

EXHIBIT A

ARTICLE X, SECTION 411 TEMPORARY AND SPECIAL USE PERMITS FOR TEMPORARY LIVING QUARTERS (TLQS)

411.1 All Temporary Living Quarters (hereinafter TLQs), constructed or installed in Rio Blanco County related to commercial, industrial, transportation, oil & gas or mineral extraction projects require either a Temporary Use Permit pursuant to Sec. 225 of the Rio Blanco County Land Use Resolution (hereinafter LUR) or a Special Use Permit pursuant to Sec. 224, LUR.

411.2 TLQs are divided and defined in three distinct categories as follows:

(A) Type 1: Small On-site Quarters. These are for under twenty five workers housed at the work location or in the case of oil and gas drilling, on the well pad. These quarters are temporary structures such as manufactured housing or recreational vehicles. These quarters require a Temporary Use Permit pursuant to Sec 225, LUR.

(B) Type 2: Small Central Location Quarters. These quarters are for up to fifty workers and are located away from the work site or well pad. These quarters are temporary structures such as manufactured housing or recreational vehicles. These quarters require a Special Use Permit pursuant to Sec. 224, LUR and may be permitted for up to one year with additional annual extensions by Administrative Review for compliance.

(C) Type 3: Large Central Location Quarters. These quarters are for in excess of fifty workers, located away from the work site or well pad. These quarters are permanent structures. These quarters require a Special Use Permit pursuant to Sec. 224, LUR and may be permitted for multiple years with annual Administrative Reviews for compliance.

411.3 The following provisions apply to all three types of TLQs with exceptions as noted:

A. General Requirements.

1. On or before thirty days after the date the Temporary Use Permit or Special Use Permit expires all housing structures and associated

infrastructures shall be removed and the land shall be reclaimed to the satisfaction of the Planning Department.

2. All Type 1 and Type 2 TLQs , except licensed motor homes, recreational vehicles and camp trailers, and all type 3 TLQs require a Rio Blanco County building permit and certificate of occupancy before occupancy.
3. All TLQs must be located on property owned by or leased for the period of the permit by the Applicant, except TLQs located on Federal land which must have an approved Right Of Way issued by the BLM or U.S. Forest Service.
4. TLQ sites must be related to one or more commercial, industrial, transportation, oil & gas, or mineral extraction projects and must be located with separation of at least one mile between sites regardless of land ownership or operator.
5. TLQs for oil and gas extraction projects in agricultural zones may be exempt from the one mile spacing requirement if the Applicant can demonstrate that the housing structures and all supporting infrastructure will be contained within a Colorado Oil and Gas Conservation Commission (COGCC) approved well pad. To qualify for such an exemption there must be no land disturbance outside of the COGCC approved well pad.

B. Time Limitations.

1. Temporary Use Permits issued pursuant to Sec. 225, LUR are for six months with one six month extension. In recognition of the fact new technology allows for multiple wells to be drilled on one well pad over an extended period of time, a Temporary Use Permit for Type 1 TLQs may be extended for additional six month periods by Administrative Review. Applications for extensions must be made on forms provided by the Rio Blanco County Planning Department (hereinafter Planning Department)
2. Special Use Permits issued for Type 2 TLQs are for a maximum of one year. For good cause shown, a permit may be extended annually by

Administrative Review. Applications for extensions must be made on forms provided by the Planning Department. Approval of annual extensions will be granted for good cause provided the Applicant is in compliance with the terms and conditions of the existing Special Use Permit as well as in compliance with all rules and regulations in the LUR.

3. Type 3 TLQs are issued for multiple years and do not require annual extensions. These TLQs require only annual Administrative Reviews for determination of whether there is compliance with the terms and conditions of the Specific Use Permit and other rules and regulations in the LUR.

C. Application Process.

1. All Applicants must schedule and attend a pre-application meeting with Planning Department staff to discuss project information and permitting requirements. One of the issues to be discussed at the pre-application meeting is the need for the TLQ the Applicant intends to apply for. Applicant should be prepared to provide an assessment of currently available housing and projected housing availability within existing municipalities, including but not limited to commercial campgrounds, mobile home parks and similar facilities within thirty minutes driving time of the proposed TLQ site location. If it is determined that suitable housing inventory is available within thirty minutes driving time of the proposed TLQ site location, a permit for a TLQ will not be granted.

2. Information and documents which must be submitted for an application to be considered complete include the following:

a. A detailed site plan and vicinity map in both hard copy and digital format including location of the TLQ site, private and public roadways accessing the site marked open, gated and/or locked, and detailed directions to the site from a County road or State highway.

- b. As to applications for Type 1 TLQs, a copy of the approved Application for Permit to Drill (APD) documents from the COGCC indicating housing location(s).
- c. A statement of the estimated total length of time the TLQ will be at the proposed location.
- d. A listing of the names and addresses of the owners and zoning of all land adjacent to and within two miles of the proposed location.
- e. Applicant's Drug and Alcohol Policy including mechanism of enforcement.
- f. Applicant's Firearms and Weapons Policy including mechanism of enforcement.
- g. The Site Security Plan including the registration/check-in policy. If a professional security service is to be used information must be provided concerning the service.
- h. On site medical and emergency medical services to be provided.
- i. A traffic and transportation plan including the anticipated volume and type of vehicle use, vanpooling or bussing plans, actions taken to reduce/minimize traffic, parking design and policy, copies of Applicant's driving rules and an Equivalent Single Axel Load (ESAL) estimate specific to the construction and operation of the TLQ.
- j. A copy of House Rules for the TLQ.
- k. A storm water management plan for the site.
- l. A copy of the site weed control plan, approved by the Rio Blanco County Weed Department.
- m. A lighting plan showing design to provide required lighting while minimizing light pollution.
- n. Complete details of the water system proposed to service the TLQ. (See requirements in Section 411.4A).
- o. Complete details of the Wastewater System proposed to service the TLQ. (See requirements in Section 411.4B).
- p. Complete details of the Fire Protection System proposed to service the proposed TLQ. (See requirements in Section 411.4C).

- q. Complete details of waste disposal system proposed to service the proposed TLQ. (See requirements in Section 411.4D).
- r. Complete details of the proposed reclamation plan. (See requirements in Section 411.4E).

411.4 Requirements Related To The Operation Of TLQs:

A. Water Systems.

1. Water Systems proposed to service TLQs must comply with all applicable state and local laws and regulations.
2. For facilities serving under twenty five (25) workers (Type 1 TLQs), the Applicant must conduct monthly tests (or quarterly if an on-site disinfection system is installed) of stored potable water samples specific for coli form and maintain records of such tests. Any tests indicating coli form contamination must be disclosed to the Planning Department.
3. Water systems serving twenty five (25) people or more (Type 2 and 3 TLQs) must demonstrate conformance to state regulations by obtaining all necessary state permits prior to the scheduling of a TLQ Special Use Permit public hearing.
4. In no case shall unsafe water be used for drinking or used water be discharged on the ground surface.
5. Records related to water supply and testing must be maintained for inspection by the Planning Department for the life of the permit.

B. Wastewater Systems.

1. Wastewater systems proposed to service TLQs must comply with all applicable state and local laws and regulations. In addition, all wastewater must be disposed of on-site using an Individual Sewage Disposal System (ISDS) or Community Wastewater Facility.

2. A specific TLQ may be granted an exemption from the above ISDS/Community Waste Water Facility requirement if it is determined that:

- a. An ISDS system is not feasible due to environmental, topographic or engineering conditions where the TLQ is to be located; and
- b. A Community Wastewater Facility is not appropriate; and
- c. Year-round access is available and maintained for safe and regular access for wastewater hauling vehicles.

3. If a pump and haul system is approved, the following requirements must be met:

- a. All wastewater must be disposed of at an approved facility.
- b. The Applicant must demonstrate an arrangement for hauling wastewater including an appropriate contract with a licensed hauler and a letter of understanding with a back up licensed hauler in the event the primary hauler fails.
- c. Applicant must provide a detailed emergency response plan that addresses such issues as, equipment failure.
- d. Applicant must provide a letter from a licensed disposal facility stating the facility has the capacity and willingness to receive and treat Applicant's anticipated wastewater.
- e. Applicant must maintain all records including but not limited to trip logs and disposal reports for one year after the termination of the TLQ permit.
- f. All wastewater disposal records must be available to the Planning Department and/or any other interested third party upon request and must be provided to the Planning Department as part of any application for a TLQ permit extension.
- g. In no case shall wastewater be discharged on the ground surface or disposed of at any location other than an approved facility.

C. Fire Protection

1. A Site Fire Plan must be provided with the application and must include at least the following:

- a. Provisions for giving alarm in case of fire.

- b. A duly authorized attendant or caretaker who has the responsibility to inform all tenants about means for summoning fire apparatus, the sheriff's office and resident employees.
- c. Open burning is not allowed on any TLQ site.
- d. Provisions for location of one or more approved fire extinguishers of a type suitable for flammable liquid or electrical fires (Class B and Class C), carbon dioxide or dry chemical, in one or more open stations so that it will not be necessary to travel more than one hundred (100) feet from any location in the TLQ to reach the nearest fire extinguisher.
- e. Sprinkler systems if required by the Rio Blanco Building Code or the Planning Department.
- f. A water storage tank if required the Rio Blanco Building Code or the Planning Department.

2. Bi-monthly inspection of the fire alarm and extinguishing equipment is required. Records of the inspections must be available for review by the Planning Department.

D. Waste Disposal

1. Bear-proof refuse containers must be provided for trash. At least one thirty (30) gallon (4 cubic feet) container must be provided for each unit or the equivalent in a central trash collection facility. These container(s) must be durable, washable, non-absorbent metal or plastic with tight-fitting locking lids.
2. For Type 2 and 3 TLQs, a central bear-proof wire fenced trash storage site with a covered top may be used as an alternative to or in addition to individual containers.
3. Trash must be disposed of not less than once weekly.
4. Outdoor food storage is prohibited unless facilities that prevent the attraction of animals to the TLQ site are provided.
5. Visual screening of trash facilities may be required.

411.5 Reclamation

A. The Applicant shall submit as part of the TLQ Temporary or Special Use Permit application, a reclamation and revegetation plan for each specific site satisfying the following requirements:

1. Construction debris and waste materials, including, but not limited to structures, concrete, footings, sewage disposal systems and related infrastructure, water storage and related distribution infrastructure, roads, and other sand, plastic, gravel, pipe and cable must be removed.
2. All pits, cellars, and other holes must be backfilled and compacted as soon as possible after all equipment is removed to conform to surrounding terrain.
3. All access roads to the site and associated facilities must be closed, graded and recontoured.
4. Culverts and any other obstructions that were part of the access road(s) must be removed.
5. Upon closure of a TLQ, wastewater tanks and leach fields must be completely pumped out and removed. Any waste material pumped from a wastewater tank or leach field or waste debris from tank and leach field removal must be disposed of at an approved facility that is permitted by Colorado Department of Public Health and Environment (CDPHE) and/or Rio Blanco County to receive said wastes. Materials may not be burned or buried on the premises.
6. All areas compacted by TLQs and subsequent operations must be cross-ripped. On crop land, such compaction alleviation operations shall be undertaken when the soil moisture at the time of ripping is below thirty-five percent (35%) of field capacity. Ripping shall be undertaken to a depth of eighteen (18) inches unless and to the extent bed rock is encountered at a shallower depth.

B. All disturbed areas affected by TLQ sites must be reclaimed as nearly as practicable to their original condition and shall be maintained to control dust, weeds and minimize erosion. Reclamation shall occur no later than three (3) months after termination of the TLQ unless the Planning Department extends the time period because of conditions outside the control of the Applicant.

C. For disturbed areas not regulated by the Colorado Oil and Gas Conservation Commission, the following regulations apply:

1. Revegetation of crop lands. All segregated soil horizons removed from crop lands shall be replaced to their original relative positions and contour, and shall be tilled adequately to re-establish a proper seedbed. The area shall be treated if necessary and practicable to prevent invasion of undesirable species and noxious weeds, and to control erosion. Any perennial forage crops that were present before disturbance shall be reestablished.

2. Revegetation of non-crop lands. All segregated soil horizons removed from non-crop lands shall be replaced to their original relative positions and contour as near as practicable to achieve erosion control and long-term stability, and shall be tilled adequately in order to establish a proper seedbed. The disturbed area then shall be reseeded in the first favorable season. Reseeding with species consistent with the adjacent plant community is encouraged. In the absence of an agreement between the Applicant and the affected surface owner as to what seed mix should be used, the Applicant shall consult with a representative of the local soil conservation district to determine the proper seed mix to use in revegetating the disturbed area.

D. During occupation and reclamation operations, all disturbed areas must be kept free of Rio Blanco County and State of Colorado Lists A and B noxious weeds.

E. Successful reclamation of the site and access road will be considered accomplished and completed when:

1. On crop land, reclamation has been performed as per this section, and observation by the Planning Department over two growing seasons confirms no significant unrestored subsidence.

2. On non-crop land, reclamation has been performed as per this Section, and the total cover of live perennial vegetation, excluding noxious weeds, provides sufficient soils erosion control as confirmed by the Planning Department by a visual inspection. The Planning Department shall consider the total cover of live perennial vegetation of adjacent or nearby undisturbed land, having similar soils, slope and aspect of the reclaimed area.
3. A final reclamation inspection has been completed by the Planning Department and there are no outstanding compliance issues relating to Rio Blanco County rules, regulations, orders or TLQ permit requirements and conditions.
4. The Planning Department has notified the Applicant that final reclamation has been approved.

411.6 Miscellaneous Provisions

- A. This Section is not intended to be applied to emergency or disaster situations where temporary housing is necessary.
- B. If structures, requiring Building Permits under the Rio Blanco County Building Code, are constructed for the commercial, industrial, transportation project or mineral extraction operation related to the TLQ site for which a Special Use Permit is issued, upon expiration or revocation of the permit Certificates of Occupancy for such structures shall be withheld until the TLQ is removed and the site is restored to the satisfaction of the County Building and Planning Departments.
- C. TLQ sites must be maintained in a clean, safe and sanitary condition, free of weeds and refuse. Any hazardous or noxious materials that must be stored on site for operational or security reasons must be managed in accordance with all applicable federal, state and local laws and regulations.
- D. Inhabitants of the temporary housing must be Applicant's employees and/or subcontractors, working on the related construction or mineral extraction operation, and not dependents of employees, guests or other family members.

- E. No animals are allowed at TLQ sites.
- F. If a permit for TLQ is granted, the Applicant shall notify the County when site construction begins. For Type 1 TLQs not requiring a Building Permit (recreational vehicles, motor homes and camp trailers) the Applicant shall notify the County when occupancy begins.
- G. As to Type 3 TLQs, on-site County emergency services and/or law enforcement staff may be required. The cost of such may be shared between the Applicant and Rio Blanco County.
- H. The Planning Department shall have the right to inspect a TLQ site, without notice, to assess compliance with the TLQ permit. A determination of noncompliance with any Temporary Living Quarters, Temporary or Special Use Permit, or conditioned approval thereof, is grounds for revocation or suspension of said Permit.
- I. TLQ Permits may include additional requirements as may be necessary to ensure the health, safety and welfare of the public.

411.7 Reporting Requirements

- A. When the need for a TLQ at a given location is ended and the TLQ facility and associated structures are to be removed, the Applicant will notify the Planning Department at least 10 days prior to removal.
- B. Each Applicant must submit an annual summary of TLQ use, January 1 through December 31, including number of persons housed in each TLQ. Reports are due by January 31st of each year.

411.8 Revocation and Penalties

- A. Failure to comply with the requirements or conditions of a TLQ Temporary or Special Use Permit may be grounds for revocation pursuant to Section 105 of Article V of the LUR or imposition of penalties or remedies pursuant to Section 104 of Article V of the LUR.