

STATE OF COLORADO

Colorado General Assembly

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MEMORANDUM

TO: Anne Lee Foster and Suzanne Spiegel

FROM: Legislative Council Staff and Office of Legislative Legal Services

DATE: January 17, 2020

SUBJECT: Proposed initiative measure 2019-2020 #176, concerning a Setback Requirement for Oil and Gas Development

Section 1-40-105 (1), Colorado Revised Statutes, requires the directors of the Colorado Legislative Council and the Office of Legislative Legal Services to "review and comment" on initiative petitions for proposed laws and amendments to the Colorado constitution. We hereby submit our comments to you regarding the appended proposed initiative.

The purpose of this statutory requirement of the directors of the Legislative Council and the Office of Legislative Legal Services is to provide comments intended to aid proponents in determining the language of their proposal and to avail the public of knowledge of the contents of the proposal. Our first objective is to be sure we understand your intent and your objective in proposing the amendment. We hope that the statements and questions contained in this memorandum will provide a basis for discussion and understanding of the proposal.

This initiative was submitted with a series of initiatives including proposed initiatives 2019-2020 #173 to 175 and #177. Comments and questions addressed in those other memoranda may also be relevant, and those questions and comments are hereby incorporated by reference in this memorandum.

Purposes

The major purposes of the proposed amendment to the Colorado Revised Statutes appear to be:

1. To declare that proximity to oil and gas development can have detrimental impacts on public health, safety, and welfare, and the environment.
2. To require a minimum distance of 2,000 feet between an occupied structure or vulnerable area and any new oil and gas development not on federal land.

Substantive Comments and Questions

Substantive comments and questions are the same as the substantive comments and questions for proposed initiatives 2019-2020 #173-175.

Technical Comments

Technical comments are the same as the technical comments for proposed initiatives 2019-2020 #173-175.