



**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT
STAFF REPORT**

CASE NO: RCU2017-00017

CASE NAME: Discovery Boardwalk Pipeline Project

TABLE OF CONTENTS

Exhibit 1 – Staff Report

- 1.1 Board of County Commissioners Staff Report
- 1.2 Board of County Commissioners Alternative Findings for Denial

Exhibit 2- Maps

- 2.1 Zoning Map
- 2.2 Aerial Map
- 2.3 Future Land Use Map

Exhibit 3- Applicant Information

- 3.1 Applicant Written Explanation
 - 3.1 Project Alternatives
- 3.2 Applicant Site Plan
- 3.3 The full applications can be viewed at: <https://www.adcogov.org/planning/currentcases>

Exhibit 4- Referral Comments

- 4.1 Development Review Team Comments
- 4.2 CDOT
- 4.3 United Power
- 4.4 Union Pacific Railroad
- 4.5 Xcel Energy
- 4.6 E-470 Highway

Exhibit 5- Citizen Comments

- 5.1 Ellison
- 5.2 Szullo

Exhibit 6- Associated Case Materials

- 6.1 Certificate of Posting
- 6.2 Public Hearing Notice
- 6.3 Request for Comments
- 6.4 Publishing information
- 6.5 Property Owner Labels
- 6.6 Referral Labels
- 6.7 Draft development agreement



**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT
STAFF REPORT**

Board of County Commissioners

October 17, 2017

CASE Nos.:	RCU2017-00017
CASE NAME:	Discovery Boardwalk Pipeline Project
Owner's Name:	Discovery DJ Services, LLC (Cory Jordan)
Applicant's Name:	Discovery DJ Services, LLC
Applicant's Address:	7859 Walnut Hill Lane, Suite 335, Dallas, TX 75230
Location of Request:	Multiple Parcels in Adams County (See Exhibit 1.1)
Nature of Request:	1) Conditional Use Permit (CUP) to construct a new natural gas, crude oil and produced liquids pipeline system and associated facilities; 2) Development Agreement that cover pre-construction requirements, construction and operational standards, and maintenance of the pipeline.
Zone Districts:	Agriculture-3 (A-3)
Site Size:	Total length of the pipelines is 2.10 miles in Adams County
Proposed Uses:	Oil & Gas Infrastructure
Existing Use:	Agriculture, E-470 right-of-way, & vacant land
Hearing Date(s):	PC: September 28, 2017 / 6:00 p.m.
	BOCC: October 17, 2016/ 9:30 a.m.
Report Date:	October 5, 2017
Case Manager:	Christopher C. La Rue <i>ccr</i>
Staff Recommendation:	APPROVAL with 33 Findings-of-Fact & 2 Conditions

SUMMARY OF APPLICATION

Background

The applicant, Discovery DJ Services (a joint venture between Discovery Midstream Partners, LLC & Ward Petroleum Corporation), is requesting three conditional use permits to allow construction of new pipeline systems. Two of the pipelines (the yellow and pink pipelines-see exhibit 3.1) consist of three parallel pipelines (i.e. a 20-inch natural gas, a 8.625-inch crude oil line, and a 12.75-inch produced liquids line) and associated facilities to transport natural gas and

products from oil and gas wells within the County to processing plants in Weld County. The third pipeline (blue pipeline-see exhibit 3.1) consists of two parallel pipelines: 20-inch natural gas and an 8.625-inch crude oil. According to the applicant, the request to allow construction of the pipelines to transport oil and gas from the County would reduce local truck traffic associated with transporting such minerals and products by vehicles.

The site plan provided with the application shows the pipelines will be interconnected and converge at a central point located north of E-470 and halfway between Colorado Boulevard and Holly Street. This central point is referenced as “the Brighton West Interconnect”. In addition, the pipelines will be connected through monitoring and regulatory valves that enable the operator to switch direction of the flow of products in the pipelines. There is also a proposed equipment at the central converging point of the pipelines that will be used for inspection of the pipelines, known as a pig launcher. A map of the pipeline routes represented by different color schemes is attached to this report as exhibit 2.1. For demonstration purposes, the lines are demarcated in pink, blue, and yellow and each line represent a stand alone conditional use permit: Specifically:

- RCU2017-00011 Blue
- RCU2017-00017 Yellow
- RCU2017-00019 Pink

Overall, the three proposed pipelines routes would gather mineral resources from multiple well pad sites that are mostly located between Washington Street and Riverdale Road. The County is currently reviewing two oil and gas well pad sites by Ward Petroleum. These oil and gas well pads are known as Ivey well and Riverdale Road well pad sites. The Ivey well pad is specifically located between East 152nd Avenue and E-470 and west of York Street. The Ward Riverdale well pad, which is an existing well site, is located northwest of Riverdale Road and E-470. All of the three proposed pipeline routes would be used to transport oil and gas products from the wells, as well as transporting other future gas wells products within the vicinity of the pipelines.

The proposed yellow pipeline route impacts two parcels within unincorporated Adams County. The remainder of the pipeline will be constructed within the E-470 Multi-Use Easement (MUE) located within the City of Thornton. This MUE was created during the construction of the highway to allow for installation of utilities, such as the proposed oil and gas pipeline. The site plan shows the pipeline route would commence on Agriculture-3 (A-3) zoned property, which is also the location of a proposed gas well pad (i.e Ivey Pad Site), and traverse east within the E-470 MUE to the central interconnect site. This interconnect site will contain an above ground structure that will consist of piping and a valve to allow testing equipment to monitor and regulate the pipelines.

Development Standards and Regulations Requirements

Oil and gas development is overseen by federal, state, and local regulations. Section 4-10-02-03 of the County’s Development Standards and Regulations outlines requirements for oil and gas well drilling and production activities in the County. The County’s Development Standards also defines oil and gas facilities as any site with associated equipment used for production, treatment and storage of oil and gas waste products. This includes well pads and equipment used for

production as well as temporary storage, staging of oil and gas or any other oil and gas operation, which may cause compatibility issues.

Section 4-10-02-03-06 of the County's Development Standards and Regulations further outlines the process for permitting new oil and gas development sites. Specifically, the regulations require one of the following two options: 1) obtain a Special Use Permit from the Board of Adjustment for each new site for oil and gas development; or 2) execute a Memorandum of Understanding (MOU) and submit an Administrative Use by Special Review Permit for each well pad. Well connects that are 10 inches or less in diameter and two miles or less in length, laid running from the custody transfer point or production facility for a new well to an existing gathering line connection point can be permitted through the MOU process. However, in cases where proposed pipelines exceed the scope of the size and length outline in the MOU process, then a conditional use permit is required. The subject request requires a conditional use permit as the proposed pipeline exceeds 10 inches in diameter and is longer than 2 miles in length.

The County's Development Standards and Regulations outlines requirements for a conditional use permit. Specifically, section 2-02-08 of the County's Development Standards requires an applicant to demonstrate that the request for a conditional use permit is compatible with the surrounding area, not detrimental to the immediate area, all off-site impacts have been addressed, and that the site plan will provide the most convenient and functional use of the lots.

The subject request includes submittal information outlined in Section 6-07-02 of the County's Development Standards and Regulations pertaining to Areas and Activities of State Interest permits. This information is relevant for large scaled projects and address issues on environmental concerns, finance, and other relevant issues to address. Submittal items required and outlined in the Development Standards includes the following information:

- Detailed applicant information
- Extensive information regarding the project
- Information on property rights, permits, and other approvals
- Financial feasibility of the project
- Land use
- Local governmental services
- Financial burden on residents
- Local economy
- Environmental impact analysis: this includes analysis on water (surface and ground water), visual impacts, air quality, wetland and riparian areas, flora and fauna, soils, geologic conditions, and areas of paleontological, historic or archaeological importance.

Staff reviewed documentation submitted with the applications and has determined that the information provided adequately conforms to the requirements for Areas and Activities of State Interest. The application documents included information about the company and their financial ability to fund the project. Routing analysis submitted with the application also justified selection of the preferred routes. The preferred alignments are those that best minimize potential impacts on existing residential developments. In addition, the majority of the properties that the

pipelines traverse through are predominately used for agriculture. The construction of the pipelines would not impede current or future uses of the surrounding properties. Staff reviewed environmental impact report included with the application and determined procedures and guidelines outlined in the report adequately demonstrate protection and preservation of water resources, visual impacts, air quality, wetland and riparian areas, flora and fauna, soils, geologic conditions, and areas of paleontological, historic or archaeological importance.

Per Section 6-07-02-03 of the County's Development Standards and Regulations, the applicant is required to submit a routing analysis with at least three alternative routes for each of the proposed pipelines. The applicant provided this information (see Exhibit 3.1). According to the applicant, the preferred routes were determined to have the least impacts on existing residential uses, as well as minimal impact on agriculturally utilized lands within unincorporated Adams County.

Development Agreement

As part of the conditional use permit application, the applicant has agreed to enter into a development agreement with the County for each of the proposed pipeline. The agreement covers multiple requirements such as pre-construction approvals (which include storm water, road crossing and traffic control permits), documentation of standard operating procedures and maintenance of the pipeline. In addition, the development agreements are required to address all comments from various review agencies. The development agreement conforms to the aforementioned requirements.

Through the agreement, the applicant has also agreed to build the pipelines in accordance with federal safety standards and national engineering design codes. Section 3.B of the development agreements requires the pipelines to be buried at a minimum of 48 inches below ground, except in locations where such depth is not achievable. In such an instance, the pipeline will be equipped with additional mechanical protection, such as increased pipe wall thickness. The development agreement also contain a variety of additional requirements including the provision of "as built" construction drawings to the Adams County Assessor's Office within 120 days of completing construction. As well as obtaining and complying with an approved traffic control plan, manage on-site stormwater in accordance with local, state, and federal regulations.

The applicant will also be responsible to maintain all likely affected Adams County roadway infrastructures by cleaning the roads and repairing any damage. The agreement requires the pipeline route to be located out of future road right-of-ways. Any land disturbed by construction in the project area are also required to be restored. Finally, the agreement requires the developer to avoid areas where regional drainage improvements may occur. If avoiding such infrastructure are impossible, then the developer, at its own expense, will be required to relocate the pipeline whenever such drainage improvement occurs. The development agreement is attached to this report for review and consideration (see exhibit 6.7).

Future Land Use Designation/Goals of the Comprehensive Plan for the Area:

The construction of the yellow pipeline crosses through five future land use designations:

- Mixed Use Employment
- Parks and Open Space
- Urban Residential
- Commercial
- Activity Center

Analysis of each of the future land use designations and their intended purposes are discussed below.

Goals of the Mixed Use Employment Future Land Use:

The Mixed Use Employment future land use allows for a mixture of employment uses, including offices, retail, clean indoor manufacturing, distribution, warehousing, and airport technology uses. The pipeline will traverse through a property designated as Mixed Use Employment future land use. The proposed pipeline will not impede or hinder development of properties in conformance with the goals of the future a land use, as the pipeline would be located on the fringes of the parcels. This would allow the remainder of those impacted properties to be developed consistent with the Comprehensive Plan goals.

Goals of the Parks and Open Space Future Land Use:

The Parks and Open Space future land use are intended to provide for public parks, trails and open space. The proposed yellow pipeline route runs adjacent to one parcel designated for Parks and Open Space. Specifically, the pipeline alignment is proposed to follow the E-470 MUE. Construction of the pipeline in this area would not affect the current or future planned use of land in this area, as the line will be constructed along public right-of-ways and not impact any future development of properties.

Goals of the Urban Residential Future Land Use:

The Urban Residential future land use areas are designated for single and multiple family housing, typically at urban densities of one dwelling per acre or greater. Per the Comprehensive Plan, these areas are intended to provide for development of residential neighborhoods with a variety of housing types, with adequate urban services and transportation facilities. The pipeline route will traverse through the E-470 MUE and two parcels designated as Urban Residential. These two parcels are currently used for agriculture and contain existing oil and gas wells. The proposed request would not impede future residential development of the properties, as the lines will be constructed along right-of-ways on those properties.

Goals of the Commercial Future Land Use:

The Commercial future land use designation areas are intended to serve either neighborhood or regional needs and can be comprised of a variety of uses, such as retail sales, restaurants and other services, and professional and commercial offices. The primary objective of the Commercial land use designation is to support and attract businesses that provide employment opportunities, meet the needs of County residents and visitors, and contribute to the County's tax base. Commercial areas should be compatible with surrounding development and have adequate transportation access and public infrastructure. The proposed yellow pipeline route traverses through the E-470 MUE and three parcels designated as Commercial. These three parcels are

currently used for agriculture and contain existing and proposed oil and gas wells. There is also one single-family home located on a parcel in the area. The proposed request would not impact the parcels or impede future commercial development of the area.

Goals of the Activity Center Future Land Use:

The Activity Center future land use designation areas are intended for high intensity, mixed-use character and high-quality development. The primary uses anticipated in this future land use area are offices, hotels, retail, high-density residential and clean indoor manufacturing and warehousing. The Activity Centers are also designated for areas that will have excellent transportation access and visibility. The yellow pipeline route traverses near two parcels designated as Activity Center. These parcels are located west and east of Colorado Boulevard and are currently used for agriculture. The proposed request would not impact these parcels or impede future development of the area.

Site Characteristics:

The yellow pipeline route starts on a property located between East 152nd Avenue and E-470 and west of York Street and continues through the E-470 Highway MUE, and finally terminates on a property located between Colorado Boulevard and Holly Street. The parcels for the starting point and termination of the pipeline are all located within unincorporated Adams County and on Agriculture-3 (A-3) zone property. Impacts from the pipeline would be minimal due to the proposed location of the pipeline within the E-470 MUE and at property boundaries.

Surrounding Zoning Designations and Existing Use Activity for the yellow pipeline:

Northwest A-3 Agriculture	North City of Thornton	Northeast RE, A-3 Single-Family / Agriculture
West A-3 Agriculture	Subject Property A-3 E-470 MUE	East A-3 Vacant / Agriculture
Southwest A-3 Agriculture	South A-3, RE Agriculture	Southeast A-3, A-2 Agriculture

Compatibility with the Surrounding Land Uses:

The area surrounding the yellow pipeline site is mostly comprised of agriculturally zoned properties and some single-family homes. The majority of the agriculture zoned properties are currently used for farming. In addition, a majority of the section of the pipeline route will be constructed within the E-470 MUE, which was set aside to accommodate utilities and other uses such as pipelines. According to the applicant, the pipeline would be buried and strategically placed along perimeters of properties outside road right-of-ways. This is to minimize potential impacts to surrounding properties. In addition, the majority of the surrounding properties to the pipeline route are zoned A-3 and R-E. These properties are developed with agriculture uses and some single-family dwellings. The proposed request would not negatively impact existing

surrounding uses. The proposed pipeline will also reduce local vehicular transportation associated with extracting and development of natural gas and resources in the County.

Planning Commission Update

The Planning Commission considered this case on September 28, 2017, and recommended unanimous approval of the request. The applicant informed the PC that the pipeline has specific testing requirements such as pressure testing, x-ray, and hydro testing to ensure safety. Both the PC and applicant had no concerns with the staff report or the recommended conditions of approval. Beside the applicant, no one from the public spoke in favor or in opposition to the request.

Staff Recommendation:

Based upon the application, the criteria for conditional use permit approval, and a recent site visit, staff recommends approval of the conditional use permit with thirty-three findings-of-fact and two conditions.

Staff also recommends approval of the development agreement.

Findings of fact for all three pipeline cases:

1. The conditional use is permitted in the applicable zone district.
2. The conditional use is consistent with the purposes of these standards and regulations.
3. The conditional use will comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards.
4. The conditional use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
5. The conditional use permit has addressed all off-site impacts.
6. The site is suitable for the conditional use including adequate usable space, adequate access, and absence of environmental constraints.
7. The site plans for the proposed conditional use will provide the most convenient and functional use of the lot including the parking scheme, traffic circulation, open space, fencing, screening, landscaping, signage, and lighting.
8. Sewer, water, storm water drainage, fire protection, police protection, and roads are to be available and adequate to serve the needs of the conditional use as designed and proposed.
9. Documentation that prior to site disturbance associated with the Proposed Project, the Applicant can and will obtain all necessary property rights, permits and approvals. The Board

may, at its discretion, defer making a final decision on the application until outstanding property rights, permits and approvals are obtained or the Board may grant a Permit with conditions and/or conditions precedent which will adequately address outstanding concerns.

10. The Proposed Project considers the relevant provisions of the regional water quality plans.
11. The Applicant has the necessary expertise and financial capability to develop and operate the Proposed Project consistent with all requirements and conditions.
12. The Proposed Project is technically and financially feasible.
13. The Proposed Project is not subject to significant risk from Natural Hazards.
14. The Proposed Project is in general conformity with the applicable comprehensive plans.
15. The Proposed Project does not have a significant adverse effect on the capability of local government to provide services or exceed the capacity of service delivery systems.
16. The Proposed Project does not create an undue financial burden on existing or future residents of the County.
17. The Proposed Project does not significantly degrade any substantial sector of the local economy.
18. The Proposed Project does not unduly degrade the quality or quantity of recreational opportunities and experience.
19. The planning, design and operation of the Proposed Project reflects principals of resource conservation, energy efficiency and recycling or reuse.
20. The Proposed Project does not significantly degrade the environment. This includes the considerations that shall be used to determine whether there will be significant degradation of the environment. For purposes of this section, the term environment shall include:
 - Air quality,
 - Visual quality,
 - Surface water quality,
 - Groundwater quality,
 - Wetlands, flood plains, streambed meander limits, recharge areas, and riparian areas,
 - Terrestrial and aquatic animal life,
 - Terrestrial and aquatic plant life, and
 - Soils and geologic conditions.
21. The Proposed Project does not cause a nuisance and, if a nuisance has been determined to be created by the Proposed Project, the nuisance has been mitigated to the satisfaction of the County.

22. The Proposed Project does not significantly degrade areas of paleontological, historical, or archaeological importance.
23. The Proposed Project does not result in unreasonable risk of releases of hazardous materials. In making this determination as to such risk, the Board's consideration shall include:
 - Plans for compliance with Federal and State handling, storage, disposal and transportation requirements,
 - Use of waste minimization techniques, and
 - Adequacy of spill prevention and counter measures, and emergency response plans.
24. The benefits accruing to the County and its citizens from the proposed activity outweigh the losses of any resources within the County, or the losses of opportunities to develop such resources.
25. The Proposed Project is the best alternative available based on consideration of need, existing technology, cost, impact and these Regulations.
26. The Proposed Project shall not unduly degrade the quality or quantity of agricultural activities.
27. The proposed Project does not negatively affect transportation in the area.
28. All reasonable alternatives to the Proposed Project, including use of existing rights-of-way and joint use of rights-of-way wherever uses are compatible, have been adequately assessed and the Proposed Project is compatible with and represents the best interests of the people of the County and represents a fair and reasonable utilization of resources in the Impact Area.
29. The nature and location of the Proposed Project or expansion will not unduly interfere with existing easements, rights-of-way, other utilities, canals, mineral claims or roads.
30. Adequate electric, gas, telephone, water, sewage and other utilities exist or shall be developed to service the site.
31. The proposed project will not have a significantly adverse Net Effect on the capacities or functioning of streams, lakes and reservoirs in the impact area, nor on the permeability, volume, recharge capability and depth of aquifers in the impact area.
32. The purpose and need for the Proposed Project are to meet the needs of an increasing population within the County, the area and community development plans and population trends demonstrate clearly a need for such development.
33. The Proposed Project is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future

development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area.

Recommended Conditions of Approval;

Recommended Conditions:

1. The applicant shall execute the Development Agreement associated with the conditional use permit prior to the scheduled October 17, 2017 Board of County Commissioners hearing. The executed Development Agreement shall be submitted to staff no later than October 13, 2017.
2. The applicant shall comply with all the terms and conditions of the executed Development Agreement between Discovery DJ Services, LLC and Adams County.

RCU2017-00017 (YELLOW PIPELINE) REFERRAL COMMENTS

PUBLIC COMMENTS

Property Owners Notified	Number of Responses
169	2

Staff sent referral notices to all property owners within 1,000 feet of the pipeline route. As of writing this report, staff has received two comments from those property owners notified expressing support (see exhibit 5).

COUNTY AGENCY COMMENTS

Adams County Development Services Engineering reviewed the request and stated crossings of the County's roadways shall require approval of construction plans.

The Adams County Development Services right-of-way reviewed the request and stated that the pipelines shall be located within permanent easements. All such easements shall be placed outside the County's future road rights-of-way, as delineated by the 2012 Adams County Transportation Plan.

REFERRAL AGENCY COMMENTS

Responding with Comments or Concerns:

Union Pacific Railroad (see exhibit 4.4)

- UPRR stated the applicant shall be required to follow all of the railroad's crossing procedures and specifications. The applicant has committed to meeting all of the Railroad's requirements. The development agreement requires the applicant to comply with all Union Pacific requirements.

Responding without Concerns:

CDOT (see exhibit 4.2)
E-470 Highway Authority (see exhibit 4.6)
United Power (see exhibit 4.3)
Xcel Energy (see exhibit 4.5)

Notified but not Responding / Considered a Favorable Response:

Adams 12 Five Star Schools
Brighton Fire District
CDPHE
Century Link
City of Thornton
Colorado Division of Wildlife
Colorado Historical Society
Comcast
Eagle Shadow Metro District
German Ditch Company
Metro Wastewater Reclamation District
North Metro Fire District
Riverdale Peaks Metro District
RTD
School District 27J
Signal Ditch
Thornton Fire District
Urban Drainage and Flood Control District

Community & Economic
Development Department
www.adcogov.org



4430 South Adams County Parkway
1st Floor, Suite W2000B
Brighton, CO 80601-8218
PHONE 720.523.6800
FAX 720.523.6967

To: Board of County Commissioners

From: Christopher C. La Rue, Senior Planner

Subject: Boardwalk Pipeline Project / Case #RCU2017-00017

Date: tober 1 , 2017

If the Board of County Commissioners does not concur with the staff recommendation of Approval, the following findings may be adopted as part of a decision of Denial:

ALTERNATIVE RECOMMENDED FINDINGS

1. The conditional use is not permitted in the applicable zone district.
2. The conditional use is not consistent with the purposes of these standards and regulations.
3. The conditional use will not comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards.
4. The conditional use is not compatible with the surrounding area, harmonious with the character of the neighborhood, detrimental to the immediate area, detrimental to the future development of the area, and detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
5. The conditional use permit has not addressed all off-site impacts.
6. The site is not suitable for the conditional use including adequate usable space, adequate access, and absence of environmental constraints.
7. The site plan for the proposed conditional use will not provide the most convenient and functional use of the lot including the parking scheme, traffic circulation, open space, fencing, screening, landscaping, signage, and lighting.
8. Sewer, water, storm water drainage, fire protection, police protection, and roads are not available and are not adequate to serve the needs of the conditional use as designed and proposed.
9. Documentation that prior to site disturbance associated with the Proposed Project, the Applicant cannot and will not obtain all necessary property rights, permits and approvals.

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Erik Hansen
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

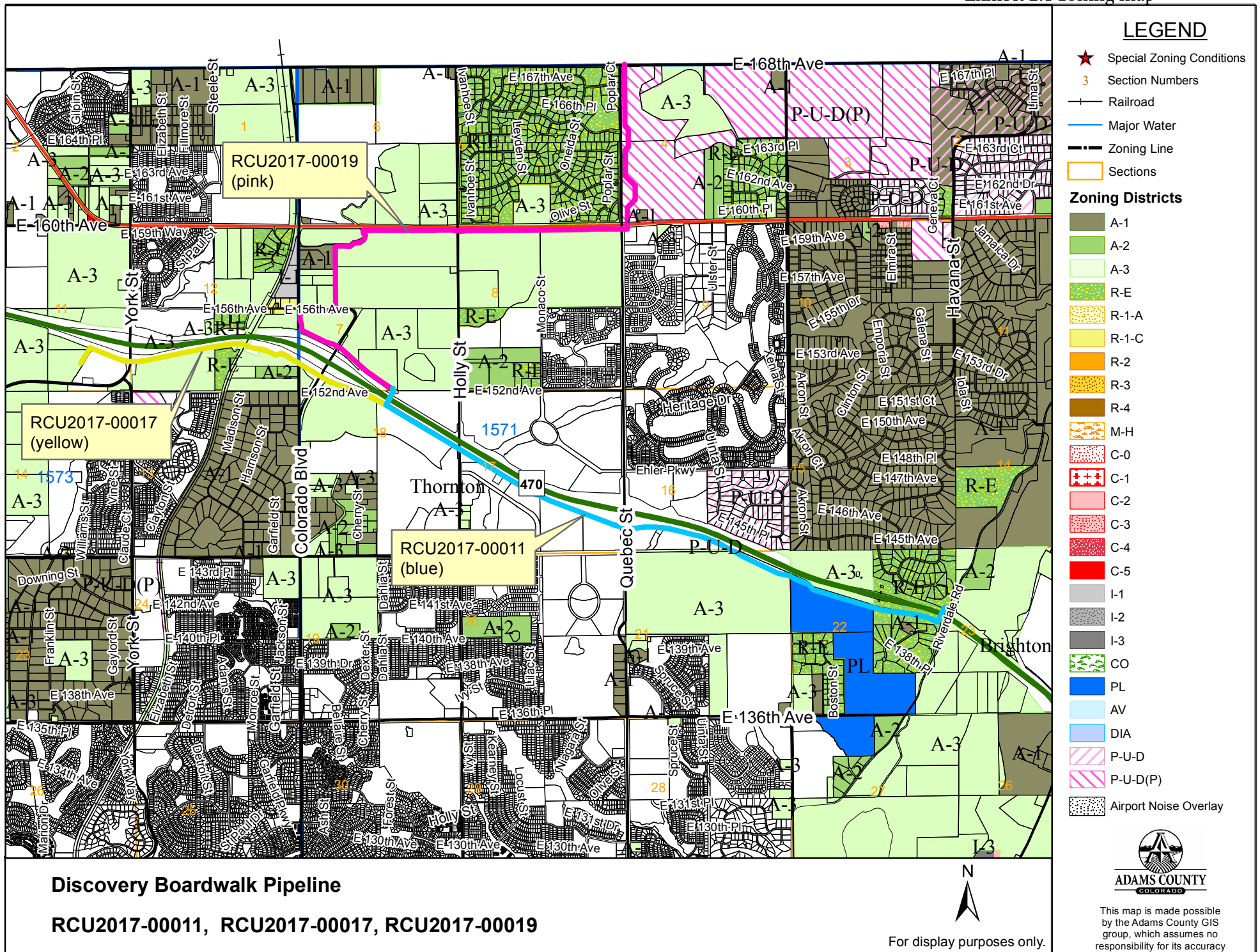
Mary Hodge
DISTRICT 5

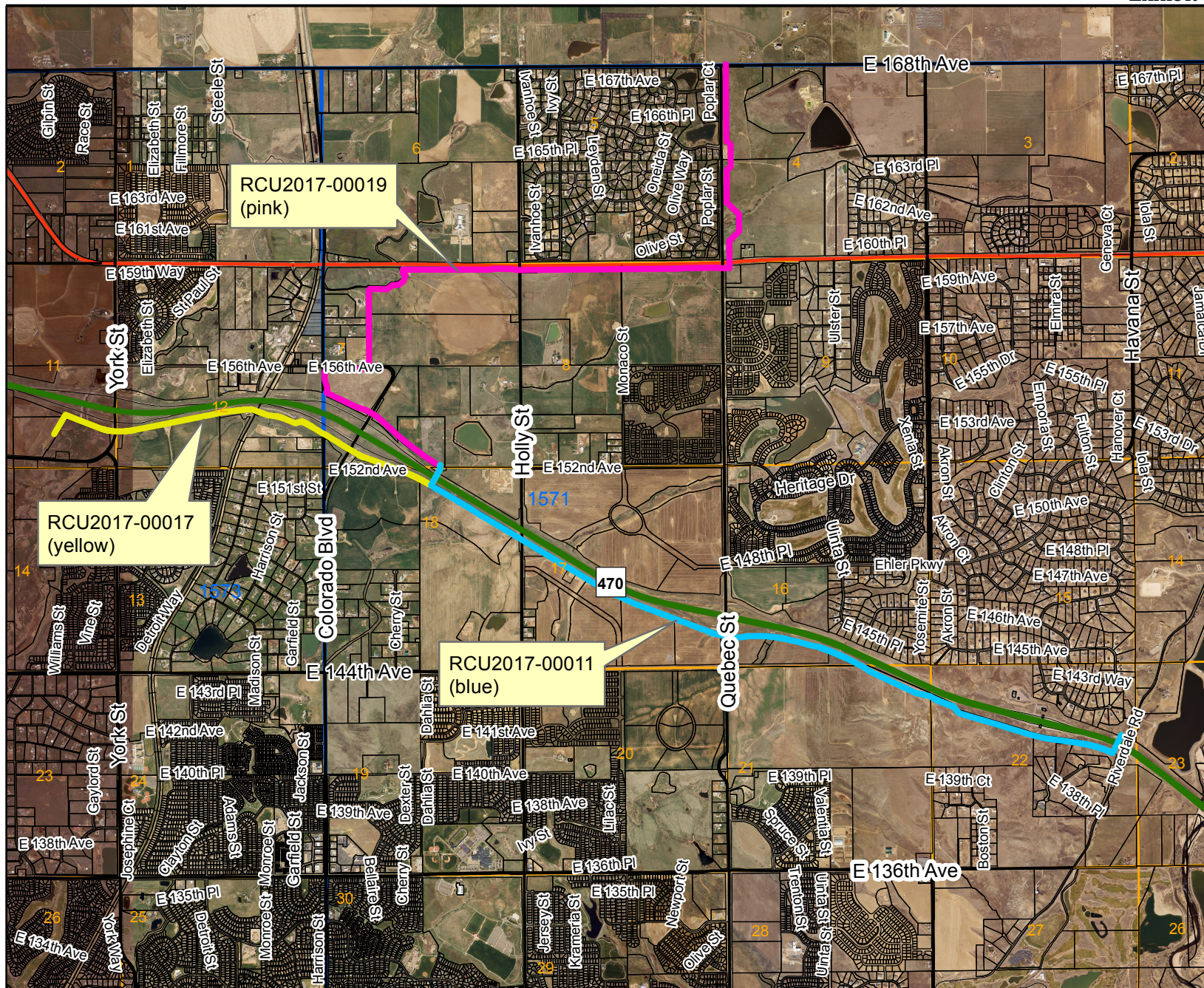
The Board may, at its discretion, defer making a final decision on the application until outstanding property rights, permits and approvals are obtained or the Board may grant a Permit with conditions and/or conditions precedent which will adequately address outstanding concerns.

10. The Proposed Project does not consider the relevant provisions of the regional water quality plans.
11. The Applicant does not have the necessary expertise and financial capability to develop and operate the Proposed Project consistent with all requirements and conditions.
12. The Proposed Project is not technically and financially feasible.
13. The Proposed Project is subject to significant risk from Natural Hazards.
14. The Proposed Project is not in general conformity with the applicable comprehensive plans.
15. The Proposed Project has a significant adverse effect on the capability of local government to provide services or exceed the capacity of service delivery systems.
16. The Proposed Project creates an undue financial burden on existing or future residents of the County.
17. The Proposed Project significantly degrades any substantial sector of the local economy.
18. The Proposed Project unduly degrades the quality or quantity of recreational opportunities and experience.
19. The planning, design and operation of the Proposed Project does not reflect principals of resource conservation, energy efficiency and recycling or reuse.
20. The Proposed Project significantly degrades the environment. Appendix A includes the considerations that shall be used to determine whether there will be significant degradation of the environment. For purposes of this section, the term environment shall include:
 - Air quality,
 - Visual quality,
 - Surface water quality,
 - Groundwater quality,
 - Wetlands, flood plains, streambed meander limits, recharge areas, and riparian areas,
 - Terrestrial and aquatic animal life,
 - Terrestrial and aquatic plant life, and
 - Soils and geologic conditions.

21. The Proposed Project causes a nuisance and, if a nuisance has been determined to be created by the Proposed Project, the nuisance has been mitigated to the satisfaction of the County.
22. The Proposed Project significantly degrades areas of paleontological, historical, or archaeological importance.
23. The Proposed Project results in unreasonable risk of releases of hazardous materials. In making this determination as to such risk, the Board's consideration shall include:
 - Plans for compliance with Federal and State handling, storage, disposal and transportation requirements,
 - Use of waste minimization techniques, and
 - Adequacy of spill prevention and counter measures, and emergency response plans.
24. The benefits accruing to the County and its citizens from the proposed activity do not outweigh the losses of any resources within the County, or the losses of opportunities to develop such resources.
25. The Proposed Project is not the best alternative available based on consideration of need, existing technology, cost, impact and these Regulations.
26. 18. The Proposed Project unduly degrades the quality or quantity of agricultural activities.
27. The proposed Project negatively affects transportation in the area.
28. All reasonable alternatives to the Proposed Project, including use of existing rights-of-way and joint use of rights-of-way wherever uses are compatible, have not been adequately assessed and the Proposed Project is not compatible with and does not represent the best interests of the people of the County and does not represent a fair and reasonable utilization of resources in the Impact Area.
29. The nature and location of the Proposed Project or expansion will unduly interfere with existing easements, rights-of-way, other utilities, canals, mineral claims or roads.
30. Adequate electric, gas, telephone, water, sewage and other utilities do not exist or shall not be developed to service the site.
31. The proposed project will have a significantly adverse Net Effect on the capacities or functioning of streams, lakes and reservoirs in the impact area, or on the permeability, volume, recharge capability and depth of aquifers in the impact area.

32. The purpose and need for the Proposed Project are not to meet the needs of an increasing population within the County, the area and community development plans and population trends do not demonstrate clearly a need for such development.
33. The Proposed Project is not compatible with the surrounding area, not harmonious with the character of the neighborhood, detrimental to the immediate area, detrimental to the future development of the area, and detrimental to the health, safety, or welfare of the inhabitants of the area.





- ### LEGEND
- ★ Special Zoning Conditions
 - 3 Section Numbers
 - Railroad
 - Major Water
 - Zoning Line
 - Sections
- ### Zoning Districts
- A-1
 - A-2
 - A-3
 - R-E
 - R-1-A
 - R-1-C
 - R-2
 - R-3
 - R-4
 - M-H
 - C-0
 - C-1
 - C-2
 - C-3
 - C-4
 - C-5
 - I-1
 - I-2
 - I-3
 - CO
 - PL
 - AV
 - DIA
 - P-U-D
 - P-U-D(P)
 - Airport Noise Overlay

Discovery Boardwalk Pipeline

RCU2017-00011, RCU2017-00017, RCU2017-00019

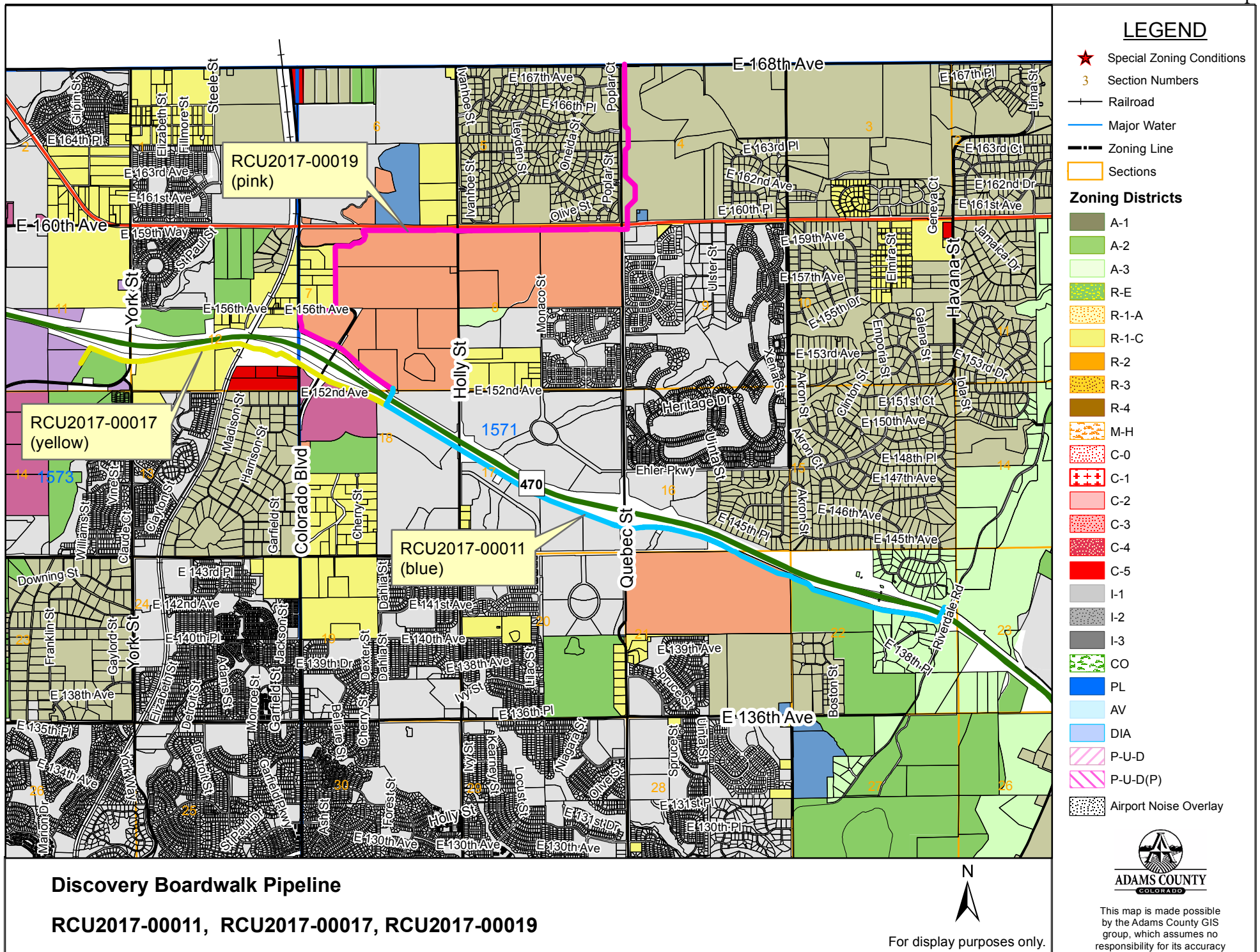


For display purposes only.



ADAMS COUNTY
COLORADO

This map is made possible
by the Adams County GIS
group, which assumes no
responsibility for its accuracy



**BOARDWALK PIPELINE PROJECT – PHASE II
IVEY WEST TO BRIGHTON WEST INTERCONNECT**

**DISCOVERY DJ SERVICES, LLC
APPLICATION FOR CONDITIONAL USE PERMIT**

1.0 INTRODUCTION

Discovery DJ Services, LLC (“Discovery”), a joint venture between Discovery Midstream Partners, LLC and Ward Petroleum, is submitting this application for a Conditional Use Permit (“CUP”) to Adams County. The application is in accordance with the requirements outlined under Chapter 2 of the Adams County Development Standards and Regulations (“ACDSR”), the Conditional Use Permit Checklist, and additional requested submittal criteria for the Adams County Areas and Activities of State Interest (“AASI”) Checklist, as outlined during the conceptual review process and subsequent Adams County Conceptual Review Meeting Summary Letter dated January 30, 2017 and further discussed under Section 2.4 below.

This CUP application is organized in an order to address the requirements of: i) the CUP Checklist; ii) the specific additional applicable items from the AASI Checklist; and iii) additional information as outlined in the conceptual review summary letter and requested by the Adams County Planning Department (“ACPD”) staff.

1.1 PURPOSE & NEED

Advances in oil and gas extraction technologies have resulted in a substantial increase in oil and gas activities across Colorado, more specifically in the Denver-Julesburg Basin and Wattenberg Fields within Adams County. Crude oil and produced liquids (condensate, produced water) from these wells impede the natural gas production and require transportation to oil and gas facilities for processing, treatment, and either disposal or sale to regional markets. Currently, these liquids are transported by truck from the individual well pads resulting in an increasing number of trucks per day on the local city and county roads and state highways, along with increased dust, noise and emissions. Similarly, the existing natural gas infrastructure in and around these wells is at capacity or doesn’t exist within areas of new drilling. Centralized collection of these liquids and more efficient means of transportation are required to reduce the local truck traffic and facilitate transportation of the natural gas and produced liquids to locations where they can be processed and sold to meet market demands. The Project is a necessary component of the overall system to gather, process, transport and market the area’s natural resources in the Niobrara and Codell formations.

1.2 PROJECT OVERVIEW

The Boardwalk Pipeline Project, approved on December 13, 2016 by the Adams County Board of County Commissioners (RCU2016-000016) incorporates a 29.4-mile natural gas gathering trunkline originating at a Central Delivery Point (“CDP”) Facility located in the SW of Section 24, Township 1S, Range 67W to Discovery’s Ft. Lupton Gas Plant located approximately 4.3-miles northwest of Lochbuie, Colorado in the SW of Section 11, Township 1N, Range 66W where the gas is processed to recover natural gas liquids (“NGL”)’s for delivery to a nearby third party via a 0.6-mile NGL sales pipeline. Conversely, pipeline quality natural gas off the Ft. Lupton Gas Plant is delivered to a custody meter station for sales to a third-party transmission pipeline via a 1.4-mile residue gas sales pipeline. Similarly, the project and associated Conditional Use Permit incorporated a 12-mile crude oil pipeline from the CDP Facility to the intersection of E. 120th Ave. and Powhaton Rd., where the crude oil pipeline was capped and inerted in place for future crude oil gathering.

Phase II of the Boardwalk Pipeline Project expands the original system west of the CDP facility with a new 20-inch or smaller natural gas pipeline, 8-inch crude oil pipeline, and 12-inch or smaller water pipeline from Ward Petroleum’s Ivey West Well Pad located in the SWSE of Section 11, Township 1S, Range 68W traveling east approximately 2-miles along the E-470 multi-use easement before crossing E-470 to the north, to a new pipeline pigging facility (Brighton West Interconnect Facility) located approximately 2,100 feet west from the intersection of E. 152nd Avenue and Holly Street on the north side of E-470. From the new Brighton West Interconnect Facility, the Phase II pipelines will continue north approximately 4.5 miles before crossing into Weld County near the intersection of E. 168th Ave. / County Road 2 and Quebec Street and continuing north by north east approximately 14.7 miles to the Discovery Ft. Lupton Gas Plant. Similarly, the Phase II pipelines will extend back south across E-470 and east along the E-470 multi-use easement approximately 3.9 miles where they will cross E-470 just west of Riverdale Road and tie-in with the Ward Petroleum Riverdale gathering laterals delivering natural gas, crude oil, and produced water to the Central Delivery Point Facility.

This Conditional Use Permit application incorporates the portion of the Phase II Boardwalk Pipeline Project proposed 20-inch natural gas pipeline, 8-inch crude oil pipeline, and 12-inch or smaller water pipeline from Ward Petroleum’s Ivey West Well Pad to the Brighton West Interconnect Facility located approximately 2,100 feet west from the intersection of E. 152nd Avenue and Holly Street.

**BOARDWALK PIPELINE PROJECT – PHASE II
IVEY WEST TO BRIGHTON WEST INTERCONNECT**

**DISCOVERY DJ SERVICES, LLC
APPLICATION FOR CONDITIONAL USE PERMIT**

Separate Conditional Use Permit applications (PRE2017-0001) have been submitted to Adams County for the portions of the Phase II Boardwalk Pipeline Project between the new Brighton West Interconnect Facility and the Riverdale Tie-In and the Brighton West Interconnect Facility to the Adams County Line.

Sections 1.2.1 through 1.2.4 below further describe the key infrastructure located within Adams County and associated with this Conditional Use Permit application:

1.2.1 NATURAL GAS GATHERING TRUNKLINE

The natural gas gathering trunkline will be constructed of 20.0" O.D. x 0.406" W.T., X-65, API 5L, PSL2, or comparable line pipe coated with 12-14 mils of fusion bond epoxy for external corrosion protection. All state highway, railroad, city and county road, and other crossings will be crossed by either bore or horizontal directional drill ("HDD"), thereby avoiding surface impacts in these areas, utilizing 20.0" O.D. x 0.500" W.T., X-65, API 5L, PSL2 or comparable crossing pipe coated with 12-14 mils of fusion bond epoxy plus an additional 24-30 mils of abrasive resistant overlay coating.

Although the natural gas gathering trunkline does not fall under the jurisdiction of the Code of Federal Regulations ("CFR"), the trunkline will be designed and constructed to meet the requirements of CFR Part 192 "Transportation of Natural and Other Gas by Pipeline". In general, under the CFR, Discovery is required to design and construct the trunkline for a Class 1 area classification utilizing a 0.72 design safety factor at a depth of 36 inches below ground level. As an additional recognized safety precaution, Discovery will design the pipeline for the more stringent Class 2 area classification utilizing a 0.60 design safety factor and all state highway, railroad, city and county road, and other crossing locations to a Class 3 area classification utilizing a 0.50 design safety factor. In addition, Discovery will bury the trunkline a minimum of 48 inches below grade. At all county and / or public roads crossings, the trunkline will be buried a minimum of 60 inches below the bottom of the bar ditches (USDOT and Adams County Public Works Department requires a minimum of 36 inches). Discovery will comply with all requirements for construction in the E-470 corridor as well as the Nationwide Plan 12 permit for all waterway crossings, which allow waterways to be open cut or bored depending upon the condition of the waterway.

The natural gas trunkline will be designed to facilitate routine pigging operations to remove liquids that drop out in the pipeline as well as in-line inspection of the line as required in accordance with the CFR.

Table 1.2.1 below summarizes key information for the natural gas trunkline.

**Table 1.2.1
Boardwalk Pipeline Project – Phase II
Ivey West to Brighton West Interconnect
Natural Gas Gathering Trunkline**

Pipeline Diameter	20.0" O.D.
Pipeline Wall Thickness	0.406" W.T. (Line Pipe) / 0.500" W.T. (Crossing Pipe)
Yield Strength	65,000 psi (X-52 Grade)
Total Pipeline Length	2.10 miles
Total Pipeline Length in Adams County	2.10 miles
Total Parcel / Tract Count In Adams County	Four (4)

1.2.2 CRUDE OIL PIPELINE

The crude oil pipeline will be constructed of 8.625" O.D. x 0.219" W.T., X-52, API 5L, PSL2 or comparable line pipe coated with 12-14 mils of fusion bond epoxy for external corrosion protection. All state highway, railroad, city and county road, and other crossings will be crossed either by bore or horizontal directional drill ("HDD"), thereby avoiding surface impacts in these areas, utilizing 8.625" O.D. x 0.322" W.T., X-52, API 5L, PSL2 or comparable crossing pipe coated with 12-14 mils of fusion bond epoxy plus an additional 24-30 mils of abrasive resistant overlay coating.

BOARDWALK PIPELINE PROJECT – PHASE II
IVEY WEST TO BRIGHTON WEST INTERCONNECT

DISCOVERY DJ SERVICES, LLC
APPLICATION FOR CONDITIONAL USE PERMIT

Although the crude oil pipeline does not fall under the jurisdiction of the Code of Federal Regulations (“CFR”), the pipeline will be designed and constructed to meet the requirements of CFR Part 195 “Transportation of Hazardous Liquids by Pipeline”. In general, under the CFR, Discovery is required to construct the pipeline at a depth of 36 inches below ground level. As an additional recognized safety precaution, Discovery will bury the pipeline a minimum of 48 inches below grade. At all county and / or public roads crossings, the pipeline will be buried a minimum of 60 inches below the bottom of the bar ditches (USDOT and Adams County Public Works Department requires a minimum of 36 inches). Discovery will comply with all requirements for construction in the E-470 corridor as well as the Nationwide Plan 12 permit for all waterway crossings, which allow waterways to be open cut or bored depending upon the condition of the waterway.

The crude oil pipeline will be designed to facilitate routine pigging operations as well as in-line inspection of the line as required in accordance with the CFR.

Table 1.2.2 below summarizes key information for the crude oil pipeline.

Table 1.2.2
Boardwalk Pipeline Project – Phase II
Ivey West to Brighton West Interconnect
Crude Oil Pipeline

Pipeline Diameter	8.625" O.D.
Pipeline Wall Thickness	0.219" W.T. (Line Pipe) / 0.322" W.T. (Crossing Pipe)
Yield Strength	52,000 psi (X-52 Grade)
Total Pipeline Length	2.10 miles
Total Pipeline Length in Adams County	2.10 miles
Total Parcel / Tract Count In Adams County	Four (4)

1.2.3 WATER PIPELINE

The water pipeline will be constructed of 12-Inch or smaller, DR11, PE4710, ASTM F2619 / API 5LE or comparable high density polyethylene pipe. All state highway, railroad, city and county road and other crossings will be crossed either by bore or horizontal directional drill (“HDD”), thereby avoiding surface impacts in these areas, utilizing 16.0" O.D. x 0.375" W.T., X-52, API 5L, PSL2 or comparable casing pipe.

The water pipeline will be buried a minimum for 48 inches below grade, with all county and / or public roads crossings, buried a minimum of 60 inches below the bottom of the bar ditches (USDOT and Adams County Public Works Department requires a minimum of 36 inches). Discovery will comply with all requirements for construction in the E-470 corridor as well as the Nationwide Plan 12 permit for all waterway crossings, which allow waterways to be open cut or bored depending upon the condition of the waterway.

Table 1.2.3 at below summarizes key information for the water pipeline.

Table 1.2.3
Boardwalk Pipeline Project – Phase II
Ivey West to Brighton West Interconnect
Water Pipeline

Pipeline Diameter	12.75" O.D. or Smaller
DR Rating	DR-11
Total Pipeline Length	2.10 miles
Total Pipeline Length in Adams County	2.10 miles
Total Parcel / Tract Count In Adams County	Four (4)

1.2.4 BRIGHTON WEST INTERCONNECT FACILITY

The Brighton West Interconnect Facility will incorporate the following:

- ❖ One (1) 20-Inch or Smaller, ANSI 600 Natural Gas Pig Receiver;
- ❖ One (1) 16-Inch, ANSI 600 Natural Gas Pig Receiver;
- ❖ One (1) 20-Inch or Smaller, ANSI 600 Natural Gas Pig Launcher; and
- ❖ One (1) 8-Inch, ANSI 600 Crude Oil Pig Receiver

Figure 1.2.4 below provide a picture of a typical pig launcher / pig receiver.



Figure 1.2.4 – Typical Pipeline Pig Receiver / Pig Launcher

The overall site will be approximately 75 ft. wide x 100 ft. long, or approximately 0.17-acres and will be enclosed with a 6-foot tall chain link fence plus 2-foot outrigger and 3-strands of barbed wire. Ingress / egress to the site will require a permit for a new access road off Riverdale Road.

1.3 DESCRIPTION OF PREFERRED PIPELINE ROUTE

The proposed route for the natural gas gathering trunkline, crude oil pipeline, and water pipeline crosses unincorporated Adams County, the City of Thornton, and within the E-470 multi-use easement. As outlined in Figure 1.3 on the following page, the pipelines originate at Ward Petroleum's proposed Ivey West Well Pad located in the SWSE of Section 11, Township 1S, Range 68W, approximately 1,500 ft. northwest of the intersection of E. 152nd Avenue and York Street and travels approximately 2.10 miles in a general southeast direction along the E-470 corridor before turning north and crossing the E-470 tollway to the proposed Brighton West Interconnect Facility.

BOARDWALK PIPELINE PROJECT – PHASE II
IVEY WEST TO BRIGHTON WEST INTERCONNECT

DISCOVERY DJ SERVICES, LLC
APPLICATION FOR CONDITIONAL USE PERMIT

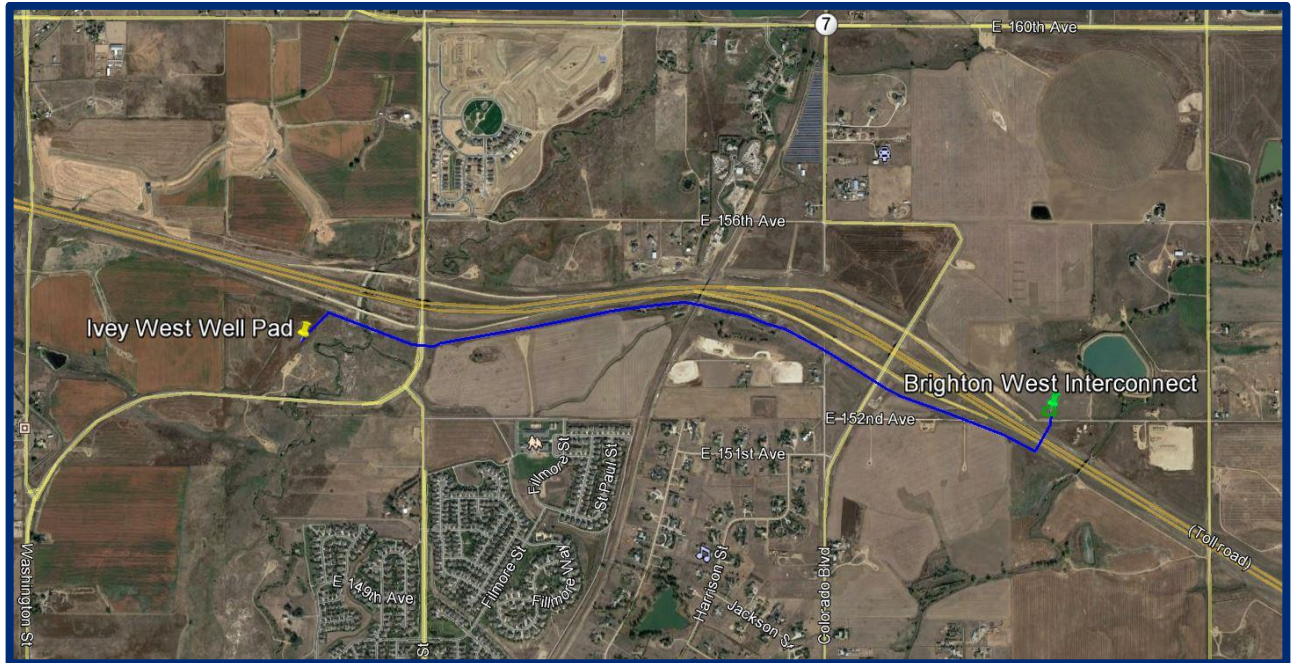


Figure 1.3 – Preferred Pipeline Route, Adams County

A total of seven (7) crossings, including irrigation canals, city and county roads, railroads, and the E-470 tollway are required. Table 1.3a below summarizes the Adams County road crossings required along the preferred route, while Table 1.3b below outlines a list of other featured crossings along the preferred route.

Table 1.3a Boardwalk Pipeline Project – Phase II Ivey West to Brighton West Interconnect Adams County Road Crossings			
No.	Road Crossed	Nearest Intersection	Distance to Intersection (Approximate)
1	E. 152 nd Avenue	E. 152 nd Avenue & York Street	600 ft.
2	Colorado Blvd.	E. 152 nd Avenue & Colorado Blvd.	550 ft.
3	E. 152 nd Avenue	E. 152 nd Avenue & Holly Street	2,100 ft.

Table 1.3b Boardwalk Pipeline Project Brighton West Interconnect to Riverdale Tie-In Adams County Non-County Road & Other Feature Crossings			
No.	Type of Feature	Name / Description	Approximate Crossing Location
1	Creek / Stream	Big Dry Creek	39°58'30.87"N, 104°57'43.63"W
2	Ditch / Canal	German Ditch	39°58'34.32"N, 104°56'47.82"W
3	Railroad	Union Pacific Railroad	39°58'34.05"N, 104°56'46.72"W
4	Toll Road	E-470 Tollway	39°58'16.14"N, 104°55'47.92"W

**Table 3.2.2
Project Alternatives
Route Lengths & Land Affected, Adams County**

Routes	Acres of Land Affected (Based on 75' wide area of disturbance)	Total Pipeline Length (miles)	No. Road Crossings
Alternative 1	19.1 acres	2.10	3
Alternative 2	20.7 acres	2.28	5
Preferred	19.1 acres	2.10	4

3.2.2.1 ALTERNATIVE ROUTE #1

Alternative #1 is routed to the north side of the E-470 corridor and is approximately the same length as the preferred route with the same originating point, in the SWSE of Section 11, Township 1S, Range 68W, approximately 1,500 ft. northwest of the intersection of E. 152nd Avenue and York Street and crosses the E-470 tollway to the north before turning southeast and in general following the E-470 tollway to the Brighton West Interconnect site located 2,100 feet west of the intersection of E. 152nd Avenue and Holly Street. This Alternative would incorporate a comparable area of disturbance of approximately 2.10 miles long and 75 ft. wide, or approximately 19.1 acres, with a permanent easement 2.10 miles long and 30 feet wide outside of the E-470 multi-use easement / 10 feet wide inside the E-470 multi-use easement, or approximately 3.1 acres, and would follow the E-470 multi-use easement along the northern side of the E-470 corridor for a majority of the alignment.

3.2.2.2 ALTERNATIVE ROUTE #2

Alternative #2 is routed south of the E-470 corridor and is approximately 2.28 miles in total length with the same originating point, in the SWSE of Section 11, Township 1S, Range 68W, approximately 1,500 ft. northwest of the intersection of E. 152nd Avenue and York Street and crosses the E-470 tollway approximately 2,500 ft. east of the intersection of Colorado Blvd & E. 152nd Avenue. This Alternative would incorporate an area of disturbance of approximately 2.28 miles long and 75 feet wide, or approximately 20.7 acres, with a permanent easement of 2.28 miles long and 30 feet wide, or approximately 8.3 acres. While this Alternative would avoid construction within the E-470 multi-use easement, providing a higher degree of safety for construction of the pipelines; it would have a greater impact on the landowners, in many cases bisecting portions of the properties crossed, would have a greater degree of surface disturbance, and avoids the intended use of the E-470 multi-use corridor.

3.2.2.3 AIR QUALITY ALTERNATIVES

The short-term emission sources impacting air quality would be the same for both alternatives and the preferred route and would include construction equipment, typically diesel driven, and traffic on the roadways and right-of-way. Both Alternative #1 and Alternative #2 are in the same air shed as the preferred route. Both Alternative routes would be expected to have a comparable construction duration. As a result, both Alternatives #1 and #2 would be expected to have an equal if not greater impacts to the overall air quality.

Construction for either Alternative or the preferred route is anticipated to occur in mid-2017 summer months based upon the anticipated receipt of the required permits. Discovery will plan to utilize water suppression to reduce the amount of dust generated during construction, as necessary.

3.2.2.4 PREFERRED ROUTE

The preferred route for the natural gas, crude oil, and water pipelines crosses the City of Thornton and unincorporated Adams County. As outlined in Figure 3.2.2 above, the pipelines would originate at Ward Petroleum's Ivey West well pad located in the SWSE of Section 11, Township 1S, Range 68W, approximately 1,500 ft. northwest of the intersection of E. 152nd Avenue and York Street and travels in a general southeasterly direction through agricultural fields and along the E-470 multi-use easement to a point approximately 2,500 feet east of the intersection of Colorado Blvd and E. 152nd Avenue, where the pipelines turn north crossing the E-470 Tollway to the proposed Brighton West Interconnect Facility.

The preferred route would incorporate an area of disturbance of approximately 2.10 miles long and 75 feet wide, or approximately 19.1 acres, with a permanent easement of 2.10 miles long and 30 feet wide outside of the E-470 multi-use easement / 10 feet wide inside the E-470 multi-use easement, or approximately 3.1 acres.

3.2.2.5 PREFERRED ROUTE CONSIDERATIONS & REASONING

The preferred route was selected to mitigate the impacts to local residential neighborhoods; conform with the comprehensive plans for the City of Thornton, E-470, and Adams County; minimize impacts to the environment; and to the greatest degree possible, the preferences of local city and county landowners. The preferred route is primarily located within the E-470 multi-use easement along the south side of the E-470 corridor, and within lands zoned for agricultural use. Discovery has contacted E-470 and is working with them to acquire the applicable easement within their multi-use easement, in addition to working with the City of Thornton for portions of the alignment within city limits.

In areas zoned as agricultural, Discovery worked with each respective landowner to develop the preferred alignment to mitigate impacts to actively cultivated fields and productive areas, along with landowner considerations and preferences.

In addition to zoning and landowner considerations, numerous other factors were included in the decision process for the selection of the preferred route. Discovery has reviewed and considered the Adams County and City of Thornton Comprehensive Plans as well as the Adams County Transportation Plan in selection of the preferred route.

The preferred route does cross Big Dry Creek, German Ditch, and the E-470 tollway. Discovery will plan to cross each of these locations via horizontal direction drill, in accordance with the applicable ditch and E-470 company requirements. Permit applications for these crossings are being prepared and will be submitted in the next few weeks, following completion of field survey along the route. Copies of these permits will be provided to Adams County upon receipt, and prior to construction.

3.2.3 PROJECT DESIGN, PERMITTING, CONSTRUCTION & OPERATIONS SCHEDULE

The acquisition of land and right-of-way, engineering and design, procurement of equipment and materials, and the selection of the applicable contractor(s) for the project will occur concurrently with the acquisition of the respective local, state, and federal permits required. This shall include, but not be limited to:

- ❖ Finalizing landowner agreements and the acquisition of the applicable permanent and temporary construction easements and required temporary work space from individual landowners. This is currently underway in both the City of Thornton and Adams County;
- ❖ Perform the applicable geotechnical investigations for engineering and design of the E-470 Tollway crossing. This work is currently underway.
- ❖ Acquire the applicable local, state, and federal permits required for the project, including but not limited to, the applicable E-470, and German Ditch Company crossing permits; stormwater

P:\Discovery Midstream\17008 - Discovery Phase II\Permitting Support\CAD\MAPS\ROUTE MAPS\17008-M-1050.dwg Jeremy Williams 4/24/2017 4:36:11 PM

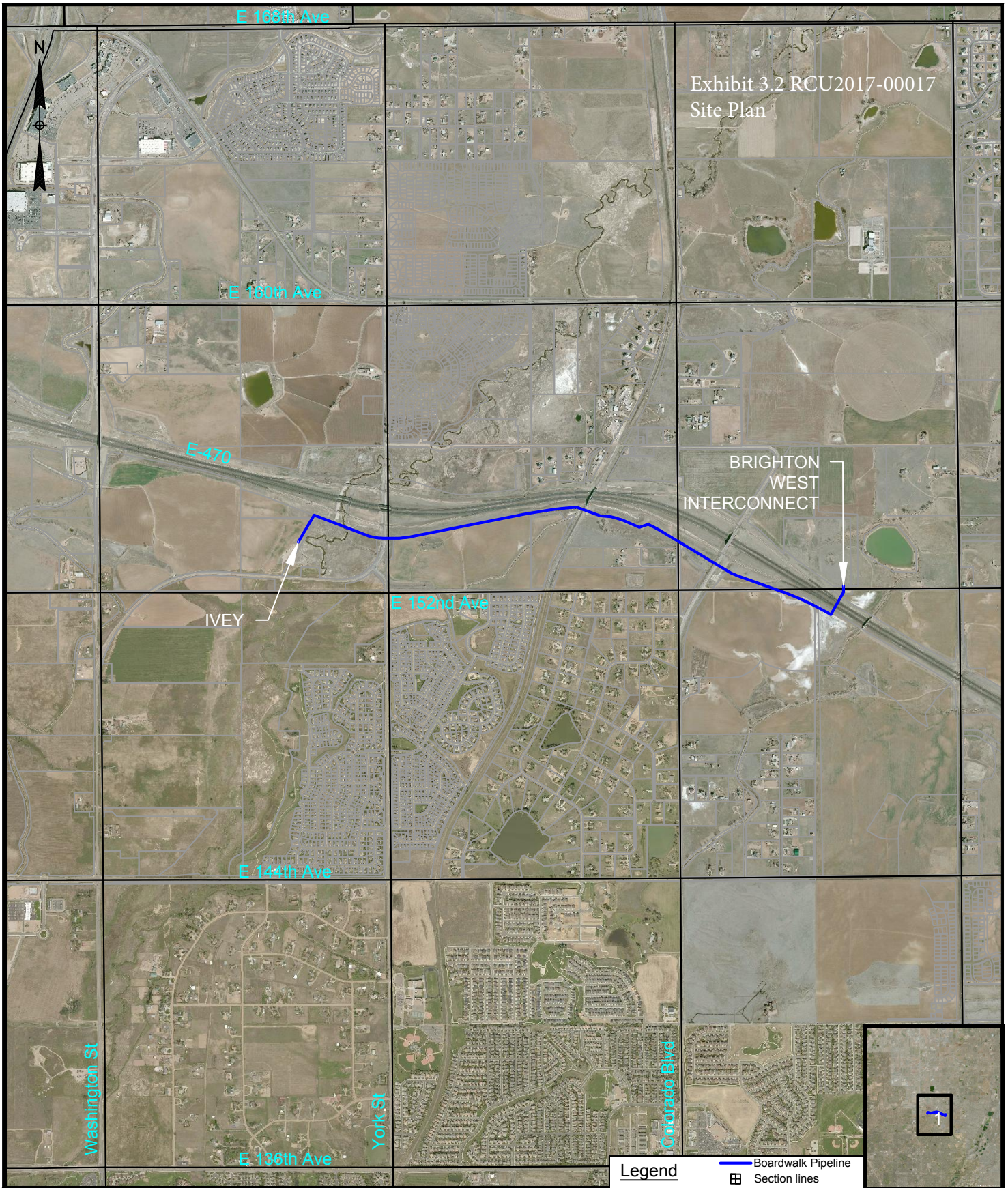


Exhibit 3.2 RCU2017-00017
Site Plan

Legend

- Boardwalk Pipeline
- Section lines

DISCOVERY

BOARDWALK PIPELINE PROJECT - PHASE II
IVEY TO BRIGHTON WEST INTERCONNECT PREFERRED
MAP 1 OF 1
ADAMS COUNTY, CO

DRAWN: CHECKED: APPROVED: DATE: SCALE: 1:2400

ZION ENGINEERING, LLC

DWG NO.
17008-M-1050

REV.
A

REV.	DESCRIPTION	BY	DATE	CHKD	CHKD
A	Issued w/ Permit Application	JTW	04/24/17	CC	ALS

Community & Economic
Development Department
www.adcogov.org



4430 South Adams County Parkway
1st Floor, Suite W2000
Brighton, CO 80601-8204
PHONE 720.523.6800
FAX 720.523.6998

Development Review Team Comments

Date: 5/24/2017

Project Number: RCU2017-00017

Project Name: DISCOVERY BOARDWALK PIPELINE PHASE II Segment 1

Note to Applicant:

The following review comments and information from the Development Review Team is based on submitted documents only. For submission of revisions to applications, a cover letter addressing each staff review comments must be provided. The cover letter must include the following information: restate each comment that require a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff. Please contact the case manager if you have any questions.

Commenting Division: Building Review

Name of Reviewer: Justin Blair

Date: 04/26/2017

Email: jblair@adcogov.org

No Comment

Commenting Division: Engineering Review

Name of Reviewer: Greg Labrie

Date: 05/24/2017

Email: glabrie@adcogov.org

Complete

ENG1: Any crossing of Adams County road Right-of-Way must be done perpendicular to the roadway and be constructed through boring.

Commenting Division: Parks Review

Name of Reviewer: Aaron Clark

Date: 05/12/2017

Email: aclark@adcogov.org

No Comment

Commenting Division: Planner Review

Name of Reviewer: Chris LaRue

Date: 05/23/2017

Email: clarue@adcogov.org

Resubmittal Required

PLN1. Provide an update on the status of other Federal, State, and local permit requirements (chart form is preferred). If you have obtained any permits please provide copies.

PLN2. Prepare a Development Agreement that outlines the requirements regarding the pre-construction, construction, post-construction, and maintenance requirements of the Project (an example was previously provided). We have not yet received a draft of the required development agreement to review. This needs to be completed.

PLN3. Provide updated status information regarding securing permissions from private property owners where the infrastructure will traverse/impact.

PLN4. Please provide an analysis with the County's Comprehensive Plan as it relates to the project and the potential for future uses. It is important to ensure the anticipated future uses along the project will not be compromised. The following designations are impacted or are in close proximity to the project:

- Mixed Use Neighborhood
- Parks and Open Space
- Residential
- Commercial
- Activity Center
- Mixed Use Neighborhood
- Estate Residential

PLN5. Adequate landscaping/screening shall be installed where areas can be seen from the public right-of-way or any other sensitive area (residential). There are concerns with the visual impact the Brighton West Interconnect facility would have on the area. Can you provide details on how this facility will look at the ground level? Also, it appears this is the only above ground facility. Please confirm? It does not appear you provided a landscaping and screening plan for any aspect of the above ground facilities. Also, what noise mitigation measures would be necessary? Please provide more information.

PLN6. Please take into account future growth areas for cities and provide an analysis of this topic. See the comments from the City of Thornton.

PLN7. What is the status of the pipeline within the City of Thornton? Please provide a comprehensive outline of the process within the City.

PLN8. What is the status of the pipeline within the E-470 MUE?

PLN9. Please see the attached parcel map for unincorporated Adams County. Please confirm whether or not the pipelines lie within the MUE or private property for the unincorporated parcels. If the entire line is not within the MUE please explain why this option was not chosen.

PLN10. Please provide shape files for the proposed and alternative routes.

Commenting Division: ROW Review

Name of Reviewer: Marissa Hillje

Date: 05/02/2017

Email: mhillje@adcogov.org

Complete

ROW1: Pipelines should be located in easements on private property

ROW2: Said easements should be placed outside of the ultimate Right-of-ways of County roads as delineated by the Adams County Transportation Plan, approved 2012.

ROW3: Crossings of County roads should be as near as possible to right angles and County Engineering staff should have opportunity to review.

ROW4: Permits to construct in the Right-of-way should be secured for constructing crossings of County roadways

From: [Loeffler - CDOT, Steven](#)
To: [Chris LaRue](#)
Subject: RCU2017-00017, Discovery Phase II
Date: Thursday, May 18, 2017 1:00:53 PM

Chris,

I have reviewed the request for CUP to allow pipeline installations from the Ward Petroleum's Ivey West Well Pad to the Brighton West Interconnect Facility and have no objections. It appears from the map provided that there will be no impact to any State Highways.

Thank you for the opportunity to review this referral.

Steve Loeffler
Permits Unit



P 303.757.9891 | F 303.757.9886
2000 S Holly Street, Denver, CO 80222
steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org

From: [Marisa Dale](#)
To: [Chris LaRue](#)
Subject: Case No: RCU2017-00017
Date: Tuesday, May 09, 2017 9:45:23 AM

Hi Christopher,

Thank you for allowing United Power, Inc. to review and comment on this referral.

United Power, Inc. has no objection to the Conditional Use Permit.

Thank you,
Marisa

Marisa Dale, RWA | [Engineering & Rates ROW](#)
500 Cooperative Way, Brighton, CO 80603 | O 303.637.1387 | C 720.334.5282

Schedule: M-Th 7:00-4:30, F 7:00-3:30
Out of the office: May 4, 5 & 19, June 2, 16 & 30





May 10, 2017

Christopher C. LaRue
Senior Planner, Adams County Colorado
4430 South Adams County Parkway, W2000A
Brighton, CO 80601
clarue@adcogov.org

Sent via electronic mail

Subject: RCU2017-00017 Discovery Boardwalk Phase II Request for Comments

Dear Mr. LaRue:

Union Pacific Railroad Company ("Union Pacific") notes that the project referenced above contemplates installation of a natural gas pipeline, a crude oil pipeline, a water pipeline, and other associated appurtenances that may parallel and/or cross operating railroad tracks at a number of locations. Specifically, the proposed Discovery Boardwalk Pipeline Project (the "Project") appears to cross the Boulder Subdivision, upon which the Union Pacific currently operates, at approximately Mile Post 12.6.

By this letter, the Union Pacific objects to the Project unless railroad engineering standards and requirements are met and a terminable license agreement is executed by and between Discovery DJ Services, LLC and the current owner of the Boulder Subdivision, the Regional Transportation District ("RTD").

Safety is the primary driver for Union Pacific's objection. There is an inherent possibility that a railroad accident may result in a hazardous material release by a pipeline with adverse consequences to the safety of the public. Further, pipelines are prone to leaks, accidents, and other incidents resulting in the release of hazardous materials or other property damage. The required engineering standards and specifications of all proposed facilities are designed by railroads like Union Pacific and RTD to meet or exceed regulatory requirements, to reduce the probability of an accident, and to minimize the consequences of such an accident should one occur. As Union Pacific currently operates on RTD rails, it has an express interest that railroad engineering standards be followed for public safety purposes.

By this letter, Union Pacific requests Discovery DJ Services, LLC to abide by the conditions presented above. If its representatives have any questions, please encourage them to reach out to me. Union Pacific reserves its rights to present comments on the proposal and to seek any legal, administrative, and other remedies that may be necessary.

Cordially,



Renay J. Robison

Director - Real Estate

UNION PACIFIC RAILROAD

1400 Douglas Street, Stop 1690

Omaha, Nebraska 68179-1690

P: 402-544-8658 E: rjrobison@up.com



Right of Way & Permits
1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

May 5, 2017

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Chris LaRue

Re: Discovery Boardwalk Pipeline Project, Case # RCU2017-00017

Public Service Company of Colorado's Right of Way & Permits Referral Desk has reviewed the conditional use permit documentation for **Discovery Boardwalk Pipeline Project** and has **no apparent conflict**.

If you have any questions about this referral response, please contact me at (303) 571-3306.

Donna George
Contract Right of Way Referral Processor
Public Service Company of Colorado

From: [Chris Roberts](#)
To: [Andy Siegfried](#); [Lito White](#); [Manya Miller](#)
Subject: Fwd: Informational letter
Date: Thursday, August 10, 2017 4:24:30 PM

All,

All,

See below for a email from E-470 reiterating both parties communications and cooperation throughout our process of obtaining our Permit to Occupy from E-470.

Andy- Have you heard anything from Chris LaRue regarding the Riverdale tie-in site on the Adams County parcel?

To Whom it May Concern,

E-470 Public Highway Authority has been in continuous communication with Discovery DJ Services for the surveying, geotechnical investigation and design of Discovery's pipelines within E-470's right-of-way and multi-use easement since 2016.

The coordination efforts for all required permitting items to satisfy any permitting requirements has been on going and has been satisfied at each level of permitting. The Authority has kept its Board Members apprised of the proposed project. Discovery has been diligent in addressing any issues to satisfy the Authority's engineering and permitting review teams request. The Authority will continue to coordinate with Discovery DJ Services through Permit issuance for the install of the pipelines within E-470 right-of-way and multi-use easements.

If you have any questions, please feel free to contact Chuck Weiss, Engineering Manager ([303-537-3420](tel:303-537-3420) or cweiss@e-470.com) or Justine Brown, Permit Supervisor ([303.537.3751](tel:303.537.3751) or jbrown@e-470.com).

Chuck Weiss, PE, CFM

Engineering Manager



E-470 Public Highway Authority

22470 E. 6th Pkwy, Suite 100 | Aurora, CO 80018

(O) [303.537.3420](tel:303.537.3420) | (C) [303.242.1408](tel:303.242.1408)

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From: [Dave Ellison](#)
To: [Chris LaRue](#); [Robb Kolstad](#)
Cc: [Eva Henry](#); [Chaz Tedesco](#); [Steve O'Dorisio](#); [Mary Hodge](#); [Erik Hansen](#); [Heidi Williams](#); [Eric Montoya](#); [Jacque Phillips](#); [Mack Goodman](#); [Val Vigil](#); [Janifer Kulmann](#); [Josh Zyguelbaum](#); [Adam Matkowsky](#); [Sam Nizam](#); [Sara Loflin](#); [Jennifer Gamble](#); [Suzanne Cabral](#); [Jacky Kowalsky](#)
Subject: Request for Comments - Discovery Phase II - RCU2017-00017 - May 3, 2017 - Adams County
Date: Wednesday, May 17, 2017 11:22:42 AM
Attachments: [PastedGraphic-1.pdf](#)

Requested comments for the Discovery Phase II – RCU2017-00017 (May 3, 2017 Letter from Adams County) Conditional Use Permit allowing natural gas pipeline, a crude oil pipeline, and water pipeline, & associated appurtenances. By: Samuel David Ellison, P.E., ENV-SP – 15073 Saint Paul St., Thornton, CO 80602 – May 17, 2017

Comment Summary

I strongly endorse this requested Conditional Use Permit (CUP) because it offers pathways/solutions toward satisfying critical concerns with Ward Petroleum's proposed Ivey Site as permitted by the COGCC. I have briefly summarized requested mitigation measures conveyed to the County in January 2017 and have tied these measures to the proposed pipeline CUP.

I encourage the County to approve this CUP without any economic feasibility loophole offers to the petroleum industry on the basis of recent (after January 2017) events as noted below. All permitting documentation should be signed and validated for future accountability purposes.

Mitigation of Health Concerns

The Ivey Site is located on the valley floor of Big Dry Creek and is subject to frequent air inversions. Off gasses from both fracking and production phases do have documented, negative health impacts on people living in close proximity to oil and gas sites. The combination of air inversions and the proposed Ivey Site is a serious threat to the surrounding urban residences (8,000 people) without this triple pipeline solution in place.

Mitigation of Safety Concerns

There are serious heavy truck transportation safety concerns because of surrounding urban areas and major school locations. Further, the York St. Bridge crossing Big Dry Creek is in need of serious repair and is very narrow in it's current, un-repaired state. A head-on collision causing one fatality this year has already been experienced on this bridge. The triple pipeline solution will certainly help reduce heavy truck trips during the long-term production phase by eliminating the transport traffic. However, during the development/fracking phase, all truck traffic should be limited to E470 per our request in January 2017.

A 500-year flood event should be used for any infrastructure installation due to the impacts of climate change and flooding events of Big Dry Creek during future, severe storm events.

Mitigation of Quality of Life Concerns

The triple pipeline solution will significantly reduce the quality of life issues caused by the initially proposed, very large industrial tank and combustor complex by Ward Petroleum. The triple pipeline solution will help protect the functionality of The City of Thornton's Open Space immediately east of the proposed Ivey Site by eliminating tankage, combustor, and heat-treatment infrastructures.

Two Recent Events That Further Amplify The Need For Mitigation Actions That Protect Urban

Citizens' Health, Safety, and Quality of Life Needs Relative To Oil and Gas Fracking/Mineral Mining.

1. CDPHE February 21, 2017 Assessment of Potential Public Effects from Oil and Gas Operations in Colorado

This CDPHE report introduced on February 21, 2017 at the Broomfield County Public Meeting by Dr. Mike Van Dyke is responding to a recommendation made in the Governors' Oil and Gas Taskforce Report issued to the COGCC in February 2015. The overall theme of the CDPHE report is: "Exposure and health effects studies do not indicate the need for immediate public health actions . . . " While this conclusion is politically friendly to the Oil and Gas Industry, the CDPHE report is simply **flawed** and **very misleading!** Here is why:

First, the CDPHE report is **flawed** because it is based on people living 500 feet or more from oil and gas operations. Presumably this is the "minimum safe distance" as defined by the COGCC and it turns out all of the 62 chemical substances researched by CDPHE are indeed safe at that distance. So, what about the thousands of Coloradans that live much closer to either old or new oil and gas operations - particularly around the urban populations of north Denver, Longmont, Boulder, Greeley, Loveland and Fort Collins? The real answer is they are or could be in serious jeopardy regarding health impacts of oil and gas operations. Moreover, the air inversions common in the Big Dry Creek Valley could frequently put 8,000 people in very close contact with hazardous volatile organic compounds and the CDPHE findings do not address this reality.

Second, serious health impacts (a four-fold increase of both asthma exacerbations requiring hospitalization and also childhood leukemia) have been identified for people living close to oil and gas operations versus people living away from these operations. These important, recent findings appear to have been down-graded by the CDPHE and I believe this is **very misleading** based on my April 5, 2017 meeting with Dr. Van Dyke and Dr. McMullin of CDPHE (the primary authors of the February 21, 2017 report). These two recent studies (referenced below) essentially overturn the CDPHE Report Primary Conclusions. There is an urgent need to address these human health effects and there is no time to wait given the current accelerations in Colorado urban fracking and mineral mining.

CDPHE February 21, 2017 Report – "References" – Page 24

#16. Rasmussen SG, Ogurn EL, McCormack M. Casey JA, Bandeen-Roche K, Mercer DG, Schwartz BS. Association Between Unconventional Natural Gas Development in the Marcellus Shale and Asthma Exacerbations. JAMA Intern Med. 2016.

#20. McKenzie LM, Allshouse WB, Byers TE, Bedrick EJ, Serdar B, Adgate JL. Childhood hematologic cancer and residential proximate to oil and gas development. PLoS ONE. 2017

2. April 17, 2017 – Fatal Home Explosion in Firestone Caused by Natural Gas Leak in Severed O&G Pipeline

This horrific tragedy sharply punctuates our collective need to clearly define responsibilities, authorities, and appropriate actions that hold the principles of human health, safety, and quality of life values AND Nature's way of doing business on the planet much higher than any other priorities including Oil and Gas enterprise needs for economic feasible, etc., etc., etc.

Governor Hickenlooper put it this way: "Never Again" which translates to a "zero tolerance" mandate that will require collaboration from everyone to achieve this extremely important goal.

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Anadarko Well Caused April 17, 2017 Fatal Firestone, CO House Explosion & Fire



From: [Mary Szullo](#)
To: [Chris LaRue](#)
Subject: Discovery Phase II Case Number RCU2017-0017
Date: Tuesday, May 16, 2017 7:06:16 PM

We are in favor of the conditional use permit to allow a natural gas pipeline a crude oil pipeline, a water pipeline an associated appurtenances from Ward Petroleum's Ivey West Well Pad to the Brighton West Interconnect Facility located approximately 2100 feet west from the intersection of E. 152nd Ave & Holly St.

Attila Szullo & Mary K Szullo
2939 E 151nd PI
Thornton, CO 80602-7948

CERTIFICATE OF POSTING



I, Christopher C. La Rue do hereby certify that I had the properties posted for

The Discovery Boardwalk Pipeline Project

on September 11, 2017

in accordance with the requirements of the Adams County Zoning Regulations

Christopher C. La Rue

Christopher C. La Rue

Community & Economic
Development Department
Development Services Division
www.adcogov.org



4430 South Adams County Parkway
1st Floor, Suite W2000B
Brighton, CO 80601-8218
PHONE 720.523.6800
FAX 720.523.6967

Public Hearing Notification

Case Name:	Discovery Boardwalk Pipeline Project
Case Numbers:	RCU2017-00011, RCU2017-00017, & RCU2017-00019
Planning Commission Hearing Date:	09/28/2017 at 6:00 p.m.
Board of County Commissioners Hearing Date:	10/17/2017 at 9:30 a.m.

September 5, 2017

A public hearing has been set by the Adams County Planning Commission and the Board of County Commissioners to consider the following request:

Request for a Conditional Use Permit to allow a natural gas pipeline, a crude oil pipeline, a water pipeline, & associated appurtenances.

This request is located at: multiple parcels

The Assessor's Parcel Numbers are: 0157107400001, 0157118200004, 0157121000016, 0157122000001, 0157122102035, 0157122103001, 0157122103003, 0157107300002, 0157107400001, 0157118200002, 0157118200004, 0157121000016, 0157311000009, 0157311400002, 0157311400006, 0157312000013, 0157312000026, 0157312300001, 0157104200003, 0157104300002, 0157107000001, 0157107000002, 0157107000014, 0157107000016, 0157107000023, 0157107400001, 0157108000001, 0157108000004, 0157108200002, 0157109202001

Applicant Information: Discovery Midstream
COREY G JORDAN
7859 WALNUT HILL LANE, STE 335
DALLAS, CO 75230

The hearing will be held in the Adams County Hearing Room located at 4430 South Adams County Parkway, Brighton CO 80601-8216. This will be a public hearing and any interested parties may attend and be heard. The Applicant and Representative's presence at these hearings is requested. If you require any special accommodations (e.g., wheelchair accessibility, an interpreter for the hearing impaired, etc.) please contact the Adams County Community and Economic Development Department at (720) 523-6800 (or if this is a long distance call, please use the County's toll free telephone number at 1-800-824-7842) prior to the meeting date.

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Erik Hansen
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5

For further information regarding this case, please contact the Department of Community and Economic Development, 4430 S Adams County Parkway, Brighton, CO 80601, 720-523-6800. This is also the location where maps and/or text certified by the Planning Commission may be viewed. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Christopher C. LaRue
Senior Planner

Community & Economic
Development Department
www.adcogov.org



4430 South Adams County Parkway
1st Floor, Suite W2000B
Brighton, CO 80601-8218
PHONE 720.523.6800
FAX 720.523.6967

Request for Comments

Case Name:	DISCOVERY PHASE II
Case Number:	RCU2017-00017

May 3, 2017

Adams County Planning Commission is requesting comments on the following request:

Conditional Use Permit to allow a natural gas pipeline, a crude oil pipeline, a water pipeline, & associated appurtenances from Ward Petroleum's Ivey West Well Pad to the Brighton West Interconnect Facility located approximately 2,100 feet west from the intersection of E. 152nd Avenue and Holly Street.

This request is located at: See Map

The Assessor's Parcel Number are: 0157107300002, 0157107400001, 0157118200002,
0157118200004, 0157121000016, 0157311000009,
0157311400002, 0157311400006, 0157312000013,
0157312000026, 0157312300001

Applicant Information: CORY G. JORDAN
7859 WALNUT HILL LANE
SUITE 75230
DALLAS, TX 75230

Please forward any written comments on this application to the Department of Community and Economic Development at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 (720) 523-6800 by 05/24/2017 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to CLaRue@adcogov.org. Once comments have been received and the staff report written, the staff report and notice of public hearing dates will be forwarded to you for your information. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Christopher C. LaRue
Senior Planner

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Erik Hansen
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5

**PROOF OF PUBLICATION
BRIGHTON STANDARD BLADE
ADAMS COUNTY
STATE OF COLORADO**

I, Beth Potter, do solemnly swear that I am the Publisher of the **Brighton Standard Blade** the same is a weekly newspaper printed and published in the County of Adams, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said county of Adams for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado. That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period of **ONE consecutive insertion(s)** and that the first publication of said notice was in the issue of newspaper, dated **13th day of September 2017** the last on the **13th day of September 2017**



Publisher, Subscribed and sworn before me,
this **13th day of September, 2017**



Notary Public.

**DAVID S. ERRAMOUSPE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20154027149
MY COMMISSION EXPIRES 7/10/2019**

PUBLIC HEARING

**BOARDWALK PIPELINE
PROJECT - PHASE II**

Case Numbers: RCU2017-00011,
RCU2017-00017, & RCU2017-
00019

**Planning Commission Hearing
Date:** 09/28/2017 at 6:00 p.m.

**Board of County Commissioners
Hearing Date:** 10/17/2017 at 9:30
a.m.

Request: Request for a Condition-
al Use Permit to allow a natural gas
pipeline, a crude oil pipeline, a water
pipeline, & associated appurtenanc-
es.

Location: Multiple Parcels in Ad-
ams County

Parcel Numbers:

0157107400001,	0157118200004,
0157121000016,	0157122000001,
0157122102035,	0157122103001,
0157122103003,	0157107300002,
0157107400001,	0157118200002,
0157118200004,	0157121000016,
0157311000009,	0157311400002,
0157311400006,	0157312000013,
0157312000026,	0157312300001,
0157104200003,	0157104300002,
0157107000001,	0157107000002,
0157107000014,	0157107000016,
0157107000023,	0157107400001,
0157108000001,	0157108000004,
0157108200002,	0157109202001

Case Manager: Chris LaRue

Case Technician: Shayla Christen-
son

Applicant: Discovery Midstream
CORY JORDAN
7859 Walnut Hill Lane STE 335
DALLAS, TX 75230

Owner: Discovery Midstream
CORY JORDAN
7859 Walnut Hill Lane STE 335
DALLAS, TX 75230

Legal Description:
Legal Start, Mid, and End Points
within Adams County:

Beginning:
SECT,TWN,RNG:11-1-68 DESC:
S2 SE4 EXC RD AND EXC HIWAY
AND EXC PARC (2009000014855)
AND EXC PARC (2016000001353)
31/769A

Midpoint:SECT,TWN,RNG:7-1-67
DESC: E-470 REMNANT PARC
RE-223 RT DESC AS BEG AT THE
S4 OF SD SEC 7 TH N 002 27M
38S W 30 FT TH N 89D 55M 36S E
374/24 FT TO THE TRUE POB TH
N 54D 00M 00S W 840/59 FT TO A
PT OF CURVATURE TH NWLY ALG
THE ARC OF A CURV TO THE RT
WHOSE CENT BRS N 36D 00M 00S
E 2699/79 FT THRU A CENT ANG
OF 07D 25M 57S AN ARC LNTH
OF 350/23 FT WHOSE CHD BRS
N 50D 17M 01S W 349/98 FT TH
N 00D 28M 09S W 566/79 FT TH N
89D 53M 30S E 1151/68 FT TH S
00D 28M 09S E 1286/44 FT TH S
89D 55M 36S W 208/31 FT TO THE

Exhibit 6.4

TRUE POB 26/4570A

Endings:
SUB:HAWK RIDGE SUBDIVISION
DESC: OUTLOT B

SECT,TWN,RNG:4-1-67 DESC: BEG
AT NE COR NW4 NW4 SEC 4 TH S
TO PT ON N/S C/L SD NW4 569/5
FT FROM POB TH SWLY 809/2 FT
TO A PT TH S 8D 40M E 488/2 FT
TH S 57D 04M E 390 FT TH S 64D
11M E 291 FT TH SELY 60 FT TO
PT ON W LN SE4 NW4 660 FT N OF
SW COR SD SE4 NW4 TH E AND //
WITH E/W C/L 830 FT TH SWLY 800
FT TO PT ON E/W C/L 385 FT E OF
SW COR SE4 NW4 TH W ON E/W
C/L 1713/9 FT TO SW COR NW4 TH
N ON W LN SD SEC TO NW COR
TH E 1328/5 FT TO BEG EXC RESV
AND EXC RD AND EXC PARC
(2016000024298) 59/939 ACRES

Length in Adams County: 10.23 miles

Parcel/Tract Count in Adams County:
30

Published in the Brighton Standard
Blade September 13, 2017

#170134

Property owners

136TH AND YOSEMITE LLC 98/2986% INT
CARLSON NATHAN R 1.7014% INT
PO BOX 247
EASTLAKE CO 80614-0247

BARKER LAURENCE M/NELL A TRUSTEES OF THE
BARKER NELL A TRUST THE
15940 W 66TH PL
ARVADA CO 80007

152ND AND WASHINGTON LLC
PO BOX 247
EASTLAKE CO 80614-0247

BARTLETT ROBERT W AND
BARTLETT DIANA M
15192 FILLMORE WAY
THORNTON CO 80602-7946

152ND AND YORK LLC
PO BOX 247
EASTLAKE CO 80614-0247

BEARD LUKE MICHAEL AND
BEARD PATRICIA
15275 COLORADO BLVD
BRIGHTON CO 80602-7815

ADAMS 12 FIVE STAR SCHOOLS
1500 E 128TH AVE
THORNTON CO 80241

BEARD RENDA M AND BEARD LUKE M
15085 FILLMORE WAY
THORNTON CO 80602-7944

ADAMS 12 FIVE STAR SCHOOLS AKA
ADAMS COUNTY SCHOOL DIST NO 12
1500 E 128TH AVE
DENVER CO 80241-2601

BENNETT ANNIE AND
BENNETT KRIS
15060 HARRISON ST
BRIGHTON CO 80602-7765

ANAYA PRISCILIANO AND
LABRADO LAURA
1761 ROWENA ST
THORNTON CO 80229-3676

BERRETH MARCIA A AND
BERRETH VERNON
14754 JACKSON ST
BRIGHTON CO 80602

ARELLANO JOSHUA T AND
ARELLANO CHELSEA
3126 E 152ND PL
BRIGHTON CO 80602-7716

BETTCHER RICHARD D AND KELLY J
3300 E 156TH AVE
BRIGHTON CO 80602

ARELLANO KEVIN AND
ARELLANO MELISSA
15088 ELIZABETH CT
THORNTON CO 80602-7700

BIAGGI ANDREW AND
BIAGGI KRISTA
15072 FILLMORE WAY
THORNTON CO 80602-7943

ARMIJO WILLIAM S AND
ARMIJO BRIAN CLAYE
2966 E 152ND PL
BRIGHTON CO 80602-7948

BIPPUS STOSH J AND PATTI A
15050 HARRISON ST
BRIGHTON CO 80602

AST BRANDON G AND
AST LAUREN K
15082 FILLMORE WAY
THORNTON CO 80602

BIRK ERIK L AND
BIRK EILEEN F
15062 ELIZABETH CT
THORNTON CO 80602

Property owners

BJD AND AMD LIVING TRUST
3069 E 152ND PL
THORNTON CO 80602-7949

CHESTNUT TOMMY JR/IRIS JUNE CO-TRUSTEES
OF THE TOMMY CHESTNUT FAMILY TRUST
14854 JACKSON ST
BRIGHTON CO 80602-7758

BOGGS REBECCA N
2583 E 150TH PL
THORNTON CO 80602-8811

CHOW MICHAEL C/CHOW SHU SHIA AND
CHOW ERIC H/CHOW ASHLY C
3654 E 151ST AVE
BRIGHTON CO 80602-7789

BOLTON PETER J AND
BOLTON BRENDA F
2907 E 151ST PLACE
THORNTON CO 80602

CITY OF THORNTON
9500 CIVIC CENTER DR
THORNTON CO 80229-4326

BOUCHER MATTHIEU
2493 E 150TH PL
THORNTON CO 80602-8810

CITY OF THORNTON
9500 CIVIC CENTER DR
THORNTON CO 80229

BRIGHTON FARM LLC
15600 HOLLY ST
BRIGHTON CO 80602-7911

CITY OF THORNTON
9500 CIVIC CENTER DR
DENVER CO 80229-4326

BUSCH AMY E
3129 E 152ND PL
BRIGHTON CO 80602-7950

CITY OF THORNTON
9500 CIVIC CENTER DRIVE
THORNTON CO 80229-4326

BUSHEY BRIAN E AND
BUSHEY HEATHER V
15092 FILLMORE WAY
THORNTON CO 80602

CLAPS DON L AND CYNTHIA K
3400 E 156TH AVE
BRIGHTON CO 80602

CARLSON BLAKE 25%/CARLSON SARA 25%
JUMPS BRIAN 25%/REED STEPHANIE 25%
10261 ARAPAHOE RD
LAFAYETTE CO 80026-9347

COLORADO AND E-470 LLC
PO BOX 247
EASTLAKE CO 80614-0247

CASADY BRENDA J
3039 E 152ND PL
THORNTON CO 80602-7949

CONNELLY REBECCA A
3450 E 151ST AVE
BRIGHTON CO 80602-7743

CHAUERS ANDREW HOWARD JR AND
CHAUERS LAURA JEAN
15092 JOSEPHINE ST
THORNTON CO 80602-7358

CROUCH ERIC AND
CROUCH BRITTANY
15082 JOSEPHINE ST
THORNTON CO 80602-7358

Property owners

DALRYMPLE CHARLES W AND
DALRYMPLE ROXIE I
15079 HARRISON ST
BRIGHTON CO 80602

ESPARZA JAMES AND
ESPARZA TONYA I
15081 FILLMORE WAY
THORNTON CO 80602

DALRYMPLE CHARLES W AND
DALRYMPLE ROXIE I
15079 HARRISON ST
BRIGHTON CO 80602-7766

ESPARZA JESSE E AND
ESPARZA JOAN D
3955 E 151ST AVE
BRIGHTON CO 80602

DELELLIS MARK AND
DELELLIS TERRI L
2996 E 152ND PLACE
THORNTON CO 80602

FARRER JANET LESLIE AND
HAMILTON ALEXANDER C
15084 ST PAUL ST
THORNTON CO 80602-7951

DINKEL DONALD L AND
DINKEL SHERRY A
15187 MADISON AVE
BRIGHTON CO 80602

FICK FAMILY TRUST
C/O EVA M FICK TRUSTEE
PO BOX 2451
BLANCHARD OK 73010-2451

DODD DEBORAH L AND
DODD BARRY E
15045 WASHINGTON ST
BROOMFIELD CO 80023-9155

FOREMAN JOHN R AND
FOREMAN KATHLEEN
15098 ELIZABETH CT
THORNTON CO 80602-7368

DOUGLASS CHRISTOPHER A AND
DOUGLASS JENNY A
15088 ST PAUL ST
THORNTON CO 80602-7951

FRANK ERIK D AND FRANK KATHY L
15193 ST PAUL ST
THORNTON CO 80602-7952

DUPREE MICHELLE J
2999 E 152ND PL
THORNTON CO 80602-7948

FULTON SUSAN M AND
FULTON JOHN SCOTT
15076 FILLMORE WAY
THORNTON CO 80602-7943

E AND E ENTERPRISE LLC
PO BOX 1146
ERIE CO 80516-1146

GAULT RYAN J AND GAULT JAIMIE L
2936 E 152ND PL
BRIGHTON CO 80602-7948

ELLISON SAMUEL D AND
ELLISON RUTH H
15073 ST PAUL STREET
THORNTON CO 80602

GAYESKI CAPITAL EQUITIES LLC
905 W 124TH AVE SUITE 200
WESTMINSTER CO 80234

ENNEY BRIAN KEITH AND
ZAHN TRACY LEIGH
15096 FILLMORE WAY
THORNTON CO 80602-7943

GAYLORD PROPERTIES LLC
C/O HARRY W CARLSON
4531 REED ST
WHEAT RIDGE CO 80033-3521

Property owners

GINTHER BRETT T AND MARGARET L
15040 HARRISON ST
BRIGHTON CO 80602

HARMEIER PAUL R JR AND
FAGUNDO MARY J
15058 MADISON ST
BRIGHTON CO 80602

GLAZA TODD M AND
GLAZA BROOKE L
15077 SAINT PAUL STREET
THORNTON CO 80602

HARMOUSH ROBERT J TRUSTEE OF THE
HARMOUSH ROBERT J TRUST THE
6066 S ALTON WAY
GREENWOOD VILLAGE CO 80111

GOLDSTEIN MYRON ET AL
16281 WILD PLUM CIR
MORRISON CO 80465-2153

HARRIS DAVID M AND
HARRIS LAURA F
15097 SAINT PAUL STREET
THORNTON CO 80602

GOMEZ ANDREA
2982 E 151ST PL
BRIGHTON CO 80602-7947

HARRISON ROBER H 1/2 INT/GAIL S 1/2 INT
REVOCABLE TRUST C/O BOB/GAIL HARRISON
3500 E 156TH AVE
BRIGHTON CO 80601

GORENC MIRO AND
GORENC TAMARA
15188 MADISON ST
BRIGHTON CO 80602-7702

HINCHMAN CHRISTOPHER
2937 E 151ST PL
THORNTON CO 80602-7947

GREEN ROBERT L
14930 COLORADO BLVD
BRIGHTON CO 80602

HINTON JACK L REVOCABLE TRUST UND 1/2
HINTON ALICE L REVOCABLE TRUST UND 1/2
15091 FILLMORE WAY
THORNTON CO 80241

GRIFFITH LUKE MATTHEW AND
GRIFFITH SANDRA RENE
15122 FILLMORE WAY
THORNTON CO 80602-7946

HOBBS BRIAN M AND
HOBBS MUTIARA A
15154 ST PAUL ST
THORNTON CO 80602-7952

GRODECKI JACEK AND
GRODECKI BARBARA
15071 FILLMORE WAY
THORNTON CO 80602-7944

HOCH KATHERINE E
15178 ST PAUL ST
THORNTON CO 80602-7952

GUERRIERI ROBIN B AND
GUERRIERI GINA L
3755 E 151ST AVE
BRIGHTON CO 80602

HOLBROOK BRYON C AND
HOLBROOK BRANDY E
15093 ST PAUL ST
THORNTON CO 80602-7951

GUY LARRY J AND
GUY PEGEEN L
15147 MADISON AVE
BRIGHTON CO 80602

HOWE BARBARA LOUISE ET AL
17661 N SADDLE RIDGE DR
SURPRISE AZ 85374

Property owners

HUFF LILIYA AND
HUFF STANLEY
15039 HARRISON ST
BRIGHTON CO 80602-7766

KYLE MATTHEW S AND
KYLE RHODA M
2997 E 151ST PL
BRIGHTON CO 80602-7947

JACKSON CHRISTOPHER A AND
DENT MICHELLE M
3159 E 152ND PL
BRIGHTON CO 80602-7950

LALAN GREGORY L REVOCABLE TRUST AND
LALAN JUDITH A REVOCABLE TRUST
14784 JACKSON ST
BRIGHTON CO 80602-7711

JACOBS BENJAMIN D AND
JACOBS MICHELLE ENDERLE
3099 E 152ND PL
BRIGHTON CO 80602-7949

LAY HELEN AND
LAY RAYMOND
15172 FILLMORE WAY
THORNTON CO 80602-7946

JANIS LYNNE A AND
JACKSON THOMAS M
2942 E 151ST PL
BRIGHTON CO 80602-7947

LEMONS RAMON AND
SOGI-LEMONS TRACEY A
2513 E 150TH PL
THORNTON CO 80602-8810

JENKINS ALAN L AND
JENKINS KAYLENE J
15020 HARRISON ST
BRIGHTON CO 80602

LMB CAPITAL PARTNERS LLC
905 W 124TH AVE SUITE 200
WESTMINSTER CO 80234

JOSEPH DOUGLAS D/DEANNA G TRUSTEES
C/O SHAVER JEFFERY A/DEANNA G
13280 E 133RD DRIVE
BRIGHTON CO 80602

LOCKARD CHRISTOPHER M AND
LOCKARD ROBIN LEE/F JEANNETTE
3109 E 152ND PL
THORNTON CO 80602-7950

KASTEN MICHAEL W AND
KASTEN KATHIE L
15029 HARRISON ST
BRIGHTON CO 80602

MALLOY LINDA F
15075 FILLMORE WAY
THORNTON CO 80602-7944

KOPALA JOHN E AND
KOPALA DOROTHY E
15078 ST PAUL ST
THORNTON CO 80602-7951

MASTERTON FAMILY LIVING TRUST
13062 MONROE DR
DENVER CO 80241-2113

KORRELL STEVEN S AND
KORRELL DEBORAH D
15098 ST PAUL ST
THORNTON CO 80602-7951

MC WILLIAMS BRIAN T AND
REEVES MICHELLE K
15047 MADISON ST
BRIGHTON CO 80602-7781

KOWALSKI CURTIS E AND
KOWALSKI MEGHAN R
2909 E 152ND PL
THORNTON CO 80602-7948

MENDENHALL MATTHEW D AND
MENDENHALL KARI A
15072 ELIZABETH CT
THORNTON CO 80602-7368

Property owners

MERITAGE HOMES OF COLORADO INC
6892 S YOSEMITE CT STE 1-201
CENTENNIAL CO 80112-1464

O CONNOR CHRISTOPHER AND
OCONNOR BODI L
2553 E 150TH PL
THORNTON CO 80602-8811

MILLER KYLE W AND LORI A
14824 JACKSON ST
BRIGHTON CO 80602

O NEAL VALERIE B AND
O NEAL PATRICK L
15072 JOSEPHINE ST
THORNTON CO 80602

MILLER THOMAS G/LINDA A COTRUSTEES
MILLER THOMAS G/LINDA A REVOC LIVING TRU
2483 E 150TH PL
THORNTON CO 80602-8810

OEHLERT MATTHEW A AND
OEHLERT AMIE C
2902 E 151ST PL
THORNTON CO 80602-7947

MODEN KELLY J AND
MODEN MARIE E
110 BEIN ST
BERTHOUD CO 80513-2634

OENES DANIEL L AND
OENES KRISTIE L
15104 SAINT PAUL STREET
THORNTON CO 80602

MOUA BEN C AND
VUE CAITHLIN MAYYING
15028 MADISON STREET
BRIGHTON CO 80602

PALIZZI FRANK J AND
PALIZZI EVELYN
14920 HARRISON ST
BRIGHTON CO 80602

MOUSEL WILLIAM TROY
15091 JOSEPHINE ST
THORNTON CO 80602-7733

PAULSEN TORGEIR AND
PAULSEN NANCY O
2523 E 150TH PLACE
THORNTON CO 80602

MUNOZ MIGUEL AND
MUNOZ DIANA I
15156 FILLMORE WAY
THORNTON CO 80602-7946

PEOPLES NATHAN W AND
PEOPLES CHRISTINA M
15068 ELIZABETH CT
BRIGHTON CO 80602-7740

NEITENBACH BRYAN D AND
NEITENBACH KIM P
3855 E 151ST AVE
BRIGHTON CO 80602

PHENICIE SANFORD AND
PHENICIE CAROLINE
3139 E 152ND PL
BRIGHTON CO 80602-7950

NICKS DEVON AND
NICKS CARRIE
2969 E 152ND PL
THORNTON CO 80602-7948

PIETERS JAMES V AND
PIETERS PAMELA J
15059 HARRISON ST
BRIGHTON CO 80602-7766

NORTH WASHINGTON WATER USERS
ASSOCIATION
PO BOX 508
EASTLAKE CO 80614

POWELL CHARLES R AND
POWELL BETH A
3250 E 156TH AVE
BRIGHTON CO 80602-8700

Property owners

PULIS JAMES A TRUST AND
PULIS CAROLEE A TRUST
15295 COLORADO BLVD
BRIGHTON CO 80602

SALE JAYSON D AND
SALE JONI M
15086 FILLMORE WAY
THORNTON CO 80602

RAILSBACK LAYNE T AND GEORGIA A
14989 HARRISON ST
BRIGHTON CO 80602

SANDS PARTNERS LLC
1401 DELGANY ST UNIT 307
DENVER CO 80202-1350

RAJU RAMASWAMY AND
RAMACHANDRAN LATHA
15073 ELIZABETH COURT
THORNTON CO 80602

SAVAGE TRAVIS H AND
SAVAGE MEGAN A
15092 ELIZABETH CT
THORNTON CO 80602-7700

REXROTH ERIC J AND
REXROTH PENNY Y
2573 E 150TH PL
THORNTON CO 80602-8811

SAYAVONG VANASOOK AND
SAENGPRASEUTH DAENG
15062 JOSEPHINE ST
THORNTON CO 80602-7358

RICHMOND AMERICAN HOMES OF
COLORADO INC
4350 S MONACO ST
DENVER CO 80237-3400

SCHAFER LLEWELLYN WOODROW AND KNOGGE
KENDRA KATE AND SCHAFER MARLEN GERALD
3600 E 156TH AVE
BRIGHTON CO 80602-7768

ROBERTS FRANKLIN L
PO BOX 781
BOULDER CO 80306-0781

SCHANKER DAVID J AND
SCHANKER MICHELE L
3156 E 152ND PL
BRIGHTON CO 80602-7950

ROBIRDS MARSHA L AND
ROBIRDS DANIEL R
2543 E 150TH PL
THORNTON CO 80602-8811

SCHLEIS JAMES J AND
SCHLEIS PATRICIA A
3655 E 151ST AVE
BRIGHTON CO 80602

RUMSEY IAN S AND
RUMSEY JAMIE L
2473 E 150TH PLACE
THORNTON CO 80602

SCRIBNER LISA L AND
SCRIBNER PATRICK M
15094 ST PAUL ST
THORNTON CO 80602-7951

RUSH WILLIAM
2533 E 150TH PL
THORNTON CO 80602-8811

SHAFFER NATHANAEAL
2503 E 150TH PL
THORNTON CO 80602-8810

SALAZAR JAKE LIVING TRUST UND 1/2 INT AN
SALAZAR MARY E LIVING TRUST UND 1/2 INT
3350 E 156TH AVE
BRIGHTON CO 80602-7794

SHEDD MICHAEL P AND
DONER MAXINE
15030 HARRISON ST
BRIGHTON CO 80602

Property owners

SHELTON KEVIN AND
SHELTON RACHEL
15070 HARRISON ST
BRIGHTON CO 80602-7765

THE GOOD LIFE CHURCH OF GOD
2200 E 104TH AVE STE 209
THORNTON CO 80233

SHI LINI AND
PHU VINH S
15078 ELIZABETH CT
THORNTON CO 80602

THE HAVEN AT YORK STREET
HOMEOWNERS ASSOCIATION INC
10700 E GEDDES AVENUE SUITE 100
ENGLEWOOD CO 80112

SING JEREMY
2906 E 152ND PL
THORNTON CO 80602-7948

THE HAVEN AT YORK STREET HOMEOWNERS
ASSOCIATION INC
7340 E CALEY AVE STE 300
CENTENNIAL CO 80111-6710

SLEEMAN ELIZABETH R AND
SLEEMAN AARON
15083 ST PAUL ST
THORNTON CO 80602-7951

TRAIL DUSTIN CHARLES/JENNIFER L
41.63%/TRAIL DUSTIN CHARLES 58.37%
11715 E 119TH AVE
HENDERSON CO 80640-7410

SPOTTS LUKE AND
SPOTTS KAREN
2967 E 151ST PL
THORNTON CO 80602-7947

UNITED POWER INC
PO BOX 929
BRIGHTON CO 80601

STAATS WHITNEY L AND
SMITH STEVEN HG
15082 ELIZABETH CT
THORNTON CO 80602-7700

URLING MATT AND
URLING LISA
15128 ST PAUL ST
THORNTON CO 80602-7952

STEPHAN YURY P AND
STEPHAN EMILY F
15153 SAINT PAUL STREET
THORNTON CO 80602

VAUGHAN BRIAN E AND
VAUGHAN EMILY
15052 JOSEPHINE STREET
THORNTON CO 80602

STEWART RUSSELL O AND SHARON L
15087 MADISON ST
BRIGHTON CO 80602

VELA AUDRA L AND
VELA JOSEPH A
3009 E 152ND PL
BRIGHTON CO 80602-7949

SUMNER JAMES H AND
SUMNER DARCELLE
3555 E 151ST AVE
BRIGHTON CO 80602

VILLAGOMEZ TOMAS AND
VILLAGOMEZ MELVA
15161 WASHINGTON ST
BROOMFIELD CO 80023-9130

SZULLO ATTILA AND
SZULLO MARY K
2939 E 152ND PL
BRIGHTON CO 80602-7948

VTL WILLOW BEND LLC
8601 N SCOTTSDALE RD STE 335
SCOTTSDALE AZ 85253-2746

WARD KURT T AND
WARD VICTORIA B
15095 FILLMORE WAY
THORNTON CO 80602

WELANDER PAUL D AND
WELANDER CATHY L
15081 JOSEPHINE STREET
THORNTON CO 80602

WILLOW BEND INC
PO BOX 1024
NIWOT CO 80544-1024

WILSON MARK CHRISTOPHER AND
WILSON VICKI ANN
15099 JOSEPHINE ST
THORNTON CO 80602-7733

WINSTON ROBERT B AND
WINSTON KRISTA
15063 ELIZABETH CT
THORNTON CO 80602-7700

WOZNIAK DANA L AND
WOZNIAK DENISE C
3554 E 151ST AVE
BRIGHTON CO 80602-7709

YORK 80 LLC UND 15/096 INT AND
152ND AND YORK LLC UND 84/094 INT
PO BOX 247
EASTLAKE CO 80614-0247

ZABEL KARL B AND
ZABEL MELISSA R
15177 ST PAUL ST
THORNTON CO 80602-7952

ZABROSKI DAVID P AND
ZABROSKI JOY L
15087 ST PAUL ST
THORNTON CO 80602-7951



Referral Listing
Case Number RCU2017-00017
DISCOVERY PHASE II

Agency	Contact Information
ADAMS 12 FIVE STAR SCHOOLS	MATT SCHAEFER - PLANNING MANAGER 1500 E. 128TH AVENUE THORNTON CO 80241 720-972-4289 matt.schaefer@adams12.org
Adams County Development Services - Building	Justin Blair 4430 S Adams County Pkwy Brighton CO 80601 720-523-6825 JBlair@adcogov.org
BRIGHTON FIRE DISTRICT	WHITNEY MEANS 500 South 4th Avenue 3rd Floor BRIGHTON CO 80601 (303) 659-4101 wmeans@brightonfire.org
BRIGHTON SCHOOL DISTRICT 27J	Kerrie Monti 18551 E. 160TH AVE. BRIGHTON CO 80601 303-655-2984 kmonti@sd27j.org
CDPHE - AIR QUALITY	Paul Lee 4300 CHERRY CREEK DRIVE SOUTH DENVER CO 80246-1530 303-692-3127 paul.lee@state.co.us
CDPHE - WATER QUALITY PROTECTION SECT	Patrick Pfaltzgraff 4300 CHERRY CREEK DRIVE SOUTH WQCD-B2 DENVER CO 80246-1530 303-692-3509 patrick.j.pfaltzgraff@state.co.us
CDPHE SOLID WASTE UNIT	Andy Todd 4300 CHERRY CREEK DR SOUTH HMWMD-CP-B2 DENVER CO 80246-1530 303.691.4049 Andrew.Todd@state.co.us

Agency	Contact Information	Referral Labels
Century Link, Inc	Brandyn Wiedreich 5325 Zuni St, Rm 728 Denver CO 80221 720-578-3724 brandyn.wiedrich@centurylink.com	720-245-0029
CITY OF THORNTON	JASON O'SHEA 9500 CIVIC CENTER DR THORNTON CO 80229 0	
CITY OF THORNTON	Lori Hight 9500 CIVIC CENTER DRIVE THORNTON CO 80229 303-538-7670 developmentsubmittals@cityofthornton.net.	
CITY OF THORNTON	JIM KAISER 12450 N WASHINGTON THORNTON CO 80241 720-977-6266	
Code Compliance Supervisor	Eric Guenther eguenther@adcogov.org 720-523-6856 eguenther@adcogov.org	
COLORADO DEPT OF TRANSPORTATION	Steve Loeffler 2000 S. Holly St. Region 1 Denver CO 80222 303-757-9891 steven.loeffler@state.co.us	
COLORADO DIVISION OF WILDLIFE	JOSEPH PADIA 6060 BROADWAY DENVER CO 80216 303-291-7132 joe.padia@state.co.us	
COLORADO DIVISION OF WILDLIFE	Eliza Hunholz Northeast Regional Engineer 6060 BROADWAY DENVER CO 80216-1000 303-291-7454 eliza.hunholz@state.co.us	
COMCAST	JOE LOWE 8490 N UMITILLA ST FEDERAL HEIGHTS CO 80260 303-603-5039 thomas_lowe@cable.comcast.com	
COUNTY ATTORNEY- Email	Christine Francescani CFrancescani@adcogov.org 6884	

Agency	Contact Information	Referral Labels
EAGLE SHADOW METROPOLITAN DIST. #1	JIM WORTHY P.O. BOX 490 BRIGHTON CO 80601 303-637-0344	
Engineering Department - ROW	Transportation Department PWE - ROW 303.453.8787	
Engineering Division	Transportation Department PWE 6875	
ENVIRONMENTAL ANALYST	Jen Rutter PLN 6841	
GERMAN DITCH CO. & RESERVOIR	JOHN HOWARD 8679 WCR 4 BRIGHTON CO 80603 (303) 659-0798	
METRO WASTEWATER RECLAMATION	CRAIG SIMMONDS 6450 YORK ST. DENVER CO 80229 303-286-3338 CSIMMONDS@MWRD.DST.CO.US	
NORTH METRO FIRE DISTRICT	Steve Gosselin 101 Lamar Street Broomfield CO 80020 (303) 452-9910 sgosselin@northmetrofire.org	
NS - Code Compliance	Augusta Allen 720.523.6206	
Parks and Open Space Department	Nathan Mosley mpedrucci@adcogov.org aclark@adcogov.org (303) 637-8000 nmosley@adcogov.org	
REGIONAL TRANSPORTATION DIST.	CHRIS QUINN 1560 BROADWAY SUITE 700 DENVER CO 80202 303-299-2439 chris.quinn@rtd-denver.com	
RIVERDALE PEAKS METRO DISTRICT	.. . 9145 E KENYON AVE #200 DENVER CO 80237 303-843-9742 eachekal@gapllc.com	
SHERIFF'S OFFICE: SO-HQ	MICHAEL McINTOSH nblair@adcogov.org; aoverton@adcogov.org; mkaiser@adcogov.org snielson@adcogov.org (303) 654-1850 aoverton@adcogov.org; mkaiser@adcogov.org; snielson@adcogov.org	

Agency	Contact Information	Referral Labels
Sheriff's Office: SO-SUB	SCOTT MILLER TFuller@adcogov.org, smiller@adcogov.org aoverton@adcogov.org; mkaiser@adcogov.org 720-322-1115 smiller@adcogov.org	
SIGNAL DITCH	LAW OFFICES OF BRICE STEELE 25 S 4TH AVENUE BRIGHTON CO 80601 (303) 659-3171	
THORNTON FIRE DEPARTMENT	Chad Mccollum 9500 Civic Center Drive THORNTON CO 80229-4326 303-538-7602 firedept@cityofthornton.net	
Todd Creek Village Metropolitan District	Roger Hollard 10450 E. 159th Ct. BRIGHTON CO 80602 303-637-0344 roger@equinoxland.com	
UNION PACIFIC RAILROAD	Jason Mashek 1400 DOUGLAS ST STOP 1690 OMAHA NE 68179 402-544-8552 jemashek@up.com	
UNION PACIFIC RAILROAD	CHERYL SCHOW PO BOX 398 PAXTON NE 69155 308-239-2427 caschow@up.com	
United Power, Inc	Marisa Dale PO Box 929 500 Cooperative Way Brighton CO 80601 303-637-1387 mdale@UnitedPower.com	720-334-5282
Xcel Energy	Donna George 1123 W 3rd Ave DENVER CO 80223 303-571-3306 Donna.L.George@xcelenergy.com	

Boardwalk Pipeline
Project Case No.
RCU2017-00017

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT ("**Agreement**") is made and entered into by and between the COUNTY OF ADAMS, a political subdivision of the State of Colorado, hereinafter called "**County**," and DISCOVERY DJ SERVICES, LLC, a Texas limited liability company, 7859 Walnut Hill Lane, Suite 335, Dallas, TX 75230, hereinafter called "**Developer**."

WITNESSETH:

WHEREAS, Developer desires to construct approximately 2.13-miles of underground crude oil steel pipeline plus 2.13-miles of underground natural gas steel pipeline plus 2.13-miles of underground 12-inch High Density Polyethylene ("HDPE") pipeline and appurtenances in Adams County, Colorado, as more particularly described in that certain Conditional Use Permit Application dated April 25, 2017 to transport crude oil, natural gas, and produced water ("the **Project**"); and

WHEREAS, the Project will provide transportation of crude oil, natural gas and produced water; increase efficiency of delivering products to market; and reduce impacts to local roads by reducing truck traffic in furtherance of the goals of the Adams County Comprehensive Plan; and

WHEREAS, on April 25, 2017, Developer submitted an application for a Conditional Use Permit ("CUP") to Adams County in accordance with the requirements outlined in Chapter 2 of the Adams County Development Standards and Regulations ("the Regulations"), the Conditional Use Permit Checklist, and requested submittal criteria from the Adams County Areas and Activities of State Interest ("AASI") Checklist; and

WHEREAS, Developer will acquire, if it has not already done so, all necessary right-of-way easements and temporary construction easements to utilize certain real property in the County of Adams, State of Colorado; and

WHEREAS, the County has designated its future road expansion plans in the Adams County Transportation Plan adopted December 2012 ("**Transportation Plan**"); and

WHEREAS, it is provided by Sections 1-02-01-02-08 and 1-08 of the Regulations that where designated, the Developer shall have entered into a written agreement with the County addressing Developer's and the County's obligations with regard to the Project as a condition of approval for the CUP; and

WHEREAS, the County and the Developer have planned and designed the Project so it will not prohibit future development, and so that it will not add cost to the County's future infrastructure plans to support development.

NOW, THEREFORE, in consideration of the foregoing, the parties hereto promise, covenant, and agree as follows:

I. DEVELOPER'S OBLIGATIONS:

1. Pre-Construction Activities. Prior to site disturbance and commencing construction in the County, Developer shall:
 - A. Submit construction plans to the Adams County One Stop Permit Counter and apply for the appropriate construction permits.
 - B. In the event that any portion of the project is located within the MS4 permit boundary of unincorporated Adams County and greater than 1 acre of disturbance, a Stormwater Management Plan ("SWMP") will need to be prepared according to County standards. Moreover, surety will be required for Best Management Practices ("BMP") located within the MS4 boundary. Stormwater BMPs will be implemented for the construction phase to capture and treat all onsite stormwater runoff in accordance with the requirements for the SWMP.
 - C. Prepare a Traffic Control Plan for the portion of the project within Unincorporated Adams County and obtain written approval of the Plan from the Adams County Public Works Department prior to the commencement of construction. The Traffic Control Plan shall detail any impacts to the applicable right-of-way during the construction of the Project, including but not limited to, lane closures, access to construction staging sites, hours of operation, etc. The Traffic Control Plan shall be prepared in a way to minimize impacts to adjacent property owners during the construction period. The Developer shall be responsible to implement any necessary corrections to the Traffic Control Plan.
 - D. Submit the Facilities Response Plan to the County.
 - E. Secure all applicable local, state and federal permits for the Project and submit copies of these permits to the County.
 - F. Secure the required construction and / or access permits from E-470 to occupy space for utility work, access, and any construction within the E-470 right-of-way, property owned fee, Multi-Use Easement, and / or other easements and submit copies of these permits to the County.
 - G. Secure Adams County Right-Of-Way permits prior to constructing crossings.
 - H. Submit copies of all executed easements for the Project to the County.
 - I. Contact and use commercially reasonable efforts to work with Xcel Energy / Public Service Company of Colorado regarding any possible encroachment the Project may have on PSCo's overhead powerlines or related facilities.
 - J. Acknowledge the Union Pacific letter dated May 10, 2017.
2. Construction Activities. During construction, the Developer shall:
 - A. Construct the project in accordance with the approved construction plans. The Developer shall submit a certification letter from a Professional Engineer within 45 days of construction completion certifying that the Project was constructed in accordance with the approved plans.

- B. Manage stormwater in accordance with a SWMP prepared under the Colorado Department of Public Health and Environment ("CDPHE") Colorado Discharge Permitting System ("CDPS") Permit and in accordance with the Clean Water Act National Pollution Discharge Elimination System ("NPDES") regulations and Adams County's Grading Erosion and Sediment Control standards. Stormwater BMPs will be implemented for the construction phase to capture and treat all onsite stormwater runoff in accordance with the requirements for the SWMP.
- C. Operate at the Project site only from dawn to dusk during construction, Monday through Saturday, except for inclement weather and during hydrostatic testing, horizontal directional drilling ("HDD"), and emergency situations that would cause the Developer to be out of compliance with any applicable local, state, or federal permit. The Adams County Director of Community and Economic Development may extend the hours and days of operation if Developer makes a request in writing and demonstrates sufficient need.
- D. Implement the approved Traffic Control Plan(s).
- E. Comply with guidelines of Section 106 of the National Historic Preservation Act of 1966 in locations that have been identified as federally regulated within Adams County. Comply with State of Colorado Historical, Paleontological, and Archeological Resources Act of 1973 (C.R.S. 24-80-401 to 410) on all identified state lands within Adams County. All best management practices and avoidance measures proposed within the submitted CUP on lands that are state and federally regulated by the above listed laws will be enforced.
- F. Comply with C.R.S. 42-4-1407, covering loads for all hauling/construction trucks.
- G. Be responsible for the cleanliness and safety of all roadways adjacent to the Project in the event that there are any issues related to the Project during construction. If at any time these roadways are found to be dangerous or not passable due to debris or mud caused by Project activities, the County shall require Developer to cease Project operations immediately and clear the roadway of any and all debris or mud. The Project shall not resume until the County, in its sole discretion, deems the roadway conditions acceptable. If the Developer fails to keep the adjacent roadways clean and free from debris, the Adams County Public Works Department has the option to perform the required clean up and bill the charges directly to the Developer.

The Developer shall be responsible for repairing County infrastructure that is damaged as a result of the construction from the Project. Repairs shall occur as soon as possible, but no later than six (6) months following construction completion, unless an extension is granted by the County for extenuating circumstances. The Developer may submit evidence of the condition of the County's right-of-way at the start and completion of construction in order to demonstrate the pre-construction condition and the post-construction condition of the roadways.

- H. Remove and dispose of all fluid spills, such as hydraulic oil from maintenance of equipment, at a facility permitted for such disposal.
- I. Convey all complaints Developer receives concerning off-site impacts and the

resolution of those complaints to the Adams County Department of Community and Economic Development. Off-site impacts shall be responded to and resolved immediately by the Developer. Adams County Community and Economic Development will be the final decision maker regarding the resolution of noise complaints or any other off-site impacts, provided that Developer is provided notice and an opportunity to be heard. Excessive complaints that are not resolved to the satisfaction of the County may be justification for a Show Cause Hearing before the Adams County Board of County Commissioners.

- J. Ensure that all construction vehicles have a backup alarm that complies with OSHA requirements, 29 CFR 1926.601(b)(4) and 1926.602(a)(9), and/or other remedies (such as flagmen) to minimize noise as approved by the County.
- K. If fuel will be stored on the subject properties or within the County's right-of-way: All fuel storage at this site shall be provided with secondary containment that complies with state law and any appropriate regulatory standards; fueling areas shall be separated from the rest of the site's surface area, and protected from storm water; and Developer shall provide a spill prevention plan and release prevention plan for fuel storage and fueling operations. Spill and drip containment pans shall be emptied frequently and all spills shall be cleaned up and disposed of immediately at a facility permitted for such disposal.

Developer shall notify the County prior to commencing any snow removal operations within the County's right-of-way. The Developer shall be responsible for any damages to the right-of-way caused by these activities and shall repair damages at their expense within 60 days of receiving notice from the County.

- L. Comply with all applicable local, state and federal requirements during the course of the Project.

3. Design Requirements.

- A. The Project will be designed to meet or exceed the minimum Federal Safety Standards contained in 49 CFR 195 or 49 CFR 192, as applicable, and national engineering design codes for pipelines set forth by the American Society of Mechanical Engineers.
- B. Pipeline burial depths will meet or exceed federal, state, and applicable engineering standards. The pipelines will be buried with a minimum of 48 inches of cover where practical, and in locations where such burial depth is not achievable due to strategic locations such as road crossings, additional mechanical protection will be provided, such as increased pipe wall thickness, as approved by the County and referenced within this Agreement.

The location of the Boardwalk Pipeline is semi-rural and County transportation and drainage projects are not anticipated in this area. If a project occurs in the area of the approved pipeline alignment, the Developer agrees to avoid any regional drainage improvements, to the extent possible. The County agrees to make all reasonable attempts to avoid the pipeline during the design and construction of future drainage facilities. In the event that a future regional drainage improvement project requires the relocation of the pipeline, the

Developer agrees to relocate the pipeline at its sole expense and Adams County shall give Developer 30 calendar days advance written notice for it to commence such relocation if it determines that the pipeline needs to be re-located.

- C. Any construction of structures will be designed to meet the 2012 International Fire Code and amendments.
- D. Ensure pipelines are located in easements on private property and County road crossings shall be as near as possible to right angles. This effective placement of the pipeline allows buildings to be constructed in the future keeping with required structure setbacks per Transportation Plan.

4. Operational Requirements.

- A. The Project will be operated to Federal Safety Standards contained in 49 CFR 195 or 49 CFR 192, as applicable, as well as the Developer's operating standards and practices and maintenance procedures as referenced within the Developer's CUP application materials submitted to the County for the Project.
- B. Each steel pipeline will have a corrosion prevention system as detailed within the Developer's CUP application materials submitted to the County for the Project.
- C. The Project will have a multi-faceted integrity management program, as required under federal pipeline safety standards (49 CFR 195 and ASME B31.4 or 49 CFR 192 and ASME B31.8). The Project will be operated in accordance with all applicable local, state and federal codes, laws and regulations, including but not limited to the Colorado Department of Transportation ("CDOT") and CDPHE.

5. Post-Construction and Maintenance Requirements.

- A. Developer agrees to restore any disturbed County-owned lands in compliance with the requirements of applicable easement agreements as soon as possible but no later than December 31, 2017. In the event that reseedling is unsuccessful in the first growing season, the Developer agrees to comply with the terms of the easement agreements to restore the land during the subsequent growing season. The County may grant an extension for good cause, in writing, in the event of unforeseen circumstances.
- B. Developer agrees to restore any disturbed private property in accordance with the applicable easement agreements as soon as possible but no later than December 31, 2017. In the event that reseedling is unsuccessful in the first growing season, the Developer agrees to comply with the terms of the easement agreements to restore the land during the subsequent growing season. The County may grant an extension for good cause, in writing, in the event of unforeseen circumstances.
- C. Construction plans submitted by the Developer to the County for the Project show the pipeline located completely outside of the future right-of-way as depicted in the Adams County 2012 Transportation Plan. In the event that the pipeline is not constructed in accordance with the construction plans approved by the County

and there becomes a conflict with a future roadway expansion project, as the project is contemplated under the Transportation Plan, the Developer agrees to relocate the pipeline at its own expense.

- D. The Developer also agrees that the approval of encroachment agreement requests for parking lots and driveways on private property shall not be unreasonably or arbitrarily withheld, in accordance with the terms of the easement agreements for the Project.
 - E. Developer agrees that it will not disrupt or damage the functionality of any existing drainage facilities.
 - F. Developer agrees to submit "as built" construction drawings to the Adams County Assessor's Office within 120 days of construction completion in accordance with the procedures established by the County.
 - G. Developer agrees to submit emergency contact information, emergency response plans, and final maps of the Project, including all associated valves and pipeline components, to the local fire districts encompassing the Project and to the Adams County Office of Emergency Management before commencing operation of the pipeline. The Developer shall comply with all other requests for information from the Adams County Office of Emergency Management in accordance with local, state, and federal law.
 - H. Maintenance of the Project will follow guidelines set forth in the Developer's operations and maintenance procedures (referenced in Section 4C of this Agreement), which meet or exceed regulatory requirements. Maintenance activities associated with the line and permanent easement include, but are not limited to, the following:
 - Implementation of a damage prevention program including observation of any construction activities by others on or near the permanent easement;
 - Implementation of a public education program;
 - Installation and maintenance of pipeline markers;
 - Inspection and maintenance of corrosion control systems;
 - Inspection of block valves;
 - Inspection of crossings by other pipelines, highways, utilities;
 - Inspection and maintenance of safety, control, mechanical, and electrical equipment;
 - Maintenance of communication equipment; and
 - Calibration of all instruments to comply with USDOT regulations.
6. Development Impact Fees. There are no development fees associated with this Project.
7. Encroachment Upon Future Right-of-Way. In any segment of the Project that is parallel to an Adams County right-of-way, the pipeline shall be constructed a minimum of five (5) feet from the edge of the maximum future right-of-way width, as designated in the

Adams County 2012 Transportation Plan.

As development of the Transportation Plan is implemented and if the location and existence of Developer's permanent easement precludes such development, Developer's overlapping easement rights shall be subordinated (subject to the then-existing rights of the parties, laws and regulations) to accommodate Adams County's development.

8. Acceptance and Maintenance of Public Improvements. Developer is not required to make any public improvements or make any public dedications in connection with the Project.
9. Guarantee of Compliance. Developer hereby agrees that should it fail to comply with the terms of this Agreement, the County is entitled to obtain from the Colorado State District Court for the Seventeenth Judicial District a mandatory injunction requiring said Developer to comply with the terms of this Agreement. Prior to the County seeking such an injunction, Developer will be provided the opportunity to cure any default in accordance with the terms set forth herein. Developer further agrees that failing to comply with the requirements set forth in this Agreement may be justification for a Show Cause Hearing where the CUP Permit may be revoked.
10. Financial Security. The County has determined that there is no need for a guarantee of financial security with regard to this Project.
11. Successors and Assigns. This Agreement shall be binding upon the heirs, executors, personal representatives, successors, and assigns of the Developer, and shall be deemed a covenant running with the real property.

II. COUNTY'S OBLIGATIONS:

Except as expressly set forth herein, the County shall have no obligations associated with this Agreement.

III. GENERAL PROVISIONS:

1. No Third Party Beneficiaries. This Agreement is intended to describe and determine such rights and responsibilities only as between the parties hereto. It is not intended to and shall not be deemed to confer rights or responsibilities to any person or entities not named hereto.
2. Notices. Any and all notices, demands or other communications desired or required to be given under any provision of this Agreement shall be given in writing and delivered personally or sent by registered or certified mail, return receipt requested, postage prepaid or by email addressed as follows:
To Developer:
Discovery DJ Services, LLC
7859 Walnut Hill Lane, Suite 335
Dallas, TX 75230

To Adams County:

Director, Adams County Community and Economic Development
4430 South Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601
Email: nwright@adcogov.org

With a copy to:

Adams County Attorney
4430 South Adams County Parkway
5th Floor, Suite C5000B Brighton, CO 80601

3. Amendments.

Should any changes to the Conditional Use Permit be proposed before, during or after completion of the Project, the Developer shall submit the details of those changes to the Adams County Community and Economic Development Director for a determination as to whether those changes constitute a Major or Minor Amendment in accordance with the Regulations.

This Agreement may only be modified, amended, changed or terminated in whole or in part by an agreement in writing duly authorized and executed by the parties hereto with the same formality, and subject to the same statutory and regulatory requirement, as this Agreement.

4. Controlling Law. This Agreement and its application shall be construed in accordance with the laws of the State of Colorado.

5. Default. If either party is in default under this Agreement, the non-defaulting party shall provide written notice of said default to the defaulting party to the address provided in Section 2 immediately above. The defaulting party shall have 30 days to cure the default, unless an extension is granted in writing by the non-defaulting party for good cause. The non-defaulting party may seek all remedies available pursuant to the Agreement and under the law.

6. Costs and Fees. In the event of any litigation arising out of this Agreement, the parties agree that each will pay its own costs and fees.

[Signature Pages Follow]

Developer

DISCOVERY DJ SERVICES, LLC, a Texas limited liability company.

By: Zion Engineering LLC, its Engineering Consultant

By: _____

Name: _____

Title: _____

ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____) ss.

The foregoing instrument was acknowledged before me this ____ day of _____ 2017,
by _____ as _____ of the Engineering
Consultant and authorized representative for Discovery DJ Services, LLC.

Witness my hand and official seal.

Notary Public, State of _____

My Commission Expires: _____
My Commission Number: _____
(Seal)

APPROVED BY resolution at the meeting of _____, 2017.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, COLORADO

Clerk to the Board

Chair