

Disproportionately Impacted Communities (DIC): Rules, GIS Mapping, Scenarios, & Outreach

Operator Training

2/2/2021



COLORADO
Oil & Gas Conservation
Commission
Department of Natural Resources

Sabrina Trask
Sr. OGLA

Chris Eisinger
GIS Supervisor

Disproportionately Impacted Communities (DIC)

- Rules
 - Mission Change Rulemaking
 - Definitions (100-series)
 - Applicability (300-series)
- GIS Data & Mapping (Chris Eisinger)
- Scenarios
 - OGDP/Location within DIC
 - OGDP/Location within 2000' of BU or School in DIC
- Expectations for Outreach
- Summary/Q&A



Rules - Mission Change Rulemaking

- Staff introduced DI Communities (100-series definition & 300-series rules) to Commissioners in Aug., 2020
- Commission asked staff to revise definition to include linguistic isolation
- Staff presented revised definition in Sept., 2020
- Commission adopted revisions in Nov., 2020
- Mission Change rules in effect Jan. 15, 2021



Rules - Definitions (100-series)

- Block group (BG) as unit of data for geographic boundary
- 4 categories:
 - $BG > 50\%$ Minority
 - $BG \% \text{ Minority} > \text{County} \% \text{ Minority}$
 - $BG \text{ household income} \leq 200\%$ federal poverty guideline
 - $BG \geq 20\%$ linguistically isolated



Rules - Applicability (300-series)

RULE	SCOPE	eFORM	When does this rule apply?	Result
303.a.(5).B.ii.dd	Loc	2B	On every Form 2B	Identification of Locations within a DIC
303.d.(1).A.i	OGDP	2A, 2C	WPS is within 2000' of RBU, HOBUE or School within a DIC	Extends public comment period to 45 days for entire OGDP
304.b.(2).B.x	Loc	2A	WPS is within 2000' of RBU, HOBUE, or School within a DIC	ALA required
304.b.(2).C.i.ff	Loc	2A	WPS is within 2000' of RBU, HOBUE, or School within a DIC	ALA requires DIC maps
304.b.(2).C.iii.bb	Loc	2A	WPS is within a DIC, or within 2000' of a DIC* [*Note: only when an ALA is required]	ALA requires distances, description of community outreach*
304.b.(3).A	Loc	2A	On every Form 2A	Cultural distances required
304.b.(7).J	Loc	2A	Loc is within 2000' of a RBU, HOBUE, or School within a DIC	DIC Map required
304.c.(20)	Loc	2A	Loc is within 2000' of a RBU, HOBUE, or School within a DIC	Community Outreach Plan required
309.A	OGDP	2A, 2C	Loc is within a DIC	Extends consultation period to 60 days for entire OGDP
314.e.(3).J	CAP	-	In every CAP application	DICs identified in maps
314.e.(10).G	CAP	-	In every CAP application	List of DICs included in CAP cumulative impacts evaluation



Rules - Applicability: Location within a DIC

RULE	SCOPE	eFORM	When does this rule apply?	Result
303.a.(5).B.ii.dd	Loc	2B	On every Form 2B	Identification of Locations within a DIC
303.d.(1).A.i	OGDP	2A, 2C	WPS is within 2000' of RBU, HOBUS or School within a DIC	Extends public comment period to 45 days for entire OGDP
304.b.(2).B.x	Loc	2A	WPS is within 2000' of RBU, HOBUS, or School within a DIC	ALA required
304.b.(2).C.i.ff	Loc	2A	WPS is within 2000' of RBU, HOBUS, or School within a DIC	ALA requires DIC maps
304.b.(2).C.iii.bb	Loc	2A	WPS is within a DIC, or within 2000' of a DIC* [*Note: only when an ALA is required]	ALA requires distances, description of community outreach*
304.b.(3).A	Loc	2A	On every Form 2A	Cultural distances required
304.b.(7).J	Loc	2A	Loc is within 2000' of a RBU, HOBUS, or School within a DIC	DIC Map required
304.c.(20)	Loc	2A	Loc is within 2000' of a RBU, HOBUS, or School within a DIC	Community Outreach Plan required
309.a	OGDP	2A, 2C	Loc is within a DIC	Extends consultation period to 60 days for entire OGDP
314.e.(3).J	CAP	-	In every CAP application	DICs identified in maps
314.e.(10).G	CAP	-	In every CAP application	List of DICs included in CAP cumulative impacts evaluation



Rules - Applicability: Location ≤ 2000' of BU/School in DIC

RULE	SCOPE	eFORM	When does this rule apply?	Result
303.a.(5).B.ii.dd	Loc	2B	On every Form 2B	Identification of Locations within a DIC
303.d.(1).A.i	OGDP	2A, 2C	WPS is within 2000' of RBU, HOBUS or School within a DIC	Extends public comment period to 45 days for entire OGDP
304.b.(2).B.x	Loc	2A	WPS is within 2000' of RBU, HOBUS, or School within a DIC	ALA required
304.b.(2).C.i.ff	Loc	2A	WPS is within 2000' of RBU, HOBUS, or School within a DIC	ALA requires DIC maps
304.b.(2).C.iii.bb	Loc	2A	WPS is within a DIC, or within 2000' of a DIC* [*Note: only when an ALA is required]	ALA requires distances, description of community outreach*
304.b.(3).A	Loc	2A	On every Form 2A	Cultural distances required
304.b.(7).J	Loc	2A	Loc is within 2000' of a RBU, HOBUS, or School within a DIC	DIC Map attachment required
304.c.(20)	Loc	2A	Loc is within 2000' of a RBU, HOBUS, or School within a DIC	Community Outreach Plan required
309.A	OGDP	2A, 2C	Loc is within a DIC	Extends consultation period to 60 days for entire OGDP
314.e.(3).J	CAP	-	In every CAP application	DICs identified in maps
314.e.(10).G	CAP	-	In every CAP application	List of DICs included in CAP cumulative impacts evaluation



Rules - Applicability: All Locations

RULE	SCOPE	eFORM	When does this rule apply?	Result
303.a.(5).B.ii.dd	Loc	2B	On every Form 2B	Identification of Locations within a DIC
303.d.(1).A.i	OGDP	2A, 2C	WPS is within 2000' of RBU, HOBUE or School within a DIC	Extends public comment period to 45 days for entire OGDP
304.b.(2).B.x	Loc	2A	WPS is within 2000' of RBU, HOBUE, or School within a DIC	ALA required
304.b.(2).C.i.ff	Loc	2A	WPS is within 2000' of RBU, HOBUE, or School within a DIC	ALA requires DIC maps
304.b.(2).C.iii.bb	Loc	2A	WPS is within a DIC, or within 2000' of a DIC* [*Note: only when an ALA is required]	ALA requires distances, description of community outreach*
304.b.(3).A	Loc	2A	On every Form 2A	Cultural distances required
304.b.(7).J	Loc	2A	Loc is within 2000' of a RBU, HOBUE, or School within a DIC	DIC Map required
304.c.(20)	Loc	2A	Loc is within 2000' of a RBU, HOBUE, or School within a DIC	Community Outreach Plan required
309.A	OGDP	2A, 2C	Loc is within a DIC	Extends consultation period to 60 days for entire OGDP
314.e.(3).J	CAP	-	In every CAP application	DICs identified in maps
314.e.(10).G	CAP	-	In every CAP application	List of DICs included in CAP cumulative impacts evaluation



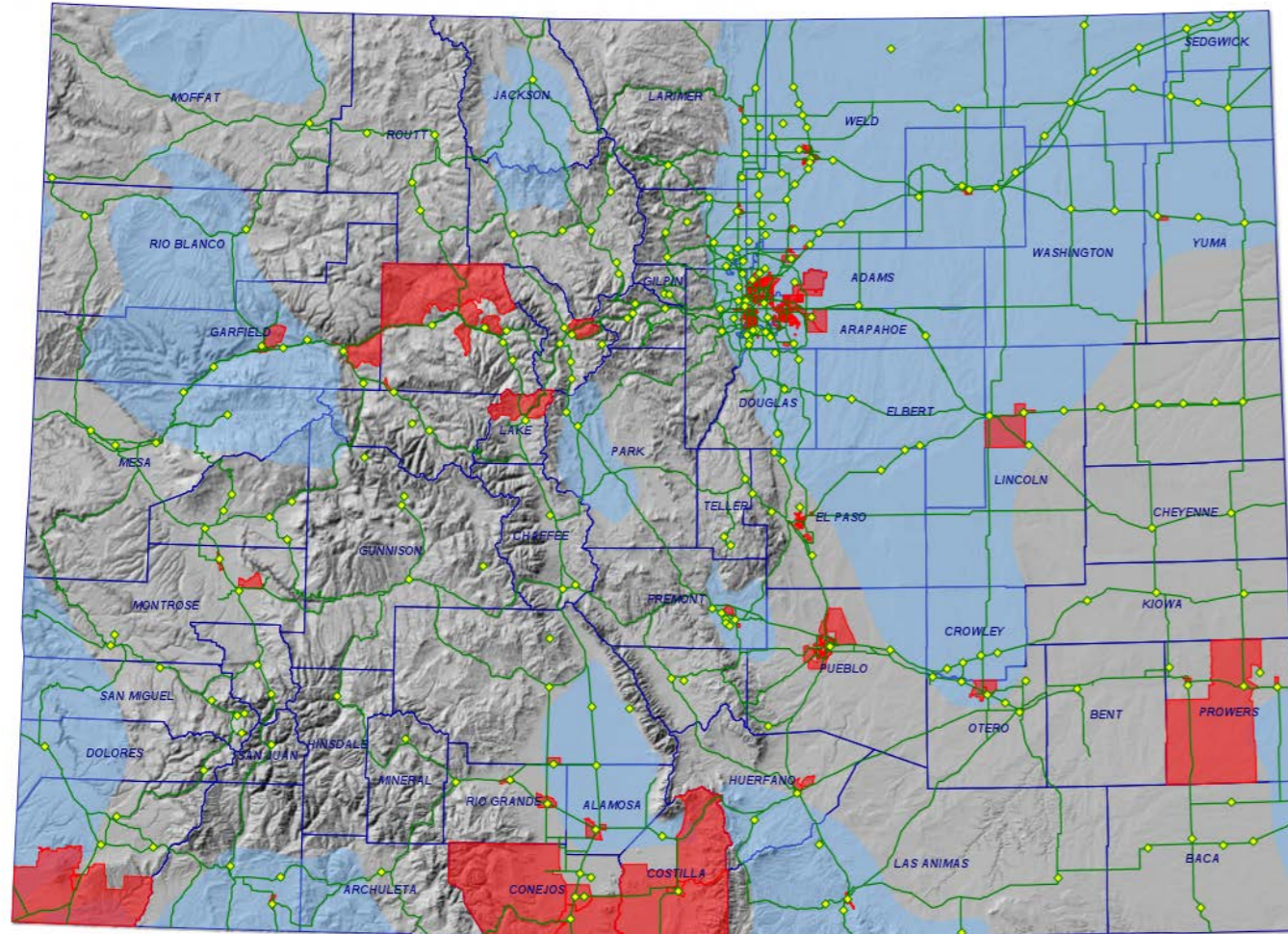
GIS Data and Mapping

- American Community Survey (ACS) 5-year Data (2015-2019)
 - Ongoing survey of topics including social, economic, demographic, and housing characteristics of the U.S. population
 - Multiyear estimates increase statistical reliability
- Data from the following tables:
 - Rule definition subparts a. and b. (% minority population):
B03002 (HISPANIC OR LATINO ORIGIN BY RACE)
(NOTE: This table encompasses all non-White, non-Hispanic/Latino populations, in addition to those who identify as Hispanic or Latino)
 - Rule definition subpart c. (median household income):
B19013 (MEDIAN HOUSEHOLD INCOME IN THE PAST 12 MONTHS (IN 2019 INFLATION-ADJUSTED DOLLARS))
 - Rule definition subpart d. (linguistically isolated):
B16004 (AGE BY LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER)



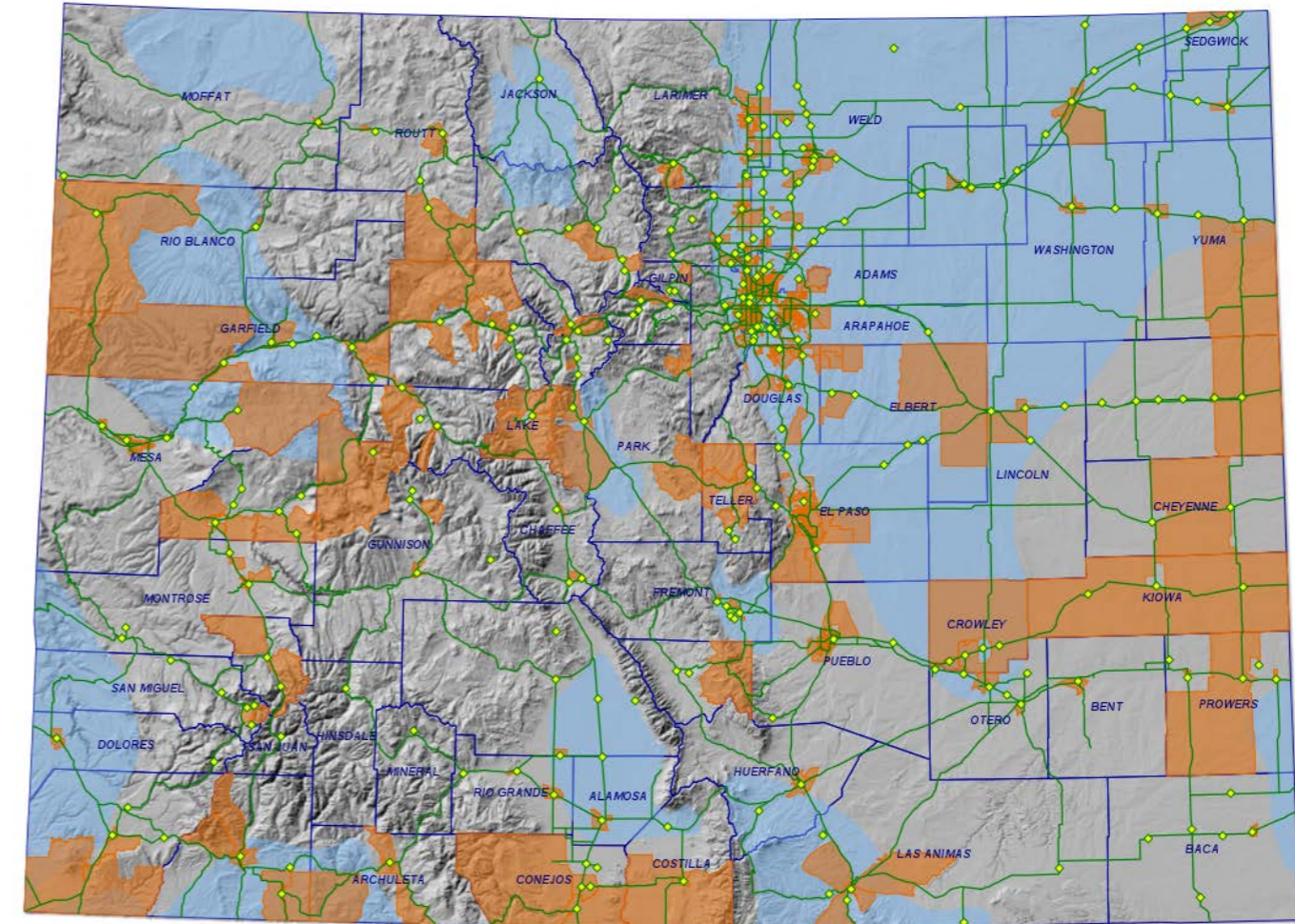
GIS Data and Mapping

Rule Definition - Subparts a. and b. (% Minority Population)



Subpart a.

A U.S. Census block group in which more than 50% of the population meets the definition of a "minority population" pursuant to the U.S. Environmental Protection Agency's ("EPA") Technical Guidance for Assessing Environmental Justice in Regulatory Analysis (June 2016) . . .



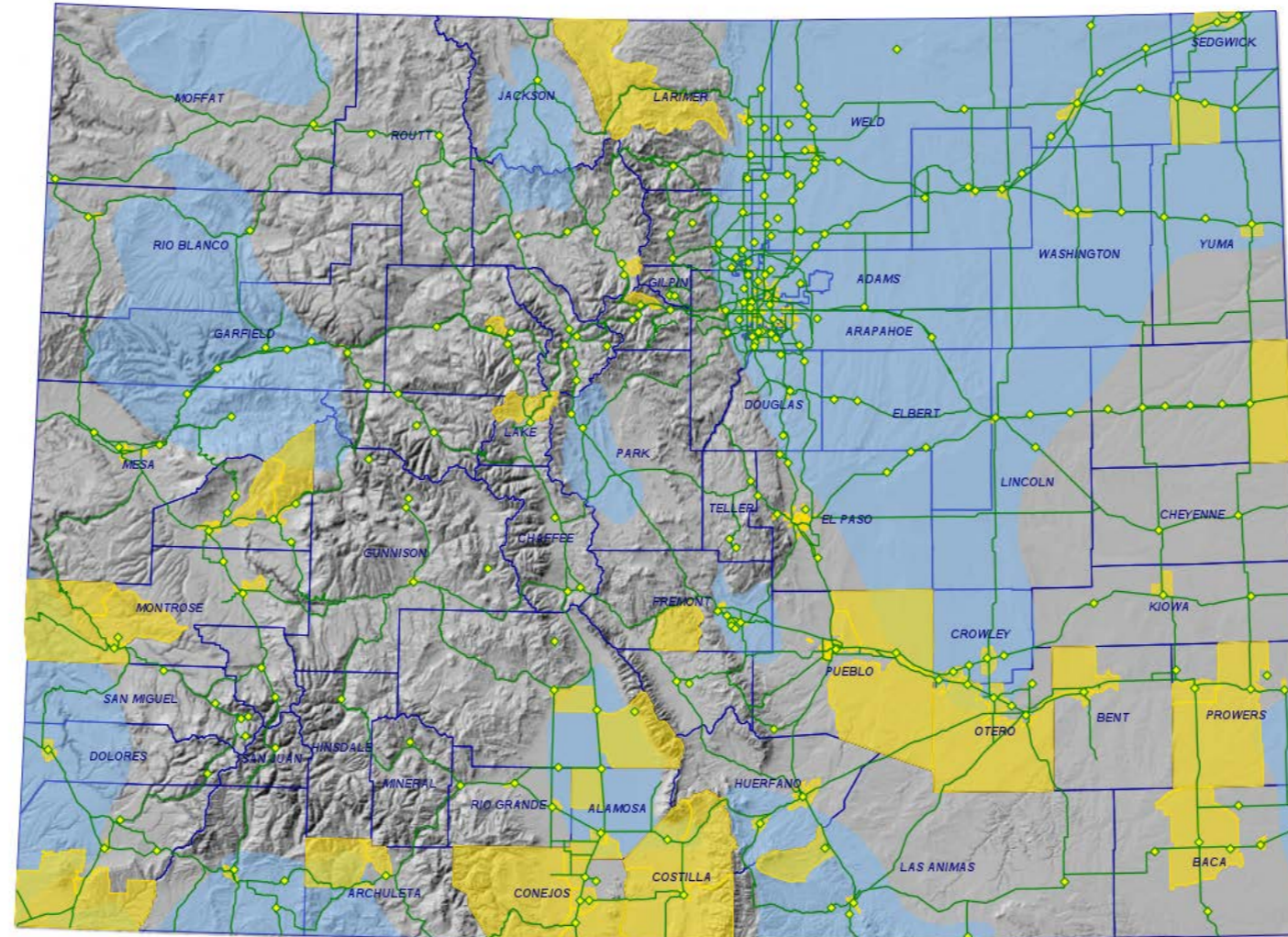
Subpart b.

A U.S. Census block group in which the percentage of the population that meets the definition of a "minority population" pursuant to the EPA's Technical Guidance for Assessing Environmental Justice in Regulatory Analysis, as incorporated by reference in subpart a, exceeds the percentage of the minority population of the county.



GIS Data and Mapping

Rule Definition - Subpart c. (Median Household Income)



Subpart c.

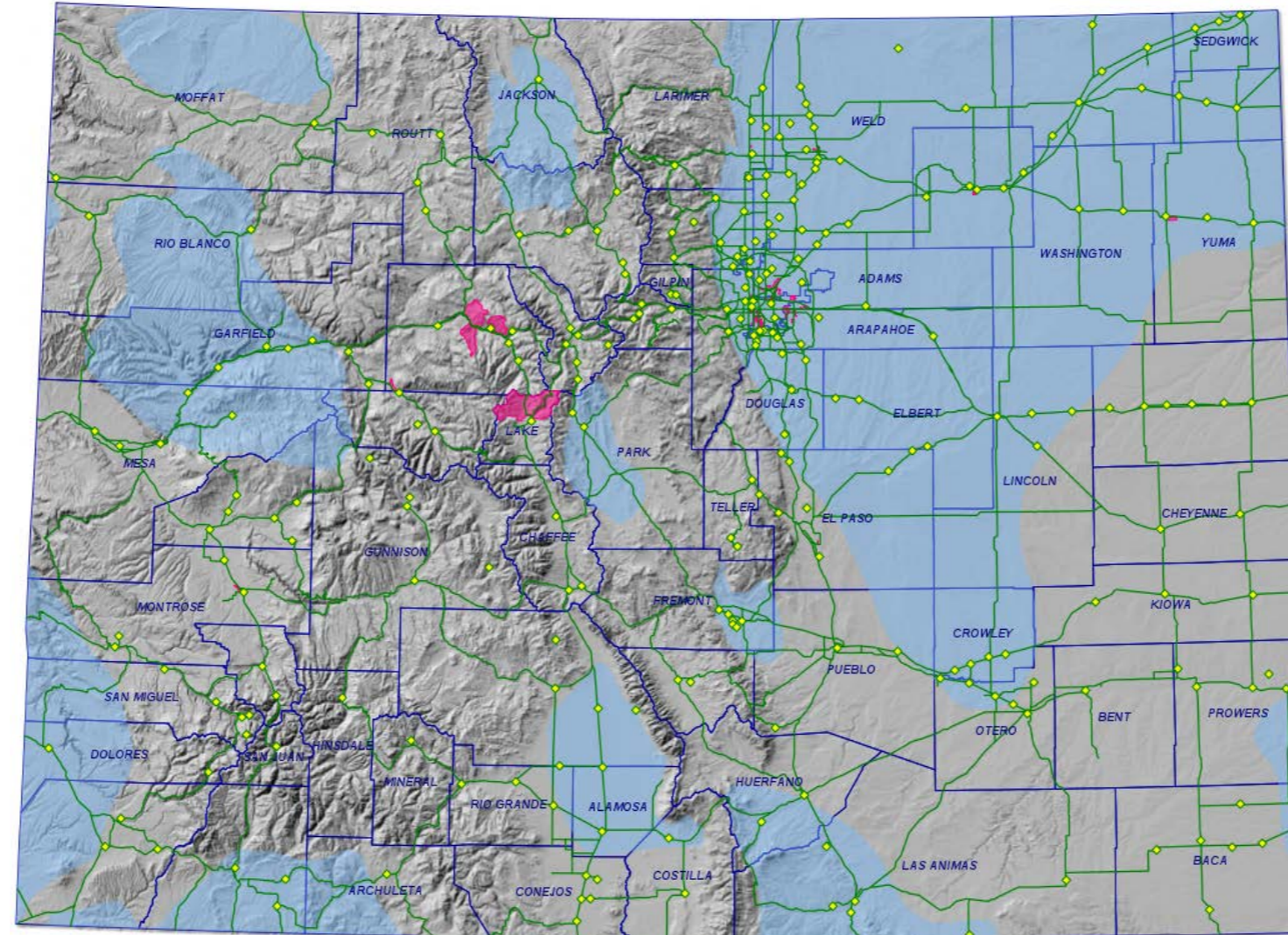
A U.S. Census block group in which the median household income as identified by the U.S. Census Bureau's American Community Survey ("ACS") is less than or equal to 200% of the federal poverty guideline for a household of three pursuant to the U.S. Department of Health and Human Services ("DHHS") Poverty Guidelines . . .

- For 2019, DHHS poverty guideline income level for a household of three was \$21,330.
- 200% of that is \$42,600.



GIS Data and Mapping

Rule Definition - Subpart d. (Linguistically Isolated)



Subpart d.

A U.S. Census block group in which 20% or more of the population is classified as linguistically isolated pursuant to the U.S. Census Bureau's ACS, as incorporated by reference in subpart c.

- Include 'speak English not well' and 'speak English not at all' classes for every age group



GIS Data and Mapping

Where to find map layers and GIS data?

- **COGCC Interactive Map**

COGCC → Rules → Disproportionately Impacted Communities

- **GIS Data Download**

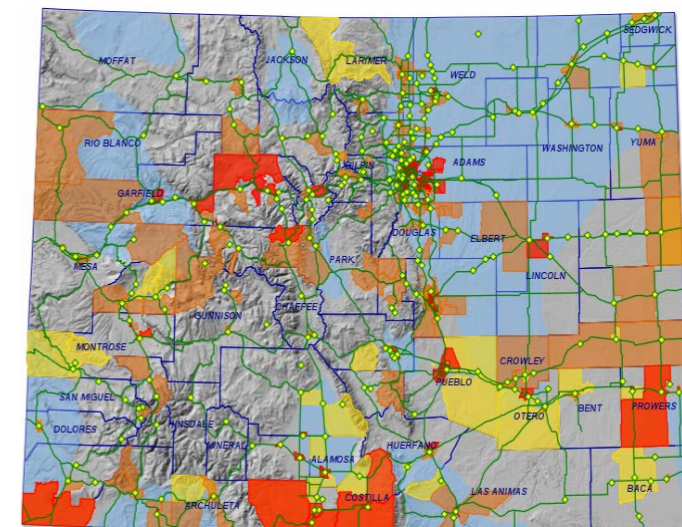
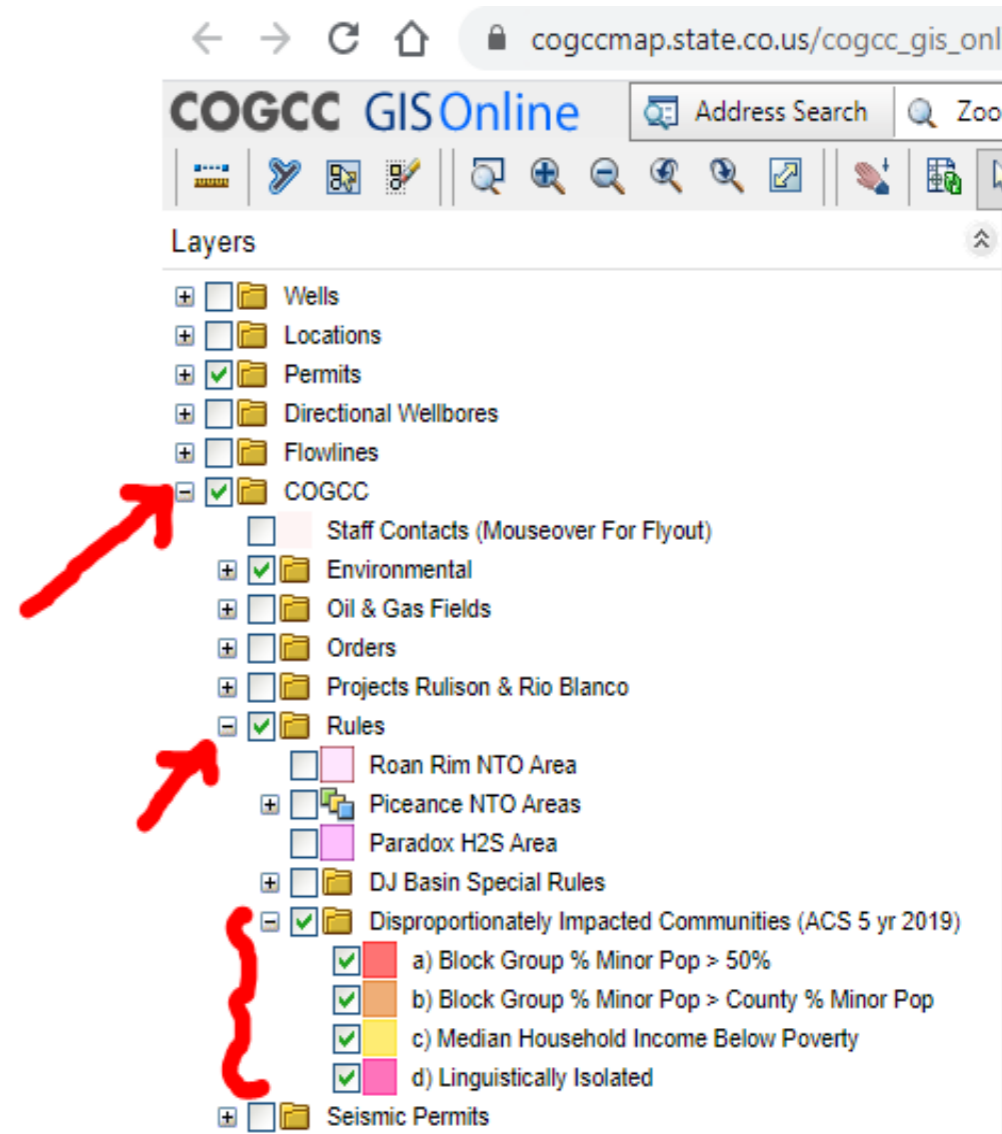
Data Downloads Webpage

(<https://cogcc.state.co.us/data2.html#/downloads>)

GIS → File Geodatabase (GDB) → Disproportionately Impacted Communities

Direct Link

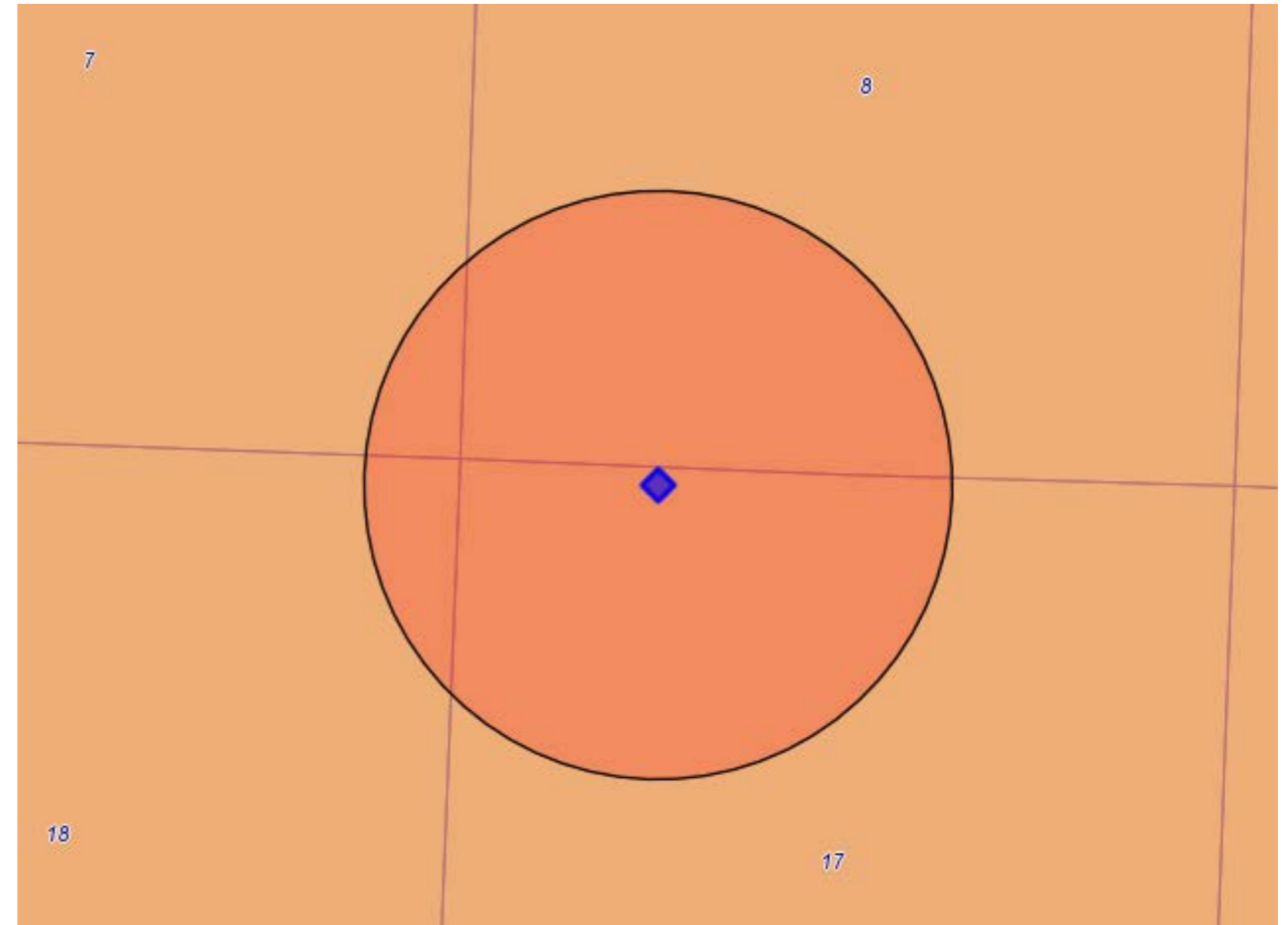
(https://cogcc.state.co.us/documents/data/downloads/gis/COGCC_DIC_2021.gdb.zip)



Scenario 1 - OGDG/Location within DIC

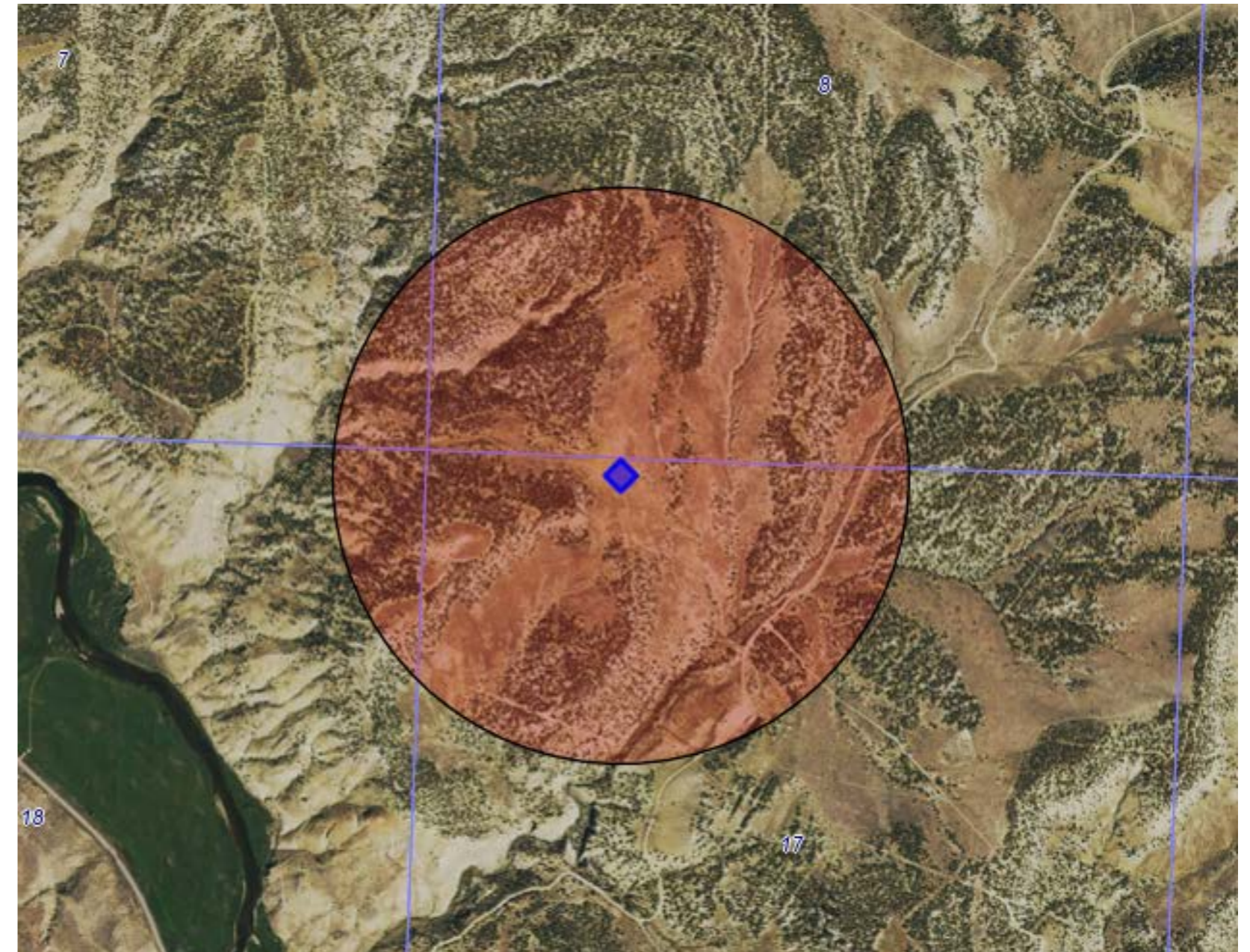
- What rules apply?
 - 309.a (extends consultation period from 45 to 60 days)

RULE	SCOPE	eFORM	When does this rule apply?	Result
303.a.(5).B.ii.dd	Loc	2B	On every Form 2B	Identification of Locations within a DIC
303.d.(1).A.i	OGDP	2A, 2C	WPS is within 2000' of RBU, HOBU or School within a DIC	Extends public comment period to 45 days for entire OGDG
304.b.(2).B.x	Loc	2A	WPS is within 2000' of RBU, HOBU, or School within a DIC	ALA required
304.b.(2).C.i.ff	Loc	2A	WPS is within 2000' of RBU, HOBU, or School within a DIC	ALA requires DIC maps
304.b.(2).C.iii.bb	Loc	2A	WPS is within a DIC, or within 2000' of a DIC* [*Note: only when an ALA is required]	ALA requires distances, description of community outreach*
304.b.(3).A	Loc	2A	On every Form 2A	Cultural distances required
304.b.(7).J	Loc	2A	Loc is within 2000' of a RBU, HOBU, or School within a DIC	DIC Map required
304.c.(20)	Loc	2A	Loc is within 2000' of a RBU, HOBU, or School within a DIC	Community Outreach Plan required
309.a	OGDP	2A, 2C	Loc is within a DIC	Extends consultation period to 60 days for entire OGDG
314.e.(3).J	CAP	-	In every CAP application	DICs identified in maps
314.e.(10).G	CAP	-	In every CAP application	List of DICs included in CAP cumulative impacts evaluation



Scenario 1 - OGDG/Location within DIC

- What about 304.b.(2).C.iii.bb?
 - Only applies if an ALA is required. In this case, no ALA is required because the Location is not within 2000' of a Building Unit or School within the DI Community



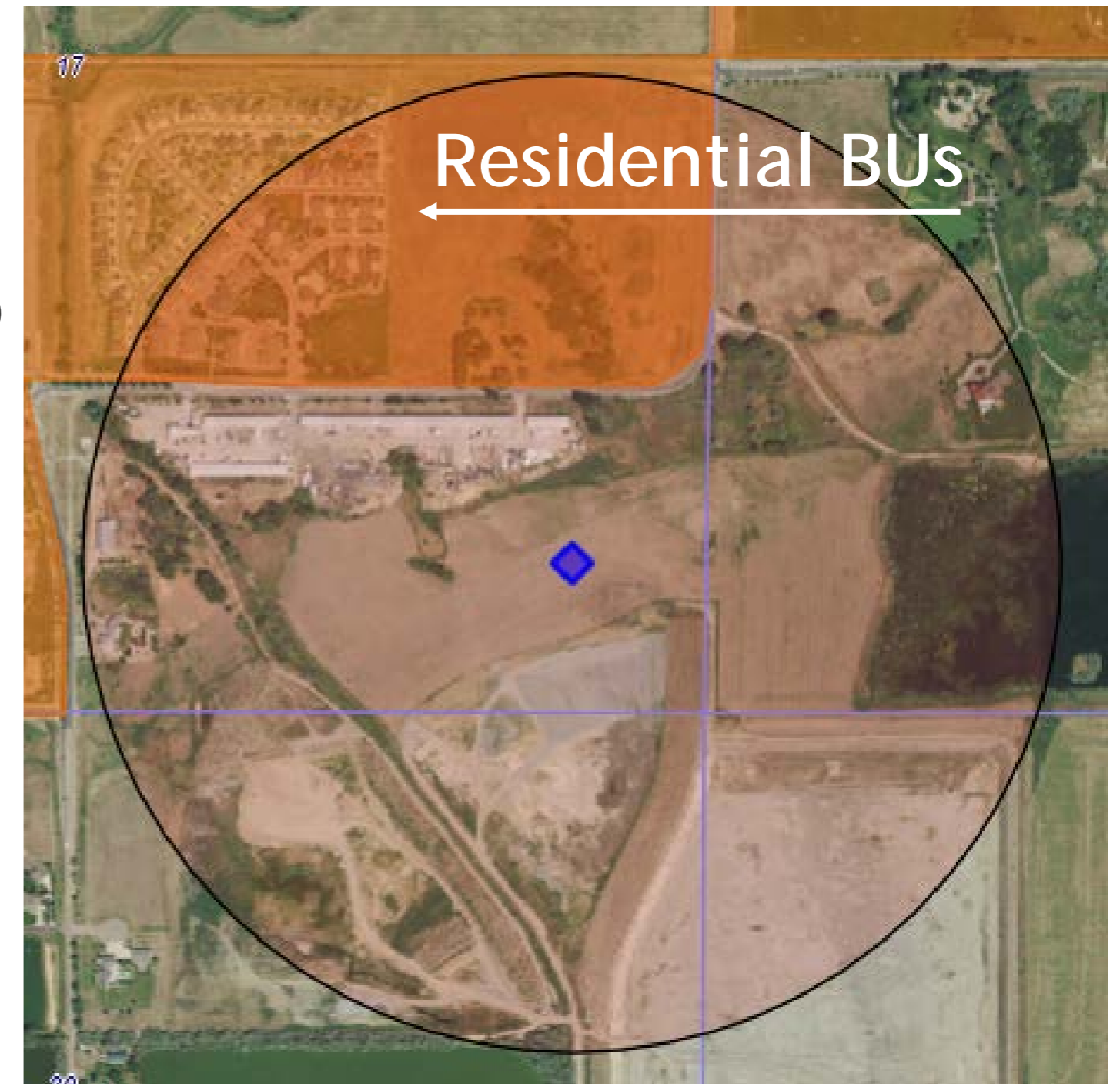
RULE	SCOPE	eFORM	When does this rule apply?	Result
303.a.(5).B.ii.dd	Loc	2B	On every Form 2B	Identification of Locations within a DIC
303.d.(1).A.i	OGDP	2A, 2C	WPS is within 2000' of RBU, HOBUS or School within a DIC	Extends public comment period to 45 days for entire OGDG
304.b.(2).B.x	Loc	2A	WPS is within 2000' of RBU, HOBUS, or School within a DIC	ALA required ← NO
304.b.(2).C.i.fff	Loc	2A	WPS is within 2000' of RBU, HOBUS, or School within a DIC	ALA requires DIC maps
304.b.(2).C.iii.bb	Loc	2A	WPS is within a DIC, or within 2000' of a DIC* (if not only when an ALA is required)	ALA requires distances, description of community outreach
304.b.(3).A	Loc	2A	On every Form 2A	Cultural distances required
304.b.(7).J	Loc	2A	Loc is within 2000' of a RBU, HOBUS, or School within a DIC	DIC Map required
304.c.(20)	Loc	2A	Loc is within 2000' of a RBU, HOBUS, or School within a DIC	Community Outreach Plan required
309.a	OGDP	2A, 2C	Loc is within a DIC	Extends consultation period to 60 days for entire OGDG
314.e.(3).J	CAP	-	In every CAP application	DICs identified in maps
314.e.(10).G	CAP	-	In every CAP application	List of DICs included in CAP cumulative impacts evaluation



Scenario 2 - OGDG/Location ≤ 2000' of RBU in DIC

- What rules apply?
 - 303.d.(1).A.i (extends public comment period to 45 days)
 - 304.b.(2).B.x (ALA required)
 - 304.b.(2).C.i.ff (ALA requires DIC maps)
 - 304.b.(2).C.iii.bb (ALA requires description of community outreach)
 - 304.b.(7).J (DIC Map attachment required)
 - 304.c.(20) (Community Outreach Plan required)

RULE	SCOPE	eFORM	When does this rule apply?	Result
303.a.(5).B.ii.dd	Loc	2B	On every Form 2B	Identification of Locations within a DIC
303.d.(1).A.i	OGDP	2A, 2C	WPS is within 2000' of RBU, HOBUS or School within a DIC	Extends public comment period to 45 days for entire OGDG
304.b.(2).B.x	Loc	2A	WPS is within 2000' of RBU, HOBUS, or School within a DIC	ALA required
304.b.(2).C.i.ff	Loc	2A	WPS is within 2000' of RBU, HOBUS, or School within a DIC	ALA requires DIC maps
304.b.(2).C.iii.bb	Loc	2A	WPS is within a DIC, or within 2000' of a DIC	ALA requires distances, description of community outreach
304.b.(3).A	Loc	2A	On every Form 2A	Cultural distances required
304.b.(7).J	Loc	2A	Loc is within 2000' of a RBU, HOBUS, or School within a DIC	DIC Map attachment required
304.c.(20)	Loc	2A	Loc is within 2000' of a RBU, HOBUS, or School within a DIC	Community Outreach Plan required
309.A	OGDP	2A, 2C	Loc is within a DIC	Extends consultation period to 60 days for entire OGDG
314.e.(3).J	CAP	-	In every CAP application	DICs identified in maps
314.e.(10).G	CAP	-	In every CAP application	List of DICs included in CAP cumulative impacts evaluation



Expectations for Outreach

- Build a positive working relationship if you plan to do business here
- Operators should use best judgement to tailor outreach appropriately
 - Open a dialog with community members, directly or through local organizations
 - Bring a translator if needed
 - Ask how you can support their engagement



Summary

- Environmental justice considerations
- Two primary scenarios: Locations within a DIC, and Locations within 2000' of a BU/School in a DIC
- New GIS map layers and downloadable data
 - Annual updates to GIS data
 - The GIS layers are only one tool - they do not give a full picture of requirements for a Location
- Build positive relationships to foster engagement



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