

**GRAND JUNCTION CITY COUNCIL
WORKSHOP**

**MONDAY, NOVEMBER 28, 2011, 12:30 P.M.
ADMINISTRATION CONFERENCE ROOM
2ND FLOOR CITY HALL
250 N. 5TH STREET**

- 1. FRAM Update:** The BLM will be preparing an Environmental Assessment (EA) to disclose and analyze the direct, indirect, and cumulative impacts of the proposed development plan. The BLM is soliciting public input on the issues that will be considered in the preparation of the EA. The City of Grand Junction will be submitting specific comments to be considered by the BLM in the EA. [Attach W-1](#)
- 2. Council Work Plan Review** [Attach W-2](#)
- 3. Ordinance Amendment Regarding Weed/Mowing (Discussion):** The City Manager received a request from a resident to reconsider the current weed ordinance as it relates to large undeveloped properties. Specifically, the ordinance requires lots over one acre in size to only cut the perimeter of the property as described in #2 below. The request is to change the policy and require these properties to cut the entire lot, not just the perimeter. [Attach W-3](#)
- 4. Consideration of a Resolution Regarding the Flaming Gorge Project:** A resolution and "press" release that they would like the Council to endorse regarding this issue.
- 5. Mayors Against Illegal Guns:** An invitation to join a bipartisan coalition of more than 600 mayors across the country fighting to reduce gun crime and gun trafficking. [Attach W-5](#)
- 6. High Speed Rail:** A letter from the Midwest High Speed Rail Association regarding federal funding for Amtrak and High Speed and Intercity passenger Rail. [Attach W-6](#)



**Attach W-1
FRAM Update
CITY COUNCIL AGENDA ITEM**

Date: November 23, 2011
Author: Greg Trainor,
Rick Brinkman
Title/ Phone Ext: Utilities, Streets,
and Facilities Director / Water
Services Manager
Proposed Schedule: Council
Workshop, November 28, 2011
2nd Reading
(if applicable): _____
File # (if applicable): _____

Subject: Comments to the Bureau of Land Management (BLM) Regarding Fram Operating, LLC (Fram) Whitewater Unit Master Development Plan (MDP)
Action Requested/Recommendation: N/A
Presenter(s) Name & Title: Greg Trainor, Utilities Director Rick Brinkman, Water Services Manager

Executive Summary:

The BLM will be preparing an Environmental Assessment (EA) to disclose and analyze the direct, indirect, and cumulative impacts of the proposed development plan. The BLM is soliciting public input on the issues that will be considered in the preparation of the EA. The City of Grand Junction will be submitting specific comments to be considered by the BLM in the EA.

Background, Analysis and Options:

Fram has submitted to the BLM a revised MDP for its leases about 15 miles east of Grand Junction in its Whitewater Unit. The Whitewater Unit Exploration and Master Development Plan proposes a four-year program of oil and gas exploration and development on federal leases in the Whitewater Unit.

The Fram MDP proposes 108 wells on 12 well pads. All 12 pads are located on BLM land. Land disturbance will occur from road and pipeline construction on BLM, City and other private lands.

The plan indicates that two well pads, Federal 12-97-7-1 and Federal 12-97-30-1, are near the City Watershed boundary. The plan shows that Federal 12-97-7-1, is located just outside the City's watershed boundary. Well pad Federal 12-97-30-1 is located outside of the watershed boundary but is located upslope of Juniata Reservoir a major storage facility for City water. Oil and gas exploration and development activities at this pad pose a potential threat to water quality in the reservoir. Specific comments (see attachment) address special mitigations that should be considered at well pads Federal 12-97-7-1 and Federal 12-97-30-1.

Enclosures:

- A. **Draft summary of technical issues relative to hydrology, water supply, and water resources of the City's watersheds and Grand Mesa Slopes area. Bruce Smith, Western Water and Land, Inc., November, 2011.**

See Attachment A.

- B. **Other land use comments for consideration during the Environmental Assessment and development phase of FRAM drilling plan.**

See Attachment B.

- C. **Executive Summary : Mineral Development Potential on City Lands, Bruce Smith, Western Water and Land, Inc, February, 2009.**

This summary completed at the request of the City in 2009 outlines the mineral extraction potential on City lands in the Grand Mesa area and near City limits.

See Attachment C.

- D. **Cooperating Agency status with BLM during project review.**

What is Cooperating Agency status; Who qualifies; Who requests and approves; Code of Federal Regulations; Value to City of cooperating agency status; Request to BLM.

See Attachment D.

- E. **Guest Editorial**

During the BLM open house and in subsequent phone calls and comments, there is misunderstanding or lack of information about the physical geography of the City's water supply system and how the FRAM proposal relates to that system. Are the drilling pads within the City watershed areas? Do roads cross City creeks and drainages? Are drill pads above critical water supply reservoirs? Where does the City water come from? Is groundwater part of the City supply system? The City Council may wish to consider publishing a guest editorial outlining the facts of the City drinking water supply system.

Draft summary of technical issues relative to hydrology, water supply, and water resources of the City's watersheds and Grand Mesa Slopes area. Bruce Smith, Western Water and Land, Inc., November, 2011.

In early November after receiving notice from the BLM that Fram Americas had submitted a revised development plan in its Whitewater Unit, the City of Grand Junction retained Bruce Smith of Western Water and Land (WW&L) to do a technical review of the plan. The following are technical issues related to the Fram MDP to be considered by the City of Grand Junction for submittal to the BLM as part of the Environment Assessment (EA) process.

Colorado Oil and Gas Conservation Commission Rules

While it understood that Fram is required to comply with the Colorado Oil and Gas Conservation Commission Rules, the City requests that Fram review and acknowledge the new 2009 rules, in particular Rules 303 and 317B with respect to classified water supply segments.

Rule 303d: Does Fram intend to complete a Form 2A?

Rule 317B: This rule establishes setbacks from hydrological features that are classified water supply segments as defined under the Water Quality Control Commission for new oil and gas wells. The water supply segments for the City of Grand Junction as illustrated on the COGCC website indicate that one well site, Federal 12-97-30-1, falls within an established set back. The well site is located within the external buffer zone (501 to 2,640 ft) for North Fork Kannah Creek. Fram should recognize the application of this rule and the associated requirements.

Based on this rule, well drilling at well pad Federal 12-97-30-1 must comply with the following requirements:

- (1) Pitless drilling systems or containment of all drilling flowback and stimulation fluids pursuant to Rule 904; and
- (2) When sufficient water exists in the Classified Water Supply Segment, collection of baseline surface water data consisting of a pre-drilling surface water sample collected immediately downgradient of the oil and gas location and follow-up surface water data consisting of a sample collected at the same location three (3) months after the conclusion of any drilling activities and operations or completion. The sample parameters shall include:
 - A. pH;
 - B. Alkalinity;
 - C. Specific conductance;
 - D. Major cations/anions (chloride, fluoride, sulfate, sodium);
 - E. Total dissolved solids;
 - F. BTEX/GRO/DRO;
 - G. TPH;
 - H. PAH's (including benzo(a)pyrene); and
 - I. Metals (arsenic, barium, calcium, chromium, iron, magnesium, selenium).

Current applicable EPA-approved analytical methods for drinking water must be used and analyses must be performed by laboratories that maintain state or nationally accredited programs. Copies of all test results described above shall be provided to the Commission and the potentially impacted Public Water System(s) within three (3) months of collecting the samples. In addition, the analytical results and surveyed sample locations shall be submitted to the Commission in an electronic data deliverable format.

(3) Notification of potentially impacted Public Water Systems within fifteen (15) stream miles downstream of the DCPS Operation prior to commencement of new surface disturbing activities at the site.

(4) An emergency spill response program that includes employee training, safety, and maintenance provisions and current contact information for downstream Public Water System(s) located within fifteen (15) stream miles of the DCPS Operation, as well as the ability to notify any such downstream Public Water System(s) with intake(s) within fifteen (15) stream miles downstream of the DCPS operations. In the event of a spill or release, the operator shall immediately implement the emergency response procedures in the above-described emergency response program. If a spill or release impacts or threatens to impact a Public Water System, the operator shall notify the affected or potentially affected Public Water System(s) immediately following discovery of the release, and the spill or release shall be reported to the Commission in accordance with Rule 906.b(3), and to the Environmental Release/Incident Report Hotline (1-877-518-5608) in accordance with Rule 906.b.(4).

Section 2.0

Fram states that the TransColorado Pipeline was constructed in 1996. Phase I was constructed in 1996 but Phase II segment from Rio Blanco County to La Plata County was constructed in 1998.

Section 3.2 Construction Proposed Access Roads and Gathering Lines

Fram states that approximately 27 miles of road will be constructed and 36.35 miles of new gathering lines will be installed and buried at a minimal depth of 3 feet from ground surface to the top of pipe. There is no discussion of stream crossing construction methods for roads or pipelines or specifications. Please provide this information.

Section 3.3 Drilling and Completion

There are three primary means whereby aquifers may become contaminated due to subsurface conduits 1) infiltration and percolation of spills and leaks from surface activities, 2) poor well integrity resulting in a release of hydrocarbon product or stimulation fluids up the borehole and/or along natural fractures to shallow aquifers, and 3) hydraulic connection of hydraulically induced fractures (during well stimulation) with natural fracture systems. To mitigate risk of freshwater aquifers, surface containment of drilling fluids, produced water, and product is critical and wells must be drilled and completed using correct and thorough industry best practices. While the connection of hydraulic fractures to natural fractures is more difficult to predict, knowledge of apparent faults and fracture systems should be applied.

Fram states that “Surface casing will be run to a minimum depth of 100 below freshwater aquifers within one mile.” Please revise this incomplete sentence. Also, please state the criteria for identifying freshwater aquifers and summarize the methods used to identify freshwater aquifers during drilling. Please address the feasibility of recording the depth to first encountered groundwater and if it would be practical to collect a groundwater sample at this depth (drilling by air would be required) for at least one well per well pad.

The plan states that the surface casing will be cemented in place entirely from ground level to the depth as determined in the individual APD. This statement is understood to mean that during cementing full cement returns should be observed and recorded at the surface and that cured cement will fill the annulus from the bottom of casing to the surface. Cement logs will demonstrate that the borehole annulus has cement present for its entire length of casing and to ground surface. The plan further states that steel production casing will be run and cemented into place in accordance with the well design approved by the BLM and applicable COAs. Complete and correctly implemented cementing of all casing, including production casing, is vital to the protection of groundwater and surface water in the Grand Mesa Slopes area. If cement logs indicate that either cement is not present or bonds are inadequate, Fram should implement a remediation program. Please comment on this.

The shallow groundwater systems have not been characterized in the Grand Mesa Slopes area; however, numerous private groundwater wells exist within the proposed exploration area including at least two wells of good yield on City property. A conservative approach should assume that some hydraulic continuity exists in the shallow groundwater systems across the Whitewater Field. Therefore, local freshwater aquifers that are penetrated by oil and gas wells may be hydraulically connected to shallow freshwater aquifers on City lands or to water sources controlled by the City (e.g. Whitewater Creek, Brandon Ditch, and Juniata Reservoir). Poor oil and gas well integrity can result in aquifer contamination.

The City requests to be provided with copies of well designs (casing and cementing plans) as early as possible prior to well completion. It is suggested that Fram run temperature logs to supplement the evaluation of cement integrity. Upon request, the City would like copies of cementing job documents including cement records, cement bond logs, temperature logs, and any other logs conducted to evaluate cementing of casing including proposed cementing of production casing. In addition, the City may request formation and mechanical integrity test data and Bradenhead Test data. What steps will the BLM take to evaluate casing cement integrity?

Fram states that hydraulic fracturing will be conducted with 85 percent carbon dioxide and 15 percent methanol. The City requests that all hydraulic fracturing fluid compositions as well as all other chemicals used onsite be disclosed before use. Please state the estimated volume of fracture fluids to be used in a typical well, and how it will be managed on site before (storage), during, and after (flowback) the fracturing. What pressures are anticipated during a typical fracture job and how far are fractures expected to develop from the borehole. Does Fram intend to evaluate the existence of faults in the area prior to conducting hydraulic fracturing work?

Section 3.4 Production - Operation and Maintenance

Section 3.4.1 Surface Facilities

Fram states that “Secondary containment structures will consist of corrugated steel containment berms or earth berms.” In the interest of preventing potential contamination of

shallow aquifers upgradient of City lands from well site spills, secondary containment systems constructed of corrugated steel are requested at well pads Federal 12-97-7-1 and Federal 12- 97-30-1 and are preferred at well pads Federal 1-2-25-2, Federal 1-2-26-2, Federal 2-2-2-1, and Federal 12-98-24-2.

The plan states that produced water (3 to 5 barrels per day) and oil production will be transferred to a central location by way of gathering pipelines. Please describe the pipeline monitoring program and any other safeguards that would be used to reduce the risk of pipeline failure and spills. The City would like the opportunity to comment on future proposed compressor station sites and “central locations”.

Section 3.5.2 Reclamation

The plan states that seed mixes will be approved by the BLM and private land owners. Also, the plan mentions spring seeding no later than May 15. For disturbance on City lands, the City requests that Fram contact them with a reclamation schedule so that inspections can be made of final grade and top soil placement. Fram should contact the City within 48 hours of commencing with final reclamation work. The City will provide Fram with seed mix specifications. In addition, the City may require the application of mulch, erosion control blankets and other BMPs until reclamation goals are met. Seeding may be preferable in the fall months, before the ground freezes. The City asks that Fram work with the City in determining when reclamation goals have been achieved and provide reclamation progress reports. A formal letter from Fram requesting release of reclamation responsibilities will be required.

Resource Considerations

Dust Abatement

As stated in the plan for public lands, Fram will not apply any dust suppression chemicals on roads constructed on City lands without City approval.

Typical Cut Sheet and Stormwater Control Plan Schematics

These schematics provide reasonable detail. The drawings imply that top soil will be bermed around the entire perimeter; however, it is a bit unclear how the top soil is positioned relative to the stormwater structures. It is suggested that if the perimeter control (PC) is a sedimentation barrier, it be moved up and immediately adjacent to the fill diversion to sediment trap (D) structure. This will prevent impact to any natural vegetated buffer area.

Appendix A – 13 Point Surface Use Plan

Proposed Access Routes:

The City requests participation in the onsite inspection and provide input to road construction on City lands. Generally, BLM Gold Book standards are sufficient for construction on City lands. The City may want to restrict access to roads on City lands.

The City may ask for design modifications for crossings of ephemeral and perennial drainages or active ditches. Specifics can be addressed during the onsite inspection.

Location of Existing and/or Proposed Facilities:

Has Fram prepared an Emergency Response Plan to address spills and releases? Will spill and release stations with appropriate equipment be present on site? Such items should be completed prior to drilling operations.

Any release (spills, leaks, etc.) of toxic substances equal to or greater than the reportable quantity under federal, state, and county regulations shall be reported to the City at the earliest practicable time.

The City requests to be copied on all new construction plans or activities that are submitted to the BLM.

Location and Types of Water Supply

It is understood that Fram has proposed to withdraw water from Brandon Ditch, a City source water structure. All water withdrawals should occur at a designated loadout site that is constructed with appropriate BMPs, e.g. sedimentation barriers to prevent stormwater runoff from entering the ditch from the loadout pad. All trucks using the Brandon Ditch loadout should be dedicated freshwater transports; no transports will be used that previously hauled produced water, other oil and gas waste products, or other liquid or solid wastes. All vacuum trucks withdrawing water from Brandon Ditch or other City sources of water should be equipped with check valves that prevent backflow into the water source. Operators will engage in withdrawals only; no discharge of any material to Brandon Ditch is allowed, including previously withdrawn freshwater from any source.

Methods of Handling Waste

Oil and Produced Water Pipelines:

Fram indicates that produced water and produced oil will be transferred to a central location by way of gathering pipelines. Gathering pipelines will be installed adjacent to improved existing roads and new roads, many of which lie on City lands. The bulk volume of spills associated with oil and gas exploration and development (E & P) is produced water. Produced water is typically highly saline and may contain dissolved and free product hydrocarbons. Oil spills are less common but have and do occur.

What form of monitoring of produced water pipelines and oil pipelines will be conducted to assure pipe integrity and mitigate pipeline failures that may result in surface or subsurface releases?

Drill Cuttings:

Fram states the pits will not be used for drill cutting disposal and that "Fram will background test soils for arsenic and sodium adsorption ratio (SAR)." Please clarify this statement as it implies that soils, not drill cuttings will be analyzed for arsenic and SAR. To investigate disposal options, Fram should conduct analysis of natural on site soils (background) and drill cuttings. Fram must comply with Rule 9 and Table 910-1 of COGCC regulations with regard to soil or drill cutting composition. This requires analysis of a significantly larger number of constituents besides arsenic and SAR.

Hazardous Material Management:

The City requests that Fram submit Material Safety Data Sheets for all chemicals used on site that are transported through or on City-owned property. Chemicals that are specifically intended for subsurface use (downhole applications) should be identified in a separate MSDS submittal.

Burial of any waste, regardless of type or classification, is not allowed on City-owned property.

Spills and Releases:

Fram must comply with COGCC Rule 906c and report any spills or releases to the surface property owner as soon as practicable and consult with the surface owner prior to any remediation of such spills or releases.

Dry Hole/Abandoned and Plugged Locations:

This section focuses on well pads on BLM lands. Access roads located on City-owned land that access abandoned and plugged wells and pads will need appropriate reclamation. Reclamation plans for such roads should be prepared and submitted to the City for approval.

Surface Ownership:

It is understood that Fram will work with the City to develop a suitable Surface Use Agreement.

Visual Impact:

Besides complying with BLM paint color specifications, how does Fram intend to mitigate visual impact issues?

Air:

There is no section that addresses air quality (other than dust suppression) in the MDP. How will Fram monitor for compliance with air quality regulations?

Other land use comments for consideration during the Environmental Assessment and development phase of the FRAM drilling plan.

Surface Use Agreements

Larger scale mapping to clearly see existing road development, proposed road improvements, new road development and which roads traverse private (city-owned lands) and public lands. This would include showing ownership of real estate over which roads traverse. Typical cross sections showing existing road widths, adjacent pipeline installations, and finished road widths. Stormwater improvements such as water bars, drainage ditches, ditch and ravine crossings, etc.

FRAM will show evidence of surface use agreements prior to BLM approval of the master development plan.

Ranch leases, common grazing allotment

FRAM and the BLM are aware of existing City-grazing and ranch leases in the development areas. How will cattle grazing be affected in the development areas during grazing periods in the Whitewater Common Allotment and when drill pads and roads are scheduled for interim or final reclamation.

Discussion of proposed access points to the development areas, gates, fencing, cattle guards., etc. The City would like an agreement between FRAM and the City ranch leasees addressing operational issues during development and long-term operations.

Road use, traffic and public access

FRAM and the BLM are aware of City water supply creeks, streams, ditch and pipeline diversions in the development area. Public access because of road improvement will increase. The public will increase visitation in the area for fire wood collection, camping, hunting, OHV use. This activity will result in increased trash and litter, fires, human waste, vandalism, new road and trail "use." What amount of increased use will the City see on its lands and water supply improvements? How should diversion structures be protected and water quality maintained? Increased signage? Fence construction around critical structures? Speed limit restrictions? Increased law enforcement? Seasonal closures? Adequate closures across private lands will be in place to reduce public access to water supply improvements.

Fire suppression

FRAM and the BLM will devise fire suppression methods in the MDA, caused by clearing road and pipeline constriction, drilling, reclamation, and increased traffic caused by the improved public access.

Development Plan and permit conditions to subcontractors

All contractors, sub contractors, drivers, and personnel conducting drilling, reclamation, operating tasks in the MDA will be briefed on all permit conditions and comply with all safety and environmental standards in the MDA.

Mineral Development Potential on City Lands

EXECUTIVE SUMMARY

As a result of national and international demand, mineral and energy development in western Colorado has experienced increased activity in recent years. Mesa County has seen growth in the number of mineral exploration activities, in particular, oil and gas exploration. As demand for these resources increase and exploration efforts continue to expand, conflicts over land use and environmental impact arise. The City of Grand Junction is interested in the potential for mineral development within or adjacent to the City limits and on City-owned lands so they can prepare and plan for such development and reduce negative impacts where possible. The potential for development of mineral resources, specifically uranium-vanadium, coal, and oil and gas, within or near the City limits and on City-owned lands on or near the Grand Mesa was investigated for this study.

Existing state and federal regulations affect mineral resource development on federal and private lands. Colorado Division of Reclamation, Mining and Safety (DRMS) regulations suggest limitations to development of uranium-vanadium and coal on lands near residential and urban areas, with coal mining having the more comprehensive unsuitability criteria. Still, most regulations do not completely ban mining near residential areas. Colorado Oil and Gas Conservation Commission (COGCC) regulations address oil and gas development within the State. Oil and gas regulations pertaining to development near occupied or used buildings mostly focus on setback distances – usually not more than 350 feet from the wellhead. Other COGCC rules specify criteria for noise, odor and dust, lighting, and visual impacts. New rules, if approved by the state legislature, will also designate municipal watersheds as “sensitive areas,” which have their own set of pollutant threshold criteria.

The City’s geologic setting contains formations that have historically produced uranium-vanadium, coal, and oil and gas in western Colorado. With the exception of the exposed Precambrian gneiss in the Colorado National Monument, sedimentary rocks dominate the Grand Valley landscape ranging from Mesozoic to Tertiary age. Mesozoic rocks are exposed just southwest of Grand Junction in the Colorado National Monument and Redlands area of the City. Cretaceous sedimentary rocks exposed on the Book Cliffs and Grand Mesa consist of the Mesaverde Group, which includes the lower Mount Garfield (Hes) Formation and an upper Hunter Canyon (Williams Fork) Formation.

Structurally, the strata of the area are affected by two principal structures, the Uncompahgre arch and the Piceance [Creek] Basin (Lohman 1965). The Mesozoic rocks locally dip sharply to the northeast along the northeast margin of the Uncompahgre arch at the Colorado National Monument due to monoclinical folds and normal faulting. Strata on the northeast flank of the Uncompahgre arch dip more gently, 3 to 6 degrees to the northeast under the Grand Valley. The Mesaverde rocks lie stratigraphically and topographically above the Grand Valley floor and form the upper part of the Book Cliffs and the lower western flank of the Grand Mesa.

Mineral resources are known to occur in economically extractable quantities in the Colorado Plateau within the Urvan Mineral Belt on the Uncompahgre arch and the Piceance Basin. Key mineral-bearing formations that underlie the City include the Morrison Formation (uranium-vanadium, occasionally oil and gas) and the Dakota Sandstone (coal, and oil and gas). Other formations or sub-members that have also produced petroleum fuels in the region are the Entrada Sandstone which also underlies the City and the Mount Garfield (Iles) and Hunter Canyon (Williams Fork) Formations which are part of the Mesaverde Group and occur topographically above the Grand Valley floor. The major oil- and gas-producing fields lie miles to the west, north, and east of the City in the rocks of the Dakota Sandstone, Entrada Sandstone, and Morrison Formations (northwest) and rocks of the Mesaverde Group (northeast). No significant historical amounts of uranium-vanadium, coal, and oil and gas have been produced from strata in the valley near the City.

Uranium-vanadium bearing rocks of the Morrison Formation are common in the Urvan Mineral Belt located 40 miles to the southwest, outcrops of this formation near and within the City limits are relatively barren of economic ore in the Grand Valley area. In addition, geologic structure causes the Morrison Formation and other Mesozoic Rocks to dip deeply underneath the City, further contributing to the lack of uranium-vanadium prospects in the area. Depth of the Morrison Formation under the City lands in the Grand Mesa Slopes area also greatly reduces the probability that uranium-vanadium will ever be extracted from this area. The potential for development of uranium-vanadium near or within City lands is rated as low.

Coal resources that are present in the Dakota Sandstone underlying the City are thin (≤ 2 feet), discontinuous, and of relatively poor grade. The potential for development of coal within the City limits is rated as low. The Hunter Canyon Formation contains the main coal units of the Cameo-Wheeler-Fairfield coal zone in the Grand Valley area, as well as other coal zones in areas to the

east and south. Coal zones in the Mesaverde Group occur on the west flank of the Grand Mesa. There is a potential for coal development on the Grand Mesa and in the Grand Mesa Slopes area; however, coal depth may be the most limiting factor here, as underground operations greater than 3,000 feet are considered economically marginal. Therefore, the potential for the development of coal near or within these City-owned lands is rated as low to moderate.

On the basis of the COGCC database, literature research, and interviews with area operators and researchers, the potential for oil and gas exploration and development within or adjacent to City limits was rated as moderate. Compiled information indicates that economically extractable oil and gas accumulations from the Dakota Sandstone in the Grand Valley near the City is likely sporadic and not continuous within this geologic unit (Kirschbaum 2008). Still, gas is present in low volumes in the Dakota, but is in some cases, contaminated by carbon dioxide, requiring treatment prior to transmission. Existing well distributions and status support this condition as only 8 of the 178 wells within a 10-mile radius of the City limits are currently producing gas (COGCC 2008). The potential for development of oil and gas in or near the City-owned lands on the Grand Mesa and Grand Mesa Slopes is rated at moderate to high because of some production from the Dakota Sandstone in this area and the occurrence of Mesaverde Group rocks that are producing natural gas and oil to the northeast.

This investigation did not show a high probability for exploration and development of the studied resources near the City. The potential for development of these resources was rated on a relative scale, ranging from low, moderate, to high. The resulting ratings are shown in the table below:

Mineral Resource	Potential for Development Near City Limits	Potential for Development on City Lands on the Grand Mesa and Grand Mesa Slopes
Uranium-vanadium	Low	Low
Coal	Low	Low to Moderate
Oil and gas	Low	Moderate to High

While this study did not show that oil and gas development is highly probable near the City limits, development could occur, especially under quite different socio-economic and political conditions. The City could prepare for this development by evaluating planning options at the boundary of the City limits and on City-owned lands such as the development of a “buffer” zone. Buffer zones may consist of parks or open space that separate potential development from residential areas.

Attachment D

The following is prepared by John Shaver, City Attorney and Greg Trainor, Utility and Street Systems Director. Inquiry has been made to the Grand Junction Field Office of the BLM on the issue of "cooperating status." It is hoped that by November 28 further clarification may be available.

The City may apply to the BLM for "cooperating agency status." By becoming a cooperating agency, local government is guaranteed a seat at the table and increased participation in the preparation of Environmental Assessments (EAs) and Environmental Impact Statements (EISs); however, becoming a cooperating agency requires a significant amount of time, resources, technical expertise and funding.

Both legal and USS staff have reviewed the cooperating agency criteria stated in the Code of Federal Regulations and have determined that on this project the City does not meet the criteria for designation. Certainly the BLM may view an application differently but staff believes that the criteria are not met.

Under the National Environmental Policy Act (NEPA) federal agencies are required to work in cooperation with State and local governments. The City has had good success and cooperation with the local BLM office through the years when we have commented as "interested parties" rather than as a "cooperating agency."

In order to be a "cooperating agency" a local government must have the authority to grant permits for implementing the action (jurisdiction by law) or the local government must have more than an interest in a proposed action and must have knowledge regarding the impacts that a proposed action will have on local, regional, or state land use plans, policies, and controls (jurisdiction by special expertise.)

See pertinent Code of Federal Regulations below:

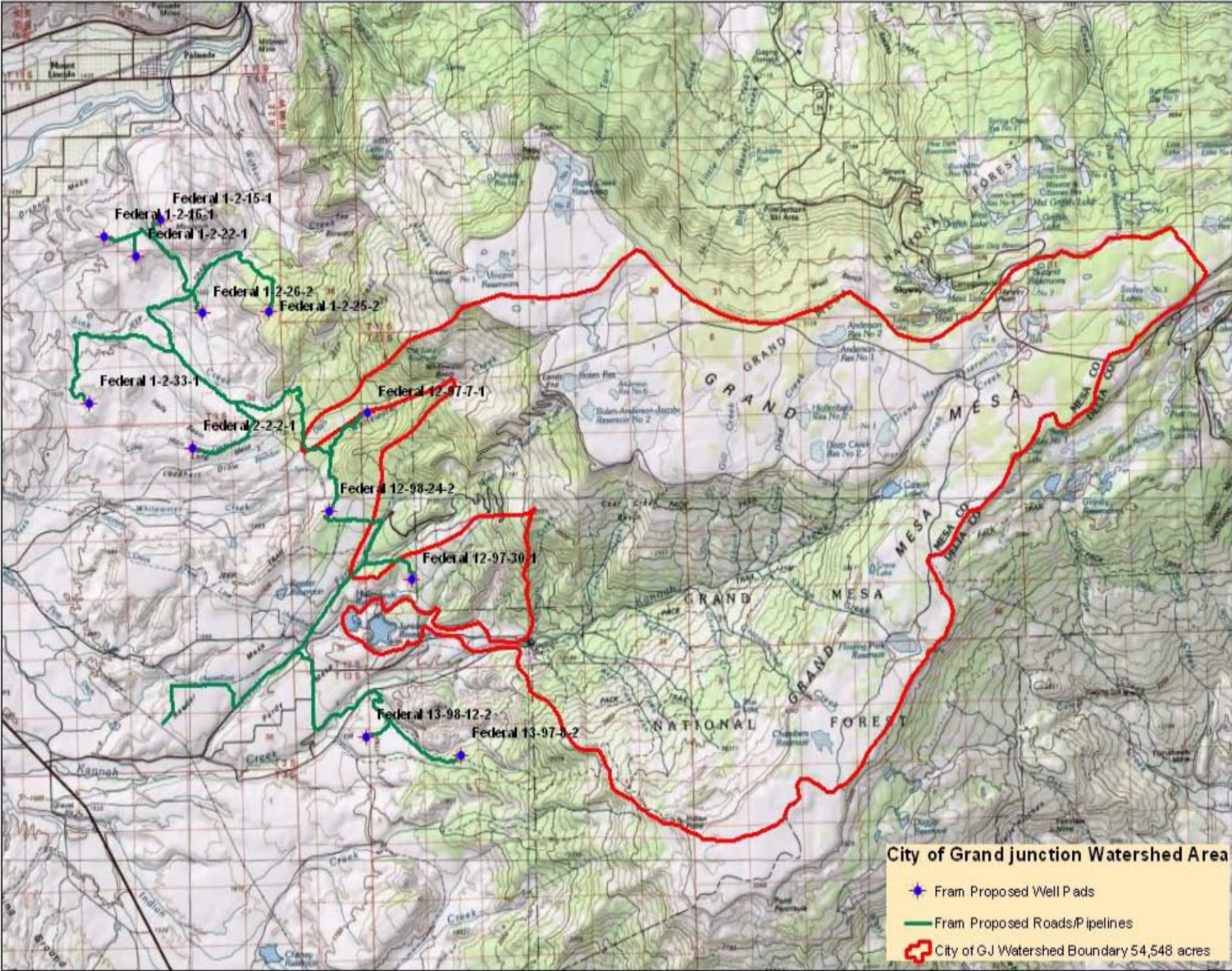
National Environmental Policy Act (NEPA): Federal agencies are required to work in cooperation with State and local governments. Sec. 101(a) [42 USC § 4331(a)].

Council on Environmental Quality (CEQ) regulations implements the NEPA mandate, state, local, and tribal entities may establish cooperating agency status when appropriate. 40 CFR §§ 1501.6, 1508.5

Jurisdiction by Law (40 C.F.R. § 1508.15): A local government must have the authority to grant permits for implementing the action

Special Expertise (40 C.F.R. § 1508.26): A local government must have more than an interest in a proposed action and must have knowledge regarding the impacts that a proposed action will have on local, regional, or state land use plans, policies, and control

City of Grand Junction Watershed Area



Attach W-2 Council Work Plan

Council Retreat June 2011

City Mission, Purpose and Values

Mission: To become the most livable community west of the Rockies by 2025.

Purpose: To create a community where we choose to live, work and play.

Values: Respect, Integrity, Bridge builder

Council "Management" Topics

Keep the current ground rules and post them in areas that can easily be seen

Refrain from discussing everything on individual councilmember's schedule during each council meeting

Change the first Monday lunch workshop to an evening workshop that would allow for more time to discuss complex issues, review committee or board work, and review our comprehensive plan on a regular basis.

Appoint Councilmember Boeschstein to the Riverfront Commission as an ex-officio member.

Council Direction to City Manager

- Financial Policy
 - Continue with a minimum \$20 million reserve
 - Bring back a plan to increase reserves – **in draft budget \$20.5 Million; \$100,000 increase over 2010.**
Look towards an appropriate dollar buffer
 - Continue to push forward capital projects – **in draft budget; \$4 Million more than 2010 amended budget.**
 - Continue balancing the budget with current revenues- **in draft budget**
 - Place a high priority on public safety – **in draft budget; restoration of staffing in fire and COPS grant adding street crimes unit back; also vehicles, equipment and overtime restoration**
 - Strategy to secure future "excess labor" funds: **discussion scheduled Dec. 5th workshop**
Question to De-Bruce – April 2013?
Survey voters

Other:

1. Created intranet system for council to have direct access and updated reporting of our budgeting and expenses – Further training on this, GIS and planning software scheduled for January.
2. Suggested refinancing and refunding options for the Parkway debt. Set for council on December 7th and then would require completion of new bond issuance if approved.

Personnel and Compensation

Utilize recommended changes in pay plan; market comparisons. **Completed; unable to implement this year – will plan to re-visit in 2014.**

- Retirement disabilities – is it greater in fire than other areas? **Completed.**

Asked for: Other insurance options that could reduce the premiums including fewer benefits and/or a higher deductible – **provided information on what has been done.**

Budget Follow up

- Include a 2005 budget comparison when developing budget history – **completed and given to Jim, will have it for budget sessions and available to anyone if you want it earlier.**
- Bring forward during the budget process a look at what changes in the TCP numbers would look like; compare the 37% recommendation with implementing a 50% share for commercial not residential. **Completed, revised 50% prepared for commercial development into draft budget ordinance after budget workshop direction on November 16th.**

Lunch Workshop Topics

- Policy on Clifton Fire Service Area – **not scheduled yet**
- Relief for Canyon View Parking – **scheduled September 19th & in 2012 draft budget**
- Formulate a position on Green Mountain Reservoir and Shoshone Power Plant – **not scheduled yet**
- Council felt that Jobs, Budget and the Economy were public interest items that should be part of the “Glad You Asked” editions. – **not completed; still responding to questions asked.**
- Consider the assemblage of North Avenue properties and work with other groups to identify and work with owners/developers; invite IDI and GJEP into a discussion. Include an update on where things are with discussions on forming a North Avenue District. **Held meeting with council and IDI board; staff is working with IDI board to provide mapping data – may need elected officials to assist IDI board members – assigned to planning staff to work with IDI. Council approved North Avenue Plan.**
- Update with the HOT team to review the needs, uses of the homeless in city parks and explore options for their land use. – **scheduled September 7th – commissioners invited, provided update on how they were doing on the more detailed survey of the population.**

Other: changing the committee meetings to an afternoon workshop meeting for the entire council on the 4th Monday of each month from 12:30-2:30 p.m.

Night Workshop Topics

- Bring forward the South Downtown Plan as part of the existing zoning/comp plan conflict discussion, include the Riverfront in the South Downtown Plan review. Los Colonias/Jarvis Properties/Incentives/Where is the Riverfront? – **Scheduled July 18th @ 5:30 p.m., continued through next two workshops ending September 19th – may need additional time.**
- Carry forward South Downtown issues: **Scheduled August 1st @ 5:30 p.m. and/or move up, see above.**
- Quarterly review our Comprehensive Plan and Focus on the Key Concepts and implement them to influence the desired outcomes. Comprehensive plan review as a “touch base exercise” include general review of plan and how we are accomplishing it. **Scheduled December 28, March 5 and June 4th @ 5:30 p.m.**
- Budgeting 2012 workshop. Scheduled October 3rd @ 5:30 p.m.
- Consolidating Colorado Mesa University Plan with the Comp Plan. **Scheduled October 31st @ 5:30 p.m – delayed due to other workshop topics continuing.**
- Produce a list of projects that TABOR excess could be used towards. **Scheduled December 5th @ 5:30 p.m.**

Other: reconciling the zoning differences in the comprehensive plan; still working on.

Completing the public safety project, Lincoln park tower and minor league baseball.

Parking Lot Items

- Purple Heart Parking - **Completed**
 - Action – **(Short Term)** Develop an ordinance for review and further direction.
 - **Other:** Veteran’s preference in hiring practices.
- Recreation Center – Continue to let the private drive the project discussions.
- Fire Training Facility
 - Action – **(Long Term)** Support the Chief’s recommendation to be a part of the 6 to 10 year plan unless opportunities come forward to advance it sooner.
- Canal Trails
 - Action – **(Short Term)** Bring back the trail mapping project that shows use of drainages for further discussion.
- Implementation of the North Avenue Plan
 - Action – **(Long Term)** Action – **(Short Term)** Council member Pitts as the representative on the GJEP board will discuss possible redevelopment options and land. **Held meeting with IDI.**

Hot Button Issues – 2011-2012

- Neighborhood Development Programs
 - Action – **(Long Term)** – Neighborhood programs were cut from the budget a couple of years ago due to economic conditions.
- Hard core cooperation with GJEP, Airport, IDI in the collective use of land and buildings for economic development.
 - Action – **(Short Term)** – Council member Pitt’s is to work on behalf of the Council as the representative on the GJEP and Airport Board’s to discuss the issues and look for solutions for Industrial Park development at the Aerotect and Sun Strand area.
 - **Update: Mayor Kenyon assigned to the Airport Board; public hearing scheduled to record concerns and provide information for his use on the airport board, letter sent asking for the gates to remain open.**

Others: Historical Preservation District Standards, Botanical Garden “white” paper and backup plan. Asked for: Requesting “friendly” annexation of properties related to the sewer district dissolution; prepare documents and hold meetings to encourage the annexation. Reinstating the City-County elected officials meeting and working towards resolving common issues including the Orchard Mesa Pool contract.

Parks Master Plan Review

Short Term

- Payments rather than land for new development unless authorized by City Council. **Provided administrative direction to do so and working with John Shaver on a future ordinance modification.**
- Place \$2 million in the 2012 budget to get to “fair” on the list of existing parks inventory needs. **Provided a 2-year plan for the 2012-2013 budgets due to a combination of issues: workload due to stadium-lincoln park & public safety capital projects, reduced costs if spread over two years**

due to more work completed in-house and more likelihood of grant funding. Completed and in draft budget. Begun the community planning process regarding improvements at Lincoln Park.

- Use a combination of funding sources if possible; applying for grant dollars for Lincoln Park improvements and a planning grant for the riverfront. Completed and in draft budget also expanded to include botanical gardens land.
- Work with the community to identify other sites that help with homeless basic needs. Holding a city-county meeting to review work completed to date by HOT team and community groups on Sept. 7th.
- Continue with the Planning and Design grant for Riverfront Development. Completed.
- Bring to a work session a plan to develop the Riverfront in small bites. Not scheduled yet.
- Added: August; work with the residents surrounding Hawthorne Park to address their concerns with the conditions of the park and the increased impact of crime and increases in disruptive behaviors by transient/homeless populations. Held a community event with the neighborhood.

Long Term

- Whitman and Emerson working with HOT team to help with homeless issue. Parks is evaluating the equipment that is in those parks to see if it is used and/or if other equipment would be better; i.e. should there be playground equipment.
- Work with the DDA on the long term plan to re-align Ute and Pitken. Assigned to Tim Moore. Discuss with the School District the long term plans for the use of the Matchett property. Completed – Laurie visited with Steve Schultz who confirmed the need to retain a shared site for a future school.
- Look for dedicated funding sources for funding parks development. Not scheduled yet.

Others:

- Evaluate options to assist the Airport in meeting grant requirements, general aviation concerns and restoring trust in their public process. Schedule public hearing December 7th to take testimony.
- Evaluate and provide scoping comments regarding FRAM's proposed drilling at or near city-owned lands and watershed.
- Examine options to connect the Depot to the downtown and provide safer pedestrian access.
- Explore options related to acquiring the Brady Trucking property adjacent to the Riverfront with the Land for Public Trust
- Partner with the Mesa Land Trust in securing the 3-Sister's land, creating recreational uses and a master-plan for community use and securing ownership into the city parks system. Identified specific parcels available for trade and worked with council and land trust to secure land valued at \$550,000 available for their project.
- Negotiated and completed a contract for the Colorado Rockies to play minor league baseball in June 2012. Need to prepare for the first minor league baseball season and evaluate new Lincoln Tower uses; concessions, hospitality suite, etc. for the community.
- Review methods to distribute Rockies season tickets provided to the City Council/staff.

Attach W-3 Weed Ordinance

Weed Ordinance and Perimeter Cutting of Large Lots
November 23, 2011

Background

The City Manager received a request from a resident to reconsider the current weed ordinance as it relates to large undeveloped properties. Specifically, the ordinance requires lots over one acre in size to only cut the perimeter of the property as described in #2 below. The request is to change the policy and require these properties to cut the entire lot, not just the perimeter.

The weed abatement ordinance includes the following:

- (1) It shall be the duty of each and every owner and each and every lessee of any tract or parcel of real property in the City, including such owners or lessees of agricultural lands to keep the property free of junk and rubbish, to cut to within three (3) inches of the ground all weeds and brush exceeding six (6) inches in height, including puncture vine regardless of height, and to keep such growth down on each lot or tract of ground on or along any street or avenue adjoining such lot or tract between the property line and the curb line thereof, and on or along any alley adjoining such lot or tract between the property line and the center of such alley;
- (2) The requirement of (1), above, shall not apply to undeveloped lands over one acre in size, instead, such owners or lessees of such lands shall be required to keep weeds down or cut between the property line of such land and the center of any adjacent right-of-way and shall be required to keep the weeds down or cut within twenty feet (20') of any adjacent tract, parcel or area on which the weeds are kept down or cut, and within forty (40) feet of any adjacent right-of-way(s) as provided or required in (1) above or as otherwise set forth in this chapter.
- (3) Notwithstanding any language to the contrary in (1) and (2) above, every owner and every lessee of any tract or parcel, whether or not agricultural or undeveloped, shall remove and cut designated undesirable plants from such property.

History

The allowance for large, undeveloped parcels to only have a perimeter cut (#2 above) was written into the ordinance when the City was annexing large, enclaved areas, especially to the north and northwest. Mesa County does not have a similar weed ordinance and only enforces the abatement of noxious weeds, as listed and enforced by Tri River Extension Office (includes Bull Thistle, Canada Thistle, Dalmation Toadflax, Diffuse Knapweed, Dyers Woad, Goatshead/Puncture Vine, Hoary Cress/Whitetop, Houndstongue, Leafy Spurge, Must Thistle, Oxeye Daisy, Plumeless Thistle, Purple Loosestrife, Russian Knapweed, Scotch Thistle, Spotted Knapweed, Tamarisk, Tellow Starthistle, Yellow Toadflax). Under the City ordinance (#3 above), any of the listed noxious weeds would require removal over the entire property, regardless of the size.

Requiring only perimeter cuts on parcels that are surrounded by developed properties does create problems for nearby properties in that the dried up weeds tend to blow, as do the seeds. Revision to the ordinance might include requiring full abatement regardless of the size of the undeveloped parcel or increasing the size threshold to 5 acres to cover more parcels that are completely surrounded by urban development.

Attach W-5 Mayors Against Illegal Guns



★ MAYORS AGAINST ILLEGAL GUNS ★ www.mayorsagainstillegalguns.org

10-14-2011

Dear Mayor Coons,

I am writing to invite you to join the coalition of Mayors Against Illegal Guns, a bipartisan coalition of more than 600 mayors across the country fighting to reduce gun crime and gun trafficking while respecting the Second Amendment rights of law-abiding citizens.

Thirty-four Americans are murdered with a gun each and every day. Most of them are shot and killed by individuals who are prohibited by law from purchasing weapons – including felons, domestic abusers and the mentally ill. Until we close deadly loopholes in the law, illegal guns will continue to haunt communities in both small towns and big cities, all across the country.


This year, in the wake of the horrible mass shooting in Tucson, Mayors Against Illegal Guns launched a nationwide campaign to fix the gun background check system. Right now, too many prohibiting records are missing from the gun background check database, and criminals can easily avoid those background checks by purchasing guns from private sellers at gun shows, through classified ads, and over the Internet. We believe strongly that Congress must act to fix these gaps in the law to keep guns out of the hands of dangerous people, and to keep our residents safe.

As a Colorado mayor, you are surely aware that all four of the guns used in the 1999 Columbine massacre had been purchased from private gun show sellers without a background check. In response, Colorado voters overwhelmingly approved a referendum the next year mandating background checks for all gun show sales. A central mission of our coalition is to encourage the U.S. Congress to take similar action to expand this background check requirement nationwide.

Mayors Against Illegal Guns is doing everything it can to make sure Congress understands the need for common-sense policies that respect the Second Amendment while helping keep guns out of the wrong hands. I sincerely hope that you will join us in this effort.

Please find enclosed the coalition's Statement of Principles. This is the document each member has signed in order to join the coalition. If you would like to join us, please return a signed copy via email to me at vgmike@msn.com, or via fax to (212) 312-0760. If you have questions about the Statement or anything else, please contact me at (719) 460-0580. More information is also available on our website: mayorsagainstillegalguns.org

Thank you for your consideration, and I look forward to speaking with you.

Michael Merrifield

Colorado Coordinator

Mayors Against Illegal Guns

Background Information on Mayors Against Illegal Guns

- Mayors Against Illegal Guns, which began in 2006 with just 15 mayors, has grown to a bipartisan coalition of more than 600 mayors across the country.
- We fight to keep guns out of the hands of criminals, terrorists and other dangerous individuals, while respecting the Second Amendment rights of law-abiding citizens.
- This coalition is not an “anti-gun” or “gun control” organization. Those are old terms and debates tend to be a distraction from the real issues that affect gun violence in America.
- We believe that protecting our shared right to bear arms and limiting the availability of illegal guns are complimentary positions.
- Mayors see the effects of gun violence every day. They get the calls in the middle of the night when an innocent bystander or a police officer has been shot.
- That’s why they are committed to helping law enforcement keep guns out of the hands of criminals, to help protect the police officers who put their lives on the line to protect all of us.

Colorado Data on Guns

- 1,761 crime guns were recovered in Colorado in 2009
- There were 94 gun murders in Colorado in 2009
- Colorado has enacted just four of the ten key gun laws identified in the coalition’s 2010 Trace the Guns report. Missing laws included:
 - Prohibiting violent misdemeanants from possessing guns.
 - Requiring the reporting of lost or stolen guns to law enforcement.
 - Allowing local communities to enact gun laws



STATEMENT OF PRINCIPLES

Whereas: 30,000 Americans across the country are killed every year as a result of gun violence, destroying families and communities in big cities and small towns; and

Whereas: As Mayors, we are duty-bound to do everything in our power to protect our residents, especially our children, from harm and there is no greater threat to public safety than the threat of illegal guns;

Now, therefore, we resolve to work together to find innovative new ways to advance the following principles:

- Punish – to the maximum extent of the law – criminals who possess, use, and traffic in illegal guns.
- Target and hold accountable irresponsible gun dealers who break the law by knowingly selling guns to straw purchasers.
- Oppose all federal efforts to restrict cities' right to access, use, and share trace data that is so essential to effective enforcement, or to interfere with the ability of the Bureau of Alcohol, Tobacco, and Firearms to combat illegal gun trafficking.
- Work to develop and use technologies that aid in the detection and tracing of illegal guns.
- Support all local, state, and federal legislation that targets illegal guns; coordinate legislative, enforcement, and litigation strategies; and share information and best practices.
- Invite other cities to join us in this new national effort.

(Signature)

(Mayor's Name – please print)

(Mayor's Office Address)

(City, State, Zip)

(Mayor's Telephone)

(Mayor's Email Address)

(Staff Contact Name)

(Staff Member's Telephone)

(Staff Position)

(Staff Email)

(Mayoral Term -- MM/YYYY to MM/YYYY)

To join Mayors Against Illegal Guns, please fill in the information above and return this form to the coalition via fax at 212-312-0760. Alternatively, you can email a PDF of the signed statement to info@mayorsagainstillegalguns.org.

Attach W-6 High Speed Rail



Midwest High Speed Rail Association

Transforming the Midwest by Transforming Travel

4765 N. Lincoln Ave. Chicago, IL 60625 | 773-334-6758

October 07, 2011

Jim Doody
Mayor
City of Grand Junction, CO
250 N 5th St
Grand Junction, CO 81501-2668

Dear Mayor Doody,

As you may already be aware, federal funding for Amtrak and the High-Speed and Intercity Passenger Rail (HSIPR) Program is on the chopping block in Congress. At a time when high gas prices are causing more and more people to choose the train, the House has passed a budget that may end Amtrak service to your community. The Senate has proposed a more favorable plan that maintains funding for Amtrak at operating levels and provides additional funding for the HSIPR program.

It is critical that your Senators and Senate and House leadership hear that Amtrak service is important to you and your city.

Here's what is going on in Congress. In its FY12 THUD Appropriations bill, the House has proposed to zero-out the HSIPR program and cut Amtrak's *operating* budget from \$563 million to \$227 million (an approximately 60% reduction). It also prohibits Amtrak from using funds for state-supported routes, essentially penalizing states for investing in passenger rail. Already struggling states will have to absorb the shortfall to maintain these routes, or cut services.

Under this proposal, it is estimated that at least 150 daily trains would be halted -- representing nearly half of Amtrak's ridership -- and 1,500 employees across the country could be in jeopardy of losing their jobs. Additionally, if the operating amount remains at \$227 million for FY 2012, it is inconceivable that Amtrak would be able to continue operations of its national system during a year when it is expected to surpass 30 million passengers.

We need to express support for the Senates proposal, which funds Amtrak at \$1.48 billion. That's less than what it needs for its capital program, but avoids the drastic cuts proposed by the House. The Senate proposal also does not prohibit Amtrak from using funds for state-supported routes, as in the House proposal, and it funds the HSIPR program at \$100 million.

A sign-on letter from officials like yourself to Senate and House leadership is enclosed. Please sign on to the letter and send it directly to the congressional leaders noted at the top of the letter, as well as your own Senators. I also ask that you send us a copy.

Thank you in advance for your consideration of this request. Please call me with any questions or comments.

Sincerely,


Richard Harnish
Executive Director
Office: 773-334-6758
Cell: 312-339-0116

*Next
LEGISLATIVE
STANDING MEETING*

In a national coalition effort, organizations, businesses, and elected officials from around the country are signing on to the letter below. The coalition's target deadline to collect responses is October 19th, however it is still valuable to sign-on and send the letter to the recipients after that date. We realize this is short notice, so feel free to contact the MHSRA office at 773-334-6758 or email Madeline@MidwestHSR.org with questions and to sign-on. Please send the letter directly to the recipients and then send us a copy.

October 20, 2011

The Honorable Daniel K. Inouye
Chairman
Senate Committee on Appropriations
S-128, United States Capitol
Washington, DC 20510

The Honorable Thad Cochran
Ranking Member
Senate Committee on Appropriations
S-146A, United States of Capitol
Washington, DC 20510

The Honorable Harold Rogers
Chairman
House Committee on Appropriations
H-307, United States Capitol
Washington, DC 20515

The Honorable Norm Dicks
Ranking Member
House Committee on Appropriations
1016 Longworth House Office Building
Washington, DC 20515

Dear Chairmen Inouye and Rogers and Ranking Members Cochran and Dicks:

Our coalition of national and regional advocacy organizations, businesses, mayors, and individuals is writing to support the Senate Appropriations Committee's funding levels of \$1.48 billion for Amtrak and \$100 million for the High-Speed Intercity Passenger Rail Program (HSIPR) in the Fiscal Year 2012 appropriations bill.

As Amtrak is on track to reach its highest ridership ever – 30 million passengers in the 2011 fiscal year – Americans are voting with their feet in selecting passenger rail as a convenient alternative to driving and flying. We expect this trend to continue in coming years with continued gas price volatility, rising congestion, and the expansion and improvement of passenger rail service, thanks to the \$10.1 billion investment in the HSIPR Program in 2009-2010.

We support the \$1.48 billion appropriation to Amtrak. While this figure falls short of Amtrak's \$2.2 billion budget request to address all of their capital and operating needs, the Senate bill avoids the drastic cuts proposed by the House that would cut operating funding by 60 percent and shut down the state-supported lines that serve approximately 9 million passengers in 15 states – almost one-third of Amtrak's passengers – with negative impacts on the communities served by these corridors.

We also support the \$100 million for HSIPR that was included in the Senate bill. This funding will continue the momentum states are making in planning and building their passenger rail networks. The funding could support discrete rail construction projects or help states complete planning, design, and engineering work for their passenger rail networks. Last year, the Department of Transportation received applications from 39 states totaling nearly \$75 billion for high-speed and intercity passenger rail grants, indicating that the program is oversubscribed and broadly supported.

We recognize the severe budget restrictions you face this year while affirming that continued investment in passenger rail provides transportation, economic, and environmental benefits that are strongly supported by our coalition.

Respectfully yours,