

February 18, 2009

TO: Members of the House Agriculture, Livestock and Natural Resources Committee

Time didn't allow all testimony yesterday and due to changes in schedule, I am sorry I am unable to be with you today.

I represent a membership organization of individuals, businesses, city and county governments, corporations and organizations in a 22 county geographic area in Southern Colorado.

Action 22 believes that reasonable adjustments need to be made to the new COGCC rules to help safeguard Colorado's economy and bring jobs back to southern Colorado. Many of us in southern Colorado are concerned about the economic downturn, especially layoffs in the energy industry that have a negative ripple effect throughout the contractors, small businesses, restaurants and shops that support and depend on the energy industry. Most recently, the steel mill in Pueblo announced layoffs due to pipe orders drop.

The new rules will give the Division of Wildlife decision-making authority never before granted to a division. We believe this authority goes far beyond what the General Assembly intended. However, with no standards or sideboards, the DOW is being handed vast new authority for regulating oil and gas operations. The authority should remain with the Colorado Oil and Gas Conservation Commission. A consultative role in the permitting process regarding wildlife is fine and in the long run, better as networking and collaborative efforts between the DOW and operators, land owners, etc., can continue.

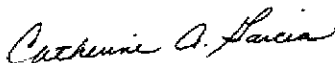
This legislation:

- Affirms that DOW's role, with respect to oil and gas regulation, is to truly consult.
- It prohibits the DOW from creating a "no surface occupancy" or "restricted surface occupancy" areas.
- The legislation makes it clear that economic, operational and technical feasibility is a consideration in prescribing mitigation measures. It gives the commission the final say on wildlife issues.
- Currently, there is no timeline in the rules and regulations. HB 1255 provides a timeline for the Commission, not the DOW, to a DOW recommended mitigation measure.
- It also provides a mechanism whereby if the operator, the DOW/CDPHE cannot reach agreement, the decision is sent back to the full Commission.

These are reasonable modifications – reliable timelines, regulatory certainty and sound management practices. They create the type of business environment that encourages investment and job creation.

This is what Southern Colorado needs right now and Action 22 urges your yes vote on HB 1255.

Sincerely,



Catherine A Garcia
President/CEO