



COGCC OPERATOR GUIDANCE

RULE 304.B.(2) ALTERNATIVE LOCATION ANALYSIS - WORKING DRAFT 12-15-2020

Document Control:

Created Date:	August 1, 2020
Last Updated Date:	December 14, 2020
Last Updated By:	S. Trask
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Rule Citations

See the full text of Rule 304.b.(2) and associated Rule 604 starting on page 10 of this guidance.

Purpose of Rule 304.b.(2)

The COGCC was mandated by the passing of Senate Bill 19-181 to adopt an Alternative Location Analysis (“ALA”) process. Rule 304.b.(2) serves to implement this ALA process.

Rule 304.b.(2) Guidance

COGCC is providing this guidance for identifying and assessing alternative locations for consideration during the siting and review process for a proposed Oil and Gas Location associated with a Form 2A, Oil and Gas Location Assessment (“Form 2A”). The ALA involves identifying potential alternative locations based on avoidance of sensitive receptors, and comparing those locations to a proposed location described in a Form 2A. Although the ideal end result is an unbiased comprehensive analysis that demonstrates that the proposed location is the best surface site from which to develop a suite of minerals, the ALA is not a guarantee that the proposed location will be approved by the Commission through the Oil and Gas Development Plan (“OGDP”) and Form 2A permitting process. In addition, a proposed (or alternative) location that meets one or more of the ten 304.b.(2).B criteria is not automatically eliminated from consideration for development simply because it meets certain criteria; the Commission may find it possible to approve a location once BMPs, COAs, and all other information is found to meet the protective standards set by SB 19-181. It is expected that Operators will conduct at least some portion of an ALA during their early planning process, preferably in coordination with the Relevant Local Government or federal land manager through a Pre-Application Consultation per Rule 301.f. It is also expected that Operators use the ALA not to justify their preferred location, but to objectively

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identify the best available and most reasonable site to develop based on avoidance of impacts to potential receptors and maximizing mineral development. The formal ALA (or substantially equivalent document) will be submitted with the Form 2A as required.

In order to evaluate and compare multiple locations, COGCC has developed a tiered classification system for assessing proposed and alternative locations. This document explains the tiered system and the recommended content of an Alternative Location Analysis.

Terms and Descriptions for this Guidance (Note: These are not Rule citations)

Alternative Location - Where a proposed Location is subject to the requirements for an ALA, a surface location other than the proposed Location, that could potentially be used to access and develop the minerals proposed in the Form 2A.

The ALA does not require a specific number of alternative locations to be identified. Rather, Rule 304.b.(2).C requires the review of “all potential alternate locations from which the targeted minerals can be accessed”.

Tier System - A method used to compare a proposed Oil and Gas Location with potential alternative locations by assigning a “Tier” identifier based on the following considerations: Rule 304.b.(2).B.i through x criteria, Rule 604 setbacks, Rule 1202.c and d High Priority Habitats, general siting considerations, and any siting-related Rule variances or relief required to permit the location. Although the Tier System does not address every possible siting scenario, it creates an “apples to apples” comparison between all locations being considered. The Tier System is not meant to be a comprehensive evaluation of every location; a more in-depth review of each location is required in the narrative of the ALA to complement and support the Tier identified for the proposed location and each alternative location. (See [ALA_Tier-System_GuidanceTable_12-11-2020](#) for more information).

Tier I Location - A location that does not meet any Rule 304.b.(2).B criteria. No siting-related variance or other relief is required for this location.

Tier II Location - A location that meets only one of the following Rule 304.b.(2).B criteria: iii, iv, v, vi, vii, or ix. No siting-related variance or other relief is required for this location.

Tier III Location - A location that meets only one of the following Rule 304.b.(2).B criteria: i or viii. If criterion i is met, the High Occupancy Building Unit (“HOB”) may not be a School or Child Care Center. If criteria viii is met, the High Priority Habitat (“HPH”) must meet 1202.c.(1).R, S, or T, and CPW must waive the application of the

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rule and the Director must grant an exception. If the HPH meets 1202.d, a CPW-approved Wildlife Mitigation Plan (or similar) and Compensatory Mitigation are required. No siting-related variance is required for this location.

Tier IV Location - A location that meets two or more of the following Rule 304.b.(2).B criteria: i, iii, iv, v, vi, vii, viii, ix, or x. If criteria i or x is met, the HOBUS cannot be a School or Child Care Center. If criterion viii is met, the HPH must meet 1202.c.(1).R, S, or T, and CPW must waive the application of the rule and the Director must grant an exception. If the HPH meets 1202.d, a CPW-approved Wildlife Mitigation Plan (or similar) and Compensatory Mitigation are required. No siting-related variance is required for this location.

Tier V Location - A location that meets criteria i, ii, viii, or x, or any location that requires a variance to any siting-related rule. If criteria i, ii, or x is met, the HOBUS is a School or Child Care Center, and the location requires a variance to Rule 604.a.(3). If criterion viii is met, the HPH meets any rule within 1202.c.(1).A-T, and CPW has not waived the applicability of the rule. These locations require a variance for 1202.c. Tier V also includes any location that cannot be approved unless a siting-related Rule variance is approved by the Commission.

Tier Suffixes: A or B - If a location can fully develop all the proposed minerals from the single location, the suffix “A” is added to the Tier (ex: Tier I-A). If a location cannot fully develop the proposed minerals from the single location, resulting in stranded minerals or the requirement of an additional location, the suffix “B” is added to the Tier (ex: Tier I-B).

The Tier System is summarized with additional details in the [table at the end of this section \(ALA_TIER-SYSTEM_GuidanceTable_12-11-2020\)](#).

Applicability of an Alternative Location Analysis

Per Rule 304.b.(2).A, an ALA is required to be included in an OGD’s Form 2A application if the proposed Location meets any criteria listed under Rule 304.b.(2).B, if the Director or Commission determines that an ALA is necessary to evaluate the protective nature of the proposed Location, or if the Location is within the Southern Ute Indian Reservation and the tribe objects to the Location or requests an ALA.

There are, however, situations that may allow an Operator some flexibility in the submission of the ALA. Per Rule 301.f.(3), an ALA may be reviewed during a Pre-Application Consultation between the Operator, Relevant Local Government or federal land manager, and the Director. This Consultation may also include CPW if the

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location is in or near HPH, a State Park, or a CPW-owned State Wildlife Area; a formal consultation with CPW may also occur after the OGD application has been submitted to COGCC. Per Rule 302, COGCC recognizes local government siting authority, therefore if an ALA is addressed with all jurisdictional and permitting entities prior to applying for a COGCC siting permit, then per Rule 304.e, the operator may submit substantially equivalent information developed through this Local Government or federal consultation in lieu of an ALA.

Additionally, the Director may waive the requirement for an ALA during the completeness determination if the Director determines the inclusion of the ALA is not necessary to protect and minimize adverse impacts to public health, safety, welfare, the environment, and wildlife resources. Per SB 19-181, however, the Director cannot waive the ALA for locations proposed near populated areas, thus, locations that meet criteria i, ii, or iii may not be waived at any time. Ideally, any waiver would be discussed during the Pre-Application Consultation. The Operator may formally request this waiver by including the request on the Form 2A per Rule 304.b.(2).A.1.

Conducting the Alternative Location Analysis

There are three components required to complete the ALA: the ALA Tab on the Form 2A, the ALA Data Template (2A attachment), and the ALA Narrative Summary (2A attachment).

The ALA tab on the Form 2A requests basic information about any pre-application consultations related to the proposed location, and any ALA or substantially equivalent information that is developed during the concurrent or subsequent permitting processes with other jurisdictions. The 2A's ALA tab also requires a list of any Rule 304.b.(2).B criteria the proposed Location and each alternative location meet. For information regarding the ALA tab on the Form 2A, see the [Form 2A Checklist and xxx guidance documents](#).

The primary source of in-depth ALA information and comparison between locations will be two attachments provided by the Operator on the Form 2A: the ALA Data Template, and the ALA Narrative Summary. The ALA Data Template is an excel spreadsheet, available on the COGCC website as a template. This template captures all the quantitative data required by Rule 304.b.(2).C. It is set up for the Operator to provide the required data for the proposed location and each alternative location, and allows for the assessment of Tier System classification for each location. This spreadsheet will be filled out by the Operator and attached to the Form 2A for review by the OGLA staff. [Additional information and instruction for the ALA Data Template may be found here xxxxxx](#). The ALA Narrative Summary is a written description of each alternative

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location and a summary and conclusion of the overall analysis. The narrative summary will also include the maps required by Rule 304.b.(2).C.i, as described below. This attachment will be compiled by the operator and formatted as a PDF to be attached to the Form 2A.

ALA Process Overview:

1. Identify the mineral area to be developed.
2. Identify the proposed Location and fill out the ALA tab on the Form 2A.
3. Identify all potential alternative locations from which the targeted minerals can be accessed.
4. Compile the required data for the proposed location and each alternative location, and populate the ALA Data Template with this information.
5. Create maps as required by Rule 304.b.(2).C.i.
6. Create the ALA Narrative Summary document.
7. Provide any other additional information requested by the Director.
8. Submit all necessary components of the ALA via the Form 2A.

Process Details:

1. Identify the mineral area to be developed. This could include one or more leases, one or more Drilling and Spacing Units (“DSU”), one or more federal units, or other type of development acreage. Include all the minerals that would be developed solely from the proposed location.
2. Identify the proposed location, and fill out the ALA tab on the Form 2A. See Form 2A Checklist for additional details on filling out the Form 2A.
3. Identify all potential alternative locations from which the targeted minerals can be accessed and that may achieve the planned development. Alternative locations may be within the mineral development area, or adjacent or proximate to it. Using recent maps or aerial photos, identify all parcels of land that are suitably sized to accommodate the proposed development. The land will be evaluated for development constraints and then each parcel from which the development proposal is technically feasible will be evaluated using the Tier System described above.
4. Once the alternative locations have been identified, compile the required data for the proposed location and each alternative location, and populate the ALA Data Template with this information. **See the ALA Data Template instructions here xxxxxx.**
5. Create maps as required by Rule 304.b.(2).C.i. Maps should be created to maximize a letter-sized page (8.5 x 11”), and should include the Operator’s

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Name, 2A document number, name of proposed location, name of OGD, north arrow, and a scale. Required items will be labeled either within the map or in a table or key on the map. Maps will be added as pages in the ALA Narrative Summary document to be attached on the Form 2A. For consistency and ease in reviewing all the necessary map components, COGCC recommends the following three maps are made:

- a. Map 1 - to include:
 - i. the proposed area of mineral development (304.b.(2).C.i.aa)
 - ii. the proposed location (304.b.(2).C.i.bb)
 - iii. the latitude and longitude of the proposed location (304.b.(2).C.i.gg)
 - iv. all alternative locations (304.b.(2).C.i.cc)
 - v. all relevant jurisdictional boundaries (304.b.(2).C.i. ee)
- b. Map 2 - to include:
 - i. the proposed location (304.b.(2).C.i.bb)
 - ii. the latitude and longitude of the proposed location (304.b.(2).C.i.gg)
 - iii. all alternative locations (304.b.(2).C.i.cc)
 - iv. all proximal existing and permitted Oil and Gas Locations (304.b.(2).C.i.dd); permitted locations should include those locations that have a valid Form 2A and/or valid Form 2(s) on file with COGCC, and those locations that have an approved and valid local permit from a relevant local government
 - v. all Disproportionately Impacted Communities within 2,000 feet of the proposed location and each alternative location (304.b.(2).C.i.ff)
- c. Map 3 - to include:
 - i. the proposed location (304.b.(2).C.i.bb)
 - ii. the latitude and longitude of the proposed location (304.b.(2).C.i.gg)
 - iii. all alternative locations (304.b.(2).C.i.cc)
 - iv. all Rule 304.b.(2).B criteria met by the proposed location and each alternative location
- d. Additional maps may be included as needed to provide supporting documentation for:
 - i. Public Water System supply wells (either Groundwater Under the Direct Influence of Surface Water (“GUDI”) or those completed in Type III aquifers) within 2,640 feet of the proposed location and the potential alternative locations.

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- ii. Trails or other recreational facilities.
 - iii. Other notable features not already included.
6. Create the ALA Narrative Summary document.
- a. The Narrative Summary will include for the proposed location and each alternative location:
 - i. A description of the location's setting (land use, density of Residential Building Units or HOBUs, proximity to urban development, etc.), and description of potentially impacted receptors.
 - ii. An evaluation of the potential impacts to health, safety, welfare, the environment and wildlife resources. Factors to consider may include, but are not limited to: proximity to floodplains, wetlands, Surface Water Supply Areas, wildlife, distance to Building Units ("BUs"), BU ownership, right to construct, disproportionately impacted community, and current and future land use. An identification of all potentially impacted receptors
 - iii. A description of the advantages and disadvantages associated with the operator's chosen location that are not identified elsewhere in the ALA Data Template or ALA Narrative Summary. Examples include opportunities to consolidate operations; facilities, infrastructure, and equipment requirements; topography and engineering considerations and constraints; acreage requirements; access points, roads, and routes and transportation considerations; distance to municipal boundaries and local government planning.
 - iv. Permitting considerations such as timing of local or federal permits, spacing orders or applications, or other permitting-related difficulties or efficiencies.
 - v. Conditions or factors that make the location unavailable.
 - vi. The Tier classification for this location.
 - b. The ALA Narrative Summary will include an overall explanation as to why the Operator selected the proposed location over all the alternative locations. This summary will clearly demonstrate that the proposed location is preferred above the alternative locations based on the avoidance or minimization of adverse impacts to receptors.
7. Provide any other additional information requested by the Director. This may be included in the Narrative Summary, ALA Data Template, or attached as a separate document on the Form 2A, as appropriate.
8. Submit all necessary components of the ALA via the Form 2A. This includes all required maps, the ALA Data Template, the ALA Narrative Summary, and any

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additional information requested by the Director. Data submitted should provide a complete picture of the proposed location and each alternative location.

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TIER CLASSIFICATION SYSTEM FOR QUICK ASSESSMENT OF PROPOSED AND ALTERNATIVE LOCATIONS BASED ON 304.b.(2).B CRITERIA, SITING CONSIDERATIONS, VARIANCES, AND MINERAL DEVELOPMENT

Tier	Which 304.b.(2).B criteria does the alternative location meet?	Rules 604 (setbacks) and 1202 (HPH) considerations:	Siting-related Variances or other Relief considerations:	Can the alternative location fully develop the minerals proposed by the 2A?
Tier I	No criteria met	<ul style="list-style-type: none"> Complies with 604.a setbacks 604.a.(2) exception avoided 604.a.(4) consent avoided 604.b conditions avoided Complies with 1200-series 	No variance required	Yes: Tier I-A No: Tier I-B
Tier II	One criterion met: iii, iv, v, vi, vii, or ix	<ul style="list-style-type: none"> Complies with 604.a setbacks 604.a.(2) exception avoided 604.a.(4) consent avoided 604.b conditions avoided Complies with 1200-series 	No variance required	Yes: Tier II-A No: Tier II-B
Tier III	One criterion met: i* or viii† <i>(Note: If CPW waives ALA per 304.b.(2).B.viii, criterion viii is not met)</i>	<ul style="list-style-type: none"> Complies with 604.a setbacks 604.a.(2) exception avoided or satisfied 604.a.(4) consent avoided or satisfied 604.b conditions avoided or satisfied For criterion viii: <ul style="list-style-type: none"> If HPH is 1202.d: CPW-approved Wildlife Mitigation Plan and Compensatory Mitigation required 	No variance required For criterion viii: <ul style="list-style-type: none"> If HPH is 1202.c.(2).R, S, or T: Director's exception required 	Yes: Tier III-A No: Tier III-B
Tier IV	Two or more criteria met: i*, iii, iv, v, vi, vii, viii†, ix, or x*	<ul style="list-style-type: none"> Complies with 604.a setbacks 604.a.(2) exception avoided or satisfied 604.a.(4) consent avoided or satisfied 604.b conditions avoided or satisfied For criterion viii: <ul style="list-style-type: none"> If HPH is 1202.d: CPW-approved Wildlife Mitigation Plan and Compensatory Mitigation required 	No variance required For criterion viii: <ul style="list-style-type: none"> If HPH is 1202.c.(2).R, S, or T: Director's exception required 	Yes: Tier IV-A No: Tier IV-B
Tier V	Criteria i**, ii, viii†, or x** met, or, any location that requires a variance for siting considerations **HOBU is a school or child care center. † HPH is 1202.c.(1).A-T and CPW has not waived	Varies	For criteria i, ii, or x: variance required for 604.a.(3). For criterion viii: variance required for 1202.c. Any location that requires a siting-related variance.	Yes: Tier V-A No: Tier V-B

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Rule Citations

304.b.(2) Alternative Location Analysis.

A. Applicability. This Rule 304.b.(2) applies to any proposed Oil and Gas Location:

- i. That meets any of the criteria listed in Rule 304.b.(2).B, unless the Director determines in the completeness determination that an alternative location analysis is not necessary to protect and minimize adverse impacts to public health, safety, welfare, the environment, or wildlife resources. The Director may not waive the alternative location analysis requirement for any Oil and Gas Location that meets the criteria listed in Rule 304.b.(2).B.i–iii.
- ii. For which the Director or Commission determines that an alternative location analysis is necessary to evaluate whether the proposed Oil and Gas Location reasonably protects and minimizes adverse impacts to public health, safety, welfare, the environment, and wildlife resources.
- iii. Within the exterior boundaries of the Southern Ute Indian Reservation and subject to the Commission’s jurisdiction pursuant to Rule 201.d.(2), if the Southern Ute Indian Tribe objects to the proposed Oil and Gas Location, or requests an alternative location analysis.

B. Alternative Location Analysis Criteria. An Operator will perform an alternative location analysis if:

- i. The proposed Working Pad Surface is within 2,000 feet of 1 or more Residential Building Units or High Occupancy Building Units;
- ii. The proposed Working Pad Surface is less than 2,000 feet from a School Facility or Child Care Center;
- iii. The proposed Working Pad Surface is within 1,500 feet of a Designated Outside Activity Area;
- iv. The proposed Working Pad Surface is less than 2,000 feet of a municipal or county boundary, and the Proximate Local Government objects to the location or requests an alternative location analysis;
- v. The proposed Working Pad Surface is within a Floodplain;
- vi. Unless waived by the applicable Public Water System(s), the proposed Oil and Gas Location is within:

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- aa.** A surface water supply area as defined in Rule 411.a.(1); or
- bb.** Within 2,640 feet of a Public Water System supply well that is completed in a Type III Aquifer or is a groundwater under the direct influence of surface water well as defined in Rule 411.b.(1);
- vii.** The proposed Oil and Gas Location is within the boundaries of, or is immediately upgradient from, a mapped, visible, or field-verified wetland or riparian corridor;
- viii.** The proposed Oil and Gas Location is within High Priority Habitat and the Operator did not obtain a waiver from CPW through a pre-application consultation;
- ix.** The Operator is using or intends to use a Surface Owner protection bond pursuant to Rule 703 to access the proposed Oil and Gas Location; or
- x.** The proposed Working Pad Surface is within 2,000 feet of a Residential Building Unit, High Occupancy Building Unit, or School Facility located within a Disproportionately Impacted Community.

C. Contents of an Alternative Location Analysis. If an alternative location analysis is required, the Operator will prepare a narrative analysis that identifies all potential alternate locations from which the targeted minerals can be accessed that may be considered for siting of the Oil and Gas Location. Operators will also submit the following information:

- i.** One or more maps or recent aerial images showing:
 - aa.** The proposed area of mineral development;
 - bb.** The Operator's proposed Oil and Gas Location;
 - cc.** All technically feasible alternative locations;
 - dd.** All proximal existing and permitted Oil and Gas Locations;
 - ee.** All relevant jurisdictional boundaries;
 - ff.** All Disproportionately Impacted Communities within 2,000 feet of each Oil and Gas Location analyzed in the alternative location analysis;
 - gg.** A reference coordinate (latitude/longitude); and
 - hh.** All Rule 304.b.(2).B criteria met by the proposed location and any alternative location(s) shown.

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- ii. For each alternative location evaluated, a table showing all information required by Rules 304.b.(3).A & B.
- iii. A data table for the proposed Oil and Gas Location and each alternative location, with all measurements made from each proposed Working Pad Surface, that lists the following information:
 - aa. All Rule 304.b.(2).B criteria met.
 - bb. For proposed Oil and Gas Locations within or within 2,000 feet of a Disproportionately Impacted Community:
 - 1. The distance to the nearest Building Unit, High Occupancy Building Unit, and School;
 - 2. A description of the community outreach efforts conducted by the Operator prior to preparing the alternative location analysis, including whether the Operator made information available in languages other than English based on the linguistic needs of the community, questions and Operator responses to questions from residents of the Disproportionately Impacted Community, and any public meetings conducted (including location, time of day, and whether interpreters were requested and provided) with residents of the Disproportionately Impacted Community;
 - 3. The number and description of existing Oil and Gas Locations, Oil and Gas Facilities, and Wells also within 2,000 feet of any Residential Building Unit, High Occupancy Building Unit, or School Facility within 2,000 feet of any proposed Oil and Gas Location analyzed in the Alternative Location Analysis.
 - cc. Distance to any municipal or county boundaries that are within 2,000 feet, and the names of the Proximate Local Government(s).
 - dd. **Relevant Local Government Information.** For each alternative location analyzed, the:
 - 1. Name of the Relevant Local Government;
 - 2. The Relevant Local Government's land use or zoning designation;
 - 3. The Relevant Local Government's permitting process; and
 - 4. The status of each Relevant Local Government's permit process, if applicable.

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- ee.** Current land use, and plans for future land use at and proximal to each identified location.
- ff.** Distance to nearest wetland, surface water, surface water supply area as defined in Rule 411.a.(1), or Public Water System supply well that is completed in a Type III Aquifer or is a groundwater under the direct influence of surface water well as defined in Rule 411.b.(1).
- gg.** Distance to nearest High Priority Habitat.
- hh.** Anticipated method of right-to-construct and surface ownership.

D. The Director may request that the Operator provide any additional information or analyze additional locations for the Oil and Gas Location if the Director believes that additional analysis or information is necessary for the Director's and Commission's review of the public health, safety, welfare, environmental, and wildlife impacts of the locations the Operator analyzes.

604. SETBACKS and SITING REQUIREMENTS

a. Well Location Requirements.

- (1)** At the time the Well is drilled, a Well will be located not less than 200 feet from buildings, public roads, above ground utility lines, or railroads.
- (2)** At the time a Form 2A, Oil and Gas Location Assessment is filed, a Well will be located not less than 150 feet from a surface property line. The Commission may grant an exception if it is not feasible for the Operator to meet this minimum distance requirement and a waiver is obtained from the offset Surface Owner(s). The Operator will submit an exception location request letter stating the reasons for the exception and a signed waiver(s) from the offset Surface Owner(s) with the Form 2A for the proposed Oil and Gas Location where the Well will be drilled. Such signed waiver will be filed in the office of the county clerk and recorder of the county where the Well will be located.
- (3)** No Working Pad Surface will be located 2,000 feet or less from a School Facility or Child Care Center.

A. If the Operator and School Governing Body disagree as to whether a proposed Working Pad Surface is 2,000 feet or less from a School Facility or Child Care Center, the Commission will hear the matter in the course of considering the proposed Oil and Gas Development Plan. At the hearing, the Operator will demonstrate that the Working Pad Surface is more than 2,000 feet from any School Facility or Child Care Center.

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B. Any hearing required under Rule 604.b.(3).A will be held at a location reasonably proximate to the lands affected by the proposed Oil and Gas Development Plan.

(4) No Working Pad Surface will be located less than 500 feet from 1 or more Residential Building Units not subject to a Surface Use Agreement or waiver, that includes informed consent from all Building Unit owner(s) and tenant(s) explicitly agreeing to the proposed Oil and Gas Location siting.

b. Siting Requirements for Proposed Oil and Gas Locations Near Residential Building Units and High Occupancy Building Units. No Working Pad Surface will be located more than 500 feet and less than 2,000 feet from 1 or more Residential Building Units or High Occupancy Building Units unless one or more of the following conditions are satisfied:

(1) The Residential Building Unit owners and tenants and High Occupancy Building Unit owners and tenants within 2,000 feet of the Working Pad Surface explicitly agree with informed consent to the proposed Oil and Gas Location;

(2) The location is within an approved Comprehensive Area Plan that includes preliminary siting approval pursuant to Rule 314.b.(5) or an approved Comprehensive Drilling Plan;

(3) Any Wells, Tanks, separation equipment, or compressors proposed on the Oil and Gas Location will be located more than 2,000 feet from all Residential Building Units or High Occupancy Building Units; or

(4) The Commission finds, after a hearing pursuant to Rule 510, that the proposed Oil and Gas Location and conditions of approval will provide substantially equivalent protections for public health, safety, welfare, the environment, and wildlife resources, including Disproportionately Impacted Communities. The Commission will base its finding on information including but not limited to:

A. The Director's Recommendation on the Oil and Gas Location pursuant to Rule 306.b;

B. The extent to which the Oil and Gas Location design and any planned Best Management Practices, preferred control technologies, and conditions of approval avoid, minimize, and mitigate adverse impacts, considering:

i. Geology, technology, and topography;

ii. The location of receptors and proximity to those receptors; and

iii. The anticipated size, duration, and intensity of all phases of the proposed Oil and Gas Operations at the proposed Oil and Gas Location.

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- C.** The Relevant Local Government's consideration or disposition of a land use permit for the location, including any siting decisions and conditions of approval identified as appropriate by the Relevant Local Government;
- D.** The Operator's alternative location analysis conducted pursuant to Rule 304.b.(2), or an alternative location analysis performed for the Relevant Local Government that the Director has accepted as substantially equivalent pursuant to Rule 304.e;
- E.** Related Oil and Gas Location siting and infrastructure proposed as a component of the same Oil and Gas Development Plan as the proposed Oil and Gas Location;
- F.** How Oil and Gas Facilities associated with the proposed Oil and Gas Location are designed to avoid, minimize, and mitigate impacts on Residential Building Units and High Occupancy Building Units; or
- G.** The Operator's actual and planned engagement with nearby residents and businesses to consult with them about the planned Oil and Gas Operations.