

Timely and Efficient Permitting under COGCC's Amended Rules

In addition to imposing new substantive standards for protection of public health, safety, welfare, and the environment, including wildlife resources, House Bills 1298 and 1341 directs the COGCC to develop procedures that ensured permitting decisions remain "timely and efficient."

Currently, it takes the COGCC approximately 65 days to process drilling permits. This is largely because the size of the agency's staff has not kept pace with the number of drilling applications the agency receives. The COGCC is expected to approve more than 7,600 drilling permits in 2008, compared with just 2,245 five years ago -- with only a slight increase in permitting staff.

Under the amended rules, and with the additional staffing authorized by the General Assembly, the COGCC plans to reduce its current average permitting time by more than one third by the end of 2009. Several amendments will help it meet this goal:

- ✓ An operator can prepare Comprehensive Drilling Plans covering several proposed sites in an area, which can eliminate the need for certain site-specific approvals. To date, approximately 20 operators have begun discussions with COGCC staff about the development of such Plans.
- ✓ The COGCC will give priority to drilling permits covered by an approved Comprehensive Drilling Plan, issuing decisions in 30 days or less.
- ✓ The COGCC will review permit applications for completeness in 10 days, a 66% reduction from the old rules. Where a site is covered by a Comprehensive Drilling Plan, this review will be completed in 3 days.
- ✓ The amendments contain time limits on agency consultation (40 days) and public comment (20-30 days).
- ✓ An operator can obtain an expedited hearing before the Commission if permitting decisions are delayed beyond 75 days.

The COGCC believes that these provisions will ensure that permitting decisions are made in a timely and efficient manner, as directed by the General Assembly.

In the reasonable best-case scenario, the COGCC should be able to issue permitting decisions in approximately 35 days, as set forth below, with the additional staffing authorized by the General Assembly.

Day	Task
5	COGCC determines that application is complete and posts it on the COGCC website.
25	Public comment concludes; may be extended to Day 30 upon request of certain parties.
35	COGCC reviews application and comments received, if any, and issues decision on permit.

Where a site is covered by a Comprehensive Drilling Plan, this time period will in most cases be reduced to approximately 25 days. Where consultation with the Colorado Division of Wildlife, the Colorado Department of Public Health and Environment, or the local government takes place, permits should typically be issued in approximately 55 days.

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