

## Emails from citizens after BSR attachments were uploaded

**From:** M A Fahnestock <krypton36x83.8@gmail.com>  
**Sent:** Wednesday, August 15, 2018 9:20 AM  
**To:** Diane Kocis <DKocis@arapahoegov.com>; Jan Yeckes <JYeckes@arapahoegov.com>  
**Subject:** CDPHE

Please see the attached letter from the CDPHE supporting our concerns about safety and requiring an alternate site analysis.



kent kuster letter  
cdphe.pdf

Thank you.

[Preview attachment kent kuster letter cdphe.pdf](#)

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**From:** Cody Walkup <codywalkup@hotmail.com>  
**Sent:** Thursday, August 16, 2018 8:45 PM  
**To:** Jan Yeckes <JYeckes@arapahoegov.com>; Capt. Caleb Conner <CALEBCONNOR@BENNETTFIRERESCUE.ORG>  
**Cc:** Diane Kocis <DKocis@arapahoegov.com>; Jason Reynolds <JReynolds@arapahoegov.com>; Sue Liu <SLiu@arapahoegov.com>; Chuck Haskins <CHaskins@arapahoegov.com>; Dave Schmit <DSchmit@arapahoegov.com>; Nathan Fogg <NFogg@arapahoegov.com>; BECKY ROBERTS <brob424@msn.com>; melwalkup@hotmail.com; MC.Fhnstck <mcfwtkns@gmail.com>; Watkins Farm HOA Board <wfhoaboard@watkinsfarmcommunity.org>; Mary-Agnes Fahnestock <krypton36x83.8@gmail.com>; Melinda Venegas <melinda.venegas@gmail.com>; Jeff Baker <JBaker@arapahoegov.com>; margie.wright@primew.com; susanschjodt@live.com; Matthew Sura <mattsura.law@gmail.com>; EarlCumley@BennettFireRescue.org; John And Terri Bennett <terribennett1953@gmail.com>; Lloyd And Carrie Ladd <carrie@uhcdenver.com>; nheadlee@solucian.com; Nancy Jackson <NJackson@arapahoegov.com>; Tina Robledo <tina@uhcdenver.com>; Bill L. Holen <BHolen@arapahoegov.com>; Nancy Sharpe <NSharpe@arapahoegov.com>; JamesWoods@bennettfirerescue.org; SteveDambroski@bennettfirerescue.org; EricBrunner@bennettfirerescue.org; AmyKirkwood@bennettfirerescue.org; marc.morton@state.co.us; Kent.Kuster@state.co.us; john.oto@state.co.us; melissa.housey@state.co.us; EarlCumley@BennettFireRescue.org  
**Subject:** Re: Burlington Swan 4-64 6-1 - Bennett-Watkins Fire Rescue

Caleb,

I haven't received a response to my email below. I'd appreciate it if you could take the time to read through my questions. Specifically, I'd like to receive your response performance times. I've been asking for these for months and haven't received anything. It'd be nice to see some support for the 6 minute time frame we're being told that BWFR will be able to unlock both gates on the Northern EAR.

I just read in the I-70 Scout that BWFR's board approved a fee agreement with Conoco to service their well sites. Can you forward me a copy of the agreement? I tried to find information about it in your board minutes, but none of the links work on your website.

You've touted multiple times the reduction of wells and tanks on the Swan site as a safety mitigation that Conoco made to the application. However, Conoco's attorney recently confirmed(see below) in a letter to the COGCC that they will be moving forward with more wells at the Swan site as soon as the first well is drilled and completed (total of 3 phases - 8 wells, 32 tanks). As I said before, the reduction in wells and tanks is just a temporary measure. Only Conoco knows the real reason why they switched the application from an 8 well/32 tank site to a "phased application", but I'm pretty sure securing a "will serve letter" and avoiding an alternative site analysis were at the top of the list.

Conoco's Form 2A designates approximately thirteen (13) acres for the initial disturbed area. This includes the access roads, berms, topsoil stockpiles and sediment basin. Commission Rule 1003.b requires reclamation specifically for "areas affected by drilling that are **not needed for subsequent drilling.**" (Emphasis added.) In this case, Conoco has been forthright and open about its intention to move to its Phase 2 development after the first well has been drilled and completed.

Regards,  
Cody Walkup

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**From:** Cody Walkup <codywalkup@hotmail.com>  
**Sent:** Sunday, August 19, 2018 9:42 PM  
**To:** Diane Kocis <DKocis@arapahoegov.com>; melwalkup@hotmail.com  
**Subject:** Bennett Watkins Fire Dept- Will Serve Letter

Hello Diane,

Can you send me a copy of the will-serve letter for the original swan site application? I believe it written in Dec 2016 and rescinded shortly after.

Thanks,

Cody Walkup

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**From:** Cody Walkup <codywalkup@hotmail.com>  
**Sent:** Tuesday, August 21, 2018 9:00 AM  
**To:** Diane Kocis <DKocis@arapahoegov.com>  
**Subject:** Re: Bennett Watkins Fire Dept- 2016 Will Serve Letter

Hi Diane,

Sorry to keep bothering you. One additional request.

I see the MOU standards/requirements for an O&G site referenced everywhere, but I can't find the actual requirements on Arapahoe's website. Do you mind sending to me the actual MOU requirements?

Thanks again,

Cody Walkup

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**From:** Kathleen Conti  
**Sent:** Thursday, August 23, 2018 6:10 PM  
**To:** Diane Kocis <DKocis@arapahoegov.com>  
**Subject:** FW: Arapahoe County hearing

fyi  
Respectfully,  
*Commissioner Kathleen Conti*  
303-507-5170-c  
303-795-4285-o



**From:** Mark Judis [<mailto:Mark.Judis@boltcompanies.com>]  
**Sent:** Thursday, August 23, 2018 6:01 PM  
**To:** Commissioners <[Commissioners@ArapahoeGov.com](mailto:Commissioners@ArapahoeGov.com)>  
**Subject:** Arapahoe County hearing

Dear Commissioners,

My name is Mark Judis with Bolt Companies. I am unable to attend the August 28th Arapahoe County Public hearing concerning the ConocoPhillips Swan Well application, but wanted to take the time to share my support for this project. Although I don't live in Arapahoe County I work there every day providing instrumentation and electrical service support for ConocoPhillips projects. I can tell you from firsthand experience that ConocoPhillips is true to their values around safety, protecting people and the environment. I personally ensure that all my 14 employees work in a safe environment and respect the land they work on. I request the approval of the Swan well application.

Thanks,

Mark Judis  
I&E Project Manager



[Mark.Judis@Boltcompanies.com](mailto:Mark.Judis@Boltcompanies.com)

3939 Carson Avenue  
Evans Co. 80620  
Office: 970-714-7508  
Cell: 720-585-7037

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**From:** Matthew Sura <mattsura.law@gmail.com>  
**Sent:** Saturday, August 25, 2018 12:39 PM  
**To:** Diane Kocis <DKocis@arapahoegov.com>  
**Subject:** question about Swan public comments

Diane –

I have a quick about supplementing the record for the hearing on Tuesday. It appears that the emails that were sent to you were all included but many of those emails had attachments that were not included – or at least are not available for viewing on the Arapahoe County website. For example, I want to make sure that the Commissioners have a chance to review the alternative location discussion I sent to you on May 14<sup>th</sup> and another that was sent to you on June 25<sup>th</sup> that had three exhibits – including an exhibit describing all the alternative locations that would be far safer than the Swan location.

Were all the exhibits included in the BOCC packets if they are not available online? If not, we will want to supplement the record with some of those documents on Monday.

Thanks Diane,

Matt Sura

Matthew Sura  
Attorney at Law  
(720) 563-1866  
[mattsura.law@gmail.com](mailto:mattsura.law@gmail.com)

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**From:** Cody Walkup <codywalkup@hotmail.com>  
**Sent:** Sunday, August 26, 2018 10:16 PM  
**To:** Jan Yeckes <JYeckes@arapahoegov.com>; Capt. Caleb Conner <CALEBCONNOR@BENNETTFIRERESCUE.ORG>  
**Cc:** Diane Kocis <DKocis@arapahoegov.com>; Jason Reynolds <JReynolds@arapahoegov.com>; Sue Liu

<SLiu@arapahoegov.com>; Chuck Haskins <CHaskins@arapahoegov.com>; Dave Schmit <DSchmit@arapahoegov.com>; Nathan Fogg <NFogg@arapahoegov.com>; BECKY ROBERTS <brob424@msn.com>; melwalkup@hotmail.com; MC.Fhnstck <mcfwtkns@gmail.com>; Watkins Farm HOA Board <wfhoaboard@watkinsfarmcommunity.org>; Mary-Agnes Fahnestock <krypton36x83.8@gmail.com>; Melinda Venegas <melinda.venegas@gmail.com>; Jeff Baker <JBaker@arapahoegov.com>; margie.wright@primew.com; susanschjodt@live.com; Matthew Sura <mattsura.law@gmail.com>; EarlCumley@BennettFireRescue.org; John And Terri Bennett <terribennett1953@gmail.com>; Lloyd And Carrie Ladd <carrie@uhcdenver.com>; nheadlee@solucian.com; Nancy Jackson <NJackson@arapahoegov.com>; Tina Robledo <tina@uhcdenver.com>; Bill L. Holen <BHolen@arapahoegov.com>; Nancy Sharpe <NSharpe@arapahoegov.com>; JamesWoods@bennettfirerescue.org; SteveDambroski@bennettfirerescue.org; EricBrunner@bennettfirerescue.org; AmyKirkwood@bennettfirerescue.org; marc.morton@state.co.us; john.noto@state.co.us; melissa.housey@state.co.us; EarlCumley@BennettFireRescue.org  
**Subject:** Re: Burlington Swan 4-64 6-1 - Bennett-Watkins Fire Rescue

Caleb,

I'm still waiting on a response from you. Ignoring our community's safety concerns and questions will not make them go away.

Cody Walkup

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**From:** Matthew Sura <mattsura.law@gmail.com>  
**Sent:** Monday, August 27, 2018 7:59 AM  
**To:** Diane Kocis <DKocis@arapahoegov.com>; Jan Yeckes <JYeckes@arapahoegov.com>  
**Subject:** Comments from Watkins Farm HOA



Watkins HOA final  
BOCC comments 8-27

Dear Diane Kocis and Jan Yeckes, Planning Division Manager –

Attached, please find comments from the Watkins Farm HOA to supplement the record on *AE18-003 Swan #4-64 6-1 3DH Well Facility*. Please notify me when these comments have been forwarded to the County Commissioners.

Thank-you,

Matt Sura

Matthew Sura  
Attorney at Law  
(720) 563-1866

[mattsura.law@gmail.com](mailto:mattsura.law@gmail.com)

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**From:** Cody Walkup <codywalkup@hotmail.com>

**Sent:** Monday, August 27, 2018 2:43 PM

**To:** Jan Yeckes <JYeckes@arapahoegov.com>; Capt. Caleb Conner <CALEBCONNOR@BENNETTFIRERESCUE.ORG>

**Cc:** Diane Kocis <DKocis@arapahoegov.com>; Jason Reynolds <JReynolds@arapahoegov.com>; Sue Liu <SLiu@arapahoegov.com>; Chuck Haskins <CHaskins@arapahoegov.com>; Dave Schmit <DSchmit@arapahoegov.com>; Nathan Fogg <NFogg@arapahoegov.com>; BECKY ROBERTS <brob424@msn.com>; melwalkup@hotmail.com; MC.Fhnstck <mcfwtkns@gmail.com>; Watkins Farm HOA Board <wfhoaboard@watkinsfarmcommunity.org>; Mary-Agnes Fahnestock <krypton36x83.8@gmail.com>; Melinda Venegas <melinda.venegas@gmail.com>; Jeff Baker <JBaker@arapahoegov.com>; margie.wright@primew.com; susanschjodt@live.com; Matthew Sura <mattsura.law@gmail.com>; EarlCumley@BennettFireRescue.org; John And Terri Bennett <terribennett1953@gmail.com>; Lloyd And Carrie Ladd <carrie@uhcdenver.com>; nheadlee@solucian.com; Nancy Jackson <NJackson@arapahoegov.com>; Tina Robledo <tina@uhcdenver.com>; Bill L. Holen <BHolen@arapahoegov.com>; Nancy Sharpe <NSharpe@arapahoegov.com>; JamesWoods@bennettfirerescue.org; SteveDambroski@bennettfirerescue.org; EricBrunner@bennettfirerescue.org; AmyKirkwood@bennettfirerescue.org; marc.morton@state.co.us; john.noto@state.co.us; melissa.housey@state.co.us; EarlCumley@BennettFireRescue.org

**Subject:** Swan Site - Board Summary Report – Errors, omissions and inaccuracies

Mr Schmit,

After reading the Board Summary Report I have some concerns that should be addressed prior to finalizing the document.

1)The gravel road being called the Southern Emergency Access Road unequivocally does not qualify as an emergency access road or an emergency apparatus road. By referring to it in this manner is extremely misleading and inaccurate, as it's referred to as such **16 times** in the Board Summary Report. This would imply that the entire road could handle the evacuation of a community and large fire/rescue vehicles. This road doesn't come close to meeting the width, drainage, turn radius, and road base requirements of an emergency access road. This road doesn't even meet the MOU standards for an oil and gas facility access road in its entirety (4" road base and 16' width). If it were to be described accurately, it should be referred to as a gravel country road that could be used for evacuation **depending** on the weather, vehicle type and emergency responder availability.

To state that Arapahoe County's condition of 2 emergency roads has been met is entirely false.

2) The road being referred to as the Southern Emergency Egress Road is located on a former **Bombing and Gunnery Range**. I'm not sure who thought this was a good idea, but it should absolutely be called out in the Board Summary Report. To possibly evacuate a community across a former bombing range in the dark (no streetlights) on a winding, decrepit gravel country road would be a gross human experiment. Will Arapahoe County be training the community on the 3 "Rs" of munitions safety?

See link to State of Colorado website.

<https://www.colorado.gov/pacific/cdphe/former-lowry-bombing-and-gunnery-range>

3) Page 3. In the second paragraph the Board Summary Report refers to a proposal with "up to 8 wells and 16 tanks". This obviously is not correct.

4) Page 10 - BWFR response. Despite vetting these access roads, BWFR apparently doesn't know where the access roads are located. BWFR says "providing egress to the north, off Imboden, over to the I-70 Frontage Road." The Northern EAR doesn't connect to either of these roads.

BWFR goes on to say "the second(road) will access from Ulm Street". Again, this is not true. The road connects to Kio St. This is just the latest example of BWFR not paying attention. It's also a reminder of why our community wants an emergency response plan **prior** to the Swan application being approved. We're still waiting on proof that the Northern EAR gates can be un-locked within **6 minutes**, as Arapahoe County has stated multiple times.

5) Page 3 – 2<sup>nd</sup> Background paragraph. The BSR refers to the "one-way-in/one-way-out roadway" as a reason why the initial will-serve was rescinded. This is not accurate. Please refer to BWFR's 2/13/17 letter in your case file. The single access to our community was overlooked by the County, Conoco and BWFR. It didn't come to attention until our community raised the concern. This again is another reason why there needs to be an emergency response plan in place and reviewed **prior** to the Swan application being approved. Our community needs to be involved in the planning as we no longer trust that the entities that should be protecting us, will put together a comprehensive emergency plan.

Regards,

Cody Walkup

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**From:** Rod <[primarybrokerrod@msn.com](mailto:primarybrokerrod@msn.com)>  
**Sent:** Wednesday, August 08, 2018 4:27 PM  
**To:** Diane Kocis <[DKocis@arapahoegov.com](mailto:DKocis@arapahoegov.com)>  
**Cc:** [mattsura.law@gmail.com](mailto:mattsura.law@gmail.com)  
**Subject:** SWAN Surface Location Alternative

Hi Diane,

I hope you are well!

Please find this attached letter as I have been encouraged by my family and friends in to discuss this alternative with you and the County Commissioners.

Respectfully,  
Regards,

Rod Laing  
Watkins, CO