



Community & Economic Development Department

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MEMORANDUM

USR2017-00003 Administrative Memo

06/26/2017

Request: A Use by Special Review Permit to allow one (1) horizontal well on one (1) well pad for the production of oil and natural gas.

Address: Section 7, Township 1S, Range 62W; Parcel Number 0156100000014

Zoning Designation: Agriculture-3 (A-3)

Future Land Use Designation: Agriculture

Applicable regulations Section of the Development Standards and Regulations:

Per Section 4-10-02-05-09 of the County's Development Standards and Regulations, the Administrative Use by Special Review (AUSR) permit for an oil and gas facility shall automatically include as conditions of approval all provisions of the MOU executed by the applicant.

Conformity with Development Standards and Regulations:

The conditions of approval included in the AUSR permit allow the oil and gas facility to satisfy the Compatibility requirement of the Administrative Approval Criteria (Section 4-10-02-05-02).

Referral Comments/Concerns:

Of the 11 referral notices sent to property owners within one half mile of the property boundary on which the proposed facility is located, no comments were received.

During the referral period, Development Review Engineering responded that the applicant will be required to obtain an access permit from Adams County for the proposed access road from E. 160th ave to the pad site. The proposed access road from E. 160th ave to the pad site must be approved by the local fire district.

Recommended Conditions of Approval

Conditions Precedent:

1. Pad construction and/or drilling shall not commence until combined State approval of Colorado Oil and Gas Conservation Commission (COGCC) Form 2 and 2A and

County approval of AUSR permit. Drilling shall only occur during the COGCC Form 2 permit validity timeframe.

- a. Per section 4-10-02-05-10 of the Adams County Development Standards and Regulations proposed changes to the plans, including but not limited to, any changes in the source or location of water to be used by the Oil and Gas Facility, need to be submitted as amendments to the Administrative Use by Special Review application, reviewed by staff, and approved by the Director or BOCC (if the BOCC approved the original application).
2. The applicant shall obtain all required access permits and oversized load permits from Adams County.

Conditions:

1. As referenced in 8.(c.) of the Anadarko Petroleum Corporation/Adams County MOU the applicant agrees to conduct a baseline test of any registered water well requested by the owner, on a one-time basis, if such well is within a ½ mile radius of the new oil and gas facility.
2. The applicant shall be responsible for the cleanliness and safety of all roadways adjacent to this site. If at any time, these roadways are found to be dangerous or not passable due to debris or mud, the Adams County Transportation Department will shut down the project until the roadway conditions have improved and are deemed acceptable. If the contractor/applicant fails to keep the adjacent roadways clean and free from debris, the Transportation Department has the option to do the required clean up and bill the charges directly to the owner/applicant.
3. Per section 14 of the executed MOU, fresh water as referenced in the COGCC's rules and Regulations, or another source as approved by the County on a case by case basis, may be applied to roads and land surfaces for purpose of dust mitigation. Absolutely no other liquid or substance generated by the production of the operator's facility, including, but not limited to, exploration and production waste (as defined by the COGCC) or any other application of liquids that would have negative impact to natural resources, shall be permitted to be applied to roads and land surfaces.
4. Financial assurance shall meet or exceed the requirements of COGCC 700 Series Rules Financial Assurance and Oil and Gas Conservation and Environmental Response Fund.
5. Use of surface pits is prohibited.
6. Steel-rimmed berms and synthetic liners shall be required for all overflow containment facilities
 - a. Per COGCC Rule 604.c.2.G Overflow containment facilities shall be constructed around crude oil, condensate, and produced water storage tanks and shall enclose an area sufficient to contain and provide secondary

containment for one-hundred fifty percent (150%) of the largest single tank. Berms or other secondary containment devices shall be sufficiently impervious to contain any spilled or release material.

7. Applicant is required to receive an approved waiver of responsibility/completion of reclamation from Adams County upon abandonment and reclamation of well pad and associated facilities.
8. Well pad, associated facilities, and access road shall be free of any county and state identified noxious weeds throughout the drilling, completion and production portions of operations.
9. A tabletop exercise pertaining to the Emergency Response Plan will be required upon request by the County's Local Government Designee, Emergency Manager, Local Emergency Planning Commission, Sherriff's Office, site-specific Fire District, or Transportation Department.
10. Access to the site shall be from 160th Avenue on a private road to be built and maintained by the applicant. The access road will not be permitted in the Yulle Road right-of-way.
11. All representations and commitments of the applicant made during the AUSR process are incorporated herein as conditions of approval.

Based on the criteria for Approval outlined in Section 4-10-02-05-02 of the County's Development Standards and Regulations, the Director officially issues an **Approval of the request.**



Kristin Sullivan, AICP
Deputy Director, Community & Economic Development