

December 27, 2019

Juliana Berry
Planner II, City of Aurora Planning Department
15151 E. Alameda Parkway, Suite 2300
Aurora, CO 80012

Re: Initial Submission Review– Eastern Hills South – Oil and Gas Permit
Application Number: DA-2155-01
Case Numbers: 2019-6057-00

Dear Ms. Berry:

Thank you for the review comments.

Ascent Geomatics Solutions has considered comments from City of Aurora Planning Department, other City of Aurora Departments and Agencies, and Xcel Energy, for the referenced project. We have restated the comments below and addressed them pursuant to the following italicized and bolded responses.

SITE PLAN COMMENTS

Plan Set

1A. The site plan will not be approved by Public Works until the preliminary drainage letter is approved (Public Works)

Response: The Preliminary Drainage Letter and SWMP Plans were approved by Public Works on November 27, 2019.

1B. **Sheet 1:** Add that no work shall commence until the roadway maintenance agreement is amended and executed to include additional roadways (Public Works)

Response: The note has been added

1C. **Sheet 3:** Show and label the existing and future right of way for Powhaton Road, typical (Public Works)

Response: The Future Right of Way Road and Label have been added.

1D. Show and label all noise mitigation measures (berming, bales, sound walls) on all pertinent sheets (Planning)

Response: Labels have been added to the berms.

1E. Context Map on all pertinent sheets: Add the Limits of the 500 Year Floodplain (Planning)

Response: Context map with 500yr Floodplain has been added.

1F. Context Map on all pertinent sheets: Add the proposed water monitoring wells and Eastern Hills South air quality monitoring sites (Planning)

Response: Context map with groundwater monitoring wells and air monitoring locations has been added.

1G. Vicinity Map on Sheets 1 and 2: Match the base layer from Rush North (Planning)

Response: The aerial base layer has been added back to the Vicinity Map.

1H. Sheet Number 1 (Planning)

- Add the cultural features distances table from Rush North

Response: Cultural distances have been added back to Sheet 1.

- Add the Arapahoe County parcel number per the redline

Response: The parcel number has been added.

- Switch Sheets 3 and 4 in the Sheet Index (and in the overall PDF sheet order)

Response: The order has been revised.

- Update the August 2018 info in the Context Map to more recent information, if available

Response: The Context Map has been updated with current information.

- Remove the Eastern Hills North air quality monitoring sites from the Context Map and latitude/longitude table

Response: The locations have been removed.

- Reference the Operator Agreement Weed Control BMP in Note #4 too

Response: The note has been revised.

- The last sentence of Note #6 is not a complete sentence- revise or remove

Response: The note has been revised.

- Reference the Operator Agreement Tree Mitigation BMP in Note #11 too

Response: The note has been revised.

- Update the Zoning Designation in the Data Block to R2

Response: The zoning has been revised to R-2.

1I. Sheet Number 2 (Planning)

- Add the pre- and post- pipeline routes to the Vicinity Map

Response: The Pre and Post pipeline routes have been added to the Vicinity Map.

1J. Sheet Number 3 (Planning)

- Add dimensions to fence and structure labels per the redline comments

Response: The dimensions have been added.

- Add the privacy fence to the Legend and add the inset detail to this sheet; it's unclear what the arrow is pointing to, however

Response: The privacy fence label has been removed; it was placed in error. The privacy is not planned for this stage of development. The privacy fence will be installed during interim reclamation.

- Clarify in the label whether the "trash" area is a dumpster

Response: The label has been revised to Trash Dumpster.

- Add the tornado shelter to the Drilling Equipment table

Response: The Tornado Shelter has been removed; we no longer have onsite Tornado shelters.

- Make the Drilling Equipment table bigger, if possible

Response: Table has been made bigger.

- Add the Rush North General Construction Note #7 regarding recontouring, reclaiming, and reseeding

Response: The note has been added back.

- The second sentence of General Construction Note #5 is not needed at this stage and is no longer pertinent; remove

Response: The sentence has been removed.

- The well access road entry sign detail should be on the Access Road sheet instead

Response: The entry sign has been moved to the Access Road sheet.

1K. Sheet Number 4 (Planning)

- Legend- only include items actually shown on any given sheet

Response: Items not in drawing have been removed from the legend.

- Label the proposed wildlife fence on the layout too, including height

Response: Fence has been labeled with height.

- Add the Access Road and Pad Construction Note from Sheet 1

Response: Access Road and Pad Construction note have been added.

1L. Sheet Number 5 (Planning)

- Add height to the wildlife fence label, and add the inset detail to this sheet

Response: The height and inset have been added.

- Label the proposed privacy fence on the layout too, and add the inset detail to this sheet

Response: The privacy fence is not constructed until the interim reclamation phase.

- Make the Production Equipment table bigger, if possible

Response: The size of the table has been increased.

- Add the General Construction Notes, Best Management Practices, and Lighting notes from the Rush North Production Site Plan sheet

Response: The General Construction Notes, Best Management Practices, and Lighting notes have been added.

1M. Sheet Number 6 (Planning)

- Add height to the privacy fence label, and add the inset detail to this sheet

Response: The height has been added to the label, and the inset was already on the page.

- Add the sign inset details for the well sign and tank battery sign to this sheet

Response: The sign insets have been added to the page.

- Correct the spelling of “gaurd” and a label overlap, per the redline comments

Response: The spelling has been corrected.

- Add the air quality monitoring sites and water monitoring wells to this sheet on the layout and in the legend

Response: The air quality monitoring sites and water monitoring wells have been added to the layout and legend.

1N. Sheet Number 7 (Planning)

- Add the sign inset details for the tank battery sign to this sheet

Response: The sign inset has been added to the page.

- Remove the wildlife fence from the Landscape Legend if not proposed at this phase, or add to the layout and label with height

Response: The wildlife fence and label including height have been added to the layout.

1O. Sheet Number 9 (Planning)

- Add height to the wildlife fence label

Response: The height has been added to the label.

- Add the sub-grade and gravel elevations to the proposed wellheads label, to be consistent with the othersheets

Response: The labels have been added.

1P. Sheet Number 10 (Planning)

- Combine the Haul Route Map and Context Map into one Map by adding the details from the Context Map to the Haul Route Map, then remove the Context Map from this sheet

Response: The maps have been combined.

- Add a Road Maintenance Agreement note

Response: The Road Maintenance Agreement note has been added.

1Q. Sheet Number 11 (Traffic Engineering)

- Extend striping as indicated and add requested signage.

Response: Striping has been extended and the R3-7R sign had been labeled.

1R. Sheets Number 12—13 (Planning)

- Add "SOUTH" to the title at the top, to match the other sheets and the title block

Response: The title block has been revised.

- Add the address of 641 S. Powhaton Road to the title at the top, if correct

Response: The address has been added.

1S. Outlet structures will be required on all detention basins; please show on the plan set. An I&M plan is also required. (Water)

Response: Acknowledged. The outlet structure & I&M Plan are currently being discussed

and will be reviewed with Public Works.

Vicinity / Context Map (Planning)

2A. Please continue to incorporate into the overall Plan Set.

Response: Acknowledged.

Interim Reclamation Plan (Planning)

3A. Please continue to incorporate into the overall Plan Set.

Response: Acknowledged.

Visual Mitigation Plan (Planning)

4A. N/A

Response: Acknowledged

Landscape Plan (Planning/Landscape)

5A. Please continue to incorporate into the overall Plan Set.

Response: Acknowledged

5B. **Sheet 7** – Provide the written scale in addition to the graphic scale.

Response: The written scale has been added.

5C. **Sheet 7** - Please include the wildlife fence on the actual landscape plan and not just in the Landscape Legend.

Response: The wildlife fence is shown inside the landscaping.

5D. **Sheet 8** – Correct the quantity of trees required in the Landscape Buffer Requirement Table.

Response: Quantity has been revised.

Lighting Plan (Planning)

6A. Please continue to incorporate into the overall Plan Set.

Response: Acknowledged.

Building and Structure Elevations (Planning)

7A. Please continue to incorporate into the overall Plan Set.

Response: Acknowledged.

LETTER OF INTRODUCTION COMMENTS

The Plat Package section is not as robust as previous applications (Eastern Hills North and Rush North, as examples); please include more sheet details in the next submission.

Response: The full plat package has been added.

Project Summary (Planning)

8A. If the address of 641 S. Powhaton Road is correct, please add it to the Project Location paragraph.

Response: The address has been added.

8B. Update the zone district to R2 in the Project Location paragraph.

Response: The zoning has been updated to R-2.

8C. The paragraph describing disturbance, interim reclamation, grading, and topography under Purpose, Pad and Access Road from previous applications is missing; please provide these details.

Response: The details of the disturbance, interim reclamation, grading, and topography under Purpose, Pad and Access Road have been added.

8D. Reference the proposed cattle guards in the paragraph including the wildlife fence under Purpose, Pad and Access Road as described in previous applications.

Response: Reference to the cattle guard and wildlife fence have been added.

Applicable BMPs Addressed (Narrative List) (Planning)

9A. Add in details from the final submission of Rush North for the following BMPs:

- Air Quality
- Emergency Response Plan
- Fencing
- Notifications to the City
- Reclamation
- Road Repairs
- Transportation and Circulation
- Water Supply

Response: The BMPs above have been updated with current details.

9B. **Electric Equipment-** The Project Development Schedule indicates 2021, so the electric infrastructure should be in place and available by then. Please update the language for this BMP accordingly.

Response: Applicant is currently working with Xcel Energy to build out electric capacity and infrastructure to power drilling equipment starting June 1, 2020. Applicant will continue to work with Xcel in good faith to secure electric power six months prior to the projected spud date for New Wells. At this time Xcel Energy has not provided a schedule for the installation of the necessary improvements to their infrastructure.

9C. **Reclamation-** Refine “cropland” to “improved pasture” to match the Form 2A.

Response: The 2A draft is incorrect and will be revised to cropland for the final submittal.

9D. **Water Quality Monitoring Plan/Groundwater Pollution Mitigation-** The sentence “As the well is constructed...” appears twice in the first paragraph, and the second paragraph is an entire repeat. Please correct.

Response: The repeated language has been removed, and the BMPs above have been updated with current details.

Neighborhood Meeting Schedule & Results / Response to Public Comments (Planning)

10A. This is acceptable as submitted.

Response: Acknowledged

10B. Additional Electronic Comments received by the City:

- Name: Sally Wheeler

Organization: 25776 E. Maple Place, Aurora CO 80018 (sally@wheelers.net)

Comment: "As a resident of Adonea I am against more oil and gas drilling. Health and safety should always go before money."

Response: On December 18, 2019, Applicant mailed a letter to Ms. Wheeler with the following response and included a link to our website in order to provide additional information.

At ConocoPhillips, safety and environmental stewardship are fundamental to everything we do. We share stakeholders' concerns about safety and that is why our focus on personal and process safety is always our highest priority. It is core to how we operate. We are committed to be an environmentally prudent operator and to protecting the health and safety of all people living and working around our locations.

In addition, local, state and federal government agencies set robust regulations for oil and natural gas activities. These rules include well permitting, well materials and construction, air emissions, flowback and produced water disposal, storm water management, and chemical record keeping and reporting. Existing statewide legislation and regulation already provide oversight of oil and gas operations, and Colorado has some of the most stringent laws and environmental regulations in the country.

At ConocoPhillips, we comply with – and in many cases, go beyond – regulations, by utilizing Best Management Practices (BMPs), which are designed to prevent and/ or reduce impacts caused by oil and gas operations to air, water, soil, biological resources, and to minimize adverse impacts to public health, safety and welfare, including the environment and wildlife resources. ConocoPhillips implements high environmental standards by carefully managing and working to minimize any impact on the environment and the people who live near our operations. For example:

Operations staff routinely conduct site inspections, including infrared camera surveys (LDAR,) to ensure the safe and proper operation of equipment to prevent emissions and leaks.

To minimize emissions, CDPHE air regulations require all combustion devices to meet 95% destruction efficiency. The devices used in Niobrara are rated at 98% destruction efficiency.

Water well sampling is conducted prior to drilling to provide a baseline for water quality surrounding a potential well site. (COGCC Rule 609)

To protect the soils, an active storm water management program is in place to prevent erosion of land and transport of soils offsite.

We are participating in a joint industry and EPA program with the Health Effects Institute to conduct research on potential community exposures and health impacts from unconventional oil and gas development. The program will assess potential risks in shale plays, conduct detailed exposure monitoring, with the intention of addressing community and regulatory concerns and to inform future policy.

For more information about our company and our commitment to operating in a safe and environmentally responsible manner, please visit our website at www.conocophillips.com.

- Name: Travis Adducci

Organization: (cugrad1313@gmail.com)

Comment: "To whom it may concern, I'm going to keep this short and brief. Drilling for oil is fine by me. However, when you do it so close to communities, that's when it becomes a concern. Especially, when it's within one mile of community homes. Children are highly susceptible to the toxins released by these facilities. Sure, you may say that your facilities are solid and there is nothing to worry about. I beg to differ. Please reference this article: <https://pubs.acs.org/doi/10.1021/acs.est.7b05983> This goes to show that many agencies disagree with fracking so close to communities. All in all, we do not agree with you drilling at the said location, or even anywhere close. Go further east where there are no homes. We don't want these facilities here, and will be watching on how we can block your building permits. Thank you for your time in listening to my plea to not build at this location or anywhere close. I hope and pray you'll make the right decision and listen to the people rather than the money. Please feel free to contact me if you desire."

Response: On December 18, 2019, Applicant emailed Mr. Adducci the following response:

As part of the siting process, ConocoPhillips strives to keep the greatest distance from an existing residence while meeting the legal, mineral and state and local permitting requirements. ConocoPhillips has far exceeded the state and local setback requirements for the Eastern Hills South project.

For more information about our company and our commitment to operating in a safe and environmentally responsible manner, please visit our website at www.conocophillips.com.

Name: Urban Drainage and Flood District Organization: submittals@udfcd.org

Comment: "We have no comments on this project as it is not eligible for maintenance. The site is not adjacent to a major drainageway and does not include any proposed MHFD master plan improvements. Please let me know if you have any questions."

Response: Acknowledged.

- Name: Thomas Reed

Organization: 185 South Jamestown Way, Aurora CO 80018 (reedth@comcast.net)

Comment: "My concern is if this projects effects the livelihood of resident. Are there possible risks to installing these oil wells? What is the rationale for approving this project and how does it benefit collar communities?"

Response: On December 18, 2019, Applicant mailed the following response letter to Mr. Reed:

ConocoPhillips operations support about 350 jobs in Colorado. ConocoPhillips has a longstanding commitment to Colorado. Since 2012, the company has given more than \$11 million to support universities and organizations in the state. Some of this was used to fund local community initiatives to improve education, health, safety and natural resources. The remainder of the donation established the ConocoPhillips Center for a Sustainable WE²ST (Water-Energy Education, Science and Technology) at Colorado School of Mines.

- Name: Georgiana Inskeep

Organization: 219 S. Millbrook St, Aurora CO 80018 (g.inskeep@comcast.net)

Comment: "I moved into a new home in the Adonea development in Aurora in 2013 and before the paint was dry on some of these homes, gas and oil moved in. They waited until these homes had been purchased to act and of course no application has ever been turned down since then. So we have dozens and dozens of new o&g sites close to this now concentrated area of single family homes. We are surrounded and I'm sure there will be more and more approved applications. Although communities, in theory, have gained more control over this rapid expansion of g&o sites in our backyards; I haven't seen any relief to homeowners despite homes exploding and who knows how many unknown buried lines that we are not aware of. It is well known that older wells and abandoned wells and pipe lines leak and explode as well as contaminate our air and water. When will the city planners and City government decide to honor the safety of Aurora citizens over the tons of money g&o pump into getting their buddies re-elected? Obviously I am against the approval of these eight new wells and pray that someday our elected officials take global warming into consideration for the sake of future generations. Thanks."

Response: This question seems to be directed to the City of Aurora.

- Name: Sue Liu

Organization: Arapahoe County Public Works and Development, 6924 South Lima Street, Centennial CO 80112

Comment: "The Arapahoe County Public Works and Development – Engineering Services Division appreciates the opportunity to review and comment on the Eastern Hills North Phase 2 – Oil and Gas Permit project. We have reviewed the project documents and offer the following comment:

1. A \$7,500 road impact fee is required for each well if the County's right-of-ways are proposed as the haul route. Please coordinate with the County Oil and Gas Specialist, Diane Kocis at 720-874-6650, if any questions occur to this fee.
2. Please coordinate with the County Inspector, Wayne Habenicht at 720-874-6500 to determine the associated permits required for using the County right-of-ways as the haul route.

Thank you again for the opportunity to review this project and continued correspondence in this matter. Please let me know if you need additional information or clarification on any item listed above."

Response: Acknowledged and will coordinate with Arapahoe County.

- Name: Jesse Morritt

Organization: 25144 E. Byers Drive, Aurora CO 80018 (jesse.morritt@gmail.com)

Comment: "My name is Jesse Morritt and my wife and I live about a mile away from the proposed oil and gas drilling location on Alameda and South Harvest Road. While I understand and appreciate the importance of oil and gas for our economy, I have reservations about being so close to an oil and gas well mine.

This article nicely summarizes many of the concerns local individuals should have with this proximity of an oil well. <https://www.nrdc.org/sites/default/files/fracking-air-pollution-IB.pdf>

With my wife and I looking to start a family in the next year, the study below, performed in Colorado, cites a 30% increase of birth defects, specifically congenital heart defects and neural tube defects, for individuals living within a 10 mile radius of a well.

<https://ehp.niehs.nih.gov/doi/10.1289/ehp.1306722>

Also with the continuous battle for water rights, and limited water availability in Colorado a fracking well will be detrimental to our water availability. The following source shows a 1440% increase in toxic waste water after fracking, which will be unusable for the public consumption. Also this article cites another article that shows a correlation between fracking and contaminated drinking water.

<https://www.motherjones.com/environment/2018/08/the-amount-of-toxic-wastewater-produced-by-fracking-is-unbelievable/>

Finally, the last link shows the negative impacts on health, water and soil quality, community wellness, and economic impacts to a local fracking well.

<https://www.garfield-county.com/public-health/documents/1%20%20%20Complete%20HIA%20without%20Appendix%20D.pdf>

Additionally reviewing the documents the oil and gas company provided there are several gaps in their assessment.

1. Wildlife impact. The field is a resting point for migrating geese, they regularly stop here in the fall and winter. The field is also home to antelope herds which are continuing to be pushed farther and farther away with the developments expanding.
2. Evacuation plan. They have not indicated routes for evacuation or emergencies, however reviewing the closest response team locations they would be driving right behind our house to access the well. This is traffic we have not planned on having.
3. Their air monitoring plan just states where and how they will monitor the air quality. Not what is an acceptable level, or what they will do if they exceed that threshold.
4. Similarly the water monitoring plan just states where and how they will monitor the water, and says that the water monitoring is in accordance with industry standards, which links cited above indicate do not protect the public.

In summary, my wife and I bought this house just a year ago to get away from the city, to avoid contaminants, to enjoy fresh air and space. We bought this house with a dream to raise a family who spent time outdoors and being active.

We hope to watch the neighborhood develop and become a place we're proud to live. With a fracking well so close, that will devalue our home, delay infrastructure development, dramatically increase the chances that our children will have birth defects, and most likely contaminate our drinking water, I would have a hard time justifying staying in this area with the well going in. With our house being so new there is no way we would be able to break even, and this would be a several year financial setback for me and my family.

So I would please request that you decline their permit to build here.

I am happy to comment and communicate with you or ConocoPhillips directly to convey my concerns. Thank you,

Jesse Morritt."

Response: On December 18, 2018, Applicant mailed the following letter to Mr. Morritt as follows:

A 2017 analysis by the Colorado Department of Public Health and Environment (CDPHE) found no conclusive evidence that oil and natural gas development in nearby communities pose any significant public health risk. The study had three key findings:

- ***Based on currently available air monitoring data, the risk of harmful health effects is low for residents living near oil and gas operations.***
- ***Studies of populations living near oil and gas operations provide limited evidence of the possibility for harmful health effects. This needs to be confirmed or disputed with higher quality studies.***
- ***At this time, results from exposure and health effect studies do not indicate the need for immediate public health action, but rather indicate the need for more detailed exposure monitoring and systematic analyses of health effects of residents living near oil and gas operations.***

- *In fact, the state's Chief Medical Office Dr. Larry Wolk has said the data collected demonstrates no correlation between oil and natural gas development and detrimental health effects.*
- *The company also conducts industrial hygiene surveys of our employees during maintenance and operations activities. All survey results have been well below the threshold limits set by OSHA and don't indicate a higher potential for health impacts to our workers.*
- *ConocoPhillips is also participating in a joint industry and EPA study with the Health Effects Institute to conduct research on potential community exposures and health impacts from unconventional oil and gas development.*
- *The study is evaluating air and water exposures in shale plays, with the results intended to address community and regulatory concerns and shape future policy.*
- *There are a lot of studies on this subject, with various degrees of scientific basis, so an exposure and health studies review of the existing research is underway and those results are expected to be published in July.*
- *We share stakeholders' concerns about safety and that is why our focus on personal and process safety is always our highest priority. It is core to how we operate.*
- *Our primary concern is for the safety and well-being of our employees, contractors, neighbors and communities in which we operate. We believe that our work is never so urgent or important that we cannot take the time to do it safely and in an environmentally responsible manner.*
- *We are proud of our strong safety record in the Niobrara. Our operations group has worked without a recordable injury since we began operating in the area.*

For more information about our company and our commitment to operating in a safe and environmentally responsible manner, please visit our website at www.conocophillips.com.

10C. Additional PDF Comments received by the City:

- Name: Nathaniel Nelson

Organization: 26010 E. Byers Place, Aurora CO 80018 (njnelson2000@gmail.com) Comment: Please see attached letter.

Response: Applicant responded to Mr. Nelson on November 14, 2019 with the following response. At ConocoPhillips, safety and environmental stewardship are fundamental to everything we do. We share stakeholders' concerns about safety and that is why our focus on personal and process safety is always our highest priority. It is core to how we operate. We are committed to be an environmentally prudent operator and to protecting the health and safety of all people living and working around our locations.

In addition, local, state and federal government agencies set robust regulations for oil and natural gas activities. These rules include well permitting, well materials and construction, air emissions, flowback and produced water disposal, storm water management, and chemical record keeping and reporting. Existing statewide legislation and regulation already provide oversight of oil and gas operations, and Colorado has some of the most stringent laws and environmental regulations in the country.

At ConocoPhillips, we comply with – and in many cases, go beyond – regulations, by utilizing Best Management Practices (BMPs), which are designed to prevent and/ or reduce impacts caused by oil and gas

operations to air, water, soil, biological resources, and to minimize adverse impacts to public health, safety and welfare, including the environment and wildlife resources. ConocoPhillips implements high environmental standards by carefully managing and working to minimize any impact on the environment and the people who live near our operations. For example:

Operations staff routinely conduct site inspections, including infrared camera surveys (LDAR,) to ensure the safe and proper operation of equipment to prevent emissions and leaks.

To minimize emissions, CDPHE air regulations require all combustion devices to meet 95% destruction efficiency. The devices used in Niobrara are rated at 98% destruction efficiency.

Water well sampling is conducted prior to drilling to provide a baseline for water quality surrounding a potential well site. (COGCC Rule 609)

To protect the soils, an active storm water management program is in place to prevent erosion of land and transport of soils offsite.

We are participating in a joint industry and EPA program with the Health Effects Institute to conduct research on potential community exposures and health impacts from unconventional oil and gas development. The program will assess potential risks in shale plays, conduct detailed exposure monitoring, with the intention of addressing community and regulatory concerns and to inform future policy.

- Name: AnneMarie Fortune

Organization: Tri-County Health Department (aheinrich@tchd.org) Comment: Please see attached letter.

Response: Acknowledged

- Name: Donna George

Organization: Xcel Energy (donna.l.george@xcelenergy.com) Comment: Please see attached letter.

Response: Acknowledged

Response to Initial Review Comment Letter (Planning)

11A. N/A

Response: Acknowledged

OPERATIONS PLAN COMMENTS

Operations Plan (Planning)

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

Response: Acknowledged

Project Development Schedule (Planning)

13A. Please show dates for the overall Completions Phase as well.

Response: The overall Completions dates have been added.

13B. Define “Toe Prep” and “PDO/Tbg”.

Response: Toe Prep: is an operation where we initiate the Toe Valve at the bottom-hole of the well to allow for Completions tools to be pumped downhole for Completions Operations. PDO/Tbg: Plug Drill Out and Tubing Installation.

13C. Clarify whether the Reclamation Phase Start and End are the Final or Initial Reclamation (no dates provided, so it’s unclear).

Response: The dates have been updated.

13D. The 2021/2022 timeline doesn't match the Form 2A; please revise either accordingly.

Response: The Form 2A will be revised to match the Project Development Schedule. Once the Form 2A has been revised a copy will be provided.

Security Plan (Planning)

14A. The field-wide Operations Plan has been previously accepted by the City.

Response: Acknowledged

Decommissioning / Final Reclamation Plan (Planning)

15A. The field-wide Operations Plan has been previously accepted by the City.

Response: Acknowledged

EMERGENCY RESPONSE PLAN COMMENTS

Emergency Response Plan (Building/Life Safety)

Field-Wide Plan

16A. The field-wide Emergency Response Plan has been previously accepted by the City.

Response: Acknowledged

Site-Specific Plan

16B. This requirement is acceptable as submitted.

Response: Acknowledged

PHA-HAZOP Analysis (Building/Life Safety)

Field-Wide

17A. The field-wide PHA-HAZOP Analysis has been previously accepted by the City.

Response: Acknowledged

Site-Specific

17B. This requirement is acceptable as submitted.

Response: Acknowledged

COMMENTS ON OTHER REQUIRED ITEMS

Traffic Letter / Plan (Traffic)

18A. Previously approved. Thank you for including in submission. No need to resubmit for this Well Pad Site.

Response: Acknowledged

License Agreements (Real Property)

19A. Should a drainage easement be required then you will need to apply for a License Agreement for outlet structures.

Response: Acknowledged

19B. Should a culvert or utility sleeve be needed that will encroach Powhatan, then a License Agreement will be required.

Response: Acknowledged

19C. Any license agreements related to lay-flat lines will be required.

Response: Acknowledged

Recorded Surface Use Agreement (Real Property)

20A. This requirement is acceptable as submitted.

Response: Acknowledged

Property Owner Authorizations (Real Property)

21A. This requirement is acceptable as submitted.

Response: Acknowledged

Water Delivery Method/Water Supply Plan (Water)

Water Delivery Agreement

22A. The field-wide Water Delivery Agreement has been previously accepted by the City.

Response: Acknowledged

Water Supply Plan

22B. This requirement is acceptable as submitted.

Response: Acknowledged

Groundwater Quality Monitoring Plan (Water)

23A. A variance requested included in this submittal was denied.

Response: Acknowledged

23B. Until initial sampling, City staff and COPC environmental staff will have a standing call every other week to provide an update on the sampling and/or (if applicable) status update of the “requested well” installation schedule.

Response: Acknowledged

23C. If applicable and as noted in the field-wide submittal, COPC will notify, in writing, the City at least 40 weeks prior to drilling if the “requested well” is not possible and that parties (City and COPC) will have to pursue the “easement well” protocol in order to comply with the monitoring well requirement.

Response: Acknowledged

23D. If applicable and as noted in this submittal, COPC will notify the City immediately of any delays outside of COPC’s control.

Response: Acknowledged

Fugitive Dust Suppression Plan (Water)

24A. The field-wide Fugitive Dust Suppression Plan has been previously accepted by the City.

Response: Acknowledged

Fluid Disposal Plan (Water)

25A. The field-wide Fluid Disposal / Waste Management Plan has been previously accepted by the City.

Response: Acknowledged

Water Use Plan CDPHE Reg. 84

26A. N/A

Response: Acknowledged

Weed Control Plan (Water and PROS)

27A. The field-wide Weed Control Plan has been previously accepted by the City.

Response: Acknowledged

Wildlife Impact Mitigation Plan (PROS)

28A. This requirement is acceptable as submitted.

Response: Acknowledged

Stormwater Management Plan

29A. This document will be reviewed and commented on by the standard SWMP Review team via upload through the separate Public Works portal; please coordinate with Public Works to utilize that portal if you haven't already.

Response: The stormwater plans were approved November 27, 2019 and have been included with this submittal.

29B. FYI: Profiles for gathering lateral pipelines crossing any Aurora Water utilities, ROWs, and floodplains will be required as part of the SWMP plan. (Water)

Response: Gathering lateral pipelines are owned and constructed by other companies. These crossings (if any) will be shown in their separate applications.

29C. FYI: Outlet structures will be required on detention basins- detail required (Water)

Response: Acknowledged

Preliminary Drainage Report / Letter

30A. This document will be reviewed and commented on by the standard SWMP Review team via upload through the separate Public Works portal; please coordinate with Public Works to utilize that portal if you haven't already.

Response: The Preliminary Drainage Letter was approved November 27, 2019 and has been included with this submittal.

Road Maintenance / Construction (Public Works)

31A. Please provide the revised, approved, and fully signed/executed Road Maintenance Agreement as part of the second submission.

Response: The Amendment is circulating for signatures. Applicant will provide upon full execution.

Air Quality Plan (Planning)

Field-Wide Plan

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

Response: Acknowledged

Site-Specific Plan

32B. Submit a complete Plan, including confirmed monitoring locations, pre-construction baseline air monitoring results, established alert level thresholds, all pre-activity information, all location-specific considerations, any anticipated location modifications and timeline, and location data plan.

Response: The proposed monitoring locations can be found on the last page of the site-specific Air Quality Plan included with this submittal. The pre-construction baseline air monitoring results, established alert level thresholds, all pre-activity information, all location-specific considerations, any anticipated location modifications and timeline, and location data plan will all be provide upon completion of the baseline air quality testing.

32B. Spell out what “NAAQS” and “ATSDR” stand for.

Response: NAAQS-National Ambient Air Quality Standards, ATSDR-Agency for Toxic Substances and Disease Registry

32C. The Plan should reference how the reports will include trend identification related to increases / decreases / spikes in concentration or emissions as related to the health-based criteria.

Response: Report structure and content will be finalized after further consultation with City staff.

32D. List the Monitoring Strategy dates in order.

Response: Report revised.

32E. Pre-construction baseline air monitoring (under Monitoring Strategy) is missing language about prior notification to the City.

Response: The Operator Agreement, specifically Exhibit C, #15.3 is silent to any requirement for notification to the City prior to pre-construction baseline air quality testing.

Noise Management Plan (Planning)

33A. Provide the results of the baseline ambient sound level study.

Response: The results of the ambient sound level study were originally delivered to the City as a separate report to ConocoPhillips. The full contents of that report have been added to Section 3 – Ambient Sound Level Survey and Appendix B – Ambient Sound Level Survey Data of the revised noise modeling report dated December 18, 2019.

33B. Explain the referenced “adjustment to the allowable dBC noise limit from 65 dBC to 66.6 dBC” on page 6 of the Noise Modeling Report.

Response: Section 3 of the revised noise modeling report dated December 18, 2019 includes Table 3-2 and a preceding paragraph to explain why this particular data from the ambient sound level survey is relevant to the OA code and this noise modeling report. Additional verbiage on P.9 and P.10 of the noise modeling report dated December 18, 2019 has been added to further clarify the permissible code limit adjustments allowed in Section 2. 6 of the OA, supported by the ambient data presented in Section 3 of the report, and presented in Table 4-2 of the report.

33C. Be clear as to what listed noise mitigation measures will be chosen for the site and explain how the ambient noise level results are factored on. Additionally, how will the mitigation measures be monitored for success?

Response: Pursuant to the Operator Agreement Section 2.3 the Applicant is required to utilize noise mitigation measures due to the Well Site's location within R-2 residential zoning. The Applicant has chosen sound mitigation berms to mitigate sound during the drilling and completions phases of development. The OA does not currently provide any outline or requirement for how acoustical mitigation measures will be "monitored for success". BAENC is capable of providing either Compliance Sound Level Surveys and/or Web-Based Continuous Sound Level Monitoring Systems that could satisfy this requirement.

Application Form (Planning)

Checklist

34A. License Agreements will be required; revise the "N/A" accordingly.

Response: Pursuant to conversations with city staff, drainage easements are not required.

34B. There has been no field-wide Wildlife Impact Mitigation Plan submitted or accepted by the City previously; please revise accordingly.

Response: The Checklist has been revised

1-Mile Radius Abutters List (Planning)

35A. Update the abutter list with the information from the revised spreadsheet.

Response: the abutters list has been updated with current information.

COGCC Forms / 2A (Planning)

36A. The 2020 timeline doesn't match the Project Development Schedule; please revise either accordingly.

Response: The Form 2A will be amended to reflect the timeline associated with Project Development Schedule provided with this submittal.

36B. Provide the final version at the next submission.

Response: The 2A is still in draft form and will be provide once the final version is submitted to the COGCC.

ADDITIONAL SITE PLAN REDLINE COMMENTS

Sheet 3:

Redline Comment: A license agreement will be required for outlet structures once the drainage easement is complete.

Response: Applicant met with the City's Office of Development Assistance, Water Department and Real Property on November 19, 2019 to discuss requests for the Drainage Easement and License Agreement. Applicant agreed to design the site to include outlet structures constructed to release stormwater at rates consistent with sediment basin riser pipes. The Office of Development Assistance informed Applicant that the sediment basin may essentially remain the same but must include a permanent outlet structure. Applicant sent an engineered drawing of the outlet structure and hinge detail to the City on December 5, 2019. Applicant received comments from the City on December 11, 2019 and is revising the design pursuant to Mr. Dekoski's suggested changes. Pursuant to email from Laura Rickhoff dated December 5, 2019 (included following these responses) the City agreed that a drainage easement is not necessary as Applicant has instead redesigned the outlet structure. Therefore, a License Agreement is not required.

Redline Comment: A license agreement may be required for the culvert.

Response: The proposed culvert is not within a future right of way or the easement, therefore a license agreement should not be required.

If you should have any questions or require additional information, please do not hesitate to contact me at 303.928.7128 or via email at regulatory@ascentgeomatics.com. Thank you for your consideration of this matter.

Respectfully,



Justin Garrett
Regulatory Analyst