

GUNNISON COUNTY PLANNING COMMISSION
PRELIMINARY AGENDA: Friday, August 17, 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.**, continued public hearing/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
- 9:15 a.m.** **Staff Updates:**
- Seaglass/Minex Project
 - Tomichi Resources LLC Project
 - Innoprise – public access
- 10:00 a.m.** **SG Interests I, Ltd.**, public hearing/no action, request for the Borich 11-89-32 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; site visit observations & possible direction to staff
- 10:30 a.m.** **Hal Hearne, Vista Business Park**, work session/no action, Sketch Plan request to subdivide a vacant 28.07-acre parcel into 12 lots, ranging in size from 1.25-2.15 acres, for industrial and commercial use with an allowance for residential use in association with an industrial or commercial operation, located approximately 4 miles east of the City of Gunnison, south of Highway 50, in the NW1/4SW1/4 and SW1/4NW1/4, Section 3, Township 49 North, Range 1 East, N.M.P.M., also known as 43950 E Hwy 50; possible direction to staff

Adjourn

**GUNNISON COUNTY PLANNING COMMISSION
REGULAR MEETING
August 17, 2012**

The Gunnison County Planning Commission conducted a regular meeting, in the Commissioners' Meeting Room in the Blackstocks Government Center, Planning Commission meeting room. **Present were:**

Chairman- Ramon Reed	Assistant Director of Community Development- Neal Starkebaum
Commissioner-Kent Fulton	Community Development Department Services Manager-Beth Baker
Vice-Chairman- Jim Seitz	Others present as listed in text
Commissioner-Susan Eskew	
Commissioner-Warren Wilcox	
Alternate Commissioner- AJ Cattles	
Alternate Commissioner-Jeremy Rubingh	

With a quorum present Chairman Ramon Reed opened the regular meeting of the Gunnison County Planning Commission (Commission.)

MOVED; by Seitz seconded by Eskew to approve the minutes of August 3, 2012 as amended. The motion passed unanimously.

UNSCHEDULED CITIZENS;-Butch Clark said he had submitted comments to the Forest Service, BOCC and PC concerning the Federal 11-90-9. He has suggested clustering the pads instead of many awkward locations.

SG INTERESTS- FEDERAL 11-90-9- The Gunnison County Planning Commission (Commission) conducted a continued public hearing, to review SG's 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

Chairman Ramon Reed recused himself from the continued public hearing of the Federal 11-90-9.

With a quorum present Vice-Chairman Jim Seitz opened the continued public hearing.

SG Interests representative Eric Sanford was present for the continued public hearing.

Sanford said the Forest Service scoping process is complete. The Forest Service will decide on Monday what process they will use.

Sanford asked Starkebaum to verify that SG Interests had submitted the application for five wells and a waiver request; Starkebaum confirmed that was the submittal.

Seitz said the continued public hearing would be continued to September 21, 2012. Sanford stated the Forest Service issue was not a valid reason for the resetting of the continued public hearing; it is not in the County's jurisdiction. It is not a good precedent to set.

Sanford said there had been an additional site visit with the Forest Service and other invited environmental groups; this location was reviewed at that time.

Ralph (Butch) Clark said it is important the proponents of such a project train the people in the vicinity to be first responders, as well as those along the transportation route. There should be avenues to monitor air and water quality.

The Commission continued the public hearing to September 21st @ 9 A.M.

Chairman Ramon Reed returned to the meeting, for the duration of the day.

STAFF UPDATES:

- **SEAGLASS/ MINEX PROJECT**-the project on Sapinero Mesa, has not started any drilling, it could be the end of September and will be completed in a short amount of time. The permit is valid through 2012. Reed was concerned with the radiation test; Starkebaum said the results will be provided by the applicant.

- **TOMICHI RESOURCES LLC PROJECT**-Spoke with manager Stephen Glass who said they are mobilizing but have not started drilling. They have submitted the baseline water quality study, it is available for review. It is a standard baseline water study. They started testing for fecal coli form, they got a hit, but it could be caused by cows or leaking septic systems. They should look at sound measurements; results will be submitted when drilling starts.
- **INNOPRISE-PUBLIC ACCESS**- Community Development hopes to be on line in the very near future.
- **OIL AND GAS WELL INSPECTIONS**- There have been candidates but they withdrew their applications; we are now in a second round of advertising for applicants. The interviews with the applications will be with the COGCC and County Staff.
- **Schloesser**- will be ready next month

SG INTERESTS- BORICH 11-89-32- The Gunnison County Planning Commission (Commission) conducted a public hearing. They reviewed a request for the Borich 11-89-32 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.

SITE VISIT OBSERVATIONS:

- **Reed**-Unfortunately we were unable to see much of pipeline route- The pad site seems reasonable- Not very visible from Highway 133
- **Seitz**-Most reasonable access-Due to inclement weather, getting on the ridge was not possible
- **Fulton**-The pad site was not visible from the road-Concerned with the road distance and the grade- Concerned about the water and how it flows through
- **Eskew**-The access road and pad were both well situated
- **Wilcox**- Road as planned is the only reasonable access
- **Rubingh**-Hard to really understand where the road will go-Curious about Public Works representative Allen Moores perspective
- **Cattles**- Long road cut into project, but didn't see any issues-Reasonable location

With a quorum present Chairman Ramon Reed opened the public hearing.

SG Interests (SG) representative Eric Sanford was present for the public hearing.

Community Development Services Manager Beth Baker confirmed adequate public notice. The applicants provided the certified mailing receipts; the planning office had the public notice posted in the Crested Butte News, Delta Independent and Gunnison Country Times.

Sanford explained the project. Sanford had recently submitted updated maps and a letter from biologist Eric Petterson; Petterson did not comment on the updated route, but was more concerned with the wildlife.

SG used LIDAR when locating the site and the wetlands. The maps have been updated and are based on actual on the ground observations. He said the drainage area in the corner of section 32 is a wetland about two ft. wide. Section 29 is dry sage brush. The road follows an old two track road, making construction easier and resulting in less land disturbance.

Sanford said the Bull Mountain Unit map has been submitted. SG will attempt to develop this location; this is an exploratory venture.

Sanford said the maximum grade of the road will be 14%, the BLM maximum is 16% to 18 %, and the switchback will be to the west of the drainage. The road is new and engineered at the landowner's request.

Sanford is concerned with timing; they need to have access to the site when the cattle are not in the field, and the land owner is not irrigating. They have construction equipment on standby; the irrigation will be off in about three weeks. They would like to build in the fall, it would settle over the winter, and they would drill in the early spring. CDOT will grant a temporary permit to allow SG to bring equipment up the pad, for construction. Once the well is drilled there will be an access permit. CDOT has not decided how the permitting will take place.

Sanford said they will drill in the Cork Rim Sandstone formation first; it doesn't require as much water. Poly-pipe will be laid under the highway, through the cattle crossing, to bring water to the pad. They could also haul water from the field office on County Rd. 265.

Sanford will provide an update on water and what type of wells will be drilled.

There is currently no pipeline near this site, and no direct way to cross the highway, to get water to the operation for drilling. The steel pipeline will likely be completed after the well is drilled. They might haul fresh water from Paonia; they cannot depend on one source of water.

Commissioner Fulton asked what the primary source of the water will be; Sanford said it will come from Muddy Creek; it is allowed under their augmentation plan.

Sanford explained they are now required to obtain an EIS rather than an EA, for the Bull Mountain Master Plan, because of the proximity to the Maroon Bells Wilderness; this location requires addressing visual air quality. This is necessary because the Maroon Bells is classified as a class one view shed; there can be no disturbance. If you do not have a FONSI the mitigation measure is an EIS.

Reed asked if there had been additional comments from the County LGD; Starkebaum said there was not.

Reed asked if the Army Corps of Engineers permit had been applied for; Sanford said it had been submitted and the Army Corps is deciding if it will be necessary to do a site visit. Sanford agreed to provide a copy of the application and permit.

Public Works representative Allen Moores had submitted comments; noting the owner is considering this access for a future residential site; for a residential site the road grade exceeds the grade allowed- a waiver can be requested. Sanford agreed the road would be access solely for the well pad; any other uses would have to go through Public Works.

Reed said a permit is required and issued by Public Works. The access is off a State highway and the applicant will obtain a State permit, but they will have to comply with County standards for residential access. The applicant will have to address this in future.

Ralph (Butch) Clark III said he submitted a letter which includes references dealing with planning for sites and access to sites, in terms of road utilization. He suggested reviewing Douglas County's road regulations. He said it would be beneficial to address the possibility of gully washes dumping a lot of dirt.

The Commission received several comment letters, comments from Public Works, and comments and maps from biologist Eric Petterson, all of which are available for review in the Community Development Department file.

Rubingh asked if there would be implications from being bumped up to an EIS: Sanford said it would be no different than an EA.

The Commission closed the public hearing.

The Commission directed Staff to prepare a draft decision of approval for an upcoming meeting.

The Commission asked Staff to address:

- Future wells- water requirements may change
- If Staff sees potential for significant change in impact Staff would bring it through for the Commission's review

Sanford will provide:

- The Army Corps permit
- Update on water

VISTA BUSINESS PARK: The Gunnison County Planning Commission (Commission) conducted a work session to discuss applicant Hal Hearne's Sketch Plan request to subdivide a vacant 28.07-acre parcel into 12 lots, ranging in size from 1.25-2.15 acres, for industrial and commercial use with an allowance for residential use in association with an industrial or commercial operation, located approximately 4 miles east of the City of Gunnison, south of Highway 50, in the NW1/4SW1/4 and SW1/4NW1/4, Section 3, Township 49 North, Range 1 East, N.M.P.M., also known as 43950 E Hwy 50.

With a quorum present Chairman Ramon Reed opened the work session.

Applicant Hal Hearn and engineer Norman Whitehead were present to discuss the application.

Reed said this is still the sketch plan phase and it is basically a conversation to nail down the concepts.

Reed noted the basic issues had been discussed previously. The most important issue is water, partially because of the location adjacent to Tomichi Creek, and the likely presence of fairly shallow ground water. He would like to see water monitoring; ongoing- not very expensive. He said Hearn should provide a water monitoring plan, in the Preliminary Plan submittal. A baseline is needed to establish the current water quality.

Reed said the hours of operation, the drainage plan and storm water management plan, should each be addressed in the Preliminary Plan.

Rubingh said the neighbors concerns could be addressed in the covenants. He suggested Hearn consider the neighbors concerns, and look for a happy medium.

Hearn explained mineral milling and processing are still being considered.

Wilcox explained the State and Federal government regulations look at defining allowable (noise) decibel levels.

The Commission reiterated it would be necessary for Hearn to speak with the neighbors.

Reed suggested Hearn address the visual aspects between Signal Peak Filings one and two. He requested Hearn provide visuals which will show what it will look like.

Cattles asked what the time frame for the landscape buffer would be; Hearn said the landscape along the highway will go in first thing. He will purchase different size trees. Reed said a landscaping plan will be required in the preliminary plan.

Reed commented the traffic plan and study will inform CDOT's requirements.

Reed explained Hearn will need to address the City's concerns including retail sales tax.

Reed said the BOCC considers this an appropriate area for this type of use.

Reed said the lighting plan should go further than the LUR; address safety with respect to night time lighting and Highway 50. Is there a need for lighted business signage?

Reed added the allowed uses need to be more defined.

Planning Commission directed Staff to prepare a draft recommendation of approval of the Sketch Plan for an upcoming meeting.

Reed adjourned the meeting at 12:15 P.M.

/S/ Beth Baker
Community Development Department Services Manager
Gunnison County Community Development Department