

MRG, LP  
CE Pad  
SENE Section 11, T5N R68W  
City of Loveland  
Larimer County, Colorado

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CITY OF LOVELAND REVIEW COMMENTS

SUPPLEMENTAL INFORMATION REPORT

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## Corrections

### 2. Landscape Plan

#### COL Comment:

*Please included the landscape plan into both the Site Development Plan and Civil Construction Plan sets. In general, it is recommended that the landscape plan be reviewed by both the McWhinney Development Review Committee and the High Plains Environmental Center. Primarily, the selection of plant materials may not be conducive to the area and appropriate for temporary irrigation from a water tank supply. It may be necessary to adjust plant materials that are more native and drought tolerant. Additionally, please provide more information regarding the proposed water tank for irrigation. For example, how large is this tank (include a dimensioned elevation detail)? Is the irrigation system both spray and drip? It will be important that the tank supply the needed irrigation to keep plant materials in a healthy state as well as establish all of the native seed areas. Temporary irrigation from a truck may not be sufficient in order to establish non-irrigated native seed areas. This may have to be supplemented by the tank.*

#### MRG Response:

Landscape Plan has been included in the revised Site Development Plan and the revised Civil Construction Plan sets. MRG has incorporated seed mixes and other elements recommended by the Development Review Committee (“DRC”), a member of which is the Director of the High Plains Environmental Center, and MRG will submit the Landscaping Plan to that Committee later on in the permitting process consistent with the DRC’s review process, which reviews after the City has reviewed.

The irrigation tank is currently proposed to be a 5,000 gallon tank. The irrigation system will be a drip system as represented in the irrigation notes on the Landscape drawing.

### 3. Lighting

#### COL Comment:

*Photometric plans for both the development and production conditions will need to be incorporated into the Site Development Plan set per City of Loveland standards of the Unified Development Code Division 18.09.02. The included lighting report indicates that a lot of the lighting that would be used during development is not in compliance with the City's lighting standards, in that luminaires are not designed as full cut-off. By using these types of fixtures, will the site be fully enclosed by a wall that would prevent light from spilling out of the development area? If not, different types of luminaires and the angle in which they are oriented will need to be adjusted. Otherwise, if a perimeter wall will be constructed during development, a temporary lighting solution such as proposed could be considered, so as long as the luminaires are replaced with full cut-off fixtures for production use and when landscape improvements are installed.*

#### MRG Response:

Photometric plans have been incorporated into the revised Site Development Plan.

Construction will occur during daylight hours only. During 24-hour operations, noise walls will be installed on location that will also mitigate lights.

Lighting used onsite will comply with City of Loveland applicable rules and regulations.

### 4. Phasing Sequence

#### COL Comment:

*It would be helpful if a phasing sequence were identified within this plan set. For example, identifying what components are applicable to the drilling operations (Phase I), hydraulic fracturing (Phase II), landscaping (Phase III), and reclamation (Phase IV).*

#### MRG Response:

Phasing sequence is included in the revised Site Development Plan.

### 5. Reclamation Plan and Truck Routing Plan

#### COL Comment:

*Please note from the City's application checklist, both a reclamation plan and truck routing plan are required as part of the Site Development Plan set.*

#### MRG Response

The City's application checklist, reclamation plan, and truck routing plan have been added to the Site Development Plan.

#### 6. Underground Pipelines

##### COL Comment:

*All underground pipelines connecting to the site as well as those located off-site, that fall within the City of Loveland municipal boundaries, need to be shown and labeled on the plans. Additionally, please make sure this information is included on the landscape plans as well. This will help determine if proposed plantings are in appropriate locations.*

##### MRG Response:

This location will be connected to off-location underground pipelines. The off-location underground pipelines will be proposed and permitted by a third-party.

While the off-location pipelines will be permitted by a third-party, the off-location pipeline route is currently anticipated to parallel existing roads in the area, namely County Road 3. The pipeline route is anticipated to follow County Road 3 north from the CE Pad.

This off-location pipeline route has been included in the Site Development Plan.

#### 7. Trailers

##### COL Comment:

*Based upon participation in a tour of an operational drilling site during the summer of 2021, there were trailers for temporary housing. If applicable, these should be shown on the appropriate plan sheets.*

##### MRG Response:

Trailers are identified on the Preliminary Rig Layout sheet and included on the Drilling Phase Site Plan.

#### 8. CDPHE Air Quality Monitoring Plan

##### COL Comment:

*Please provide a copy of the pre-production air quality monitoring plan that is required by the Air Quality Control Commission (5 CCR 1001-9, Part D, VI).*

MRG Response:

At this point in the permitting process, the Regulation 7 Part D VI.C Air Quality Monitoring Plan has not been drafted. Per Rule VI.C.1.b. Owners or operators must submit an air quality monitoring plan to the Division and the local government with jurisdiction over the location of the operations and any other local government unit, at least sixty (60) days prior to beginning air quality monitoring. Once it is drafted and submitted to CDPHE, it will be sent to the applicable Local Governmental Designee for review.

#### 9. Future Residential Use

COL Comment:

*The Operator is pursuing a location that is less than 2,000 feet from a home (760 feet) but the Residential Building Unit (RBU) owner has provided informed consent. The proposal is therefore proceeding under 604.b(1) which still requires an Alternative Location Analysis.*

*Relevant Local Government Land Use Designation states that the land is “currently agricultural, planned for future residential.” It also states, “Final land use: residential.”*

*When will this residential use occur? Is it platted? How close will the homes be to this industrial use?*

MRG Response:

The proposed surrounding development has not been finalized and platted. The development will be a minimum of 500 feet away from the proposed, long-term production facility per City of Loveland Unified Code.

#### 10. Noise Mitigation and Monitoring Plan

COL Comment:

*The following are requested adjustments/information regarding the noise mitigation and monitoring plan:*

*\* Page 2 - Perimeter 32-foot sound wall but with STC-25 rating on west side of the pad? (the RBU is on the east... ) I believe that is a mistake because later (page 25) they*

*claim to place the higher rated walls on the east side.*

*\* Liberty Quiet Fleet is proposed*

*\* Rule 423.a.(5) compliance point will be at the RBU to the east*

*\* Page 12-13 - Ambient Sound level data appears too high.*

*\* They cite the cumulative noise limits for production. Noise limits during production are 55 dB(A) during the Day and 50 dB(A) at night. (They use 60 / 55 cumulative noise limits)*

*\* The Noise Mitigation Plan contains maps that show homes as close as 500 feet from the working pad surface. That should be a concern because the noise modeling demonstrates a negative impact to those closest homes.*

*\* MRG proposes 220 feet of 20-foot-high acoustic sound wall at SW corner around separators to protect the expected residential buildings in the area.*

*\* What about need for artificial lift? Compressors for gas lift are noisy as well. This should be anticipated and reflected in their plan.*

MRG Response:

The Noise Mitigation and Monitoring Plan has been updated to correct the language regarding placement of sound walls during drilling and completions activities.

If artificial lift is required at this location, compression will be electrified which is quieter to operate.

As a best management practice (BMP), MRG will evaluate the proposed location with each major change, such as major equipment updates or surrounding cultural feature changes (i.e. residential construction), to ensure that the location complies with applicable City of Loveland and COGCC noise regulations. If necessary, sound mitigation will be adapted or modified at the location to continue compliance with the applicable City of Loveland and COGCC noise regulations.

Finally, for clarification, MRG notes that while it will use “quiet fleet” technology, it does not have a contract specifically with Liberty at this time. Whatever vendor MRG contracts with will, however, have comparable quiet fleet technology.

## 11. Dust Mitigation Plan

COL Comment:

*\* Access road is onto N. CR 3.*

*\* It is requested that MRG pave first 100 feet of access road once road is paved.*

*\* It is stated that there will be no sand used in completions. This is an error?*

MRG Response:

The Dust Mitigation Plan has been updated to address sand usage in completions operations.

If County Road 3 is paved in the future, MRG will pave the first 100 feet of access road off of County Road 3. This BMP has also been added into the Dust Mitigation Plan.

## 12. Traffic Impact Study

COL Comment:

*\* Commerce City used FHU two years ago to run a “Oil and Gas Roadway Impact Study” to determine appropriate impact fees. The study used comparable numbers for development of a 23-well pad. (Below)*

**Table 4. Trip Generation Estimates for 23-Well Pad with Various Pipeline Scenarios**

Activity	Trips							
	No Pipelines	Fresh Water Pipelines	Produced Water Pipelines	Fresh & Produced Water Pipelines	Product Pipelines	Fresh Water & Product Pipelines	Produced Water & Product Pipelines	Fresh Water, Produced Water, & Product Pipelines
<b>Construction Stage</b>								
Pad and Road Construction	470	470	470	470	470	470	470	470
<b>Drilling Stage</b>								
Drilling Rig and Crew	3,448	3,448	3,448	3,448	3,448	3,448	3,448	3,448
Drilling Fluid and Materials	2,622	2,622	2,622	2,622	2,622	2,622	2,622	2,622
Drilling Equipment	1,334	1,334	1,334	1,334	1,334	1,334	1,334	1,334
<b>Completion Stage</b>								
Completion Rig and Crew	2,634	2,634	2,634	2,634	2,634	2,634	2,634	2,634
Completion Equipment	66	66	66	66	66	66	66	66
Fracturing Equipment	140	140	140	140	140	140	140	140
Fracture Water	23,552	0	23,552	0	23,552	0	23,552	0
Fracture Sand and Chemicals	5,382	5,382	5,382	5,382	5,382	5,382	5,382	5,382
Produced Water Disposal	10,350	10,350	0	0	10,350	10,350	0	0
<b>Total Development Trips (one-time)</b>	<b>49,998</b>	<b>26,446</b>	<b>39,648</b>	<b>16,096</b>	<b>49,998</b>	<b>26,446</b>	<b>39,648</b>	<b>16,096</b>
<b>Total Production Trips (annual)</b>	<b>16,790</b>	<b>16,790</b>	<b>13,180</b>	<b>13,180</b>	<b>12,006</b>	<b>12,006</b>	<b>8,396</b>	<b>8,396</b>

*\* The most important mitigation measures to reduce traffic is the use of temporary pipelines to bring water to the location and permanent pipelines to take oil away. They have already agreed to both.*

*\* If any of these roads are owned and maintained by Loveland, the City will want to get an agreement that the Operator will pay to maintain the road during the drilling and completions phase. Heavy machinery and water trucks will take a toll on even a gravel road.*

*\* The plan did not appear to indicate that the Operator planned to meet access road construction standards found in 18.10.02.03. This should be clarified.*

MRG Response:

MRG will work with the City of Loveland Public Works Department to establish a maintenance agreement.

Notes have been added to the Site Development Plan to clarify MRG's intent to meet access road construction standards found in City of Loveland Unified Code 18.10.02.03.

### 13. Operations Safety Management Plan

COL Comment:

*Please see an example of an operations safety management plan attached. MRG should include a more extensive pre-startup checklist.*

MRG Response:

An updated Operations Safety Management Plan has been included with this resubmittal.

### 14. Fluid Leak Protection Plan

COL Comment:

*Tanks eventually leak. It is important to follow all COGCC Rules (Rule 304.c.(13)) regarding integrity management of production tanks. Production tanks should be subject to the standards listed in Rule 609.b. Some operators perform yearly static head tests. It is not clear that the Operator has committed to a specific tank inspection protocol as required by COGCC Rules.*

MRG Response:

A revised Fluid Leak Protection Plan is included with updated language regarding tank inspection protocols.

### 15. Cumulative Impacts Plan

COL Comment:

*The Form 2Bs estimated emissions do not appear to be accurate and may be grossly underestimating the VOCs and NOx associated with pre-production. On page 4, the estimated NOx from "non-road internal combustion engines" is 5.8 tons. The State Implementation Plan for Ozone estimates 6 tons for drilling and hydraulic fracturing engines. We understand that the drilling is being done electrically but the hydraulic fracturing would still be a minimum of 3 tons per well or 45 tons collectively.*

*MRG is proposing “continuous air monitoring for VOC and methane during the drilling, completion, and first 3 years of production operations, in accordance with CDPHE Regulation 7 and recommendations from the City of Loveland.” As stated in the “Missing Plans” section above, this information should be provided by the Operator.*

*The City requests that MRG employ seasonal timing restrictions on hydraulic fracturing to prevent NOx emissions during June - August peak ozone season. Cumulative impacts are addressed in the “CDPHE BMP” Section below.*

MRG Response:

MRG, during consultation with CDPHE, was advised of a pre-production non-road engines calculation example. MRG utilized this example to recalculate emissions data and submitted the revised data to CDPHE and COGCC on January 6, 2023.

MRG has incorporated into the Cumulative Impacts Plan the agreed-upon BMP that all regular maintenance activities will be deferred on high ozone days.

## 16. Water Plan

COL Comment:

*The water will be transported by ditch then piped using an above ground system. MRG is going to be using 116.5 million gallons. (7.5 million gallons / per well for hydraulic fracturing.) MRG is not planning to use any recycled water. None of this is out of the ordinary but the total water use is a staggering number that the public will want to discuss.*

MRG Response:

Water Plan has been updated to include the following language:

All water used for the proposed project will be non-potable water. Domestic, recreational, or agricultural water will not be used. No water will be withdrawn from local drinking water sources, nor will municipal water be used.

## 17. Interim Reclamation Plan

COL Comment:

*The drilling location will be 13.4 acres but then it will be reclaimed down to 7.49 acres. MRG will utilize a seed mix dictated by the landowner and the Design Review Committee for the proposed Centerra East Development.*

MRG Response:

This is an accurate statement and MRG will continue to work with the DRC and COL on



this project.

## 18. Emergency Response Plan

### COL Comment:

*The Emergency Response Plan is insufficient and needs to be revised. It does not comply with industry standards, or the Loveland Unified Development Code, and is inadequate to ensure the protection of public health and safety.*

*Next to the prompt “Response Equipment Staged on Location” MRG responded: “None.” Page 6. This does not demonstrate that the Operator has, “personnel, supplies and funding to implement the emergency response plan immediately at all times during construction and operations.”*

*Oil and gas fires are typically not fought with water but with foam. It is important that MRG notifies the City, and the County, about where the fire department will be able to access foam units in the event of an oil and gas fire. This is standard throughout the Front Range. In several places in Adams County, the regional fire department has successfully requested that an operator pay for necessary foam units, trucks, and staff training before they would sign a “will-serve letter.” Larimer County requires a “Resource Mobilization / Cache Plan” with every application “to ensure emergency responders have available the equipment necessary to respond to any emergency identified in the emergency response plan, which shall provide that the equipment be stationed in locations as to be readily available for any emergency for any O&GF covered by the plan.” Weld County hosts quarterly “Local Emergency Planning Committee” (LEPC) meetings with operators and emergency responders to ensure equipment, training, and mutual aid and support plans are in place in the event of an oil and gas fire.*

*The Weld County LEPC meetings have also created a number of useful templates for operators and local emergency responders. As a result, operators throughout the Front Range routinely provide “Tactical Response Plan Cards” for each well pad location. These cards are meant to be readily available and to be carried in fire trucks. The Weld County LEPC website has templates but there are numerous examples available on the COGCC website: Kerr McGee - Weld County site (Page 17-18); Verdad - Weld County site (Page 18-19); and Crestone - City of Aurora site (page 144-145).*

*The emergency response plans linked above should be used to guide MRG in creating a plan that will “assure that oil and gas operations shall not cause an unreasonable risk of emergency situations such as explosions, fires, gas, oil or water pipeline leaks, ruptures, hydrogen sulfide or other toxic gas or fluid emissions, hazardous material vehicle accidents or spills.”*

*The following areas should be revised:*

- 1) Emergency Contacts - does not include medical facilities, spill response companies, Loss of Well Control contractors.*
- 2) Prepare a "Resource Mobilization / Cache Plan" to identify location of necessary equipment for fighting oil and gas fire*
- 3) List of chemicals (including amounts) stored on site.*
- 4) Map showing muster locations*
- 5) Spill response and clean-up protocols and reporting.*
- 6) Training and exercises of emergency responders.*
- 7) Update procedures (required to update annually)*
- 8) Tactical Response Plan Cards*

*The Emergency Response Plan states that MRG intends to transport produced water from the location by "gathering infrastructure." That is likely in error as the transportation plan states that produced water will be trucked from the site.*

MRG Response:

MRG has met with Loveland Fire Protection Authority and established a more robust Emergency Response Plan. This plan is included in the resubmittal.

#### 19. CDPHE - Air Quality

COL Comment:

*1) Operator will implement ambient air quality monitoring on site - YES - "10 days prior to construction and operate 3 years post last wells drilled"*

*Discussion: This is an appropriate BMP. The AQCC only requires air quality monitoring 6 months after the start of production.*

*2) Operator will appropriately time activities associated with high emissions to reduce the potential for exposure (e.g. if development is occurring near a high occupancy building unit, such as a school, then hydraulic fracturing, flowback or hydrocarbon liquids loadout will only occur when school is not in session) - YES - "Near RBU and will commit to appropriate timed activities"*

*Discussion: Peak ozone season is three months - June through August. It is now well established that drilling and completions engines are one of the largest unregulated sources of Nitrogen Oxides - a key component of ozone creation. Drilling and hydraulic fracturing of one well is estimated by the state to create 6 tons of NOx. For reference, 6 tons is the equivalent NOx emissions of 8.6 million miles of highway vehicle driving. The Operator has already agreed to electrify drilling rigs. Could they also commit to timing*

*completions, such that they occur outside of peak ozone season?*

*3) Electrification: Operator will use electric drilling rigs - YES - "If technically feasible and available"*

*Discussion: I read "If technically feasible and available" as a definite NO. However, they did commit to electric drilling rigs in the Form 2A. It should be a condition of approval on the City (and COGCC) permit.*

*4) Electrification: Operator will use electric pumps for hydraulic fracturing - YES - "If technically feasible and available"*

*Discussion: In my discussion with CDPHE Liaison Rick Coffin, he agreed that this is not likely. There are "e-fracking" technologies but I understand that the electricity load required would not allow completions to be all-electric. "Dual fuel" (natural gas and diesel) systems may be easier to obtain and would still cut emissions. The other way to address the issues is to simply plan to do the completions outside of the three months of peak ozone season.*

*5) Electrification: Operator will use electric equipment and devices (e.g. vapor recovery units or VRUs, fans, etc.) to minimize combustion sources on site (if yes, Operator will provide a list outlining which equipment and devices will be electrified) - YES - "If technically feasible and available"*

*Discussion: This is an absolute must. There is no reason they cannot electrify the site for production equipment.*

*6) Engines: Operator will use Tier IV or better engines for hydraulic fracturing - YES - "If technically feasible and available"*

*Discussion: This is a minimum. Loveland should attempt to get them to (1) avoid peak ozone season, (2) use dual fuel fracking, or (3) require Tier IV hydraulic fracturing engines.*

*7) Odor mitigation: Operator will use group III drilling mud - NO - Operator will use group II.*

*Discussion: Group II muds are oil-based but are designed to have less odor. Group III muds may be water-based, cause less odors, but do not work well in our bentonite soils. It can also be harder to obtain. This would be a more important issue if there were more homes in the area and the one homeowner had not signed informed consent.*

**MRG Response:**

- 1) MRG has committed to the BMP more stringent than state and local law to monitor air quality at this location for 3 years after the last well has been drilled.
- 2) As noted by City of Loveland, MRG has also voluntarily agreed to CDPHE's recommendation to appropriately time activities associated with high emissions

to reduce potential emissions. MRG will not schedule routine maintenance activities on high ozone days. MRG cannot agree that completions will not happen outside of peak ozone season. This recommendation, which is not required by CDPHE, COGCC, CoL, or Larimer County, is impractical because it could delay drilling and/or completions operations. MRG notes that there are very few receptors in proximity to the location that might potentially be affected by drilling and/or completions emissions during peak ozone season, as, for example, there is only one RBU within 2,000' of the CE Pad. Additionally, emissions from drilling will be lower than from traditional oil and gas drilling because MRG will be using an electrified rig.

- 3) Though not required by COL or COGCC Regulation, MRG has committed to CDPHE's and City of Loveland's recommendation to use electric drilling rigs. MRG has confirmed with City of Loveland that the electric load required for the drilling rig will be available to the location. This BMP was confirmed with CDPHE on December 22, 2022.
- 4) With respect to electric pumps for hydraulic fracturing, MRG notes that CDPHE no longer is recommending electric fracking, understanding that it is unavailable for the CE Pad. MRG has confirmed with City of Loveland that the electric load required for electric completions is not available.
- 5) MRG has committed to CDPHE's and City of Loveland's recommendation to use electric equipment and devices. MRG has confirmed with City of Loveland that the electric load required for the production equipment will be available to the location. This BMP was confirmed with CDPHE on December 22, 2022.
- 6) MRG has also committed to CDPHE's and City of Loveland's recommendation to use Tier IV engines for completion operations, as confirmed on December 22, 2022.
- 7) MRG will utilize Group II drilling mud. An Odor Mitigation Plan was submitted with the COGCC Form 2A package.

## 20. CDPHE – Water Quality

### COL Comment:

*1) Stormwater inspections: Operator will conduct stormwater inspections immediately after storm event - NO*

*Discussion: This appears to be a small requirement. They will have at least one person visiting the site every day. A "storm event" could mean at least 1/2 inch of rain. In that case, they should want to ensure that the site is secure and stormwater mitigation measures are in place and working properly.*

2) Operator will recycle or beneficially reuse flowback and produced water for use downhole - NO

*Discussion: Very few operators on the Front Range are reusing produced water. Most of it is getting sent to class II injection wells and disposed of downhole.*

MRG Response:

- 1) MRG will conduct regular stormwater inspections every 7 days. In addition to the regular stormwater inspections, MRG will conduct stormwater inspections with 24 hours after the end of a storm event.
- 2) MRG does not have the infrastructure to recycle flowback and produced water but will keep this consideration in mind for future operations.

21. Description of intended uses. - The plan is currently for fifteen wells. Is there a possibility that the operator will require more wells at this location - depending on the production of the first fifteen?

MRG Response:

MRG does not currently anticipate additional wells and believes its current proposal is the most efficient, optimized development of the target mineral development area.

22. Road impact study - The City will need to evaluate the condition of the roads prior to commencement of operations.

MRG Response: MRG concurs.

23. Fencing - Applicant is proposing chain link fence.

COL Comment:

*Fencing. Permanent perimeter fencing shall be installed around production equipment unless such fencing is not required by the Visual Mitigation Plan for a Well Site, and shall be secured. The main purpose of the fencing is to deter entrance by unauthorized people and a Well Site shall be properly secured prior to the commencement of drilling at the Well Site. For security purposes, all such facilities and equipment used in the operation of a completed well shall be surrounded by a fence up to eight (8) feet in height. All facilities shall be fenced with steel fencing or Ameristar Impasse or*

*Stronghold fencing or approved equivalent as determined by the Community Development Director. The fencing color shall be bronze or black. All fences walls shall be equipped with at least one (1) gate.*

MRG Response:

In accordance with City of Loveland Unified Code 18.10.02.02.C, MRG is proposing to utilize chain link fencing that will be set within the perimeter landscape berms to visually mitigate the location.

#### 24. Mitigation measures – Noise

COL Comments:

*Because of the operator's use of quiet drilling and completion technologies, and the rural nature of the area, the City has little concern about noise from this facility during those phases. However, during the 25-30 years of production, this location may very well be surrounded by homes. From the noise study provided, it appears that the production equipment does create noise. For that reason, the City suggests:*

- a. Specifying clearly that the location must meet residential noise standards of 55 dB(A) during the day and 50dB(A) at night.*
- b. Clarify where the measurements will be taken from.*
- c. Provide a baseline noise measurement prior to construction.*
- d. If the production facility will be making noise, the City may want to consider requiring berms or additional walls between the source of the noise and any residential area. This would also need to be discussed with McWhinney.*

MRG Response:

- a) MRG drilling and completion operations will comply with COGCC Rule 423.b.(2).A., which clarifies that in Residential/Rural or Commercial/Agricultural areas, maximum permissible noise levels will be 60 db(A) in the hours between 7:00 p.m. to 7:00 a.m. and 65 db(A) in the hours between 7:00 a.m. to 7:00 p.m. during drilling or completion operations, including Flowback. As noted below, if or when the area implicates a different COGCC or City of Loveland designation, MRG's operations will comply with the then-applicable designation. Drilling and completion operations will occur prior to residential development coming to the area, and production operations, which will be quieter due to their electrification, will meet the appropriate designations as applicable.
- b) Measurements will occur 350 feet from the Working Pad Surface and no less than 25 feet from the exterior of the Residential Building Unit that is within 2,000 feet and closest to the proposed CE Pad.

- c) A baseline noise study has occurred and is included in the Noise Mitigation and Monitoring Plan.
- d) As a best management practice, MRG will evaluate the proposed location with each major change, such as major equipment updates or surrounding cultural feature changes (i.e. residential construction), to ensure that the location complies with applicable City of Loveland and COGCC noise regulations. If necessary, sound mitigation will be adapted or modified at the location to continue compliance with the applicable City of Loveland and COGCC noise regulations.

### **Corrections-Trans:**

COL Comment:

#### **CORRECTIONS**

- 1. The TIS memo is accepted as submitted. No further traffic analysis is required. Please see the DRAFT transportation conditions that have been provided with this review. The City is mainly concerned about impacts, maintenance and dust control on CR3 through the end of the flowback operations. Additional standards and specifications will be provided prior to or with the next round of review after more research is completed.*
- 2. Please see the redlines for minor technical corrections on the Civil Construction Plan.*
- 3. Please note that a final truck routing plan and construction traffic control plan will need to be reviewed and approved with the Right\_of\_Way Work Permit application process. Based on the findings of the TIS, left turn restrictions at US34 and at Crossroads Blvd will likely be required as a condition of approval of the traffic control plan.*

MRG Response:

Civil Construction Plan has been updated.

MRG has noted the requirement regarding the future submittal of a truck routing plan and construction traffic control plan along with the Right of Way Work Permit.

### **Corrections-Fire:**

COL Comment:

## **CORRECTIONS**

*1. LFRA would like to have a meeting with MRG ownership/ representatives to discuss and plan for our training and response capabilities to this site. The discussion would also include how LFRA would be updated intermittently (once well is punched and has yielded results) of constituents of the gasses in the area (methane, propane, hydrogen sulfite gas) pressures and volume and flows, so that LFRA will know what to expect in terms of plume projection/pressure wave when responding.*

*Please coordinate with Ingrid McMillan-Ernst (Ingrid.mcmillan-ernst@lfra.org) to schedule the meeting*

*2. Please identify what water source will be available for response to structure fires (the trailers) during the time they are on site.*

*3. Identify and show on drawing proposed / upcoming zoning on surrounding sites per the McWhinney development masterplan. The drawing showing the concentric setback dimensions from well site is schematic, and more of a key-plan. It is not dimensionally clear where boundaries of existing and proposed development lies in regard to the site containment area, and should be marked on the drawing for clarity.*

### **5. Emergency Response Plan:**

*A. Please correct contact information for Robert Carmosino, LFRA Emergency Manager:*

*4872 Endeavor Drive, Johnstown, CO 80534 970-962-2534*

*B. Please remove the 5 sheets of email communication threads that were attached to this plan (between Jessica Donahue and Ingrid McMillan-Ernst).*

*C. Please add the following number for Non-Emergency Dispatch: 970-667-2151 as a resource.*

*6. (The COGCC Fuel Leak Detection plan indicates that there will be no generators, however, plans throughout the submittal show generators and fuel tanks (sheet C0200, etc).*

*7. Cumulative Impacts plan indicates that an above-ground freshwater line may be installed to eliminate truck traffic. Please show location and extent of that potential line.*

## **MRG Response:**

- 1) A meeting was held with LFRA and MRG on February 8, 2023. Ingrid McMillan-Ernst and Fire Chief Tim Sendelbach attended on behalf of LFRA.*
- 2) During the February 8, 2023, meeting, potential water sources were discussed and are identified in the revised Emergency Response Plan.*



- 3) The proposed surrounding development has not been finalized and platted as of yet; once this information is available, the Emergency Response Plan will be updated accordingly.
- 5) The Emergency Response Plan has been revised pursuant to the City's direction.
- 6) The Leak Detection Plan has been updated regarding generators.
- 7) The proposed surface line route has not been finalized. It is currently anticipated to follow existing roads. The route is currently anticipated to head north from the CE location.

*COL Comment:*

*ITEMS REQUIRED WITH A RESUBMITTAL*

1. *Per correction notes above*
2. *A separate meeting with LFRA Prior to the resubmittal*

*MRG Response:*

- 1) Included with this resubmittal are all items addressing the above comments.
- 2) A meeting occurred with LFRA on February 8, 2023.

*COL Comment:*

*ITEMS REQUIRED WITH FINAL DRAWINGS*

1. *None*

*COL Comment:*

*INFORMATION FOR FUTURE REFERENCE*

1. *An Operations permit from LFRA will be required for the first phase: drilling/ fracking*
2. *An Operations permit from LFRA will be required for after the drilling phase. A hazardous materials permit is required and must be renewed annually. All pertinent items will be identified in permit forms. David Rhoades ([David.Rhoades@LFRA.org](mailto:David.Rhoades@LFRA.org)) is the contact. 970-962-2612*
3. *An Additional CEF fee may be required from LFRA based on the extent of surface area disturbed. Please contact LFRA to determine what this may be for your future permit fees.*
4. *LFRA will be part of the building permit review team for the temporary trailers and*

*other structures.*

MRG Response:

- 1) MRG will continue to work with LFRA to ensure compliance.
- 2) MRG will obtain all required permits.
- 3) MRG will work with LFRA to address any potential fees.
- 4) MRG will continue to work with LFRA to ensure compliance.

COL Comment:

**Corrections-W/WW:**

**STATUS**

*\* Complete -- Provide all corrections on the final drawings or any resubmittal*

**CORRECTIONS**

1. See PDF redlines on the CCP/SDP

**ITEMS REQUIRED WITH A RESUBMITTAL**

1. None

**ITEMS REQUIRED WITH FINAL DRAWINGS**

1. None

**INFORMATION FOR FUTURE REFERENCE**

1. None

MRG Response:

Corrections have been made to the revised drawings included with this resubmittal.

COL Comment:

**Corrections-Storm:**

**STATUS**

*\* Resubmittal Needed*

**CORRECTIONS**

**DRAINAGE REPORT**

1. The SWMM/CUHP method is not acceptable to use in this situation, per our criteria. Please make comparisons to the existing and proposed production phase hydrology

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*and explain how the increase in flows will not negatively impact the downstream properties.*

MRG Response:

Explanation has been added to drainage report regarding the use of CUHP and SWMM.

*2. Per our criteria, the detention pond volume needs to be sized to detain rainfall from a two-hour 100-year storm event. Therefore, please increase the rainfall duration in the "Detention Volume by the Modified FAA Method" to 120 minutes.*

MRG Comment:

FAA method calculation updated as requested. Detention is sized to detain 1.5 times the two-hour 100-year storm event.

*3. Please provide a stage-storage calculation sheet to show the various water elevations that are designed within the detention pond in the drilling and production phases.*

MRG Comment:

Stage-storage tables provided for both drilling and production phase.

*4. In the CE Drainage Maps, please lightly shade the extents of the 100-year water surface elevation in the detention pond and label the 100-year water surface elevation.*

MRG Comment:

Revisions made as requested.

*5. Please insert an 11" x 17" schematic drawing into the Final Drainage & Erosion Control Report and SWMP documents titled "Permanent Stormwater Quality BMPs" that clearly identifies where each of the proposed Permanent Stormwater Quality BMPs are located within the development site, i.e., Grass Swales (GS), Grass Buffers (GB), Extended Detention Basins (EDB), etc. Please lightly shade or hatch the extent of each BMP. The purpose of the Permanent Water Quality BMP schematic is to provide guidance for the property owner to easily identify the BMPs that need to be maintained in the future. An example of a Permanent Stormwater Quality BMPs exhibit is included in the redlined package.*

MRG Comment:

Exhibit added to appendices.

## CONSTRUCTION PLANS

*6. A site work permit will be required for this project prior to grading or installation of utilities. Please provide the following contact information for your general contractor or key contact person so that a customized site work permit application can be provided:*

*Contractor Company:* \_\_\_\_\_

*General Contractor Name:* \_\_\_\_\_

*Or Key Contact Person* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*Email Address:* \_\_\_\_\_

MRG Comment:

Key contact person provided on cover sheet directory.

*7. Regarding the Stilling Basin and Level Spreader Details, the layout looks like it is for the stilling basin and level spreader that is designed for the drilling phase. Please provide details for the production phase stilling basin and level spreader.*

MRG Comment:

A stilling basin and level spreader detail for the production phase has been provided.

*8. Please refer to the redlined construction plans for additional comments.*

MRG Comment:

Comment responses to redlines are provided.

#### ***EROSION CONTROL***

*9. On the Sediment and Erosion Control Plans, please show the locations of the silt fence using the line type that is shown in the COL Silt Fence Detail.*

MRG Comment:

Silt fence line type has been updated.

*10. Please refer to the redlined construction plans for additional comments.*

MRG Comment:

Comment responses to redlines are provided in the attached drainage report/comment response.

*ITEMS REQUIRED WITH A RESUBMITTAL*

*1. DRAINAGE REPORT*

*2. CONSTRUCTION PLANS*

*ITEMS REQUIRED WITH FINAL DRAWINGS*

*1. One unbound, hard copy signed & stamped original of the final drainage report for our document retention file that contains the same issue date and stamp date as the pdf copy that is submitted to us.*

*2. One pdf copy signed & stamped final drainage report submitted electronically for our website, containing the same issue date and stamp date as the hard copy that is submitted to us.*

*INFORMATION FOR FUTURE REFERENCE*

*1. A Site Work Permit must be applied for and issued ahead of any construction beginning.*

**Corrections-Power:**

*Status:*

*Resubmittal Needed*

*Corrections:*

*1. Please refer to the redlines for comments and corrections.*

MRG Comment:

Please see attached documents where construction comment responses are noted.

*Items required with a resubmittal:*

*1. Updated site improvement/utility plans.*

MRG Comment:

Included.

*Additional information:*

*1. A copy of the most updated version of the Requirements for Electric Service (RFES) can be found on this link: <https://www.lovelandwaterandpower.org/city-government/departments/water-and-power/i-am-a-developer-builder/requirements-for-electric-service>*

*2. Prior to applying for a permit from the Building Division, the customer must complete and submit all documents required on the RFES Section 4.1.D.*

*3. All required items from RFES Section 4.1.D must be submitted to the Loveland Power Division prior to issuing a temporary construction meter and prior to receiving approval for the site work permit.*

*4. Due to unprecedented market conditions and global supply chain disruptions, necessary electric utility material costs and availability are unpredictable and may fluctuate significantly between the time of estimate and project construction. Currently, lead times for some items (specifically transformers) are exceeding 112 weeks.*

*At this time, the City of Loveland Water & Power Department cannot guarantee the availability of the required transformers for your construction project at the time your project will be ready for transformer installation. While transformers have been proactively ordered, shipping estimates from transformer manufacturers exceed two years. The City will allocate transformers on a "first come-first serve" basis if available and at its sole discretion.*

*These conditions are anticipated to continue for the foreseeable future. The City is doing everything in its power to have materials available and will continue to pursue alternate methods of obtaining materials. The City appreciates their customers' understanding and cooperation as we work together through these difficult times.*

*Per Municipal Code, the applicant will be billed on actual costs in effect at the time of construction.*

*5. The distribution design deposit will be for the amount of \$1,680.00. Please refer to the "2022 Rates, Charges and Fees" for more information regarding the Distribution Designer Deposits. A copy of the "2022 Rates, Charges and Fees" can be found at this link: <https://www.lovelandwaterandpower.org/city-government/departments/water-and-power/rates-charges-and-fees>*

MRG Comment:

MRG will continue to work with the Building Division, Power Division, and City of Loveland Water & Power Department to submit required permits and procure necessary agreements and place orders of equipment.

## Conditions

### **Conditions-Planning:**

Conditions (Draft)

1) Missing Plans

COL Comment:

- a. Pre-production air quality monitoring plan (required by APCD - see below)*

MRG Response:

At this point in the permitting process, the air quality monitoring plan has not been drafted. Once it is drafted and submitted to CDPHE, it will be sent to the Local Governmental Designee for review. The plan must be submitted at a minimum of 70 days before the wells are proposed to commence drilling.

2) Emergency Response Plan

COL Comment:

*Emergency Response Plan should be revised to include:*

- a. Emergency Contacts - does not include medical facilities, spill response companies, Loss of Well Control contractors.*
- b. A "Resource Mobilization / Cache Plan" to identify location of necessary equipment for fighting oil and gas fire*
- c. List of chemicals (including amounts) stored on site.*
- d. Map showing muster locations*
- e. Spill response and clean-up protocols and reporting.*
- f. Training and exercises of emergency responders.*
- g. Update procedures (required to update annually)*
- h. Tactical Response Plan Cards*

MRG Comment:

MRG is actively engaged with LFRA to revise the Emergency Response Plan to incorporate all required information.

### 3) Air Quality

COL Comments:

- a. Commits to electric drill rigs and*
- b. Timing restrictions (June - August) on hydraulic fracturing.*
- c. Cumulative Effects Evaluation should correct estimated NOx emissions*

MRG Response:

- a) MRG has committed to utilize electric drill rigs.
- b) MRG cannot commit to timing restrictions on its completions activities. MRG has committed to deferring regular, routine maintenance activities on high ozone days.
- c) Revised NOx emissions have been submitted to CDPHE and COGCC, using methodology provided by CDPHE.

4) Venting and Flaring are prohibited.

COL Comments:

- a. City should be notified 48 hours in advance of any maintenance activities that requires venting.*
- b. City should get notice within 24 hours of when accidental venting occurs.*

MRG Comment:

Should any maintenance activities occur that require venting, MRG will file a Form 42 with COGCC in accordance with Rule 405. These Form 42s will automatically notify the Local Governmental Designee.

Per COGCC Rule 903.a.(1) Prior Notice. As soon as practicable prior to, but no later than two hours before, any planned Flaring of natural gas allowed pursuant to this Rule 903, Operators will provide verbal, written, or electronic notice to the Relevant and Proximate Local Governments and to the local emergency response authorities.

Per 903.a.(2) Subsequent Notice. In the event of Flaring due to an Upset Condition, Operators will provide verbal, or electronic notice as soon as possible, but no later than 12 hours, to the Relevant and Proximate Local Governments and to the local emergency response authorities.

### 5) Air Quality Monitoring Plan



COL Comment:

*Air Quality Monitoring Plan will be filed with the City that describes how the Operator will conduct baseline monitoring prior to construction of the O&GF. The monitoring plan shall also describe how the Operator will conduct high frequency monitoring and collect periodic canister samples (or equivalent method capable of speciating air samples) during the drilling, completion, and production phases of development. Air pollutants monitored shall include methane and total VOCs (including BTEX). The monitoring plan shall continue for three years after production begins.*

MRG Response:

At this point in the permitting process, the Regulation 7 Part D VI.C Air Quality Monitoring Plan (Plan) has not been drafted. Once it is drafted and submitted to CDPHE, it will be sent to the applicable Local Governmental Designee for review and comment.

The Plan both directly and indirectly covers all three objectives listed in the regulation. The monitoring technology used for the Plan is not designed to directly monitor methane; however, methane is part of many of the gas streams that are being monitored and as such is often indirectly monitored by proxy through Volatile Organic Compounds. The Plan's detection for VOCs will in many cases have a corresponding impact related to methane. The Plan implements technology which will directly monitor VOC concentrations, which will be covered in more detail in the Plan when it is drafted.

MRG is not planning to conduct speciated sampling of chemical constituents during drilling, completion, and production phases per Rule VI.C.1.b.(x)(H).

6) Complaint Response.

COL Comment:

*a. The operator will have someone who can respond 24 hours/day seven days/week to concerns or nuisance complaints (noise, dust, odors, light).  
b. Within 24 hours of being notified of a complaint, Operator will provide the City and complainant with a complete description of all activities occurring at the oil and gas facility at the time of the complaint. If the Operator or City determines odor / noise / dust / light is caused by Operator's operations, Operator shall resolve the concern to the maximum extent practicable within 24 hours. Within 72 hours of the complaint, Operator shall report its conclusions and the resolution of the complaint to the City and the complainant.*

MRG Response:

a) MRG will have a representative available to respond 24 hours/day seven

days/week to concerns and nuisance complaints.

- b) MRG will provide the City of Loveland, and, if contact information is provided, the complainant, with an operational summary of activities occurring at the time of the complaint. If the concern is related to MRG's operations, MRG will work to resolve the concern to the maximum extent possible within 24 hours. MRG will follow up with the City, and, if contact information is provided, the complainant to report conclusions and the resolution as soon as possible.

## 7) Noise

COL Comment:

- a. The noise study cites the cumulative noise limits for production. Noise limits during production are 55 dB(A) during the Day and 50 dB(A) at night. These limits will be enforced.*
- b. Liberty Quiet Fleet should be required*
- c. Perimeter 32-foot sound wall but clarify that wall with STC-25 rating should be on the east side of the pad*
- d. Plan for gas compression lift and pad location for additional acoustic sound walls*

MRG Response:

- a) MRG will comply with COGCC noise limits.
- b) MRG cannot commit to Liberty Quiet Fleet (a contract has not been inked with this vendor). MRG will utilize technology equivalent to Liberty Quiet Fleet.
- c) The sound wall with the STC-25 will be on the east side of the pad during drilling and completion operations. This has been updated in the Noise Mitigation Plan.
- d) The location will undergo evaluation for each major addition/change of equipment to determine if adjusted or additional sound mitigation is required to remain in compliance with COGCC noise thresholds.

## 8) Transportation Plan

COL Comment:

- a. The City will want to secure commitment that operator will pay to maintain the road during the drilling and completions phase.*
- b. Operator to commit to meet access road construction standards found in 18.10.02.03.*
- c. Request they pave first 100 feet of access road once county road is paved.*

MRG Response:

- a) MRG will work with Loveland Public Works to determine a road maintenance agreement and will comply with the maintenance agreement.
- b) MRG will meet access road construction standards found in 18.10.02.03.
- c) If/when County Road 3 is paved, MRG will pave the first 100 feet of access road to the CE Pad.

9) Operations Safety Management Plan –

COL Comment:

*MRG should include a more extensive pre-startup checklist.*

MRG Response:

MRG has revised its Operations Safety Management Plan.

10) Prohibited Facilities.

COL Comment:

*The City requests that the operator does not have waste injection wells onsite, glycol dehydrators, desiccant gas processing dehydrators, or pits of any kind. (They have not proposed these facilities so likely easy.)*

MRG Response:

MRG is not proposing any waste injection wells, glycol dehydrators, desiccant gas processing dehydrators, or pits at this location.

11) Artificial Lift.

COL Comment:

*The Operator will commit to using artificial lift other than a traditional pump jack. (Gas compression and linear rod pumps are less noisy and smaller.) They will also commit to necessary noise mitigation at the time of installation likely to require acoustic sound walls.*

MRG Response:

MRG will not use a traditional pump jack at this location. The location will undergo evaluation for each major addition/change of equipment to determine if adjusted or additional sound mitigation is required to remain in compliance with COGCC noise thresholds.

## 12) Surface Safety Valve and Automatic Safety Protective Systems.

COL Comment:

- a. Operator shall use telemetric control and monitoring systems, including surveillance monitors, to detect when pilot lights on control devices are extinguished.*
- b. Operator will install an automated safety system, governed by safety devices and a programmable logic computer, at each Oil and Gas Location.*
- c. Before the commencement of the Production Phase, each system shall include a Surface Safety Valve ("SSV") or wellhead master control valve installed for each new well connected to the production tubing at the surface. The SSV or wellhead master control valve shall monitor multiple flowing pressures and rates which have predetermined maximum and/or minimum threshold values programmed. The SSV will remotely shut the well in should certain upset conditions be detected. Additionally, the automated safety system shall provide the ability to remotely shut-in wells on demand through operator remote intervention.*
- d. The SSV will have documented, quarterly testing to ensure functionality per manufacturer's specifications*

MRG Response:

- a) MRG will utilize telemetry system to remotely monitor the location.
- b) MRG will install an automated safety system.
- c) MRG will utilize a Surface Safety Valve or wellhead master control valve.
- d) The SSV will be tested in accordance with manufacturer's specifications.

## 13) Water Quality Protection

COL Comment:

- a. Operator should commit to a specific tank inspection protocol as required by COGCC Rules.*
- b. Operator will conduct stormwater inspections immediately after storm event*

MRG Response:

MRG has revised its Leak Detection Plan to incorporate specific tank inspection protocols as required by COGCC.

MRG will conduct a stormwater inspection within 24 hours after the end of a storm event.

#### 14) Water Testing.

COL Comment:

*Operator shall offer non-confidential baseline and subsequent water source tests free of charge to all well-owners of public record within 1/2 mile (2,640 Feet) from O&GF.*

*a. Operators will test for analytes listed in Table 1 in addition to the analytes tested pursuant to COGCC rules.*

*b. Operator must attempt to collect initial baseline samples and subsequent monitoring samples from all available potable water sources within a one-half (1/2) mile radius of the Oil and Gas Locations. Potable water sources include registered water wells and permitted or adjudicated springs.*

#### TABLE 1

##### GENERAL WATER QUALITY

*Alkalinity, Conductivity & TDS, pH, Dissolved Organic Carbon (or Total Organic Carbon), Bacteria, Perfluorinated Compounds (PFCs), and Hydrogen Sulfide*

##### MAJOR IONS

*Bromide, Chloride, Fluoride, Magnesium, Potassium, Sodium, Sulfate, and Nitrate + Nitrite as N*

##### METALS

*Arsenic, Barium, Boron, Chromium, Copper, Iron, Lead, Manganese, Selenium, Strontium, Mercury, Uranium, and Radium*

##### DISSOLVED GASES and VOLATILE ORGANIC COMPOUNDS

*Methane, Ethane, Propane, BTEX as Benzene, Toluene, Ethylbenzene and Xylenes, Total Petroleum, and Hydrocarbons (TPH)*

*OTHER Water Level, Stable isotopes of water (Oxygen, Hydrogen, Carbon), Phosphorus*

MRG Response:

MRG will conduct baseline water sampling in accordance with COGCC Rule 615.

#### 15) Will-Serve Letter.

COL Comment:

*The operator will receive a will-serve letter from the Loveland Fire Rescue Authority stating that the operator has agreed to provide adequate emergency response equipment, any necessary training, or fee-in-lieu satisfactory to the district, to adequately respond to potential events that may result from operations.*

MRG Response:

MRG will work with LFRA regarding Emergency Response coordination and response capability. LFRA indicated that it will serve the location during LFRA and MRG's February 8, 2023, meeting, and MRG will work with LFRA to provide appropriate documentation demonstrating LFRA's agreement to serve the CE Pad.

#### 16) Resource Mobilization/Cache Plan.

COL Comment:

*The Operator will organize, produce, and maintain a Resource Mobilization / Cache Plan to ensure emergency responders in the region have available the equipment necessary to respond to any emergency identified in the emergency response plan, which shall provide that the equipment be stationed in locations as to be readily available for an emergency at any oil and gas facility covered by the plan.*

MRG Response:

MRG will work with LFRA regarding Emergency Response coordination and response capability.

#### 17) Incident and Accident Reporting.

COL Comment:

*a. Within 24 hours of any reportable safety event, as defined in the COGCC rules, as may be amended, or any accident or natural event involving a fire, explosion or detonation requiring emergency services or completion of a COGCC Form 22, Operator shall submit a report to the City that includes the following, to the extent available: fuel source, location, proximity to residences and other occupied buildings, cause, duration, intensity, volume, specifics and degree of damage to properties, if any beyond the Oil and Gas Location, injuries to persons, emergency response, and remedial and preventative measures to be taken within a specified amount of time. Additional reporting shall be provided after the conclusion of the event, if the event lasts longer than 24 hours.*

*b. The City may require Operator to conduct a root cause analysis of any reportable safety events or Grade 1 gas leaks, each as defined by the COGCC.*

*c. Any spill or release that is reportable to the COGCC shall be simultaneously reported to the Director and the applicable fire district.*

MRG Response:

In the case of any reportable safety event, MRG will contact City of Loveland and provide pertinent information, along with applicable reporting to the COGCC.

18) Fluid Leak Protection Plan.

COL Comment:

*Operator has not made it clear in this plan how it will comply with COGCC Rules (Rule 304.c.(13)) regarding integrity management of production tanks. Production tanks should be subject to the standards listed in Rule 609.b. Some operators perform yearly static head tests. It is not clear that the Operator has committed to a specific tank inspection protocol as required by COGCC Rules.*

MRG Response:

MRG has revised the Leak Detection Plan to incorporate tank inspection protocols.

19) Bi-Annual Updates to City.

COL Comment:

*Operator shall provide a formal written Progress Report update to the Director, to be shared publicly, as to the progress of Operations. Updates shall begin at the beginning of construction and continue throughout drilling and completion operations and cease once the final well approved for an Oil and Gas Location has been drilled and has been in production for one full year. Updates shall include but not be limited to:*

- a. Any reportable spills or reportable accidents at locations;*
- b. Any notice of alleged violations from the City or COGCC; and*
- c. A summary of complaints to the Operator and COGCC.*

MRG Response:

MRG will provide weekly electronic Progress Reports to the City of Loveland Local Governmental Designee.

**Conditions-Trans:**

TRANSPORTATION SPECIAL CONDITIONS (DRAFT)

COL Comment:

*1. Performance Security for Road Damage. Prior to the issuance of a Site Work Permit (SWP), the Owner/Applicant shall provide the City with a \$25,000.00 performance*

*security for each well that is permitted while the well is in operation, in the form of an irrevocable letter of credit or equivalent financial security acceptable to the Director to cover the City's costs to repair any damages to the City's public rights-of-way caused by the operator's use of said rights-of-way. In the event this security is insufficient to cover the City's costs to repair any such damages, the operator shall be liable to the City for those additional costs, and the City may pursue a civil action against the operator to recover those costs as provided in Section 18.18.03.04, Special Provisions for Oil and Gas Permits. Reclamation and other activities and operations which fall under the COGCC regulations are exempted from this performance security requirement.*

*2. The Owner/Applicant shall be obligated for regular and ongoing maintenance of CR3 between Crossroads Blvd. and State Highway US-34 (maintenance standards TBD and referenced in this condition) until full completion of the flowback operation for all wells on the site. Upon completion of the flowback operation, CR3 shall be graded and paved with Aggregate Base Course (spec TBD) to the satisfaction of the City Engineer.*

*3. The Owner/Applicant shall be obligated for adequate dust suppression on CR3 between Crossroads Blvd. and State Highway US-34 (dust control standards TBD and referenced in this condition) until full completion of the flowback operation for all wells on the site.*

*4. Prior to issuance of a Site Work Permit (SWP) by the City of Loveland, the Owner/Applicant shall obtain a Right-Of-Way Work Permit (ROW Permit) from the City Public Works Department which shall include an approved construction traffic routing and traffic control plan. Left turn movements at the intersections of CR3/Crossroads Blvd. and CR3/US-34 may be restricted.*

MRG Response:

MRG will work with the City of Loveland Transportation Department to create a Road Maintenance Agreement and will comply with all applicable rules and regulations.

**Conditions-Fire:**

COL Comment:

*LFRA will determine whether they will have a condition for this proposed development after viewing the response in a resubmittal.*



MRG Response:

MRG looks forward to its ongoing relationship with LFRA to ensure compliance with applicable City of Loveland rules and regulations.

**Conditions-W/WW:**

No Comments

**Conditions-Storm:**

No Comments

**Conditions-Power:**

No Comments