

Public Comments

The following comments were provided by members of the public and were considered during the technical review of this application.

<u>No.</u>	<u>Comment</u>	<u>Comment Date</u>
1	<p>The following comments are submitted on behalf of Adams County Communities for Drilling Accountability Now ACCDAN, a non-profit, bi-partisan organization with a mission of promoting awareness, education and opportunity for public engagement on large-scale oil and gas development in Adams County with intentions to ensure that large-scale sites are sited as far as possible from existing and planned neighborhoods in Adams County. We represent more than 500 supporters who are residents of Adams County.</p> <p>We respectfully request that COGCC hold off on approving location and well permits for this location until the operator goes through the local Adams County permitting process such that local conditions can be incorporated into the COGCC process.</p> <p>We respectfully request that COGCC request and support a CDPHE evaluation for this site location and any other site locations regardless of official LUMA status that are located in urban areas. Due to massive large-scale oil and gas development in the northern urban area of Adams County, cumulative environmental impacts of this concentrated development are a growing concern for our residents. There are more than 400 new wells planned in a 24-mile square area with more than 10,000 residents impacted in the northern urban area of Adams County alone. We value CDPHE recommendations made on recent evaluations and feel that even the smallest of changes or recommendations can have a large positive cumulative mitigation effect, but this will only work if the CDPHE evaluates all large sites in urban areas and not just those limited by the official COGCC LUMA definition which is very narrow.</p> <p>We respectfully request that COGCC add language that specifies that the traffic access plans presented in this COGCC permit are for information purposes and that the local jurisdiction, in this case Adams County, has regulatory jurisdiction for traffic access routes from the edge of the well site location until the product leaves the county. Therefore, the traffic access route specified by the local permit is the one that must be followed by the operators.</p> <p>Thank you.</p> <p>Jennifer Gamble</p> <p>President</p> <p>Adams County Communities for Drilling Accountability Now</p>	02/16/2017
2	<p>THF Prairie Center Development L.L.C., as owner of the surface estate of Section 29, Township 1 South, Range 66 West, will cooperate with Adams County, the City of Brighton, and the Colorado Oil and Gas Conservation Commission in connection with implementing HRM Resources II LLC's plans for oil and gas development.</p> <p>Astrella Law, P.C.</p> <p>Attorneys for THF Prairie Center Development L.L.C.</p> <p>By: Lance Astrella</p>	02/24/2017
3	<p>TO: John Noto, COGCC Oil and Gas Location Assessment Supervisor</p> <p>Email: john.noto@state.co.us</p> <p>Melissa Housey, COGCC OGLA Assessment Specialist</p>	02/25/2017

Email:melissa.housey@state.co.us

FR:Matt Sura, Attorney at Law

DT:2/25/2017

RE:Comment on Form 2A # 401191903, HRM Resources II PC Pad, located in the NWSW Sec 29, Twp 1S Rng 66W

Dear COGCC,

These comments are submitted on behalf of the City of Brighton regarding HRM Resources II LLC's ("HRM") proposed PC Pad and its 20 associated wells. Due to the size and location of the HRM proposal, the City of Brighton requests that the COGCC delay any decision on this application until it has gone through the Adams County permitting process.

The parcel on which the Pad is proposed to be located has been the subject of discussions, negotiations, and agreements between the landowner and the City of Brighton for a number of years. It is important that the following be considered by the COGCC:

- The proposed location is at the southern boundary of Brighton and within Brighton's Growth Management Area.
- The proposed location is also at the southern border of a major mixed use development (primarily commercial and residential) known as Prairie Center
- The landowner, Prairie Center, and the City of Brighton have entered into an agreement regarding the future annexation of the property.
- In April of 2016, Brighton and Adams County jointly approved a detailed proposed plan for areas of Brighton and unincorporated Adams County (the Local District Plan) which includes the subject parcel. The Local District Plan focuses on joint planning and identified that the Parcel would be annexed into the City.
- In Brighton's recent update to its Comprehensive Plan, HRM's proposed location is designated as a future Brighton business center.

Simultaneous to the HRM proposal, the COGCC and the City of Brighton are also considering two additional proposals by Ward Petroleum and Petro Shares for multi-well locations less than ½ mile north of the proposed HRM location. The Ward and Petro Shares locations are within the Brighton city limits. Adams County and the City of Brighton have also recently approved the Discovery Midstream oil pipeline ("Boardwalk Pipeline Project") that will be built through this area and located within 1,000 feet of the proposed HRM location.

Given the importance of comprehensive planning and the future development of the Prairie Center property to the City of Brighton and Adams County, the City of Brighton requests that HRM, Brighton, Adams County, the land owner, and other operators in the immediate area work in a cooperative effort to agree upon a Comprehensive Drilling Plan (CDP) under COGCC Rule 216. The COGCC could play an important role in encouraging operators to work with local governments on this plan to ensure the orderly development of the minerals and the surface. No permits should be approved by the COGCC until the CDP is complete.

The comments being submitted by Brighton at this time are not extensive or complete because we simply do not have adequate information to understand the full scope and impact of the HRM proposal. Brighton requests that the COGCC require the following additional information from HRM:

- 1)An operating plan including identified access points and estimated operational timeline;
- 2)A site plan for site preparation, mobilization and demobilization;
- 3)A plan for interim reclamation and re-vegetation of the well pad and final reclamation of the well pad;
- 4)A traffic and transportation management plan;
- 5)A Visual Mitigation Plan, including but not limited to, a list of the proposed colors for the operations equipment, proposed fencing and screening; and

6)An emergency response plan.

The City of Brighton appreciates that HRM has proposed a location that appears to be at least 1,000 feet from homes and is outside of Brighton's Public Water Supply Area.

The City of Brighton's primary concerns about this location, based on the information provided in the Form 2A and other materials, are access routes to the proposed location and the large amount of tanks proposed.

1)Traffic and Transportation Management Plan

HRM's proposed access route is going to create problems for traffic flow on 136th Ave. Subject to review of the traffic study, the City of Brighton requests that oil field traffic use 144th to get to S. 27th Ave, (Buckley Rd.) and then to 134th Ave. A map of this alternative route is below.

The City of Brighton is responsible for the maintenance of Buckley Rd. and much of 144th Ave and 136th Ave. The City needs a traffic and transportation management plan in order to better understand the impacts to traffic and to Brighton's roads. The HRM traffic study should include a realistic estimate of the total numbers of vehicles (broken out by type) for each phase of development. Brighton also requests a map of the travel routes (including oil haul routes and waste disposal routes), a discussion of the present road conditions, traffic counts for those routes, and some analysis of the impact of the additional oil field traffic during peak traffic hours.

The greatest number of truck trips during the drilling and completion operations come from trucking water for hydraulic fracturing. The memorandum of understanding between HRM and Adams County states:

"In an effort to reduce truck traffic, where feasible, the Operator will identify a water source lawfully available for industrial use, including oil and gas development, close to the facility location, to be utilized by Operator and its suppliers."

In its application, HRM should commit to using water pipelines. Given the large amount of water necessary to hydraulically fracture a well, the COGCC should require the use of water pipelines as a condition of this permit.

Long term, the biggest traffic impact is the ongoing oil tanker truck traffic. A recent traffic impact analysis by another operator in the area estimated that oil production would require 6-10 oil tanker truck trips to a location every day PER WELL HEAD. At 20 well heads, there could be 120 – 200 oil tanker truck trips per day. These trips, and the corresponding impacts to Brighton roads and air quality, could be eliminated by the use of an oil pipeline.

2)Oil Pipeline

Since Discovery intends to construct a pipeline immediately adjacent to the proposed site, HRM should be required to use "best efforts" to connect to that pipeline. Encouraging the use of oil pipelines is protective of public health, safety and welfare. Use of a pipeline would eliminate the need for oil tanks, reduce the size of the facility, reduce the need for landscaping, reduce air pollution, and would eliminate thousands of tanker truck trips currently being proposed.

HRM is proposing 50 tanks on its PC location – 38 oil tanks and 12 water tanks. HRM's proposed tank battery will have a deleterious effect on the City of Brighton given the traffic and road impacts described above, the impacts to air and water quality, the visual impact of a 50-tank battery at the gateway to Brighton, and a long-term impact on future development of the area.

The use of tanks onsite, and the unloading of those tanks, is one of the largest sources of volatile organic compounds (VOCs) -- air pollution that contributes to high ozone levels on the Front Range. The Colorado Department of Public Health has estimated that the oil and gas industry is responsible for 50-60% of the VOCs that contribute to high ozone levels in the 9-county ozone non-attainment area on the Front Range. 79% of those VOCs come from tanks. (See figure 2 below)

Many of the oil spills reported in Colorado also occur when trucks are loaded. This is another public health and welfare issue that can be entirely avoided by the use of an oil pipeline.

In its Form 2A application to the COGCC, and in discussions with the City of Brighton, HRM has refused to commit to using an oil pipeline. Many operators promise to use pipelines but very few actually follow up on those promises – citing inadequate access to a pipeline or prohibitive costs to

building a new pipeline. But in this case, Discovery Midstream's Boardwalk Pipeline is immediately adjacent to the HRM location – on the same parcel of land owned by the Prairie Center. In conversations with the City of Brighton, representatives from the Prairie Center have stated that they would support the use of a pipeline rather than the proposed battery of tanks.

3) HRM should comply with Rule 609 water quality monitoring

This location is within the Greater Wattenberg Area and therefore is exempted from Rule 609 water quality monitoring regulations. Given the concentration of wells that are proposed for this area, the City of Brighton requests that the COGCC require this location to follow Rule 609, rather than the less-thorough Rule 318A.f. water quality monitoring regulations.

SUMMARY

The timing of the three proposals that are currently before the COGCC gives the state, local governments, landowners, and the industry a unique opportunity to plan for the oil and gas development in that area. The reluctance of HRM to commit to using an oil pipeline, despite having access to a pipeline nearby, has made it clear that greater coordination is needed between the state, local governments, and operators. Brighton is committed to allowing oil and gas to be developed responsibly in and around Brighton but it should not occur to the detriment of future development of the area.

Sincerely,

Matt Sura

Total: 3 comment(s)