

BOCC DRAFT MOTIONS: REVISED
Case AE18-003 – Swan Oil and Gas Well Pad

Conditional Approval: *This motion would be consistent with the Staff Recommendation.*

In the case of AE18-003, Administrative Energy Facility Use by Special Review for the Swan Oil and Gas Well Pad, I have reviewed the Board Summary Report dated August 13, 2018, including all exhibits and attachments, and have listened to the applicant's presentation and the public comment as presented at the hearing and hereby move to approve this application based on the findings in the Board Summary Report, with the stipulation that this approval is limited to the application as submitted and that any expansion of the number of wells or oil storage capacity for future phases will require separate approval for a new or amended permit under the Land Development Code, and this approval is also subject to the following conditions (1 through 16):

1. Applicant shall conduct its operations in compliance with all material representations in the submittal materials for AE18-003, including but not limited to the approved energy operations plan required by Land Development Code (LDC) Section 12-1906 and all approved engineering documents required by LDC Section 12-1905.05. All approvals and conditions of approval shall apply to Applicant and to any successor or assignee to the oil and gas facility.
2. Applicant or any successor or assignee shall provide noise mitigation measures at least as effective as those recommended in the Noise Impact Assessment Report prepared by Behrens and Associates Inc. on April 9, 2018, and must meet COGCC requirements.
3. Applicant or any successor or assignee shall construct the Northern Egress Road and shall maintain both the Northern and Southern (already constructed) emergency egress roads at the locations shown on the application plans (or final alignments as approved) to meet or exceed the minimum standards identified by Bennett Watkins Fire Rescue (BWFR) and Arapahoe County Engineering Services Division. Prior to drilling on the Swan pad, the design for the Northern Emergency Egress Road must be approved by BWFR and the County Engineering Services Division and the road must be constructed and inspected by both BWFR and the County

Engineering Services Division to ensure that it is constructed according to the approved design. These emergency egress roads shall be maintained and made available by Conoco for emergency community evacuation when and as needed as determined by BWFR and the Arapahoe County Sheriff's Office.

4. The Northern Emergency Egress Road will be designed to carry the 100-year flood without overtopping the road, and the road must be finished with Class 6 road base to a six-inch depth.
5. Applicant or any successor or assignee shall utilize approved hardware accessible by emergency responders for gates controlling use of the Northern and Southern Emergency Egress Roads; locks or other accessible hardware shall be BWFR approved.
6. When the current Swan 4-64 6-1 single well and any subsequent wells drilled on this location have all been plugged and abandoned, the property owner will determine whether the Northern Emergency Egress Road will be reclaimed to its preconstruction state by the property owner or whether to propose that the road will be dedicated to the County or remain in place (or be relocated) for use as a private road. If the property owner proposes to dedicate the Northern Emergency Egress Road to Arapahoe County, the County Public Works and Development Department will determine whether it will accept the dedication and, if accepted by the County, the Road will be subject to Arapahoe County land use approvals. If the road is dedicated to the County, the Applicant will no longer be responsible for maintenance of the Road. If, after the well and any subsequent wells drilled on this location have been plugged and abandoned, the property owner desires to use the road as a private road for any other purpose, the owner shall obtain an appropriate access permit for continued access to any public road as required under the Arapahoe County Infrastructure Design and Construction Standards and may be required to obtain engineering or land use approvals depending on the proposed use.
7. Drilling on the Swan Well pad shall not commence until the County Office of Emergency Management (OEM) completes an area emergency response plan for the site. Applicant shall provide OEM with GIS data and Shape Files for the development of the emergency response plan.

8. In order to reduce truck traffic during the completion phase, Applicant or any successor or assignee shall use temporary water lines to serve the site.
9. Applicant or any successor or assignee shall provide Engineering Services a copy of the operations plans for both Emergency Egress Roads, including inspection frequency, ongoing maintenance plans, and snow removal plans, in conjunction with approval of the Northern Emergency Egress Road.
10. Applicant or any successor or assignee shall provide annual proof of commercial water provider maintenance contracts for firefighting.
11. All equipment within the facility will be grounded for lightning mitigation. The grounding grid will be designed to dissipate any electricity in order to protect all electrical and automation equipment on the site. If damage is sustained because of a lightning strike, the facility shall be shut down and inspected by the operator prior to re-starting operations on the site.
12. Traffic controls, to include flaggers or warning signs, must be provided for construction of the pad and for moving overweight/oversize equipment on public roads.
13. Applicant or any successor or assignee shall coordinate truck traffic with the school district in order to minimize conflicts with school buses.
14. Applicant or any successor or assignee will work with the Arapahoe County Transportation Division on a Signage and Striping Plan for E 6th Avenue. A sign permit will be required for any new signs in the right-of-way.
15. The County will inspect road conditions before construction activity starts, and the applicant will be required to repair any road damage from vehicles used for construction and operations at the site.
16. All Engineering permits referenced in the attached Engineering Services Division letter must be approved and issued prior to construction.

(End of Motion for Conditional Approval)

(See next page for Alternate Motions)

AE18-003 Alternate Motions: *Staff provides the following Draft Motions, listed below, as general guidance in preparing an alternative motion if the Board reaches a different determination:*

Denial: *This motion would not be consistent with the staff recommendation.*

In the case of AE18-003, the Swan Oil and Gas Well Pad, I have reviewed the staff report, including all exhibits and attachments and have listened to the applicant's presentation and the public comment as presented at the hearing and hereby move to deny this application based on the following findings:

1. *State new findings in support of denial as part of the motion.*

Continue to Date Certain:

In the case of AE18-003, the Swan Oil and Gas Well Pad, I move to continue [*the hearing*] [*action on this item*] to [*Date*], date certain, at [*specify time*], to be held at [*identify location of meeting*], to [*obtain additional information (or) for further consider the information presented at this public hearing (or) for decision*].