

Pre-Application Meetings

Rule 301.f.(3) and Rule 301.g.(1)



COLORADO

**Energy & Carbon Management
Commission**

Department of Natural Resources

Purpose of the Pre-Application meeting

The purpose of the pre-application meeting is for invited participants to engage in a collaborative discussion regarding the process, standards, and submittal requirements for proposed oil and gas development.

This process can happen through:

1. A local government process or federal agency (Rule 301.f.(3).)
2. Energy and Carbon Management Commission process (Rule 301.g.(1).)

Rule 301.f Local Governments and Federal Agencies Pre-Application Meetings

- A pre-application meeting with a local government or federal agency can cover the requirements of 301.g.(1) to have a pre-application meeting with ECMC.
- The Operator must ensure all parties in rule 301.g.(1).B are invited to the meeting.
- If the meeting does not cover all of the ECMC Rule 301.g.(1) elements, then an additional pre-application meeting with ECMC will be required.
- The Operator or hosting government agency can provide the summary to ECMC, and the summary is required to be attached to the Form 2A.

RULE 301.g. Director's Pre-Application Meeting

ECMC hosted pre-application

- A pre-application meeting request form is available on the ECMC website under Operator Guidance. The required information will be on the request form. Additional maps and drawings should be included as part of the request.
- The Operator should come to the meeting prepared to discuss all aspects of the of the proposed OGD/CAP and location(s).
- The ECMC will schedule the pre-application meeting within 30-days of receiving the request.
- The Operator will provide names and emails of individuals identified in Rule 301.g.(1).B



RULE 301.g. Pre-Application Meeting Requirements

- Siting with information on surrounding community
 - Including distances to DIC, RBU, HOBUs, School Facility, Child Care Center, HPH or other sensitive receptors,
- Alternative Location Analysis - Consider 2 or 3 other locations and why the proposed location is preferred
- Cumulative Impacts -
 - NOx and Greenhouse Gas Intensity Target status
 - Default Area of Evaluation, including;
 - Surface water evaluation, distance determined on Rule 411.
 - Past, present, and reasonably foreseeable future development in the Area of Evaluation; and
 - BMPs and Enhanced Systems and Practices



RULE 301.g. Pre-Application Meeting Scheduling

- Once the Operator has submitted the completed Pre-Application Form to ECMC, ECMC will schedule the meeting within 30-days of receipt of the request.
- Operator must invite all participants listed under 301.g.(1).B.
- Meetings will be scheduled on Tuesday Afternoons from 2-2:45 pm or Thursday mornings from 9-9:45 am or 10-10:45 am

RULE 301.g.(1).B. Pre-Application Meeting Participants

ECMC will participate in at least one pre-application meeting with the Operator and the following parties will be invited by the Operator:

- All Local Governments within 1-mile of the proposed development;
- Federal or State Agency with land use jurisdiction or mineral development area;
- CDPHE;
- CPW; and
- A Community Liaison if the proposed location is within a Disproportionately Impacted Community (DIC). This individual will be invited and based on their review of the location will determine if they participate in the meeting.

Participants can waive their right to attend the meeting per Rule 301.g.(1).D.

Note* While drafting Guidance for Rule 301.g, Staff identified an inadvertent typographical error. The first sentence of Rule 301.g.(1) therefore should instead reference Rule 301.g.(1).B, and not Rule 301.g.(2).B. This error will be corrected in the forthcoming Cleanup Rulemaking along with other typographical errors.

RULE 301.g.(1).E. Post Pre-Application Meeting

The Operator will:

- Provide a written summary of the pre-application meeting outlining all the topics discussed
- Summary will be sent to all participants of the meeting within 10 days of the meeting
- Attach the summary to the Form 2A or CAP application when submitting the application
- If the meeting is hosted by the local government or federal agency under Rule 301.f.(3), the summary can either be sent by the hosting agency or the operator and that summary should be attached to the Form 2A(s) or CAP submission.

*ECMC has provided a summary template to help capture all the elements of the pre-application meeting.

Rule 1303.f and 1304 Deep Geothermal Well Consultation

Rule 1303.f. Is Local Government Consultation for Deep Geothermal Wells with ECMC, including proximate local governments to discuss:

1. Location, access roads, facilities and wells;
2. BMPs and avoidance measures for public health, safety, welfare, the environment, or wildlife resources;
3. BMPs and avoidance to minimize impact to Disproportionately Impacted Communities; and
4. Any relevant or proximate Government Concerns or Conditions of Approval.

Rule 1304 Consultation - Pre-Application meeting between Operator and the Permitting and Planning group at ECMC to discuss the scope, siting, and timing of operations.

Operator will consult or notice:

1. Surface Owner
2. Building Unit owners and Tenants
3. Schools, Child Care Centers, and School Governing Bodies within 2,000 feet of the proposed well
4. CPW

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10



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