



June 2, 2020

Mr. Jeffrey Moore
Manager, Oil and Gas Division
City of Aurora
15151 E. Alameda Parkway, Ste. 2300
Aurora, CO 80012

RE: First Technical corrections Review – Rush South (Phase 2)-Oil and Gas Permit
Application Number: **DA-2012-03**
Case Number: **2017-6005-04**

Dear Mr. Moore:

CVL Consultants of Colorado, Inc. has considered comments from City of Aurora Planning Department for the referenced project. We have restated the comments below and addressed them per the bolded and italicized responses.

RUSH SOUTH OIL AND GAS PERMIT REVIEW

REVIEWERS

- Planning – Stephen Rodriguez 303-739-7186 / srodrigu@auroragov.org / Comments in dark teal
- Planning/Landscape – Kelly Bish / 303-739-7189 / kbish@auroragov.org / Comments in bright teal
- Public Works – Kristin Tanabe / 303-739-7306 / ktanabe@auroragov.org / Comments in green
- Building/Life Safety – Will Polk / 303-739-7371 / wpolk@auroragov.org / Comments in blue
- Traffic – Brianna Medema / 303-739-7336 / bmedema@auroragov.org / Comments in orange
- Real Property – Grace Gray / 303-739-7277 / ggray@auroragov.org / Comments in magenta
 - Water – Steve Dekoskie and Joshua Godwin / 303-739-7490 and 720-859-4307 / sdekoski@auroragov.org and jgodwin@auroragov.org / Comments in red
 - Parks, Recreation, and Open Space (PROS) – Chris Ricciardiello and Curtis Bish / 303-739-7154 and 303-739-7131 / cricciar@auroragov.org and cbish@auroragov.org / Comments in purple

SITE PLAN COMMENTS

1. Site Plan (Multiple departments)

1A. Sheet 1 (Planning)

- Comment: Update the zoning district to R2-Medium Density Residential in the DataBlock
Response: The zoning has been updated to R2-Medium Density Residential.
- Revise Site Plan Note #5 to reflect the executed RMA amendment
Response: Site Plan Note #5 has been updated to reflect the 12/18/19 execution of an amendment to the RMA.

LETTER OF INTRODUCTION COMMENTS

8. Project Summary (Planning)

- 8A. Comment: Update the zoning district to “R2-Medium Density Residential.”
Response: The zoning district has been revised to R2-Medium Density Residential.

9. Applicable BMPs Addressed (Narrative List) (Planning)

9A. Noise Mitigation - Comment: Add in the chosen noise mitigation berm.

Response: The use of noise mitigation berms has been added to the description.

9B. Reclamation

Comment: Match the site description to the Current and Future Land Use listed in the COGCC Form 2A.

Response: The description of the surrounding land has been revised to crop land: dry land.

9C. Road Repairs

Comment: Update the Road Maintenance Agreement amendment language to reflect the revised execution.

Response: The language has been updated to reflect the 12/18/19 execution of the RMA Amendment.

9D. Transportation and Circulation

Comment: Update the Road Maintenance Agreement amendment language to reflect the revised execution.

Response: The language has been updated to reflect the 12/18/19 execution of the RMA Amendment.

10. Neighborhood Meeting Schedule / Results /Comments (Planning)

10A. Comment: This requirement was acceptable as previously submitted.

Response: Acknowledged

11. Response to Approval Conditions (Planning)

11A. Baseline air quality testing must be pre-construction, not post-construction.

Response: Acknowledged

OPERATIONS PLAN COMMENTS

12. Operations Plan (Planning)

12A. Comment: The field-wide Operations Plan has been previously accepted by the City.

Response: Acknowledged

COMMENTS ON OTHER REQUIRED ITEMS

19. License Agreements (Real Property)

19A. Comment: The applicant must obtain a License for any items encroaching Powhatan Road and Prairie Waters.

Response: A license agreement is in process for the existing access road crossing Powhatan Road/Prairie Waters Pipeline.

19B. Comment: Any crossing in the Public Service Company of CO (PSCO) easement needs an agreement with PSCO.

Response: Based on conversations with Russell McClung with PSCO an agreement is not necessary for our crossing of the PSCO easement. Please see the e-mail following these responses.

22. Water Delivery Method

Please note that although the Water Delivery Method was previously accepted by the city, we have included a revised version due to the necessary route change of the lay flat water lines. The route is the only portion that has changed, the remainder of the report remains same.

23. Groundwater Quality Monitoring Plan (Aurora Water)

23A. Prior to the Notice to Proceed:

- Comment: If applicable- At least 40 weeks prior to the Notice and to drilling, the applicant shall notify the City that the “requested well” is not possible and that the parties (City and applicant) will have to pursue the “easement well” protocol in order to comply with the monitoring well requirement.

Response: Joshua Godwin and David Tewkesbury have discussed and agreed on a Westbay System for the Ground Water Quality Monitoring Plan at the locations that do not have existing wells that can be tested.

- Comment: If the applicant is instead pursuing the “requested well”, the details must be coordinated with the City.

Response: Joshua Godwin and David Tewkesbury have discussed and agreed on a Westbay System for the Ground Water Quality Monitoring Plan at this location.

- Comment: If the applicant is instead pursuing monitoring of a “domestic water well”, the details (including agreement with the well owner) shall be provided to the City.

Response: Joshua Godwin and David Tewkesbury have discussed and agreed on a Westbay System for the Ground Water Quality Monitoring Plan at this location.

- Comment: The above information must be submitted as part of review and approval from Planning.

Response: The revised site-specific Groundwater Quality Monitoring Plan has been included with this submission.

29. Stormwater Management Plan (Public Works)

29A. Comment: These Civil documents will be reviewed and commented on by the standard SWMP Review team via upload through the separate Public Works portal; please contact Public Works at 303-739-7457 to set up a Pre-Submittal meeting.

Response: The Stormwater Management Plan has been approved by Public Works and is included with this submission along with the revised outlet structure sheets and Drainage Compliance Letter for your convenience.

30. Preliminary Drainage Report / Letter (Public Works)

30A. Comment: This requirement has been satisfied.

Response: Acknowledged

32. Air Quality Plan (Planning) Field Wide Plan

32A. Comment: The field-wide Air Quality Plan has been previously accepted by the City.

Response: Acknowledged

Site-Specific Plan

32B. Scope

- Second bullet-Comment: Define “met data”, and spell out “CDPHE” and “EPA”

Response: meta data has been defined in the plan, and CDPHE and EPA have been spelled out.

- Second bullet- Comment: The last sentence is awkwardly worded; please consider revision to better indicate the intent.

Response: The last sentence had been divided into two more clearly stated sentences.

- Second bullet- Comment: Add back in language related to targeted alert levels and reports (and to match Section 4, 4th bullet)

Response: The language regarding targeted alert levels and reports has been added to the second Bullet.

32C. 7. CDPHE Health Guidelines

- Comment: Add in methane, to match the Field-Wide Plan

Response: There are no defined Health Guidelines for the Acute/Chronic and defined levels of Methane, but we’ve included it in the table for reference. We have added the information from the Fieldwide Air Quality Monitoring Plan (“AQMP”) describing how the presence of Methane will be reported as a change over time based on the Nondispersive Infrared sensor reading to the site-specific AQMP.

- Comment: Define “TCEQ”, “PPRTV”, “ATSDR”, “RA”, and “CalEPA”

Response: Definitions for the acronyms listed above have been added to the report following the CDPHE Health Guidelines table.

32D. Comment: Prior to the Notice to Proceed: Alert level thresholds must be established, pre-activity information must be determined, location-specific considerations must be identified and described, equipment siting must be finalized, possible timing for re-locations and modifications must be provided, and the location data plan must be details must be confirmed.

Response: Pursuant to the Operator Agreement, Exhibit C, Section 15.3 baseline air monitoring is only required to be completed 5 days prior to construction. However, on the April 22, 2020, conference call between the City and Applicant, the Applicant agreed to baseline monitoring 30 days prior to construction.

- Comment: Required pre-construction ambient air quality baseline monitoring shall be conducted and the results added to the Plan.

Response: Pursuant to conversations between applicant and Jeffrey Moore, baseline air quality monitoring will be conducted 30 prior to construction and results will be submitted to the City at that time.

- Comment: The above data must be added to the Plan and submitted for review and approval to Planning.

Response: Pursuant to conversations between applicant and Jeffrey Moore, baseline air quality monitoring will be conducted 30 prior to construction and results will be submitted to the City at that time.

36. COGCC Forms / 2A (Planning)

36A. Comment: The construction timeline must match the Project Development Schedule.

Response: The Project Development Schedule is on hold at this time given current market conditions. Applicant will provide this information once the schedule has been determined and a sundry has been sent to the COGCC to revise the current schedule on the Form 2A. The Project Development Schedule will match the construction and reclamation on the Form 2A.

36B. Comment: The size of disturbed area and interim reclamation acreage must match the Letter of Introduction and plan set Data Block.

Response: The Letter of Introduction and plan set have been revised to match the approved Form 2A.

36C. Comment: Current and Future Land Use must match the site description in the Project Summary and Reclamation BMP in the Letter of Introduction.

Response: The Project Summary and Reclamation BMP have been revised to crop land: dry land to match the form 2A.

36D. Comment: Final approval from the COGCC, Form 2 and form 2A, is required prior to issuance of the Notice to Proceed, and must reflect the above revisions.

Response: The approved form 2A has been provided with this submittal. The form 2A reflects the same acreages and land use shown in the Letter of Introduction.

Sincerely,

CVL Consultants of Colorado, Inc.



Melinda Lundquist, PE
Vice President

PSCO e-mail

[EXTERNAL MAIL] RE: Rush PSCO Crossing Locations



McClung, Russell W <Russell.W.McClung@xcelenergy.com>

To: ● Scott Farkas (Contractor)

Cc: ● Kathy Denzer

You replied to this message on 4/16/2020 10:08 AM.

Reply Reply All Forward

Wed 4/15/2020 6:06 PM

Scott,

Thank you for providing this information. I have reviewed you comments and the Rush North Plan Set Red Lines. The easement that Aurora is referring to is an easement for electric distribution and is non-exclusive. Public Service Company of Colorado does not require a License Agreement or any other paperwork to allow this crossing. As far as PSCO/Xcel is concerned your crossing is allowed. The only caveat would be that you would need to contact Xcel in the event of a grade change impacting our facilities. But this would be worked out between us and not the city.

Additionally, the lines along the south side of Jewell Avenue in street right-of-way are electric distribution. We not have any special requirements or require any paperwork to allow a road crossing. Our distribution lines meet minimum standards for most types of vehicles and heavy equipment.

I hope this helps clarify. Please feel free to provide this email to the COA for their records.

Russ McClung
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Right of Way and Permits Agent
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