission**

WHEREAS, energy development is occurring at an unprecedented pace in Colorado and the Rocky Mountain West; and

WHEREAS, the energy industry expects to drill approximately 4,000 new oil and gas wells in Colorado in 2005; and

WHEREAS, the Energy industry predicts as many as 400,000 new oil and gas wells will be drilled in the United States over the next 15 years, many of which are expected to be located in this county; and

WHEREAS, drilling pad construction disturbs soil and plants, spill fuel, solvents and chemicals into the soil and produce sediments that can pollute streams and lakes; and

WHEREAS, storm water runoff in the form of rain and melting snow flowing across drilling pads and other construction areas associated with oil and gas operations can cause soil erosion, sending sediment into streams and rivers; and

WHEREAS, water quality in Colorado streams will decline due to increased storm water runoff, impacting aquatic life, irrigation and drinking water if storm water discharge from oil and gas development is not controlled; and

WHEREAS, Colorado counties and municipalities where residents have been impacted by the rapid increase in oil and gas development have been prohibited by court rulings from taking formal actions to regulate storm water runoff from oil and gas sites under the argument that such actions are within the exclusive jurisdiction of the federal and state government; and

WHEREAS, the federal government, having in the past regulated storm water discharges from oil and gas construction sites, is now largely precluded from doing so by the Energy Bill of 2005; and

WHEREAS, the Colorado Water Quality Control Commission has adopted regulations to control storm water discharges from oil and gas construction sites by applying best management practices and is not precluded by the Energy Bill of 2005 from continuing to implement those regulations; and

WHEREAS, all other industries and private citizens in Colorado must comply with Colorado Water Quality Control Commission regulations for storm water discharges, which require the use of best management practices to control storm water runoff; and

WHEREAS, the Colorado Oil and Gas Association has filed suit against the state of Colorado to exempt their industry from meeting storm water discharge regulations; and

WHEREAS, the Water Quality Control Commission will review its regulations requiring oil and gas drillers to use best management practices to protect Colorado's waters.

NOW, THEREFORE, BE IT RESOLVED, that the Ouray County Board of County Commissioners supports the Colorado Water Quality Commission's regulation of storm water discharges from oil and gas operations that affect one acre or more of land; and

BE IT FURTHER RESOLVED, that the Ouray County Board of County Commissioners supports the Colorado Water Quality Control Commission in the suit brought against it by the Colorado Oil and Gas Association and urges the Commission to maintain the regulations now in place; and

BE IT FURTHER RESOLVED, that the Ouray County Board of County Commissioners calls on Colorado Governor Bill Owens, his cabinet officers and the Colorado Attorney General John Suthers to declare and provide active support and resources to defend the Colorado Water Quality Control Commission's current regulations controlling storm water discharges from oil and gas construction disturbing one or more acres of land.

Adopted this 3rd day of October, 2005.

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

Don Batchelder, Chair

Michelle Nauer, Clerk and Recorder

Heidi M. Albritton, Vice-Chair

By: _____

Linda Munson-Haley,
Deputy Clerk of the Board

Kristi R. Westfall, Member