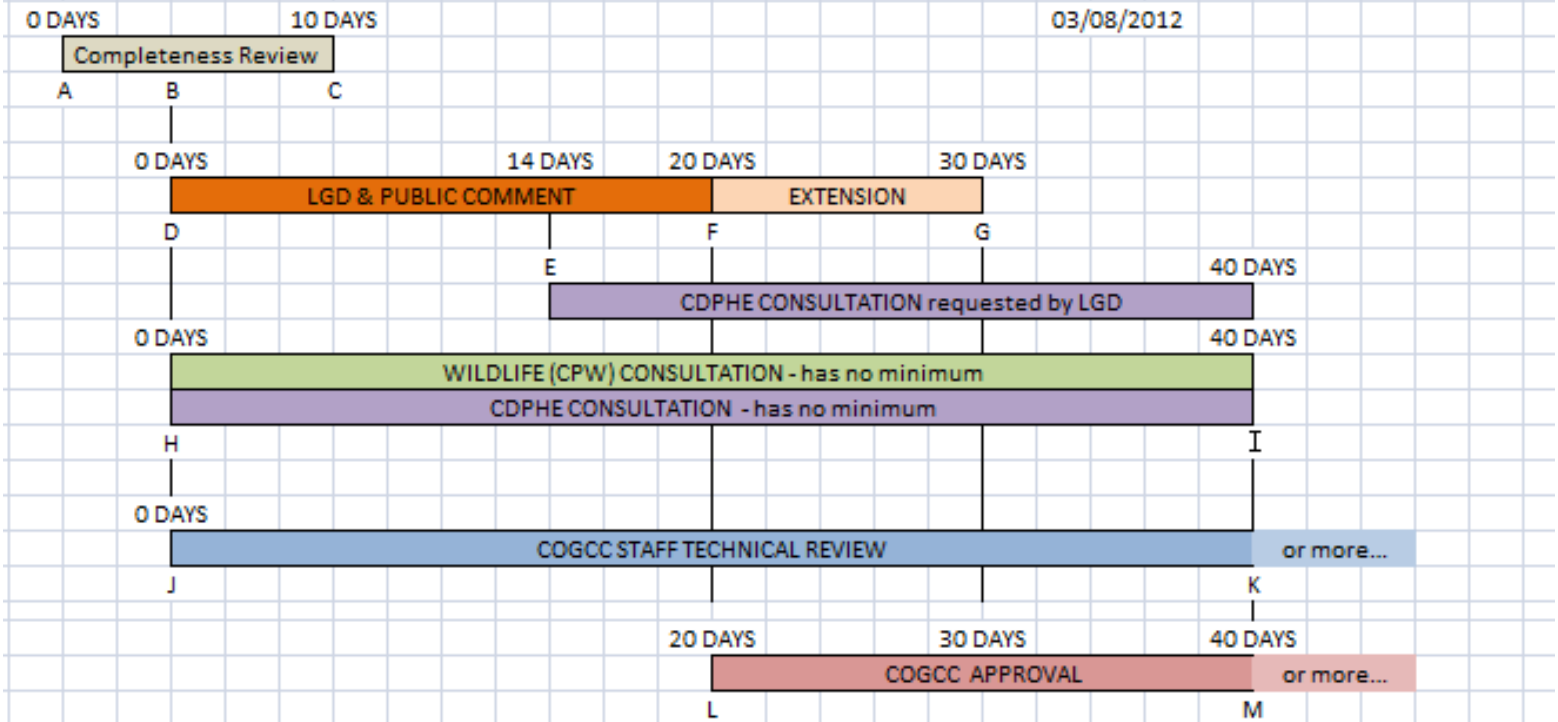
Timing of Form 2 and Form 2A Comment, Consultation, Review, and Approval



	A	Application received; COGCC completeness review per Rule 303.h
	B	Application passes completeness & posted to website; notifications sent & comment, consultation and review periods start
	C	Maximum time for COGCC completeness review
	D	Minimum 20 day comment period per Rule 305.c.
	E	LGD request for CDPHE consultation must be made within 14 days per Rule 306.b.(2)
	F	Written request for 10 day extension of comment period must be received within 20 days
	G	Extension of comment period can be requested by LGD, CDPHE, CPW, surface owner, and 500' landowner
H	H	CPW Rule 306.c and CDPHE Rule 306.d consultations
I	I	Maximum time for CPW & CDPHE consultations per Rules 306.c. and 306.d. is 40 days
	J	Applications are reviewed by COGCC permit, engineering, and environmental staff
	K	COGCC technical review is completed after comment period and consultations are finished
	L	Approval of application after comment period ends and consultations & technical review complete

Areas of Local Concern

- Identify concerns
- Determine strategy for resolution
  - Which are “appropriate” or “actionable” for a comment to 2A?
  - Should be addressed directly with operator? In MOU?

Example can include:

- local road access;
- timing restrictions on traffic; school bus routes;
- Baseline water sampling
- Pitless operations / closed loop systems
- Prohibit drilling activity in certain seasons
- Relocate wellhead and surface facilities
- Use of low profile tanks; color of tanks.
- Require steel secondary containment; specify secondary containment
- Additional advance notice to surface owners
- Fencing, reclamation & noise abatement

What the rules say about comments and COAs

- **305 d**. Conditions of approval; issuance of permit. Upon the **conclusion of the comment period** and, where applicable, consultation with the Colorado Division of Wildlife or Colorado Department of Public Health and Environment pursuant to Rules 306.c. or 306.d, respectively, the Director may attach

- **technically feasible and economically practicable conditions of approval to the Form 2 or Form 2A**

- as the Director deems necessary **to implement** the provisions of the Act or **these rules pursuant to** Commission **staff analysis or** to **respond to legitimate concerns expressed during the comment period.**

- Provided, that an **applicant** under Rule 503 who claims that such a condition is not technically feasible, economically practicable, or necessary to implement the provisions of the Act or these rules, or to respond to legitimate concerns **shall have the burden of proof** on that issue before the Commission.

Notifications to Local Government

- LGD will get copy of landowner notification
- LGD will get email notification that Permit Applications (Form 2) and Location Assessments (Form 2A) are available for review
- LGD will get email notification when Form 2 and 2A are approved
- LGD will get email notification when drilling begins, aka “Spud notice”
- LGD will get email notification prior to hydraulic fracturing operations
- LGD will be notified when H2S gas is identified/anticipated
- Local Government emergency contact will be notified prior to flaring activities.
- New RULES (if adopted in present form) will increase LGD responsibilities.