

Planning Commission Agenda

Regular Meeting

Tuesday August 8, 2023 at 1:15 p.m.

City Council Chambers-City Center South

1001 11th Ave, Greeley, CO 80631

Zoom Webinar Link:

<https://greeleygov.zoom.us/j/81130742038>

NOTICE:

Planning Commission meetings are held on the 2nd and 4th Tuesdays of each month. Meetings are conducted in a hybrid format, with a Zoom webinar in addition to the in-person meeting in Council Chambers.

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Submit Written Comments:



Email comments about any item on the agenda to cd_admin_team@greeleygov.com



Written comments can be mailed or dropped off at the Planning office at 1100 10th Street, Greeley, CO 80631. Written comments received prior to or during the meeting will be read into the record in real time.

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For more information about this meeting or to request reasonable accommodations, contact the administrative team at 970-350-9780 or by email at cd_admin_team@greeleygov.com.



Planning Commission

August 8, 2023 at 1:15 PM
1001 11th Avenue, City Center South, Greeley, CO 80631

Agenda

1. Call to Order
 2. Roll Call
 3. Approval of the Agenda
 4. Approval of the July 25, 2023 Planning Commission Meeting Minutes
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EXPEDITED AGENDA

The following items are routine in nature, fully described in the accompanying reports, and therefore staff summary presentations will be suspended unless requested by the Commission or member of the public in attendance at the meeting.

5. A public hearing to consider a request for approval of a Use by Special Review on 13.67 acres of property to allow for Oil and Gas Well Pad Facility in the Planned Unit Development Zoning District located at the southwest corner of County Road 17 and County Road 56. Approximately 1 mile south of US HWY 34" (USR2023-0004).
 6. A public hearing to consider a request for approval of a Use by Special Review for a solar panel garden on approximately 35.2 acres of land zoned I-M (Industrial Medium Intensity) located south of and adjacent to County Road 62, approximately 750 feet west of County Road 45 (USR2022-0017).
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END OF EXPEDITED AGENDA

7. Staff Report
8. Adjournment

City of Greeley, Colorado
PLANNING COMMISSION PROCEEDINGS
July 25, 2023

1. Call to Order

Chair Yeater called the meeting to order at 1:15 PM.

2. Roll Call

The hearing clerk called the roll.

PRESENT

Chair Justin Yeater
Commissioner Louisa Andersen
Commissioner Briscoe
Commissioner Jeff Carlson
Commissioner Brian Franzen
Commissioner Larry Modlin

ABSENT

Commissioner Christian Schulte

3. Approval of Agenda

There were no corrections or additions to the agenda. The agenda was approved as presented.

4. Approval of July 11, 2023, Minutes

Commissioner Franzen moved to approve the minutes dated July 11, 2023. Commissioner Andersen seconded the motion. Motion carried 6-0. (Commissioner Schulte absent)

5. A Public Hearing to consider a request by Union Colony West Investments LLC to annex approximately 170.573 acres located at the northwest corner of 10th Street at 83rd Avenue, known as the Schneider Annexation (ANX2022-0007).

Chair Yeater began by providing that this item is on the Expedited Agenda, he asked if the commission would like to hear a presentation. No commissioners requested to hear the presentation. Commissioner Andersen did have a question regarding the code change, was the intent of the code change to eliminate more PUD's (Planned Unit Developments) and establish more targeted zoning, also if the future zoning intent for this annexation was still PUD? Caleb Jackson (Planner, III) responded, confirming that that is the intent of the recent code change, but this application would still proceed with the PUD Zoning with a mix of land uses, which is still allowed by the Development code with the recent code change.

Chair Yeater asked if anyone in attendance would like to see the presentation, seeing none he opened the Public Hearing at 1:20 p.m.

Floyd Weiderspon, 155 N. 83rd Avenue, Greeley, CO 80634. He shared that he is the president of Skyline Ditch Company. He shared testimony that the Skyline Ditch runs through the area proposed for annexation and feeds 6 properties to the north of the proposed annexation for irrigation. They

have received proposals from the developer to move the ditch and have some disagreements in the proposal that the developer provided because it is only in the developers favor. He stated he has been using this ditch for over 50 years and has never been required to do some of the maintenance the proposal suggests, and do not think that it is an amenable. Additionally, they would be required to remove mud and sand out of the north side of the ditch and his company does not feel that this is their responsibility. He would like to further negotiate the proposal to benefit all parties. He provided his email and phone number weiderspon@q.com, 970-302-4762 asking for the applicant to further contact him to make negotiations that will work for all parties.

Seeing no further requests for public comment or comment from the applicant Chair Yeater closed the Public Hearing at 1:25 p.m. and turned it back to the commission for action. Commissioner Anderson moved that based on the application received and the preceding analysis, the Planning Commission finds that the proposed annexation does meet the required Development Code criteria of Section 24-214.b.2.(a-e); and recommends approval of the Schneider Annexation (ANX2022-0007) to City Council. Commissioner Modlin provided the second to the motion.

Motion carried, 6-0 (Commissioner Schulte Absent)

6. A Public Hearing to consider a code amendment to add an option for dedicated affordable housing to reduce parking requirements. The code amendment is intended to satisfy a grant requirement for the Department of Local Affairs to incentive affordable housing dedicated to below-median income households (CU2023-0003).

Caleb Jackson started his presentation introducing the item. He provided background information on the proposed code amendment. This was brought on by a grant provided by DOLA (Department of Local Affairs) also included the grant are the Housing Needs Assessment (presented to the commission at the July 11th, 2023, meeting), a Subarea Plan (will be presented to the commission in September 2023) and the city must provide an incentive for affordable housing. This is capital A affordable housing, and it is regulated by HUD standards to meet certain requirements to meet the need for this type of housing in the community.

The code amendment proposes parking reductions as follows:

- Up to a 25% reduction for 60.1-80% AMI
- Up to a 50% reduction for 30.1-60% AMI
- Up to a 75% reduction for 0-30% AMI

Mr. Jackson indicated that there is also a chart in the meeting packet that show how low these income levels are. The idea behind this is that low-income households tend to have fewer vehicles and many parking spaces would go unused, causing development costs that could potentially be reduced, lessening the impact of the development cost as well as continued maintenance of those parking spaces. Those costs contribute to the viability of affordable housing and anything that can be done to help reduce those costs makes a big difference. The reduction of these parking stalls can also reduce the Urban Heat Effect as well as the amount of storm drainage runoff. With these kinds of measures captured in the code it gives developers with affordable housing projects more confidence in bringing these needed housing types to the area.

Mr. Jackson continued by sharing that staff recommends approval of this code amendment. It does meet Code Amendment Review Criteria, Section 24-211.b, the four criteria and the proposal are consistent with the criteria outlined in the summary. Proper notification was made without any comments in either objection or support. Mr. Jackson offered to discuss this amendment with the commission.

Discussion began between the commission and Mr. Jackson. Commissioner Modlin asked what happens if over time if the unit is no longer an affordable housing unit and additional parking would be needed. Mr. Jackson responded by sharing that with this code amendment “Affordable Housing” is added to the Land Use table and to change it, an applicant would have to go through the process to meet the criteria of the proposed land use, including the parking requirements.

Chair Briscoe asked what other incentives were explored. Mr. Jackson indicated that some of the other incentives that were explored include: a quicker review process, however compared to other communities we are already on an expedited turn around; reducing the application fees was considered but the city only reviews fee changes on a particular schedule and it would not allow staff to meet the grant deadlines, additionally these fees are relatively low already and it would not allow for a very productive incentive. The proposed code amendment is something that is already in place by surrounding communities and working out well, it seems to be a good transition for Greeley as well.

Commissioner Carlson asked if the items this grant covers are stand alone grant items or if they are all required to meet the grant obligations. Mr. Jackson confirmed that the city is required to provide a code- adopted incentive to fund the Housing Needs Assessment and Sub-Area plan. Commissioner Carlson asked what the cost benefit to the city for having the grant cover these items. Mr. Jackson replied that he does not have a set cost benefit for this, however it is a benefit to the city because these are items that are a win for the city to have done and a push to update standards for the city.

Chair Yeater commented that the number one issue the commission hears from the public regarding multi-family housing is parking, traffic, and noise. The study provided states that with lower income the number of vehicles decreases as well and increases the transit in the neighborhood. Greeley’s transit system is underutilized. He asked what assurances staff can provide that these are going to be transit rich developments like the community in the study? Mr. Jackson if he did not have a study on the transit however other communities such as Loveland, Longmont and Ft. Collins that have similar transit opportunities to Greeley and have successfully adopted transit options that work. He added that when you compare the AMI’s for affordable housing compared to vehicle costs, it would not make sense that they have excess vehicles. Affordable Housing developers also tend to build in neighborhoods that transit is available to suite the needs of the future tenants.

Chair Yeater asked if the HUD standards would prohibit multiple families from inhabiting a single dwelling unit or residence. Mr. Jackson responded that all family sizes are different, but the same concept applies, the income levels for these AMI’s is very low and multiple vehicles is not likely.

Chair Yeater asked if the City of Greeley calculated the stormwater cost based on the amount of permeable surface. Mr. Jackson answered, sharing that the stormwater fees are based on impervious surface on a lot, so less parking would reduce the impervious surface.

Commissioner Andersen shared that her concern is that the report provided is based on the Denver area. She lives on the east side of Greeley and her experience is that lower income often brings more vehicles. Having a vehicle does not mean that it runs, causing the need for multiple vehicles to meet transportation needs. She does not agree with the premise that lower income means fewer vehicles. She is all on board for affordable housing and trying different things for rent controlled development, but she does not agree with this report and does not feel this is where to start.

Commissioner Briscoe referenced some other apartment buildings in Greeley that are all HUD properties and he wanted to know if those parking requirements were reduced because those parking lots are often very full. Mr. Jackson indicated that he did not know the parking counts for those buildings. Darrell Gesick (Planner III) answered that one of the referenced apartment complexes is for residents with disabilities and they did receive parking reductions. He shared that there are also

other apartments in the area that are not part of them, and he was not certain of the parking requirements for those buildings. Chair Yeater asked if there had been a property that a variance was approved for parking, and it then exceeded the variance and what kind of measures can the city take if this were to happen. Staff was not aware of any situations like this. Brian McBroom if city codes related to parking, where it is and is not allowed and that the code would still apply. Codes can always be amended if something is no longer working, and the grant may have an allowance for that as well. Discussion continued between staff and the commission regarding what measures could be taken if this parking amendment did not work out and what options are available to do a parking study for this topic. Commissioner Modlin asked what the requirements are in this type of land use regarding green space. Mr. Jackson indicated the required open space requirements would not be changed with the proposed code amendment.

With no further questions from the commission, Chair Yeater opened the Public Hearing at 1:47 p.m.

Jodi Hartman, Executive Director of High Plans Housing Development, 3104 69th Avenue Court. Ms. Hartman shared that her organization is the developer working on the North Weld Village and has been involved in that re-zoning request for that project, she also previously served as the Executive Director of the Greeley Transitional House, an emergency shelter for homeless families. She is very familiar with the population that fall under these income levels that are being discussed and most of these individuals do not own vehicles, lack of transportation is often an issue her organization had to address often, and public transit was often the solution. Ms. Hartman continued, providing that if you live in a HUD subsidized apartment, they do not allow for any other family living with you, it would be considered a lease violation and the tenant would be evicted. She indicated that if a lot of vehicles are observed at a particular existing apartment complex, it is likely not a HUD housing building. Her team is currently working on a budget for a proposed project containing 58 units with the intent to house a chronically homeless population. Based on the studies that Mr. Jackson has shared, only 8% of this population own a vehicle, this equates to about 1 in every 12 units. The staff parking for these types of projects is only about 5 people, so this is not a large parking impact either. The more parking required for these types of units means it is less of the units that they can build, and it is a burdensome impact to these projects. These projects require the development to get low-income tax credits and that implements a 30-year deed restriction and are build with the intent to be permanently affordable and the chances of them being converted to a market rate development are very low.

Chair Yeater closed the Public Hearing at 1:51 p.m. and turned the item back to the commission for action.

Commissioner Andersen stated that she had concerns that HUD Developments and low-income units may work for this, but she wonders if so, many restrictions have been added to earn this particular grant and if changing the code to allow for this incentive opens up other issues. Parking is the number one thing the commission gets presented with as an issue and she is concerned that changing the code for a particular thing is a bad idea.

Commissioner Modlin added that having only one family unit restricted to a unit solves a lot of the cause for concern. Discussion continued between the commission regarding existing neighborhoods, family living situations with multiple drivers with cars.

Chair Yeater asked if there was a motion or any support for a motion. Commissioner Carlson moved, based on the preceding analysis, the Planning Commission finds that the proposed code amendments to the Greeley Municipal Code are consistent with the Development Code criteria of Section 24-211.b (Items 1 through 4) and therefore recommends that the City Council approves the code amendments to the Greeley Municipal Code as submitted. Commissioner Modlin provided the second.

Chair Yeater opened the item up for further discussion, adding to Commissioner Andersen's concerns,

sharing that many of the things that are presented to the commission are averse to this amendment. He continued adding that Ms. Hartman's testimony did provide good information about stuff that is in place to mitigate some of the things that are concerning with the issues being discussed. His number one concern is being addressed because there is still municipal code in place to deal with the parking issues, his challenge with that is if municipal code is used to address parking who it would harm when this could be prevented from the beginning. He shared he does wish there was more information about the city's specific region that supported the idea that this could be successful.

Commissioner Modlin shared he thinks this is the start to having a more controlled and different type of housing to support these income levels. He feels this is a good starting spot for a housing type that is needed in the community and grant money is not always available and it is a good opportunity. Commissioner Franzen shared he agreed and included that the deed restriction for 30 years and the grant time for 15 years will make it nearly impossible to make them into a private ownership property. Commissioner Andersen is not apposed to an experiment, a one-time trial to see how it would work but changing the code is not the way to achieve that to meet the requirements for the grant.

Commissioner Carlson added that with the current median home price being higher than many people can afford, we as a community need to figure out the needed housing mix and take steps to achieve that mix. He feels this code amendment allows for that and it can be changed in the future. Commissioner Briscoe agreed with Commissioner Carlson adding that with the current development costs, housing costs and housing need we must start putting things like this in place and while he does not love the amendment he does not know where else to start.

Chair Yeater asked Commissioner Andersen what her way would be to test if something like this was successful. She replied, you would not witness a parking problem. She does not see that fewer vehicles for lower income is accurate and she would like to see a report from a Greeley low income building that this is true. Chair Yeater agrees this is a good place to start and shares Commissioner Andersen's concerns, he inquired if there is something that could be added to the amendment that would allow for a re-evaluation of the code.

Don Threewitt, Chief Planner added he found there is not a payback provision in the grant if the code was later repealed. There could also be an item added to the motion that staff could evaluate how the code is working in the future.

Commissioner Andersen clarified that Mr. Threewitt was stating that the suggested motion could be amended to add an evaluation timeline or other measure to help alleviate some of the concerns of the commission. Commissioner Franzen suggested that the motion be amended to add that it would be closely monitored by staff. Discussion continued between the commission discussing what an appropriate timeline would be for the application of this code to be in place for staff to evaluate how it is working. 1, 3 and 5 years were discussed in relation to this code adoption and how long it would take to be able to evaluate if the code amendment was working or if there were issues. Ms. Hartman came back to the podium to provide that a development would not be completed for about 2 and a half years to aide in the discussion. The commission discussed that 3 years would not be enough time to sufficiently evaluate the application of this code amendment and although 5 years is a little longer than preferred, it seems like the best time frame for the evaluation to take place. Commissioner Andersen asked if there were any other incentives could be offered in lieu of this and if this is something that really should have a full code amendment to all the standards in the code updated for Affordable Housing. She does not feel this is the best place to start.

Chair Yeater called for the vote on the original motion proposed. Motion carried, 1-6 (Commissioner Schulte, absent).

Commissioner Carlson moved, based on the preceding analysis, and with a contingency in place of a

5 year review period, at which time the code would be compared to parking studies that have been done by City staff, the Planning Commission finds that the proposed code amendments to the Greeley Municipal Code are consistent with the Development Code criteria of Section 24-211.b (Items 1 through 4) and therefore recommends that the City Council approves the code amendments to the Greeley Municipal Code as submitted. Commissioner Briscoe provided the second.

Motion carried, 4-2 (Commissioner Schulte, absent)

7. Staff Report

Brian McBroom shared that the 2024 budget process is very fair along. Community Development will know in a few weeks what the City Manager's office approves as the recommended budget. The proposed 2024 budget does include one or more sub-area plans.

Performance analytics organization wide and as citizens should be hearing more about this, as it will create key initiatives and public dashboard. Mr. McBroom shared he is a bit support of these efforts, and it is a key ingredient for a high performing organization.

Mr. McBroom also shared that Planning Commission term limits no longer exist, and it gives those who enjoy serving on the commission the opportunity to do so.

Mr. McBroom continued to share that he had the opportunity to meet with Chair Yeater and would love the opportunity to meet with each of the other commissioners as well.

8. Adjournment

With no further business before the Commission, Chair Yeater adjourned the meeting at 2:11 PM.

Justin Yeater, Chair

Don Threewitt, Interim Community Development Director

Planning Commission Agenda Summary

August 8, 2023

Key Staff Contact: Michael Franke | Planner II | (970)350-9782

Title:

Public Hearing to consider a Use by Special Review (USR) request by Tracy Colling on behalf of Kerr-McGee Oil and Gas Onshore LP (KMOG), for approval of a Use by Special Review (USR) to allow up to 10 oil and gas wells and production facility. The proposed project will be on a property located at the southwest corner of CR 17 and CR 56, approximately 1 mile south of US HWY 34. The subject site is approximately 13.67 acres in size and zoned Planned Unit Development (PUD). (Project: USR2023-0004).

Summary:

The City of Greeley is considering a request by the applicant, Tracy Colling on behalf of Kerr-McGee Oil and Gas Onshore LP (KMOG), for approval of a Use by Special Review application for up to 10 oil wells with a production facility on approximately 13.67 acres of land zoned PUD (Planned Unit Development) located at the southwest corner of CR 17 and CR 56, approximately 1 mile south of US HWY 34.

Motions:

Recommended (Approval)

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for an oil and gas operation that consists of 10 oil and gas wells and associated production equipment on 3.81 acres (permanent) of the 13.67 acre site, in the PUD (Planned Unit Development) Zone District is consistent with the Development Code criteria of Section 24-206.b (Items 1-8) and the proposed oil and gas operations will meet provisions contained in Section 24-1102, Oil and Gas; and therefore, approves the Use by Special Review.

Alternative (Denial)

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for an oil and gas operation that consists of 10 oil and gas wells and associated production equipment on 3.81 acres (permanent) of the 13.67 acre site, in the PUD (Planned Unit Development) Zone District is not consistent with the Development Code criteria of Section 24-206.b (Items 1-8) and the proposed oil and gas operations will meet provisions contained in Section 24-1102, Oil and Gas; and therefore, deny the Use by Special Review.

Attachments:

Staff Report

Attachment A – Aerial & Vicinity Map

Attachment B – Existing Zoning Map

Attachment C – Narrative and Operations Plan

Attachment D – Overall Site Plan

Attachment E – Visual Mitigation Plan
Attachment F – Traffic Memo
Attachment G – Tactical Response Plan

PLANNING COMMISSION SUMMARY

ITEM: Use by Special Review (USR) for Oil and Gas Production Facilities in the PUD (Planned Unit Development) Zoning District

FILE NUMBER: USR2023-0004

PROJECT: Vista 13-16HZ Oil and Gas Use by Special Review

LOCATION: Southwest corner of County Road 17 and County Road 56. Approximately 1 mile south of US HWY 34.

APPLICANT: Tracy Colling, on behalf of Kerr McGee Onshore LP (KMOG).

CASE PLANNER: Michael Franke, Planner II

PLANNING COMMISSION HEARING DATE: August 8th, 2023

PLANNING COMMISSION FUNCTION:

Review the proposal for compliance with Section 24-1102, Oil and Gas Operations, and Section 24-206, Review Criteria/Uses by Special Review, of the City of Greeley Development Code and either approve, approve with conditions, or deny the request.

EXECUTIVE SUMMARY

The City of Greeley is considering a request by Tracy Colling on Behalf of Kerr-McGee Oil and Gas Onshore LP. (KMOG), for approval of a Use by Special Review (USR) to allow up to 10 horizontal oil and gas wellheads and production facility. The proposed project will be on a property located at the southwest corner of CR 17 and CR 56, approximately 1 mile south of US HWY 34 (*Attachment A – Aerial & Vicinity Map and Attachment D – Overall Site Plan*). The subject site is approximately 13.67 acres in size and is zoned Planned Unit Development (PUD).

A. REQUEST

The applicant is requesting approval of a USR to allow for an oil and gas operation for up to 10 oil and gas wellheads and production facility (see production equipment below) on approximately 3.81 acres (permanent) of land (13.67 acres initial disturbance, then reduced to 3.81 acres). (*Attachment D – Overall Site Plan and Attachment C – Narrative*).

B. STAFF RECOMMENDATION

Approval.

C. LOCATION

Current Zoning:

PUD (Planned Unit Development) (*see Attachment B – Existing Zoning Map*)

Abutting Zoning:

North: H-A (Holding Agriculture)

South: Weld County

East: H-A (Holding Agriculture)

West: Weld County

Surrounding Land Uses:

North: Farmland and Oil & Gas

South: Farmland

East: Farmland

West: Farmland and Residential (Single Farmhouse)

Site Characteristics:

The site is primarily utilized for dry crop farming and oil and gas production. There is a total of nine (9) plugged and abandoned (PA) oil and gas well on the site which include the Hardman Wells #1-4 and Edwards Wells 16B U, 34-16U, 16DU, 33-16DU, and 43-16DU.

D. BACKGROUND

The subject site was annexed into the City of Greeley and zoned H-A, in 2000, as part of the Gold Hill Annexation #3 (Reception No. 2813621) (File No. A 17:00 and Z 33:00). The subject site has remained undeveloped, other than oil and gas operations, since its annexation. The other primary land use is dry crop farming.

Colorado Energy & Carbon Management Commission (ECMC), formerly known as the Colorado Oil and Gas Conservation Commission (COGCC), site location permits have been applied for by KMOG.

E. OPERATION PLAN

The operation plan for the proposed development consists of a construction & drilling phase, completion phase, production phase, and a plugging and abandonment phase.

KMOG intends to horizontally drill 10 proposed wells using facilities, equipment, and one wellhead pad on approximately 13.67 acres of land, with a final permanent footprint of approximately 3.81 acres (*Attachment C – Narrative and Operations Plan*).

Construction and Drilling Phase:

The initial pad construction and drilling operations are expected to take about six to nine months (under normal circumstances). The subject land is first surveyed, and well locations are staked in accordance with COGCC regulations. The drilling pad is designed to prevent run off so that any spills will be contained onsite. The pad is lined with a layer of compacted clay materials to help prevent fluids from migrating vertically to the subgrade. From this point forward, twenty-four (24) hour operations of dirt work begin to prepare the location, including leveling the surface where the drilling rig will be located. After the location has been prepared, a drilling rig will move onto location to drill the surface intervals of the wells and cement the surface pipe to protect ground water. This process will take approximately one day per well under normal circumstances, subsequently a 10 well pad will take 10 days to complete initial surface drilling operations including cementing the surface casing pipes. Depending on the size/type of rig utilized to drill the surface interval, production drilling operations will either begin immediately with the same rig or a different rig will be moved onto location to drill the production interval. Production drilling operations will take four to five days per well, under normal circumstances. The actual drilling proceeds at a constant rate unless subsurface or mechanical problems are encountered.

If the well is deemed viable, casing is run in the hole and cemented (alternatively the well is plugged according to COGCC regulations). The casing, constructed of steel pipe, is designed to specific criteria to provide an integral conduit for transporting hydrocarbons to the surface. The casing strength is further enhanced by the cementing process. Cement is placed in the space between the casing and the wall of the hole. The cement anchors the casing, provides increased burst resistance, and contains the fracturing and produced fluids. The cement is also designed to special criteria. The cement is then allowed to cure and subsequently the rig is moved off location. (*Attachment C – Narrative and Operations Plan*).

Completion Phase:

Upon the conclusion of production drilling operations, and as dictated by operational schedules, the well pad is then prepped for completions operations. The construction of the production facility may occur concurrent with the drilling and/or completion operations. Completion operations include all operations performed after drilling operations and prior to first production. These completion operations consist of well preparation, fracture stimulation, and preparing the well for production to sales.

The well preparation phase of completion operations is performed to prepare for the fracture stimulation operation. Initially, the necessary wellhead equipment is installed to conduct well preparation operations. KMOG wells are designed, built, operated, and maintained to the highest standards. Logging is performed to confirm the cement quality behind the well casing meets KMOG and regulatory standards. The wellbore is pressure-tested to confirm the casing can withstand the high pressures associated with a fracture stimulation. Lastly, the remaining necessary wellhead equipment is installed to prepare the well for fracture

stimulation. A crew of one to six people are required to perform the above operations. The cumulative duration of the well preparation operations is three to four days.

The fracture stimulation operation is conducted to stimulate the flow of hydrocarbons from the targeted geologic formation to the wellbore and up to the wellhead. Fracture stimulation consists of pumping a water and sand mixture into the wellbore at a high pressure and flow rate. The water/sand mixture exits the wellbore to contact the rock formation through perforations made to the well casing. The stimulation operation for each well is performed in stages to concentrate the stimulation of the rock formation at designed intervals along the wellbore. In the event multiple wells are included in the fracture stimulation operations, only one well is under stimulation at one time. During stimulation, a crew of 35 to 45 people are required. The cumulative duration of the fracture stimulation operation is three to seven days per well.

Water for use in completion operations will be secured by KMOG through its own “Water on Demand” (WOD) system, or from a water supplier in the immediate area of the drill site. Water use will be approved for commercial and industrial use and will be subject to a mutually acceptable agreement between KMOG and the water supplier. KMOG uses non-potable river quality water for completion and does not use any “fresh” municipal treated water for completion operations. The WOD system is a network of over 180 miles of underground pipeline that stretches the length of the 20-mile by 30-mile field to source and transport water to completions crews. This system eliminates more than 2,000 truck trips per day field wide, also reducing associated concerns of traffic, noise, emission, and dust. Detailed daily accounting is maintained for all WOD water supplies and provided to the Colorado Division of Water Resources annually.

At the end of the fracture stimulation operation, the well is prepared for long-term production. A coiled tubing unit is utilized to mill the plugs set in the wellbore to isolate the stimulation stages and to clean out the wellbore. Production tubing is installed to direct the flow of hydrocarbons inside the wellbore to the wellhead at surface. Once the production tubing is landed, the well is managed by the Production Operations group. The cumulative duration of the post fracture stimulation operations is two to five weeks with a crew of three to ten people. The completion process is a 24 hour a day, seven-days a week operation and crews are rotated every 12 hours for continuous operations. Once fracture stimulation operations begin there will be varying activity on location until the well is turned over to permanent production operations. (*Attachment C – Narrative and Operations Plan*).

Production Phase:

The production phase may overlap the completion phase. After the completion fleet has cleared the location, the wells are connected to a production facility. Gathering equipment may also be installed on location by a third-party gathering company. The production and gathering facility, may consist of maintenance/oil tank(s), water tank(s), separator(s), Lease

Automatic Custody Transfer (LACT) units, vapor recovery unit(s) (VRU), emission control device(s) (ECDs), meter(s) house, E-house, chemical tote(s), purge flare(s), communications tower, temporary produced water tanks, temporary ECDs and temporary generator. The temporary equipment will be on site for six to 12 months and then will be removed. In addition, pumping units may be installed. The production facility will be connected to the wells by pressure tested flowline buried approximately four feet deep. At this point, the gas and oil purchasers are preparing to connect the gas and oil sales meter loop.

The production facility installation is completed by constructing an earthen or metal berm around the production tank(s) and separator. The enclosed area will have sufficient volume to contain the entire contents of the largest tank plus adequate freeboard to contain a 24-hour 25-year precipitation event. The berms will be inspected at regular intervals and maintained in good condition. When a berm is provided around tanks no potential ignition sources shall be installed inside that area.

The lease operator then begins monitoring the wells. Reports consist of tank measurements, gas sales estimates, and pressure reading. This information is compiled monthly and filed with the COGCC.

When a well is completed for production, all disturbed areas no longer needed must be restored and revegetated as soon as practicable. All segregated soil horizons removed from crop lands shall be replaced to their original relative positions and contour and shall be tilled adequately to re-establish a proper seedbed. The area shall be treated if necessary and practicable to prevent invasion of undesirable species and noxious weeds, and to control erosion. Any perennial forage crops that were present before disturbance shall be re-established. All segregated soil horizons removed from non-crop lands shall be replaced to their original relative positions. The segregated soil horizons will contour as near as practicable to achieve erosion control and long-term stability and shall be tilled adequately to establish a proper seedbed. The disturbed area then shall be re-seeded in the first favorable season.

At some point in the well's life, tubing may be run in the well with the possible addition of a plunger lift, pumping unit or gas lift may be used. This will extend the well's producing life and maximize reserves. (*Attachment C – Narrative and Operations Plan*).

Plugging / Abandonment Phase:

Plugging and abandonment is the cementing of a well and removal of its associated production facility. This also includes the removal of flowlines after all the wells on the pad are plugged and the remediation and reclamation of the well site.

Upon the plugging and abandonment of a well, all cellars will be backfilled. All debris abandoned gathering line risers, and flowline risers, and surface equipment will be removed,

and the location will be graded and re-contoured. Within 90 days after a well is plugged and abandoned, the well site shall be cleared of all non-essential equipment, and debris. All access roads to the plugged and abandoned wells and associated production facilities shall be closed, graded and re-contoured in accordance with the COGCC regulations and Surface Use Agreement (if applicable). Culverts and any other obstructions that were part of the access road(s) shall be removed. Well locations, access roads and associated facilities shall be reclaimed. As applicable, compaction alleviation, restoration, and revegetation of well sites and access roads shall be performed. After plugging a well, reclamation work will be completed within three months on crop land, and six months on non-crop land, or with landowner consent reclamation will occur during optimal revegetation times of the year.

Successful Final Reclamation of the well sites and access roads will be considered completed when:

- Reclamation of crop land has been performed and over two growing seasons has indicated no significant un-restored subsidence.
- Reclamation on non-crop land, has been performed and stabilized in such a way as to minimize erosion to the extent practicable, or a uniform vegetative cover has been established with total percent plant cover of at least eighty percent (80%) of similar adjacent reference area levels, excluding noxious weeds and overstory or tree canopy cover.
- Disturbances resulting from flow line installations shall be adequately reclaimed when the disturbed area is reasonably capable of supporting the pre-disturbance land use.
- A Sundry Notice, Form 4, will be submitted to the COGCC, which describes the final reclamation procedures and any mitigation measures associated with final reclamation.

KMOG estimates that we will plug and abandon (P&A) 14 wells and remove 6 facilities, reclaiming approximately 0.75 to 1.5 acres per well. This is contingent upon the approval of permits by the City of Greeley and the COGCC, successful drilling and completion of the proposed wells and bringing them onto production.

APPROVAL CRITERIA

Uses by Special Review: Uses by Special Review possess characteristics which require a public hearing to determine if a proposed use has the potential to adversely affect other land uses, transportation systems, public facilities, or the like in the surrounding neighborhood. The Planning Commission may require conditions of approval necessary to eliminate or mitigate, to an acceptable level, any potentially adverse effects of the proposed use.

Section 24-206.b of the Development Code contains eight criteria that are used to evaluate Uses by Special Review:

1. All criteria for site plan review in Section 24-207

Staff Comment: The proposed project satisfies the requirements of Section 24-207 of the Development Code. The applicant has addressed all staff comments and included all required materials for the Use by Special Review criteria. Staff is satisfied with the Use by Special Review submitted for the proposed project. (*Attachment D – Overall Site Plan*).

The proposal complies with this criterion

2. The application furthers the intent of the proposed zoning district, does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Comprehensive Plan.

The following Imagine Greeley Comprehensive Plan policies apply to this request:

- **NR-3.6 Resource Extraction**

To the extent possible, minimize negative impacts from the extraction of sand, gravel, oil and gas, and other natural resources on the environment and surrounding land uses. Encourage the thoughtful reclamation of land that has been mined.

- **NR-3.11 Oil and Gas Operations**

Encourage the co-location of oil and gas facilities, where possible, to minimize the overall footprint of affected areas and impacts on adjacent land uses and the environment.

- **TM-4.1 Truck Impacts**

Establish and enforce appropriate truck routes to and through the city, including for hazardous materials. Encourage the co-location of oil and gas facilities in order to minimize impacts of transporting these resources on the community.

Staff Comment: The Comprehensive Plan encourages the colocation of oil and gas well facilities. KMOG proposes to cluster 10 wells onto one pad site. Both the cluster concept and the horizontal drilling, allow the operator to reach resources desired, while reducing the oil and gas footprint on the surface. The drilling operations would allow the owner or lessee of the mineral estate to recover hydrocarbons prior to surface development. This site, because of horizontal drilling, has the potential to reduce the cumulative

number of smaller independent sites and plug and abandon sites throughout the area. The proposal allows for access to below-grade mineral rights in a larger geographic area where surface development has already been completed.

This request complies with these Comprehensive Plan Policies. (*Attachment D – Overall Site Plan*).

The proposal complies with this criterion.

3. Any associated site development or construction complies with requirements of this code, including any conditions or additional requirements identified for the particular use.

Staff Comment: The proposed project complies with all development code requirements for site development and construction standards. Additional requirements, such as visual, noise, air quality, environmental, etc. mitigation have been provided within the narrative, operation plans, and submitted studies. Various city departments, external agencies, and abutting municipalities have reviewed the project proposal and are satisfied with the proposal as it meets all requirements for site design, site construction, and production of oil and gas goods.

The proposal complies with this criterion.

4. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use, and other potential impacts on adjacent property. The cumulative impact of a concentration of similar existing uses may be considered as part of the impact of a particular use.

Staff Comment: The operating characteristics of the proposed project are within normal standards for the site location and abutting properties. The site location is experienced with other oil and gas operations to the same standards as the proposed project (wellheads and production facility on one pad). The surrounding uses of dry crop farmland, oil and gas production, and residential (outside of city limits) create similar impacts to the proposed project and are not unusual for this area of the city.

KMOG has conducted several studies and submitted each to the city for review, such as an Emergency Action Plan (EAP) and Tactical Response Plan (TRP), Traffic Study, Final Drainage and Erosion Control Reports and Plans, Light Mitigation Plan, Noise Mitigation Plan, and Topsoil Protection Plan. KMOG must continuously monitor conditions of the site to comply with various mitigation standards. Upon review, staff found all submitted mitigation and response plans to be in compliance with City, County, State, and ECMC requirements.

Traffic impacts would be the greatest during the first six to twelve months of the project during the construction and drilling phases. KMOG will utilize the lease access road from WCR 56 for all traffic associated with construction and production of the wells proposed for the Vista Pad. The lease access road will be constructed at a minimum of 30 feet wide and a minimum 13.5 feet of overhead clearance. KMOG plans to improve WCR 56, currently a two-track road from the access point to WCR 17, which is a paved road. The access road and WCR 56 (from the access to WCR 17) will be constructed of Class 5 road base over 6 inches of 95% compacted subgrade and aggregate base course. The lease access road and WCR 56 will be properly graded for adequate drainage and maintained to prevent dust and mud; culverts shall be utilized where necessary. KMOG will control mud tracking with 100 ft. of VTC (Vehicle Tracking Control) ballast that is (refreshed as needed) at the entrance to site from WCR 56 followed by additional Class 5 road base leading to the well and facility pads which are also surfaced in Class 5 road base. Gravel surfacing the roads and well/facility pads combined with the VTC tracking control device has proven to minimize tracking on to adjacent roadways. The project does not propose any traffic impacts of concern. (*Attachment F - Traffic Memo, and Attachment C – Narrative and Operation Plan*).

The proposal complies with this criterion.

5. The site is physically suitable for the proposed use, and whether any additional site specific conditions are necessary for the use to be appropriate and meet these criteria.

Staff Comment: The 13.67-acre site is currently dry crop farmland with plugged and abandoned oil and gas wells and production facilities. The

site is adjacent to unoccupied parcels to the east, north, and south.

All wellheads and on-site production equipment are required to be at least 150 feet from any other wells or associated production equipment. The proposed wells are located at least, if not more than, 150 feet from any occupied building. The COGCC requires setbacks of at least 500 feet from any occupied building and at least 2,000 feet from any school facility or child care center. The proposed project complies with the COGCC regulations. The site is physically suitable for oil and gas operation and the proposed development meets or exceeds the setback requirements required by the city and the ECMC. (*Attachment D – Overall Site Plan*)

The proposal complies with this criterion

6. Whether a limited time period for the permit is reasonably necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and ongoing enforcement of the permit.

Staff Comment: It is not necessary to limit the duration of the use. A Limited time period for the permit operation is not proposed, other than the natural timeline proposed for the project. The proposed use may continue if conditions in the area were to change. The estimated schedule for operational phases of the project begins with pad construction in December of 2023, wrapping up with interim, reclamation in December of 2024. After the interim reclamation period, wells and production equipment will continue to operate until deemed economically unviable. At such time, the wells will be plugged and abandoned as appropriate. Once all wells are plugged and abandoned, including flowline abandonment, permanent and final reclamation of the land shall take place. Currently, there are no development plans in this area that would propose changing conditions in the area.

Periodic reporting and ongoing enforcement will be provided by KMOG to agencies such as the ECMC for compliance with mitigation regulations. If necessary, City of Greeley Fire Department shall work with the applicant to address any issues violating municipal requirements for oil and gas operations.

KMOG will continuously monitor the project site throughout all stages of the project's lifespan via in-person, on-site, inspection, as well as remote monitoring from their Integrated Operations Center (IOC) located in Platteville. From the IOC, KMOG personnel can turn wells and equipment on and off, look at tank levels, verify pressures and temperatures. KMOG staff shall address any aspects of the project that may fall out of compliance to meet regulatory requirements at the local, state, and federal levels.

The proposal complies with this criterion.

7. The long-range plans for the surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.

Staff Comment: The subject area is proposed as community separator land, in addition to employment, industrial, and commercial areas according to Greeley's Land Use Guidance Map within the Imagine Greeley Comprehensive Plan. Existing uses in the area are similar and suitable for oil and gas development, including dry crop farmland, vacant land, solar power production, and other existing oil and gas operations. Mitigation measures are proposed to reduce impacts, or the cumulative effects associated with continuous oil and gas development within the area. It is important to state this pad site does fall within the recently approved Delantero PUD Community. KMOG and the developer of Delantero have been working on the Vista 13-16HZ plans together and supports KMOG's oil & gas activity. Development timelines for Delantero are not anticipated for years to come while the oil & gas facility is in operation. KMOG will adhere to all required mitigation and best management practices to work with the developer of Delantero for any proposed future development.

In general, staff has seen an increase in oil and gas activity on the western and northern sides of town as operators look to identify locations that support multiple wells, meet ECMC setback and spacing requirements, and provide accessibility to resources located underdeveloped portions of town. As these sites would operate for several years, staff has encouraged operators to locate away from tracts with potential for residential

development and provide some improvements based on the nexus of rough proportionality for each site.

The proposal complies with this criterion.

8. The recommendations of professional staff or other technical reviews associated with the application.

Staff Comment: The following departments, agencies, and municipalities have reviewed the proposed project submittal:

- City of Greeley: Planning, Engineering Development Review, Forestry, Natural Areas and Resources, Public Works, Stormwater, MS4, Fire, Water & Sewer, and Traffic.
- Agencies: Atmos Energy, Xcel Energy, Colorado Department of Transportation (CDOT).
- Municipalities: Weld County Planning and Zoning, Town of Milliken, and Town of Johnstown.

The review bodies listed above have all accepted and approved the proposed project as planned due to compliance with required standards of local, state, and federal policies for oil and gas development and production. KMOG has submitted the proposed project to the ECMC for review and hearing approval.

The proposal complies with this criterion

Oil and Gas Operations

Applications for Uses by Special Review for oil and gas operations are subject to the provisions of Section 24-1102, Oil and Gas. Sections 24-1102.c through Section 24-1102.h address well and production facility setbacks, disposal of production waste, seismic operations, signage, access roads, environmental requirements, recordation of flow lines, reclamation of the site, abandonment and plugging of wells, well operations in high density areas, compliance with ECMC, review criteria, and inspection requirements.

Staff Comment: A review of information submitted by the applicant indicates compliance with Sections 24-1102.c through 24-1102. h. These design and operational requirements are reflected in the site plan and standards attached for potential approval (*Attachment D – Overall Site Plan, Attachment E – Visual Mitigation Plan, and Attachment C – Narrative and Operations Plan*).

This proposal complies with this criterion.

F. PHYSICAL SITE CHARACTERISTICS

1. HAZARDS

There are nine (9) plugged and abandoned oil and gas wells on the subject parcel (see details in previous section on list of P&A wells on site). Staff is unaware of any additional hazardous conditions or events that have occurred on the site to date.

2. WILDLIFE

The subject site is not within the City's Ecological Significance Areas. For this reason, the applicant was not required to submit an Environmental Report of the site. A review was not sent to the Colorado Department of Parks and Wildlife (CPW) for this reason. The Natural Areas and Trails Department reviewed this project for impacts to wildlife and found the project to be acceptable given best management practices are executed throughout the lifespan of the project.

The Development Code indicates that if there are black-tailed prairie dogs inhabiting portions of the site, they must be properly removed as indicated in Section 24-1102 (e) (2) and destruction of prairie dog towns many do not occur during the nesting season (May 15 – September 15) due to the potential presence of the burrowing owl. If burrowing owls are actively nesting on the site or brood-rearing is present, a plan shall be developed by the applicant and approved by the City and/or the Colorado Division of Wildlife. It must be implemented before development occurs. KMOG shall adhere to these requirements as applicable.

3. FLOODPLAIN

The subject site is not located in the floodplain or floodway according to Federal Emergency Management Administration (FEMA) flood data.

4. DRAINAGE AND EROSION

A drainage report was submitted by the applicant and reviewed by the Engineering Development Review Division, which changes in natural drainage patterns are not anticipated. The well site will be monitored during the drilling and completion phases for any stormwater erosion or sedimentation concerns. Necessary measures will be taken to correct any problems, immediately in most cases. Once the drilling and completion phases are complete, the drill site will be restored as near as practical, to its original grade and vegetation planted as required by regulations and surface use agreements, if applicable. KMOG will continue to monitor the site until all applicable regulatory requirements for revegetation have been met. KMOG uses a closed loop or "pitless" system for drilling and fluid management and does not construct a reserve pit. The drilling company will actively manage the area around the rig equipment such that any minor fluid spills will be diverted and drained to small pumps strategically located and from there, if only water, will be pumped into the drilling fluid system. If the fluid is contaminated by fluids other than

water, it will be pumped into a separate container and removed from the site to an approved disposal facility.

5. TRANSPORTATION

KMOG will utilize a private access road, County Road 56 (CR56) and County Road 17 (CR17) for all traffic associated with construction and production of the wells proposed for the Vista Pad. CR56 will be constructed at a minimum of 24 to 30 feet wide (based on location on the site, see Site Plans for details), with a minimum of 13.5 feet of overhead clearance. CR56 will be improved from the existing dirt road to Class 5 road base over the existing road surface. The access roads will be properly graded for adequate drainage and maintained to prevent dust and mud; culverts shall be utilized where necessary. KMOG will control mud tracking on to CR56 by installing tracking control devices including 100 feet of crushed gravel, proven to minimize tracking off the site. This project does not require an Access Permit application to Colorado Department of Transportation (CDOT). A transportation study/memo has been prepared by a traffic consultant and is included with this USR submittal as a separate exhibit.

G. SERVICES

1. WATER

The City of Greeley would not supply water to this area. Water for use in completion operations will be secured by KMOG through its own “Water on Demand” (WOD) system, or from a water supplier in the immediate area of the drill site. KMOG uses non-potable river quality water for completion and does not use any “fresh” municipal treated water for completion operations. The Water on Demand (WOD) system has been designed functionally to allow for delivery of water from multiple sources. KMOG will choose the best source combination for the job based on the water contract terms, the WOD water system capacity, and the forecasted geographic area of water demand (hydraulic fracturing activity). KMOG maintains contractual agreements with multiple companies that have different water sources. Detailed daily accounting is maintained for all WOD water supplies and provided to the Colorado Division of Water Resources annually.

2. SANITATION

The City of Greeley does not provide sewer service to the area. However, as an unmanned facility, sewer service should not be needed. KMOG proposes to provide and maintain portable sanitary facilities that comply with COGCC standards on location during the drilling and completion phases of the operation. A KMOG employee or contractor would visit the site daily to ensure responsible sanitation and disposal of any debris.

3. EMERGENCY SERVICES

The property would be served by the City of Greeley’s Police and Fire Departments as it serves the residences along US Highway 34 corridor, west of State Highway 257. The

nearest fire station to the site is Greeley Fire Department Station No. 6, approximately 2.5 miles. Additionally, an Emergency Response and Fire Protection Plan (ERFPP), also called Tactical Response Plan, was reviewed by the Greeley Fire Department and complies with City standards (*see Attachment G – Tactical Response Plan*).

As the emergency response agency, that would be called to mitigate an incident, the Greeley Fire Department has implemented strategies to mitigate the risks associated with potential incidents related to oil and gas facilities, just as they do with the vast array of other risks in the community. These strategies consists of identifying the hazards associated with oil and gas drilling/operations, developing a mitigation strategy, updating the strategy as the risks change, implementing the plan when necessary (response), and then reviewing and making corrections as necessary after an incident.

Some highlights of this strategy include the Greeley Fire Department being actively involved in the review and permitting of oil and gas operations; training and equipping members of their department to be prepared to fight flammable liquids fires; command staff attending courses on handling oil and gas well emergencies; incorporating oil and gas well response into the required training program for all firefighters; reviewing local incidents outside the Departments response area and sharing critique information with all personnel. The Fire Department uses a fire suppression foam trailer to improve flammable liquid fire mitigation response time.

4. PARKS/OPEN SPACES

The City of Greeley's *Parks, Trails, and Open Lands Master Plan* (PTOL) does not identify the area having any future parks or trails along CR 17 south of US HWY 34, CR 56, or within the property. No open space or parks is required with this development, however, sufficient open space (not usable) would be present during the production phase.

5. SCHOOLS

This project would have no impact on area schools. No schools are proposed or located within the site.

H. NEIGHBORHOOD IMPACTS

1. VISUAL

KMOG is required to meet all applicable visual impact requirements set forth by ECMC regulations during operations. The pad has been strategically located as far north on the parcel as possible to minimize visibility from adjacent public roads, CR 17 and CR 56.

The permanent facilities would be required to be painted in uniform, noncontrasting, nonreflective color tones in accordance Greeley Development Code, Sec. 24-1102 Oil and Gas and the ECMC regulations and in a manner to harmoniously blend with the surrounding environment.

KMOG has carefully positioned and graded the oil and gas pad to sit below the cut on the south and east sides of the pad and placed the required topsoil stockpile around the development to provide additional screening to the south and east. Additional screening would be provided with a solid fence, as detailed in the USR exhibit. This fence is strategically positioned around the pad between the berms to provide additional visual mitigation. No landscaping is proposed due to the remoteness of the site location and visual mitigation efforts stated above. (*Attachment E – Visual Mitigation Plan*).

2. NOISE

KMOG is required to meet all applicable noise requirements set forth by the City of Greeley and the ECMC Rules. Exhaust from all engines, motors and related equipment, shall be vented in a direction away from occupied buildings where practical. Due to the remote location of this proposed pad and lack of nearby residence or businesses, KMOG does not plan to incorporate sound walls for noise mitigation. KMOG utilizes many other noise mitigation techniques as standard practice including a modified drilling rig with noise reduction features and a quiet completions fleet engineered with pump enclosures to reduce noise. In addition, KMOG is submitting as a separate Noise Mitigation Plan that details compliance with regulatory requirements. Noise levels and mitigation measures are primarily regulated by the ECMC.

Mitigation of potential impacts, such as noise, would be handled in accordance with ECMC regulations, along with applicable Municipal Code standards. Staff finds the project plans as proposed provide adequate noise mitigation in relation to the surrounding land uses and oil and gas development.

I. PUBLIC NOTICE AND COMMENT

A neighborhood meeting took place on July 18th, 2023 at 5:30 PM. The meeting was held virtually due to the remoteness of the proposed project site, existing land uses, and minimal impacts to the surrounding area. The virtual platform provides greater accessibility for public participation through flexibility of participation. No members of the community attended the meeting. No phone calls or emails were received by the City of Greeley or KMOG expressing concerns regarding the project. The City did receive one letter of opposition for the project on August 1st, 2023. The letter is dated June 10th, 2023, from a Johnstown citizen. The applicant has been working directly with the people who sent the letter of opposition throughout the entire Vista approval process. Any questions regarding the letter of opposition from the Johnstown citizen shall be directed to the applicant.

Letters, per Development Code requirements, regarding the public hearing for the proposed Use by Special Review were mailed on July 20th, 2023 to property owners within 1,000 feet of the site. A sign was posted on the site on July 24th, 2023. (*see Attachment A – Aerial and Vicinity Map as it includes the noticing boundary*).

J. MINERAL ESTATE OWNER NOTIFICATION

Mineral rights belong to the State Land Board of Colorado. It is the applicant's responsibility to ensure mineral noticing is sent to the mineral owner in ample time. KMOG shall comply with all mineral noticing requirements.

K. PLANNING COMMISSION RECOMMENDED MOTION

Approval:

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for an oil and gas operation that consists of 10 oil and gas wells and an associated production facility equipment on 3.81 acres (permanent) of the 13.67 acre site, in the PUD (Planned Unit Development) Zone District is consistent with the Development Code criteria of Section 24-206 (Items a through d) and the proposed oil and gas operations will meet the provisions contained in Section 24-1102, Oil and Gas; and therefore, approve the Use by Special Review.

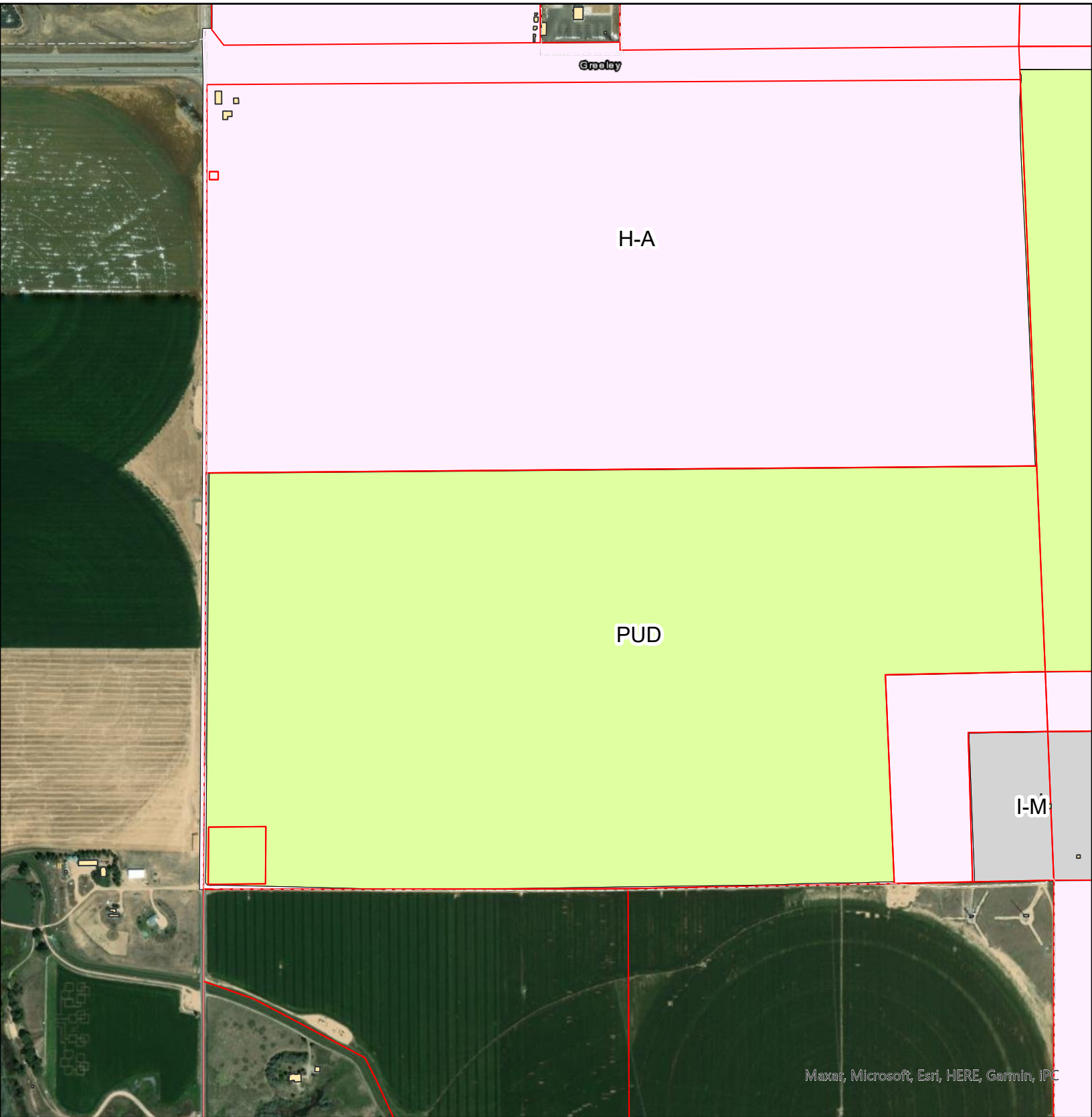
Denial:

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for an oil and gas operation that consists of 10 oil and gas wells and an associated production facility equipment on 3.81 acres (permanent) of the 13.67 acre site, in the PUD (Planned Unit Development) Zone District is not consistent with the Development Code criteria of Section 24-206 (Items a through d) and the proposed oil and gas operations will meet the provisions contained in Section 24-1102, Oil and Gas; and therefore, deny the Use by Special Review

ATTACHMENTS

- Attachment A – Aerial & Vicinity Map
- Attachment B – Existing Zoning Map
- Attachment C – Narrative and Operations Plan
- Attachment D – Overall Site Plan
- Attachment E – Visual Mitigation Plan
- Attachment F – Traffic Memo
- Attachment G – Tactical Response Plan

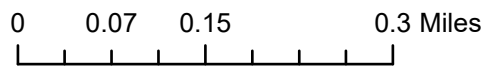




Maxar, Microsoft, Esri, HERE, Garmin, IPC

Legend

- | | | |
|---------------------------|-----------------------------|----------------------------|
| Buildings | Holding Agriculture | Residential Estate |
| Greeley Parcels | Industrial Low Intensity | Residential Low Density |
| Conservation District** | Industrial Medium Intensity | Residential Medium Density |
| Commercial Low Intensity | Industrial High Intensity | Residential High Density |
| Commercial High Intensity | Planned Unit Development | Residential Mobile Home |



Use by Special Review Application

City of Greeley

USR2023-0004

Proposed Oil & Gas Wells

Vista 13-16HZ

Well Pad and Production Facility

(10 Wells on 1 Pad)

Township 5 North, Range 67 West, 6th P.M.

SW/4 Section 16

Greeley, Colorado

APPLICANT:

Kerr-McGee Oil & Gas Onshore LP

1099 18th Street, Suite 700

Denver, Colorado 80202



Submitted: February 6, 2023

Revised: March 31, 2023

Revised: May 19, 2023

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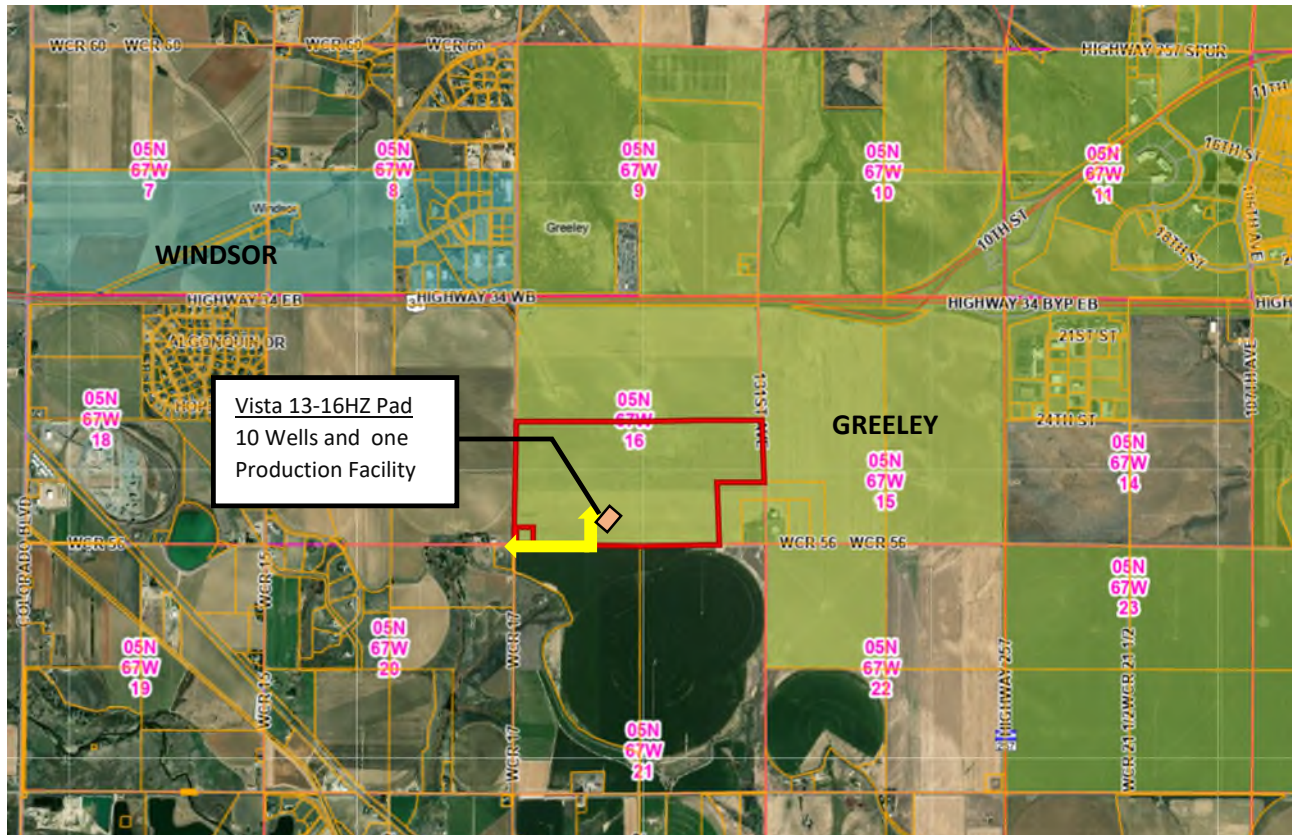
1. Narrative

1.1 DESCRIPTION OF INTENDED USE

Kerr-McGee Oil & Gas Onshore LP (KMOG), a subsidiary of OXY USA Inc., intends to horizontally drill ten (10) oil and gas wells from one well pad location, on property owned by KMOG. The proposed wells will be known as the Vista 13-16 Pad (Vista), the well names are listed in Section 1.2. The desired outcome of this application is to permit the wells to all formations. The purpose of these wells is to produce hydrocarbons from underlying formations known to have commercial potential from the production of the hydrocarbons.

A pre-application meeting with the City of Greeley was held on December 6, 2022, and preliminary siting for the project was reviewed and given preliminary approval to move forward with the development application - Use by Special Review (USR). Members of the Colorado Oil and Gas Conservation Commission (COGCC) staff also attended the meeting (virtually) at the invitation of the City of Greeley.

The wells and production facility are proposed to be in the southwest quarter of Section 16, Township 5 North, Range 67 West 6th P.M. See the aerial vicinity map below showing an arrow for the site access from County Road 56.



1.2 SITE IMPROVEMENTS

KMOG shall construct one temporary operations area (Oil & Gas Location) of approximately 13.67 acres for the drilling, completion operations and one production facility. After drilling and completion activities are finished, the site will be reclaimed to approximately 3.81 acres, (approximately 1.90 acres for the wells and 1.91 acres for the production facility). This is the permanent disturbance area until such time as KMOG

evaluates the well production and determines the wells are no longer economically feasible, at which time the wells will then be plugged and abandoned (P&A) and the area reclaimed. Final reclamation commences once the last well on the site is P&A.

These are the names of the 10 wells proposed for the Vista pad:

Vista 16-1HZ	Vista 16-6HZ
Vista 16-2HZ	Vista 16-7HZ
Vista 16-3HZ	Vista 16-8HZ
Vista 16-4HZ	Vista 16-9HZ
Vista 16-5HZ	Vista 16-10HZ

After the wells have been drilled to total depths, completed (hydraulically fractured) as wells capable of production, KMOG will perform interim reclamation of drilling and completions areas no longer required for production purposes. If any of the wells are not capable of production, that specific well (or wells) will be P&A as a dry hole and the same reclamation of the site will apply. Flowlines will be installed to connect the wells to the production facility. These wells will then have a wellhead assembly installed on site. Pumping units may be installed should pressure within the wells necessitate their use.

1.3 CHARACTERISTICS OF DRILLING AND COMPLETION OPERATIONS

KMOG management will utilize authorized employees and professional contractors to conduct the drilling and completion operations on site. Drilling will be continuous, 24 hours a day seven days a week, for this period. Completion operations will be performed on each well following the drilling phase. The production facility will be installed, and the wells put on-line. KMOG anticipates mobilization and pad construction to begin in the third quarter 2023 contingent upon approval from the City of Greeley and the COGCC.

Estimated schedule for operational phases are as follows:

- Pad Construction December 2023
- Surface Drilling Operations January 2024
- Horizontal Drilling March 2024
- Hydraulic Fracturing June 2024
- Production Facility Construction April 2023
- Interim Reclamation December 2024

These dates are estimates subject to permitting approvals, drilling schedule, rig availability and market conditions.

1.4 CHARACTERISTICS OF MAINTENANCE

Once the wells are brought on to production a lease operator will inspect the wells on a regular basis under normal conditions and as required by any special circumstances under the supervision of the KMOG Area Manager. In addition, all new well sites are remotely monitored 24 hours a day, seven days a week by representatives in KMOG's Integrated Operations Center (IOC), located in Platteville, Colorado. From the IOC, KMOG personnel can turn wells and equipment on and off, look at tank levels, verify pressures and temperatures.

1.5 COORDINATION WITH THE COGCC RULES

KMOG will comply with the City of Greeley USR permit requirements (Section 24-1102. d.) as well as the COGCC rules relative to oil and gas development.

- Waste: KMOG will comply with City of Greeley regulations and applicable COGCC rules for waste handling and management, including the following:
 - a) KMOG uses a closed loop or “pitless” system for drilling and fluid management and does not construct a reserve pit.
 - b) Drilling mud will be spread on lands outside of the city limits in a manner approved by the COGCC or taken to a commercial disposal.
 - c) A commercial size trash bin for removing debris will be located on site. This bin will be for use by all parties affiliated with the operation.
 - d) Human waste will be properly handled by portable sanitary facilities located on site. KMOG will contract a sanitary service company to provide and maintain the self-contained sanitary facilities throughout the oil and gas operation.
 - e) Produced water will be hauled away and properly dispose of in accordance with COGCC regulations.
- Abandonment and Plugging (P&A): KMOG will comply with COGCC rules for P&A of wells. In addition, per the City of Greeley requirements, KMOG agrees to notify the Greeley Fire Department at least two hours prior to P&A operations and the removal of production equipment once the final well on location is P&A. Additional details pertaining to the P&A process are described in the Operating Plans section of this document.
- Seismic Operations: KMOG does not have plans for seismic operations related to this application. If this changes KMOG will work with the city and the COGCC regarding the specific requirements as defined in the Greeley Development Code.
- Signs: Well tank and production facility (battery) will be signed in accordance with the COGCC rules. KMOG will maintain these signs in good condition for the life of the wells and production facility. The signs will comply with City of Greeley Chapter 9 sign regulations and the International Fire Code, except where variation of the code is required by the COGCC.
- Reclamation: KMOG will comply with the COGCC requirements relative to reclamation. Additional information about final reclamation is detailed in the Operating Plans section of this document.

1.6 ENVIRONMENTAL MITIGATION

- Noise: KMOG will meet all applicable noise requirements set forth by the City of Greeley and the COGCC Rules. Exhaust from all engines, motors and related equipment, shall be vented in a direction away from occupied buildings where practical. KMOG plans to incorporate sound walls for noise mitigation on the west and south sides of the well pad. KMOG also utilizes many other noise mitigation techniques as standard practice including a modified drilling rig with noise reduction features and a quiet completions fleet engineered to reduce noise. In addition, KMOG is submitting as a separate Noise Mitigation Plan that details compliance with regulatory requirements.
- Vibration: KMOG will meet all applicable vibration requirements set forth by COGCC regulations during operations. There is not any unusual vibration anticipated from the proposed operation.
- Visibility: KMOG will meet all applicable visual impact requirements set forth by COGCC regulations during operations. The pad has been strategically located as far south on the parcel as possible to minimize visibility from State Highway 34.

The permanent facilities will be painted in uniform, noncontrasting, nonreflective color tones in accordance Greeley Development Code, Sec. 24-1102 Oil and Gas and the COGCC regulations and in a manner to harmoniously blend with the surrounding environment.

After drilling and completion operations the site will be grading for the production phase. For the production phase KMOG has carefully designed the graded the facility pad (elev. 5001.1) to sit at approximately nine feet of cut on the northeast corner of the facility pad by placing the topsoil stockpile berm on the north and east sides, averaging 15 feet on the north side and eight feet tall on the east side, to provided additional screening. Additional screening will be provided with a solid fence, as detailed in the USR exhibit. This solid fence is strategically positioned around both the facility pad and well pad on the west, south and east sides of to provide additional visual mitigation. A Visual Mitigation Plan – photographic simulation is included as a separate exhibits section of this USR submittal. Additionally, landscaping plans for the screening of this oil and gas location will be provided by the surface owner, (the developer) during the Delantero platting approval process.

- Safety: Authorized representatives and/or KMOG personnel shall be on-site during drilling and completion operations. The completed oil and gas location will be surrounded with a fence and gate with a lock for safety. KMOG personnel will monitor the well site regularly upon completion of the well. Additionally, new well sites are remotely monitored 24 hours a day seven days a week by representatives in KMOG's IOC in Platteville, Colorado. A copy of an Emergency Action Plan (EAP) and Tactical Response Plan (TRP) is included with this application, in the Exhibits section of this document.
- Wildlife/Environmental: KMOG contracted with an environmental consultant to perform a complete biological assessment of the location in October of 2021 and December of 2022. This assessment was to identify sensitive resources that could be affected by the construction and subsequent operations of the proposed oil and gas development. This assessments studied the potential adverse impacts to sensitive natural resources, including vegetative communities, surface waters, and wildlife. The finding determined potential adverse impacts to the ecosystem are anticipated to be minimal and include disturbance to existing agricultural operations within and surrounding the location. Construction at the location will not impact surface waters, federally threatened or endangered species, or Colorado

Department of Wildlife (CPW) High Priority Habitats. A Wildlife Protection Plan is provided for reference and is included as an attachment to this USR narrative.

1.7 RELATIVE PLANS

- Air and Water Quality: KMOG will meet all applicable air and water quality requirements set forth by COGCC regulations during operations. KMOG will comply with the Colorado Department of Public Health and Environment regulations by filing an Air Pollution Emissions Notice (A.P.E.N.), along with any other additional required application data. If production volumes exceed required thresholds, KMOG will install emissions control devices as warranted to obtain required reductions of ozone precursors. The Colorado Department of Health and Environment (CDPHE) has air monitoring requirements requiring operators to submit an Air Monitoring Plan monthly during production rig drilling, completions and the production facility for six months after the wells are turned over to production. As part of this new rule, Local Governments within 2000-feet will receive a copy of the Air Monitoring Plan, that is prepared by a third-party consultant.

The COGCC sets forth specific requirements for casing depth to protect ground water sources.

- Odor: KMOG will meet all applicable odor requirements set forth by COGCC regulations during operations. There are no noxious, prolonged or unusually high amounts of odor expected from the proposed operation. KMOG will implement the following to mitigate odor:
 - a) Storage of excess drilling fluid (e.g., fluid not being used in the active mud system) in closed, upright tanks.
 - b) Drill cuttings will be run through a centrifugal dryer to minimize odor during temporary time on location and during transport to disposal.
 - c) Odor neutralizer will be used in the active mud system for management of odors within 24 hours of receipt of a stakeholder grievance.
 - d) Drill cuttings will not remain in storage at the oil and gas location for more than a 24-hours period. Disposal will occur before the end of the 24-hour period.
 - Dust: Dust will be managed by reducing traffic speed to 5 mph on the pad, and 10 mph on the lease access road and Weld County Road (WCR) 56 as well as applying water to suppress dust when needed. A compacted layer of gravel on the working pad surface and access roads which reduces vehicle tracking and associated dust. A tracking pad will be placed at the access road entrance to mitigate mud and dust on WCR 56 and WCR 17. Water will be placed on dirt access roads to mitigate dust as needed. Where feasible, additional dust suppression products may be used to further abate dust.
- In addition, various techniques to be used on disturbed soils to minimize ability for soil particles to become airborne. Including the following:
- a) Track pack/compact topsoil piles, consolidate soil used to construct perimeter ditch/berm and sediment traps
 - b) Hydro mulch and/or hydroseed topsoil piles and/or other stormwater BMP features
 - c) Seed/straw crimp disturbed soils where feasible
- Lighting: KMOG will meet all applicable visual impact requirements set forth by the COGCC. Where practical lights will be shielded and turned inward toward the rig to minimize disturbance to existing structures or public roadways.

During drilling and completions, KMOG will have temporary, mobile light towers around the pad pointing towards the equipment. The towers will be directed downward, inward and shielded to avoid glare on public roads and building units. All lights located on the production rig will be pointed down and inward, except for the red aviation warning lights which are required for safety purposes. During the drilling and completion phase a 32-foot-tall sound wall along the west and south sides of the drilling pad will also help to mitigate light.

KMOG may use lighting that is necessary for public and occupational safety and as required by the Federal Aviation Administration.

The only permanent lights on location will be at the facility located on the Lease Automatic Custody Transfer (LACT) buildings. These lights include the safety strobe light and the entry light. The strobe lights on the buildings are emergency indicators that will activate if there is an upset at the LACT. The strobe light will be downward facing and will have a shroud over it.

The entry light on the building is for personnel visiting the facility at night. This permanent light is mounted on the LACT building next to the entry door. This light is faced downward and shielded to the best extent for light mitigation.

- Access Road and Haul Route: KMOG will utilize the lease access road from WCR 56 for all traffic associated with construction and production of the wells proposed for the Vista Pad.

The lease access road will be constructed at a minimum of 30 feet wide and a minimum 13.5 feet of overhead clearance. KMOG plans to improve WCR 56, currently a two-track road from the access point to WCR 17, which is a paved road. The access road and WCR 56 (from the access to WCR 17) will be constructed of Class 5 road base over 6 inches of 95% compacted subgrade and aggregate base course. The lease access road and WCR 56 will be properly graded for adequate drainage and maintained to prevent dust and mud; culverts shall be utilized where necessary. KMOG will control mud tracking with 100 ft. of VTC (Vehicle Tracking Control) ballast that is (refreshed as needed) at the entrance to site from WCR 56 followed by additional Class 5 road base leading to the well and facility pads which are also surfaced in Class 5 road base. Gravel surfacing the roads and well/facility pads combined with the VTC tracking control device has proven to minimize tracking on to adjacent roadways. Details are shown in the USR exhibits sheet 7.



- Pipelines: KMOG utilizes a comprehensive below ground pipeline system to transport produced oil and natural gas to processing facilities, resulting in a smaller tank production facility with fewer tanks. KMOG does not store oil on-site. This reduces the facility size and creates a compact development areas. Oil and natural gas pipelines will be installed and operational once the wells are brought online. KMOG contracts with a third-party midstream company for this pipeline takeaway. The pipeline infrastructure mitigates truck traffic in the area, thereby significantly reducing impacts to roads, noise, and emissions.
- Required Permits: the following permits are required for this application:
 - o COGCC Oil and Gas Development Plan (OGDP) – Approved permits will be provided to the City of Greeley upon receipt from the COGCC
 - o Use by Special Review - Greeley
 - o Right-of-way Permit – Weld County (necessary for improvements to WCR 56)
 - o Building Permit - Greeley
 - o Sign permit - Greeley

2. Operator Information

2.1 OPERATOR IDENTIFICATION

Kerr-McGee Oil & Gas Onshore LP
 1099 18th Street, Suite 700
 Denver, Colorado 80202
 Tel:(720) 929-6000
 Fax: (720) 929-7297

Kerr-McGee Oil & Gas Onshore LP (KMOG), is a fully insured and bonded oil and gas operator, organized as a Delaware Limited Partnership and authorized to do business in the State of Colorado as Kerr-McGee Oil & Gas Onshore LP. All insurance and bonds held by KMOG meet the requirements as set forth in the rules and regulations as adopted by the COGCC.

2.2 **SURFACE OWNER**

Apex Vista LLC
506 Shoshoni St.
Cheyenne, Wyoming, 820094

A copy of the fully executed Surface Use Agreement (SUA) is included in the USR Submittal.

3. Operating Plans

3.1 CONSTRUCTION & DRILLING PHASE

The initial pad construction and drilling operations are expected to take about six to nine months (under normal circumstances). The subject land is first surveyed, and well locations are staked in accordance with COGCC regulations. The drilling pad is designed to prevent run off so that any spills will be contained on-site. The pad is lined with a layer of compacted clay materials to help prevent fluids from migrating vertically to the subgrade. From this point forward, twenty-four (24) hour operations of dirt work begin to prepare the location, including leveling the surface where the drilling rig will be located. After the location has been prepared, a drilling rig will move onto location to drill the surface intervals of the wells and cement the surface pipe to protect ground water. This process will take approximately one day per well under normal circumstances, subsequently a 10 well pad will take 10 days to complete initial surface drilling operations including cementing the surface casing pipes. Depending on the size/type of rig utilized to drill the surface interval, production drilling operations will either begin immediately with the same rig or a different rig will be moved onto location to drill the production interval. Production drilling operations will take four to five days per well, under normal circumstances. The actual drilling proceeds at a constant rate unless subsurface or mechanical problems are encountered.

If the well is deemed viable, casing is run in the hole and cemented (alternatively the well is plugged according to COGCC regulations). The casing, constructed of steel pipe, is designed to specific criteria to provide an integral conduit for transporting hydrocarbons to the surface. The casing strength is further enhanced by the cementing process. Cement is placed in the space between the casing and the wall of the hole. The cement anchors the casing, provides increased burst resistance, and contains the fracturing and produced fluids. The cement is also designed to special criteria. The cement is then allowed to cure and subsequently the rig is moved off location. At this point the drilling phase is complete.

3.2 DRAINAGE AND EROSION CONTROL PLAN

Changes in natural drainage patterns are not anticipated. The well site will be monitored during the drilling and completion phases for any stormwater erosion or sedimentation concerns. Necessary measures will be taken to correct any problems, immediately in most cases. Once the drilling and completion phases are complete, the drill site will be restored as near as practical, to its original grade and vegetation planted as required by regulations and surface use agreements, if applicable. KMOG will continue to monitor the site until all applicable regulatory requirements for revegetation have been met.

KMOG uses a closed loop or “pitless” system for drilling and fluid management and does not construct a reserve pit. The drilling company will actively manage the area around the rig equipment such that any minor fluid spills will be diverted and drained to small pumps strategically located and from there, if only water, will be pumped into the drilling fluid system. If the fluid is contaminated by fluids other than water, it will be pumped into a separate container and removed from the site to an approved disposal facility.

3.3 WATER SOURCES FOR ACTIVITIES

Water for use in completion operations will be secured and transported by KMOG through its own “Water on Demand” (WOD) system, or from a water supplier in the immediate area of the drill site. Water used will be approved by the State for commercial and industrial use and will be subject to a mutually acceptable agreement between KMOG and the water supplier. KMOG utilizes non-potable river quality water for

completion and does not rely on any “fresh” municipal treated water for completion operations. The WOD system includes a network of over 180 miles of underground pipeline that stretches through the approximately 20-mile by 30-mile field to source and transport water to completions crews. This system eliminates more than 2,000 truck trips per day field wide, and also reduces associated concerns of traffic, noise, emission, and dust.

The Water on Demand (WOD) system has been designed functionally to incorporate water from multiple sources. KMOG will choose the best source water combination for each job based on the water contract terms, the WOD water system capacity, and the forecasted timing and geographic area of water demand (hydraulic fracturing activity). KMOG maintains contractual agreements with multiple source water providers. This approach supports efficient water transportation and minimizing traffic, dust, and noise impacts which ultimately protect the health, safety, welfare of the community, and the environment. Detailed daily accounting is maintained for all WOD water supplies and provided to the Colorado Division of Water Resources annually.

3.4 COMPLETIONS PHASE

Upon the conclusion of production drilling operations, and as dictated by operational schedules, the well pad is then prepped for completions operations. The construction of the production facility may occur concurrent with the drilling and/or completion operations. Completion operations include all operations performed after drilling operations and prior to first production. These completion operations consist of well preparation, fracture stimulation, and preparing the well for production to sales.

The well preparation phase of completion operations is performed to prepare for the fracture stimulation operation. Initially, the necessary wellhead equipment is installed to conduct well preparation operations. KMOG wells are designed, built, operated, and maintained to the highest standards. Logging is performed to confirm the cement quality behind the well casing meets KMOG and regulatory standards. The wellbore is pressure-tested to confirm the casing can withstand the high pressures associated with a fracture stimulation. Lastly, the remaining necessary wellhead equipment is installed to prepare the well for fracture stimulation. A crew of one to six people are required to perform the above operations. The cumulative duration of the well preparation operations is three to four days.

The fracture stimulation operation is conducted to stimulate the flow of hydrocarbons from the targeted geologic formation to the wellbore and up to the wellhead. Fracture stimulation consists of pumping a water and sand mixture into the wellbore at a high pressure and flow rate. The water/sand mixture exits the wellbore to contact the rock formation through perforations made to the well casing. The stimulation operation for each well is performed in stages to concentrate the stimulation of the rock formation at designed intervals along the wellbore. In the event multiple wells are included in the fracture stimulation operations, only one well is under stimulation at one time. During stimulation, a crew of 35 to 45 people are required. The cumulative duration of the fracture stimulation operation is three to seven days per well.

At the end of the fracture stimulation operation, the well is prepared for long-term production. A coiled tubing unit is utilized to mill the plugs set in the wellbore to isolate the stimulation stages and to clean out the wellbore. Production tubing is installed to direct the flow of hydrocarbons inside the wellbore to the wellhead at surface. Once the production tubing is landed, the well is managed by the Production Operations group. The cumulative duration of the post fracture stimulation operations is two to five weeks with a crew of three to ten people.

The completion process is a 24 hour a day, seven-days a week operation and crews are rotated every 12 hours for continuous operations. Once fracture stimulation operations begin there will be varying activity on location until the well is turned over to permanent production operations.

3.5 PRODUCTION PHASE

The production phase may overlap the completion phase. After the completion fleet has cleared the location, the wells are connected to a production facility. Gathering equipment may also be installed on location by a third-party gathering company. The production and gathering facility, may consist of maintenance/oil tank(s), water tank(s), separator(s), Lease Automatic Custody Transfer (LACT) units, vapor recovery unit(s) (VRU), emission control device(s) (ECDs), meter(s) house, E-house, chemical tote(s), purge flare(s), communications tower, temporary produced water tanks, temporary ECDs and temporary generator. The temporary equipment will be on site for six to 12 months and then will be removed. In addition, pumping units may be installed. The production facility will be connected to the wells by pressure tested flowline buried approximately four feet deep. At this point, the gas and oil purchasers are preparing to connect the gas and oil sales meter loop.

The production facility installation is completed by constructing an earthen or metal berm around the production tank(s) and separator. The enclosed area will have sufficient volume to contain the entire contents of the largest tank plus adequate freeboard to contain a 24-hour 25-year precipitation event. The berms will be inspected at regular intervals and maintained in good condition. When a berm is provided around tanks no potential ignition sources shall be installed inside that area.

The lease operator then begins monitoring the wells. Reports consist of tank measurements, gas sales estimates, and pressure reading. This information is compiled monthly and filed with the COGCC.

When a well is completed for production, all disturbed areas no longer needed will be restored and re-vegetated as soon as practicable. All segregated soil horizons removed from crop lands shall be replaced to their original relative positions and contour and shall be tilled adequately to re-establish a proper seedbed. The area shall be treated if necessary and practicable to prevent invasion of undesirable species and noxious weeds, and to control erosion. Any perennial forage crops that were present before disturbance shall be re-established. All segregated soil horizons removed from non-crop lands shall be replaced to their original relative positions. The segregated soil horizons will contour as near as practicable to achieve erosion control and long-term stability and shall be tilled adequately to establish a proper seedbed. The disturbed area then shall be re-seeded in the first favorable season.

At some point in the well's life, tubing may be run in the well with the possible addition of a plunger lift, pumping unit or gas lift may be used. This will extend the well's producing life and maximize reserves.

3.6 WEED CONTROL

The Vista oil and gas location, will be kept free of weeds, rubbish, and other waste material. During drilling, production, and reclamation operations, all disturbed areas shall be kept reasonably free of noxious weeds and undesirable species. When a well is completed for production, all disturbed areas no longer needed will be restored and revegetated as soon as practicable.

Weed control measures shall be conducted in compliance with the Article 5.5 - Colorado Noxious Weed Act, C.R.S. § 35-5.5-115 and Chapter 10 Article IV. Sec 12-606 of the Greeley Municipal Code. KMOG will monitor and control noxious weeds until achieving reclamation threshold for release within reclaimed disturbance

areas, including monitoring to measure success of treatments. Weed control measures employed may include mowing, removal, and/or herbicide treatment during the appropriate growing season.

3.7 PLUGGING AND ABANDONMENT PHASE (P&A)

Plugging and abandonment is the cementing of a well and removal of its associated production facility. This also includes the removal of flowlines after all the wells on the pad are plugged and the remediation and reclamation of the well site.

Upon the plugging and abandonment of a well, all cellars will be backfilled. All debris abandoned gathering line risers, and flowline risers, and surface equipment will be removed, and the location will be graded and re-contoured. Within 90 days after a well is plugged and abandoned, the well site shall be cleared of all non-essential equipment, and debris. All access roads to the plugged and abandoned wells and associated production facilities shall be closed, graded and re-contoured in accordance with the COGCC regulations and Surface Use Agreement (if applicable). Culverts and any other obstructions that were part of the access road(s) shall be removed. Well locations, access roads and associated facilities shall be reclaimed. As applicable, compaction alleviation, restoration, and revegetation of well sites and access roads shall be performed. After plugging a well, reclamation work will be completed within three months on crop land, and six months on non-crop land, or with landowner consent reclamation will occur during optimal re-vegetation times of the year.

Successful Final Reclamation of the well sites and access roads will be considered completed when:

- Reclamation of crop land has been performed and over two growing seasons has indicated no significant un-restored subsidence.
- Reclamation on non-crop land, has been performed and stabilized in such a way as to minimize erosion to the extent practicable, or a uniform vegetative cover has been established with total percent plant cover of at least eighty percent (80%) of similar adjacent reference area levels, excluding noxious weeds and overstory or tree canopy cover.
- Disturbances resulting from flow line installations shall be adequately reclaimed when the disturbed area is reasonably capable of supporting the pre-disturbance land use.
- A Sundry Notice, Form 4, will be submitted to the COGCC, which describes the final reclamation procedures and any mitigation measures associated with final reclamation

KMOG estimates that we will plug and abandon (P&A) three wells and remove two facilities, reclaiming approximately 0.75 to 1.5 acres per well. This is contingent upon the approval of permits by the City of Greeley and the COGCC, successful drilling and completion of the proposed wells and bringing them onto production.

4. Equipment Illustrations

4.1 TYPICAL DRILLING RIG

Temporary equipment, used during the drilling phase.



4.2 TYPICAL TEMPORARY EQUIPMENT

Tanks (Produced Water Storage)

Tanks store water produced from separator during initial production. Later tanks are trucked out for disposal. Color varies depending on contractor and availability. Temporary tanks are on location for 6-12 months, approximately 10 feet 4 inches tall.



Temporary ECDs

Emission Control Device (ECD) burns off emissions from produced temporary water tanks. Approximately 24 feet 7 inches tall.



Temporary Generator – Used to operate equipment at the facility until such time as power can be brought onto the location, approximately 5 feet tall

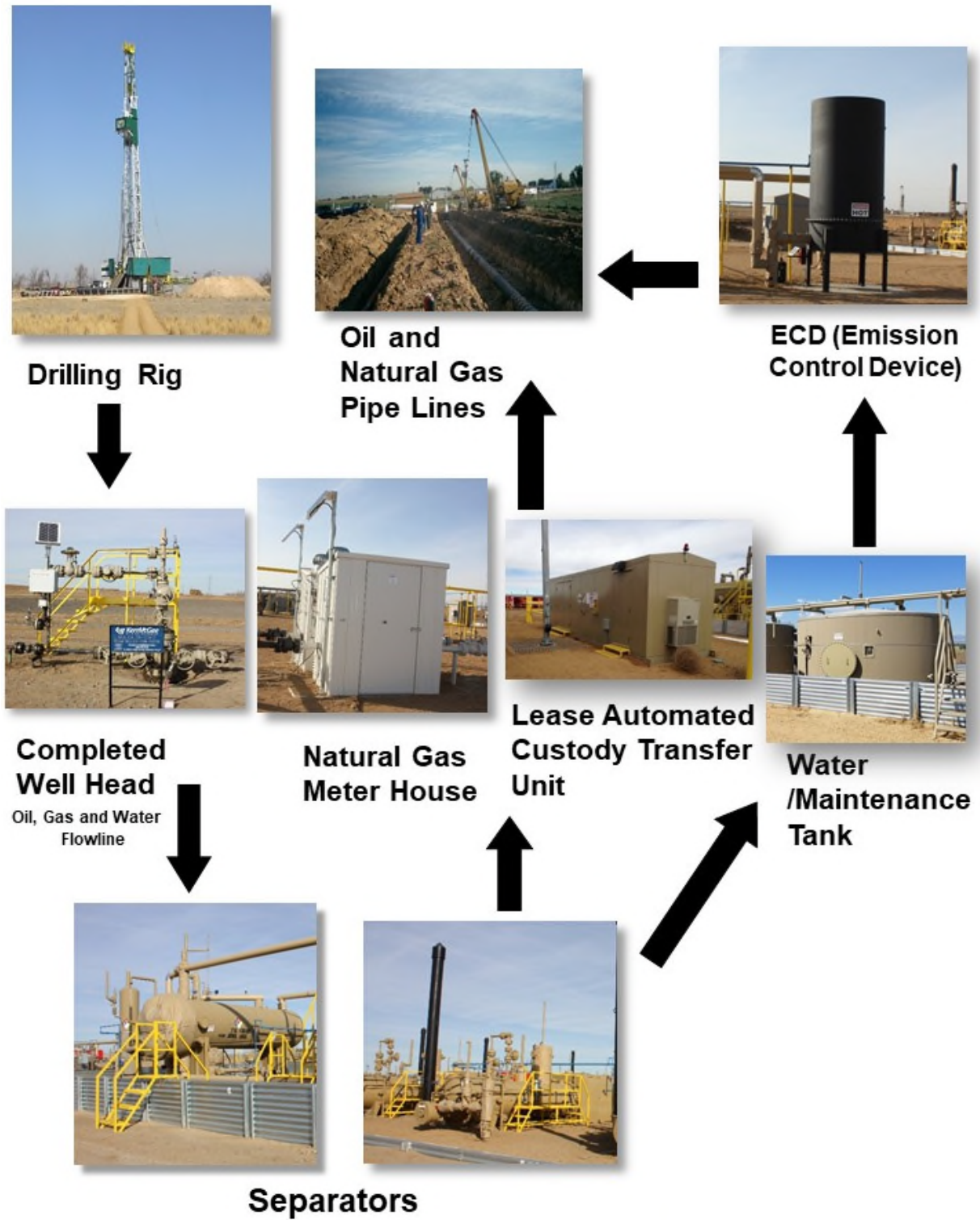


Temporary Purge Flare – Used at the time of facility commissioning to capture gas when purging the facility of oxygen, approximately 24 feet tall



4.3 PRODUCTION EQUIPMENT (SEE USR PLANS)

4.4 TYPICAL FLOW DIAGRAM

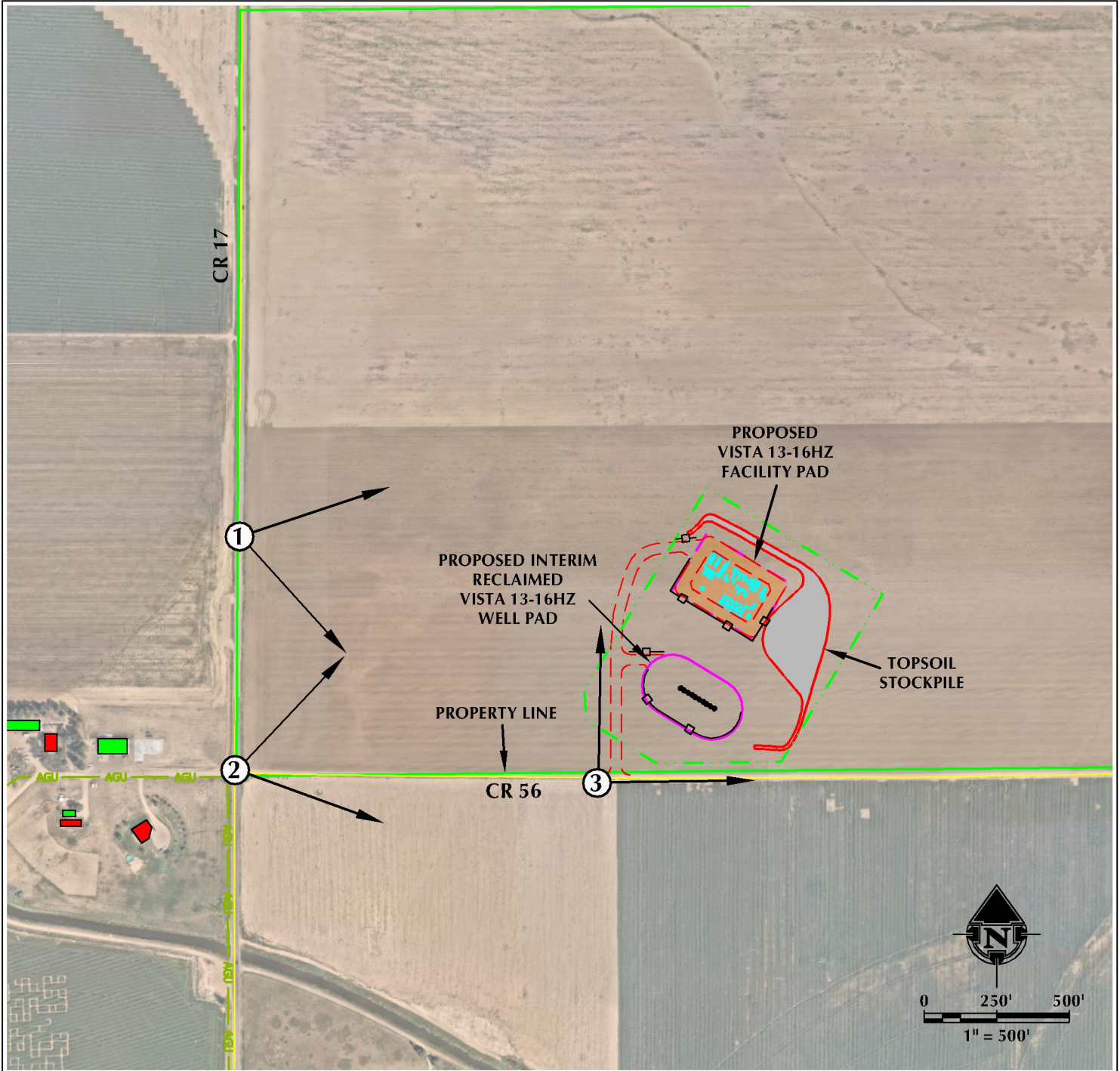


5. Photo Simulations – Visual Mitigation

SIMULATION PICTURES

VISTA 13-16HZ

S1/2 SW1/4 SECTION 16, TOWNSHIP 5 NORTH, RANGE 67 WEST, 6TH P.M., GREELEY, COLORADO



LEGEND

- PROPOSED WELL
- PUBLIC ROAD
- - - PROPOSED ACCESS ROAD
- ① PHOTO LOCATION
- - - PROPOSED OIL & GAS LOCATION
- □ - PROPOSED VISUAL MITIGATION (6' TALL SOLID STEEL WALL)
- EXISTING BUILDING
- RESIDENTIAL BUILDING UNIT



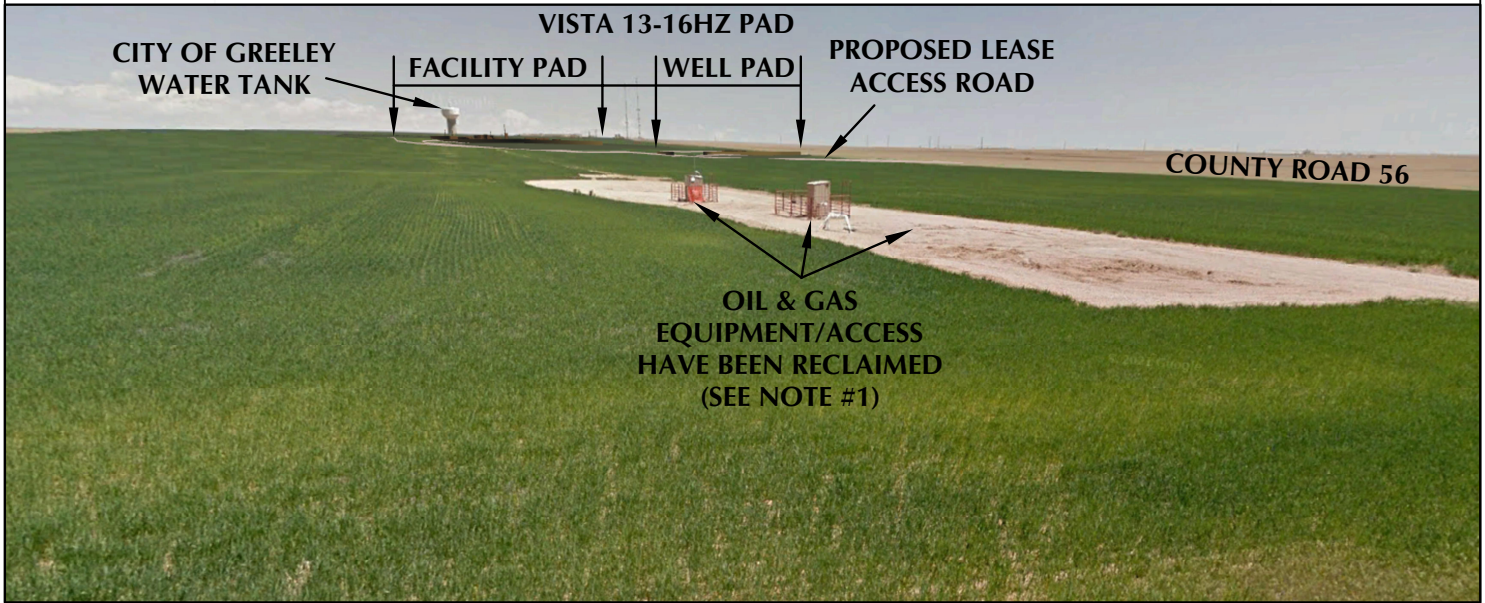
609 CONSULTING, LLC
LOVELAND OFFICE
6706 North Franklin Avenue
Loveland, Colorado 80538
Phone: 970-776-4331

SHERIDAN OFFICE
1095 Saberton Avenue
Sheridan, Wyoming 82801
Phone: 307-674-0609

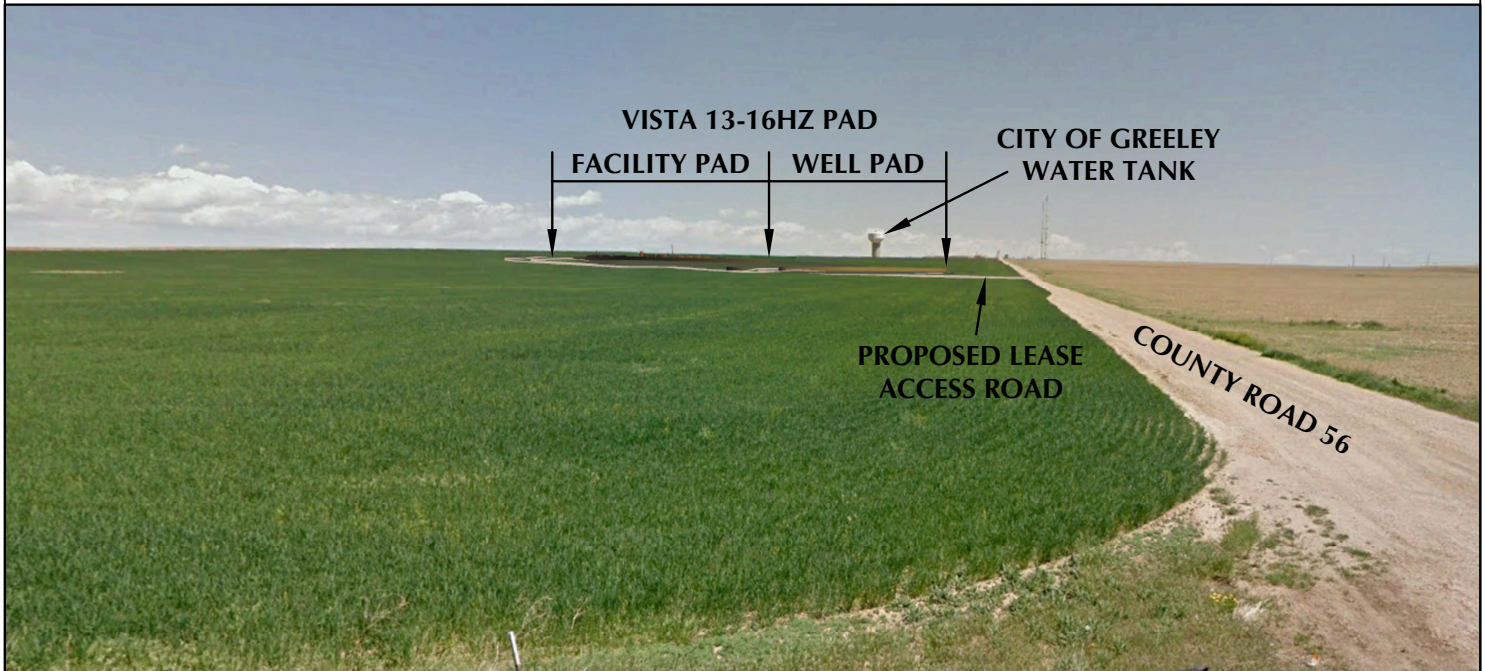
DATE SURVEYED: 11/21/22
DATE: 1/30/23
DRAFTER: SRS
REVISED: 2/1/23

DATA SOURCE:
- AERIAL COURTESY OF NEARMAP.

PREPARED FOR:
Kerr-McGee Oil & Gas Onshore LP



COUNTY ROAD 17 SIMULATION PICTURES - LOCATION 1



COUNTY ROAD 17 SIMULATION PICTURES - LOCATION 2

NOTE: SIMULATION PICTURES ALONG COUNTY ROAD 17 ARE AN OVERLAY OF THE DESIGNED VISTA 13-16HZ LOCATION ON GOOGLE EARTH STREET VIEW. THE PHOTOS WERE TAKEN IN MAY OF 2018 AND EXISTING CONDITIONS MAY DIFFER.

PAD - VISTA 13-16HZ

SIMULATION PICTURES
VISTA 16-1HZ,
VISTA 16-2HZ, VISTA 16-3HZ, VISTA 16-4HZ,
VISTA 16-5HZ, VISTA 16-6HZ, VISTA 16-7HZ,
VISTA 16-8HZ, VISTA 16-9HZ & VISTA 16-10HZ
LOCATED IN SECTION 16, T5N, R67W, 6TH P.M.
GREELEY, COLORADO

**Kerr-McGee Oil &
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Phone 970-776-4331

SCALE: NTS

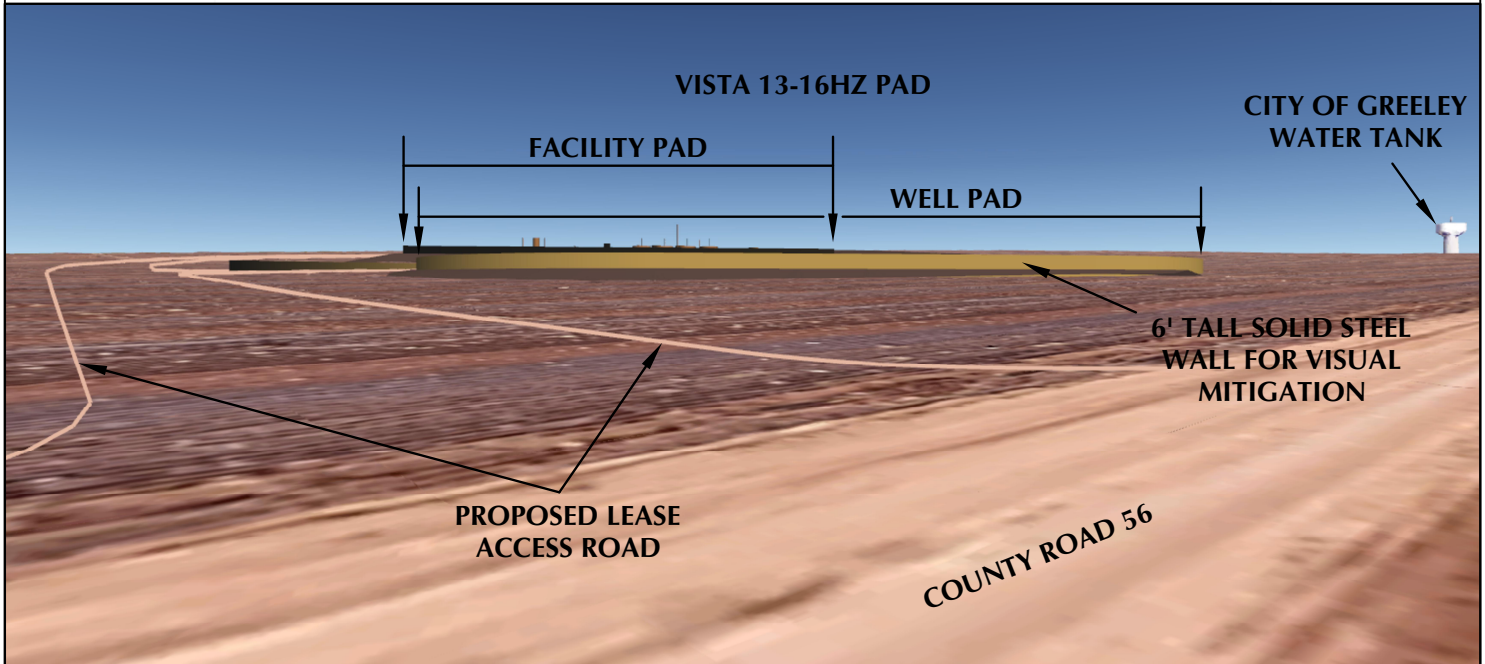
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COUNTY ROAD 56 SIMULATION PICTURES - LOCATION 3

NOTE: SIMULATION PICTURES ALONG COUNTY ROAD 56 ARE AN OVERLAY OF THE DESIGNED VISTA 13-16HZ LOCATION ON GOOGLE EARTH TERRAIN AND 3D BUILDINGS.

PAD - VISTA 13-16HZ

SIMULATION PICTURES
VISTA 16-1HZ,
VISTA 16-2HZ, VISTA 16-3HZ, VISTA 16-4HZ,
VISTA 16-5HZ, VISTA 16-6HZ, VISTA 16-7HZ,
VISTA 16-8HZ, VISTA 16-9HZ & VISTA 16-10HZ
LOCATED IN SECTION 16, T5N, R67W, 6TH P.M.
GREELEY, COLORADO

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SCALE: NTS

DATE: 2/1/23

SHEET NO:

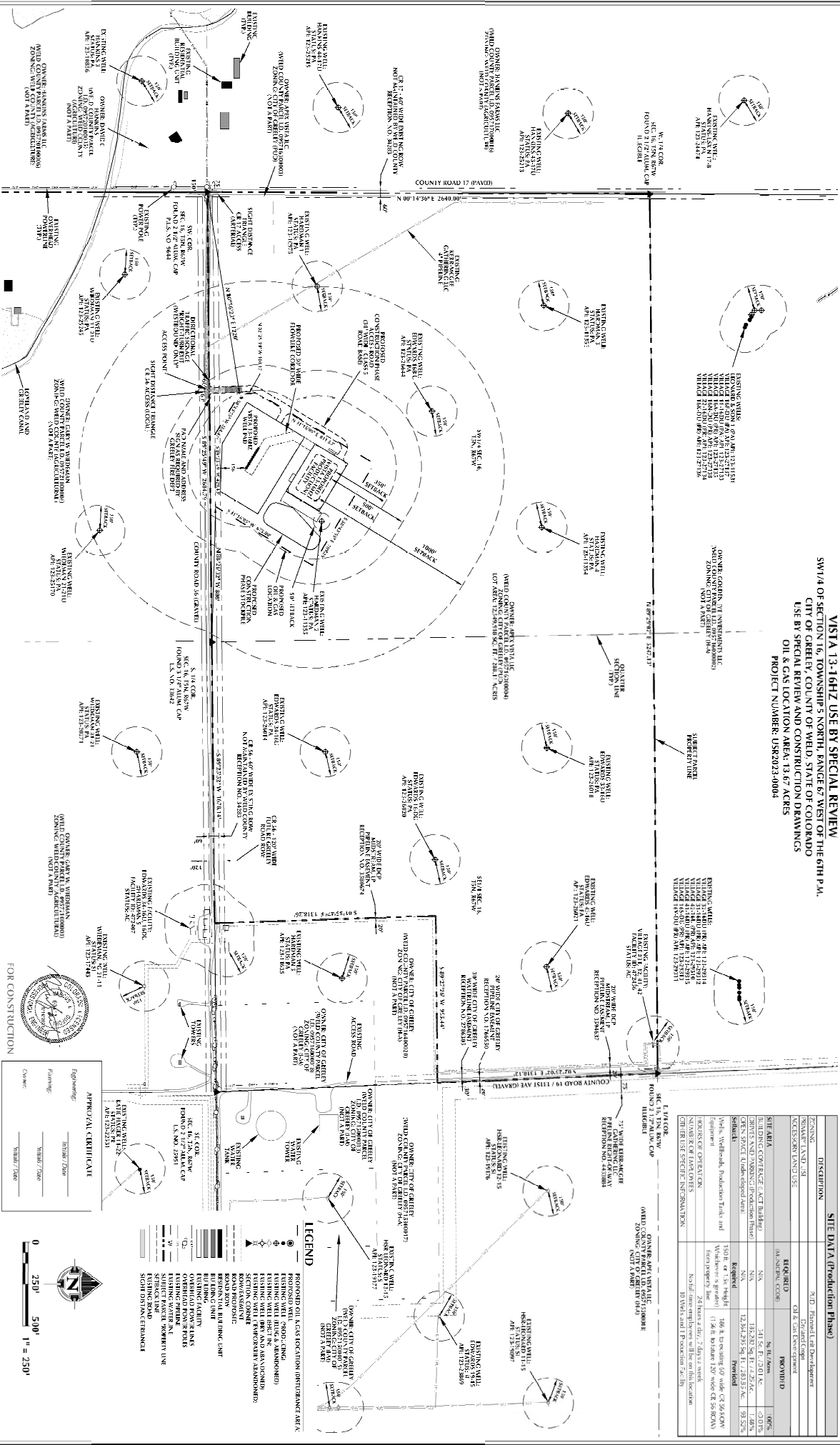
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6. Exhibits Submitted as Separate Attachments

- 6.1 EMERGENCY ACTION PLAN (EAP) AND TACTICAL RESPONSE PLAN (TRP)**
- 6.2 TRAFFIC STUDY**
- 6.3 PRELIMINARY DRAINAGE AND EROSION CONTROL REPORT**
- 6.4 PRELIMINARY DRAINAGE AND EROSION CONTROL PLANS**
- 6.5 LIGHT MITIGATION PLAN**
- 6.6 NOISE MITIGATION PLAN**
- 6.7 ENVIRONMENTAL REPORT – WILDLIFE PROTECTION PLAN**
- 6.8 USR PLAN SET AND CONSTRUCTION DRAWINGS**



GENERAL NOTES:

* APPLICANTS AVAILABLE DATA SOURCES HAVE NOT BEEN INDEPENDENTLY VERIFIED BY OUR CONSULTING, ETC.
* ALL UTILITY LOCATIONS SHOWN ON THIS SITE DEVELOPMENT PLAN ARE PROPOSED. ALL FINAL UTILITY LOCATIONS WILL BE DEPICTED ON THE FINAL APPROVED CONSTRUCTION PLANS. ANY ADDITIONAL EASEMENTS GRANTED AFTER FINAL CONSTRUCTION PLAN APPROVAL SHALL REQUIRE THE APPLICANT TO SUBMIT UPDATED CIVIL CONSTRUCTION PLAN SHEETS DEPICTING REVISED EASEMENT LOCATIONS.
* ORIGINAL DOCUMENT SIZE: 11" x 16"



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Denver, Colorado 80202

DRAWING REVISIONS	
REV.	DATE DISCUSSION
0	2/1/23 FORMAL APPLICATION
1	3/28/23 REVISION #1
2	5/16/23 REVISION #2

DRAWING REVISIONS



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VISTA 13-16HZ

SITE PLAN

DATE: 5/16/23	SHEET: 2 OF 18
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DATE:	3/18/20	SHEET:	40110
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SURVEY DATE: 11/21/22 DRAFTED BY: MLD

1.6 ENVIRONMENTAL MITIGATION

- Noise: KMOG will meet all applicable noise requirements set forth by the City of Greeley and the COGCC Rules. Exhaust from all engines, motors and related equipment, shall be vented in a direction away from occupied buildings where practical. KMOG plans to incorporate sound walls for noise mitigation on the west and south sides of the well pad. KMOG also utilizes many other noise mitigation techniques as standard practice including a modified drilling rig with noise reduction features and a quiet completions fleet engineered to reduce noise. In addition, KMOG is submitting as a separate Noise Mitigation Plan that details compliance with regulatory requirements.
- Vibration: KMOG will meet all applicable vibration requirements set forth by COGCC regulations during operations. There is not any unusual vibration anticipated from the proposed operation.
- Visibility: KMOG will meet all applicable visual impact requirements set forth by COGCC regulations during operations. The pad has been strategically located as far south on the parcel as possible to minimize visibility from State Highway 34.

The permanent facilities will be painted in uniform, noncontrasting, nonreflective color tones in accordance Greeley Development Code, Sec. 24-1102 Oil and Gas and the COGCC regulations and in a manner to harmoniously blend with the surrounding environment.

After drilling and completion operations the site will be grading for the production phase. For the production phase KMOG has carefully designed the graded the facility pad (elev. 5001.1) to sit at approximately nine feet of cut on the northeast corner of the facility pad by placing the topsoil stockpile berm on the north and east sides, averaging 15 feet on the north side and eight feet tall on the east side, to provided additional screening. Additional screening will be provided with a solid fence, as detailed in the USR exhibit. This solid fence is strategically positioned around both the facility pad and well pad on the west, south and east sides of to provide additional visual mitigation. A Visual Mitigation Plan – photographic simulation is included as a separate exhibits section of this USR submittal. Additionally, landscaping plans for the screening of this oil and gas location will be provided by the surface owner, (the developer) during the Delantero platting approval process.

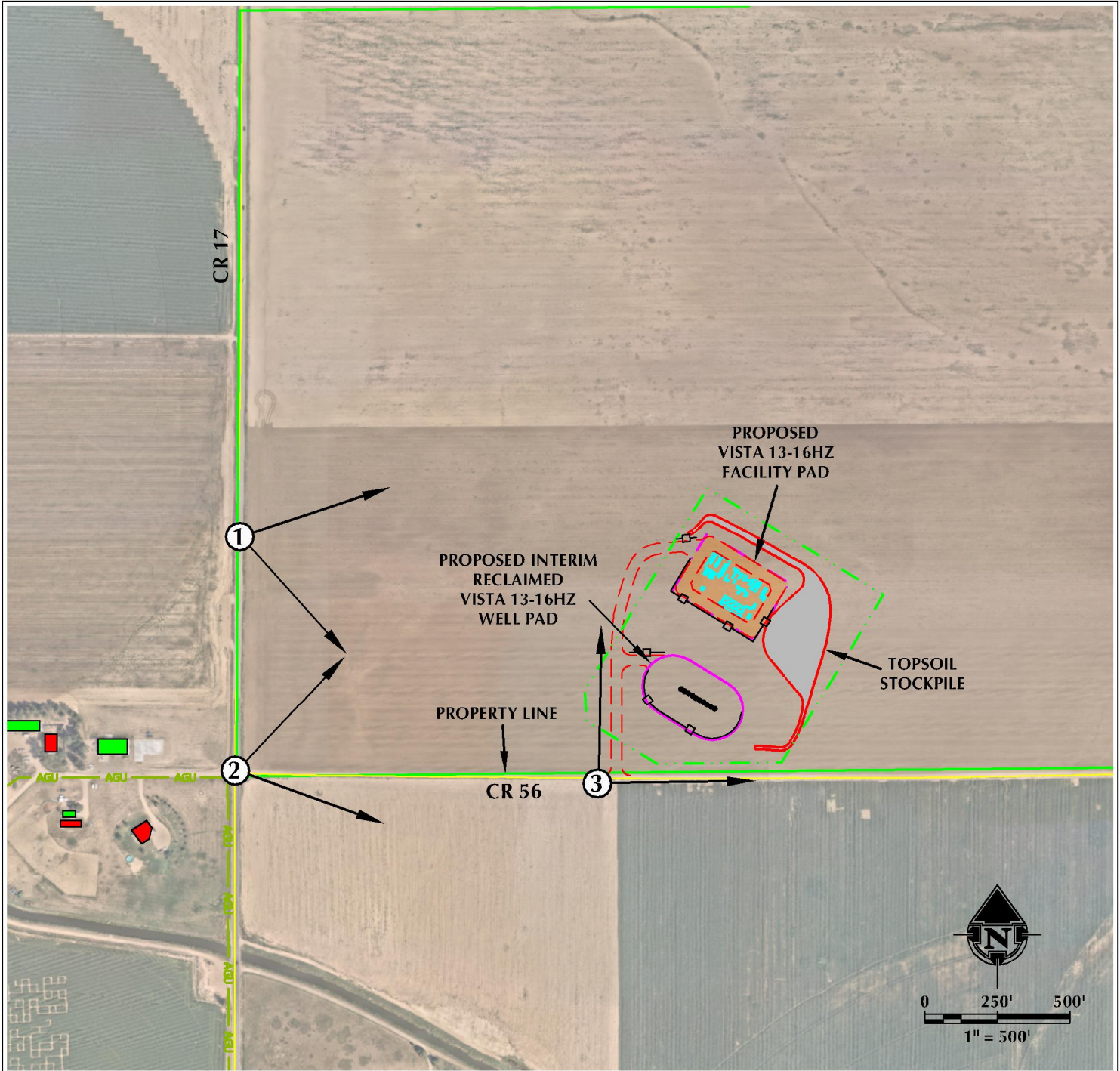
- Safety: Authorized representatives and/or KMOG personnel shall be on-site during drilling and completion operations. The completed oil and gas location will be surrounded with a fence and gate with a lock for safety. KMOG personnel will monitor the well site regularly upon completion of the well. Additionally, new well sites are remotely monitored 24 hours a day seven days a week by representatives in KMOG's IOC in Platteville, Colorado. A copy of an Emergency Action Plan (EAP) and Tactical Response Plan (TRP) is included with this application, in the Exhibits section of this document.
- Wildlife/Environmental: KMOG contracted with an environmental consultant to perform a complete biological assessment of the location in October of 2021 and December of 2022. This assessment was to identify sensitive resources that could be affected by the construction and subsequent operations of the proposed oil and gas development. This assessments studied the potential adverse impacts to sensitive natural resources, including vegetative communities, surface waters, and wildlife. The finding determined potential adverse impacts to the ecosystem are anticipated to be minimal and include disturbance to existing agricultural operations within and surrounding the location. Construction at the location will not impact surface waters, federally threatened or endangered species, or Colorado

5. Photo Simulations – Visual Mitigation

SIMULATION PICTURES

VISTA 13-16HZ

S1/2 SW1/4 SECTION 16, TOWNSHIP 5 NORTH, RANGE 67 WEST, 6TH P.M., GREELEY, COLORADO



LEGEND

- PROPOSED WELL
- PUBLIC ROAD
- - - PROPOSED ACCESS ROAD
- ① PHOTO LOCATION
- - - PROPOSED OIL & GAS LOCATION
- PROPOSED VISUAL MITIGATION (6' TALL SOLID STEEL WALL)
- EXISTING BUILDING
- RESIDENTIAL BUILDING UNIT



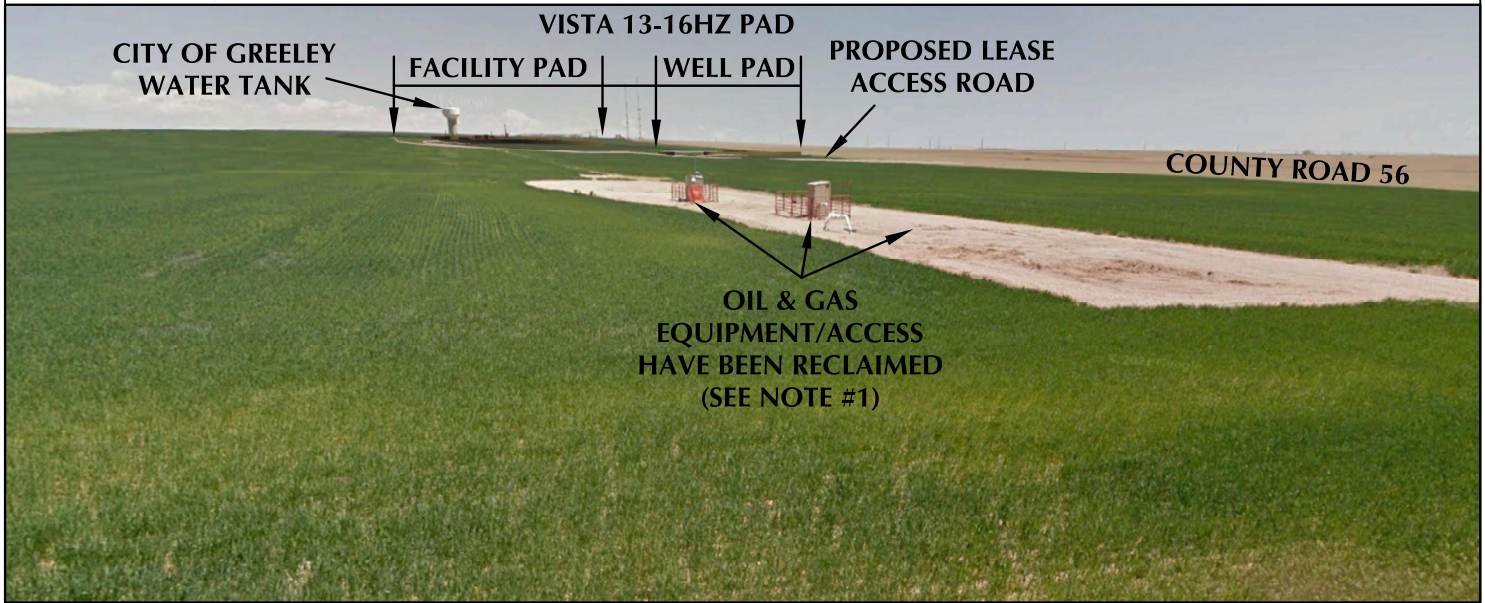
609 CONSULTING, LLC
LOVELAND OFFICE
6706 North Franklin Avenue
Loveland, Colorado 80538
Phone: 970-776-4331

SHERIDAN OFFICE
1095 Suburban Avenue
Sheridan, Wyoming 82801
Phone: 307-674-0609

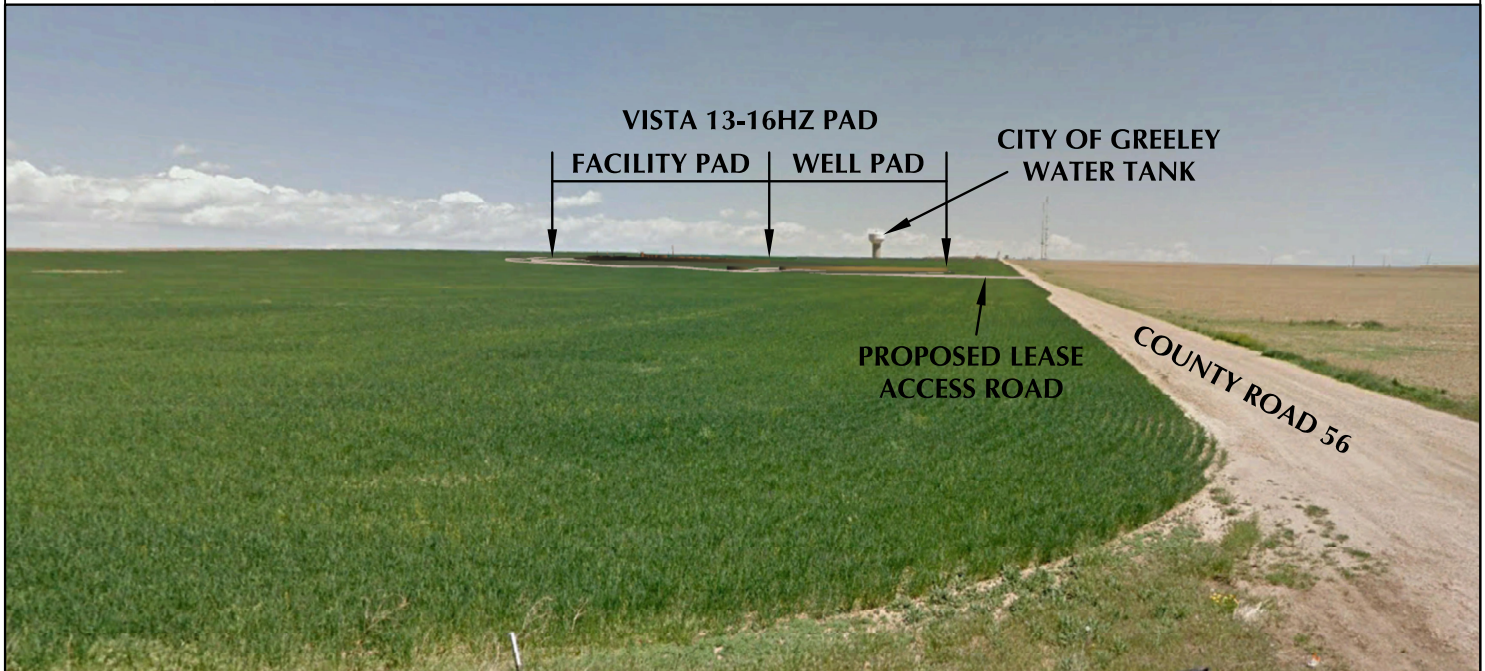
DATE SURVEYED: 11/21/22
DATE: 1/30/23
DRAFTER: SRS
REVISED: 2/1/23

DATA SOURCE:
- AERIAL COURTESY OF NEARMAP.

PREPARED FOR:
Kerr-McGee Oil & Gas Onshore LP



COUNTY ROAD 17 SIMULATION PICTURES - LOCATION 1



COUNTY ROAD 17 SIMULATION PICTURES - LOCATION 2

NOTE: SIMULATION PICTURES ALONG COUNTY ROAD 17 ARE AN OVERLAY OF THE DESIGNED VISTA 13-16HZ LOCATION ON GOOGLE EARTH STREET VIEW. THE PHOTOS WERE TAKEN IN MAY OF 2018 AND EXISTING CONDITIONS MAY DIFFER.

PAD - VISTA 13-16HZ

SIMULATION PICTURES
VISTA 16-1HZ,
VISTA 16-2HZ, VISTA 16-3HZ, VISTA 16-4HZ,
VISTA 16-5HZ, VISTA 16-6HZ, VISTA 16-7HZ,
VISTA 16-8HZ, VISTA 16-9HZ & VISTA 16-10HZ
LOCATED IN SECTION 16, T5N, R67W, 6TH P.M.
GREELEY, COLORADO

**Kerr-McGee Oil &
Gas Onshore LP**
1099 18th Street
Denver, Colorado 80202



CONSULTING, LLC

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LOVELAND OFFICE
6706 North Franklin Avenue
Loveland, Colorado 80538
Phone 970-776-4331

SCALE: NTS

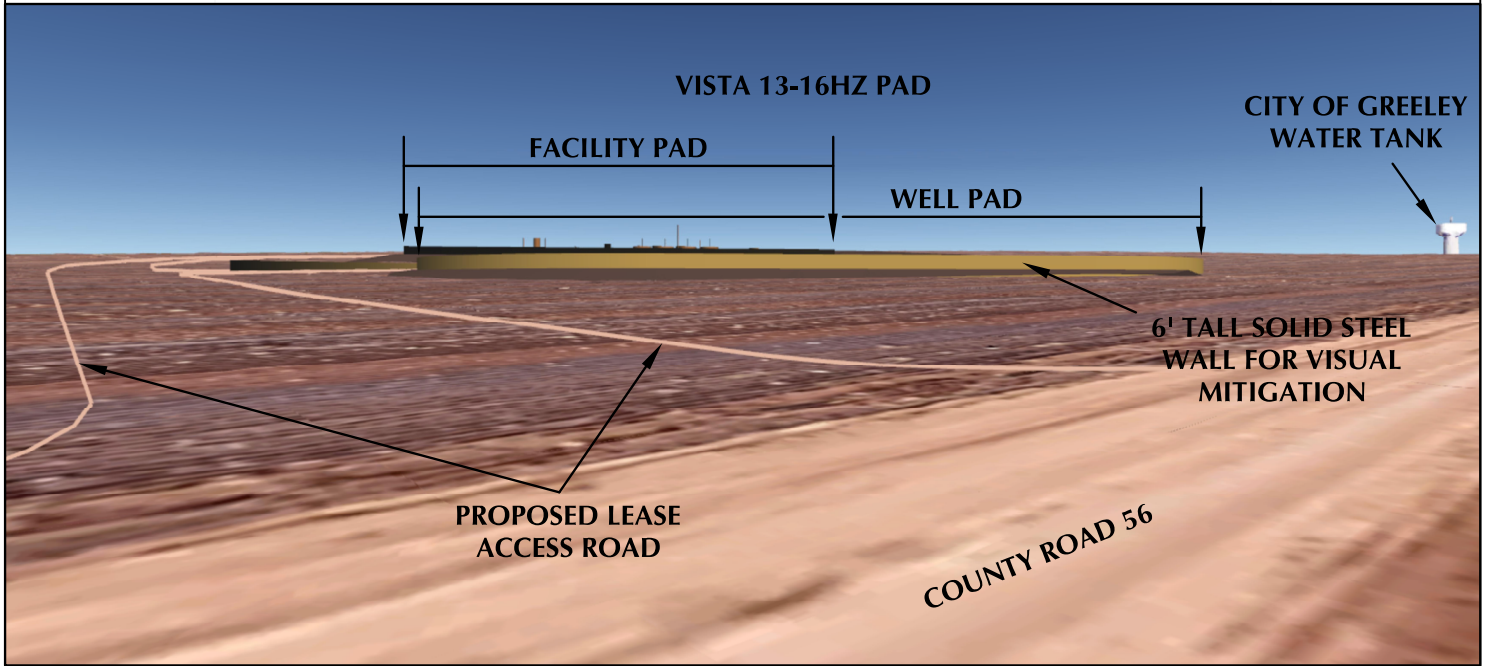
DATE: 2/1/23

SHEET NO:

REVISED:

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1 OF 2



COUNTY ROAD 56 SIMULATION PICTURES - LOCATION 3

NOTE: SIMULATION PICTURES ALONG COUNTY ROAD 56 ARE AN OVERLAY OF THE DESIGNED VISTA 13-16HZ LOCATION ON GOOGLE EARTH TERRAIN AND 3D BUILDINGS.

PAD - VISTA 13-16HZ

SIMULATION PICTURES
VISTA 16-1HZ,
VISTA 16-2HZ, VISTA 16-3HZ, VISTA 16-4HZ,
VISTA 16-5HZ, VISTA 16-6HZ, VISTA 16-7HZ,
VISTA 16-8HZ, VISTA 16-9HZ & VISTA 16-10HZ
LOCATED IN SECTION 16, T5N, R67W, 6TH P.M.
GREELEY, COLORADO

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Phone 970-776-4331

SCALE: NTS

DATE: 2/1/23

SHEET NO:

REVISED:

2

2 OF 2

To: Ms. Tracy Colling
Regulatory Advisor, Rockies Regulatory Affairs
Oxy USA, Inc.

Cc: Mr. Justin Nelson; Oxy USA, Inc.
Mr. Dustin Belohlavy; Oxy USA, Inc.
Mr. Steven Sundberg; 609 Consulting, LLC

From: Bill Zahniser, P.E. Principal Engineer
Colorado Registration No. 38996

Date: February 3, 2023

Subject: **Transportation Memorandum for the Vista 13-16HZ Oil & Gas Production Facility;**
Prepared in support of a USR permit for development within the City of Greeley, Weld County, Colorado

Kerr McGee Oil and Gas Onshore, LP (KMOG), a subsidiary of Oxy USA Inc. (Oxy) is proposing the construction and operation of the Vista 13-16HZ Oil and Gas Well Facility (“Vista Project”) in the City of Greeley, Colorado (“Greeley” or the “City”). The Vista Project entails the construction and operation of 10 horizontal wells. KMOG is submitting a Use by Special Review (USR) application to the City of Greeley’s Planning Department in support of this development. During pre-application review meetings, Greeley staff indicated to KMOG that a traffic evaluation would be required in support of the USR application.

Construction is anticipated to commence in August of 2023. Once construction commences, the construction phase build-out of the facility is anticipated to take approximately 15 months to complete. Once the build-out phase is complete, the Vista Project will begin the production or operating phase, which may last up to 25 years. The daily volume of traffic associated with the post-construction, production phase of the Vista Project will be less than that observed during the pre-production phases and will diminish to negligible amounts within the first 2 years of operation.

KMOG hired Tetra Tech to evaluate traffic impacts during the development and operational phases of the Vista Project. Our initial evaluation has determined that the anticipated development will generate less than 500 vehicle trips per day, with fewer than 20 peak hour movements. Based on these projected daily and peak hour trip estimates, and Greeley’s criteria¹, Tetra Tech anticipates that a study consistent with Greeley’s requirements for a “Transportation Memorandum” are appropriate for this evaluation. The ensuing evaluation and summary of the Project Vista traffic are meant to satisfy the expectations for a Transportation Memorandum, as set forth in City guidance.

Based on our review of the expected traffic, the development circumstances, KMOG’s intention to improve the existing roadway, and our understanding of City requirements, Tetra Tech does not anticipate further traffic impact study will be needed.

¹ Criteria for Development of Transportation Impact Studies. Department of Public Works, Transportation Services Division; City of Greeley, Colorado. July 2019.

Area of Interest

The Vista Project is located on the north side of County Road 56 (CR 56), approximately 0.25 miles east of County Road 17 (CR 17), in the City of Greeley, Colorado [Southeast ¼ of Southwest ¼, Section 16, Township 5N, Range 67W] (**Figure 1**). The current site location and surrounding area and land use is predominantly undeveloped, agricultural lands located within the City's Planned Use Development (PUD) zoning district.

As shown on **Figure 1**, the Vista Project is located within the anticipated limits of a future residential development project under consideration by others, referred to as the Delantero PUD. KMOG is coordinating with the landowner and Delantero developer and plans to complete construction of their Vista Project, prior to Delantero commence their development activity. The Vista Project is expected to have a single entrance/exit to the well pad location, connecting it directly to the north side of CR 56. A temporary access will be used during the construction of the facility. Coincident or prior to the advancement of the Delantero project, a portion of the Vista well pad will be reduced/reclaimed, and this temporary access will be replaced with a permanent access, located in approximately the same location, as shown on **Figure 1**.

Inbound traffic will originate from either US Highway 34 north of the site (approximately 75% of the traffic), or County Road 54 (CR 54) which is south of the site (approximately 25% of the traffic). After passing through one of these intersections, it will travel along CR 17 towards the site, then turn onto CR 56 and head east the approximate 0.25 miles to the proposed Vista Project access road location. Outbound traffic will retrace this inbound route. All expected inbound and outbound Vista Project traffic will pass through the CR 17 and CR 56 intersection. Consistent with City guidelines, the area of interest for this study focused on evaluating to the proposed access road intersection with existing CR 56 (Study Intersection 1), and the nearest intersection adjacent to the Project that will be used, which is the intersection of CR 17 and CR 56 (Study Intersection 2). The Study Intersections are labeled on **Figure 1**.

As mentioned above, the pre-production construction phase of the Vista Project will be completed prior to the anticipated timeframe of residential construction. Only the production phase of the Vista Project, which will generate minor traffic, may coincide with the residential development construction.

Existing Traffic Considerations

The two primary roadways of interest for this study are CR 17 and CR 56.

- CR 56 is an east-west, two lane gravel road.
 - The Vista Project access will connect to the north side of this road (Study Intersection 1).
 - The intersection with CR 17 (i.e., Study Intersection 2) is an unsignalized, two-way stop-controlled intersection.
- CR 17 is a north-south, two lane arterial roadway west of the site.
 - The intersection with US Highway 34 to the north is signalized with auxiliary turn lanes.
 - The intersection with CR 54 to the south is roundabout controlled.
 - The intersection with CR 56 (i.e., Study Intersection 2) is an unsignalized, two-way stop-controlled intersection.

No traffic survey was performed in support of this traffic study. However, Tetra Tech did review a recently prepared Traffic Impact Analysis prepared by others for the Delantero PUD project². The Delantero study surveyed traffic in the area and included an evaluation of the existing Level of Service at the CR 17 and CR 56 intersection (Study Intersection 2). Relevant findings from this study indicate that:

- The Delantero development is planned to be constructed over many years, and phasing and pace of development is expected to vary depending on market conditions. As such short-term analysis was not performed; rather, the Delantero study evaluated existing conditions as of March 2021, and projected impacts 20 years later, assuming full build-out by 2041.
- The average daily traffic (ADT) count along CR 17 during a weekday in March of 2021, which was adjusted to account for influences of the pandemic, was 4,110.
- There was only one turning movement through the CR 17 and CR 56 intersection observed during the traffic survey period.
 - As such, the existing traffic along CR 56, at the projected location of the Vista Project access (i.e., Study Intersection 1) is assumed/inferred to be negligible.
- Pandemic adjusted, AM and PM peak hour volumes on CR 17 were provided:
 - For the northbound direction, the AM and PM peak hour counts were 206 and 201, respectively.
 - For the southbound direction, the AM and PM peak hour counts were 244 and 305, respectively.
- A LOS analysis of peak hour traffic determined the existing CR 17 and CR 56 intersection (Study Intersection 2) is operating at a LOS “B” or better. This grade generally indicates stable traffic flow with a high degree of freedom to select speed and operating conditions, but with some influence by other users.

The pandemic adjusted, existing ADT and Peak Hour traffic movements through Study Intersection 2, cited in the Delantero study, have been added to **Figure 1**. Tetra Tech has not adjusted these March 2021 traffic count data for growth, but given they are relatively recent, we anticipate these are indicative of what the existing conditions will be during the approximately 9-month, Vista Project build-out period commencing in Summer of 2023.

Vista Project Traffic Expectations

Tetra Tech has worked with KMOG to develop project specific, Trip Generation Estimates for the Vista Project during the construction and build-out of the project. KMOG has been developing similar horizontal well projects in the region for more than a decade and has previously conducted detailed traffic surveys to quantify and characterize the nature and volume of traffic typically generated by one of these projects. By leveraging these past evaluations, and consulting with KMOG on anticipated elements of the construction project (e.g., number of oil and gas wells, target well depth and length of the horizontal laterals, well pad size, earthwork/grading plans, well stimulation plans, etc.) Tetra Tech was able to forecast what the construction phase build-out traffic will be.

² Delantero Traffic Impact Analysis. Letter report prepared by LSC Transportation Consultants, Inc., for Stratus Investment Partners, dated March 18, 2022.

The Trip Generation Estimate provided in **Attachment 1** provides a detailed overview of how the project traffic evolves throughout eight stages of construction. A summary of the daily and peak hour vehicle trips anticipated during each construction stage is provided in **Table 1**, below:

Table 1. Summary of Trip Generation Estimate, Construction and Build-out Period

Construction Stage	Stage Duration (Days)	Vehicles per Day	Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips
Site Preparation	29	38	75	8	8
Surface Casing Preset	10	7	15	6	6
Surface Rig Mobilization	2	23	51	8	8
Drilling Phase	81	28	56	18	18
Surface Rig Demobilization	2	23	51	8	8
Well Completions	54	128	256	14	14
Production Facility Construction & Equipment Placement	50	16	33	7	7
Interim Reclamation	30	56	113	18	18
Anticipated Maximum Volumes:		128	256	18	18

Once facility construction is completed, the project will transition into full time oil and gas production operations. During the operation of the facility, a mixture of oil, gas, and produced water is extracted from the wells, processed on site through a series of separation steps, and the oil and gas is transferred into pipelines for transportation off-site. The separated produced water is stored in tanks on site, and subsequently transported off-site using 150-barrel (BBL) capacity tanker trucks. The rate at which oil, gas, and water is produced will vary over the life of the facility. With respect to the produced water stream (the portion that is trucked), the amount of water produced is highest during initial operations, but the amount of water produced diminishes exponentially and rapidly over time. Consequently, the number of trucks used to transport the produced water during production operations diminishes accordingly. These volumes can be reasonably predicted based on KMOG experience with wells throughout the region. **Table 2** provides KMOG's anticipated estimate of the produced water volumes that will be trucked off site during the Vista Project operations. Notably, these become negligible after the first 2 years of operations. Also, most of the trucking operations will likely occur outside of the AM and PM peak hours.

Table 2. Summary of Trip Generation Estimates, Water Trucking during Facility Operation

Period of Production	Anticipated Production Rate (BBL/Day)	Anticipated Trucks Per Day	Anticipated Daily Truck Trips
Month 0 to 6	2,529	17	34
Month 7 to 12	771	5	10
Month 13 to 24	266	2	4
Year 3 thru 25	36	0	0

The above estimate in **Table 2** does not include the traffic associated with routine inspection and maintenance. The Vista Project will be an unmanned, remotely monitored facility; however, KMOG has a team of facility operators that routinely inspect, service, and maintain facilities throughout the region. Expectations are that a field operator will visit the site (traveling in a Light Vehicle, Pickup Truck) on average of once per day for the entire duration of the facilities operation. On occasion there may be certain maintenance tasks that require a temporary increase in the number of vehicles working on site, but these events will be relatively rare, may only last a couple of days, and the level of activity during such events will be less than the peak traffic observed during the construction and build-out phase.

Sight Distance Evaluations

Sight distance is an important measure to determine the safety of a vehicle entering a roadway. Stopping sight distance (SSD) is the minimum distance a vehicle driver needs to be able to see to have room to stop before colliding with an object in the roadway. Insufficient sight distance can adversely affect the safety or operations of a roadway or intersection. Sight distance measurements were made at the intersection of the proposed Vista Project access driveway at CR 56 (Study Intersection 1) and at the existing intersection of CR 17 and CR 56 (Study Intersection 2). The posted traffic speed limits along CR 56 and CR 17 were then used in consultation with Colorado Department of Transportation (CDOT) State Highway Access Code (the “Code”)³ to determine the necessary stopping sight distance at each intersection (see **Table 3**). The required sight distances were then compared to the sight distance currently available at the intersection.

Table 3. Applicable Sight Distance Objectives for the Study Intersections

Location	Speed Limit	Sight Stopping Distance	Entering Sight Distance (For a Two-Lane Roadway, Multi-Unit Trucks)
Study Intersection 1 <i>Access Road and CR 56</i>	25 MPH	150 feet	425 feet
Study Intersection 2 <i>CR 17 and CR 56</i>	55 MPH	550 feet	935 feet

The *design* sight stopping distance is the required unobstructed horizontal distance required between the intersection and oncoming traffic. Another important measure of sight distance is the *entering* sight distance. Guidelines for measuring these distances can be found in the Code. This entering sight distance is the sight distance a vehicle entering a roadway needs to safely make the movement. Section 4.3 of the Code provides a list of required entering sight distance values for varying types of entering vehicles. According to the Code, an entering sight distance of 425 feet is required for multi-unit trucks for a two-lane roadway at 25 mph, such as CR 56.

Site distance photographs were taken in the field at both study intersections. For Study Intersection 1, photographs were taken at distances of 425 feet, from the view of eastbound and westbound CR 56 traffic, as well as from the perspective of a vehicle stopped at the access waiting to turn onto CR 56. For Study Intersection 2, photographs were taken at distances of 550 feet, from the view of northbound and southbound CR 17 traffic, as well as from the perspective of a stopped

³ State Highway Access Code. Volume 2, Code of Colorado Regulations 601-1. State of Colorado. March 2002.

vehicle at CR 56 waiting to turn onto CR 17. These photographs would represent the measure necessary to confirm adequate sight stopping and entering distances. Field photographs show ample sight distance beyond the requirements of the Code. See **Attachment 2** for exhibits with photos illustrating this evaluation.

Turning Path Analysis

Improvements to CR 56 from CR 17 to the Vista Project access point are planned by KMOG. These improvements include widening CR 56 from 18 feet (existing) up to 24 feet wide and improving the intersection apron radii at CR 17. Tetra Tech conducted a turning path analysis to assess whether the proposed improvements can accommodate the maximum sized vehicle that KMOG anticipates may need to access the Vista Project site. The AASHTO Green Book provides reference data for a range of vehicle types, including combination trucks and trailers with varying kingpin, wheel-base and axle configurations (AASHTO 2018). These data are attributed to what is commonly defined by AASHTO as a design vehicle. Tetra Tech used an AASHTO WB-67 as the design vehicle for the turning path analysis. The WB-67 design vehicle is the most common semi-trailer combination and is the model vehicle that CDOT commonly uses to design intersections⁴. This vehicle is representative of the largest type of combo-unit vehicle that will typically be used for the Vista Project.

Exhibits showing the anticipated geometry changes with a turning path analysis can be found in **Attachment 3**. As depicted in these exhibits, a WB-67 vehicle can make the required turns along the proposed when considering the improved roadway configuration.

Conclusions

Based on the study detailed above, Tetra Tech does not anticipate that the Vista Project will have a significant impact to existing traffic safety or capacity.

This finding is based on the following conclusions from this study:

- Based on recent traffic studies performed by others, the primary study intersection of concern for this analysis is likely still operating at a LOS “A”.
- The highest intensity traffic will be generated during the project build-out construction phase, which is projected to commence in August 2023, and will be approximately 15 months long. A relatively brief period for potential construction phase impacts.
- The trips generated during the project construction build-out phase will result in less than 500 vehicle trips per day, and the maximum number of AM/PM peak hour movements will be less than 20. Any activity generating this amount of traffic is unlikely to adversely affect the existing LOS at either of the study intersections.
- KMOG intends to improve CR 56 to a 24-foot-wide gravel road, with an improved turn radii and road/shoulder alignment at the intersection with CR 17, and the proposed improvements have been shown to be sufficient to accommodate the movements of large vehicles.
- Acceptable sight distance currently exists at both the existing CR 17 intersection and the proposed access road location.

⁴ Roadway Design Guide. CDOT. 2018

- Once operational, the anticipated trips generated during well production will be less than 50 daily trips (34 initially, diminishing to less than one after 2 years). Most of these will occur outside AM/PM peak hours.
- KMOG will construct and build-out the Vista Project prior to construction by Delantero will occur in this area of their PUD.
- Future changes to the temporary access road will be made in coordination and cooperation with the Delantero developer.
- The Delantero study indicates that upon the build-out of that PUD project, in 2041, the anticipated LOS at the CR 17 intersection may diminish to a LOS “B” or “C” for certain movements during the AM and PM peak hours. While the Delantero study did not account for the Vista Project traffic, Tetra Tech anticipates that at the projected 2041 build-out, any contribution to local traffic movements by the Vista Project should be negligible; Meaning the addition of the Vista Project traffic is not likely to materially impact LOS at the study intersection beyond what is already anticipated by the Delantero developer.

FIGURE

Existing ADT = 4,910

CR17

HY34

HY34

HY34

257

Approximate Limits of Delantero PUD

75%

Inbound/Outbound Haul Route

2

1

Vista 13-16HZ Facility Location

CR56

ADT = negligible

CR56

257

Study Intersections

25%

Greeley City Limits

Unincorporated Weld County

CR54

CR54

257

CR54

4070 ft

AM
PM Existing Peak Hour Traffic

Approach	AM	PM
North (CR17)	244	305
South (CR17)	206	201
East (CR56)	1	0
West (CR56)	0	0
North (CR54)	0	0
South (CR54)	0	0
East (CR257)	0	0
West (CR257)	0	0

Existing Traffic Data Source: ADT and AM/PM Peak Hour Movements from Figure 3b of the Delantero Traffic Impact Analysis, dated March 18, 2022

[illegible]

CR17:
Major Collector
Asphalt Paved, 2-Lane
Speed Limit: 55 MPH

CR56:
Local, Gravel Road
Speed Limit: 25 MPH

City Limit / Boundary

Maintained by
Weld County



TETRA TECH

FIGURE

1

ATTACHMENT 1

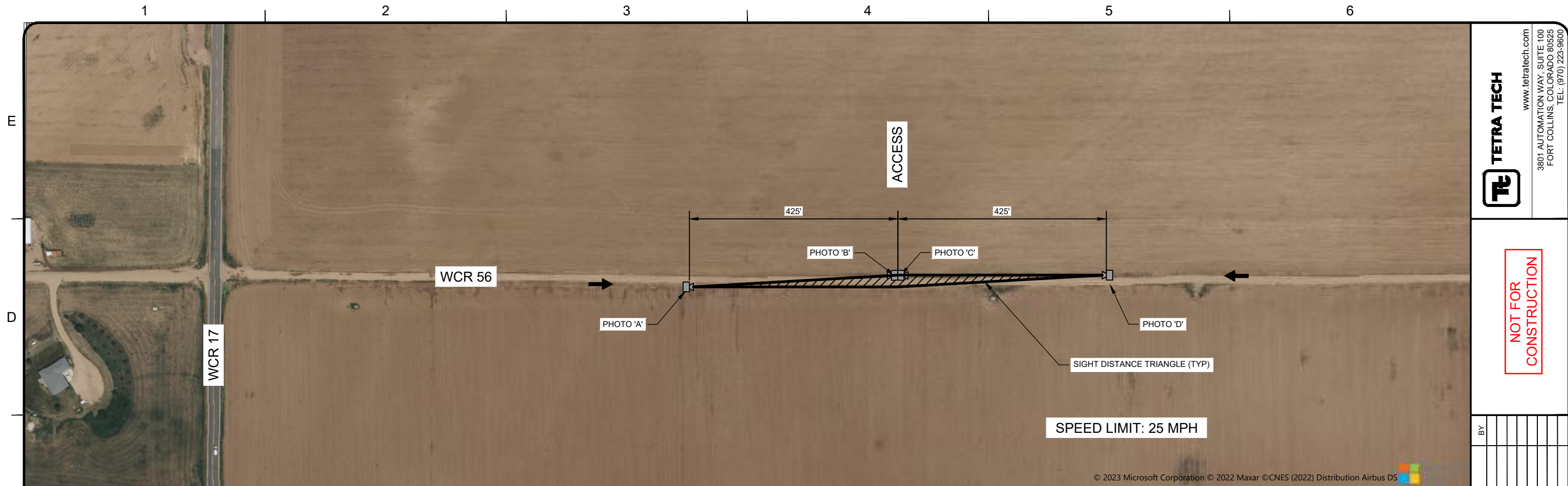
VISTA 13-16HZ
16-5N-67W Greeley
Estimated Trip Generation Data
Site Preparation through Interim Reclamation

Phase of Development	Estimated Duration (days, max) ¹	Vehicle Type ²	CDOT SHAC Equivalency Factor (PCE/Veh) ³	Estimated Number of Veh/Day ⁴		Average Daily Trips ⁵		AM Peak Hour ⁶						PM Peak Hour ⁶						Total Trips	
				Veh	PCE	Veh	PCE	In		Out		Total		In		Out		Total		Veh	PCE
								Veh	PCE	Veh	PCE	Veh	PCE	Veh	PCE	Veh	PCE	Veh	PCE		
Site Preparation	29	Light Vehicle	1	4	4	7	7	2	2	0	0	2	2	0	0	2	2	2	2	210	210
		Single Unit	2	3	6	6	11	0	0	0	0	0	0	0	0	0	0	0	164	329	
		Combo Unit	3	31	93	62	185	3	9	3	9	6	18	3	9	3	9	6	18	1,787	5,360
		Oversize Load	3	0	1	1	2	0	0	0	0	0	0	0	0	0	0	0	0	16	48
Traffic Summary (Site Preparation):				38	103	75	206	5	11	3	9	8	20	3	9	5	11	8	20	2,177	5,946
Production Facility Construction	50	Light Vehicle	1	6	6	13	13	4	4	1	1	5	5	1	1	4	4	5	5	646	646
		Single Unit	2	3	7	7	13	0	0	0	0	0	0	0	0	0	0	0	335	669	
		Combo Unit	3	3	10	7	20	0	0	0	0	0	0	0	0	0	0	0	335	1,004	
		Oversize Load	3	3	10	7	20	1	3	1	3	2	6	1	3	1	3	2	6	335	1,004
Traffic Summary (Production Facility Construction):				16	33	33	66	5	7	2	4	7	11	2	4	5	7	7	11	1,650	3,323
Surface Casing Preset	10	Light Vehicle	1	5	5	11	11	3	3	1	1	4	4	1	1	3	3	4	4	110	110
		Single Unit	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		Combo Unit	3	2	6	4	13	1	3	1	3	2	6	1	3	1	3	2	6	44	132
		Oversize Load	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Traffic Summary (Surface Casing Preset):				7	11	15	24	4	6	2	4	6	10	2	4	4	6	6	10	154	242
Surface Rig Mobilization	2	Light Vehicle	1	5	5	11	11	3	3	1	1	4	4	1	1	3	3	4	4	22	22
		Single Unit	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		Combo Unit	3	17	50	36	109	1	3	1	3	2	6	1	3	1	3	2	6	73	218
		Oversize Load	3	2	5	3	10	1	3	1	3	2	6	1	3	1	3	2	6	7	20
Traffic Summary (Surface Rig Mobilization): ⁷				23	59	51	130	5	9	3	7	8	16	3	7	5	9	8	16	101	260
Sequential Drilling and Pad Regrade	81	Light Vehicle	1	17	17	34	34	10	10	2	2	12	12	2	2	10	10	12	12	2,767	2,767
		Single Unit	2	0	0	0	0	1	2	1	2	2	4	1	2	1	2	2	4	6	11
		Combo Unit	3	10	31	21	62	1	3	1	3	2	6	1	3	1	3	2	6	1,672	5,016
		Oversize Load	3	1	2	1	4	1	3	1	3	2	6	1	3	1	3	2	6	117	350
Traffic Summary (Sequential Drilling and Pad Regrade):				28	50	56	101	13	18	5	10	18	28	5	10	13	18	18	28	4,561	8,143
Surface Rig Demobilization	2	Light Vehicle	1	5	5	11	11	3	3	1	1	4	4	1	1	3	3	4	4	22	22
		Single Unit	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		Combo Unit	3	17	50	36	109	1	3	1	3	2	6	1	3	1	3	2	6	73	218
		Oversize Load	3	2	5	3	10	1	3	1	3	2	6	1	3	1	3	2	6	7	20
Traffic Summary (Surface Rig Demobilization): ⁷				23	59	51	130	5	9	3	7	8	16	3	7	5	9	8	16	101	260
Well Completions	54	Light Vehicle	1	3	3	6	6	2	2	0	0	2	2	0	0	2	2	2	2	330	330
		Single Unit	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		Combo Unit	3	125	375	250	751	6	18	6	18	12	36	6	18	6	18	12	36	13,517	40,550
		Oversize Load	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Traffic Summary (Well Completions):				128	379	256	757	8	20	6	18	14	38	6	18	8	20	14	38	13,847	40,880
Reclamation	30	Light Vehicle	1	17	17	33	33	8	8	2	2	10	10	2	2	8	8	10	10	993	993
		Single Unit	2	21	41	41	82	2	4	2	4	4	8	2	4	2	4	4	8	1,237	2,474
		Combo Unit	3	19	57	38	114	2	6	2	6	4	12	2	6	2	6	4	12	1,136	3,408
		Oversize Load	3	0	1	1	2	0	0	0	0	0	0	0	0	0	0	0	0	18	53
Traffic Summary (Reclamation):				56	115	113	231	12	18	6	12	18	30	6	12	12	18	18	30	3,383	6,927
Max Daily Vehicles, Trips:				128		256		Max AM Peak Hour:		18	38	Max PM Peak Hour:		18	38						

Abbreviations:									
ADT	Average Daily Trips	lbs.	pounds	PCE	Passenger Car Equivalents	MIRU	Move In Rig Up		
CDOT	Colorado Department of Tran	GVW	Gross Vehicle Weight	SHAC	State Highway Access Code	RDMO	Rig Down Move Out		
ft	feet	KMOG	Kerr McGee Oil & Gas Onshore, LP	Veh	Vehicle				

- Notes:
- Estimate of phase durations is based on anticipated development expectations for each phase based on previous schedules provided by KMOG
 - Tetra Tech has categorized the trip data into the four unique Vehicle Types based on trip profile data provided by KMOG which summarizes traffic based on these categories. Vehicle categories include the following: Light Vehicles (e.g. pickup trucks) have a GVW between 4,500 and 8,500 lbs. and measures < 20 ft long; Single Unit vehicles (e.g. 3-axle bobtail or dump truck) having a GVW between 10,000 and 20,000 lbs. and measuring between 20-40 ft long; Combo Unit vehicles (typically a semi and Trailer) having GVW between 50,000 and 70,000 lbs., measuring between 40 and 60 ft long; Oversize Loads (low boy equip trailers, wide loads) usually having GVW greater than 70,000 lbs., and measuring between 40 and 60 feet long.
 - CDOT SHAC assumes: passenger vehicle < 20ft, single unit truck from 20 to 40 ft, multiple unit truck > 40 ft; 1 Single Unit truck = 2 PCE, and 1 Combo Unit truck = 3 PCE
 - Estimated number of vehicles per day is based on trip generation breakdown summary provided by KMG for other similarly sized facilities. These data were then scaled/adjusted to approximate trip generation traffic for specific Pad/Facility based on the number of wells that will be drilled.
 - Average Daily Trips number assumes all vehicles make a round trip (e.g., ADT = No. of Vehicles per day x 2) and that the total trips in and out levels/evens out on the same day
 - AM peak hour and PM peak hour trips are estimated based on input from KMG experience with similar facility development projects. Light truck traffic is almost entirely associated with daily crew/worker trips to the site; Approximately 60% of the worker trips associated with shift changes will likely occur during the AM and PM peak hours. The larger vehicle (Single unit, Combo units, Oversize loads), daily truck traffic will occur uniformly over the course of a 12 hour work day for the Site Preparation and Reclamation phases. Larger vehicle traffic (Single unit, Combo units, Oversize loads) during the remaining phases (e.g., casing preset, rig mobe/demobe, sequential drilling, and completions) will be spread uniformly over a 24 hour period.
 - Rig mobilization and demobilization will generally occur while temporary traffic controls are in place
 - Sequential drilling and pad regrade includes MIRU and RDMO
 - Well completions includes MIRU and RDMO

ATTACHMENT 2



NOT FOR
CONSTRUCTION

[illegible]

KERR-MCGEE OIL & ONSHORE, LP
WELD COUNTY, COLORADO
CR56 & ACCESS INTERSECTION
SIGHT DISTANCE EVALUATION

PROJ:	117-7107004
DESN:	
DRWN:	
CHKD:	

A2-1

Copyright: Tetra Tech

PERSON IN PHOTO IS STANDING
425' AWAY FROM CAMERA AT
ACCESS INTERSECTION.



PHOTO TAKEN FROM WCR 56 EB LANE,
5' FROM EDGE OF ROAD. CAMERA HEIGHT: 3.5'

A **LOOKING EAST**
— FROM WCR 56 EB LANE

PERSON IN PHOTO IS STANDING
425' AWAY FROM CAMERA IN
THE WB LANE OF WCR 56.



PHOTO TAKE FROM ACCESS, 10' FROM EDGE OF
PAVED ROAD. CAMERA HEIGHT: 3.5'.

B LOOKING WEST --- FROM PROPOSED INTERSECTION

— PERSON IN PHOTO IS STANDING
425' AWAY FROM CAMERA IN
THE WB LANE OF WCR 56.



PHOTO TAKE FROM WCR 56, 10' FROM EDGE OF ROAD. CAMERA HEIGHT:3.5'.

LOOKING EAST
FROM PROPOSED INTERSECTION

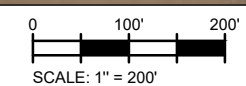
PERSON IN PHOTO IS STANDING
425' AWAY FROM CAMERA AT
ACCESS INTERSECTION.



PHOTO TAKEN FROM WCR 56 WB LANE,
5' FROM EDGE OF ROAD. CAMERA HEIGHT: 3.5'

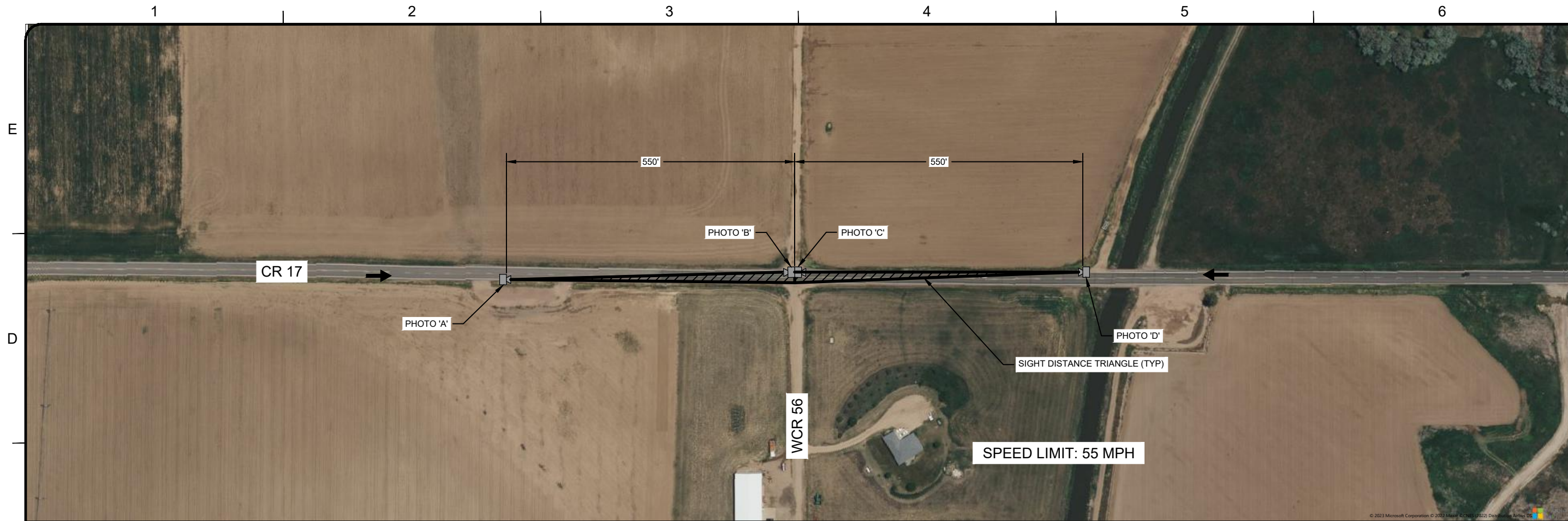
D **LOOKING WEST**
— FROM WCR 56 WB LANE

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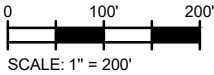
Bar Measures 1 inch, otherwise drawing not to scale

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SITE DISTANCE

SCALE: 1" = 200'



PERSON IN PHOTO IS STANDING
550' AWAY FROM CAMERA AT
WCR 56 & WCR 17 INTERSECTION.

PHOTO TAKEN FROM WCR 56 SB LANE,
5' FROM WHITE STRIPE. CAMERA HEIGHT: 3.5'

A **LOOKING SOUTH**
FROM WCR 17 SB LANE



PERSON IN PHOTO IS STANDING
550' AWAY FROM CAMERA IN
THE SB LANE OF WCR 56.

PHOTO TAKE FROM WCR 56, 10' FROM EDGE OF
PAVED ROAD. CAMERA HEIGHT: 3.5'

B **LOOKING NORTH**
FROM PROPOSED INTERSECTION



PERSON IN PHOTO IS STANDING
550' AWAY FROM CAMERA IN
THE NB LANE OF WCR 56.

PHOTO TAKE FROM WCR 56, 10' FROM EDGE OF
PAVED ROAD. CAMERA HEIGHT: 3.5'

C **LOOKING SOUTH**
FROM PROPOSED INTERSECTION



PERSON IN PHOTO IS STANDING
550' AWAY FROM CAMERA AT
WCR 56 & WCR 17 INTERSECTION.

PHOTO TAKEN FROM WCR 56 NB LANE,
5' FROM WHITE STRIPE. CAMERA HEIGHT: 3.5'

D **LOOKING NORTH**
FROM WCR 17 NB LANE



www.tetratech.com
3801 AUTOMATION WAY, SUITE 100
FORT COLLINS, COLORADO 80525
TEL: (970) 223-9600

NOT FOR
CONSTRUCTION

BY	DATE	DESCRIPTION

KERR-MCGEE OIL & ONSHORE, LP

WELD COUNTY, COLORADO

CR56 & CR17 INTERSECTION
SIGHT DISTANCE EVALUATION

PROJ:	117-7107004
DESN:	
DRWN:	
CHKD:	

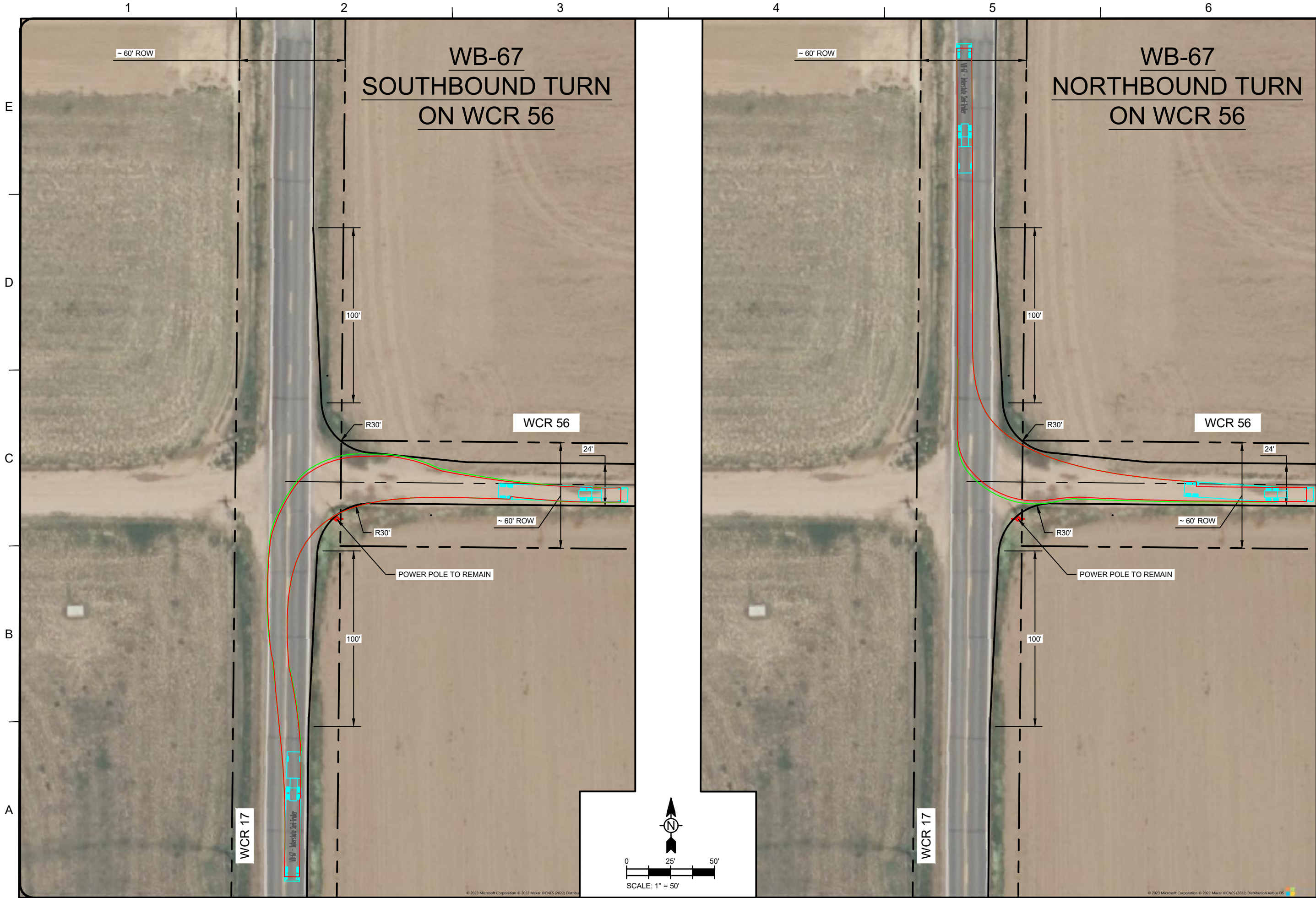
A2-2

Bar Measures 1 inch, otherwise drawing not to scale

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ATTACHMENT 3

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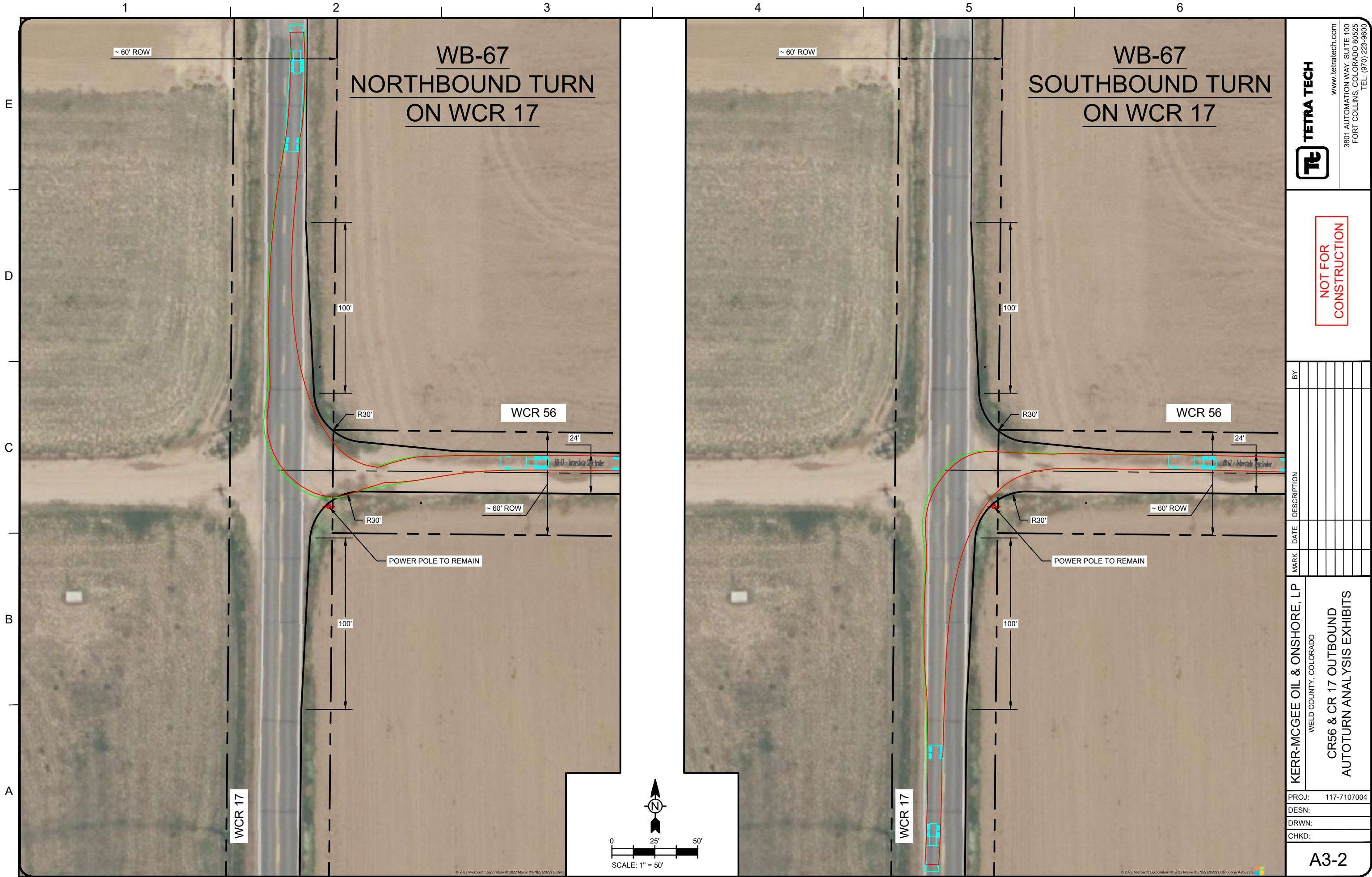
KERR-MCGEE OIL & ONSHORE, LP WELD COUNTY, COLORADO CR56 & CR 17 INBOUND AUTOTURN ANALYSIS EXHIBIT	MARK	DATE	DESCRIPTION	BY
PROJ:	117-7107004			
DESN:				
DRWN:				
CHKD:				

**TETRA TECH**

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KERR-MCGEE OIL & ONSHORE, LP WELD COUNTY, COLORADO CR56 & CR 17 OUTBOUND AUTOTURN ANALYSIS EXHIBITS	PROJ:	117-7107004
	DESN:	
	DRWN:	
	CHKD:	
	A3-2	
DATE		DESCRIPTION
MARK		BY

**TETRA TECH**

www.tetratech.com
3801 AUTOMATION WAY, SUITE 100
FORT COLLINS, COLORADO 80525
TEL: (970) 223-9600

SITE SAFETY AND EMERGENCY ACTION PLAN



**1099 18th Street, Suite 700
Denver, Colorado 80202**

Vista 13-16HZ Wells and Facility

Section 16 – T5N – R67W

Address: TBD

Greeley, COLORADO

Proposed Spud Date: 4th Quarter 2023

Date: March 2023

Revised: May 19, 2023

Revised: June 23, 2023

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SECTION 1 – APPROVAL SIGNATURES

Kerr-McGee Oil & Gas Onshore LC			
Name	Signature	Title	Date
Bethany Bosworth		Rockies Asset Director	
Greeley Fire Department			
Name	Signature	Title	Date
Brian Kuznik		Fire Chief	

SECTION 2 – SITE ADDRESS AND DIRECTIONS

a) Directions:

From the intersection of US Highway 34 and Weld County Road (WCR) 17 travel south approximately 1 mile to WCR 56 turn left (east) and travel to the lease access road. Turn left (north) and travel on the lease access road to the proposed facility and wells.

b) Ingress and egress information:

All traffic into and out of the oil and gas location will check-in and check-out with security. All ingress and egress routes will be clearly identified and kept clear from parked/staged vehicles at all times.

c) Physical Address and GPS coordinates

- **API#** – Pending COGCC Permit Approval
- **Legal Description** – SW/4 of Section 16, Township 5 North, Range 67 West
- **Address** - * Address Pending (*Greeley will provide physical address for 911 dispatching*)
- **Town, CO, Zip** – Greeley, Colorado
- **Lat/Long:** 40.393189, -104.901893

d) Emergency Evacuation/Muster Assembly Point(s)

For incidents, where remaining in a particular area could pose a hazard to personnel onsite, such as a fire or hazardous material release, evacuation may be required to ensure the safety of onsite personnel. In the event of an emergency, site personnel will initially be evacuated to pre-designated muster assembly points. Muster Assembly Points are identified on The Project Location Access Map on Page 7 of this plan, and noted on the site-specific TRP.

- The Muster Assembly Points will be identified in section 5.b. of this plan, and identified during all site safety briefings for visitors, employees, and contract personnel.
- **Sign-In Sheets:** During drilling and completion activities all employees and approved visitors to the oil and gas location will be required to enter through a manned security checkpoint. Upon checking in, employees and visitors will be provided a detailed safety briefing of current operations, all safety precautions that must be adhered to, and the site emergency evacuation plan. In addition, all personnel who enter the location must sign-out upon their departure. Security or Supervisory personnel are required to account for all persons entering or leaving during active operations and in the event of an incident.
- Once drilling and completion activities are finalized, the site will transition to its production phase and no unauthorized personnel will be allowed on location without first contacting a company representative.

SECTION 3 – LIST OF EMERGENCY CONTACTS

a) Kerr McGee Oil & Gas Onshore LP

Name	Office Phone	Emergency/Cell
Kerr McGee Oil & Gas Onshore LP 1099 18 th Ave. Denver CO 80202	970-515-1500	970-515-1500
Kerr McGee Oil & Gas Onshore LP Integrated Operations Center (IOC) 501 N. Division Blvd. Platteville, CO 80651	970-336-3500	970-515-1500
Kerr McGee Oil & Gas Onshore LP EHS on-call Emergency Number	970-515-1500	970-515-1500
EHS–Supervisor & Safety – Lynna Scranton	720-929-6317	303-906-1711
EHS – Environmental – Greg Hamilton	970-515-1698	970-590-6256

b) First Responders (Fire, EMS, HazMat)

Name	Emergency Number	Non-Emergency Number
*All emergency notifications require notification to 911 first		
Greeley Fire Department	911	970-350-9504
Greeley Police Department	911	970-350-9605
Weld County Sheriff	911	970-356-4015
Colorado State Patrol	911	970-506-4999

c) Local, State, and Federal Contacts

Name	Emergency Number	Non-Emergency Number
Greeley Planning and Zoning Office	none	970-350-9780
Greeley Office of Emergency Management	911	970-350-9598
COGCC	none	303-894-2100
CDPHE	none	877-518-5608
Colorado Parks & Wildlife	none	303-291-7227
National Response Center	800-424-8802	none

d) Medical Facilities

Name	Office Phone
Northern Colorado Medical Center	970-810-4121
Medical Center of the Rockies	970-624-2500
UCHealth Greeley Hospital	970-652-2000

e) Contracted Spill Response Organization

Name	24/7 Emergency Number	Non-Emergency Number
EnviroServe	720-450-1316	800-488-0910
EHS-Environmental HAZMAT Services	303-525-3111	720-225-9252

f) Loss of Well Control

Name	24/7 Emergency Number	Non-Emergency Number
Wild Well Control, Inc.	281-353-5481	281-784-4700
Cudd Pressure Control	307-382-6650 and 713-849-2769	800-990-2833

g) Railroad Emergency Response

Name	24/7 Emergency Number
Union Pacific Railroad	888-877-7267
BNSF	800-832-5452
Great Western Railway	800-533-9416 (Office 303-398-4500)

h) Mutual-Aid

All mutual-aid coordination within Weld County will be in accordance with the current Weld County Fire Chiefs Association Mutual-Aid Agreement. In addition, due to the size of Weld County and the large number of Fire Departments that make up the Weld County Fire Chiefs Association's, Mutual-Aid may be a mixture of full-time, combination, and volunteer FD resources responding to an incident at this oil and gas location.

SECTION – 4 SITE SPECIFIC INFORMATION

a) Site Description

The Vista 13-16HZ Pad is a KMOG oil and gas production facility that will have ten (10) horizontal oil and gas wells along with one 285-barrel crude oil storage tank (this is a condensate tank used for maintenance storage as needed) and three 285-barrel produced water tanks located inside a lined secondary containment structure.

b) Nearby Schools, High Occupancy Buildings, Waterways (measured from the Working Pad Surface)

- Schools - None within 5,280 feet of location
- High Occupancy Buildings - None within 5,280 feet of location
- Waterways – Loveland Greeley Canal: 1,272 feet southwest

c) Site Safety Requirements and General Safety Information

The minimum personal protective equipment (PPE) to enter any KMOG location includes hard hat, safety glasses, safety toe boots, and fire-resistant clothing (FRC). All contractors and visitors are responsible for providing their employees with the appropriate training on and use of PPE while on KMOG locations. In addition, all contract personnel entering an KMOG location to perform work must understand and abide by KMOG's contractor expectations relating to environmental, health, and safety requirements.

The primary hazards that any person must be aware of while on an KMOG production location include, but are not limited to, the potential for release of hydrocarbon gases and/or liquids from production equipment/tanks, heavy truck and equipment traffic, loud noise, high pressures, and the potential for a flash fire. These hazards can vary depending on the work being performed.

d) Safety Data Sheets (SDS)

- **SDS:** Depending on the operations taking place on location, chemicals stored on-site may vary. In accordance with 49 CFR 1910.1200, Safety Data Sheets (SDS) will be made available for site personnel performing work and for first responders in a centralized location onsite.

e) Equipment Lists – Production Phase

Item Description	Quantity
Horizontal oil and gas wells	10
400 - barrel crude oil storage tank	0
285 - barrel produced water	3
285 - barrel condensate tank (maintenance tank only)	1

f) Chemicals stored on-site (BBLs and Gallons)

Drilling Phase			
Chemicals (CAPs indicate Product Name vs upper lower case is a generic chemical)	Package Size (Volume)	Quantity	Comments
ADAPTA L	5 gal can	128 cans	
BARAKLEAN	5 gal can	64 cans	
BAROID 41	bulk silo	45 tons	
BAROID 41	100 lb. sacks	400 sacks	
BARO-SEAL CLASSIC	40 lb. sacks	60 sacks	
Calcium Chloride	50 lb. sacks	500-600 sacks	
DRILTREAT	55 gal drum	4 drums	
FORTI-MUL	55 gal drum	16-20 drums	
Diesel	19,000 gal tank	19,000 gals	
Graphite	50 lb. sacks	60 sacks	
Lime	50 lb. sacks	200 sacks	
Odor Armor	275 gal tote	1 tote	
RHEMOD L	55 gal drum	4 drums	
Salt-Driller's Rock	50 lb. sacks	49 sacks	
Sawdust Fine	5.5 cubic foot bag	60 bags	
STOPPIT	50 lb. sacks	80 sacks	
WALL-NUT MEDIUM	50 lb. sacks	48 sacks	
Oil Based Mud (OBM)	150-500 BBL Tanks	1,800-2,200 BBLs	11 Tanks - 3 tank sizes - 150, 350 & 500 BBLs
Completions/Hydraulic Fracturing Phase			
Chemicals	Volume	Units/ Quantity	Comments
Hydrochloric Acid	4,000 Gal Transport	1	Used during first stages
HCR Synthetic Acid	4,000 Gal Transport	2	
Sodium Bicarbonate	200-300 lbs	1	Acid neutralizer
Calcium Chloride (Brine)	500 BBL Capacity	1	Winter ops only
Friction Reducer (FR)	4,500 Gal Capacity ISO	1	
Hydrochloric Acid (Biocide Trailer)	4,000 Gal Capacity	1	Biocide treatment trailer
Sodium Chlorite	2,000 Gal Capacity	1	
Sodium Hypochlorite	2,000 Gal Capacity	1	Biocide treatment trailer
Produced Water	500 BBL	4	

Diesel Fuel	16,000 Gal Capacity	1	
DEF	2,200 Gal Capacity	1	
Flowback Phase			
<u>Coil Chemicals</u>	<u>Volume</u>	<u>Units/ Quantity</u>	<u>Comments</u>
Friction Reducer	330 Gal Capacity	1	Mixing plant (chemical trailer)
Biocide	330 Gal Capacity	1	Mixing plant (chemical trailer)
Pipe on pipe lubricant	330 Gal Capacity	1	Mixing plant (chemical trailer)
Foamer	330 Gal Capacity	1	Mixing plant (chemical trailer)
Defoamer	330 Gal Capacity	1	Mixing plant (chemical trailer)
Nano beads	330 Gal Capacity	1	Mixing plant (chemical trailer)
H2S scavenger	330 Gal Capacity	1	Mixing plant (chemical trailer)
Friction reducer	330 Gal Capacity	1	Coil provider (not always on pad)
Pipe on pipe lubricant	330 Gal Capacity	1	Coil provider (not always on pad)
Liquid N2	120 BBL Transport	1	Coil provider (not always on pad)
Oil on pad	20 BBL Max Allowed	N/A	Haul off oil before it reaches 20 BBL
Diesel	500 Gal Capacity	2	Steel Tanks
Biocide	350 Gal Capacity	1	Chemical injection cube (stainless steel tub)
Oxygen scavenger	350 Gal Capacity	1	Chemical injection cube (stainless steel tub)
<u>Rig/Snub Chemicals</u>	<u>Volume</u>	<u>Units/Quantity</u>	<u>Comments</u>
Diesel	500 Gal Capacity	2	
50/50 Methanol	500 Gal Capacity	1	Winter Ops only
Bio Water	60 BBL/well	N/A	Brought out in bobtail truck
Biocide	350 Gal Capacity	1	Chemical injection cube (stainless steel tub)
Oxygen Scavenger	350 Gal Capacity	1	Chemical injection cube (stainless steel tub)
Production Phase Chemicals			
<u>Chemicals</u>	<u>Volume</u>	<u>Units/Quantity</u>	
Crude oil/Condensate	285 BBL	1	
Produced Water	285 BBL	3	
Corrosion Inhibitor	500 Gal	1	Chemical injection at the wellhead
Methanol	350 Gal	1	Chemical injection at the facility
Corrosion/Bacterial	350 Gal	1	Chemical injection at the facility

SECTION 5 – MAPS AND DRAWINGS

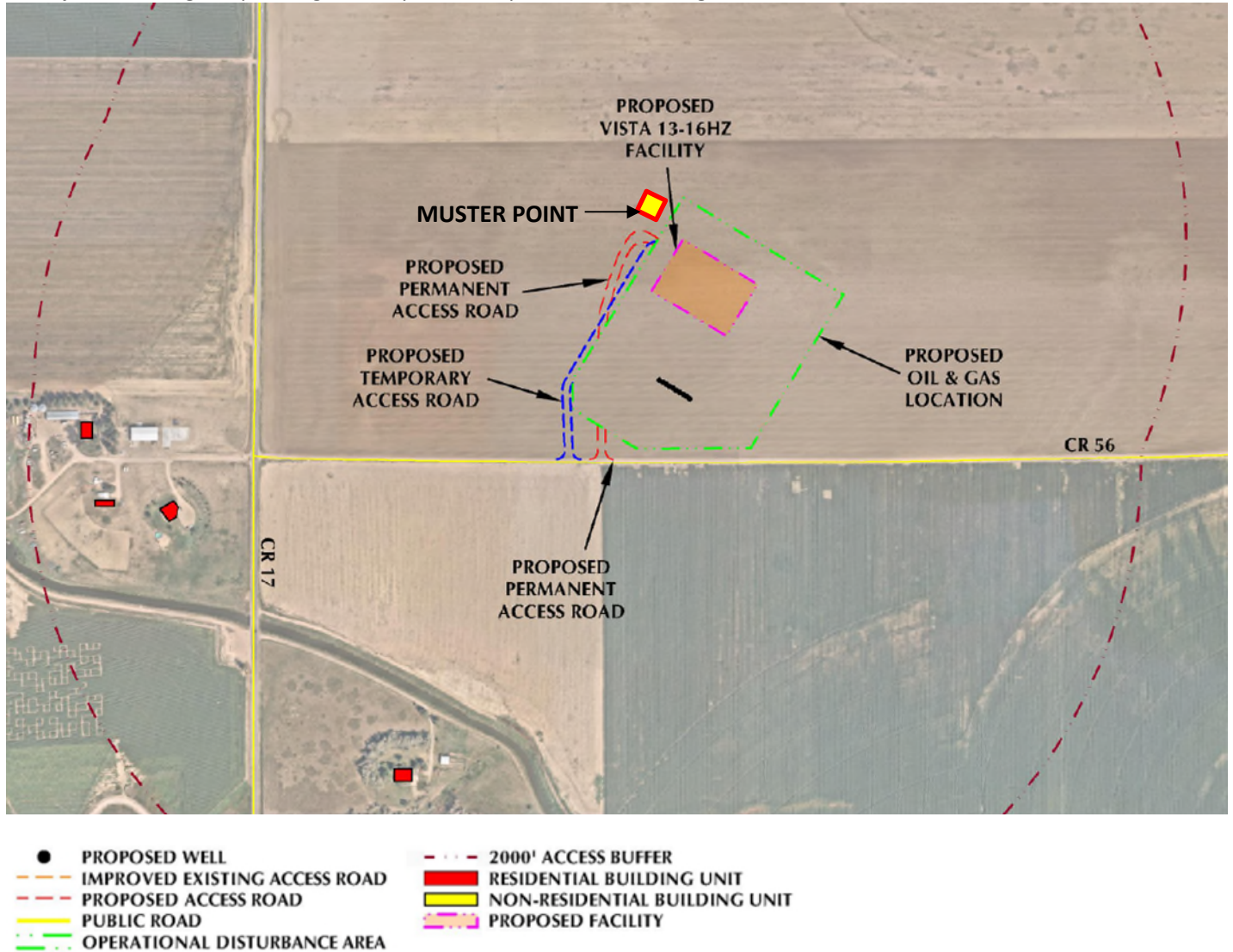
a) Project Area Map

Showing the following distances: 250 feet (Hot Zone), 500 feet (Warm Zone) and 1,000 feet (Cold Zone) from the Disturbance Area (DA).

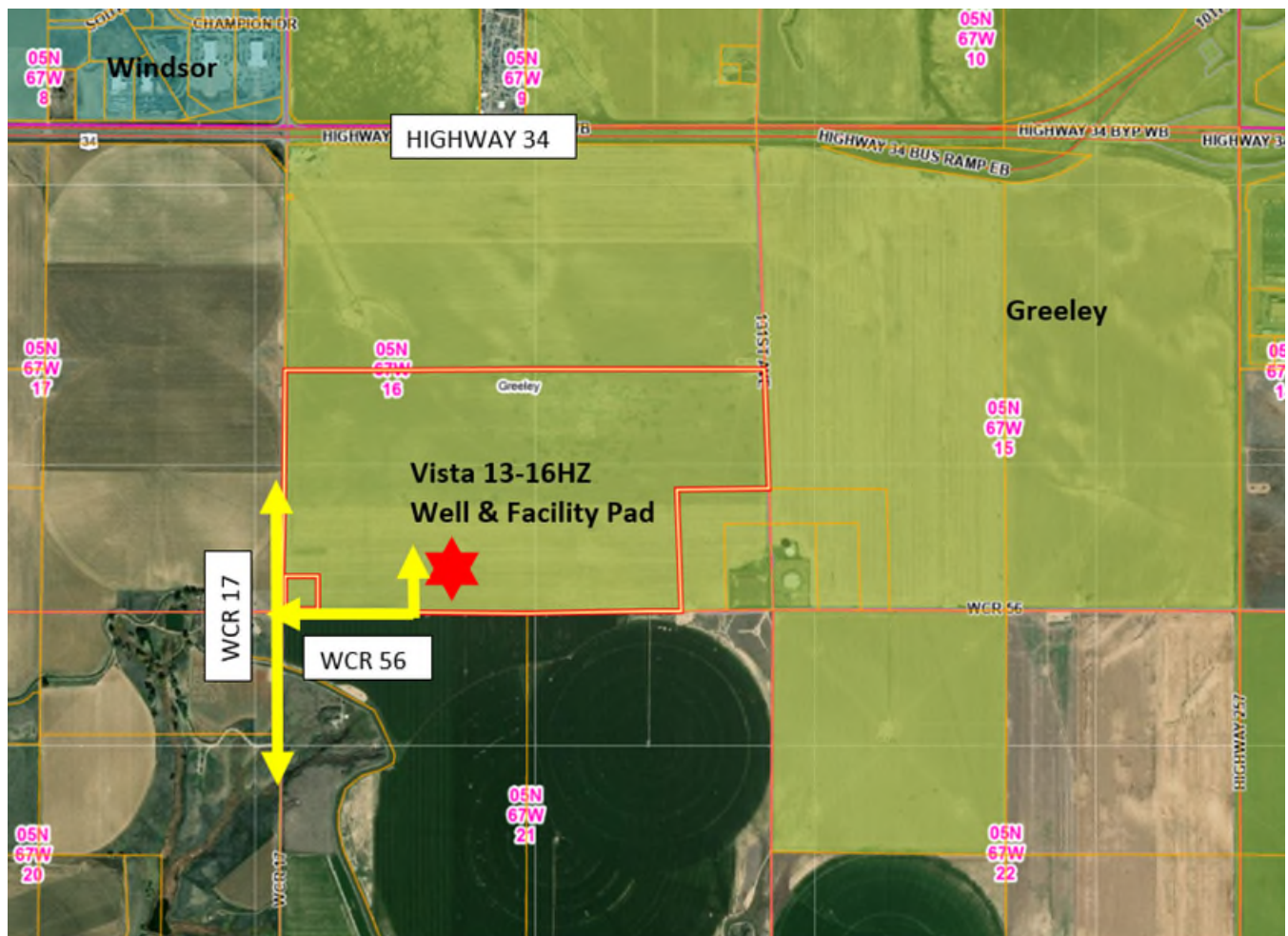


b) Project Location Access Map and Muster Point re do with muster point moved to green line

The Primary muster point will be located at the entrance to the location as shown below. The secondary muster point is subject to change depending on the phase of operations occurring at the location.



c) Haul Route Map



d) 2,500 Foot Buffer Area Map



SECTION 6 – SPILL RESPONSE AND CLEAN-UP

a) Spill Response

There are multiple types of hydrocarbons and or chemicals stored onsite which can be released/spilled during oil and gas production and exploration. The most commonly released are unrefined products such as crude oil and produced water. Refined petroleum products such as diesel, gasoline, produced oils, and motor oil spills are less common, but still equally important to mitigate. If a spill is discovered, it will be mitigated in accordance with Colorado Oil and Gas Conservation Commission (COGCC), Colorado Department of Public Health and Environment (CDPHE), and Weld County LEPC requirements.

Once a release has been discovered, it will be immediately stopped and contained if possible and is safe to do so. When containing a spill; a combination of sorbent rolls, pads, mats, socks, or containment boom may be deployed, or earthen berms will be constructed around the release to keep spilled material contained and from spreading. These materials will be provided by KMOG and the contract company. During a spill, efforts will be made to minimize contact with live vegetation, nearby drainage, rivers, creeks, or streams. If the release is outside of secondary containment or poses a threat to flow off site, or impact environmentally sensitive areas, the spill response contractor should be notified for cleanup assistance, if needed, and for removal and disposal of spilled materials and contaminated areas.

In the event of a large incident requiring outside assistance/cascading resources, KMOG has contracted with a several spill response organizations, listed in Section 3 of this EAP. These organizations possess a working knowledge of oil and gas operations, emergency response and the Incident Command System (ICS). Once notified, personnel can be on location within 6 hours.

b) Spill Reporting

A spill/release will be reported to the COGCC if released meets the COGCC reporting requirements per the 900 series rules. A spill/release will be reported to the CDPHE if released meets the CDPHE reporting requirements.

These regulatory guidelines will be strictly followed by KMOG and any contractors operating under KMOG guidance during all activities at this location.

SECTION 7 – REPORTABLE QUANTITIES

a) Reportable Quantities

Mandated by Section 312 of the Emergency Planning and Community Right-To-Know Act (EPCRA) – also known as SARA Title III – the Tier II form captures information about the types, quantities, and locations of hazardous chemicals at a given facility. The form also lists contact information for the facility's designated emergency point-of-contact.

- Any facility that is required to maintain MSDSs (or SDSs) under the Occupational Safety and Health Administration (OSHA) 49 CFR 1910.1200 regulations for hazardous chemicals stored or used in the workplace.
- Facilities with chemicals in quantities that equal or exceed the lists of lists thresholds must report.
- Propane, benzene, propane, and methane are on the lists of lists and are known to be in crude oil. In addition, diesel is on the lists of lists and may be stored on oil and gas sites during construction and development.

b. Reportable Requirements

If your facility will meet the requirements under 40 CFR Part 370, you must submit your Tier II report to the State of Colorado every year before March 1st.

These regulatory requirements will be strictly followed by KMOG and any contractors operating under KMOG during all activities at the Vista 13-16HZ Pad.

SECTION 8 – EVACUATION INFORMATION

a. Evacuation Plan Procedures (public)

The procedure to be used in alerting the public in the event of an incident which could pose a threat to life or property will be arranged and coordinated with first responders and Weld County Emergency Management.

In the event of an actual emergency, the following steps will be immediately taken:

1. The KMOG representative will immediately notify first responders (911), to warn the public of a potential chemical exposure.
2. First responders may conduct door to door evacuation notices in addition to reverse 911 and utilizing the Integrated Public Alert and Warning System (IPAWS).
3. KMOG is responsible for employees and contract personnel will monitor essential and non-essential personnel traffic on or near the incident site.
4. General:
 - a. The area included within the radius of exposure is the zone with the maximum potential hazard, per the Emergency Response Guide (ERG). When it is determined that conditions exist which create an additional area (beyond the initial zone of maximum potential hazard) vulnerable to possible hazard, public areas in the additional hazardous area will be evacuated.
 - b. In the event of an incident, after the public areas have been evacuated and traffic stopped, it is expected that local civil authorities will have arrived and within a few hours will have assumed direction of and control of the public, including all public areas.
 - c. KMOG will fully cooperate with these authorities and will exert every effort by careful advice to such authorities to prevent panic or rumors.

KMOG will dispatch appropriate personnel to the disaster site as soon as possible. The company's personnel will cooperate with and provide such information to civil authorities as they might require.

SECTION – 9 TRAINING AND EXERCISES

TRAINING: The National Incident Management System (NIMS) guides all levels of government, nongovernmental organizations, and the private sector to work together to prevent, protect against, mitigate, respond to and recover from incidents.

NIMS provides stakeholders across the whole community with the shared vocabulary, systems, and processes to successfully deliver the capabilities described in the National Preparedness System. NIMS defines operational systems that guide how personnel work together during incidents.

KMOG plays a vital role in the Incident Management System. KMOG has a significant impact on local, regional, and national economic recovery, and is part of the whole community and essential to the function of the Community Lifelines.

To maximize KMOG's impact and willingness to participate in incident operations, KMOG will coordinate and integrate

Vista 13-16HZ Wells and Facility EAP

Section 16 T5N R67W

Greeley, Colorado

with first responders into a Unified Command (UC)—including planning, training, and preparedness exercises. This is done independently and within the emergency response community, such as CPRN. In addition, it is also recommended all KMOG employees who will respond to an incident within the incident command structure have training in ICS 100, ICS 200, and ICS 700 at a minimum, for company and agency emergency response interoperability to manage a response.

EXERCISES: Exercises are an important component to test an organization's response readiness, training and familiarity with various emergency response scenarios, participation, and engagement with local and or state agencies, and to develop lessons learned to improve emergency response capabilities. Per COGCC guidance number 16, a proposed schedule and type of exercises are provided below:

SECTION – 10 COORDINATION WITH FIRST RESPONDERS

- a) KMOG will communicate site construction, drill spud, completion operations and Production Turn-In-Line dates to the Weld County Office of Emergency Management for coordination/communication with local first responders. These start dates will be provided a minimum of 7 business days prior to commencement or change in oil and gas development operations.
- b) In the event of an emergency requiring First Responders, Unified Command will be established between the KMOG On-site Incident Command (OSIC) and First Responders present. Unified Command post will be established based on conditions present at time of incident.
- c) KMOG EHS representative and first responders identified in this Emergency Action Plan (EAP) and Tactical Response Plan (TRP) have reviewed both documents and have discussed coordination efforts in the event of an emergency requiring first responder assistance.
- d) **Industry Mutual-Aid:** Energy companies operating in Weld County are encouraged to be members of the Colorado Preparedness Response Network (CPRN), to support mutual-aid collaboration between industry and public emergency response organizations to achieve a coordinated and effective response to an all-hazards event. KMOG is a member of CPRN.

SECTION – 11 PLAN REVIEW AND UPDATE PROCEDURES

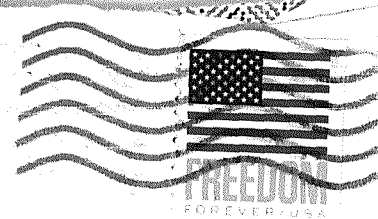
- a) **Multi-year plan review and update:**
The KMOG Rockies Emergency Response Plan (ERP) is reviewed at a minimum over five years, but usually every year. Reviews include updating contacts, contractors, and procedures. **Post incident plan review and update:** Post incidents that required response personnel, an after-action review (AAR) is completed with all response participants. If during the AAR it is identified that changes or updates are needed to the ERP they are done so as a corrective action within the AAR.



Harlan Hankins
27001 County Rd. 17
Johnstown, CO 80534

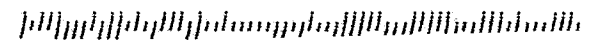
DENVER CO 802

28 JUL 2023 PM 8 L



Greeley Planning Division
Att: Michael Franke Vista 13-16 HZ
1100 10th Street
Greeley, Colo 80631

80631-386352



June 10, 2023

OGCC re: Oxy application for the Vista 13-16HZ well in Township 5 North, Range 67 West, Section 16

I, Harlan W Hankins residing at 27001 CR 17, Johnstown, CO object to the application proposing new oil and gas operations within 2000 feet of my residence, when there is currently undeveloped land to obtain the 2000' set back adopted by Colorado in 2020.

Respectfully,

A handwritten signature in black ink, appearing to read "Harlan W. Hankins". The signature is fluid and cursive, with the first name "Harlan" being more prominent.

Harlan W. Hankins

June 10, 2023

OGCC re: Oxy application for the Vista 13-16HZ well in Township 5 North, Range 67 West, Section 16

I, Harlan J Hankins residing at 26997 CR 17, Johnstown, CO object to the application proposing new oil and gas operations within 2000 feet of my residence, when there is currently undeveloped land to obtain the 2000' set back adopted by Colorado in 2020.

Respectfully,

Harlan Joseph Hankins

Harlan J Hankins

June 10,-2023

OGCC re: Oxy application for the Vista 13-16HZ well in Township 5 North, Range 67 West, Section 16

I, David Hankins residing at 26859 CR 17, Johnstown, CO object to the application proposing new oil and gas operations within 2000 feet of my residence, when there is currently undeveloped land to obtain the 2000' set back adopted by Colorado in 2020.

Respectfully,

A handwritten signature in black ink, appearing to read 'David Hankins', written in a cursive style.

David Hankins

Planning Commission Agenda Summary

August 8, 2023

Key Staff Contact: Caleb Jackson, AICP | Interim Chief Planner, (970)350-9276

Title:

Public Hearing to consider a Use by Special Review (USR) request to allow a solar panel garden on approximately 35.2 acres of land zoned I-M (Industrial Medium Intensity) located south of and adjacent to County Road 62, approximately 750 feet west of County Road 45. (Project: USR2022-0017).

Summary:

The City of Greeley is considering a request by the applicant, Kyle Sundman of Pivot 30 Solar, LLC, for approval of a Use by Special Review application for a solar panel garden on approximately 35.2 acres of land zoned I-M (Industrial Medium Intensity) located south of and adjacent to County Road 62, approximately 750 feet west of County Road 45.

Motions:

Recommended (Approval)

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for a solar panel garden on approximately 35.2 acres of land zoned I-M (Industrial Medium Intensity) located south of and adjacent to County Road 62, approximately 750 feet west of County Road 45 is consistent with the Development Code criteria of Section 24-206.b (Items 1-8) and therefore approves the Use by Special Review.

Alternative (Denial)

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for a solar panel garden on approximately 35.2 acres of land zoned I-M (Industrial Medium Intensity) located south of and adjacent to County Road 62, approximately 750 feet west of County Road 45 is not consistent with the Development Code criteria of Section 24-206.b (Items 1-8) and therefore denies the Use by Special Review.

Attachments:

Staff Report

Attachment A – Vicinity Map

Attachment B – Project Narrative

Attachment C – USR Plan Set

Attachment D – Neighborhood Notification Boundary Map

Attachment E – Staff Slides

Attachment F – Applicant Slides

PLANNING COMMISSION SUMMARY

ITEM: Use by Special Review

FILE NUMBER: USR2022-0017

PROJECT: Pivot 30 Solar Use by Special Review

LOCATION: South of and adjacent to County Road 62, approximately 750 feet west of County Road 45

APPLICANT: Kyle Sundman of Pivot 30 Solar, LLC

CASE PLANNER: Caleb Jackson, AICP | Interim Chief Planner

PLANNING COMMISSION HEARING DATE: August 8, 2023

PLANNING COMMISSION FUNCTION:

Review the proposal for compliance with Section 24-206.b of the Greeley Development Code and either approve, approve with conditions, or deny the request.

EXECUTIVE SUMMARY

Kyle Sundman of Pivot 30 Solar, LLC requests approval of a Use by Special Review application for a solar panel garden on approximately 35.2 acres of land zoned I-M (Industrial Medium Intensity) located south of and adjacent to County Road 62, approximately 750 feet west of County Road 45.

A. REQUEST

The applicant requests approval of a Use by Special Review application for a solar panel garden.

B. STAFF RECOMMENDATION

Approval

C. LOCATION

Abutting Zoning:

North: A (Weld County Agricultural)

South: I-M (Industrial Medium Intensity)

East: A (Weld County Agricultural)

West: I-M (Industrial Medium Intensity)

Surrounding Land Uses:

North: Farmland

South: Airport Runway

East: Single-Family Dwelling with Agriculture

West: Farmland

Site Characteristics:

The 35.2-acre site is located south of and adjacent to County Road 62, approximately 750 feet west of County Road 45 is currently farmland. Most of the site features gentle slopes except for the banks of Sand Creek which runs through the site from the northwest to the southeast.

D. BACKGROUND

The subject site was annexed in 1985 as part of the Ogilvy Third Annexation, zoned the equivalent of I-M (Industrial Medium Intensity), and remains developed as farmland.

E. APPROVAL CRITERIA

1. All criteria for site plan review in Section 24-207 are met.

Staff Comment: The proposal satisfies the requirements of Section 24-207. The applicant included all required materials to satisfy the criteria for a Site Plan Review.

The proposal complies with this criterion.

2. The application furthers the intent of the proposed zoning district, does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Comprehensive Plan.

Staff Comment: The application is consistent with the intent of the I-M (industrial Low Intensity) zoning district, allowing such uses within the comprehensive plan's Airport Area. The application does not conflict with the intent of abutting districts and is compatible with uses allowed in the adjacent zones.

The proposal is consistent with the Imagine Greeley Comprehensive Plan's Land Use Guidance Map identifying the site as part of the Airport Area. The following Imagine Greeley Comprehensive Plan policies apply to this request:

Objective GC-1.2 Form of Growth Encourage a compact urban form over sprawl or leap-frog development.

Objective GC-4.3 Infill Compatibility Promote the use of site design and building architecture that is sympathetic to the surrounding area and enhances the desirable character and form of the neighborhood or area.

Objective NR-3.1 Protect Natural Features and Viewsheds Ensure that important natural features and viewsheds are protected or enhanced as development occurs.

Objective NR-3.8 Native Habitats Where possible, work to restore native prairie/grassland habitats on open lands or other natural areas.

Objective NR-3.9 Wildlife Habitat Protect, maintain, and manage wildlife habitat in both natural and urban settings.

The proposal complies with this criterion.

- 3. Any associated site development or construction complies with requirements of this code, including any conditions or additional requirements identified for the particular use.**

Staff Comment: The application complies with Greeley Development Code standards. No specific use standards apply to the proposed use.

The proposal complies with this criterion.

- 4. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use, and other potential impacts on adjacent property. The cumulative impact of a concentration of similar existing uses may be considered as part of the impact of a particular use.**

Staff Comment: The operating characteristics, visible and audible impacts, traffic, and use intensity are compatible with the existing agricultural and airport uses in the area.

The proposal complies with this criterion.

- 5. The site is physically suitable for the proposed use, and whether any additional site-specific conditions are necessary for the use to be appropriate and meet these criteria.**

Staff Comment: The site is physically suitable for the proposed use and does not require site-specific conditions to achieve appropriateness at this location. The standards within the Development Code provide adequate conditions for the proposed use at the subject site.

The proposal complies with this criterion.

- 6. Whether a limited time period for the permit is reasonably necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and ongoing enforcement of the permit.**

Staff Comment: The proposed use is compatible with the area and does not require duration limits, periodic reporting, or reconsideration. Ongoing, routine enforcement of the approved plan can be provided by the Code Compliance Division.

The proposal complies with this criterion.

- 7. The long-range plans for the surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.**

Staff Comment: The proposed use supports the long-range plans for the vicinity as an Airport Area. The proposal is consistent and compatible with the area's character and existing airport and agricultural uses in the area.

The proposal complies with this criterion.

- 8. The recommendations of professional staff or other technical reviews associated with the application.**

Staff Comment: Staff and the Administrative Review Team recommend approval of the application.

The proposal complies with this criterion.

F. SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The subject site is a portion of a larger parcel owned by the Greeley Weld County Airport Authority and has not been subdivided.

2. HAZARDS

The subject site is within the 100-year floodplain, as discussed below. The proposal includes 50-foot setbacks from the five plugged and abandoned oil wells on the site and does not disturb the area impacted by an oil spill on the western side of the site.

3. WILDLIFE

The channel of Sand Creek is identified on the Areas of Ecological Significance Map as potentially having natural features that could be severely affected by development, and the Sand Creek floodplain is identified as potentially having natural features that could be moderately affected by development. The application was reviewed by Colorado Parks and

Wildlife, and the application does not present significant impacts on wildlife. The proposal avoids development of the Sand Creek channel and transitions much of the floodplain from farming to natural plantings beneath the proposed panels. The proposal also includes wildlife-friendly perimeter fencing.

4. FLOODPLAIN

The site is located within the 100-year floodplain, according to the adopted Federal Emergency Management Administration (FEMA) flood data. The applicant is required to obtain a floodplain permit prior to development.

5. DRAINAGE AND EROSION

The City approved the applicant's plans to handle drainage, detention, water quality, and erosion mitigation.

6. TRANSPORTATION

Existing infrastructure is present to provide vehicular access to the site. The proposal does not present significant transportation impacts.

G. SERVICES

1. WATER

The proposed use does not require water service. Low-water plantings have been selected; however, the applicant may need to provide supplemental water via truck to establish plantings.

2. SANITATION SEWER

The proposed use does not require sewer service.

3. EMERGENCY SERVICES

Emergency services are available and can adequately serve the subject property. Fire Station #1 is located approximately 2.75 miles southwest of the subject site.

4. PARKS/OPEN SPACES

Park demand is typically generated by residential development. The proposal does not create park impacts.

5. SCHOOLS

School demand is typically generated by residential development. The proposal does not create school impacts.

H. NEIGHBORHOOD IMPACTS

1. VISUAL

The application is not anticipated to create significant visual impacts. The applicant is providing a landscaped perimeter treatment along County Road 62 as required by the Development Code.

2. NOISE

The proposed use is not anticipated to create significant noise impacts. Any potential noise created by the proposal will be regulated by the Municipal Code.

I. PUBLIC NOTICE AND COMMENT

Public notices were completed as follows:

- Notice was placed on the City of Greeley's website on July 20, 2023.
- A sign was posted on the property on July 18, 2023.
- Notice was mailed to 177 property owners or current residents on July 21, 2023.

No comments have been received.

J. MINERAL ESTATE OWNER NOTIFICATION

The applicant satisfied the mineral owner notification requirements. No feedback from mineral owners has been received.

K. PLANNING COMMISSION MOTIONS

Recommended (Approval)

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for a solar panel garden on approximately 35.2 acres of land zoned I-M (Industrial Medium Intensity) located south of and adjacent to County Road 62, approximately 750 feet west of County Road 45 is consistent with the Development Code criteria of Section 24-206.b (Items 1-8) and therefore approves the Use by Special Review.

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ATTACHMENTS

Attachment A – Vicinity Map

Attachment B – Project Narrative

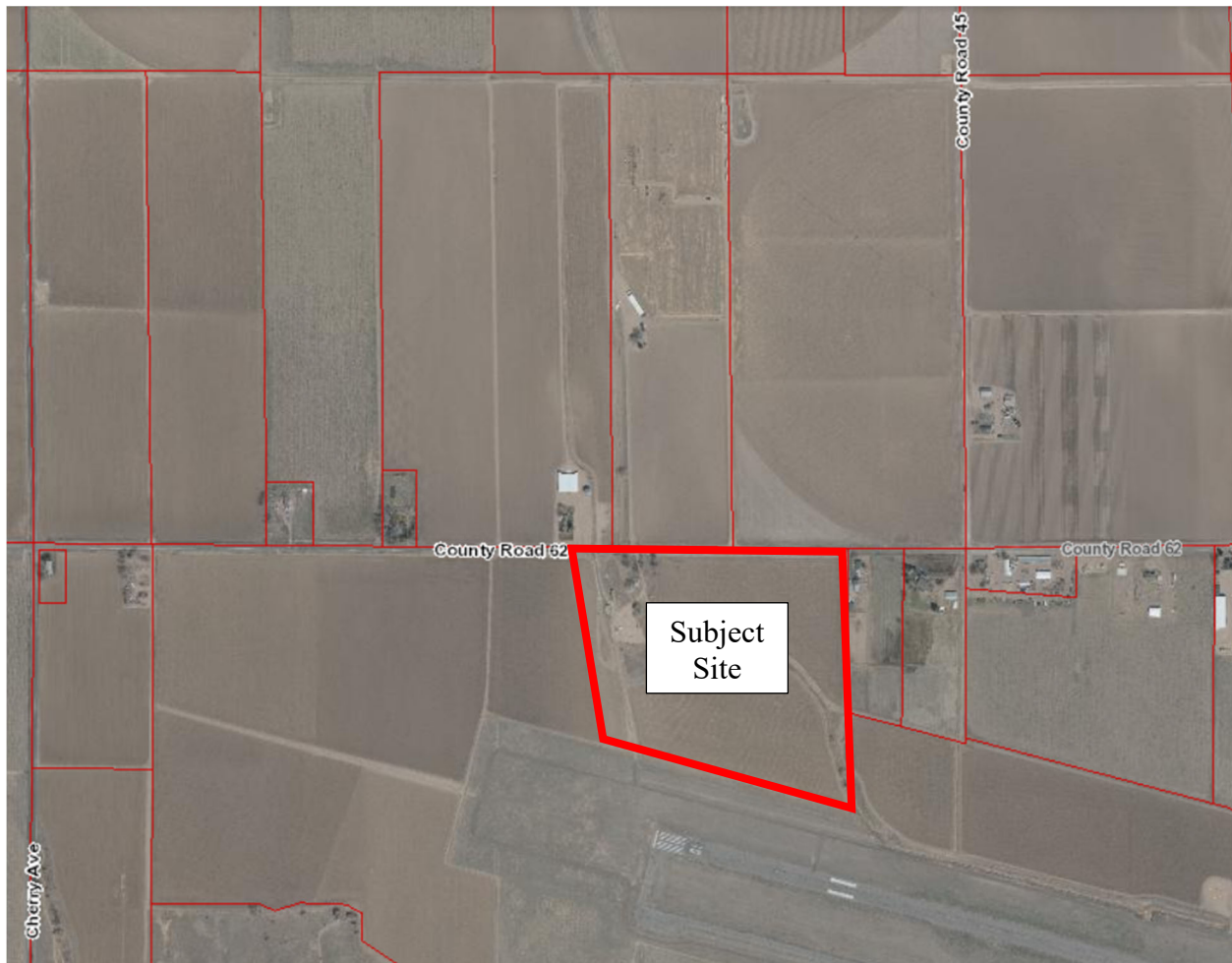
Attachment C – USR Plan Set

Attachment D – Neighborhood Notification Boundary Map

Attachment E – Staff Slides

Attachment F – Applicant Slides

VICINITY MAP





Background

Pivot Energy is proposing to construct an up to 5MW AC Community Solar Garden ("CSG") on approximately 35 acres. Pivot has an active ground lease in place with the Greeley-Weld County Airport Authority to build a solar project on vacant land that is within the airport property. The solar use will not affect any local residence or cause any disturbances because it is near the runway and not near accessible public spaces.

The project lease area will include panels and inverters mounted on steel posts/beams, concrete-pad-mounted transformers and other electrical equipment, an access drive with hammerhead emergency turnaround, and perimeter fencing with gates. The facility will not have any exterior lighting or additional landscaping. Project will be unmanned and will not require any permanent parking outside of the fence area.

The development review criteria for this project will go through the USR process. The Procedures Summary Table notes that a neighborhood meeting is not required through this process. We will need to go through the appropriate posting process and then attend two public hearings, one for the Planning Commission and one for the City Council.

Pivot is proud to highlight the fact that the application we are applying for with this project **has committed to donating 100% of the energy produced to low-income Coloradans.** Our goal is to support and alleviate some financial pressure around paying for their energy bills.

Comprehensive Plan

In the Imagine Greeley Comprehensive Plan adopted in 2018, the 4th core value is to encourage "sustainable patterns of growth and development." Goal NR-4 aims to "use resources efficiently and sustainably," and has multiple objectives that encourage the use and promotion of renewable resources throughout the entire community.

Our solar facilities present a low profile and clean aesthetic. The project does not produce any emissions and will tick all the boxes of Greeley's objectives to increase the City's use of renewable energy. We believe our land use will conform nicely with the blend of agriculture, commercial, and rural land uses in the vicinity. No water, sewer, structures, or personnel will be needed onsite. Once the solar facility is built, it will run during daylight hours for between up to 40 years.

Our solar panels will be installed with setbacks from the public ROW and setbacks from the adjoining property (see attached site plan). In addition, the applicant proposes to surround the facility with a decorative, wildlife friendly game fence which will serve to both secure the site and provide a moderate visual buffer to adjoining properties. Within the fence line and on any other areas disturbed during construction, applicant will establish native, low-growth grasses in keeping with vegetation common for the area to allow the project area to blend in with the surroundings.

As noted, the solar facility will be an unmanned project and requires minimal upkeep. Maintenance and/or landscape personnel will visit the site 3 to 4 times a year to make sure equipment is working correctly and landscaping is trimmed as to not cover the solar panels.

The airport property currently has another solar facility onsite; therefore, the development of another similar project will not pose any new concerns to the FAA or surrounding land uses. The use of a solar facility is the best use for this area due to the height restriction on other buildings/facilities.

Impacts

The construction generally lasts around 6 months from the time of breaking ground to interconnection and commercial operation (COD). There will be mechanical installations crews, electrical crews, fence building crew, and some light civil work for the access road. There will be occasional equipment deliveries using semi-trucks. We anticipate between 1-15 passenger vehicles during peak construction and tapering down to several vehicles once final electrical steps are taking place. We install vehicle track out pads to ensure the public ROW remains clean.

The operation phase will last at least 20 and up to 40 years and will require no onsite employees. As such, there is no impact to traffic in the local area. We remotely monitor the site and only send crews for maintenance if and when required. Occasional landscape maintenance and electrical diagnostic is used and is anticipated to be approximately 5 visits per year.

Additional

Pivot Energy is open to working with the landowner (Greeley-Weld County Airport) and City of Greeley to create a concept plan that meets all applicable code requirements and fits appropriately on the site.

Our solar project is being designed to serve the local community through the commitment to donate 100% of the energy produced to low-income Coloradans.

These donated bill credits will be fully re-invested into the community and help to alleviate a portion of the financial burden associated with energy bills.

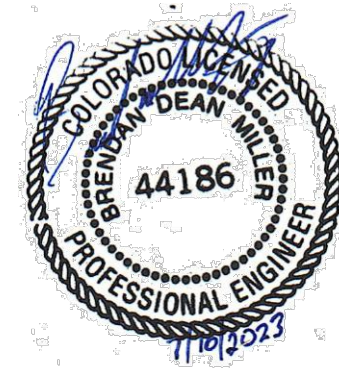
Pivot has also worked with local organizations to hold site tours and educational events to teach those interested about the solar industry and the benefits that come with renewable energy.

PIVOT 30 SOLAR USE BY SPECIAL REVIEW - USR2022-0017
NE 1/4 of Section 3, Township 5 North, Range 65 West of the 6th P.M.
City of Greeley, County of Weld, State of Colorado
35.2 Acres

Attachment C

Westwood

Phone (720) 531-8350 10170 Church Ranch Way, Suite #201
Toll Free (888) 937-5150 Westminster, CO 80021
westwoodps.com
Westwood Professional Services, Inc.



PREPARED FOR:



1750 15th St Suite 400
Denver, CO 80202

REVISIONS:		
#	DATE	COMMENT
A	02/01/23	Special Use Review Plans
B	03/23/23	Special Use Review Plans
C	05/31/23	Special Use Review Plans
D	07/10/23	Special Use Review Plans

- SPECIAL REVIEW STANDARD NOTES**
- Failure to obtain a building permit within twelve (12) months after the date of Use by Special Review approval shall cause the unbuilt portion of this Use by Special Review to be null and void, unless an extension was granted.
 - Approval of site construction plans by the City of Greeley shall be required (as applicable) prior to issuance of building permits.
 - For an expansion of the use in future phases, the applicant shall submit a separate Use by Special Review, which must be approved prior to issuance of a building permit.
 - Signage shown on this plan is for illustrative purposes only. A separate sign permit shall be submitted to the city for review and approval.
 - All existing and proposed utilities shall be installed underground
 - No building permit shall be issued for the construction of a new building structure unless the property has been platted in accordance with the City's Subdivision Regulations (Chapter 3).
 - All elevations shown on these plans are tied to NAVD 88 datum.
 - All required approvals and copies of executed easements, such as temporary construction easements, permanent maintenance easements, cross access easements, or cross-parking easements shall be provided to the City prior to approval of the Use by Special Review and civil construction plans.

CONTACTS

APPLICANT:

KYLE SUNDMAN
1100 10TH STREET, #203
GREELEY, CO 80631
970-336-4175

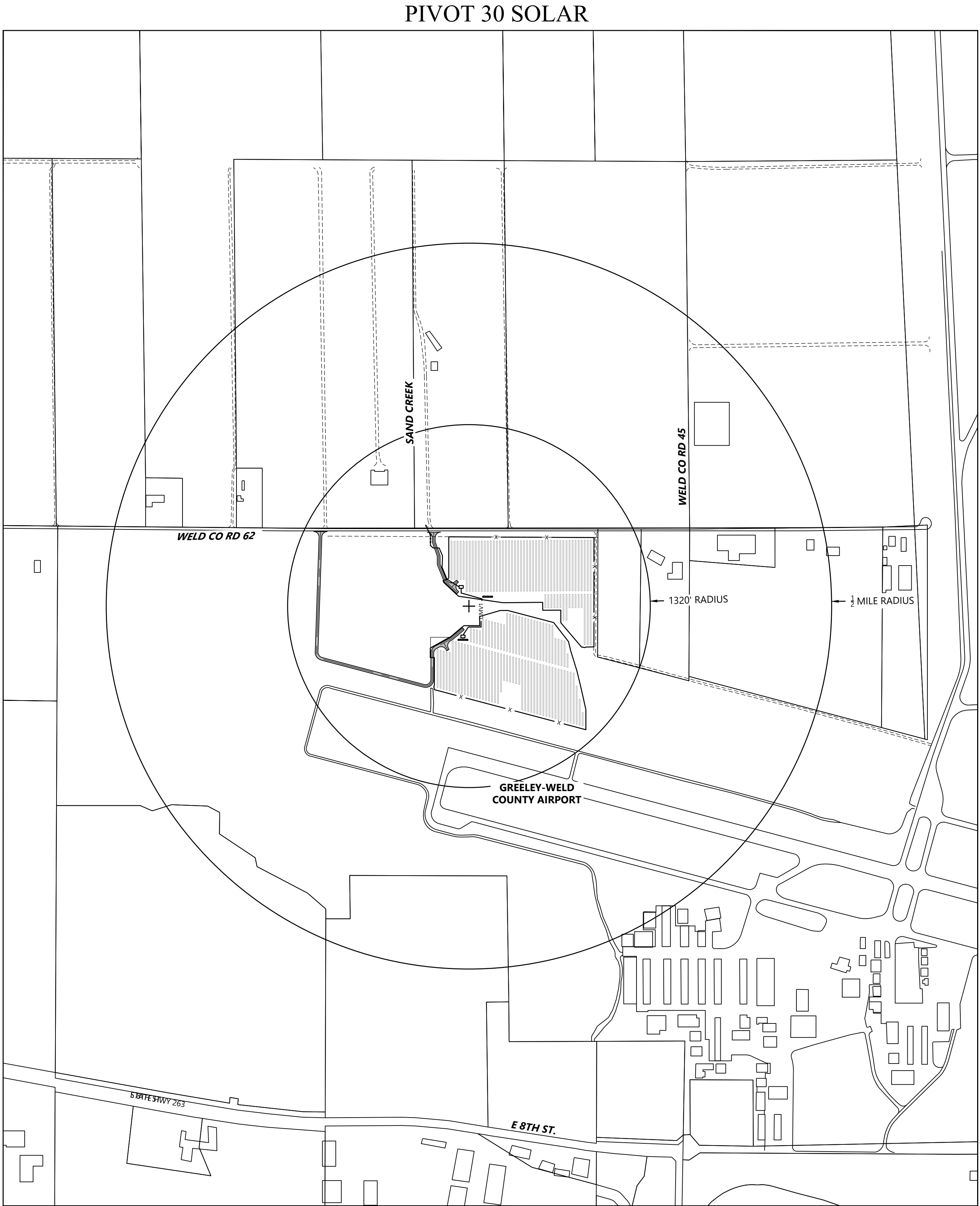
LEGAL PROPERTY OWNER:

GREELEY WELD COUNTY AIRPORT AUTHORITY
PO BOX 727 GREELEY, CO 806320727

CONSULTANT:

ERIK ELLIOTT
8401 GREENWAY BLVD, SUITE 400
MIDDLETON, WI 53562
(608) 821-3602

SHEET LIST TABLE	
SHEET NUMBER	SHEET TITLE
01	Cover Sheet
02	Site Plan Exhibit
03	Grading and Utility Plan
04	Pad Elevations
05	Ecological Significance Plan
06	Photometric Plan
07	Overall Landscaping and Screening Plan
08	Landscaping and Screening Notes & Details



VICINITY MAP
1" = 500'

USE BY SPECIAL REVIEW APPROVAL CERTIFICATE
THE USE BY SPECIAL REVIEW AS DEPICTED HEREON WAS APPROVED BY THE PLANNING COMMISSION ON _____.

- Failure to obtain a building permit for or commence the use as approved within twelve (12) months after approval, or to obtain an extension shall result in the forfeiture of the approval and will require a reapplication.
- Signs shown heron are NOT approved. All signs require approval of a sign permit in accordance with the City's Sign Code.

The undersigned as the owner or owner's representative of the lands described herein hereby agree on behalf of itself, its successors and assigns to develop and maintain the property described hereon in accordance and compliance with this approved USR Exhibit and the City of Greeley Development Code.
(Greeley-Weld County Airport Authority, a Body Corporate and Polotic of the State of Colorado)
By: _____
(signature)
Title: _____
Date: _____
ATTEST:
Secretary/Treasurer

City of Greeley Signature Blocks:

PLANNING COMMISSION APPROVAL
Approved by the City of Greeley Planning Commission on ____ day of _____, 20____.
COMMUNITY DEVELOPMENT DIRECTOR

Director of Community Development _____ Date _____
ENGINEERING DEVELOPMENT REVIEW AND CIVIL INSPECTIONS MANAGER
CONSTRUCTION MUST BE IN ACCORDANCE WITH APPLICABLE CITY OF GREELEY CONSTRUCTION STANDARDS. THE CITY'S ACCEPTANCE SHALL NOT RELIEVE THE DESIGN ENGINEER'S RESPONSIBILITY FOR ERRORS, OMISSIONS, OR DESIGN DEFICIENCIES FOR WHICH THE CITY IS HELD HARMLESS

Development Review Manager _____ Date _____
CITY OF GREELEY FIRE MARSHAL

City of Greeley Fire Marshal _____ Date _____

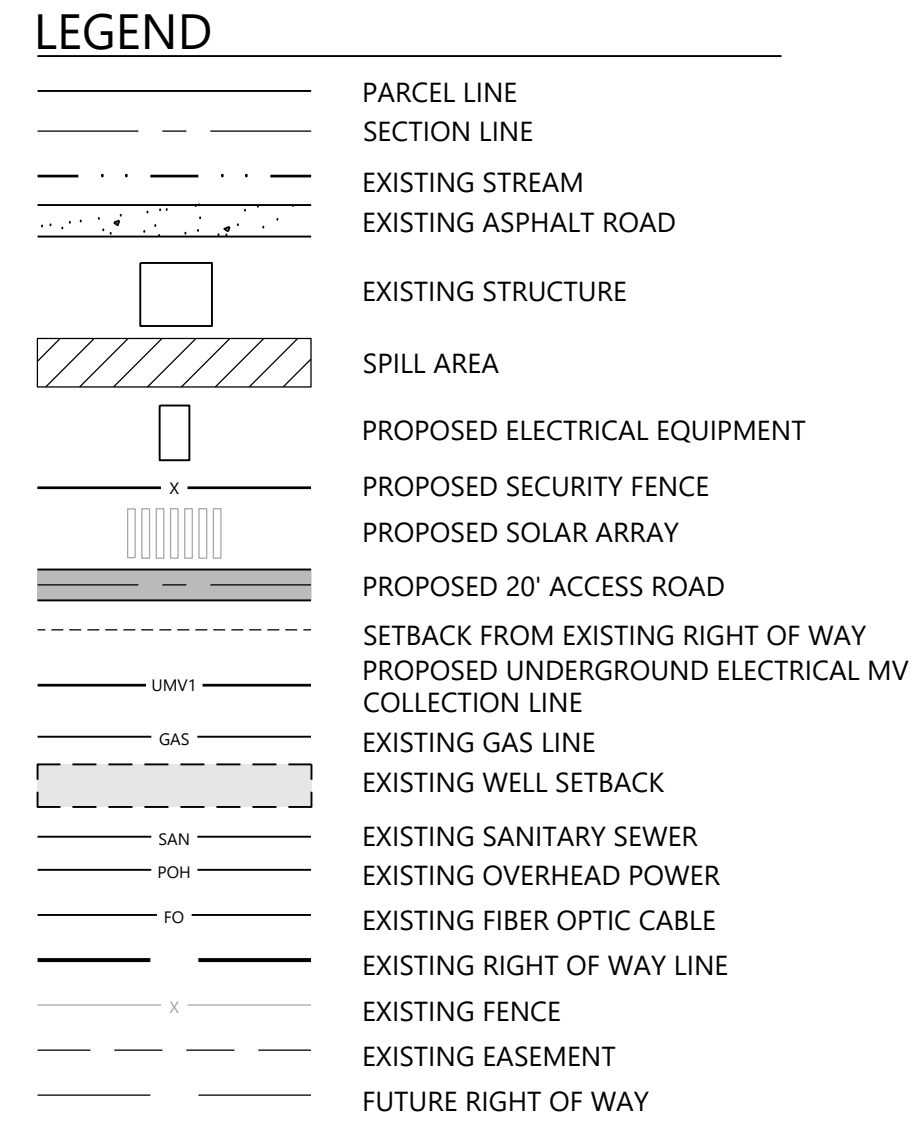
Pivot 30 Solar Use
by Special Review
Greeley, CO

Cover Sheet

NOT FOR CONSTRUCTION

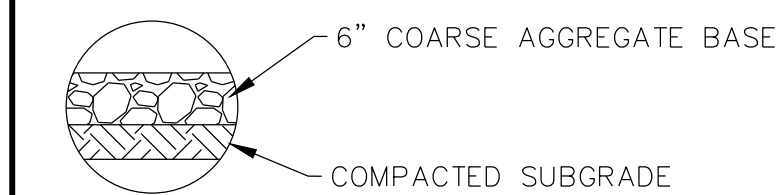
DATE: 07/10/2023

SHEET: 01



- ## NOTES
1. NO PROPOSED PARKING.
 2. NO PROPOSED GROUND SIGNAGE.
 3. SEE ODP FOR GEOTECH REPORT, UTILITY REPORT, DRAINAGE REPORT AND ENVIRONMENTAL REPORT.

SITE DATA			
Description			
ZONING	I-M (INDUSTRIAL-MEDIUM INTENSITY)		
PRIMARY LAND USE	SOLAR GARDEN		
ACCESSORY LAND USE	N/A		
Site Area	Required	Provided	
		sq. ft. (ac.)	100%
BUILDING COVERAGE	N/A	327,047 (7.51)	25.9%
DRIVE, PARKING AND WALKS	N/A	60,265 (1.38)	4.78%
OPEN SPACE	10%	874,506 (20.1)	69.3%
Setback	Required	Provided	
FRONT	25 ft.	25 ft.	
SIDE	0 ft.	54 ft.	
REAR	0 ft.	54 ft.	
PARKING	N/A	N/A	



SITE ACCESS ROAD, OPERATIONS & MAINTENANCE
CROSS SECTION

NOTE:
SECTIONS SHOWN ARE THE MINIMUM THICKNESS REQUIRED
POST-CONSTRUCTION. CONTRACTOR MAY REQUIRE ADDITIONAL
THICKNESS OR UTILIZED GEOTEXTILES, GEOGRID, OR SOIL
STABILIZERS TO ACCOMMODATE PROJECT DELIVERIES DURING
CONSTRUCTION.



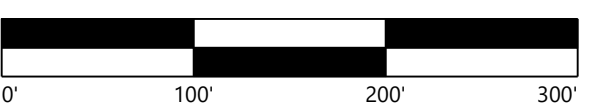
PREPARED FOR:



1750 15th St Suite 400
Denver, CO 80202

REVISIONS:

#	DATE	COMMENT
A	02/01/23	Special Use Review Plans
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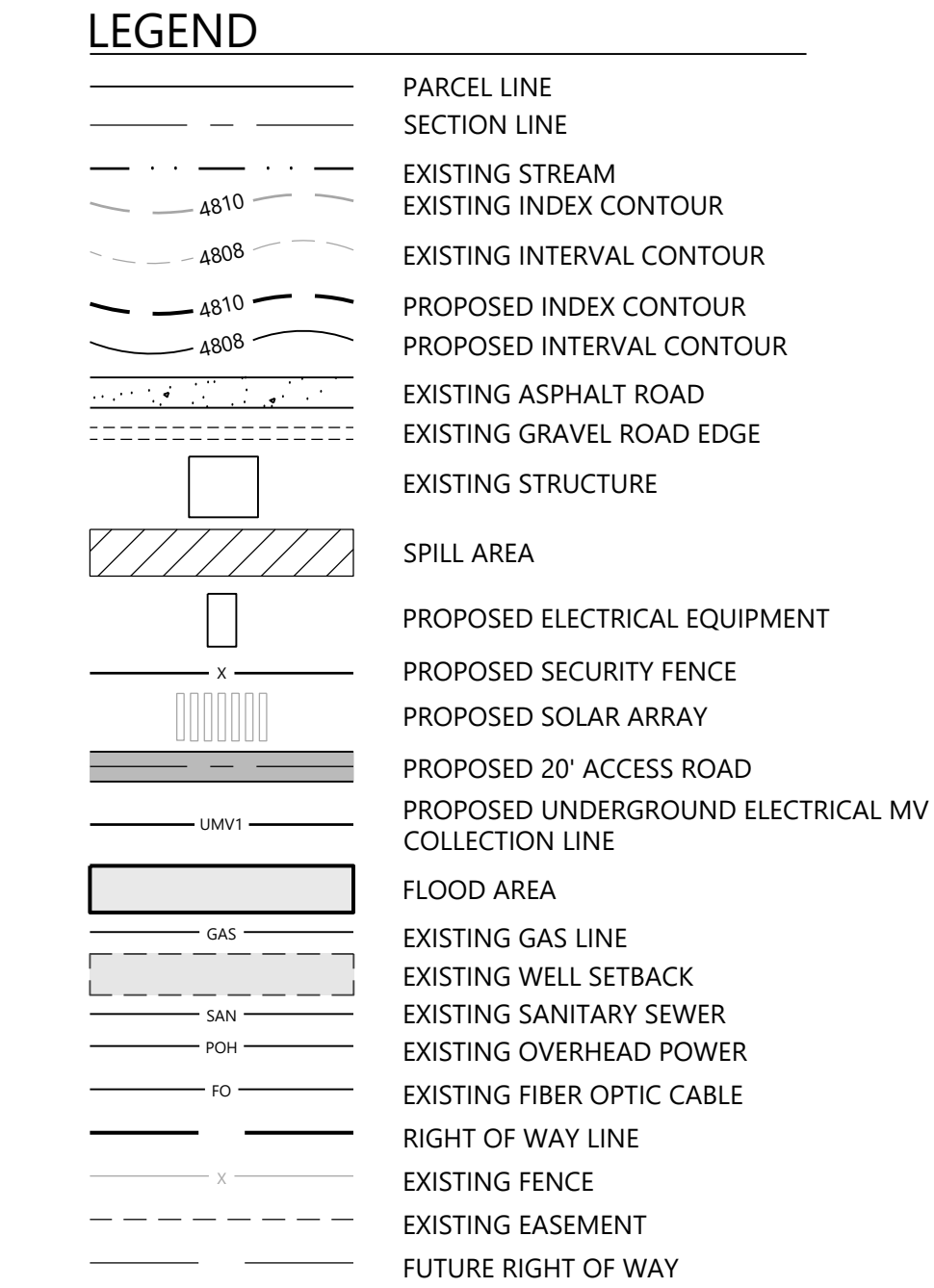
Greeley, CO

Site Plan Exhibit

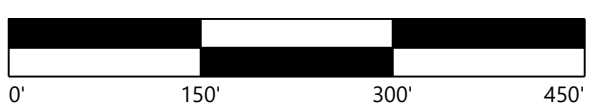
NOT FOR CONSTRUCTION

DATE: 07/10/2023

SHEET: 02

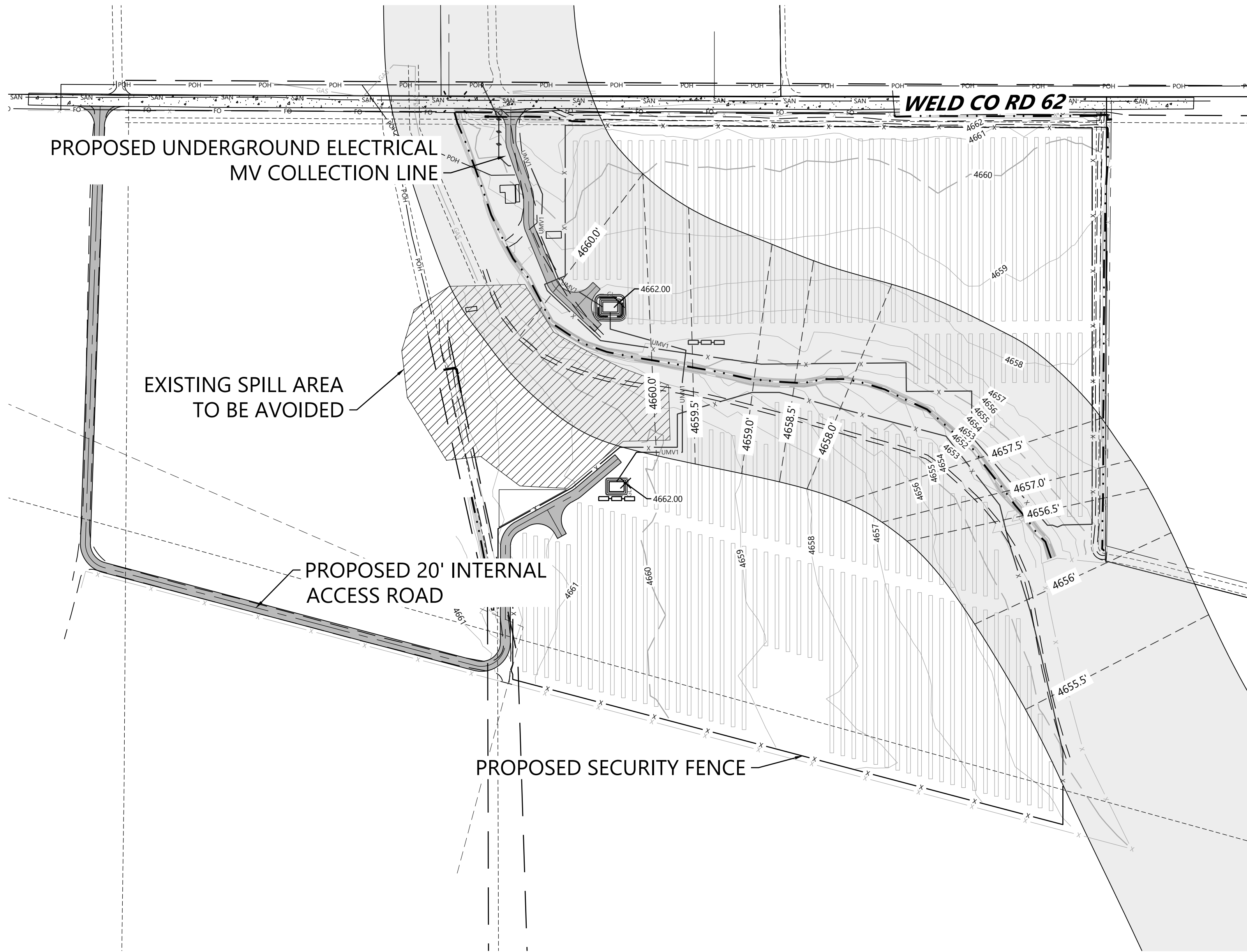


1. ALL UTILITY LOCATIONS SHOWN ON THE SITE DEVELOPMENT PLAN ARE PROPOSED. ALL FINAL UTILITY LOCATIONS WILL BE DEPICTED ON THE FINAL APPROVED CONSTRUCTION PLANS. ANY ADDITIONAL EASEMENTS GRANTED AFTER FINAL CONSTRUCTION PLAN APPROVAL SHALL REQUIRE THE APPLICANT TO SUBMIT UPDATED CIVIL CONSTRUCTION PLAN SHEETS DEPICTING REVISED EASEMENT LOCATION(S).
2. WIDTH OF FLOOD AREA VARIES ACROSS SITE.



SHEET: 03

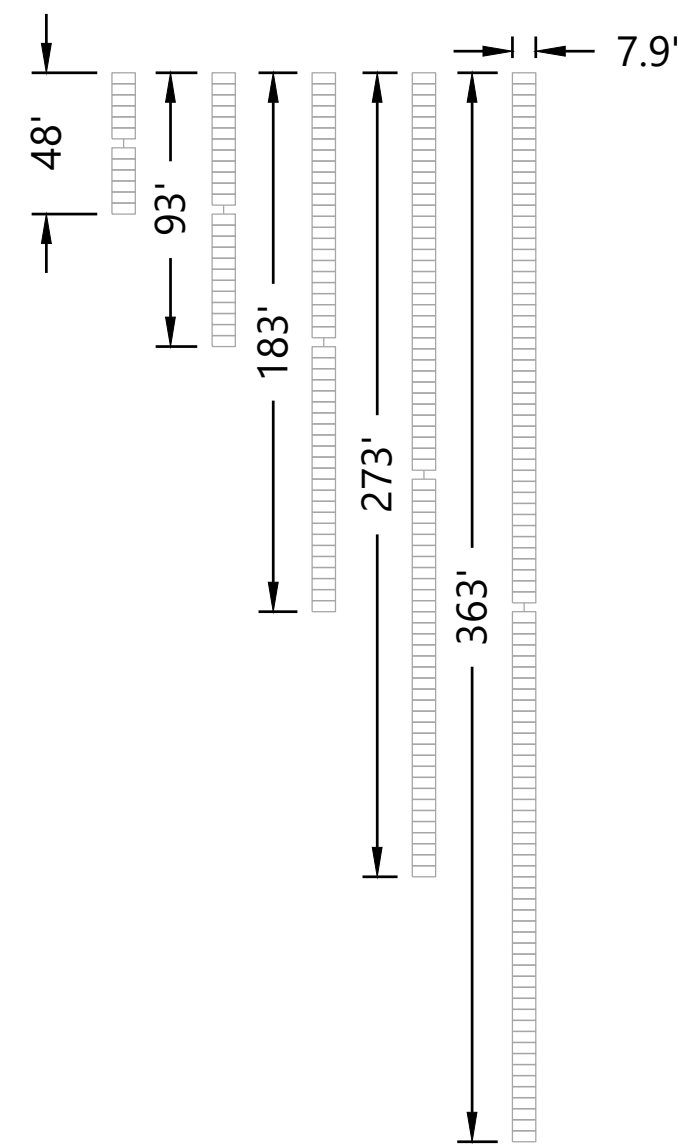
PIVOT 30 SOLAR USE BY SPECIAL REVIEW - USR2022-0017
NE 1/4 of Section 3, Township 5 North, Range 65 West of the 6th P.M.
City of Greeley, County of Weld, State of Colorado
35.2 Acres



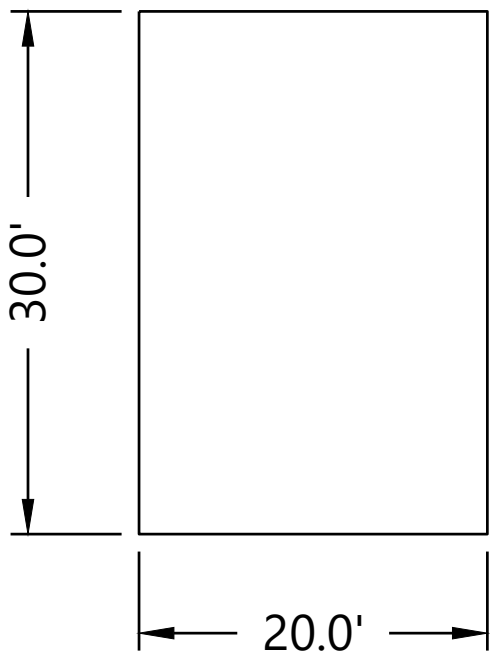
LEGEND

[Symbol]	PARCEL LINE
[Symbol]	SECTION LINE
[Symbol]	EXISTING INDEX CONTOUR
[Symbol]	EXISTING INTERVAL CONTOUR
[Symbol]	EXISTING INDEX CONTOUR
[Symbol]	EXISTING INTERVAL CONTOUR
[Symbol]	EXISTING STREAM
[Symbol]	EXISTING ASPHALT ROAD
[Symbol]	EXISTING GRAVEL ROAD EDGE
[Symbol]	EXISTING STRUCTURE
[Symbol]	SPILL AREA
[Symbol]	BASE FLOOD ELEVATIONS
[Symbol]	PROPOSED ELECTRICAL EQUIPMENT
[Symbol]	PROPOSED SECURITY FENCE
[Symbol]	PROPOSED SOLAR ARRAY
[Symbol]	PROPOSED 20' ACCESS ROAD
[Symbol]	PROPOSED UNDERGROUND ELECTRICAL MV COLLECTION LINE
[Symbol]	EXISTING GAS LINE
[Symbol]	EXISTING WELL SETBACK
[Symbol]	EXISTING SANITARY SEWER
[Symbol]	EXISTING OVERHEAD POWER
[Symbol]	EXISTING FIBER OPTIC CABLE
[Symbol]	RIGHT OF WAY LINE
[Symbol]	EXISTING FENCE
[Symbol]	EXISTING EASEMENT

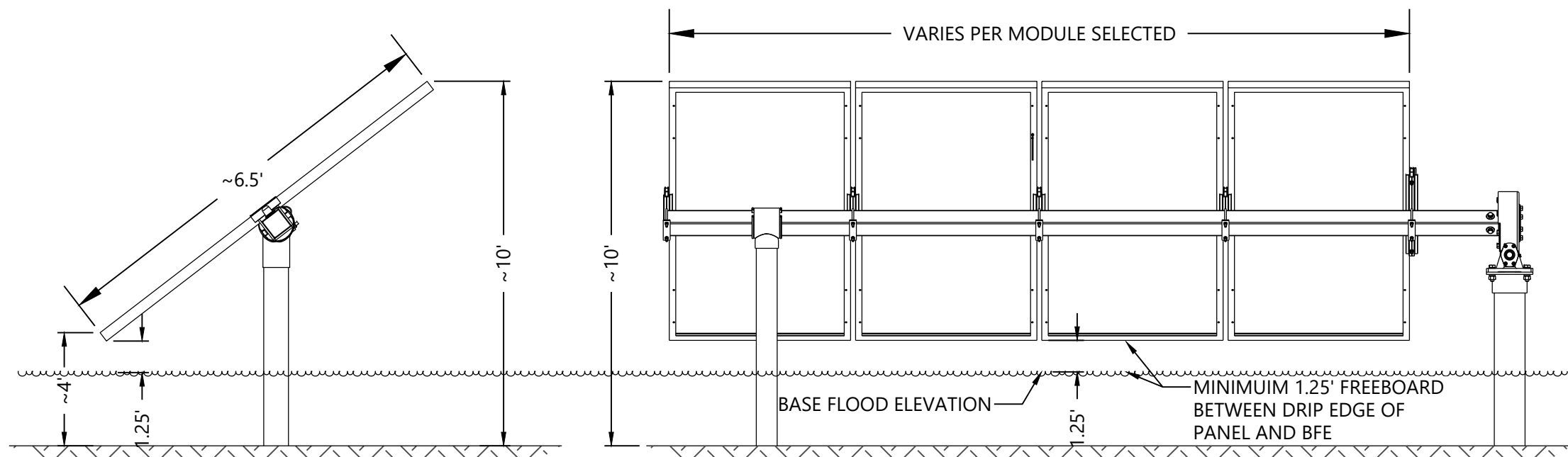
SOLAR ARRAY DIMENSIONS



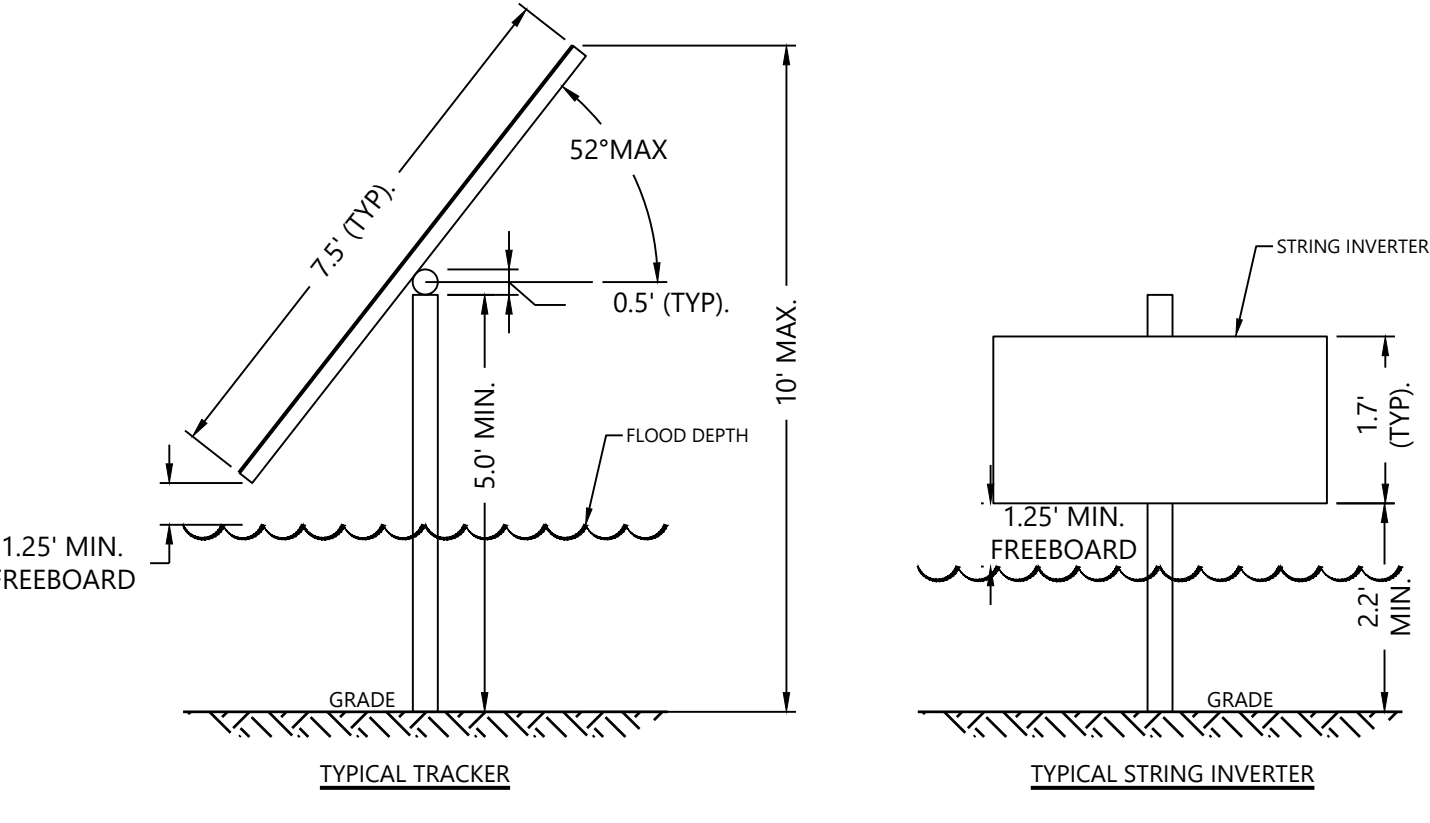
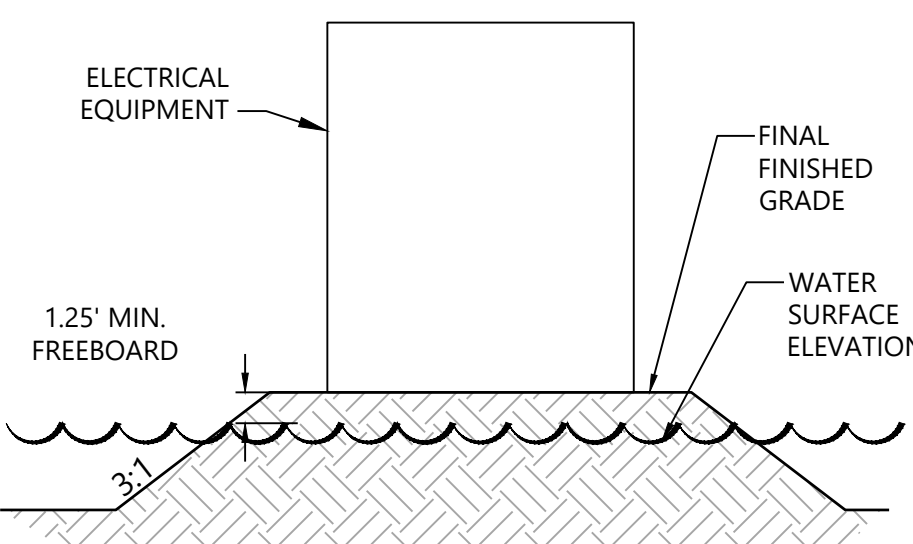
ELECTRICAL EQUIPMENT DIMENSIONS



NOTE:
1. DIMENSIONS MAY VARY BASED ON MODULE SELECTED.



NOTES:
1. DIMENSIONS MAY VARY BASED ON ELECTRICAL EQUIPMENT SELECTED.
2. SOLAR EQUIPMENT TO RETAIN 1.25' MIN. OF FREEBOARD FROM THE WSE.
3. NO HABITABLE STRUCTURES PROPOSED ON SITE.



NOTES:
1. ALL DIMENSION ARE APPROXIMATE. REFERENCE STRUCTURAL DRAWINGS FOR SPECIFIC HEIGHT REQUIREMENTS.
2. SEE SHEET C300 FOR MAXIMUM FLOOD DEPTHS.

Westwood

Phone (720) 531-8350 10170 Church Ranch Way, Suite #201
Toll Free (888) 937-5150 Westminster, CO 80021
westwoodps.com

Westwood Professional Services, Inc.



PREPARED FOR:



1750 15th St Suite 400
Denver, CO 80202

REVISIONS:

#	DATE	COMMENT
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Pivot 30 Solar Use
by Special Review

Greeley, CO

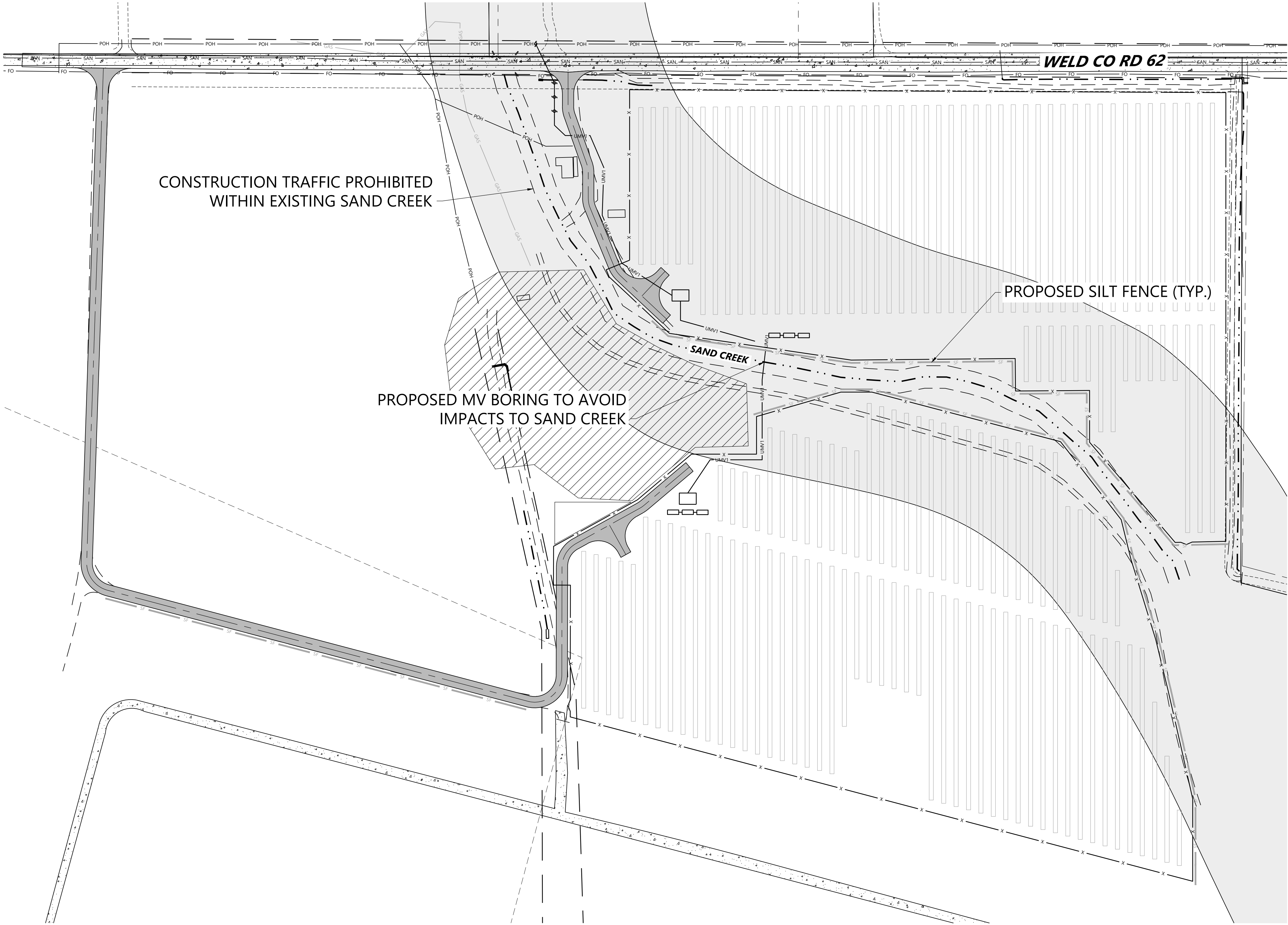
Pad Elevations

NOT FOR CONSTRUCTION

DATE: 07/10/2023

SHEET: 04

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NE 1/4 of Section 3, Township 5 North, Range 65 West of the 6th P.M.
City of Greeley, County of Weld, State of Colorado
35.2 Acres



LEGEND

- PARCEL LINE
- EXISTING STREAM
- EXISTING ASPHALT ROAD
- EXISTING GRAVEL ROAD EDGE
- EXISTING STRUCTURE
- SAND CREEK SETBACK
- PROPOSED ELECTRICAL EQUIPMENT
- PROPOSED SECURITY FENCE
- PROPOSED SOLAR ARRAY
- PROPOSED 20' ACCESS ROAD
- PROPOSED UNDERGROUND ELECTRICAL MV COLLECTION LINE
- FLOOD AREA
- PROPOSED SILT FENCE

NOTES

- DEVELOPMENT IS NOT PROPOSED WITHIN SAND CREEK TO AVOID DISTURBANCE OF AREAS MOST ADEPT TO MILKWEED GROWTH, IMPORTANT FOR THE MONARCH BUTTERFLY.
- A NESTING SURVEY, CONDUCTED BY A QUALIFIED BIOLOGIST, IS REQUIRED APPROXIMATELY SEVEN DAYS PRIOR TO CONSTRUCTION TO ENSURE NO IMPACTS ON NESTING BIRDS.
- THERE ARE NO AREAS OF MODERATE OR HIGH ECOLOGICAL SIGNIFICANCE WITHIN THE PROJECT BOUNDARY. REFER TO THE ECOLOGICAL SIGNIFICANCE REPORT FOR MORE DETAILS.

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westwoodps.com

Westwood Professional Services, Inc.



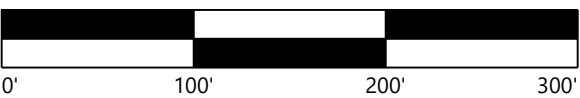
PREPARED FOR:



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Pivot 30 Solar Use
by Special Review

Greeley, CO

Ecological Significance
Plan

NOT FOR CONSTRUCTION

DATE: 07/10/2023

SHEET: 05

LEGEND

EXISTING CREEK

EXISTING ASPHALT ROAD

EXISTING GRAVEL ROAD EDGE

EXISTING STRUCTURE

PROPOSED ELECTRICAL EQUIPMENT

PROPOSED SECURITY FENCE

PROPOSED SOLAR ARRAY

PROPOSED 20' ACCESS ROAD

PROPOSED UNDERGROUND ELECTRICAL MV
COLLECTION LINE

EXISTING STREAM

EXISTING ASPHALT ROAD

EXISTING GRAVEL ROAD EDGE

EXISTING STRUCTURE

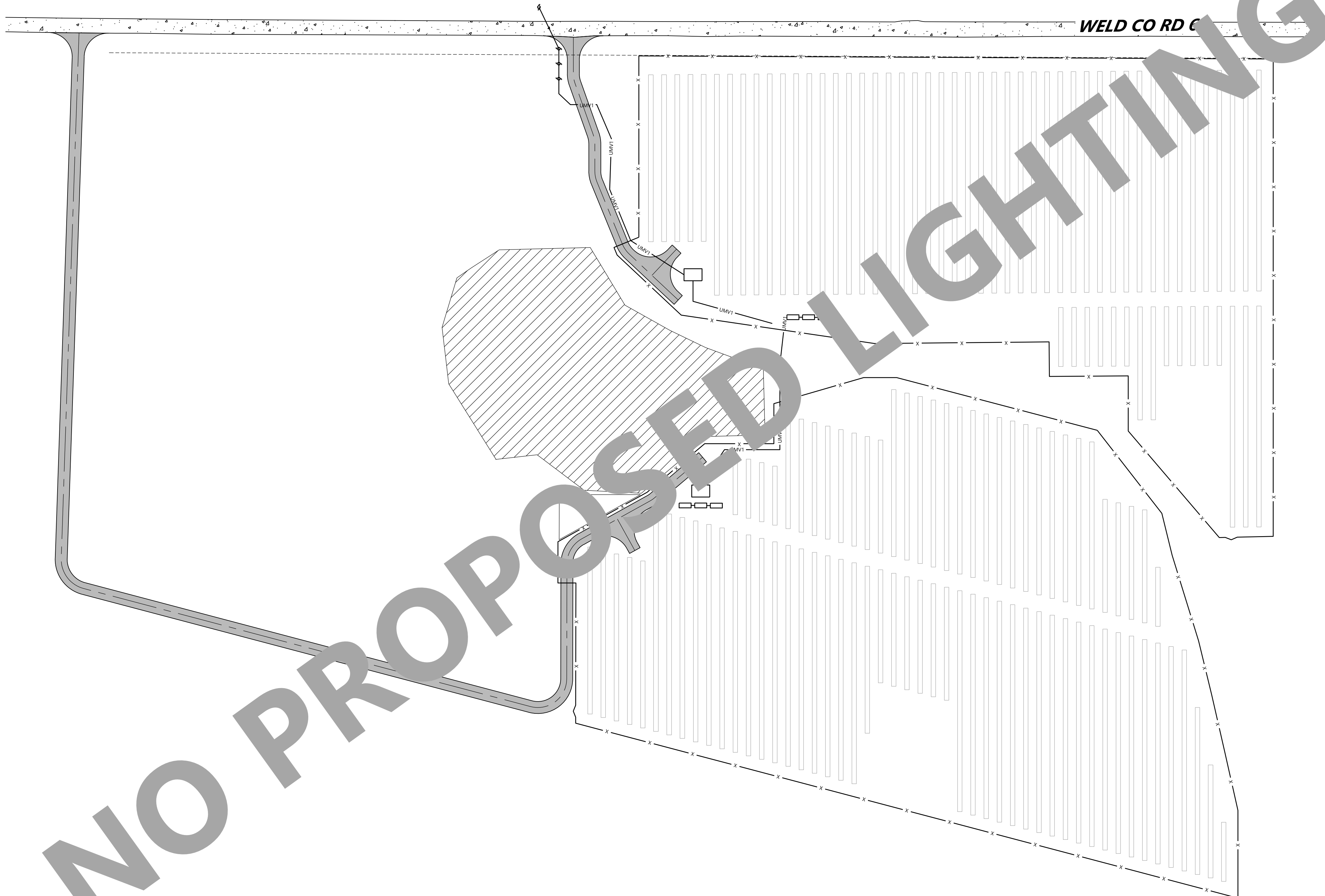
PROPOSED ELECTRICAL EQUIPMENT

PROPOSED SECURITY FENCE

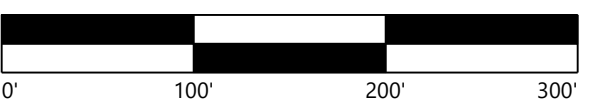
PROPOSED SOLAR ARRAY

PROPOSED 20' ACCESS ROAD

PROPOSED UNDERGROUND ELECTRICAL MV COLLECTION LINE



REVISIONS:		
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Greeley, CO

NOT FOR CONSTRUCTION

SHEET: 06

PIVOT 30 SOLAR USE BY SPECIAL REVIEW - USR2022-0017
NE 1/4 of Section 3, Township 5 North, Range 65 West of the 6th P.M.
City of Greeley, County of Weld, State of Colorado
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SCREENING AND SITE LEGEND

---	PARCEL LINES
---	EXISTING RIGHT-OF-WAY LINES
---	FUTURE RIGHT-OF-WAY LINES
---	EASEMENT LINES
---	EX. STREAM
---	EX. ROAD CENTERLINE
---	EX. INDEX CONTOUR
---	EX. INTERVAL CONTOUR
---	EX. OVERHEAD POWER
---	EX. GAS PIPELINE
---	EX. WATER LINE
---	EX. FIBER OPTIC LINE
---	PROPOSED ACCESS ROAD
---	PROPOSED SECURITY FENCE
---	PROPOSED ELECTRICAL EQUIPMENT
---	AREA TO BE RESEED IF/WHEN DISTURBED (26.3 ACRES)
---	EXISTING TREE
---	PROPOSED LANDSCAPE BUFFER

GROUNDCOVER LEGEND

---	WELD COUNTY SEED MIX - AREAS SOUTH OF COUNTY RD. 68 (SEE C.106 LANDSCAPE NOTES AND DETAILS)
---	TOTAL AREA (.63 A.C.)

NOTES

1. A LOW-GROWING NATIVE SEED MIX SHALL BE USED FOR RESEEDING UNDER ARRAY.
2. NO IRRIGATION NEEDS TO BE ESTABLISHED ON SITE.
3. SEE DETAILS FN01& FN02 ON PAGE C.104 FOR SCREENING MEASURES.
4. NO PROPOSED GRADING OR SITE DISTURBANCE WITHIN STREAM CORRIDOR.

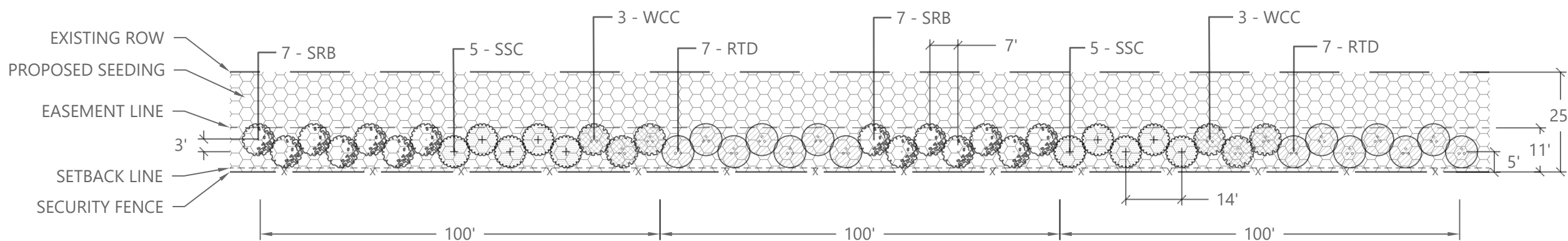
VEGETATIVE BUFFER PLANT SCHEDULE

SYMBOL	CODE	QTY	COMMON/BOTANICAL NAME	SIZE AT INSTALLATION	SPACING O.C.	MATURE SIZE H	MATURE SIZE W
DECIDUOUS SHRUBS (SHB)							
	RTD	49	Red Twig Dogwood / Cornus sericea	#5 CONT.	7' O.C.	2'-10"	2'-10"
	SRB	46	Serviceberry / Amelanchier alnifolia	#5 CONT.	7' O.C.	4'-15"	6'-8"
	WCC	21	Western Chokecherry / Prunus virginiana melanocarpa	#5 CONT.	7' O.C.	10'	10'
	SSC	35	Smooth Sumac / Rhus glabra	#5 CONT.	7' O.C.	9'-15"	9'-15"

- NOTES:
1. QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY.
 2. # CONT. SPECIFIES CONTAINER SIZE
 3. O.C. SPECIFIES ON CENTER FOR SPACING
 4. H.T. SPECIFIES MINIMUM SPECIMEN HEIGHT UPON INSTALLATION.
 5. PLANT SPECIES SUBJECT TO CHANGE BASED UPON AVAILABILITY AT TIME OF PLANTING.

LANDSCAPE BUFFER: ALTERNATING DECIDUOUS SHRUBS

SCALE: 1" = 30'



Pivot 30 Solar Use
by Special Review

Greeley, CO

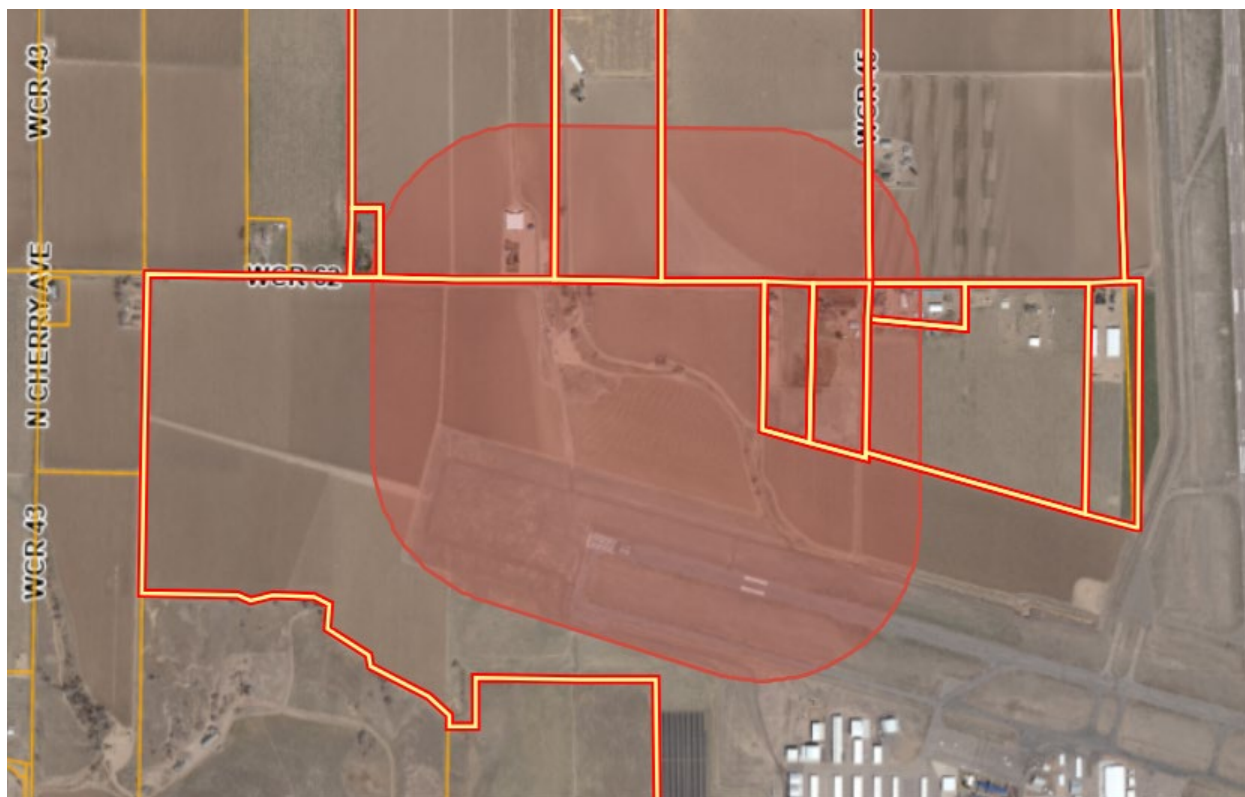
Overall Landscaping
and Screening Plan

NOT FOR CONSTRUCTION

DATE: 07/10/2023

SHEET: 07

NEIGHBORHOOD NOTIFICATION BOUNDARY MAP





Pivot 30 Solar USR USR2022-0017

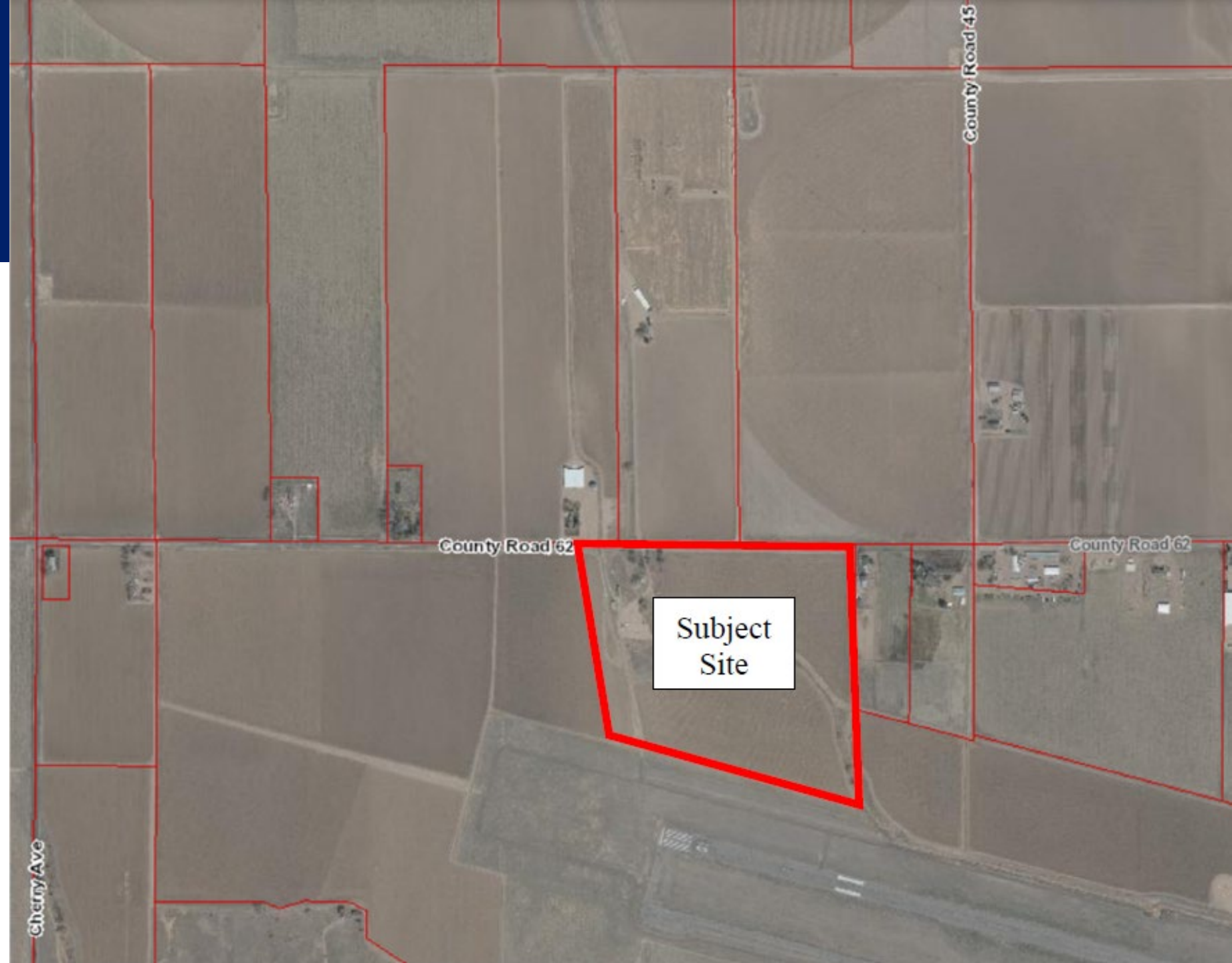
Planning Commission
August 8, 2023
Caleb Jackson, AICP | Interim Chief Planner

Request & Site Background

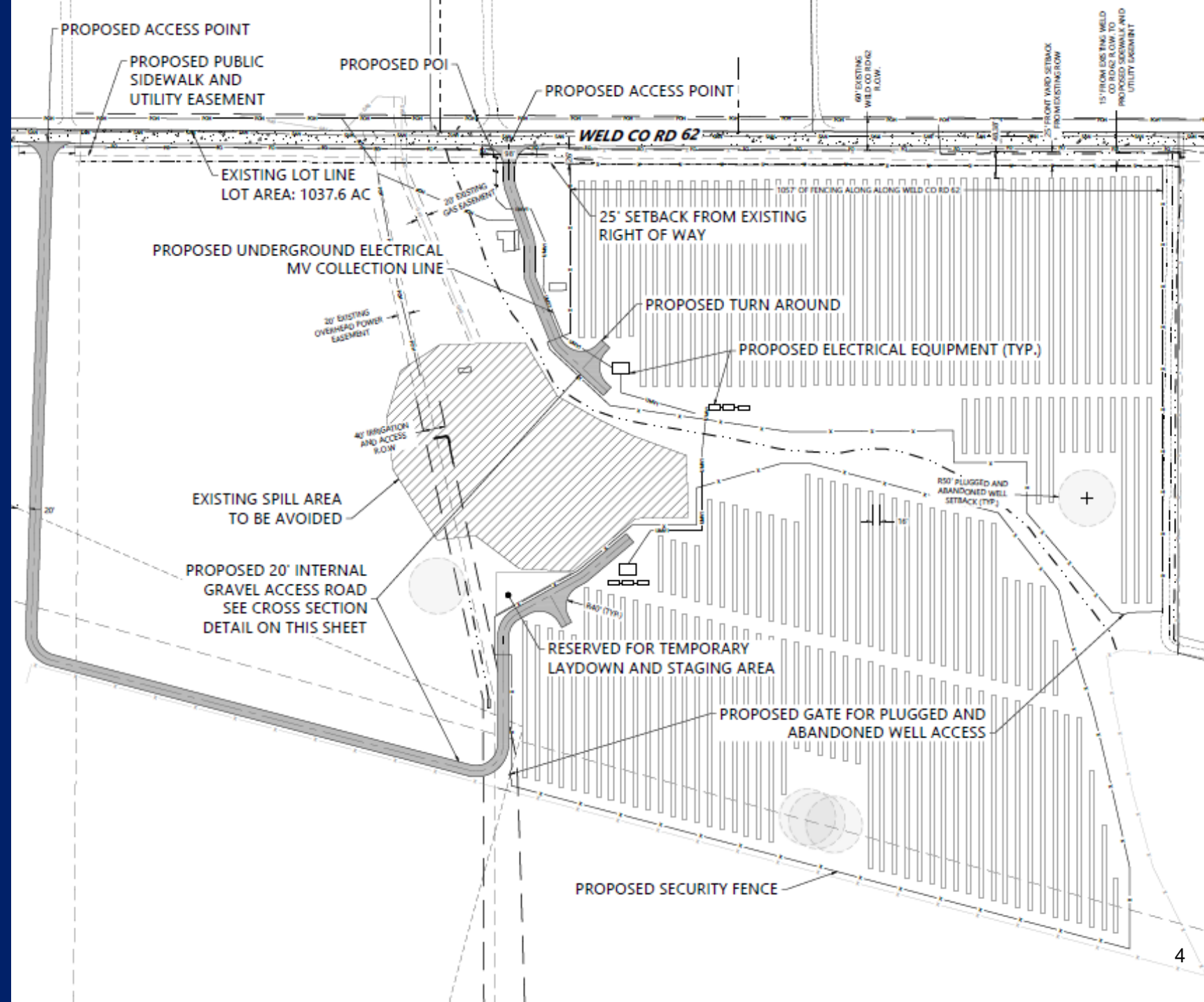
- Request:
 - USR for solar panel garden
- Background:
 - Site annexed and zoned the equivalent of I-M in 1985
 - Remains farmland

Location

- CR 62, west of CR 45
- Surrounding Zoning and Land Uses:
 - North: A | Farm
 - East: A | Single-family w/ ag
 - South: I-M | Runway
 - West: I-M | Farm



Site Plan



Landscape Plan



SCREENING AND SITE LEGEND

---	PARCEL LINES
---	EXISTING RIGHT-OF-WAY LINES
---	FUTURE RIGHT-OF-WAY LINES
---	EASEMENT LINES
---	EX. STREAM
---	EX. ROAD CENTERLINE
---	EX. INDEX CONTOUR
---	EX. INTERVAL CONTOUR
---	EX. OVERHEAD POWER
---	EX. GAS PIPELINE
---	EX. WATER LINE
---	EX. FIBER OPTIC LINE
---	PROPOSED ACCESS ROAD
---	PROPOSED SECURITY FENCE
---	PROPOSED ELECTRICAL EQUIPMENT
---	AREA TO BE RESEED (WHEN DISTURBED) (26.3 ACRES)
---	EXISTING TREE
---	PROPOSED LANDSCAPE BUFFER

GROUND COVER LEGEND

---	WELD COUNTY SEED MIX - AREAS SOUTH OF COUNTY RD. 62 (SEE C.106 LANDSCAPE NOTES AND DETAILS)
---	TOTAL AREA (63 A.C.)

NOTES

1. A LOW-GROWING NATIVE SEED MIX SHALL BE USED FOR RESEEDING UNDER ARRAY.
2. NO IRRIGATION NEEDS TO BE ESTABLISHED ON SITE.
3. SEE DETAILS FND1& FND2 ON PAGE C.104 FOR SCREENING MEASURES.
4. NO PROPOSED GRADING OR SITE DISTURBANCE WITHIN STREAM CORRIDOR.

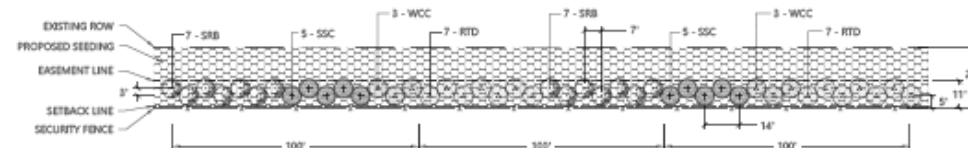
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- NOTES:
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 5. PLANT SPECIES SUBJECT TO CHANGE BASED UPON AVAILABILITY AT TIME OF PLANTING.

LANDSCAPE BUFFER: ALTERNATING DECIDUOUS SHRUBS

SCALE: 1" = 30'



Considerations

Approval Criteria

- USR Criteria – 24-206.b
Eight Criteria Used to
Evaluate USR
Applications
- The proposed USR is
consistent with the criteria
as outlined in your
Summary

Notification

- 177 notice letters
- Sign posted on the
property
- Mineral notice completed
- No objection/support

Recommendation

- Complies with Section
24-206.b
- Staff recommends
approval

Motions

Recommended (Approval)

- Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for a solar panel garden on approximately 35.2 acres of land zoned I-M (Industrial Medium Intensity) located south of and adjacent to County Road 62, approximately 750 feet west of County Road 45 is consistent with the Development Code criteria of Section 24-206.b (Items 1-8) and therefore approves the Use by Special Review.

Alternative (Denial)

- Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for a solar panel garden on approximately 35.2 acres of land zoned I-M (Industrial Medium Intensity) located south of and adjacent to County Road 62, approximately 750 feet west of County Road 45 is not consistent with the Development Code criteria of Section 24-206.b (Items 1-8) and therefore denies the Use by Special Review.

Review Criteria



USR Review Criteria – Section 24-206.b

- | | |
|----|---|
| 1) | <p>All criteria for site plan review in Section 24-207 are met.</p> <ul style="list-style-type: none"><i>The proposal satisfies the requirements of Section 24-207. The applicant included all required materials to satisfy the criteria for a Site Plan Review.</i> |
| 2) | <p>The application furthers the intent of the proposed zoning district, does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Comprehensive Plan.</p> <ul style="list-style-type: none"><i>The proposal is consistent with the I-M zone and compatible with adjacent zones.</i><i>Land Use Guidance Map – Airport Area.</i><i>Objective GC-1.2 Form of Growth – compact urban form over sprawl or leap-frog development.</i><i>Objective GC-4.3 Infill Compatibility – compatible site design and building architecture.</i><i>Objective NR-3.1 Protect Natural Features and Viewsheds</i><i>Objective NR-3.8 Native Habitats</i><i>Objective NR-3.9 Wildlife Habitat</i> |

Review Criteria



USR Review Criteria – Section 24-206.b

- | | |
|----|---|
| 3) | <p>Any associated site development or construction complies with requirements of this code, including any conditions or additional requirements identified for the particular use.</p> <ul style="list-style-type: none"><i>The application complies with Greeley Development Code standards. No specific use standards apply to the proposed use.</i> |
| 4) | <p>Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use, and other potential impacts on adjacent property. The cumulative impact of a concentration of similar existing uses may be considered as part of the impact of a particular use.</p> <ul style="list-style-type: none"><i>The operating characteristics, visible and audible impacts, traffic, and use intensity are compatible with the existing agricultural and airport uses in the area.</i> |
| 5) | <p>The site is physically suitable for the proposed use, and whether any additional site-specific conditions are necessary for the use to be appropriate and meet these criteria.</p> <ul style="list-style-type: none"><i>The site is physically suitable for the proposed use and does not require site-specific conditions to achieve appropriateness at this location. The standards within the Development Code provide adequate conditions for the proposed use at the subject site.</i> |

Review Criteria



USR Review Criteria – Section 24-206.b

- | | |
|----|--|
| 6) | <p>Whether a limited time period for the permit is reasonably necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and ongoing enforcement of the permit.</p> <ul style="list-style-type: none"><i>The proposed use is compatible with the area and does not require duration limits, periodic reporting, or reconsideration. Ongoing, routine enforcement of the approved plan can be provided by the Code Compliance Division.</i> |
| 7) | <p>The long-range plans for the surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.</p> <ul style="list-style-type: none"><i>The proposed use supports the long-range plans for the vicinity as an Airport Area. The proposal is consistent and compatible with the area's character and existing airport and agricultural uses in the area.</i> |
| 8) | <p>The recommendations of professional staff or other technical reviews associated with the application.</p> <ul style="list-style-type: none"><i>Staff and the Administrative Review Team recommend approval of the application.</i> |



Pivot Energy

**PIVOT SOLAR 30 LLC
GREELEY PLANNING COMMISSION
AUGUST 8, 2023**

Clean Energy. Clear Choice.

OVERVIEW

- Who is Pivot Energy?
- Project Details
 - Where?
 - When?
 - Why this site?
- Project Benefits to Greeley
- Landowner Statement
- Q&A



WHO IS PIVOT ENERGY?

- A national leader in smaller scale solar projects
 - 13 years of experience, 1000+ national projects, 650 project clients
 - Specialized in community solar and onsite/rooftop solar projects
 - HQ in Denver, CO with footprints in NM, MN, IL, NY, CA, VA, and more
- Certified B-Corporation
 - Exceedingly high standards for environmental, social, and governance factors
 - Track record of investing hundreds of thousands of dollars to local schools, LMI residents, and community organizations where our projects are based
 - **The project is 100% donated = \$17M over 20 years (how?)**
 - Triple-bottom-line philosophy: people, planet, profit
- Long-term owner and partner
 - Pivot Energy will retain ownership of the projects over their entire life and be the responsible entity for an operational issue and post-decommissioning restorations

PROJECT DETAILS

- 5 MW AC solar garden on approximately 30 acres
- Land owned by Greeley-Weld County Airport Authority with existing industrial use
- Very few residences nearby – letters sent to all properties within 500 feet
- Construction scheduled to begin early 2024, lasting ~6 months
- Unmanned operation for 20-30 years
- 100% of energy produced will be donated to low-income Coloradans
- **Property tax (city, school dist., Aims Jr. College, etc.) contribution totals ~\$1M over 20 years, nearly \$1.5M over 30 years**
- **Lease revenue ~\$750k over 30 years**



PROJECT DETAILS (CONT'D)

- Why here?
 - Existing industrial use, demonstrated compatibility w/ existing CSG on South side, very few residences nearby, minimal impact
 - Good topography (flat) and solar resources (lots of sun!)
 - Proximity to distribution-level electrical infrastructure
- Single-axis trackers “follow the sun”
- ~ 10 feet above average grade
- Low impact use allows the land to continue agricultural production and maintain soil quality
- Low-growth, native seed mix will be used and sheep will be grazed whenever possible
- Noxious weed and vegetation mitigation



PROJECT DETAILS (CONT'D)

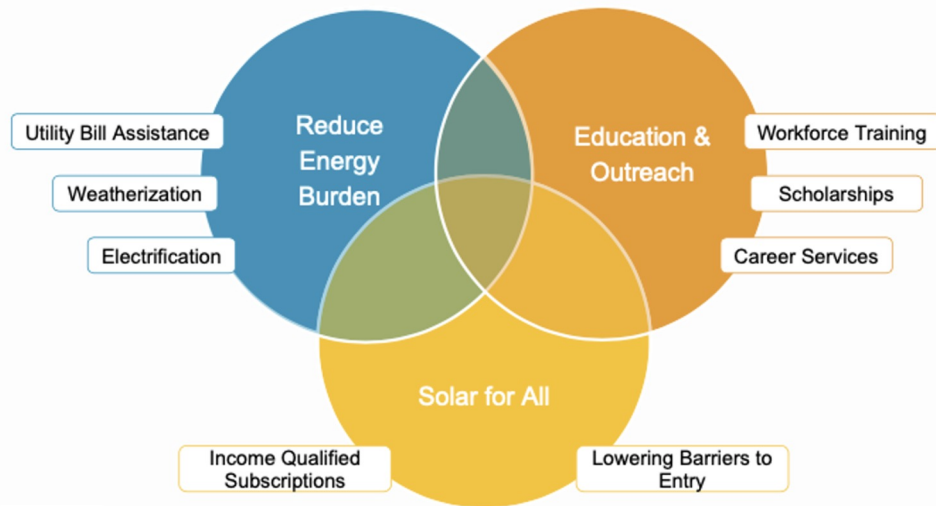
- Surrounded by decorative, wildlife-friendly game fence
- No dust, noise, glare or light pollution
 - Full glare study completed
 - No onsite lighting
- Majority of construction concentrated over 2-3 months
- Comprehensive Environmental Assessment performed in coordination w/ FAA and Greeley-Weld County Airport Authority. Approval received
- Once operational, 4-8 maintenance visits per year
- Operational for 20-30 years
- All Pivot projects have detailed decommissioning plans that align with the conditions in the land lease
- No additional City utilities or resources necessary
- Highest and best use – limited alternative development options due to runway proximity
- Significant community benefits in direct donations and other support

COMMUNITY IMPACT

Pivot Energy is accelerating an equitable shift to clean energy in communities throughout the nation by developing, financing, and servicing renewable energy projects. Pivot aims to be a leader in socially impactful and responsible solar development, ensuring our projects deliver meaningful benefits to the communities we operate in. When possible, we develop projects that reduce energy burden for income-limited families, create workforce pathways for local residents to join the solar industry, and include community reinvestment plans driven by community stakeholder input. Our community investment program has donated and pledged over \$1,100,000 to community-based organizations across the country.

- **Reducing Energy Burden:** through supporting partners that help with utility bill assistance, weatherization or electrification
- **Education & Outreach:** through supporting partners that invest in education, workforce development, scholarships, or other career services
- **Solar for All:** through investing in groups that help to lower the barrier to entry for income qualified households to reap the benefits of distributed renewable energy generation

Pivot's Social Impact Reinvestment Pillars



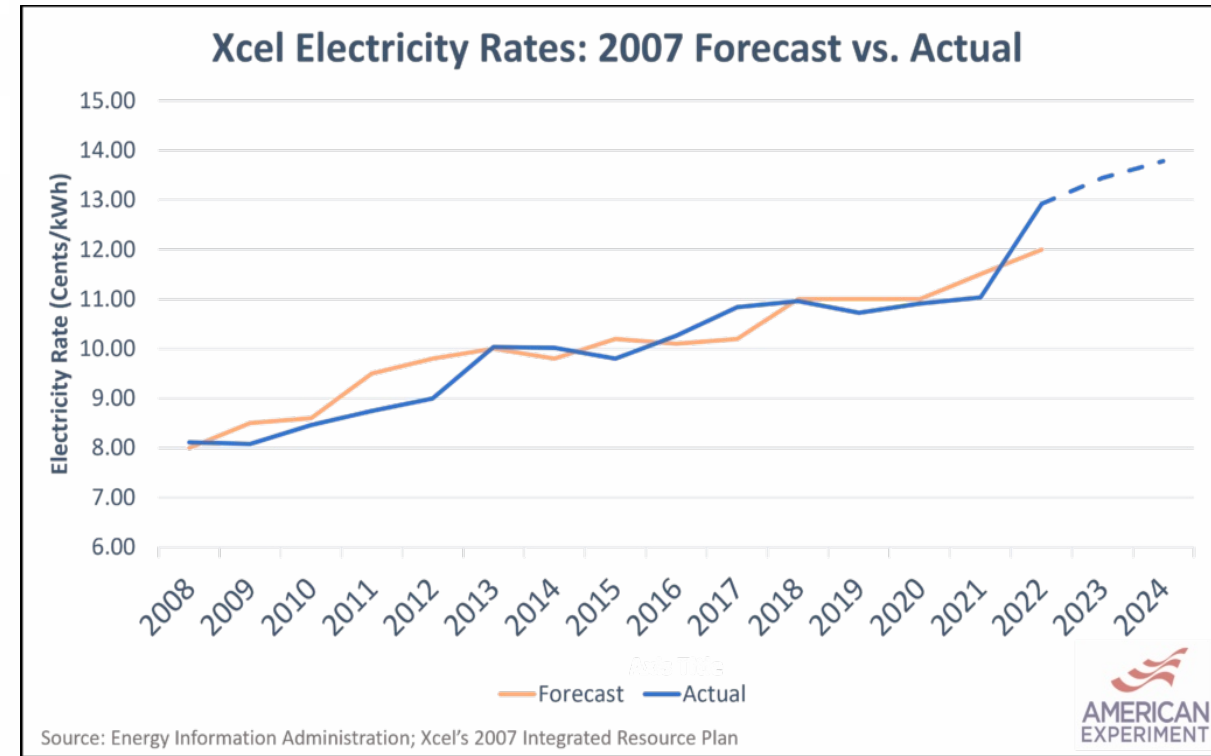
Pivot staff volunteering with [Energy Outreach Colorado](#) to send energy bill assistance packages to limited-income families. Pivot has donated \$225k to EOC to support their work to reduce energy burdens for families across Colorado.



Pivot giving a solar tour to workforce development partner [DREAM Solar](#), that trains under-represented groups to join the solar workforce. In 2021, Pivot donated 5 solar systems for the DREAM team to install in historically Black and Latinx neighborhoods in Denver.

COMMUNITY IMPACT PARTNERS

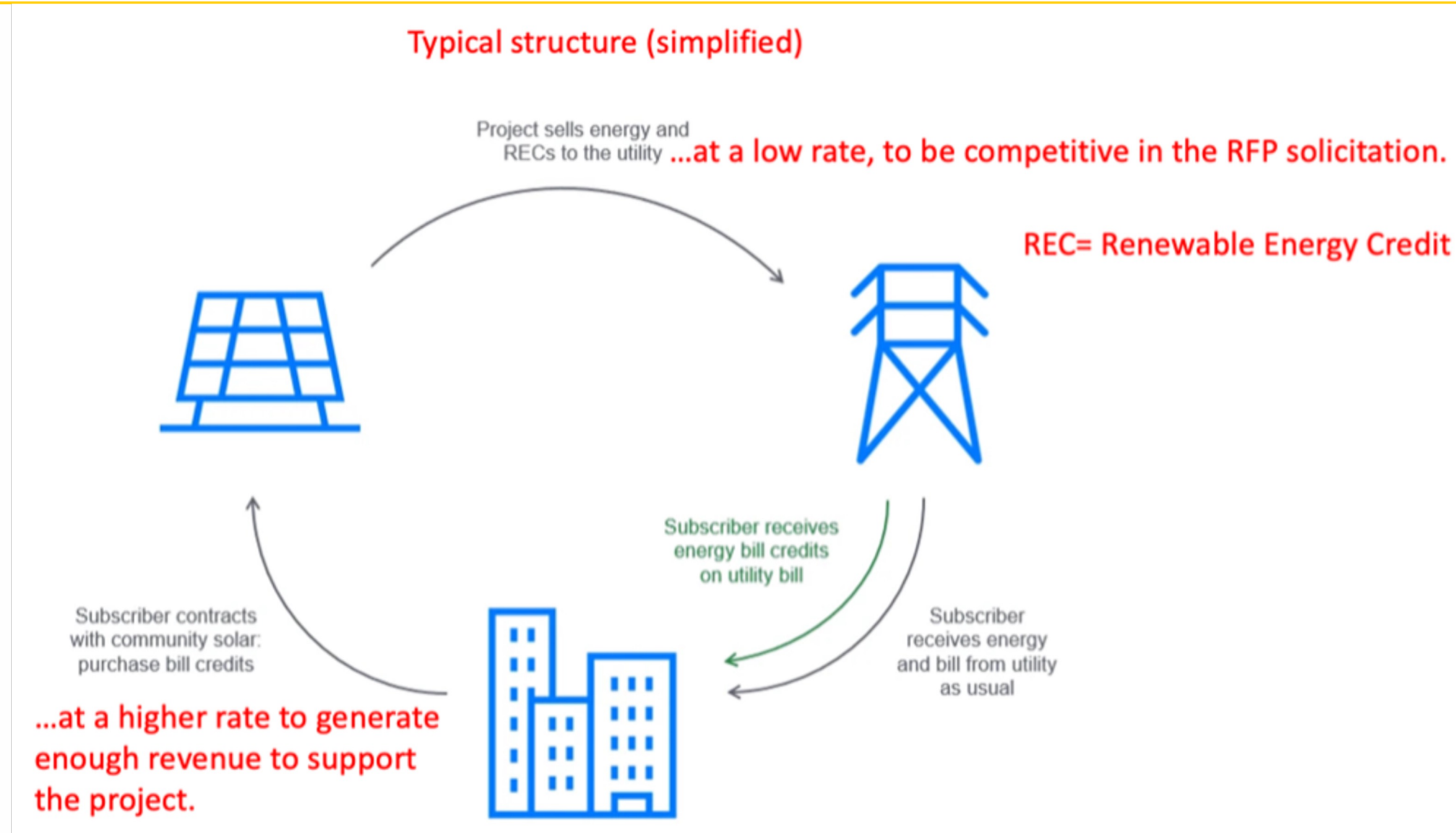
- In 2022, EOC (Energy Outreach Colorado, non-profit partner) assisted 1,984 Weld County/City of Greeley residents with \$1,041,500 in past due energy bills
- Since the start of EOC's program year on October 1, 2022:
 - The number of applicants for bill assistance in Weld County has increased 78% from the prior year
 - Applicants have carried a total of \$1,873,520 in arrears, a 159% increase from the prior year



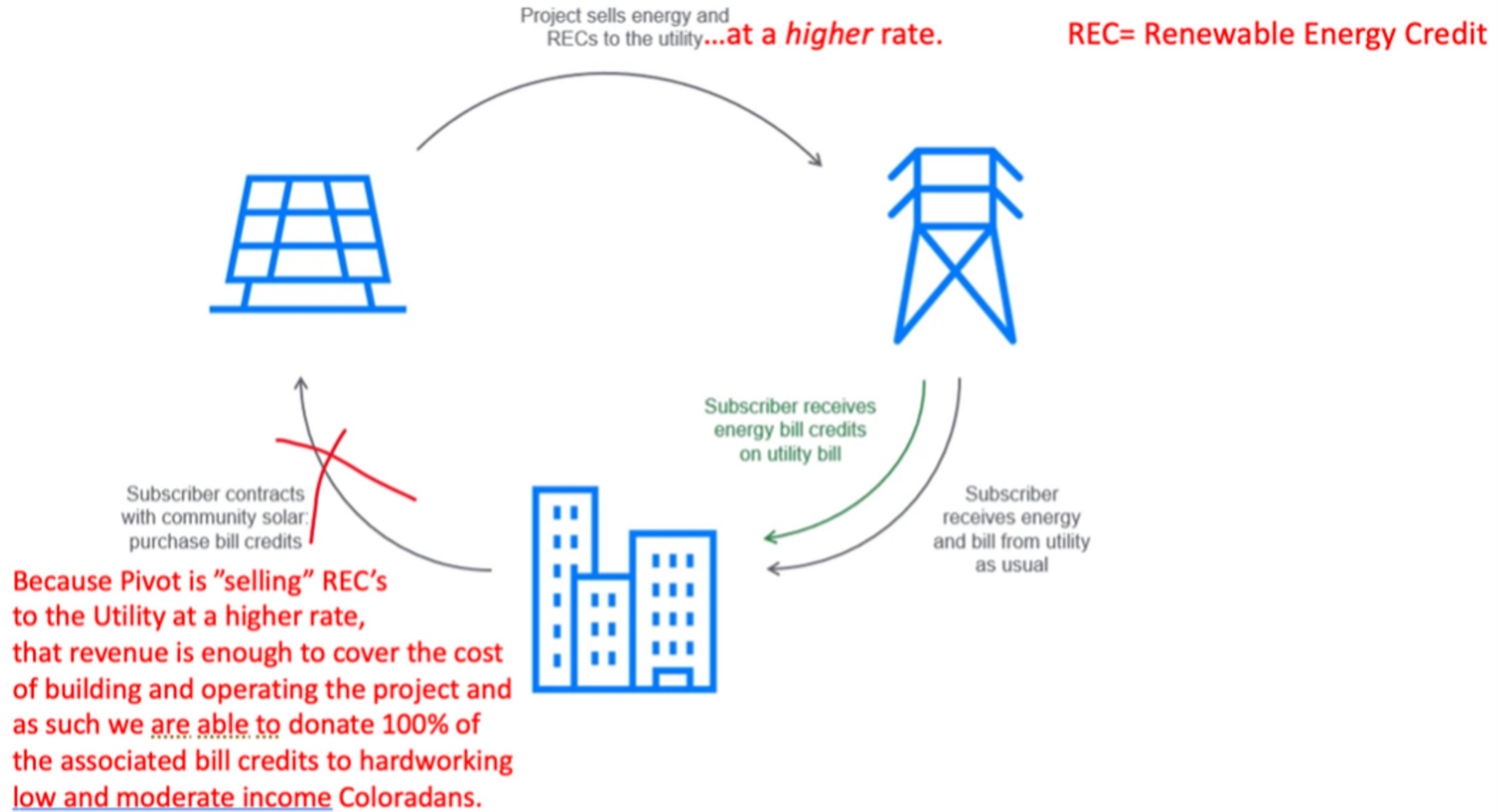
PROJECT BENEFITS

- **Through EOC, 100% of the power from this solar garden will be donated to hardworking Greeley, Weld County, and surrounding area residents who are struggling to pay their electricity bills (2500+ homes every year for 20 years)**
 - **Approximately \$17million over the first 20 years**
- Additional direct cash donation of \$85,000 to Energy Outreach Colorado
- Property contribution totals ~\$1M over 20 years, nearly \$1.5M over 30 years
 - Lease revenue ~\$750k over 30 years
- Economic diversity and stability for the community by generating power locally
 - All power generated stays in Greeley/Weld County

How Does Community Solar Work? What do you mean “DONATING 100%”?



Pivot Structure (specific to this project)



LANDOWNER TESTIMONY: GREELEY-WELD COUNTY AIRPORT AUTHORITY

- Brief parcel history
- Benefits to GWCAA
- Solar vs alternatives
- Site compatibility
- Alignment w/ goals



CONCLUSION

- Pivot appreciates City of Greeley planning staff's diligence in review – this has created a strong project!
- Excellent site for solar
 - Existing industrial use on the parcel, few neighbors, and minimal impact
 - Limited alternative development possibilities on the site
 - Demonstrated land use compatibility with existing CSG on the south side of the parcel
 - Flat, high solar resource, and good proximity to the requisite electrical infrastructure
- Benefits to the City of Greeley, the Greeley-Weld County Airport Authority, and greater Weld County
 - Locally produced energy to stay in the Greeley/Weld County area
 - \$1-\$1.5M in lifetime property tax revenue
 - ~\$750k in lifetime lease revenue for Greeley-Weld County Airport Authority
 - ~\$17M in Donated subscriptions providing energy burden relief to local low-income Coloradans
 - Economic diversity and stability for the community by generating power locally
 - Noxious weed and vegetation management

THANK YOU Q&A

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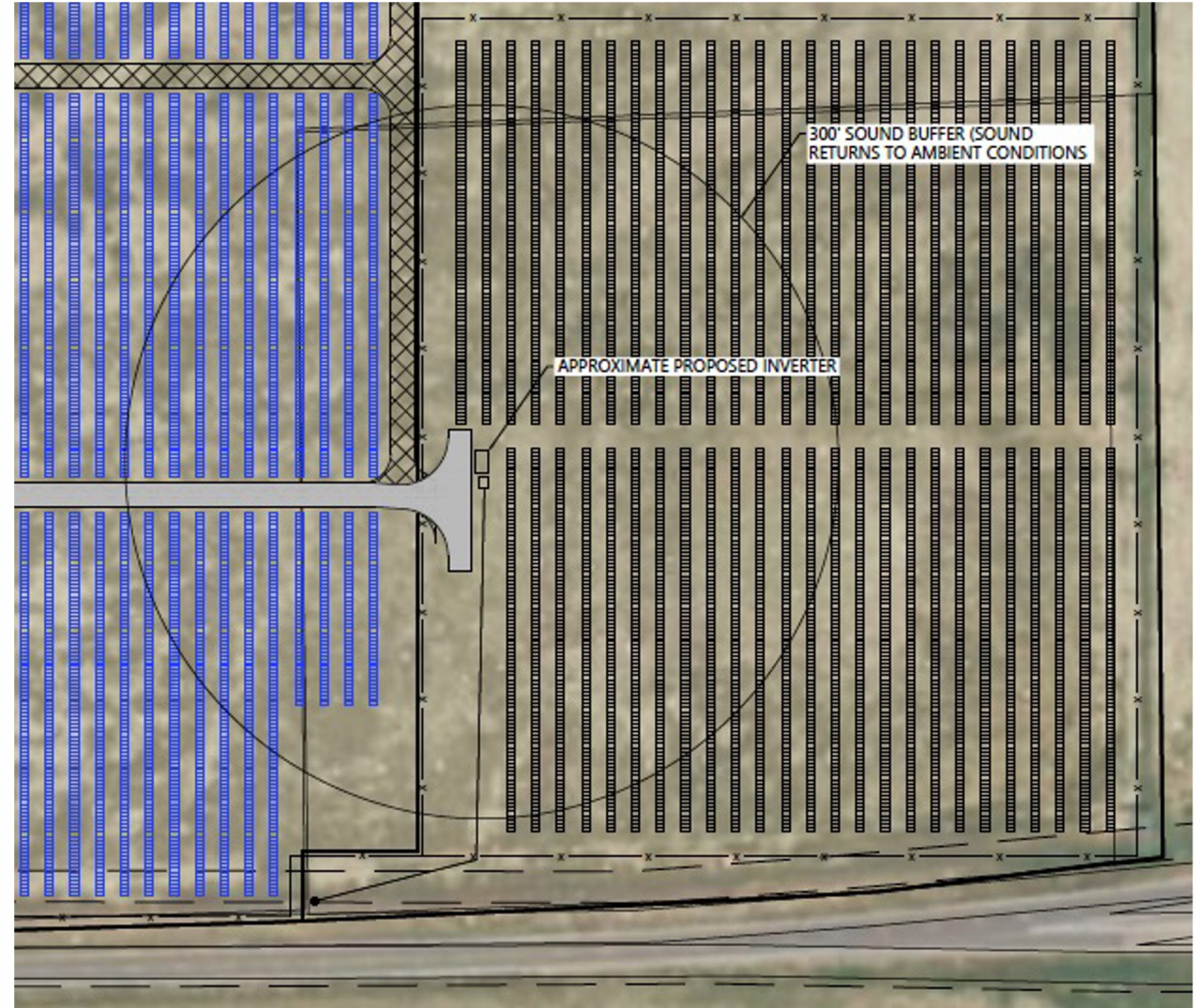
pivotenergy.net

- Noise
 - Solar projects produce about as much noise as a residential AC unit, and only during daylight hours. Negligible in the context of an airport runway.
- Health + Safety
 - There is no credible evidence of any health issues associated with solar farms. EMF levels are near background at the fence line.



NOISE

- Equipment that makes noise (inverters) are located hundreds of feet from the nearest residence, placed in the center of the array
- The decibel rating is equivalent to a residential air conditioning unit
- None of the equipment operates early in the morning or late at night
- The equipment is “off” when the sun is not out



PROPERTY VALUE

- The Cohn-Reznick property value study shows no impacts to property values adjacent to solar facilities in the Midwest or Colorado. Sites are similar to this one in New Mexico. While no two sites are identical, the similarities far outweigh the differences in this case.

We have also reviewed published methodology for measuring impact on property values as well as published studies that specifically analyzed the impact of solar farms on nearby property values. We have also interviewed market participants, including County and Township Assessors, to give us additional insight as to how the market evaluates farm land and single family homes with views of the solar farm. These studies found little to no measurable and consistent difference in value between the Test Area Sales and the Control Area Sales attributed to the proximity to solar farms and are generally considered a compatible use. Considering all of this information, we can conclude that since the Adjoining Property Sales (Test Area Sales) for the existing solar farms analyzed were not adversely affected by their proximity to solar farms, that properties surrounding other solar farms operating in compliance with all regulatory standards will similarly not be adversely affected, in either the short or long term periods.

IMPACT ON WILDLIFE

- The project isn't large enough to alter wildlife migration patterns. There are ample routes for animals to move around and through the site as needed
- We use a game fence when allowed to maximize our ability to keep larger animals out and allow smaller animals to come and go



HAZARDOUS MATERIALS

- Solar panels are made of 99%+ inert materials (glass, aluminum, copper)
- No hazardous materials are used
- Pivot closely monitors and will replace damaged equipment to ensure projects operate at peak efficiency
- Once the project is decommissioned, panels will either be donated or recycled



Image: solarbuildermag.com

HEALTH AND SAFETY IMPACTS

- Millions of people live near solar arrays or have solar panels on their rooftops. There is no credible evidence that solar equipment has negative impacts on human health



Health and Safety Impacts of Solar Photovoltaics

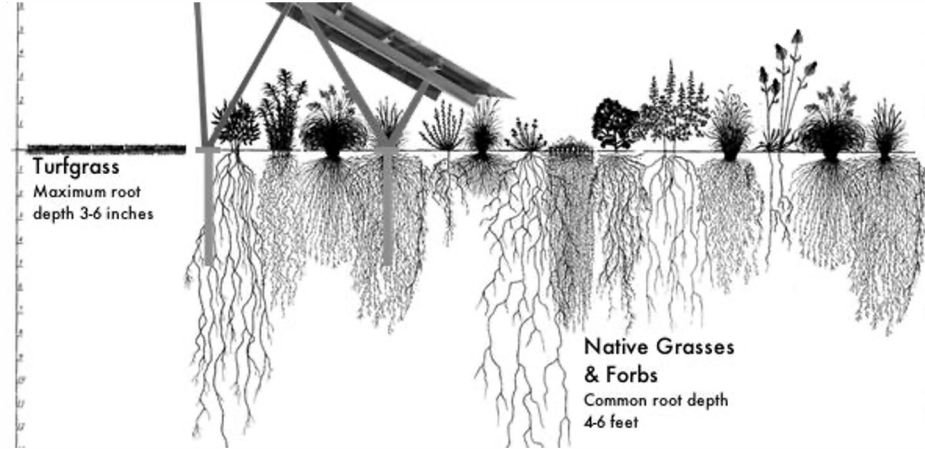
The increasing presence of utility-scale solar photovoltaic (PV) systems (sometimes referred to as solar farms) is a rather new development in North Carolina's landscape. Due to the new and unknown nature of this technology, it is natural for communities near such developments to be concerned about health and safety impacts. Unfortunately, the quick emergence of utility-scale solar has cultivated fertile grounds for myths and half-truths about the health impacts of this technology, which can lead to unnecessary fear and conflict.

Photovoltaic (PV) technologies and solar inverters are not known to pose any significant health dangers to their neighbors. The most important dangers posed are increased highway traffic during the relative short construction period and dangers posed to trespassers of contact with high voltage equipment. This latter risk is mitigated by signage and the security measures that industry uses to deter trespassing.

PRESERVING AGRICULTURAL CHARACTER OF WELD COUNTY



Agrovoltaics



Water and Soil Conservation



Pollinators and Habitats

Our methods enrich the soil beneath our panels, provides farmers and ranchers with new sources of income, creates pollinator habitat, increases biodiversity.

- Temporary use with conservation qualities
 - Groundcover and buffer species to be selected for native and pollinating traits
 - Soil rests for the site's useful life, similar to USDA's CRP program
- Allows productive use of land while avoiding more intensive development in the area

- Engaging in discussions for a partnership with a student at the Colorado School of Mines
 - How can we integrate food crops with PV installations?
 - 3 sites used to evaluate feasibility of growing food crops beneath solar arrays with little to no change in typical PV design
- Proposed measurements include:
 - Carbon sequestration of crops vs. typical seed mixes
 - Soil water retention to quantify irrigation needs with vs. without array
- Potential CSU Soils laboratory and Alan Knapp's laboratory partnership
 - Working to narrow down sites for use to study soils and different grazing approaches