



Magellan Pipeline Company, L.P., is a subsidiary of ONEOK

Appendix B

Zoning Procedures Approval Criteria

1.0 ZONING PROCEDURES APPROVAL CRITERIA

1.1 SECTION 5-3.4 - USE BY SPECIAL REVIEW APPROVAL CRITERIA

1.1.1 RECOGNIZE THE LIMITATIONS OF EXISTING AND PLANNED INFRASTRUCTURE, BY THOROUGHLY EXAMINING THE AVAILABILITY AND CAPABILITY OF WATER, SEWER, DRAINAGE, AND TRANSPORTATION SYSTEMS TO SERVE PRESENT AND FUTURE LAND USES.

The Denver Expansion Project (Project) will create no additional demand for transportation infrastructure, water (other than trucked-in water during construction), wastewater treatment, drainage systems, or public transportation. The maximum anticipated traffic loading during construction is estimated to be 50 to 70 round trips per day for a duration of 4 to 5 months. This traffic estimate includes 10 to 15 round trips per day for heavy haul equipment to cover equipment mobilization, pipe delivery, and mobilization of bore equipment. Traffic for the rest of the construction window will be minimal, consisting primarily of commuting vehicles. Therefore, construction of the Project will not impact the existing transportation network within Arapahoe County. Traffic after construction and during normal pipeline operations will not impact the current County traffic loads. Therefore, operation of the Project will not impact the existing transportation network in Arapahoe County.

1.1.2 ASSURE COMPATIBILITY BETWEEN THE PROPOSED DEVELOPMENT, SURROUNDING LAND USES, AND THE NATURAL ENVIRONMENT.

Land crossed by the Project within Arapahoe County is currently zoned for Agriculture-1, Agricultural Estate, and Mixed Use and there will be no change in zoning as a result of the Project. The majority of the Project area in Arapahoe County is characterized by agricultural land consisting of improved pasture and actively cultivated row crops. This Project falls under authority and guidance of the Arapahoe County Comprehensive Plan. The Project has been designed to be in compliance with the Comprehensive Plan as it pertains to utilities, including pipelines. Construction of the Project in Arapahoe County will require the acquisition of new permanent easements, as well as temporary workspace necessary to facilitate construction of the pipeline. Following construction, all temporarily disturbed areas will be returned to preexisting conditions. Operational impacts on land use will consist of newly graveled areas associated with the RMVs and the occasional mowing of the right of way (ROW), however, vegetation maintenance will typically not be required in agricultural or pasture areas.

The Project will not interfere with the rural lifestyle or the opportunity for solitude in the natural environment, as there are no recreational areas within proximity of the Project. Additionally, all identified floodplains, waterbodies, wetlands, and riparian areas will be restored to pre-construction conditions following construction.

1.1.3 ALLOW FOR THE EFFICIENT AND ADEQUATE PROVISION OF PUBLIC SERVICES. APPLICABLE PUBLIC SERVICES INCLUDE, BUT ARE NOT LIMITED TO, POLICE, FIRE, SCHOOL, PARK, AND LIBRARIES.

The Project will have no significant impact on the availability of public services. Construction and operation of the Project is not anticipated to impact the demand for local government services or the capability of local governments to provide services.

1.1.4 ENHANCE CONVENIENCE FOR THE PRESENT AND FUTURE RESIDENTS OF ARAPAHOE COUNTY BY ENSURING THAT APPROPRIATE SUPPORTING

ACTIVITIES, SUCH AS EMPLOYMENT, HOUSING, LEISURE-TIME, AND RETAIL CENTERS ARE IN CLOSE PROXIMITY TO ONE ANOTHER.

Not Applicable.

1.1.5 ENSURE THAT PUBLIC HEALTH AND SAFETY IS ADEQUATELY PROTECTED AGAINST NATURAL AND MAN-MADE HAZARDS WHICH INCLUDE, BUT ARE NOT LIMITED TO, TRAFFIC NOISE, WATER POLLUTION, AIRPORT HAZARDS, AND FLOODING.

The Project will have no significant impact on public safety. Construction and operation of the Project is not anticipated to impact the demand for local government services or the capability of local governments to provide services. Installation of the new pipeline will not affect the floodplains crossed by the Project, as it will be installed subsurface, and all contours will be returned to pre-existing conditions following construction. Additionally, all new impervious surfaces associated with the new RMVs will be located outside of floodplains. Therefore, the Project will not increase the potential for flooding. Water quality will be maintained during construction through implementation of construction control measures (CMs) described in the Applicant's Stormwater Management Plan prepared in accordance with Colorado Department of Public Health and Environment's (CDPHE's) Colorado Discharge Permit System Permit and Arapahoe County's Grading, Erosion, and Sediment Control (GESC) Manual.

1.1.6 PROVIDE FOR ACCESSIBILITY WITHIN THE PROPOSED DEVELOPMENT, AND BETWEEN THE DEVELOPMENT AND EXISTING ADJACENT USES. ADEQUATE ON-SITE INTERIOR TRAFFIC CIRCULATION, PUBLIC TRANSIT, PEDESTRIAN AVENUES, PARKING AND THOROUGHFARE CONNECTIONS ARE ALL FACTORS TO BE EXAMINED WHEN DETERMINING THE ACCESSIBILITY OF A SITE.

Not Applicable.

1.1.7 MINIMIZE DISRUPTION TO EXISTING PHYSIOGRAPHIC FEATURES, INCLUDING VEGETATION, STREAMS, LAKES, SOIL TYPES AND OTHER RELEVANT TOPOGRAPHICAL ELEMENTS.

Project impacts on waterbodies will be temporary and short-term and are not anticipated to impact the meandering characteristics and limits of the streambeds. A total of 27 waterbodies will be crossed by the Project, of which 11 will be crossed via conventional bore, thereby minimizing impacts to those waterbodies, and 16 waterbodies will be open cut. Water quality will be maintained during construction through implementation of CMs described in the Applicant's Stormwater Management Plan prepared in accordance with CDPHE's Colorado Discharge Permit System Permit and Arapahoe County's GESC Manual. Erosion and sediment control will include temporary CMs including straw bale barriers/check dams, temporary water bars, and straw fiber rolls/wattles. There are no permanent CMs proposed for Project. If possible, construction at the open-cut crossings will be conducted during low-flow periods to minimize sedimentation and turbidity, stream bank disturbances, and limit the time it will take to complete in-stream construction. To further minimize sedimentation during construction, CMs will border spoil piles near waterbodies to prevent the spoil from flowing into the waterbody. Once the pipeline has been placed into the trench, excavated material will be immediately replaced and the stream banks and stream bed will be restored to pre-construction contours to the maximum extent practicable. The duration of in stream construction activities will be limited to 24 to 48 hours to minimize impacts. The stream banks will be revegetated with a seed mix approved by the State Land Board. All of the CM's are meant to prevent sediment runoff from stormwater. With implementation of these measures, impacts to surface water quantity and quality will be minor

and short-term. Project impacts on waterbodies will be minor, temporary and short-term, and are not anticipated to impact the meandering characteristics and limits of the streambeds.

A total of six wetlands will be crossed or otherwise impacted during construction. One wetland (WP6003_PEM) will be crossed via bore, thereby minimizing impacts to that feature, three wetlands will be open-cut, and two wetlands are located in the workspace only and will not be crossed by the proposed pipeline. Prior to any construction, erosion controls will be placed as required to minimize impacts on adjacent wetlands. Erosion and sedimentation barriers will be properly installed and maintained throughout construction to prevent disturbed soils and sediment from migrating into adjacent undisturbed wetland areas. Where practicable, topsoil will be segregated over the trench up to 12 inches in depth in wetlands where hydrologic conditions permit this practice. Segregated topsoil will be placed in the trench following subsoil backfilling. The primary means the Applicant will use to minimize impacts to open-cut wetlands include: limiting the amount of equipment and use of additional temporary workspace (ATWS) in and adjacent to the wetland; using equipment stabilization such as timber mats within the wetland; restoring wetland contours; and conducting follow-up monitoring to ensure the wetland becomes re-established successfully. Additionally, the Applicant will adhere to all applicable federal, state, and local regulations and permit requirements regarding wetland impacts. No permanent impacts to wetlands are anticipated as a result of the Project.

According to the FEMA National Flood Hazard Layer Viewer (2024), approximately 2.1 miles of the Project is located within a 100-year floodplain (Zone AE or Zone A). Additionally, the Project crosses seven drainages that meet Arapahoe County's definition of a floodplain.

The Applicant will obtain a Floodplain Development Permit, requiring an engineer's Certification of No Impact, for Project activities located within county floodplains prior to construction. Additionally, ATWS located within county floodplains will be limited in use. Therefore, there will be no permanent impacts or net effects to floodplains as a result of the Project.

Impacts on soils and vegetation within the Project vicinity will be temporary and short term, and are not expected to be adverse. Construction of the Project will require a typical construction ROW width of 60 feet and 90 feet in Arapahoe County along the 10-inch-diameter pipeline and 16-inch diameter pipeline, respectively, with ATWS needed in certain areas where specialized construction techniques will be implemented (e.g., conventional bore). Following construction, a 30-foot-wide and 50-foot-wide permanent easement along the 10-inch-diameter pipeline and 16-inch diameter pipeline, respectively, will be retained and periodically mowed as needed to prevent the establishment of woody vegetation and allow visual inspection of the ROW.

Installation and construction of Project will require clearing and grading. Clearing involves the removal of vegetative cover during construction activities. Areas disturbed by construction will be restored to pre-construction contours following the completion of construction activities and allowed to revert to previous conditions. CMs will be implemented during construction and restoration activities to stabilize the construction ROW until vegetation is re-established within the Project workspaces. All temporarily disturbed areas will be revegetated using a pre-selected seed mix developed in consultation with state and local agencies, and with landowners where required by agreement. Therefore, all impacts on vegetation and soils will be short-term and temporary.

1.1.8 ENSURE THAT THE AMENITIES PROVIDED ADEQUATELY ENHANCE THE QUALITY OF LIFE IN THE AREA, BY CREATING A COMFORTABLE AND AESTHETICALLY ENJOYABLE ENVIRONMENT THROUGH CONVENTIONS SUCH AS, THE PRESERVATION OF MOUNTAIN VIEWS, THE CREATION OF

LANDSCAPED OPEN AREAS, AND THE ESTABLISHMENT OF RECREATIONAL ACTIVITIES.

Not Applicable. The Project will not significantly degrade the quantity or quality of recreational opportunities or experiences.

1.1.9 ENHANCE THE USEABLE OPEN SPACES IN ARAPAHOE COUNTY, AND PROVIDE SUFFICIENT UNOBSTRUCTED OPEN SPACE AND RECREATIONAL AREA TO ACCOMMODATE A PROJECT'S RESIDENTS AND EMPLOYEES.

Not Applicable. The Project will not significantly degrade the quantity or quality of recreational opportunities or experiences.