

TOWN OF ERIE OIL AND GAS TABLE TOP WORKSHOP NOVEMBER 18, 2019

OIL AND GAS REGULATIONS, 10/28/2019 DRAFT

Overview of Land Use and Service Delivery Standards

APPLICANT MUST DEMONSTRATE COMPLIANCE WITH LAND USE AND SERVICE DELIVERY STANDARDS TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE, AND THE ENVIRONMENT

LOCATION STANDARDS [*Section 10.12.3.C*]

1. The Operation is located within a zone district that allows heavy industrial uses.
2. The Operation is located at the site from which the minerals can be accessed with the least adverse impact to public health, safety, welfare and the environment in compliance with all applicable standards in this Section 10.12.3.
3. Any type of well pad and above-ground production facility shall be located at least 1000 feet from occupied buildings, or a proposed building that has applied for a building permit that requires a certificate of occupancy pursuant to the UDC. Measurement shall be taken from disturbed area of the production facility to the nearest wall or corner of any such buildings. The Town may decide that a different setback is more appropriate based on the Alternative Site Analysis.
4. Any type of well pad and above-ground production facility shall be located at least 2000 feet from the boundary line of platted residential lots or parks, sports fields and playgrounds, or other outside activity areas and any occupied structure. Measurement shall be taken from the edge of the disturbed area to the boundary line. The Town may decide that a different setback is more appropriate based on the Alternative Site Analysis.
5. The Operation shall be at least 500 feet from any surface water body.
6. The Operation shall be at least 500 feet from any domestic or commercial water wells or irrigation wells.
7. The Operation is not located within a floodway district as defined in Section 10.2.7.C.4 of the UDC.

MINIMAL SITE DISTURBANCE [*Section 10.12.3.D*]

The Oil and Gas Operation shall be located and constructed in a manner so that there is no unnecessary or excessive site disturbance and that minimizes the amount of cut and fill:

1. Multi-well drill pads and consolidated facilities shall be used to minimize surface disturbance.
2. Pad dimensions shall be the minimum size necessary to accommodate operational needs while minimizing surface disturbance.
3. Structures and surface equipment shall be the minimum size necessary to satisfy present and future operational needs.
4. The Operation shall be located in a manner to minimize impacts on surrounding uses, and achieve compatibility with the natural topography and existing vegetation.

Overview of Land Use and Service Delivery Standards

Page 2

VISUAL QUALITY [Section 10.12.3.Y]

The Oil and Gas Operation shall not cause significant degradation to the scenic attributes and character of the Town.

1. Facilities shall be painted in a uniform, non-contrasting, non-reflective color, to blend with the surrounding landscape and with colors that match the land rather than the sky. The color should be slightly darker than the surrounding landscape.
2. The Oil and Gas Operation shall be buffered from sensitive visual areas by providing landscaping along the perimeter of the site between the surface equipment and the sensitive visual area.
3. The Oil and Gas Operation shall be constructed in a manner to minimize the removal of and damage to existing trees and vegetation. If the Operation requires clearing trees or vegetation, the edges of the cleared vegetation should be feathered and thinned and the vegetation should be mowed or brushhogged while leaving root structure intact, instead of scraping the surface.
4. The Oil and Gas Operation shall be sited away from prominent natural features and visual, scenic and environmental resources such as distinctive rock and land forms, rivers and streams, and distinctive vegetative patterns.
5. The Oil and Gas Operation shall use low profile tanks or less visually intrusive equipment.

GENERAL OPERATIONS AND MAINTENANCE REQUIREMENTS [Section 10.12.3.Z]

1. The Operator shall at all times keep the well sites, roads, rights-of-way, facility locations, and other Oil and Gas Operation areas safe and in good order, free of noxious weeds, litter and debris.
 - a. The Operator shall be responsible for ongoing weed control at all locations disturbed by the Operation and along access roads during construction and operation, until abandonment and final reclamation is completed.
 - b. The Operator shall utilize vehicle tracking control practices to control potential sediment discharges from unpaved surfaces. Such practices may include road and pad design and maintenance to minimize rutting and tracking, controlling site access, street sweeping or scraping, tracking pads, and wash racks. Traction chains from heavy equipment shall be removed before entering a public roadway.
2. The Operator shall dispose of all water, unused equipment, litter, sewage, waste, chemicals and debris from the site at an approved disposal site.
 - a. All equipment used for drilling, re-drilling and maintenance shall be removed from the well pad site within thirty (30) days after completion of the work, unless otherwise agreed to by the surface owner. Permanent storage of equipment on well pad sites shall not be allowed.
 - b. Materials and trash shall not be buried on-site.

Overview of Land Use and Service Delivery Standards

Page 3

- c. Trash burning is prohibited.
- 3. The Operator shall promptly reclaim and reseed all disturbed sites in conformance with the reclamation plan.
- 4. All mechanized equipment associated with the Operation shall be anchored to minimize transmission of vibrations through the ground.
- 5. Open-ended discharge valves on all storage tanks, pipelines and other containers shall be secured where the Operation site is unattended or is accessible to the general public. Open-ended discharge valves shall be placed within the interior of the tank secondary containment.
- 6. Above ground oil and gas well facilities shall be fenced with wrought iron fencing or Ameristar Impasse or Stronghold fencing or approved equivalent, as determined by the Director. The fencing color shall be bronze unless the Director approves black fencing. Black fencing will only be approved by the Director if fencing or site furnishings in the adjacent developments have approved black elements.
- 7. The Town shall have access to the well pads to conduct inspections. Town personnel will be equipped with all appropriate personal protection equipment (PPE) and will comply with the Operator's customary safety rules and shall be accompanied by an Operator's representative.

TRANSPORTATION AND ROADWAYS

1. Transportation, Roads, and Access [Section 10.12.3.CC]

a. Compliance with Town Standards

All public roads shall be constructed and maintained in compliance with Town standards as necessary to accommodate the traffic and equipment related to Oil and Gas Operations and emergency vehicles.

b. Access to Public Roads

- i. Access points to public roads shall be located, improved and maintained to assure adequate capacity for efficient movement of existing and projected traffic volumes and to minimize traffic hazards.
- ii. Access roads shall be improved a minimum distance of 200 feet on the access road from the point of connection to a public road. The access road shall be improved as a hard surface (concrete or asphalt) for the first 100 feet from the public road and then improved as a crushed surface (concrete or asphalt) for 100 feet past the hard surface in the appropriate depth to support the weight load requirements of the vehicles accessing the well and production facilities.
- iii. If an access road intersects with a pedestrian trail or walk, the Operator shall pave the access road as a hard surface (concrete or asphalt) a distance of 100 feet either side of the trail or walk and if necessary, replace the trail or walk to address the weight load requirements of the vehicles accessing the well and

Overview of Land Use and Service Delivery Standards

Page 4

production facilities.

- iv. Temporary access roads associated with the Oil and Gas Operation shall be reclaimed and revegetated to the original state within sixty (60) days after discontinued use of the temporary access roads.

c. Implementation of Traffic Management Plan

The Operator shall implement the approved Traffic Management Plan.

d. Road Repairs

- i. The Operator shall arrange for a qualified outside consultant to perform a road impact study for all public roads that are used to access the Oil and Gas Operation. The consultant shall conduct the first part of the study prior to operations and the second part of the study after the Operator completes all drilling and hydraulic fracturing. The Operator and the Town shall use these studies to determine the extent of any damage accruing to the road during the study period. The Operator shall either promptly pay the Town to repair such damage or arrange for and pay the cost of such repairs itself, whichever the Town prefers.
- ii. The Operator shall maintain financial assurance to secure its road repair obligations. The amount of such financial assurance shall equal the Town's annual road maintenance budget as of the date of permit approval multiplied by the percentage yielded by dividing the total number of Town road miles as of the date of permit approval into the number of such road miles that the Operator will use to access the Oil and Gas Operation. The Operator shall select the form of such financial assurance and shall maintain such assurance.
- iii. If the projected use of public roads as a result of the Oil and Gas Operation will result in a need for an increase in roadway maintenance, the Operator shall enter into an agreement with the Town whereby the Operator provides for private maintenance or reimburses the Town for such increased costs and/or provides a bond or other financial assurance in an amount acceptable to the Town to cover the costs of mitigating impacts to public roads.

2. Use of Existing Roads [Section 10.12.3.BB]

Unless traffic safety, visual or noise concerns, or other adverse surface impacts clearly dictate otherwise, existing roads on or near the site of the Oil and Gas Operation shall be used in order to minimize land disturbance.

FLOWLINES AND PIPELINES [Section 10.12.3.DD]

Operator shall comply with the requirements for flowlines set forth in COGCC Rules 1101 through 1105, which address: registration, construction standards, design, installation, reclamation, inspection, maintenance, repair, operation, and integrity management of flowlines; pressure testing; leak protection, detection, and monitoring; and data sharing with local government.

Overview of Land Use and Service Delivery Standards

Page 5

HISTORICAL AND CULTURAL RESOURCES [*Section 10.12.3.HH*]

The Oil and Gas Operation shall not cause significant degradation to resources of historic, cultural, paleontological, or archeological importance.

PUBLIC SERVICES AND FACILITIES [*Section 10.12.3.II*]

The Oil and Gas Operation shall not have a significant adverse effect on the capability of the Town to provide municipal services or the capacity of the service delivery systems.