AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: North Fork Mancos Master Dev. Plan

Action Requested: Discussion

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

North Fork Mancos Master Development Plan Discussion & Comments

Fiscal Impact:

Submitted by: Liz Mense for Cathie Pagano **Submitter's Email Address:** EMense@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:

Reveiwed by: GUNCOUNTY1\mhoyt Discharge Date: 8/30/2019 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 8/30/2019

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 10

Agenda Date: 9/3/2019

Revised April 2015

Gunnison County, CO
Community Development Department
221 N. Wisconsin St. Ste. D, Gunnison, CO 81230
Phone: (970) 641-0360 FAX: (970) 641-8585
Website: www.gunnisoncounty.org
Email: planning@gunnisoncounty.org

To: Board of County Commissioners, Matthew Birnie, David Baumgarten

From: Cathie Pagano, Director of Community and Economic Development

Date: August 28, 2019

Re: North Fork Mancos Master Development Plan

The Commissioners asked me to review the Final Environmental Assessment for the North Mancos Master Development Plan (NFMMDP) to identify any discrepancies or issues.

Some of the proposed activities in the NFMMDP are currently in the county permit process, other activities have already been permitted, and some activities have not been permitted at all.

Activities that have submitted an Oil and Gas permit application but have not yet been issued a County Oil and Gas permit:

- Freshwater pipeline that will carry water from the North Fork of the Gunnison River near Somerset to the Iron Point project area. The public comment period recently ended and public comments included concern from Somerset residents about the potential impacts to their water supply. The applicant has submitted a response to those concerns and County staff is evaluating that response (OG-19-00004).

- Federal 30-4 well recompletion. An updated agreement between the County and Gunnison Energy, LLC is required for road maintenance (OG-19-00005).

Activities for which a County permit has been issued (this list may not be comprehensive but attempts to include the activities identified in the NFMMDP):

- Expansion of the Trail Gulch Unit 1090 #30 Well Pad to allowing up to six wells (OG-19-00003)

- Hotchkiss Water Storage Facility (OG-11-00005)

- Spadafora Well Pads (multiple permits)

- Henderson Well Pad (OG-16-00002)

- Sheep Bull Connector Pipeline—unclear if a permit has been issued for this as described in NFMMDP. The County has issued permits for the Bull Mountain Pipeline and the Sheep Pipeline. According to the NFMMDP the pipeline has not been constructed at this time.

Activities which have not applied for or been issued a County permit:

- The Iron Point well pad is described as existing but I do not have record that a County permit was issued. It could be that the well pad is named differently in County records.

- Sheep Park II well pad

- Deadman Gulch well pad

Neither Sections 1.4: Authorities nor 1.6: Conformance with Applicable Land Use Plans mention Gunnison County's Oil and Gas regulations nor Gunnison County's authority to regulate oil and gas regulations. Also of note, page 12 of the NFMMDP (Application of Timing Limitation COA during Big Game Hunting Season) has been a regularly occurring issue

for the 3-d seismic operation permits and the drilling permits this year. CPW has recommended that activities not occur during hunting season and between December 1 and January 31 to avoid impacts to elk winter habitat. The EA states, "…development would occur at only one location at a time within the nearly 35,000 acre (54 square mile) area, leaving most of the area relatively unaffected during a given hunting season."

Please let me know if you would like additional information. Thanks.

USDA United States Department of Agriculture
Forest Service
Grand Mesa, Uncompahgre and Gunnison National Forests
2250 South Main Street
Delta, CO 81416
970-874-6600
TDD: 970-874-6660
Fax: 970-874-6698

File Code: 2820
Date: August 15, 2019

Dear Interested Party:

You are receiving this letter because you have provided comments on the North Fork Mancos Master Development Plan either directly or through a group's website over the past few years. I am writing you today to notify you that I have released my draft Decision Notice and the Final Environmental Assessment (FEA) for the North Fork Mancos Master Development Plan for Oil and Gas Exploration and Development.

Based on the analysis presented in the FEA, my draft decision identifies my selected alternative as the Proposed Action in the FEA. I am proposing to approve Surface Use Plans of Operations (SUPOs) for National Forest System (NFS) lands well pads on existing leases consistent with the analysis in the FEA for the following locations: Federal 1090 #30, T10S, R90W, Section 30, SWSE, 6th PM (expand existing pad); Federal 1190 #20, T11S, R90W, Section 20, NESE, 6th PM (new well pad); Federal 1190 #29, T11S, R90W, Section 29, NWSE, 6th PM (new well pad). My draft decision also approves the necessary access and pipeline infrastructure to support well development at these locations.

The project meets the overall goals and objectives of the Forest Plan, Mineral Leasing Act, regulations and policy.

Bureau of Land Management manages the mineral estate and will make decisions subsequent to my decision to approve any development of the mineral resources on NFS lands. At this time, it is unknown when implementation of my draft decision and BLM's approval of Applications for Permit to Drill may occur.

Additional details of the project can be found in my draft decision and FEA. These documents are available for review online at: https://www.fs.usda.gov/project/?project=50966.

This proposed project is subject to a pre-decisional objection process pursuant to 36 CFR 218, subparts A and B. Instructions for filing an objection are detailed below.

Filing an Objection

This proposed project is subject to a pre-decisional objection process pursuant to 36 CFR 218, subparts A and B. Objections must be filed with the reviewing officer in writing. All objections are available for public inspection during and after the objection process. Objections will only be accepted from those who have previously submitted specific written comments regarding the proposed project during scoping, comment periods for either the Preliminary EA or Revised Preliminary EA, in accordance with 36 CFR §218.5(a). Issues raised in objections must be based on previously submitted, timely and specific written comments regarding the proposed project unless based on new information arising after the designated comment opportunities (i.e., after April 2019). At a minimum, an objection must include the following: (1) Objector's name and

address as defined in 36 CFR § 218.2, with telephone number, if available; (2) Signature or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the objection); (3) When multiple names are listed on an objection, identification of the lead objector as defined in 36 CFR § 218.2. Verification of the identity of the lead objector must be provided upon request or the reviewing officer will designate a lead objector as provided in 36 CFR § 218.5 (d); (4) The name of the proposed project, the name and title of the responsible official, and the name(s) of the national forest(s) and/or ranger district(s) on which the proposed project will be implemented; (5) A description of those aspects of proposed project addressed by the objection, including specific issues related to the project; if applicable, how the objector believes the environmental analysis or draft decision specifically violates law, regulation, or policy; suggested remedies that would resolve the objection; supporting reasons for the reviewing officer to consider; and (6) A statement that demonstrates the connection between prior specific written comments on the particular proposed project or activity and the content of the objection, unless the objection concerns an issue that arose after the last designated opportunity for comment (i.e., since July 24, 2017). Incorporation of documents by reference is permitted only as provided for at 36 CFR § 218.8(b).

Objections, including attachments, must be filed (regular mail, fax, email, hand-delivery, express delivery, or messenger service) with the reviewing officer (see 36 CFR § 218. 3 and § 218.8) within 45 days of the publication of the legal notice in the Grand Junction Daily Sentinel (Grand Junction, CO). The publication date of the legal notice in the Grand Junction Daily Sentinel is the exclusive means for calculating the time to file an objection. Those wishing to object should not rely upon dates or time frame information provided by any other source. Evidence of timely filing is described in 36 CFR § 218.9. Please submit objections to the Reviewing Officer via mail or hand delivery to: Tamara Whittington, Reviewing Officer, U.S.D.A Forest Service, Rocky Mountain Region, 1617 Cole Blvd. Building 17, Golden, CO 80401; via fax: 303-275-5134 to the attention of Objections; or via email: SM.FS.r02admin-rev@usda.gov. The office business hours for those submitting hand-delivered objection are 8:00 AM to 4:30 PM Monday through Friday, excluding federal holidays.

Electronic objections must be submitted in a format such as an e-mail message, plain text (.txt), rich text format (.rtf), or MS Word (.doc). In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

Contact Info

Additional information regarding this action can be obtained from Levi Broyles at 970-527-4131 or levi.broyles@usda.gov.

Sincerely,

JEROME KRUEGER
Acting Forest Supervisor