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<td>6/24/2020</td>
<td>Brendan Schultz</td>
<td><a href="mailto:breschultz@gmail.com">breschultz@gmail.com</a></td>
<td>No oil and gas drilling. Focus on the important things like abolishing the police department full of murderers and drunks first. Thanks Brendan Schultz 15350 e arizona ave</td>
<td>The City of Aurora has authority to regulate oil and gas development and operations. It does not have authority to halt the development of valid mineral interests.</td>
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<td>7/10/2020</td>
<td>Nate Rice</td>
<td><a href="mailto:nathaniel.a.l.rice@gmail.com">nathaniel.a.l.rice@gmail.com</a></td>
<td>Greetings, 1. Continuing to drill oil and gas is like not paying your own taxes, you only hurt yourself in the end. 2. Polis’ push towards renewable energy and RE infrastructure is more important and profitable. 3. Allowing more community solar systems or building those with corporate partners is a better option. 4. As a former Sunrun, Denver HQ2, employee, and Tesla employee, oil and gas just seems like a losing battle because as of today Tesla’s stock is higher than ExxonMobile. 5. Wind (various scales), Solar (various styles), Geo thermal, hydro (sm scale), micro reactors (thorium or down cycle), CNG (waste leeching), and other more sustainable development of energy. Heck do them all!</td>
<td>The City is welcoming of all alternative energy solutions. The City itself does not drill for oil and gas. We regulate those who exercise their legal mineral rights.</td>
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| 7/14/2020    | Kenneth Westervelt        | kenneth.westervelt@gmail.com | ZIP code: 80010  
As an 811 utility locator, I'm seeing activity in Adams/Arapahoe largely centered around decommissioning old&dry well systems. I am not aware of any fossil fuel reserves we're sitting on that may require new wells. I couldn't find any public information on the state website to support that idea. The idea that regulation may be needed for new wells puzzles me.  
I would not be surprised, however, to see O&G companies need to replace old gathering lines. Much like how Aurora neighborhoods are seeing their electric grid replaced, old pipes will show their age and may need replacement before refineries reach their end-of-life. I have been a part of work on replacing old electric lines. That work is necessary. I fully expect O&G replacements to be necessary as well. Whatever you may think about the morality of fossil fuel extraction, until there is no use for refineries around DIA we will either choose to spend labor on replacing or repairing existing pipeline. For the safety of our labor force and the surrounding countryside, I'd much rather have them replace than repair.  
I have no opinion on new wells. Ban them, "drill baby drill", doesn't make much difference to me. I strongly support working with pipeline owners to update or replace existing infrastructure as needed. So long as that happens, I'll be okay with the new order of things.  
Sincerely, Ken Westervelt | There are 60 actively producing wells within the City limits of Aurora, all east of E-470. Additional wells are in various stages of the permitting process. Regulations related to pipelines over which Aurora has authority are included in the Oil & Gas Manual in Sections 31-38. |
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<td>7/16/2020</td>
<td>Kathryn Schlatter</td>
<td><a href="mailto:kwschlatter@gmail.com">kwschlatter@gmail.com</a></td>
<td>Dear Aurora City Council Members and Mayor, While you draft the BMP for the City of Aurora please carefully consider the property rights of mineral owners within the City. The State of Colorado has some of the toughest regulations in the Country and over the past few years the City of Aurora and Oil and Gas Companies have worked together diligently on implementing operating agreements that have added additional safety measures for oil and gas operations within the City. Please consider how the city can implement best management practices while not forgetting to also protect the property rights that mineral owners in the City of Aurora have to access their property. Thank you for your continued service to community, businesses and property owners within the City of Aurora. Best Regards, Kathryn Schlatter</td>
<td>The City understands the property rights of mineral owners. Properly balancing the rights of property owners with protection of the public and the environment is one of the key responsibilities of our regulations.</td>
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<td>7/17/2020</td>
<td>Rich Coolidge</td>
<td><a href="mailto:Rich.Coolidge@coga.org">Rich.Coolidge@coga.org</a></td>
<td>Do you have a video recording from last night’s virtual town hall that you can send? Thanks.</td>
<td>The July 16 Virtual Town Hall is viewable at <a href="https://youtu.be/p8HlsW3GZxg">https://youtu.be/p8HlsW3GZxg</a></td>
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<td>7/27/2020</td>
<td>Sean Hacket</td>
<td><a href="mailto:sean.hackett@state.co.us">sean.hackett@state.co.us</a></td>
<td>CDPHE appreciates the opportunity to review Aurora’s draft regulations. Although Aurora’s draft regulations are stronger in some areas (e.g. use of electric equipment and line power), they are not inconsistent with CDPHE’s regulations and it looks like they build in the appropriate language to account for potential changes/updates CDPHE may eventually take. 4.02 Surface Water Protection- Consider a requirement that if a local public water system has completed a source water protection plan for their community or water supply, the permittee is obligated to discuss potential impacts to the water provider and implement appropriate BMPs (above and beyond those explicitly required in the regulations) to reduce potential contamination agreed upon between the operator and water provider. 5.01.2.05 - How does Aurora define venting? (COGCC’s draft 900 series rules define venting as &quot;intentionally allowing natural gas to escape into the atmosphere.&quot;). 5.01.3- Air Monitoring and Leak Detection for Facilities Without Permanent Tanks- Why does the continuous monitoring requirement only apply to facilities without permanent tanks? What is the reasoning behind requiring monitoring for a period of 5 days of monitoring? What is the reasoning behind requiring monitoring at least 30 days in advance of any construction activities? The draft regulations use the term &quot;hydrocarbons&quot; in 5.01.3.01 and &quot;total hydrocarbons&quot; in 5.01.3.02. Are these terms intended to mean the same thing?</td>
<td>4.02 - Noted. 5.01.2.05 - We agree with that definition. If it is unintentional, then either it is a leak, which is covered in other provisions, or it is an emergency. 5.01.3 - Good catch. 5.01.3.02 should be promoted to a different section without regard to tank usage. 5 days of monitoring - The “5 days” only relates to baseline monitoring prior to construction. We have requested it 30 days in advance of construction because it is very important that the sampling is done and submitted to the City, else we have no way to go back and obtain a baseline. &quot;hydrocarbons&quot; in 5.01.3.01 and &quot;total hydrocarbons&quot; in 5.01.3.02. - Yes. I will modify the language.</td>
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<td>7/28/2020</td>
<td>ARB Midstream/DJ South Infield Gathering</td>
<td><a href="mailto:Amanda.Martin@ARBMidstream.com">Amanda.Martin@ARBMidstream.com</a></td>
<td>Thank you for taking the time last week to discuss some of the items of concern in the City of Aurora’s proposed Oil &amp; Gas Manual as it pertains to midstream projects within the City. It is our goal to work with City staff to develop workable common sense guidelines that will facilitate the safe and successful development of necessary infrastructure within the City. We appreciate your willingness to understand our concerns and address potential conflicts that may arise from the new Manual guidelines. Attached, please find a summary of items as identified by ARB Midstream/DJ South Infield Gathering for City review and consideration prior to issuance of the Manual. Please note that this list is comprised of some items discussed during our group call last week and others that were not discussed due to time constraints. Should you have any questions about my notes as written or if you’d like to discuss anything in particular, please feel free to reach out anytime. Again, thank you for the opportunity to discuss these items in detail. We appreciate the City’s consideration.</td>
<td>NOTE: Comments from this party were lengthy and the City is preparing a response to be posted with this spreadsheet in the near future.</td>
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<td>7/31/2020</td>
<td>Lisa Tran</td>
<td><a href="mailto:lisa_tran186@hotmail.com">lisa_tran186@hotmail.com</a></td>
<td>Good Morning, I do not want any type of drilling to happen, but I know as a city you will not care as long as the funds are there. We know fracking will impact the quality of water, and cause water to catch on fire. Will residents be able to get their waters tested and clean for free?</td>
<td>Colorado and local jurisdictions such as Aurora do not have authority to halt the development of valid mineral interests. Aurora works in conjunction with COGCC to regulate the industry for the purpose of protecting public health, safety, welfare, and the environment. The Oil &amp; Gas Division is unable to provide water testing for residents. If you have a concern about your water quality, please contact your water provider. If you have your own water well and have concerns about your water quality, you may have an independant test performed.</td>
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<td>8/11/2020</td>
<td>William E. Windler</td>
<td><a href="mailto:williamwindler@y7mail.com">williamwindler@y7mail.com</a></td>
<td>The proposed oil and gas regulations are a premier example of bureaucratic over-reach. They are overly detailed and dictatorial and will result in stifling industry creativity and competitiveness. The proposed rules go well beyond practical and do not provide a balance between private property rights and the public good. The proposed rules assume that the city knows the industry better than the industry knows itself. If implemented as written there will be many unintended consequences including loss of jobs and tax revenue. The city is already basically bankrupt because of COVID and other financial decisions. Adding another large bureaucratic process to an already financially strapped city makes no sense. The amount of time it will take for a company to comply with the voluminous amount of regulations and timelines associated therewith is off the charts, even for a subdivision of government. These types of regulations are designed to kill and bankrupt businesses that provide jobs and tax revenues for thousand of citizens. I quote below from an article entitled PRIVATE PROPERTY AND THE PUBLIC GOOD written by Jon Stone, Denver University. “The eighteenth-century English legal commentator William Blackstone famously declared private property to be a “sacred and inviolable” right – a precondition for personal security, individual liberty, and societal flourishing. For their part, America’s constitutional Founders viewed private property to be so fundamental that they enacted the Takings Clause of the Fifth Amendment (as well as comparable provisions in state-level constitutions) to prevent unlawful incursions by government on the rights of property owners.” He further states “Despite the long-standing importance of private property rights in Anglo-American law, considerable encroachments on such rights have occurred in recent decades as governmental bodies have increasingly sought to deploy…. their power to take property from private individuals for a variety of so-called “public” uses.” These proposed regulations will do exactly that. As written, these regulations are so onerous that mineral owners in the city of Aurora will be deprived of their constitutional rights to peacefully enjoy their constitutionally protected property rights. [CONTINUED]</td>
<td>[SEE NEXT PAGE]</td>
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<td>8/11/2020</td>
<td>William E. Windler</td>
<td><a href="mailto:williamwindler@y7mail.com">williamwindler@y7mail.com</a></td>
<td>These rights are equal to other constitutional rights such as Free Speech as recently proclaimed by the United States Supreme Court. These violations can now be litigated in the federal court system bypassing local and state jurisdictions. In my particular case, my family has owned land and mineral rights in the area since almost statehood. And now for a city to attempt to put in place rules and regulations that will potentially rob us of opportunities to develop our 710 mineral acres is nothing short of theft. As Mr. Stone’s article published March 10, 2020 clearly articulates, “There has been a battle over the past 50 years between two powerful forces: One is private property owners and the other is the police power threatening these owners,” says Jan Laitos, the John A. Carver, Jr. Chair at the University of Denver’s Sturm College of Law. “The Colorado Oil and Gas Commission already has in place regulations that cover the most important elements of oil and gas exploration. There is no need for the overly burdensome proposed regulations unless the ultimate goal is to actually destroy the oil and gas industry now that the United States is finally self sufficient in energy development. Would the city prefer to export all the jobs that will be lost back to the Middle East and Russia? The possible economic losses would represent current, tangible, and ascertainable losses that are neither speculative or remote if these rules are approved as written. Finally, and most significant, these rules if approved will substantially diminish the value of the mineral acreage held by many mineral owners in the City of Aurora and potentially deprive the owners of their right to an efficient exploitation of its minerals. Both circumstances would be inconsistent with the mandate of the Colorado oil and gas conservation statutes. I assume the city is willing to compensate the mineral owners and oil and gas companies for their losses because, if adopted, these rules would constitute a takings of private property. Numerous oil and gas companies have already worked tirelessly over the past several years with the city, landowners, mineral owners and other neighbors to gain consensus and develop cutting edge, environmentally sound, technologically advanced and quiet operations. I am not aware of any malpractice on the part of any oil and gas operator in the City of Aurora. So why is there a need for more bureaucracy? In many people’s opinion there isn’t. This appears to be a partisan political agenda. William E. Windler, Mineral Owner, First Creek LTD/Windler Homestead</td>
<td>The City of Aurora understands the rights of mineral owners. In the United States and in Colorado, mineral rights are property rights. We appreciate your comments regarding the burden placed on Operators by regulations. The Oil &amp; Gas Division seeks to find the balance between protection of public and the environment, and allowing Operators to access their legal mineral interest. More than 95% of the regulations found in the Draft Oil &amp; Gas Manual are not new, rather they were taken from the Operator Agreements negotiated between Operators and City Council last year. The City is currently working with five (5) Operators (both upstream and midstream) whose regulations are substantially the same as those found within the Draft Oil &amp; Gas Manual.</td>
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**NOTE:** Comments unrelated to oil and gas have been forwarded to the appropriate department.
City of Aurora – Oil & Gas Manual - Additional items for review/consideration
ARB Midstream LLC

General Comment
– Terminology in midstream section needs to be consistent with midstream applications, not E&P

32.01.02 – Future Increase in Oil & Gas Midstream Location Size
– Operator should have ability to add equipment without having to submit an entirely new permit
– Potentially change to only “major modifications” and define “major”

32.02.2.01 – Neighborhood Meeting
– “Oil and Gas Location” is inappropriate term

32.02.14 – Administrative Approval of OGMP
– Company should be notified of a call-up and have opportunity to discuss project
– Ambiguity of approval
– What would a call-up from City Council entail? Could they overturn an administrative approval?

32.02.18 – Time Limits
– Clarify the process to request an extension

32.03.2.09 – Letter of Introduction for Plans for Gathering Line Submittal Materials
– Is a description of hazards necessary/normal?
– Seems vague

32.03.3.16 – Site Plan for the CGF and Associated Facilities/PHA-HAZOP
– For what types of facilities?

32.03.3.30 – Fee Payment
– What are the fees?

33.02.4 – Emergencies
– Massive expense for operators
– How will amount of water be determined?

33.03.01 – PHA-HAZOP
– Replace “incorporated” with “considered”

33.11 Insurance
– Add option to self-insure (similar to language in License Agreement)

34.01.1 – Water Source
– Clarify water sourcing requirements for midstream. Is it mandated by the City like that of E&P use?

34.04 – Water During Drilling Phase
– This provision should be removed for midstream operations
35.01.2.07 – Minimization of Emissions
   – “Reduction of emissions from oil and gas well maintenance activities.” Should be removed in midstream section

35.04 – Electric Equipment
   – In conflict with 35.01.2.02 stating that “Natural gas engines and turbines will be operated and maintained...” This implies that use of temporary generators is permitted
   – If allowed, include language to allow for use of temporary generators during construction AND/OR until/if power company is causing delay in bringing power to site, or due to other situations outside the Operator’s control.

37.01.1 Notice of Application
   – Notification of landowners within 1 mile of entire gathering system is unnecessary. Propose to revise this to within 1 mile of surface equipment (appurtenance sites).

37.01.2 – Resident Notification of Neighborhood Drilling
   – “Approximate date to begin drilling” should be removed

37.05 – Previously Installed Facilities
   – Retroactive application of code is problematic, unreasonable, and unnecessary.

37.06 – Construction Work Hours
   – Limited work hours could increase time for construction of facilities and disturbance to any nearby residents
   – What is the process for requesting an exception to work hours at the time of construction (not known at the time of OGMP process) if/when emergency/extenuating circumstances arise? (ex: completing bore operations or tie-ins to avoid leaving open trenches/bell holes, etc.)

38.05 Pipeline Location Requirements
   – 38.05.1 – Is this requirement specific to City utilities only or all 3rd party crossings?
     • Standard industry practice and existing regulations require 2’ minimum vertical separation. 10’, or even 5’ with an exception, is unnecessary and excessive.
     • 10’ required separation could present safety and maintenance problems depending on final depth
   – 38.05.3 – Clarify the “10 feet edge to edge” spacing language – does this mean 10’ spacing from the pipe itself or the easement?
     • 30’ required spacing is excessive and results in a “taking” from private landowners when easements are required to be acquired so far into their usable lands. Creates potential for litigation against the City.
   – 38.05.10 – 30’ required spacing is excessive and creates a “taking” from private landowners when easements are required to be acquired so far into their usable lands – potential for litigation.
   – 38.05.11 – Maximum pipeline corridor width of 75’ will limit ability to accommodate spacing requirements also required by the Manual
   – 38.05.12 – include language to remove this obligation if structures are built or flood boundaries are revised after the pipeline is installed.
38.05.13 – Clarify that bore requirement is only specific to floodWAYS, not all “creeks, ditches, and other conveyances” due to vagueness of these terms.

- 20’ required depth is excessive and not consistent with other area municipalities (i.e.: Arapahoe County 6’ DOC required in floodplains, and no requirement to bore); propose to revise to 15’ DOC

38.06 Testing and Maintenance

- Ensure that language allows/requires pigging of lines “as applicable” – some gathering lines are non-piggable due to size
- Propose to modify frequency to 2 times per year (not quarterly) or “as deemed necessary by operator”

90.01.3 – Notification for Inspections

- Please define “reasonable notice”