

GUNNISON COUNTY PLANNING COMMISSION
PRELIMINARY AGENDA: Friday, April 6, 2012

- 8:45 a.m.**
- **Call to order; determine quorum**
 - **Approval of Minutes**
 - **Unscheduled citizens:** A brief period in which the public is invited to make general comments or ask questions of the Commission or Planning Staff about items which are not scheduled on the day's agenda.

9:00 a.m. SG Interests I, Ltd., public hearing/no action, request for the Federal 11-90-24 gas well project, including two gas wells, located in northwest Gunnison County, in Section 24, Township 11 South, Range 90 West, 6th P.M., west of Highway 133; possible direction to staff

10:00 a.m. SG Interests I, Ltd., executive session/no action, work session/possible action, request for the Hughes 11-90-26 gas well project, including five gas wells, located in northwest Gunnison County, in Section 26, Township 11 South, Range 90 West, 6th P.M., west of Highway 133

11:00 a.m. SG Interests I, Ltd., possible executive session/no action, work session/possible action, request for the Eck 12-90-1 gas well project, including two gas wells and water disposal well, located in northwest Gunnison County, in Section 1, Township 12 South, Range 90 West, 6th P.M., west of Highway 133

Lunch

1:00 p.m. SG Interests I, Ltd., work session/no action, request for the Federal 12-89-7 gas well project, including five gas wells, located in northwest Gunnison County, in Section 7, Township 12 South, Range 89 West, 6th P.M., west of Highway 133

2:00 p.m. SG Interests I, Ltd., work session/no action, request for the Federal 11-90-9 gas well project, including five gas wells, located in northwest Gunnison County, in Section 9, Township 11 South, Range 90 West, 6th P.M., west of Highway 133

End of Meeting

- Report of actions taken by BOCC.
- Logistics for site visit to Marble on April 27
- A brief period in which Commission debriefs on the day's processes, etc. No discussion or action on any specific Land Use Change Permit applications will take place at this time.

Adjourn

NOTE: Unless otherwise noted, all meetings are conducted in the Blackstock Government Center Meeting Room at 221 N. Wisconsin St. in Gunnison, across the street from the Post Office. This is a preliminary agenda; agenda times may be changed by the staff up to 24 hours before the meeting date. If you are interested in a specific agenda item; you may want to call the Community Development Department (641-0360) ahead of time to confirm its scheduled time. Anyone needing special accommodations please contact the Community Development Department before the meeting.

Draft Decisions-

Copies of the draft decisions for the;

- SG- Federal 11-90-24
- SG-Hughes 11-90-26
- SG- Eck-12-90-1

Will be available at the Planning Commission meeting- April 6, 2012



**GUNNISON COUNTY, COLORADO
 COMMUNITY DEVELOPMENT
 DEPARTMENT STAFF REPORT
 for MINOR IMPACT OIL AND GAS OPERATION
SG Interests I, Ltd.
Federal 12-89-7 Wells, Well Pad and Pipelines**

Oil and Gas Operation Permit Applicant: SG Interests I, Ltd.
 Application No: OG2012-07
 Date Application Submitted: March 16, 2012
 Date application scheduled with Planning Commission: April 6, 2012
 Prepared by: Neal Starkebaum
 Assistant Director

APPLICANT:	SG Interests I, Ltd. PO Box 26 Montrose, CO 81402
SURFACE OWNER:	Hotchkiss Ranches Inc. c/o Brian Farmer PO Box 479 Hotchkiss, CO 81419
MINERAL OWNER:	Dept. of Interior - BLM
REPRESENTATIVE:	Catherine Dickert, Environmental and Permitting Manager, SG Interests I, Ltd.
PROJECT DESCRIPTION:	<p>The applicant requests an Oil and Gas Operations permit for the Federal 12-89-7 natural gas well, which includes the construction of a new road, a 2-acre well pad, to accommodate five wells and installation of a gas and water flowlines to connect to the existing collection system.</p> <p><u>Operations Plan:</u> <u>Drilling:</u> The well will be drilled using a conventional rotary drilling rig, operating 24 hours a day. Cuttings and drilling fluids will be maintained in a plastic lined reserve pit. <u>Completion:</u> The well will be completed using a conventional daylight rig. Hydraulic fracturing is the planned stimulation for the well. <u>Transporting:</u> If productive, the gas will be transported by buried pipeline. Produced water will be trucked or transported by buried pipeline. <u>Production:</u> Production will be performed by conventional means. If artificial lift is required, a pumping unit will be used. <u>Post-Operation:</u> If production is non-commercial, the well will be plugged and abandoned according</p>

	to COGCC rules.	
WELL LOCATIONS:	The well is located north of County Road 265, in the NW1/4 of Section 9, Township 11 South, Range 90 West, 6 th P.M.	
AGENCY AND DEPARTMENT REVIEWS:	<ul style="list-style-type: none"> • Gunnison County Public Works • Gunnison County Emergency Management 	
STATUS OF APPLICATION:	<ul style="list-style-type: none"> • Scheduled work session with Planning Commission on April 6, 2012 	
EXHIBITS:	<ul style="list-style-type: none"> • Copy of Oil and Gas Operation application distributed to Planning Commission 	
PLANNING COMMISSION TASKS AT INITIAL WORK SESSION:	<ul style="list-style-type: none"> — Acknowledge receipt of application by applicant name — Hear applicant presentation — Identify and consider issues — Create list at end of meeting of items to be addressed at next meeting, and the date by which related information is to be submitted — Set site visit date, if applicable — Determine if application is ready to be set for public hearing, or if other work session is required 	
IMPACT CLASSIFICATION:	Minor Impact Oil and Gas Operation, based upon classification found in <i>Section 1-103: E. 2. Oil and Gas Permit for a Minor Oil and Gas Operation, Temporary Regulations for Oil and Gas Operations</i> . The well is within a mile of an existing or proposed well.	
APPLICABILITY OF TEMPORARY OIL AND GAS REGULATIONS FOR STANDARDS:		
STANDARD, BY SECTION	Plan complies, or compliance will be determined during review	Staff Comments/ References to specific documentation
A. DRAINAGE AND EROSION CONTROL. The Oil and Gas Operation shall not cause significant erosion or sedimentation and shall be conducted in accordance with the drainage and erosion control plan.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD	The applicant has a current stormwater discharge permit in place (#COR – 039711). The applicant has submitted a Noxious Weed Management Plan, dated December 2010. The application has been submitted to the Gunnison County Public Works Department for review.
B. ACCESS ROADS. All public access roads, under the jurisdiction of Gunnison County, shall be constructed and maintained in compliance with the <i>Gunnison County Standard Specifications for Road and Bridge Construction</i> , as necessary to accommodate the traffic and equipment related to the Oil and Gas Operation and emergency vehicles.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD	The applicant states that access to the well pad will be via a new road. The application has been submitted to the Gunnison County Public Works Department for review.
C. PUBLIC ROADWAY AND TRAFFIC IMPACTS. 1. INGRESS AND EGRESS. Ingress and egress points to public roads shall be located, maintained and improved to assure adequate capacity for efficient movement of	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	An access permit will be required by the Gunnison County Public Works Department, as applicable. SG Interests, Gunnison Energy Corporation and Gunnison County have an existing agreement with Gunnison County to maintain County Road 265, for

<p>existing and projected traffic volumes and to minimize traffic hazards.</p> <p>2. MAINTENANCE AGREEMENT OR FINANCIAL ASSURANCE. If the projected use of the public roads resulting from the Oil and Gas Operation will result in a need for an increase in roadway maintenance or snow removal, the County shall require the Operator to: i) enter into an agreement with the County whereby the operator provides for private maintenance and snow removal, or reimburses the County for such increased costs; and/or ii) provide a bond or other financial assurance in an amount acceptable to the County to cover the costs of impacts to the roads.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA</p>	<p>application of magnesium chloride by Gunnison County, with financial reimbursement provided by SG Interests and Gunnison Energy. The applications have been submitted to the Gunnison County Public Works Department for review and comment.</p>
<p>D. WILDLIFE AND WILDLIFE HABITAT. The Oil and Gas Operation shall not cause significant degradation of wildlife or sensitive wildlife habitat.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD</p>	<p>The applicant has submitted a <i>Wildlife and Vegetation Assessment Report</i>, prepared by Rocky Mountain Ecological Services, Inc. dated February 2012.</p>
<p>E. LIVESTOCK AND LIVESTOCK GRAZING. The Oil and Gas Operation shall not cause significant impact to livestock, grazing permits, or grazing permittees. Fencing or other agreements between private grazing operations and the Oil and Gas Operator may be used to satisfy this requirement.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD</p>	<p>The landowner has executed a Surface Use and Damage Agreement for access and use of the lands.</p>
<p>F. RECREATION IMPACTS. The Oil and Gas Operation shall not cause a significant degradation in the quality or quantity of recreational activities in the County such as hunting, hiking, skiing or related activities.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD</p>	<p>The well is located on private property. No access to the public is available.</p>
<p>G. WATER QUALITY.</p> <p>1. NO SIGNIFICANT DEGRADATION. The Oil and Gas Operation shall not cause significant degradation in the quality or quantity of surface waters from the addition of non-point source pollution.</p> <p>2. WATER WELLS. The Oil and Gas Operation shall not cause significant degradation in the water quality or water pressure of any public or private water wells.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD</p>	<p>The applicant has performed initial baseline water sampling of surface water within one mile of the well pad, collected in November 2011. Sampling locations and water quality analysis are included in the application.</p>
<p>H. WATERBODY SETBACKS. Activities associated with the Oil and Gas Operation shall be located a minimum of 500 feet from any waterbody unless such a setback would interfere with spacing requirements established by the Colorado Oil</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> TBD</p>	<p>The well pad is not within 500 feet of a waterbody. However, the proposed pipelines connecting to the existing collection system will be located within 500 feet of three wetlands.</p>

<p>and Gas Conservation Commission.</p>		<p>A request for a technical infeasibility waiver to Section 1-107:P.2 Setbacks from Water Bodies. No Technology Available is part of the request.</p>
<p>I. CULTURAL AND HISTORIC RESOURCES. The Oil and Gas Operation shall not cause significant degradation of cultural or historic resources.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p>	<p>A cultural resource inventory was conducted by Aztec Archaeological Consultants, LLC in November 2010. No artifacts were located in the survey.</p>
<p>J. WILDFIRE HAZARD. The Oil and Gas Operation shall not cause a significant risk of wildfire hazard.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD</p>	<p>The well pad is located in a low to moderate fire hazard area, according to County Wildfire mapping.</p> <p>See comments from applicant and the Emergency Response Plan, submitted with application. The plan was submitted to the Gunnison County Emergency Management office for review and comment.</p>
<p>K. GEOLOGIC HAZARDS. The Oil and Gas Operation shall not cause a significant risk of geologic hazards.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD</p>	<p>There is no County geologic mapping for this area. The applicant indicates that the Forest Service mapping identifies the area as moderate geologic hazard.</p>
<p>N. EMERGENCY RESPONSE. Oil and Gas Operations shall provide a written emergency response plan for the potential emergencies that may be associated with the operation of the facilities. This shall include, but not be limit to any or all of the following: explosions, fires, gas or water pipeline leaks or ruptures, hydrogen sulfide or other toxic gas emissions, and hazardous material vehicle accidents or spills. Operation specific emergency preparedness plans are required for any Oil and Gas Operation that involves drilling or penetrating through known zones of hydrogen sulfide gas. The plan shall include a provision for the Operator to reimburse the appropriate emergency response service provider for costs incurred in connection with the emergency.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD</p>	<p>An updated emergency response plan has been submitted with the application. The plan was submitted to the Gunnison County Emergency Management office for review and comment.</p>
<p>P. TECHNICAL INFEASIBILITY WAIVER. One or more of the Oil and Gas Operation Standards set forth in this Section 1-107 may be waived during the application process, if the Operator demonstrates to the satisfaction of the County that it is technically infeasible to comply with the standard(s). To be granted a waiver from a standard for technical infeasibility, the burden is on the Operator to demonstrate one of the following with clear and convincing evidence:</p> <p>1. CONFLICT WITH STATE OR FEDERAL</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD</p>	<p>Request for a technical infeasibility waiver to Section 1-107:P.2 Setbacks from Water Bodies. No Technology Available. The well pad is not within 500 feet of a waterbody. However, the pipelines connecting to the existing collection system will be located within 500 feet of three wetlands.</p>

<p>REGULATION. Conduct of the Oil and Gas Operation in compliance with the County standard would result in an operational conflict with a mandatory state or federal oil and gas regulation, condition or other requirement; or</p> <p>2. NO TECHNOLOGY AVAILABLE. There is no economical technology commercially available to conduct the Oil and Gas Operation in compliance with the County standard, and the applicant will implement the best available technology to conduct the Oil and Gas Operation in compliance with the County standard to the maximum extent feasible; and</p> <p>a. The waiver will not cause substantial injury to the owner or occupant of adjacent land(s); and</p> <p>b. The waiver will not cause substantial injury to the environment.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD</p>	
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**GUNNISON COUNTY, COLORADO
 COMMUNITY DEVELOPMENT
 DEPARTMENT STAFF REPORT
 for MINOR IMPACT OIL AND GAS OPERATION
SG Interests I, Ltd.
Federal 11-90-9 Wells, Well Pad and Pipelines**

Oil and Gas Operation Permit Applicant: SG Interests I, Ltd.
 Application No: OG2012-06
 Date Application Submitted: March 16, 2012
 Date application scheduled with Planning Commission: April 6, 2012
 Prepared by: Neal Starkebaum
 Assistant Director

APPLICANT:	SG Interests I, Ltd. PO Box 26 Montrose, CO 81402
SURFACE OWNER:	USDA – Forest Service
MINERAL OWNER:	Dept. of Interior - BLM
REPRESENTATIVE:	Catherine Dickert, Environmental and Permitting Manager, SG Interests I, Ltd.
PROJECT DESCRIPTION:	<p>The applicant requests an Oil and Gas Operations permit for the Federal 11-90-9 natural gas well, which includes the construction of a new road, a 2-acre well pad, to accommodate five future wells and installation of a gas and water flowlines to connect to the existing collection system.</p> <p><u>Operations Plan:</u> <u>Drilling:</u> The well will be drilled using a conventional rotary drilling rig, operating 24 hours a day. Cuttings and drilling fluids will be maintained in a plastic lined reserve pit. <u>Completion:</u> The well will be completed using a conventional daylight rig. Hydraulic fracturing is the planned stimulation for the well. <u>Transporting:</u> If productive, the gas will be transported by buried pipeline. Produced water will be trucked or transported by buried pipeline. <u>Production:</u> Production will be performed by conventional means. If artificial lift is required, a pumping unit will be used. <u>Post-Operation:</u> If production is non-commercial, the well will be plugged and abandoned according to COGCC rules.</p>
WELL LOCATIONS:	The well is located north of County Road 265, in the NW1/4 of Section 9, Township 11 South, Range 90 West, 6 th P.M.

AGENCY AND DEPARTMENT REVIEWS:	<ul style="list-style-type: none"> Gunnison County Public Works Gunnison County Emergency Management 	
STATUS OF APPLICATION:	<ul style="list-style-type: none"> Scheduled work session with Planning Commission on April 6, 2012 	
EXHIBITS:	<ul style="list-style-type: none"> Copy of Oil and Gas Operation application distributed to Planning Commission 	
PLANNING COMMISSION TASKS AT INITIAL WORK SESSION:	<ul style="list-style-type: none"> — Acknowledge receipt of application by applicant name — Hear applicant presentation — Identify and consider issues — Create list at end of meeting of items to be addressed at next meeting, and the date by which related information is to be submitted — Set site visit date, if applicable — Determine if application is ready to be set for public hearing, or if other work session is required 	
IMPACT CLASSIFICATION:	Minor Impact Oil and Gas Operation, based upon classification found in <i>Section 1-103: E. 2. Oil and Gas Permit for a Minor Oil and Gas Operation, Temporary Regulations for Oil and Gas Operations</i> . The well is within a mile of an existing or proposed well.	
APPLICABILITY OF TEMPORARY OIL AND GAS REGULATIONS FOR STANDARDS:		
STANDARD, BY SECTION	Plan complies, or compliance will be determined during review	Staff Comments/ References to specific documentation
A. DRAINAGE AND EROSION CONTROL. The Oil and Gas Operation shall not cause significant erosion or sedimentation and shall be conducted in accordance with the drainage and erosion control plan.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD	The applicant has a current stormwater discharge permit in place (#COR – 039711). The applicant has submitted a Noxious Weed Management Plan, dated December 2010. The application has been submitted to the Gunnison County Public Works Department for review.
B. ACCESS ROADS. All public access roads, under the jurisdiction of Gunnison County, shall be constructed and maintained in compliance with the <i>Gunnison County Standard Specifications for Road and Bridge Construction</i> , as necessary to accommodate the traffic and equipment related to the Oil and Gas Operation and emergency vehicles.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD	The applicant states that access to the well pad will be via a new road. The application has been submitted to the Gunnison County Public Works Department for review.
C. PUBLIC ROADWAY AND TRAFFIC IMPACTS. 1. INGRESS AND EGRESS. Ingress and egress points to public roads shall be located, maintained and improved to assure adequate capacity for efficient movement of existing and projected traffic volumes and to minimize traffic hazards.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	Access permits will be required by the Gunnison County Public Works Department, as applicable. SG Interests, Gunnison Energy Corporation and Gunnison County have an existing agreement with Gunnison County to maintain County Road 265, for application of magnesium chloride by Gunnison County, with financial reimbursement provided by SG Interests and Gunnison Energy. The applications have been submitted to the Gunnison County Public Works

<p>2. MAINTENANCE AGREEMENT OR FINANCIAL ASSURANCE. If the projected use of the public roads resulting from the Oil and Gas Operation will result in a need for an increase in roadway maintenance or snow removal, the County shall require the Operator to: i) enter into an agreement with the County whereby the operator provides for private maintenance and snow removal, or reimburses the County for such increased costs; and/or ii) provide a bond or other financial assurance in an amount acceptable to the County to cover the costs of impacts to the roads.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA	Department for review and comment.
<p>D. WILDLIFE AND WILDLIFE HABITAT. The Oil and Gas Operation shall not cause significant degradation of wildlife or sensitive wildlife habitat.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD	The applicant has submitted a <i>Wildlife and Vegetation Assessment Report</i> , prepared by Rocky Mountain Ecological Services, Inc. dated February 2012.
<p>E. LIVESTOCK AND LIVESTOCK GRAZING. The Oil and Gas Operation shall not cause significant impact to livestock, grazing permits, or grazing permittees. Fencing or other agreements between private grazing operations and the Oil and Gas Operator may be used to satisfy this requirement.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	The site is on National Forest lands, which allows for cattle grazing.
<p>F. RECREATION IMPACTS. The Oil and Gas Operation shall not cause a significant degradation in the quality or quantity of recreational activities in the County such as hunting, hiking, skiing or related activities.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	The well pad is located on National Forest lands, in an area that has had no vehicular access. No access to the public is available.
<p>G. WATER QUALITY.</p> <p>1. NO SIGNIFICANT DEGRADATION. The Oil and Gas Operation shall not cause significant degradation in the quality or quantity of surface waters from the addition of non-point source pollution.</p> <p>2. WATER WELLS. The Oil and Gas Operation shall not cause significant degradation in the water quality or water pressure of any public or private water wells.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD	The applicant has performed initial baseline water sampling of surface water within one mile of the well, collected in November 2011. Sampling locations and water quality analysis is included in the application.
<p>H. WATERBODY SETBACKS. Activities associated with the Oil and Gas Operation shall be located a minimum of 500 feet from any waterbody unless such a setback would interfere with spacing requirements established by the Colorado Oil and Gas Conservation Commission.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> TBD	The well pad is not located within 500 feet of a waterbody. However, the road, and pipelines connecting to the existing collection system, will be located approximately 250 feet from Henderson Creek. A request for a technical infeasibility waiver to Section 1-107:P.2 Setbacks from Water Bodies. No Technology Available is part of the application.

<p>I. CULTURAL AND HISTORIC RESOURCES. The Oil and Gas Operation shall not cause significant degradation of cultural or historic resources.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<p>A cultural resource inventory was conducted by Uncompahgre Archeological Consultants in September of 2001 that included Section 6, T11S, R90W. No artifacts were located in the survey.</p>
<p>J. WILDFIRE HAZARD. The Oil and Gas Operation shall not cause a significant risk of wildfire hazard.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	<p>The well pad is located in a low to moderate fire hazard area, according to County Wildfire mapping.</p> <p>See comments from applicant and the Emergency Response Plan, submitted with application. The plan was submitted to the Gunnison County Emergency Management office for review.</p>
<p>K. GEOLOGIC HAZARDS. The Oil and Gas Operation shall not cause a significant risk of geologic hazards.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	<p>There is no County geologic mapping for this area. The applicant indicates that the Forest Service mapping identifies the area as moderate geologic hazard.</p>
<p>N. EMERGENCY RESPONSE. Oil and Gas Operations shall provide a written emergency response plan for the potential emergencies that may be associated with the operation of the facilities. This shall include, but not be limit to any or all of the following: explosions, fires, gas or water pipeline leaks or ruptures, hydrogen sulfide or other toxic gas emissions, and hazardous material vehicle accidents or spills. Operation specific emergency preparedness plans are required for any Oil and Gas Operation that involves drilling or penetrating through known zones of hydrogen sulfide gas. The plan shall include a provision for the Operator to reimburse the appropriate emergency response service provider for costs incurred in connection with the emergency.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	<p>An updated emergency response plan has been submitted with the application. The plan was submitted to the Gunnison County Emergency Management office for review and comment.</p>
<p>P. TECHNICAL INFEASIBILITY WAIVER. One or more of the Oil and Gas Operation Standards set forth in this Section 1-107 may be waived during the application process, if the Operator demonstrates to the satisfaction of the County that it is technically infeasible to comply with the standard(s). To be granted a waiver from a standard for technical infeasibility, the burden is on the Operator to demonstrate one of the following with clear and convincing evidence:</p> <p>1. CONFLICT WITH STATE OR FEDERAL REGULATION. Conduct of the Oil and Gas Operation in compliance with the County standard would result in an operational conflict with a mandatory state or federal oil and gas regulation,</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD	<p>Request for a technical infeasibility waiver to Section 1-107:P.2 Setbacks from Water Bodies. No Technology Available. The well pad is not located within 500 feet of a waterbody. The well pad is not within 500 feet of a waterbody. However, the road, and pipelines connecting to the existing collection system, will be located approximately 250 feet from Henderson Creek.</p>

<p>condition or other requirement; or</p> <p>2. NO TECHNOLOGY AVAILABLE. There is no economical technology commercially available to conduct the Oil and Gas Operation in compliance with the County standard, and the applicant will implement the best available technology to conduct the Oil and Gas Operation in compliance with the County standard to the maximum extent feasible; and</p> <p>a. The waiver will not cause substantial injury to the owner or occupant of adjacent land(s); and</p> <p>b. The waiver will not cause substantial injury to the environment.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD</p>	
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