

Community & Economic
Development Department
www.adcogov.org



4430 South Adams County Parkway
1st Floor, Suite W2000
Brighton, CO 80601-8204
PHONE 720.523.6800
FAX 720.523.6998

Development Review Team Comments

Date: 9/1/2020

Project Number: RCU2020-00020

Project Name: Mustang-Watkins Pipeline (Formerly Known As Jamaso Pipeline)

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5

Commenting Division: Planner Review

Name of Reviewer: Greg Barnes

Date: 09/01/2020

Email: gjbarnes@adcogov.org

Resubmittal Required

PLN01. The original approval was in 2019 for 4.18 miles of four new 24-inch pipelines to transport natural gas, crude oil, wastewater, and fresh water, and a 6-inch electrical power line. The proposed line is for an updated route is for a 12-inch natural gas pipeline with Adams County is approximately 2.57 miles. It is unclear from your application if the new request is completely replacing the old request, or if it is in addition to what was previously approved. Are the existing approvals for the 24-inch pipelines to transport natural gas, crude oil, wastewater, and fresh water, and a 6-inch electrical power line still ongoing? Is this amendment in addition to those or entirely replacing those?

PLN02: The proposed Hours of Operation during construction will be 7 days a week, 6:00 a.m. to 6:00 p.m., after construction, this is an unmanned project. Would 7 a.m. - 7 p.m., Mon-Sat be acceptable? This will align your hours of operation with Adams County standards.

PLN03: What vegetation will be removed? Will any vegetation be trees greater than 2" caliper? Please provide an inventory.

PLN04: During construction, will there be the need for a staging area, employee parking area, etc.? Bathroom facilities for employees? Please provide information in detail.

PLN05: Will any portions of the pipeline emerge above ground in unincorporated Adams County?

PLN06: Please submit a development agreement to accompany this request. This will cover pre-construction, construction, and post-construction procedures.

PLN07: Generally these requests include two alternative alignments. I did not see those in your packet.

Commenting Division: Environmental Analyst Review

Name of Reviewer: Katie Keefe

Date: 08/28/2020

Email:

Resubmittal Required

Staff requests information on the following to aid in the review of the amendment application:

1. Will directional drilling be employed to prevent disturbance of land through the complete width of the NRCO, which encompasses the full floodplain of Box Elder Creek?
2. What is the temporary work space that is located within the floodway as shown on design detail sheets, 4, 5 and 7 and will the disturbed land be restored with appropriate vegetation?
3. Will this pipeline include accessory, above ground structures such as compressor station or manifold?

Comment

ENV1. Updated wildlife and raptor survey within the NRCO shall be conducted according to CPW guidance prior to commencement of construction. The applicant shall provide the survey results to both Adams County and CPW.

Commenting Division: ROW Review

Name of Reviewer: Mark Alessi

Date: 08/28/2020

Email: malessi@adcogov.org

Resubmittal Required

ROW1: All depth should be depicted on the plat under County roads and crossings. As stated in the application, crossings will be done minimum of 5' below depth, please show on plat, min 5'.

ROW2: All Adams County roads should be crossed at close to a 90 degree angles as possible.

ROW3: All pipeline markers shall be located on crossing of any public roads.

ROW4: Please send to Adams County Attn. malessi@adcogov.org a landowner authorization form, a copy of Memo of Pipeline Easement, or first and last page of Easement of any new owners in relation to this amendment. Only needed for new landowners in Adams County jurisdiction.

ROW5: Will any pipe staging areas be located in Adams County. If so, where will they be located?

ROW6: No above ground appurtenances may be located in Adams County ROW.

ROW7: Please have a plan for dust abatement or road cleaning to keep Adams County roads clean during construction.

Commenting Division: Development Engineering Review

Name of Reviewer: Greg Labrie

Date: 08/27/2020

Email: glabrie@adcogov.org

Complete

ENG2: No floodplain use permit required for underground utilities.

ENG3: Applicant is aware an Adams County SWQ Permit will be required prior to construction/utility permit issuance. The applicant can contact Juliana Archuleta, the County's Stormwater Program Manager, to inquire about obtaining a SWQ Permit. Ms. Archuleta can be contacted at 720-523-6869 or by email at mjarchuleta@adcogov.org.

ENG4: Prior to construction/utility permit issuance, the applicant should ensure the pipeline elevation and alignment does not conflict with Mile High Flood District plans when designed plans are available. The applicant should refer to the following studies completed by the Mile High Flood District when finalizing the layout and installation design for the pipeline:

1. Coyote Run & Upper Box Elder Creek, OSP - December 1995

2. Lower Box Elder Creek Watershed, October 2001

ENG5: The County will review all construction documents via the Engineering Review process to ensure County roadway crossings meet requirements set forth in Chapter 7 of the Adams County Development Standards and Regulations. Pipeline setbacks from roadway centerlines should be included on the construction plans. Compliance with County environmental and right-of-way requirements will be confirmed prior to construction/utility permit issuance.

Commenting Division: Development Engineering Review

Name of Reviewer: Greg Labrie

Date: 08/17/2020

Email: glabrie@adcogov.org

Complete

ENG1: Construction activity to include boring and/or trenching in the Adams County Right-of-Way will require a construction permit. The construction permit applications can be found on the Adams County website at the epermitcenter page.

Commenting Division: Planner Review

Name of Reviewer: Greg Barnes

Date: 08/10/2020

Email: gjbarnes@adcogov.org

External Agencies Selected

Greg Barnes

From: Ingram, Porter <pingrum@auroragov.org>
Sent: Wednesday, August 19, 2020 3:40 PM
To: Greg Barnes
Subject: RE: For Review: Mustang-Watkins Pipeline (RCU2020-00020)(City Comments)

Please be cautious: This email was sent from outside Adams County

Hi Greg,

Please see the comments below. Thanks-Porter

1. The city is in the process of approving an oil and gas manual, which will contain regulations pertaining to the project. Draft regulations may be found here: <https://www.auroragov.org/cms/one.aspx?portalId=1881221&pageId=2034568>
Please note that revisions are ongoing and the city expects the manual to be in final form by 9/21/20, and the standards contained therein will be used to review the project.
2. The narrative provided to the city for this project mentions a general burial depth of 4' but also mentions a depth of 5' for certain sections. It is unclear where the line is proposed to be buried at which depth. City standard for burial depth is 15'-20' depending on pipeline location and so these depths will require variance requests with supporting analysis and documentation.
3. The pipeline seems to zigzag in a manner which the city feels may affect more property frontages than necessary. As precedent, we ask pipeline developers to reasonably follow city right-of-way unless the developer has specifically consulted the city on an alternate route. Any explanation of this alignment would be useful for analysis.

Let me know if you have any questions.

Best,

Jeffrey S. Moore, P.G.
Manager
Oil & Gas Division | City of Aurora
direct 303.739.7676
cell 303.902.9176
email jsmoore@auroragov.org

From: Greg Barnes <GJBarnes@adcogov.org>
Sent: Monday, August 10, 2020 10:55 AM
To: Greg Barnes <GJBarnes@adcogov.org>
Subject: For Review: Mustang-Watkins Pipeline (RCU2020-00020)

The Adams County Planning Commission is requesting comments on the following application: **Major amendment to an approved conditional use permit for a proposed 12-inch Natural Gas Pipeline.**

The proposed updated route is approximately 2.57 miles in unincorporated Adams County. The Assessor's Parcel Numbers associated with this case are: 0181700000082, 0181700000154, 0181700000326, 0181700000327, 0181731300006, 0181731300007, 0181732300001, 0181900000130, 0181900000151, and 0181900000152.



COLORADO

Parks and Wildlife

Department of Natural Resources

Northeast Regional Office
6060 Broadway
Denver, CO 80216
P 303.291.7227

August 25, 2020

Greg Barnes, Planner III
Community and Economic Development Dept.
4430 S. Adams County Parkway, Suite W2000A
Brighton, CO 80601
gjbarnes@adcogov.org

RE: CPW's Comments for Major Amendment to an approved conditional use permit for a proposed 12-inch Natural Gas Pipeline (Case Numbers RCU2020-00020)

Dear Mr. Barnes:

Thank you for the opportunity to comment on the proposed major amendment to the Mustang-Watkins Pipeline Project. The Mustang-Watkins Pipeline Project, formally named the Jamaso Pipeline Project in 2018, is a proposed 12-inch Natural gas pipeline beginning in Adams County parcel 0181900000118 and ends by connecting into Rocky Mountain Midstream's Watkins 20-inch gas pipeline (approved RCU2018-00013) located on parcel 0181700000149. The proposed updated route is approximately 2.57-miles and both the start and end of the pipeline project are located within the City of Aurora, Adams County, Colorado.

CPW understands the vegetation will be cleared, and the construction right-of-way would be graded. Construction activities and ground disturbance will be limited to approved, staked areas. CPW also understands all pipelines will be buried to provide 48-inches of cover and all available topsoil will be conserved until trench is backfilled.

The mission of Colorado Parks and Wildlife (CPW) is to perpetuate the wildlife resources of the State, to provide a quality state park system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as stewards of Colorado's natural resources. Our goal in responding to land use proposals such as this is to provide complete, consistent, and timely information to all entities who request comment on matters within our statutory authority.

District Wildlife Manager Serena Rocksund recently analyzed the proposed project site. CPW would expect a variety of wildlife species to utilize this site on a regular basis, most notably, small to mid-sized mammals, songbirds, and raptors. The potential also exists for larger mammals such as deer and pronghorn to visit the site.

Raptors and other migratory birds are protected from take, harassment, and nest disruption at both the state and federal levels. If an active nest is discovered within the development area, CPW recommends that buffer zones around the nest site be implemented during any period of activity that may interfere with the nesting season. This will prevent the intentional or unintentional destruction of an active nest.



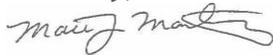
If a prairie dog colony is discovered within the project area, the potential may also exist for the presence of burrowing owls. Burrowing owls live on flat, treeless land with short vegetation, and nest underground in burrows dug by prairie dogs, badgers, and foxes. Burrowing owls are classified as a state threatened species and are protected by both state and federal laws, including the Migratory Bird Treaty Act. These laws prohibit the killing of burrowing owls or disturbance of their nests. Therefore, if any earth-moving will begin between March 15th and August 31st, a burrowing owl survey should be performed.

CPW has documented burrowing owls near the proposed Mustang-Watkins Pipeline Project. Current information and guidelines for performing a burrowing owl survey, minimizing impact, and recommendations is available from your local District Wildlife Manger.

If prairie dog colonies are present, CPW would recommend they either be captured alive and moved to another location or humanely euthanized before any earth-moving occurs. The possibility of live-trapping and donation to a raptor rehabilitation facility or the black-footed ferret recovery program may also exist. If interested, please contact the local District Wildlife Manager. Be aware that a permit from CPW and approval from the Adams County Commissioners may be required for live relocation of prairie dogs.

Thank you again for the opportunity to comment of the proposed major amendment to the Mustang-Watkins Pipeline Project in Adams County. Please do not hesitate to contact us again about ways to continue managing the property in order to maximize wildlife value while minimizing potential conflicts. If you have any further questions, please contact District Wildlife Manager Serena Rocksund at (303) 291-7132 or serena.rocksund@state.co.us .

Sincerely,



Matt Martinez
Area Wildlife Manager

Cc: M. Leslie, K. Cannon, S. Rocksund



August 27, 2020

Greg Barnes
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: Mustang-Watkins Pipeline (Jamaso Pipeline), RCU2020-00020
TCHD Case No. 6427

Dear Mr. Barnes,

Thank you for the opportunity to review and comment on the Major Amendment to an approved Conditional Use Permit for a proposed 12-inch natural gas pipeline located on Assessor's Parcel Numbers: 0181700000082, 0181700000154, 0181700000326, 0181700000327, 0181731300006, 0181731300007, 0181732300001, 0181900000130, 0181900000151, and 0181900000152. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

On-Site Wastewater Treatment Systems

Houses and other buildings equipped with plumbing facilities on properties located along the preferred and alternate pipeline routes are serviced by Onsite Wastewater Treatment Systems (OWTS). Our review of the pipeline routes indicates that sections of the pipeline routes may encroach on OWTS on some properties. TCHD recommends that the applicant review the locations of the pipeline routes to determine if they may encroach on OWTS. If it appears that encroachment will occur, it may be necessary to revise the pipeline location or relocate the OWTS. OWTS records are available online and can be found at <http://ehreports.tchd.org/>.

Groundwater Quality Protection

A scan of the area proposed for the pipeline routes indicates that there may be water wells on the properties where the pipeline(s) are located. Heavy equipment may inadvertently drive over wells during construction, causing damage that may expose the water in the wells to contamination. Where wells are within or close to pipeline routes, we recommend the applicant protect the wells by identifying the areas around wells so that they are visible to vehicle operators/construction crews. This can be accomplished by delineating the area around each well with stakes, colored tape or orange plastic netting.

If the pipeline routes cross over streams and/or wetlands, alluvial groundwater flow could be impacted if trenching intersects the shallow groundwater. If trench dewatering

Mustang-Watkins Pipeline (Jamaso Pipeline)

August 27, 2020

Page 2 of 2

is necessary, the water will be pumped and discharged to alluvia/colluvial sediments close to the stream channel. If discharge of groundwater is necessary during construction, a discharge permit from the Colorado Department of Public Health and Environment (CDPHE), Water Quality Control Division will be necessary.

Protection of Above-Ground Valves

Above-ground valves may be damaged or vandalized once they are installed and placed into use. If above ground valves are to be utilized, the applicant should consider methods for ensuring the valve site is secure.

Sanitary and Solid Waste Disposal

The application does not specify how sanitary and solid waste will be provided during the construction for construction workers. We anticipate that trash dumpsters and portable toilets will be necessary during construction. TCHD has no objection to the use of portable toilets, provided they are properly maintained. TCHD recommends that the applicant address these, in terms of numbers, locations, and vendor.

Please feel free to contact me at 720-302-3184 or aheinrich@tchd.org if you have any questions.

Sincerely,



Annemarie Heinrich Fortune, MPH/MURP
Land Use and Built Environment Specialist

cc: Sheila Lynch, Dylan Garrison, TCHD



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

September 1, 2020

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Greg Barnes

Re: Mustang-Watkins Pipeline, Case # RCU2020-00020

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the conditional use documentation for **Mustang-Watkins Pipeline**. Please be aware PSCo owns and operates existing overhead electric distribution facilities in several areas along the proposed pipeline route. Bear in mind that per the National Electric Safety Code, a minimum 10-foot radial clearance must be maintained at all times from all overhead electric facilities including, but not limited to, **construction activities** and permanent structures.

Should the project require modification to existing facilities, the property owner/ developer/contractor must complete the application process via xcelenergy.com/InstallAndConnect.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

Madeline Young, President
American Storage Centers of CO., Inc.
7636 East Highland Ave.
Scottsdale, AZ 85251

August 29, 2020

Community & Economic Development Department
Development Services Division
4430 South Adams County Parkway
1st Floor, Suite W2000B
Brighton, CO 80601-8218
www.adcogov.org

RE: Case Number RCU2020-00020
Assessors' Parcel Numbers 0181900000151, and 01819000000152

We are currently in receipt, although very delayed, of the request for comments letter regarding the Mustang-Watkins Pipeline. As the President of the above corporation, I submit herewith our **OPPOSITION to the referenced pipeline**. There are two specific items following which we request to be addressed and reviewed.

- 1) It is through a series of forwarded addresses and individuals which only permitted me to receive this letter, and certainly not in a timely manner. Please update your records to reflect our corporate headquarters at the above address. From this point forward I ask to please be included on ALL correspondence hence forth.
- 2) Previous to your receiving the pipeline application, Rocky Mountain Midstream, LLC (formerly known as Jamison, Co.) proposed a contract to our company for an easement. Our company is comprised of 17 individuals and is held within a Corporation. In a unilateral decision one member of our company signed this document without any other corporate members ever knowing of its existence. The individual who signed it was not authorized, legally or otherwise, did not hold an office in the corporation, is 94 years old, and suffers from dementia while residing in a nursing home. NONE of the other members were advised of this document, nor were we ever given any information regarding this situation until 5 months after the fact. ALL members who were not informed of said document, %83 of the total company, oppose it and have since July of 2021 continued to pursue legal resolve. Rocky Mountain Midstream, LLC is FULLY AWARE of our objections and disagreement to the existence of this document as we have fully informed them of our position. They know it was signed without authority and we collectively oppose any usage of our land. As they continue to push forward with applications, over all objections, knowing we did not provide authorization to this document, we also have informed them we will continue pursuing our position, up to and including litigation.

As stated above, and for the outlined reasons, we collectively vehemently oppose any permits for such applications until our right of way and easement opposition and entanglement thereof are resolved.

Based on these facts presented herewith, **we ask you do not approve the application** from planning and zoning until this legal dispute can be resolved accordingly.

Thank you for your time and attention to the above.

Sincerely,

Madeline S. Young, President
American Storage Centers, Inc., of CO

Greg Barnes

From: Robert White <rtdlineman@aol.com>
Sent: Saturday, August 15, 2020 1:06 PM
To: Greg Barnes
Subject: Mustang-Watkins Pipeline

Please be cautious: This email was sent from outside Adams County

Concerning the gas pipeline project my comment/question are as follows:

1. What is the start date of the project?
2. We are concerned about the north end of Denver Ave & the connecting roads being used for construction access for the project. These roads are gravel/dirt and work okay for normal traffic but if used for heavy equipment access will not hold up well and this will cause vehicle access problems for the neighborhood residents especially during rain/snow events. Have the planners taken this into consideration? How does the contractor & county intend to handle these sorts of problems? Thank you for your attention to these concerns.

Best regards,

Robert & Mary White
31805 E 2nd Ct
Watkins CO 80137
Ph 3038358500