

ALLISON EID ON THE ENVIRONMENT

Highlights:

- Allison Eid has made it more difficult for Coloradans to ensure their health and safety when it comes to the environment.

Eid Ruled To Give People Less Say In The Safety Of Their Environment

EID HAS MADE IT MORE DIFFICULT FOR COLORADANS TO ENSURE THEIR HEALTH AND SAFETY WHEN IT COMES TO THE ENVIRONMENT

The Grand Valley Citizens' Alliance Sued To Force A Public Hearing Regarding Issuance Of A Permit To Drill.

According to the Supreme Court of the State of Colorado Opinion in “Colorado Oil & Gas Conservation Commission v. Grand Valley Citizens' Alliance,” “Grand Valley Citizens' Alliance, along with Cary Weldon, Ruth Weldon, Wesley Kent, Marcia Kent, and Western Colorado Congress (collectively, ‘GVC’) filed a complaint against the Colorado Oil and Gas Conservation Commission and others (the ‘Commission’) alleging that it was entitled to a hearing on an application for permit to drill (‘APD’) pursuant to section 34-60-108(7), C.R.S. (2011), of the Oil and Gas Conservation Act (the ‘Act’) and section 24-4-105, C.R.S. (2011), of the Colorado Administrative Procedure Act. The trial court dismissed the complaint on the ground that GVC had no standing to request a hearing.” [2012 CO 52, “Colorado Oil & Gas Conservation Commission v. Grand Valley Citizens' Alliance,” The Supreme Court of the State of Colorado, No. 10SC532, Filed [6/25/12](#)]

Eid, Writing For The Majority, Held That The Commission Properly Denied The Hearing Request, Finding That A Hearing On A Permit To Drill Was Not Mandatory.

According to the Supreme Court of the State of Colorado Opinion in “Colorado Oil & Gas Conservation Commission v. Grand Valley Citizens' Alliance,” “Justice EID delivered the Opinion of the Court. [...] We granted certiorari and now reverse. Subsection 108(7)'s reference to a hearing must be read in context with the overall statutory scheme. Subsection 108(2) requires that ‘[n]o rule, regulation, order, or amendment thereof, shall be made by the [C]ommission without a hearing...’ When read in context, subsection 108(7)'s reference to a hearing refers to the hearing required by subsection 108(2), which applies only to rules, regulations, and orders. Because GVC is challenging a permit, not a ‘rule,’ ‘regulation,’ or ‘order,’ it is not entitled to a hearing under subsection 108(7). Permits are expressly governed by section 34-60-106(1)(f), C.R.S. (2011), which gives the Commission broad authority to govern APDs and determine who can request a hearing. In this case, the Commission's rules do not permit a citizens group like GVC to request a hearing for an APD, and instead consider their objection as a complaint. Accordingly, we hold that the Commission properly denied GVC's request for a hearing.” [2012 CO 52, “Colorado Oil & Gas Conservation Commission v. Grand Valley Citizens' Alliance,” The Supreme Court of the State of Colorado, No. 10SC532, Filed [6/25/12](#)]