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Aurora, Colorado 80012
303.739.7010

AuroraGov.org

July 23, 2024

Maxwell Blair
GMT Exploration Company LLC
4949 S Niagara, Suite 250
Denver, CO 80237

RE: Initial Submission Review

Invicta 3-65-28 Phase II - Site Plan
Location: QS:01Y - Southwest of E 38th Parkway and Monaghan Road 27300 E 38th Pkwy
Case Number(s): 2023-6050-01

Dear Mr. Blair:

Thank you for your initial submission, which we started to process on Monday, June 24, 2024. We reviewed it and attached our comments along with this cover letter. The first section of our review highlights our major comments. The following sections contain more specific comments, including those received from other city departments and community members.

Please revise your previous work and send us a new submission on or before Friday, August 09, 2024. Your administrative decision (AD) date is tentatively set for Wednesday, September 18, 2024.

Note that all our comments are numbered. When you resubmit, include a cover letter specifically responding to each item. The Planning Department reserves the right to reject any resubmissions that fail to address these items. If you have made any other changes to your documents other than those requested, be sure to also specifically list them in your letter.

As always, if you have any comments or concerns, please contact me. I can be reached at 303-739-6824 or malvarez@auroragov.org.

Sincerely,

Maria Alvarez, MURP
Senior Oil and Gas Planner
Energy & Environment Division
City of Aurora

cc: Andrea Gross - Upstream Petroleum Management Inc 6494 S Quebec St Centennial Co 80112
Carl Carlson - Uintah Engineering & Land Surveying 85 South 200 East Vernal, UT 84078
Lorianne Thennes, ODA
Filed: K:\\$DA\2371-01Rev1.rtf



INVICTA 3-65-28 PHASE II - SITE PLAN OIL AND GAS PERMIT REVIEW

SUMMARY OF KEY COMMENTS FROM ALL DEPARTMENTS

- See Site Plan Comment Redlines (page 2).
- See Letter of Introduction Comment Redlines (page 2-3).
- See Security / Operations Plan Comment Redlines (page 3).
- See Public Works Comment Redlines (page 3).
- See Aurora Water Comment Redlines (page 3).
- See Land Development Comment Redlines (page 4).
- See Other Plan Comments Redlines (page 5-6).
- Respond to additional redline comments.

REVIEWERS

- Energy & Environment – Maria Alvarez / 303-739-6824 / malvarez@auroragov.org / Comments in dark teal
- Energy & Environment – Susan Sherman / 303-739-7036 / ssherman@auroragov.org / highlights see side panel
- PW Engineering – Kendra Hanagami / 303-739-7295 / khanagam@auroragov.org / Comments in green
- Building/Life Safety – Mark Apodaca / 303-739-7656 / mapodaca@auroragov.org / Comments in blue
- Real Property – Grace Gray / 303-739-7277 / ggray@auroragov.org / Comments in magenta
- Aurora Water – Steve Dekoskie / 303-739-7490 / sdekoski@auroragov.org and Josh Pacheco / 303-826-8840 / jpachec@auroragov.org / Comments in red

1. SITE PLAN COMMENTS

1.A. General Site Plan – Section 135-2(d)(2)

- 1.A.1. Sheet 1 (Real Property) – Any future oil or gas pipelines will require a site plan and license agreement for road crossings.
- 1.A.2. Sheet 2 (Real Property) – Should access points off city roads require a culvert, a license would be required.
- 1.A.3. Sheet 4 (Real Property) – Should access points off city roads require a culvert, a license would be required.
- 1.A.4. Sheet 7 (Real Property) – Culverts in city row require a license agreement

1B. Visual Improvements – Section 135-2(d)(2)(h) *

- 1.B.1. General Requirement (Energy & Environment) – Please continue to incorporate into the overall Plan Set.

1C. Vicinity / Context Map – Section 135-2(d)(4)

- 1.C.1. General Requirement (Energy & Environment) – Please continue to incorporate into the overall Plan Set.

2. LETTER OF INTRODUCTION COMMENTS

2.A. Letter of Introduction – Section 135-2(d)(1)

- 2.A.1. Cover (Energy & Environment) – Update Case Number 2023-6050-01
- 2.A.2. Cover (Energy & Environment) – ADD “City of Aurora”
- 2.A.3. Page 2 (Energy & Environment) – ADD “City of Aurora”
- 2.A.4. Page 2 (Energy & Environment) – Please update ECMC Form 2A approval.
- 2.A.5. Page 2 (Energy & Environment) – Please replace Kendra Hanagami with PW Engineering
- 2.A.6. Page 2 (Energy & Environment) – Good coverage, please be advised, pavement widening is not being required due to the \$40k/well fee associated with the Traffic Impact Fees.
- 2.A.7. Page 2 (Energy & Environment) – Please remove text “GMT does not know when 38th Avenue will be dedicated to the City of Aurora. The Energy & Environment Division and PW Engineering are aware this isn’t City owned/dedicated property.
- 2.A.8. Page 3 (Energy & Environment) – Remove “Grace Gray”. Please be advised culverts located in city row require a license agreement. Any future oil or gas pipelines require a site plan and license agreement for road crossings.
- 2.A.9. Page 3 (Energy & Environment) – Remove, duplicate information.
- 2.A.10. Page 3 (Energy & Environment) – Please update. Zoning is Airport District (AD), the current land use is cropland/agricultural.
- 2.A.11. Page 5 of Phase I Rev3 Letter (Energy & Environment) – Site specific study must be provided as part of the application. Letter has been received, please submit plan/study.
- 2.A.12. Page 8 of Phase I Rev3 Letter (Energy & Environment) – Please confirm infrastructure is indeed outside the 350’ buffer mentioned by Aurora Water.



- 2.A.13. Page 8 of Phase I Rev3 Letter (Energy & Environment) – Acknowledged. If lay flat lines cross ANY City ROW, a license agreement will be required.

2. B. Project Development Schedule – Section 135-7(e)

- 2.B.1. Page 1 (Energy & Environment) – This requirement has been satisfied. This project schedule is located on individually submitted Project Summary, please add to Letter of Introduction (LOI).

2.C. External / Public Comments – Section 135-2(d)(1)

- 2.C.1
- | | |
|---------------|------------------------------------|
| Name: | Donna George |
| Organization: | Xcel Energy/PSCo |
| Address: | 123 West 3rd Ave, Denver, CO 80223 |
| Phone: | 303-571-3306 |
| Email: | donna.l.george@xcelenergy.com |
| Comment: | Please see the attached letter. |
-
- | | |
|---------------|---|
| Name: | Dennis O'Dell |
| Organization: | Lumen Plat Review |
| Address: | 5325 Zuni St Denver CO 80221 |
| Phone: | 970-290-7037 |
| Email: | platreview@lumen.com / Dennis.Odell@lumen.com |
| Comment: | No Reservations. As always LCON will call out for locates (811) if any digging of land and driveways. |

3. SECURITY / OPERATIONS PLAN COMMENTS

3.A. Security / Operations Plan – Section 135-3

- 3.A.1. PHA-HAZOP Letter - Please provide the mentioned **detailed site-specific ERP** that is necessary for the preparation for an emergency. Please provide the mentioned site-specific PHA-HAZOP that allows for a systematic process for evaluation and risk management. Make sure to use the specific naming convention on the requested documents.

4. PUBLIC WORKS ENGINEERING PLAN COMMENTS

4.A. Applicable Engineering Plans

- 4.A.1 Preliminary Drainage Report – This requirement has been satisfied RSN 224020.

4.B. Road Maintenance / Construction Agreement (Energy & Environment / Public Works) – Section 135-2(d)(17)

- 4.B.1 This requirement has not been satisfied. This Road Maintenance Agreement is being finalized, please see attached RMA for signatures.

4.C. Traffic Impact Analysis – Section 135-6(d)

- 4.C.1. Traffic Impact Statement/Plan - TIS comments not addressed from 2nd Referral, reviewer comments must be needs to be finalized during Phase 2.

5. AURORA WATER PLAN COMMENTS

5.A. Applicable Water Plans - Section 135-2(e)(7)

- 5.A.1. General Requirement (Energy & Environment) – Please provide final city approved water agreement once available.

5.B. Stormwater Management Plan / Civils – Section 135-38(d)

- 5.B.1. SWMP/Civils (Aurora Water) – Report was received, will be reviewed during this Phase. Please be advised that Aurora Water is awaiting signature set. Please check with AW Permit Technician if questions arise regarding your signature set.

5.C Groundwater Quality Management Plan

- 5.C.1. General Requirement (Energy & Environment) - Please update "Application DA-2371-01 Case Number 2023-6050-01"
- 5.C.2. Page 3-3 - Aurora Water concurs with the recommendation of CDH. Aurora Water expects that a SEPARATE monitoring well for each aquifer interval, as identified in the bulleted list below, shall be installed, sampled and monitored as required by Aurora municipal code sec. 135-4.
- 5.C.3. Page 3-3 - Aurora Water concurs with this requirement to sample each well, within 12-months prior to initiating oil and gas drilling.



- 5.C.4. Page 3-4 - This is to reiterate that individual boreholes and monitoring well shall be installed at each aquifer interval identified in the bulleted list above. The monitoring wells shall be >350' from City infrastructure.
- 5.C.5. Page 3-4 - The monitoring wells shall be installed down gradient from the oil & gas extraction boreholes. The monitoring wells shall be >350' from City infrastructure. Please provide the GPS coordinates, with sub-meter resolution, with the well bore records.
- 5.C.6. Page 3-4 - IF this well can be used, please provide a verification statement of the viability of the pump and well and identify which aquifer the well is located within. Also, verify the well casing is whole and it's integrity is sound without leakage from the aquifers above it. Also, include the number and volume of the water bailed from the well during purging the stagnant water.
- 5.C.7. Appendix C, Page 48 of 50 - These results for methane are problematic. Proper sampling and purging techniques should be reviewed and extra precautions should be taken during sampling. Review the well head protection integrity.

6. LAND DEVELOPMENT REVIEW PLAN COMMENTS

6.A. Real Property / Easement / Right of Way Plans – Section 135-6

- 6.A.1. General Requirement License / Crossing Agreement (Real Property) - Culverts located in city row require a license agreement. Any future oil or gas pipelines require a site plan and license agreement for road crossings
- 6.A.2. Easements (Real Property) - There will not be any easements.

7. OTHER RERPORTS

7.A. Cumulative Impacts Report

- 7.A.1. Cover (Energy & Environment) - Overall, good coverage, there are just some areas that need a bit of assistance. Please review the OGM in addressing some of the commented sections.
- 7.A.2. Cover (Energy & Environment) - Please include Phase II: Environmental Surface Impacts
- 7.A.3. Cover (Energy & Environment) - Please replace City of Aurora Energy & Environment Division DA-2371-01 Case Number 2023-6050-01.
- 7.A.4. Page 1 (Energy & Environment) - Please add space between sections throughout document.
- 7.A.5. Page 1 (Energy & Environment) - Please add to introduction: This Cumulative Impacts Plan (CIP) was submitted to the Energy and Carbon Management Commission, and it covers criteria required in Section 135-2(C) of the Oil and Gas Manual (OGM) for this Oil and Gas Permit Application for the City of Aurora.
- 7.A.6. Page 1 (Energy & Environment) – Please update from COGCC to Energy and Carbon Management Commission (ECMC) - (19) Cumulative Impacts Plan. A plan documenting how the Operator will address cumulative impacts to resources identified pursuant to Rule 303.a.(5) that includes:
 - A. A description of all resources to which cumulative adverse impacts are expected to be increased.
 - B. A description of specific measures taken to avoid or minimize the extent to which cumulative adverse
 - C. A description of all measures taken to mitigate or offset cumulative adverse impacts to any of the resources; and
 - D. Additional information determined to be reasonable and necessary to the evaluation of cumulative impacts by the Operator, the Director, CDPHE, CPW, or the Relevant Local Government.
- 7.A.7. Page 1 (Energy & Environment) – Please update text to reflect 12 wells drilled.
- 7.A.8. Page 1 (Energy & Environment) – Striked through text. Remove and replace wording with info from LOI: Project Description: “The proposed oil and gas location, Invicta 3-65 28 Pad, "Location" is located in Township 3 South, Range 65 West of Section 28: N/2 in the City of Aurora, Adams County, Colorado. The proposed location is on fee surface (parcel 0181928100003) with a required total Location disturbance of 19.075 acres which includes the active working pad surface area of 8.585 acres. A new access road is required for this oil and gas location. During interim reclamation and the production phase 8.774 acres will be reclaimed leaving a disturbed production area of 10.301 acres. The access road and Right-of-Way disturbance will be approximately 3.202 acres.”
- 7.A.9. Page 2 (Energy & Environment) – Please add “in Aurora City limits”.
- 7.A.10. Page 2 (Energy & Environment) – Update text from ECME to ECMC from “five” to “four” and update text to “and one that has been approved, but not built (Bijou North).”
- 7.A.11. Page 2 (Energy & Environment) - Move sections over so they are aligned.
- 7.A.12. Page 2 (Energy & Environment) – Add “airplanes”
- 7.A.13. Page 3 (Energy & Environment) – Add “completions”
- 7.A.14. Page 3 (Energy & Environment) – Add “also separators, tanks and ECDs”
- 7.A.15. Page 3 (Energy & Environment) – Add “including APENS and Air permits”
- 7.A.16. Page 3 (Energy & Environment) – Change text to “production equipment”
- 7.A.17. Page 3 (Energy & Environment) – Could you confirm if the equipment is diesel and/or electric drilling?
- 7.A.18. Page 3 (Energy & Environment) – Add “completions” to the CIAA.
- 7.A.19. Page 4 (Energy & Environment) – Add “add groundwater” information to the CIAA.
- 7.A.20. Page 4 (Energy & Environment) – Could you confirm if this is Project or Location?



- 7.A.21. Page 4 (Energy & Environment) – Add “and the installation of SW BMPs by the operator.”
- 7.A.22. Page 4 (Energy & Environment) – Could you confirm drilling and fracking?
- 7.A.23. Page 4 (Energy & Environment) – Add “Barrels (bbls)”
- 7.A.24. Page 4 (Energy & Environment) – Add “the current”
- 7.A.25. Page 4 (Energy & Environment) – 4.4.1. Resource Description – needs more information, please review.
- 7.A.26. Page 4 (Energy & Environment) – Add “Location”
- 7.A.27. Page 4 (Energy & Environment) – Could you confirm “previously stated that there are no bodies of water”
- 7.A.28. Page 5 (Energy & Environment) – Could you confirm “the locations of the mapped eagles nest to the east.”
- 7.A.29. Page 6 (Energy & Environment) – 4.6.1. Resource Description – please update.
- 7.A.30. Page 7 (Energy & Environment) – 4.6.2. Resource Description – please update “City of Aurora”.
- 7.A.31. Page 7 (Energy & Environment) – 4.6.2. Please include airplane noise to this section.
- 7.A.32. Page 7 (Energy & Environment) – Please include “There are 3 midstream facilities nearby”.
- 7.A.33. Page 8 (Energy & Environment) – Might want to add to this section about mitigation covering all items as described in the OGM. As previously mentioned, this will need to be updated in conformance with the OGM. I will leave sections on info that can be addressed in that section.
- 7.A.34. Page 9 (Energy & Environment) – Please update to Modular Large Volume Tank (MLVT).
- 7.A.35. Page 9 (Energy & Environment) – Add “covered MLVT (for avian protection)”.
- 7.A.36. Page 9 (Energy & Environment) – Could you confirm if the controllers are solar?
- 7.A.37. Page 9 (Energy & Environment) – Make sure to state the belly dump trucks will be covered.
- 7.A.38. Page 9 (Energy & Environment) – Could you confirm operations that this is including monitoring bradenhead pressures for all wells on the pad during fracking.
- 7.A.39. Page 9 (Energy & Environment) – Could you confirm if these will be monitored monthly, or continuous air monitoring? What type of equipment (i.e. Canary)
- 7.A.40. Page 9 (Energy & Environment) – Section 135-2. B-16 Oil and Gas Location and Oil & Gas Permit (OGP) Application Process. Public Health would have been addressed in Phase I. However, if it wasn't because of the focus on the location, please elaborate on how Public Health will be mitigated. If this is something that was addressed, Health, Safety and Welfare, please take that text and add here.
- 7.A.41. Page 10 (Energy & Environment) – Section 135-4. Protection of Water Quality. Sections A-I
- 7.A.42. Page 10 (Energy & Environment) – Add “and protect soil resources”.
- 7.A.43. Page 10 (Energy & Environment) – Please update “specify within 500' of water resources”.
- 7.A.44. Page 10 (Energy & Environment) – Please specify what types of potential pollutants.
- 7.A.45. Page 10 (Energy & Environment) – Please include “, SW BMPs”.
- 7.A.46. Page 10 (Energy & Environment) – Where are identify the placement of spill kits on location.
- 7.A.47. Page 10 (Energy & Environment) – Add “, seeded,”
- 7.A.48. Page 10 (Energy & Environment) – Aurora requires drilling of monitoring wells.
- 7.A.49. Page 10 (Energy & Environment) – Add “offsite”
- 7.A.50. Page 10 (Energy & Environment) – Could you confirm if “rapid or repaid”
- 7.A.51. Page 10 (Energy & Environment) – Section 135-6. Protection of Surface Quality. Sections A-O
- 7.A.52. Page 10 (Energy & Environment) – Mitigation if dead animals or nests are found on location
- 7.A.53. Page 10 (Energy & Environment) – Could you specify when, frequency?
- 7.A.54. Page 10 (Energy & Environment) – The barriers, are these bird protectors on any openings where chemicals may accumulate.
- 7.A.55. Page 10 (Energy & Environment) – Need to confirm there is (no sediment leaving or entering the location).
- 7.A.56. Page 10 (Energy & Environment) – Add “with SW BMPs”
- 7.A.57. Page 10 (Energy & Environment) – Add “/control”
- 7.A.58. Page 10 (Energy & Environment) – Add “for seeding”
- 7.A.59. Page 11 (Energy & Environment) – Could you confirm if you are doing these inspections 24 hrs. after storm?
- 7.A.60. Page 11 (Energy & Environment) – Add “and/or BMPs installed”
- 7.A.61. Page 11 (Energy & Environment) – Add “report all spills to the City of Aurora”
- 7.A.62. Page 11 (Energy & Environment) – Move “Public Welfare section” up to be with “Public Health Section” as subsection.
- 7.A.63. Page 11 (Energy & Environment) – Could you specify the mud type used for production drilling?
- 7.A.64. Page 12 (Energy & Environment) – Please make sure to update your references. Include ECOM and City of Aurora Oil and Gas Manual (2021).

7.B. Dust Mitigation Report

- 7.B.1. Cover (Energy & Environment) – Please replace City of Aurora Energy & Environment Division DA-2371-01 Case Number 2023-6050-01.
- 7.B.2. Page 1 (Energy & Environment) – Please include “Phase II” throughout document.
- 7.B.3. Page 1 (Energy & Environment) – Add “City of Aurora”
- 7.B.4. Page 1 (Energy & Environment) – Add quarter section



- 7.B.5. Page 1 (Energy & Environment) – What is the action criteria to mitigate dust? Dust suppression is also a worker Health and Safety issue.
- 7.B.6. Page 2 (Energy & Environment) – MSDS, are these available electronically?
- 7.B.7. Page 2 (Energy & Environment) – Recommended speed limit is 15-20.
- 7.B.8. Page 2 (Energy & Environment) – Please specify wind speed.
- 7.B.9. Page 2 (Energy & Environment) – Consider using coconut blankets, silt fences, etc.
- 7.B.10. Page 2 (Energy & Environment) - Please include high dust events, outside of seasonal events.
- 7.B.11. Page 2 (Energy & Environment) - No mag chloride added to locations.

7.C. Noise Variance Request

- 7.C.1. (Energy & Environment) – A Noise Variance Request will not be needed since the project site is not within 1,320 feet from a Residential Building Unit (RBU). As indicated in the Oil and Gas Manual (OGM), in Section 135-5(D).

7.D. Waste Management Plan

- 7.D.1. Cover (Energy & Environment) – Please replace City of Aurora Energy & Environment Division DA-2371-01 Case Number 2023-6050-01.
- 7.D.2. Page 1 (Energy & Environment) – Change to new DA-2371-01 throughout document.
- 7.D.3. Page 1 (Energy & Environment) – Add “City of Aurora”
- 7.D.4. Page 2 (Energy & Environment) - How is the waste being carried out of location?
- 7.D.5. Page 2 (Energy & Environment) - Is this going to have any traffic impacts?
- 7.D.6. Page 2 (Energy & Environment) - What routes will be used to haul material?
- 7.D.7. Page 1 Appendix B (Energy & Environment) - Consider having a section for available Information
 1. where and how to access MSDS in case of emergency.
 2. spill prevention.
 3. how long do you keep logs and contact inspection information.

7.E. Weed Management Plan

- 7.E.1. Cover (Energy & Environment) – Please replace City of Aurora Energy & Environment Division DA-2371-01 Case Number 2023-6050-01.
- 7.E.2. Mechanical Treatment Section (Energy & Environment) - Please provide details of how often mechanical treatment would take place, for both maintenance and in case of large climate events.
- 7.E.3. Grazing Section (Energy & Environment) – If grazing is an option, how are you protecting the above ground equipment from being damaged in the process?
Attachment 1: Weed Control Application Provider And List Of Herbicides (Energy & Environment) – How are you mitigating runoff for any of these chemicals?