

UASI21-002 DRAFT MOTIONS: Staff has prepared the following motions to assist the Board.

DRAFT MOTIONS:

APPROVE WITH CONDITIONS: *This action would be consistent with the staff and Planning Commission recommendation.* In the case of UASI21-003, Broncos Pipeline Use by Special Review Bronco Pipeline Company Gathering System Phase I & II Use By Special Review/1041 Major Amendment the County Commissioners have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant's presentation and any public comment as presented at the public hearing. I hereby move to APPROVE this application based on the findings in the staff report, subject to the following conditions:

1. Prior to signature of the final copy of these plans, the applicant will address all Public Works and Development comments.
2. All necessary utility easements must be executed and recorded prior the commencement of construction.
3. Prior to water line construction, applicant shall provide Arapahoe County with documentation from Water Court, a water provider, or certification by the Division of Water Resources identifying all sources of water, the duration of the water use, certification that the water is authorized for oil and gas usage, and that the water is allowed to be used in Arapahoe County/the destination basin.
4. The fresh water pipe line shall only be used to provide service to oil and gas facilities, firefighting activities and shall not provide service to agricultural, commercial, residential, or other uses.
5. Prior to commencement of construction, the applicant shall be required to obtain all necessary permits including a Grading, Erosion and Sediment Control (GESC) permit, a Street Cut and Right-of-Way Use Permit, a Floodplain Development Permit, and possible Oversize/Overweight Vehicle Permit, from Arapahoe County Public Works and Development.
6. The applicant agrees to enter a License Agreement if the pipelines are proposed to cross the County's right of way.
7. The applicant shall provide Traffic Control Plans to the County prior to approval of construction documents and issuance permits from County Engineering Services Division and the Building Division.
8. Prior to construction, the applicant shall provide a copy of the inspection and report of paleontological, historic, or archaeological importance, as well as mitigation measures if any issues are noted during the inspection by a third party consultant.

9. The applicant shall conduct a nesting raptor survey prior to the commencement of construction, if construction begins during the nesting season, March 15 through August 31.
10. The applicant shall contact the County, appropriate emergency offices and personnel in accordance with federal, state and local requirements if any spills occur.
11. The applicant shall comply with Tri County Health Department regulations.
12. The applicant shall construct, maintain and operate the pipeline in compliance with all applicable federal and state laws and regulations, including but not limited to: Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation (DOT), Transportation Security Administration (TSA), and Colorado Public Utility Commission (COPUC).
13. The applicant shall comply with the measures and procedures described within the Product Spill Response and Emergency Plan.
14. The applicant shall obtain all necessary permits from Public Service Company of Colorado dba Xcel Energy.
15. Condemnation shall not be used to acquire additional easements from property owners.
16. Approval of a 1041 application for a major water and sewer project will be required if the infrastructure is proposed for domestic purposes.

Alternative Motions – The following motions are provided as alternatives to the recommended motion for Conditional Approval:

DENY: In the case of of UASI21-003, Broncos Pipeline Use by Special Review Bronco Pipeline Company Gathering System Phase I & II Use By Special Review/1041 Major Amendment, the County Commissioners have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant’s presentation and any public comment as presented at the public hearing. I hereby move to **DENY** this application based on the findings:

- a. *State new or amended findings in support of denial as part of the motion.*
- b. ...

CONTINUE TO DATE CERTAIN: In the case of UASI21-003, Broncos Pipeline Use by Special Review Bronco Pipeline Company Gathering System Phase I & II Use By Special Review/1041 Major Amendment, I move to continue the hearing to [date], 9:30 a.m., at this same location, to obtain additional information and to further consider the information presented.