

# Appendix 19: A15 Pit – Garfield County Permit Resolution 2013-72

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STATE OF COLORADO )  
 )ss  
County of Garfield )

At a regular meeting of the Board of County Commissioners for Garfield County, Colorado, held in the Commissioners' Meeting Room, Garfield County Courthouse, in Glenwood Springs on, Monday, the 10<sup>th</sup> day of August, 2009, there were present:

- John Martin, Commissioner Chairman
- Mike Samson, Commissioner
- Trèsi Houpt, Commissioner
- Jean Alberico, Clerk of the Board
- Don DeFord, County Attorney
- Ed Green (absent), County Manager

when the following proceedings, among others were had and done, to-wit:

**RESOLUTION NO. 2013-72**

**A RESOLUTION CONCERNED WITH THE APPROVAL OF A SPECIAL USE PERMIT FOR THE NORTH PARACHUTE RANCH DRILLING FLUIDS RECYCLING SYSTEM, AN INDUSTRIAL SUPPORT FACILITY WHICH INCLUDES MATERIAL HANDLING, PUMPING FACILITIES, STORAGE YARDS AND PROCESSING LOCATED IN PORTION OF SECTION 19, 27, 28, AND 29 OF TOWNSHIP 5 SOUTH, RANGE 95 WEST AND IN PORTIONS OF SECTIONS 15, 22, 25, AND 26 OF TOWNSHIP 5S AND RANGE 96 WEST ALL OF THE 6<sup>TH</sup> P.M., OWNED BY ENCANA OIL AND GAS (USE) INC., GARFIELD COUNTY, COLORADO**

*PARCEL NO# 2135-273-00-015*

Recitals

A. The Board of County Commissioners of Garfield County, Colorado, received a request for A Special Use Permit to allow for an industrial support facility which includes material handling, pumping facilities, storage yards and processing on 4.338 acres of a 45,000 acre parcel owned by Encana Oil and Gas (USA) Inc.

B. The Industrial Support Facility is located in portions of Sections 19, 27, 28, and 29 of Township 5 south, range 95 west and portions of Sections 15, 22, 25, and 26 of Township 5 South, Range 96 West all of the 6<sup>th</sup> P.M. and further described as parcel number 2135-273-00-015 and located approximately 8.5 miles north of the Town of Parachute on County Road 215.

*OWL*

*9*

C. The subject property is contained within the Resource Lands Zone District and such land uses will comply with the zone district standards.

D. The Board is authorized to approve, deny or approve with conditions a Special Use Permit pursuant to Section 5.03 of the Zoning Resolution of 1978, as amended.

E. The Board of County Commissioners opened a public hearing on the 10<sup>th</sup> day of August, 2009 upon the question of whether the above-described Special Use Permit application should be granted or denied, during which hearing the public and interested persons were given the opportunity to express their opinions regarding the amendment.

F. The Board of County Commissioners closed the public hearing on the 10<sup>th</sup> day of August, 2009 to make a final decision.

H. The Board on the basis of substantial competent evidence produced at the aforementioned hearing, has made the following determinations of fact:

1. Proper posting and public notice were provided as required for the meeting before the Board of County Commissioners.
2. The meeting before the Board of County Commissioners was extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested parties were heard at that meeting.
3. The above stated and other reasons, the proposed Special Use Permit has been determined to be in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of Garfield County.
4. The application has met the requirements of Special Use Permit of the Garfield County Zoning Resolution of 1978, as amended.

### **RESOLUTION**

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Garfield County, Colorado, that:

- A. The forgoing Recitals are incorporated by this reference as part of the resolution.
- B. The Special Use Permit on the 4.338 acre portion of a 45,000 acre property owned by EnCana Oil and Gas (USA) Inc. requesting an Industrial Support Facility which includes Material Handling, Pumping Facilities, Storage Yards and Processing for the North Parachute Ranch Dill Fluids Recycling System on parcel number 213527300015, Garfield County, is

hereby approved subject to compliance with the following conditions:

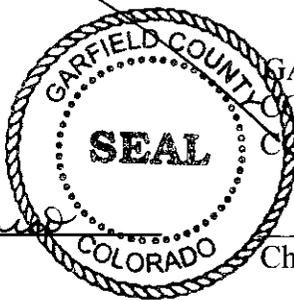
1. That all representations of the Applicant, either within the application or stated at the hearing before the Board of County Commissioners, shall be considered conditions of approval unless explicitly altered by the Board.
2. That the operation of the system be done in accordance with all applicable Federal, State, and local regulations governing the operation of this type of facility.
3. That the Applicant shall comply with the fire protection provisions included in the rules and regulations of the Colorado Oil and Gas Conservation Commission (COGCC) and the International Fire Code as the Code pertains to the operation of this system.
4. Vibration generated: the NPR Drill Fluids Recycling System shall be so operated that the ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point of any boundary line of the property on which the use is located.
5. Emissions of smoke and particulate matter: the Drill Fluids Recycling System shall be so operated so as to comply with all Federal, State and County air quality laws, regulations and standards.
6. Emission of heat, glare, radiation and fumes: the Drill Fluids Recycling System shall be so operated that it does not emit heat, glare, radiation or fumes which substantially interfere with the existing use of adjoining property or which constitutes a public nuisance or hazard.
7. Volume of sound generated shall comply with the standards set forth in the Colorado Revised Statutes, COGCC Series 800.
8. No storage of unused heavy equipment or materials is permitted.
9. No human habitation of this site is allowed at any time, other than the residence 3 miles south of EnCana's gate.
10. Any lighting shall be pointed downward and inward to the property center and shaded to prevent direct reflection on adjacent property.
11. Water pollution: in a case in which potential hazards exist, it shall be necessary to install safeguards designed to comply with the Regulations of the Environmental Protection Agency before operation of the facilities may begin. All percolation tests or ground water resource tests as may be required by local or State Health Officers must be met before operation of the facilities may begin.

12. Prior to the issuance of the Special Use Permit, a reclamation security of \$2500 per acre shall be submitted for site disturbance, as per the Garfield County Vegetation Manager. If the use as a NPR Drill Fluids Recycling System is ended, reclamation shall be initiated within 60 days and meet the requirements set forth in the reclamation plan in place on the date the Special Use Permit issued, or the site reclamation standards in place at the time of use cessation, whichever is more stringent. The reclamation standards at the date of permit issuance are cited in Section 4.06, 4.07 and 4.08 of the Garfield County Weed Management Plan (Resolution #2002-94).  
A site visit shall be performed by the Garfield County Vegetation Management Department to assess the site and determine the recommended acreage for the required security.
13. All equipment to be permanently affixed on the site shall be painted with non-reflective paint in neutral shades of desert tan or beetle green to make the site less conspicuous.
14. Dust mitigation on the sites and access roads must be performed to prevent fugitive dust.
15. Prior to issuance of the Special Use Permit, written confirmation by a certified wildlife biologist to ensure that no active nest sites for threatened or endangered species or species of concern are within a distance considered by the Colorado Division of Wildlife to be adversely affected by human activity, and that no threatened, endangered plant species or plant species of concern are within the acreage to be affected by this system.
16. Bear-proof refuse containers shall be required on the site.
17. A grading permit shall be required of any lines that are required to be buried as a part of this system.

Dated this 7<sup>th</sup> day of October, A.D. 2013.

ATTEST:

Jean M Alberico  
Clerk of the Board



GARFIELD COUNTY BOARD OF  
COMMISSIONERS, GARFIELD COUNTY,  
COLORADO

[Signature]  
Chairman

Upon motion duly made and seconded the foregoing Resolution was adopted by the following vote:



Reception#: 841782  
10/09/2013 10:26:53 AM Jean Alberico  
5 of 9 Rec Fee:\$0.00 Doc Fee:0.00 GARFIELD COUNTY CO

COMMISSIONER CHAIR JOHN F. MARTIN, Aye  
COMMISSIONER MIKE SAMSON, Aye  
COMMISSIONER TRÉSI HOUP, Aye



**PROJECT INFORMATION AND STAFF COMMENTS**

BOCC – 8/10/09 DD

**TYPE OF REVIEW:** Special Use Permit ("SUP")

**SUMMARY OF REQUEST:** The Applicant requests a SUP for an 'Industrial Support Facility which may include material handling, pumping facilities, staging areas, storage areas and processing' in the Resource Lands (RL) zone district.

**APPLICANT / PROPERTY OWNER:** EnCana Oil & Gas (USA) Inc.

**LOCATION / ACCESS:** Portions of Sections 19,27,28,29 of T5S, R95W and Sections 15,22,25,26 of T5S, R96W (Parcel # 2135-273-00-015)

**SITE INFORMATION:** 4.338 acres of a 45,000-acre parcel owned by EnCana Oil & Gas (USA) Inc.

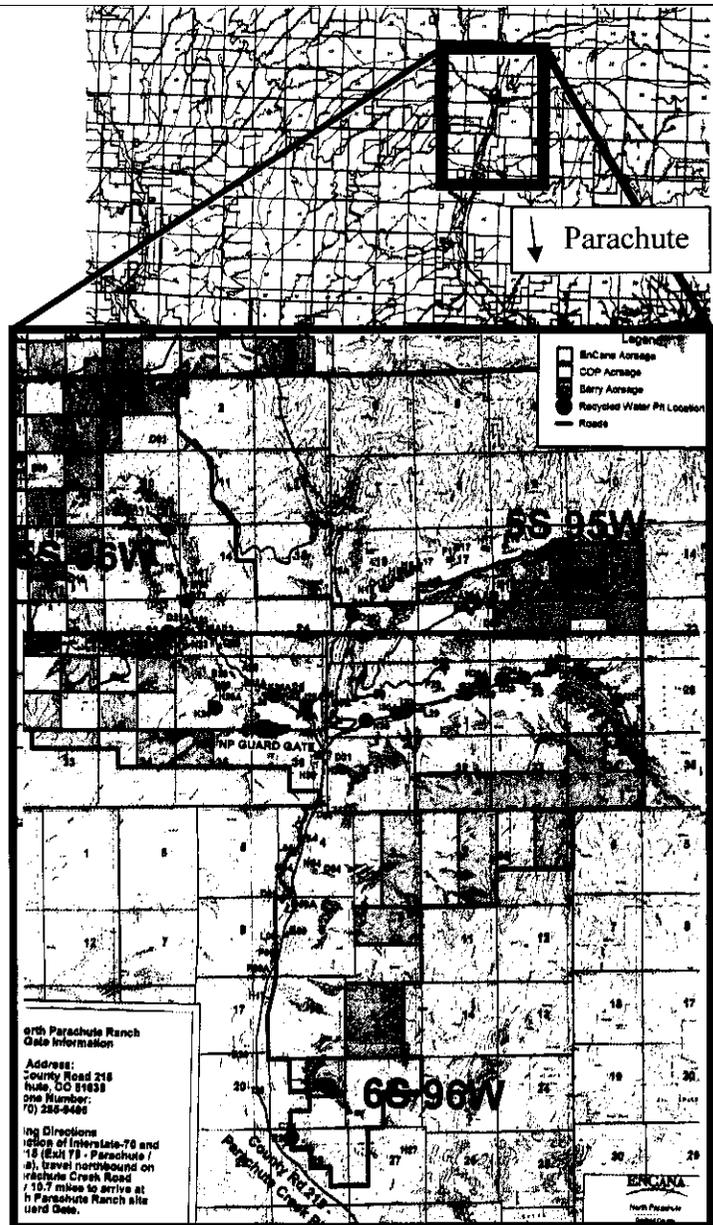
**EXISTING & ADJACENT ZONING:** Resource Lands (RL) Zone District, Open Space (BLM)

**I. REQUEST**

The Applicant requests a SUP for the installation of a Drill Fluids Recycling System. This is a network of pits, pipelines and pumps to transfer produced water for use in completion operations associated with the production of natural gas on the North Parachute Ranch (NPR).

The system is fully contained on the company-owned site 8.5 miles north of Parachute on CR 215. Twenty-seven (27) pits on existing COGCC-approved well pads are proposed to be connected with pipelines. The pipeline system uses high carbon steel and steel Flexpipe in varying diameters: 4" at the pit, 8" connectors feeding into a 12" line that links to the Middle Fork Produced Water Storage Facility (permitted in 2005.)

The Applicant represents the need for this system to move produced water from pad to pad and to the Middle Fork Produced Water Storage Facility via pipelines, rather than with trucks. Moving fluids reduces the need for additional fresh water; there is an estimated savings of 1.26 to 2.52 million gallons per day.





*Handwritten signature*  
8/10/09

Ray understands Lou is elected as well.

Chairman Martin – As Sheriff he has to answer to the citizens on that particular issue.

Ray – I feel we can all work together here too. Maybe we need to build a prison for that purpose and normally if they are caught here in Garfield County, they are going to spend some time.

Chairman Martin – Then we are responsible for their housing, food and medical expenses and instead of being on the outside getting services they are getting it on the inside plus when you have them incarcerated, everyone that is from the family gets the same benefit basically. Therefore, you have created another monster in that respect.

Ray – I understand but there still has to be – if it keeps this going on, we will have three Spanish-speaking people sitting on the Board of County Commissioners.

Commissioner Samson – What Ray is saying, they are not citizens.

Chairman Martin – Yes, we need to work together and if we have contractors and businesses that are hiring illegal's, then we need to follow the chain of command within the state and have enforcement there. That starts with knowledge and if that knowledge is passed to the correct people and not just forgotten but also acted upon – that is our true strength. If we just complain about it without any facts, we need the facts, we need to get it to the correct person and if you have it you need to find the correct person, come to us and give us that information. We will find a way to the correct person with you and send it along.

Ray – Too many times, it has been reported to the Sheriff or like the Snowmass police and they say there is nothing that we can do and then it is forgotten.

Commissioner Houpt – There is an ICE office in town too.

Ray – Is that a place paid by taxpayers money?

Commissioner Houpt – They are the ones who are supposed to be the ones who are enforcing...

Ray – Typical federal taxpayer funded programs are a waste of our money. You call Colorado Workforce and ask them to send some people down for you right now and they will send three illegal workers from the Colorado Workforce Center. It is totally out of control. I am not prepared with all of the information I know there are many steps I could go to, to have more information to know exactly what the federal law says the Colorado law and try to pinpoint who is more in charge and who is shifting the blame and who is not doing their job.

Commissioner Houpt – Everyone is passing the buck right now because we do not have a good solution and the federal government is supposed to come up with something but we have not seen a good resolution on this yet.

Ray had an illegal tell him one day on the job and he was mad over it – he said, "Mexico was going to take back over this country." I laughed at him. No "we are going to do it not with bombs and guns, we're going to breed it out of your women." If I was a lawbreaker and wanted in Mexico for rape, theft, whatever, and this is the first place I would come. I am appalled.

Chairman Martin – There are also solutions and that is the information we have and you have to share that and we have to put it in the right channels to get the right results. It is frustrating but you cannot give up.

Ray – What you said, when I find them, write their names down, and talk to the companies.

Chairman Martin – What needs to be done is go to the companies, not the individuals.

Ray – I heard a Congressman just say on the news the other day about health reform and he said in the bill they want to have it to have insurance for the illegals as well. The Congressman said, well they are doing our work here – they should get the program as well. I am thinking, what is he talking about they are here illegally. We have to elect Congressman who are on this issue or the end of it is they just miss the whole boat.

**CONSIDER A REQUEST FOR A MAJOR IMPACT REVIEW FOR A CAMPGROUND/RV PARK ON A 36.637-ACRE PARCEL SOUTH OF BATTLEMENT MESA AND PARACHUTE OFF CR300 IN THE RURAL (R) ZONE DISTRICT – APPLICANT: HIGH MESA PARTNERS, LLC. – DUSTY DUNBAR**  
Dusty Dunbar, Don DeFord, Jerry Rush from High Mesa Partners RV Park were present.

Jerry Rush requested a continuance for this Public Hearing. He stated he would renote everyone within the 200 feet requirements.

The Commissioners schedule a date certain for September 21, 2009.

**CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FOR AN INDUSTRIAL SUPPORT FACILITY WHICH INCLUDES MATERIAL HANDLING, PUMPING FACILITIES, STORAGE YARDS AND PROCESSING ON THE ENCANA-OWNED NORTH PARACHUTE RANCH OFF CR215 NORTH OF PARACHUTE WITHIN THE RESOURCE LANDS (RL) ZONE DISTRICT. APPLICANT IS ENCANA OIL & GAS (USA) INC. – DUSTY DUNBAR**

Dusty Dunbar, Don DeFord, Khem Suthiwan, Jason Eckman and Kevin McDowell water engineer with EnCana were present.

Deb reviewed the public notifications with Khem and determined they were timely and accurate. She advised the Board they were entitled to proceed. The sign was posted on the guard shack and visible from CR 215

Chairman Martin swore in the speakers.

Dusty submitted the following exhibits: Exhibit A – Proof of Mail Receipts; Exhibit B – Proof of Publication; Exhibit C – Garfield County Unified Land Use Resolution of 2008 as amended (ULUR Zoning Code); Exhibit D – Garfield County Comprehensive Plan of 2000, as amended; Exhibit E – Application; Exhibit F – Staff report; Exhibit G – Staff Power Point presentation; Exhibit H – Letter – Garfield County Road and Bridge Department, Administrative Foreman, Jake Mall, dated 7-08-09; Exhibit I – Letter – Garfield County Vegetation Management Department – Director, Steve Anthony, dated 7-28-09; Exhibit J – Letter – Garfield County Planning Department – Project Engineer John Niewoehner, PE, dated 7-29-09; Exhibit K – Email – Colorado Division of Wildlife (DOW) – Game Officer, Dan Skinner for J.T. Romatzke, Area Wildlife Manager; Exhibit L – Noise Assessment Exhaust-Mechanical; and Exhibit M – Email – Garfield County Public Health Department – Environmental Health Manager, Jim Rada dated 8-6-09.

Chairman Martin entered Exhibits A – M into the record.

This is under the old code.

Request: The applicant requests a SUP for the installation of a Drill Fluids Recycling System. This is a network of pits, pipelines and pumps to transfer produced water for use in completion operations associated with the production of natural gas on the North Parachute Ranch (NPR).

The system is fully contained on the company-owned site 8.5 miles north of Parachute on CR 215. Twenty-seven (27) pits on existing COGCC approved well pads are proposed to be connected with pipelines. The pipeline system

uses high carbon steel and steel Flex pipe in varying diameters: 4" at the pit, 8" connectors feeding in to a 12" line that links to the Middle Fork Produced Water Storage Facility (permitted in 2005).

The applicant represents the need for this system to move produced water from pad and to the Middle Fork Produced Water Storage Facility via pipelines, rather than trucks. Moving fluids reduces the need for additional fresh water; there is an estimated savings of 1.26 to 2.52 million gallons per day.

Because the use is a system of pipelines to connect produced water pits to other facilities there will be a definite reduction in the number of tanker trucks required to haul the millions of gallons of fluid. There is a limited traffic analysis provided. As noted earlier, the Drill Fluids Recycling System, once fully operational is expected to reduce the number of vehicles by 120,000 trips per year. All travel traveling Garfield County is on roads built for well beyond that level of traffic and that kind of vehicle. Much of the traffic is on private roads on the NPR.

The operations at the facility will not adversely affect any abutting property, provided the facility operates within its proposed levels. The proposed system will not encroach upon existing setbacks or reduce current separation distances to abutting properties. Staff agrees that the Drill Fluids Recycling System is located well within required setbacks and is sufficiently separated from adjacent properties in all directions.

In the past, the Board has required, as a condition of approval that "A sufficient monetary security, determined by the Board of County Commissioners, to ensure rehabilitation of the site once operation has ceased shall be provided by the Applicant."

Re-vegetation securities are standard for these kinds of applications and shall be conditions of approval. While the well pads on which the pits are located are secured by a COGCC blanket bond, this security does not cover portions of the Drill Fluids Recycling System that are off the well pads, namely, the connecting pipelines. Much of the proposed pipeline that will be used in this system is already in place, so the disturbance has already occurred. (Other portions of the system are proposed to be temporarily laid on the surface.)

Should the Board approve the request for the Drill Fluids Recycling System, Staff suggests the industrial performance standards be considered conditions of approval as they are specifically intended to ensure that any industrial use (such as this system) function in accordance with the proper best management practices and within the parameters of the State statutes.

There is limited proposed storage for heavy equipment on the site; diesel and electric generators to operate the pumps will be in operation at varying locations on the system. An additional submittal of noise assessment for the diesel generators required to operate the pumps (Exhibit L ) shows that the noise level at maximum output is 100 dB(A) within 4 feet of the operating machinery, dropping to 79 dB(A) at 49.2 feet.

Staff estimates that the noise level at the property boundary or 350' from an occupied residence would be below 70 dB(A), the industrial noise level from the Colorado Revised Statutes. There is no residence near any of the boundary locations with the exception of D28, which is estimated by Staff to be more than one-half mile from the residence, and it has been stated that the residence is not inhabited. The equipment is represented to be transient, moving from location to location, always in use and therefore not stored.

The requirement for screening should not be required as the site is remote, bounded on three sides by steep canyon-walls, far from human occupation. The boundary of the nearest potentially affected parcel (on the east side) is more than 1700 feet away. Painting permanent installations a neutral shade of non-reflective paint will help to make the site more inconspicuous.

The site is not situated to allow vibration to emanate beyond the boundaries, nor have fumes or other emanations off-site. The site is not proposed to be used for storage, aside from limited produced water, which shall, as a condition of approval, be properly stored in approved lined pits inside an adequately sized spill containment basin. Lighting will be provided by portable lighting plants, and directed downward and inward onto whatever site to which they have been assigned.

Staff does not recommend periodic review of the site as the conditions will serve as a mechanism for operating within the necessary standards of the permit.

#### **STAFF RECOMMENDATION**

Due to the following conditions:

- the limited nature of potential impacts to surrounding properties,
- the remote location of the property,
- the proposed is required to operated within compliance for noise and mitigate glare and other emanations,

Staff recommends the Board approve the request for a Special Use Permit for EnCana Oil & Gas (USA)'s NPR Drill Fluids Recycling System with the following conditions:

- 1) That all representations of the Applicant, either within the application or stated at the hearing before the Board of County Commissioners, shall be considered conditions of approval unless explicitly altered by the Board.
- 2) That the operation of the system be done in accordance with all applicable Federal, State, and local regulations governing the operation of this type of facility.
- 3) That the Applicant shall comply with the fire protection provisions included in the rules and regulations of the Colorado Oil and Gas Conservation Commission (COGCC) and the International Fire Code as the Code pertains to the operation of this system.
- 4) Vibration generated: The NPR Drill Fluids Recycling System shall be so operated that the ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point of any boundary line of the property on which the use is located.
- 5) Emissions of smoke and particulate matter: the Drill Fluids Recycling System shall be so operated to comply with all Federal, State and County air quality laws, regulations and standards.
- 6) Emission of heat, glare, radiation and fumes: the Drill Fluids Recycling System shall be so operated that it does not emit heat, glare, radiation or fumes which substantially interfere with the existing use of adjoining property or which constitutes a public nuisance or hazard.
- 7) Volume of sound generated shall comply with the standards set forth in the Colorado Revised Statutes, COGCC Series 800.
- 8) No storage of unused heavy equipment or materials is permitted.



9. No human habitation of this site is allowed at any time, other than the residence 3 miles south of EnCana's gate.
10. Any lighting shall be pointed downward and inward to the property center and shaded to prevent direct reflection on adjacent property.
11. Water pollution: In a case in which potential hazards exist, it shall be necessary to install safeguards designed to comply with the Regulations of the Environmental Protection Agency before operation of the facilities may begin. All percolation tests or ground water resource tests as may be required by local or State Health Officers must be met before operation of the facilities may begin. Modified in line with Jim Rada's comments.
12. Prior to the issuance of the Special Use Permit, a reclamation security of \$2500 per acre shall be submitted for site disturbance, as per the Garfield County Vegetation Manager. If the use as a NPR Drill Fluids Recycling System is ended, reclamation shall be initiated within 60 days and meet the requirements set forth in the reclamation plan in place on the date the Special Use Permit issued, or the site reclamation standards in place at the time of use cessation, whichever is more stringent. The reclamation standards at the date of permit issuance are cited in Section 4.06, 4.07 and 4.08 of the Garfield County Weed Management Plan (Resolution #2002-94). Site visit was included by the County Vegetation Manager to be determined after the on-site visit.
13. All equipment to be permanently affixed on the site shall be painted with non-reflective paint in neutral shades of desert tan or beetle green to make the site less conspicuous.
14. Dust mitigation on the sites and access roads must be performed to prevent fugitive dust.
15. Prior to issuance of the Special Use Permit, written confirmation by a certified wildlife biologist to ensure that no active nest sites for threatened or endangered species or species of concern are within a distance considered by the Colorado Division of Wildlife to be adversely affected by human activity, and that no threatened, or endangered plant species or plant species of concern are within the acreage to be affected by this system.
16. Bear-proof refuse containers shall be required on the site.

Dusty asked to speak to these conditions in No. 9 to be more clear "that no human habitation of this site is allowed at any time other than the residence and sited the located the site of that residence." It was unclear until fairly late in the analysis as to whether or not this was an abandoned farm house or an occupied farm house. It is occupied and therefore the conditions have been revised to reflect this.

No. 11 – Dusty, in response to the analysis from Jim Rada's comments and the oil and gas liaison analysis contribution about COGCC proposed this addendum to Condition No. 11 and it calls for a plan to the satisfaction of Garfield County's Environmental Health Department shall be developed by the applicant to provide on-going verification that the indignity of the system is not allowing drill fluids to escape into the soil and water. Part of the plan shall be letter stating the results of all annual reports required under COGCC regulations to ensure integrity of both sub-terrain and surface flow and gathering lines used as components to be provided within 30-days of the report so we have the current assessment and information.

No. 12 – Dusty left out a portion of the requirement whereby the Garfield County Vegetation Management Department requested a site visit to do an assessment over this large province to determine what the adequate response was. The applicant has shared their willingness to work with them to come up with a reasonable response. This was balanced against requiring this for the entire acreage, part of and it was best to allow the specialist to go on site and determine what really needed to be done. "A site visit shall be performed by the Garfield County Vegetation Management Department to assess the site and determine the recommended acreage for the required security."

No. 15 – Mostly talks about the surface lines that will be laid across the area.  
 Commissioner Houpt – For clarification, this is a 4.33 acre project but isn't it a project that includes all these various pads.

Dusty – It does, the 4.33 acres made the conditions hard to write because the 4.33 acres is the acreage covered in and affected by the distinct ponds; it may not include the acreage that is affected by the surface lines that are laid out, and, that is why I tried to have a condition of approval to come up with the effective acreage.

Commissioner Houpt – Is there anything included concerning a grading permit?  
 Dusty – There are not interring anything. The surface lines are laid out on the top of the ground. They represented no interment. If the applicant changes that Dusty would then recommend a condition requiring adequate grading permits to be in place prior to site disturbance.

EnCana Presentation:  
 Jason Eckman stated they did not have anything to add, they have looked through the conditions, and feel that we can meet them.

Chairman Martin – All lines that are being laid are going to be on the surface or will there be any digging of holes to put them in. The drainage area along the roadways will collect everything for recycling pipelines.  
 Jason – They will be surface lines and if we do determine later on that, we need a larger line that needs to be buried then we will certainly let you know.

Chairman Martin – You would need a new application in reference if you change the size and decide to bury it.  
 Dusty – It might be a safeguard to add that as a condition.  
 The Board agreed.

Commissioner Houpt – That would be condition No. 17.

**Commissioner Samson moved to close the public hearing. Commissioner Houpt seconded. Motion carried.**  
**Commissioner Houpt moved to approve the request for a Special Use Permit for the support facility with the 17 conditions presented by staff to allow the installation of the EnCana Oil & Gas USA NPR Drill Fluids Recycling System, presented by staff including rewording in No. 11, 15 and added Condition No. 17. Commissioner Samson seconded. In favor: Houpt – aye Martin – aye Samson – aye**

**CONSIDER A REQUEST FOR A LIMITED IMPACT REVIEW FOR STORAGE, SUPPLIES, MACHINERY, EQUIPMENT OR PRODUCTS ON 3.12 ACRES OF A 44.61-ACRE PARCEL IN THE RURAL (R) ZONE DISTRICT. APPLICANT IS ENCANA OIL & GAS (USA) INC. – DUSTY DUNBAR**