

RESOLUTION NO. 2010-34

RESOLUTION OF THE LA PLATA COUNTY BOARD OF COUNTY COMMISSIONERS IMPLEMENTING IMMEDIATE FIRE RESTRICTIONS AND AUTHORIZING THE SHERIFF AND FIRE CHIEFS TO ALLOW EXCEPTIONS

WHEREAS, the Board of County Commissioners of La Plata County is empowered under C.R.S. 30-11-107(e) to provide for the management of the business and concerns of the County; and

WHEREAS, pursuant to C.R.S. 30-15-401(1)(n.5), the Board of County Commissioners of La Plata County has the power to adopt an ordinance to ban open fires to a degree and in a manner that is deemed necessary to reduce the danger of wildfires; and

WHEREAS, the Board of County Commissioners of La Plata County has adopted such ordinance in Ordinance No. 1994-2 and provided for its subsequent amendment on May 20, 1996, which may be found at La Plata County Code Section 34-66; and

WHEREAS, the Board of County Commissioners of La Plata County has received competent evidence that there exists within the unincorporated areas of La Plata County a high danger of forest or grass fires; and

WHEREAS, the Board of County Commissioners of La Plata County has received a request from the Sheriff of La Plata County to impose Stage I Fire Restrictions in the areas described below as Zone 1, acting as Fire Marshal for all private lands in the unincorporated areas of La Plata County, excluding those private lands in the town of Bayfield, Ignacio, Durango or any State, Federal or Tribal lands; and

WHEREAS, the Board of County Commissioners of La Plata County has received a request from the Chiefs of the local fire districts to impose Stage I Fire Restrictions in the areas described below as Zone 1, which allow for supervision by them and their ability to grant individual fire permits and with further provision for their modification of the fire restrictions or removal of their respective jurisdictions from the operation of the fire restrictions; and

WHEREAS, Zone 1 areas for the purpose of fire restrictions include all private lands in the unincorporated areas of La Plata County located South of US Highway 160, excluding those private lands in the town of Bayfield, Ignacio, Durango or any State, Federal or Tribal lands; and

WHEREAS, the enactment of this Resolution is necessary for the immediate preservation of public health, safety and welfare.

NOW, THEREFORE, BASED UPON THE EVIDENCE AND TESTIMONY PRESENTED AT THE PUBLIC MEETING HELD THIS 29th DAY OF June 2010, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LA PLATA COUNTY, COLORADO THAT:

1. These immediate Stage I Fire Restrictions are required to reduce the danger of wildfires by prohibiting open burning, burn barrels and agricultural burning upon the unincorporated areas of La Plata County and upon all lands owned by La Plata County described above as Zone 1, are hereby enacted
2. The following acts are prohibited until further notice:

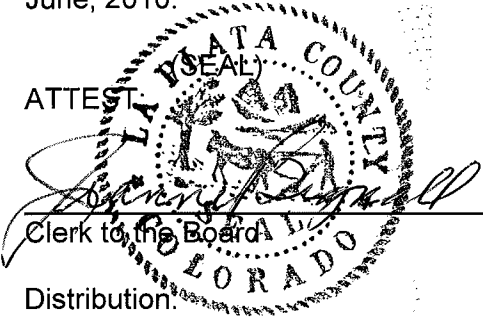
- (a) Building, maintaining, attending, or using a fire, campfire, coal or wood burning stove, any type of charcoal fueled broiler, or open fire of any type in undeveloped areas. The fire restrictions do not include charcoal fires in suitable containers or gas grills for barbecues at private residences or fires within designated campground pits with protective grates; however, such fires should not be left unattended and should be fully extinguished after use.
 - (b) Smoking, except within an enclosed vehicle or building, in a developed recreation site, or while stopped in an area at least 3 feet in diameter that is barren or cleared of all flammable vegetation.
 - (c) Using explosive material (i.e., fireworks, blasting caps, or any incendiary device which may result in the ignition of flammable material). Use of explosive material is prohibited: (i.e. fireworks, blasting caps or incendiary devices that may result in the ignition of flammable materials). The fire restrictions do not include local community fireworks displays that have been, or may be, approved and permitted by the appropriate fire district or the La Plata County Board of County Commissioners.
 - (d) Welding and cutting operations except welding and cutting related to oil and gas operations, which are addressed in 3(b) below. Welding and cutting operations must be conducted with a 20-foot radius safe zone free of vegetation. One 2-1/2 gallon pressurized fire extinguisher or one 5lb. ABC extinguisher or pressurized water supply and proper hand tools must be on site, and a fire watch individual must be standing by continuously.
 - (e) Operating or using any internal combustion engine is prohibited unless it is equipped with an approved properly installed, maintained, and in effective working spark-arresting device (as described in the Annual Fire Operations Plan for La Plata County).
3. (a) Flaring for production wells may be allowed with approval from the designated fire chief (or his designee) for that district, or in the event no fire district exists for the location of the proposed flaring, the La Plata County Director of the Office of Emergency Management (OEM Director). Prior to the installation of a drilling rig, operators are required to file a "Production Well Emergency Response Information Form" (copy attached as Annex A) with the La Plata County Office of Emergency Management informing the OEM Director of the location, duration (state date/end date/work hours) and work information of active work sites (pipelines, workovers, drilling, and completion). Activities at established refineries are exempted from these restrictions. Operators are also required to notify the La Plata County Emergency Communications Center at 970-385-2900 and the Ignacio Dispatch at 970-563-4401 or (970) 563-4402 in advance of any flaring.
- (b) Oil and gas welding and cutting operations, which are required to comply with the requirements of the Colorado Oil and Gas Conservation Commission Rules for Fire Prevention and Protection, Rule 606A(o), shall be conducted with a 20-foot radius safe zone.
4. The fire restrictions hereby proclaimed are effective immediately.
5. The fire restrictions shall be in effect until one of the following shall occur:

- (a) The Sheriff, acting as Fire Marshal, or the Fire Chiefs of the various fire districts shall request in writing that the fire restrictions be removed from all or part of their various jurisdictions; or
- (b) The Sheriff, acting as Fire Marshal, or the Fire Chiefs of the various fire districts may grant written permission to allow open fires upon request provided that it is proven to their satisfaction that such exception to the fire restrictions does not constitute a high danger of forest or grass fires; or
- (c) The conditions of high danger of forest or grass fires shall materially change as determined in a review of competent evidence by the Board of County Commissioners of La Plata County.

6. The Sheriff, acting as Fire Marshal, or the Fire Chiefs of the various fire districts may, within their discretion, ease burning restrictions within their respective fire districts or jurisdiction to the extent and in the manner deemed appropriate to them if, in their professional opinions, such action is appropriate, safe and prudent. The Sheriff or any Chief who relaxes burning restrictions in a fire district shall so notify the Board of County Commissioners in writing prior to such action. However, should the Sheriff or any Chief determine that the fire ban is no longer necessary in his fire district or jurisdiction, then said Sheriff or Chief shall request that the fire restrictions be lifted in their entirety in accordance with paragraph 5(a) above.

DONE AND ADOPTED IN DURANGO, LA PLATA COUNTY, COLORADO, this 29th day of June, 2010.

ATTEST



[Signature]
Clerk to the Board

Distribution:
 Sheriff
 Office of Emergency Management
 County Attorney's Office

BOARD OF COUNTY COMMISSIONERS
 LA PLATA COUNTY, COLORADO

[Signature]
 Wallace "Wally" White, Chair

[Signature]
 Joelle Riddle, Vice-Chair

[Signature]
 Kelle C. Hotter, Commissioner

PRODUCTION WELL EMERGENCY RESPONSE INFORMATION

To comply with COGCC regulations (Rule 317, Subsection 1), improve emergency response to accidents associated with drilling operations and to reduce the number of false alarms that emergency services receive when normal drilling operations produce flares or loud noises, please follow this new policy:

When normal operations necessitate flaring of a well, notify dispatch centers with the expected times:

1. **CALL** the 911 Communications Center at (970) 385-2900
AND
2. **CALL** Ignacio Dispatch at (970) 563-4401 or 563-4402
AND
3. **FAX** this completed form to (970) 382-6272, Butch Knowlton, La Plata Office of Emergency Management (OEM).

WELL LOCATION

Well Name _____
 Well Ownership _____
 Name Of Person Responsible For Well _____
 Property Owner Name _____
 _____ 1/4 _____ 1/4 Sec. _____ TWP. _____ Range _____
 Longitude and Latitude (if available) _____
 Access From: County Road _____ State Highway _____
 Description of how to get to well location _____

WORK INFORMATION

_____ New Drill _____ Other _____
 Drilling Rig Company (Ownership) _____
 Rig Superintendent Name _____
 Telephone Number _____ Cell Number _____
 Pager Number _____ Rig Number _____
 Special Concerns (H₂S - Poor Access - High Pressure, etc.) _____
 Move Rig Onto Location (Date) _____
 Begins Operation On (Date) _____
 Hours Of Operation _____
 Rig Off Location (Date) _____

Please FAX this form to: **Butch Knowlton FAX - 970 - 382-6272**

Office Telephone- 970 - 382-6274 Emergency Cell Phone – 970 – 749-8122
 Director Of Emergency Preparedness, La Plata County Office of Emergency Management (OEM)