



ECMC GUIDANCE

FORM 2A - OIL AND GAS LOCATION AND ASSESSMENT APPLICATION

COMMUNITY OUTREACH PLAN PER RULE 304.c.(19)

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Last Updated By:	Yesica Chavez and Steve Arauza
Document Owner:	ECMC Community Relations Unit

Purpose of the Community Outreach Plan per Rule 304.c.(19)

The Energy and Carbon Management Commission (ECMC) requires a Community Outreach Plan, as outlined in Rule 304.c.(19).A, for proposed Oil and Gas Locations that meet the criteria below. This Rule aims to enhance outreach and maintain transparent communication with Colorado communities. The full text of Rule 304.c.(19) is provided in Appendix A of this guidance document.

A Community Outreach Plan is required in the following situations:

- If a Working Pad Surface for an Oil and Gas Location within an Oil and Gas Development Plan (OGDP) is proposed within one-half mile of a Residential Building Unit, High Occupancy Building Unit, School Facility, or Child Care Center.
- If a Working Pad Surface of an Oil and Gas Location within an OGDP is proposed within one mile of a Building Unit or High Occupancy Building Unit located in a Disproportionately Impacted Community.

ECMC Rules establish a minimum compliance threshold. Operators are encouraged to increase their Community Engagement efforts to build and maintain trust of nearby communities.

Guidance for Community Outreach Plan

Regarding the plan's format, the Operator may develop their Community Outreach Plan in the format of their choice, such as a text-based report or a slide deck, so long as the final product is converted to a PDF for electronic upload to Form 2A. Be sure that the PDF is prepared in an accessible manner.

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Regarding Rule 304.c.(19).A.i, the plan will include a description of Best Management Practices (BMPs) that will be put in place to directly mitigate potential adverse impacts to nearby residents during pre-production and production phases of operations. The plan will list potential adverse impacts the residents may experience in addition to BMPs intended to mitigate these impacts. The plan will be written in plain language that is easily understandable. If BMPs referenced in other plans (such as light, sound, dust, etc.) will also be used to mitigate potential adverse impacts to residents, include those in this list with a reference/citation to the other plans and ensure that the BMPs are worded consistently across plans.

Compliance with Rule 304.c.(19).A.i is obtained by identifying potential adverse impacts to nearby communities and describing BMPs that will be put into place to avoid, minimize, and mitigate potential impacts.

It is recommended that this section of the Community Outreach Plan also identify concerns raised by community members who attended the Pre-Application Community Meeting required by Rule 301.g.(2), if such a meeting was required for the subject Oil and Gas Location.

Regarding Rule 304.c.(19).A.ii, the Operator will certify that written materials have been and will be provided in all languages spoken by 5% or more of the population in any census block groups within 1 mile of the proposed Oil and Gas Location.

The Operator will identify all languages that meet the 5% or more population threshold for written materials, how the Operator made that determination, what materials were translated, approximately how many people received translated materials, and what translational services were used. In making this determination, the Operator will use data from census.gov pertaining to the Language(s) Spoken At Home within the census block. The Operator is encouraged to provide samples of translated materials presented to the community during the pre-application phase.

Compliance with 304.c.(19).A.ii is obtained by providing written materials in all languages spoken by 5% or more of the population in any census block groups within 1 mile of the proposed Oil and Gas Location(s), by making a commitment to provide written materials in those languages in the future, and including a written certification that this was completed.

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The Operator will identify all languages that meet the 5% or more population threshold for written materials, how the Operator made that determination, what materials were translated, approximately how many people received translated materials, and what translational services were used. The Operator is encouraged to provide samples of translated materials presented to the community during the pre-application phase.

Regarding Rule 304.c.(19).A.iii, the Operator will include a description of its plan to facilitate ongoing and transparent communication with residents, owners, or tenants of a Residential Building Unit, High Occupancy Building Unit, School Facility, or Child Care Center within one-half mile of the proposed Working Pad Surface; and/or Building Unit or High Occupancy Building Unit within a Disproportionately Impacted Community that is located within one mile of the Proposed Working Pad Surface.

The description should include the Operator's plans to continue an open engagement with residents. Some examples include, but are not limited to:

- Identification of the Community/ies, such as the Block Group ID# found on COGIS online interactive GIS map layers; how the block group meets the definition of Disproportionately Impacted Community; general description of the community physical setting (rural, suburban, urban, density of population, residence/building descriptions, etc.)
- Summary of concerns, questions, comments, requests, etc. from residents of the community, expressed during Rule 301.g.(2) pre-application community meeting, and through any other means of communication (i.e., phone call, email, in-person discussion, etc.)
 - It should also be clear how the Operator responded to those concerns (demonstrating how the Operator engaged in meaningful dialogue and consultation with community members and took affirmative steps to incorporate feedback from the community into operational plans)
 - The Operator should provide this feedback information in a manner that is protective of Personally Identifiable Information of members of the community.
- A commitment to use easily understandable plain language
- Written, mailed notifications (such as flyers, postcards, or letters) that provide the Operator's contact information
- Written, mailed notifications (such as flyers, postcards, or letters) that provide advanced notice of significant operational milestones or changes

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- Notification could include the Operator's timeline of phases (duration and estimated start date by quarter/year): construction, drilling, completion, flow back, production, and interim reclamation.
- Written, mailed notifications (such as flyers, postcards, or letters) at a designated cadence, such as annually, to maintain contact throughout the production phase
- On-site signage (signs at the entrance to an Oil and Gas Location as well as any public notices posted at local venues) that provides the Operator's contact information in all languages spoken by 5% or more of the population in all census groups located within 1-mile of the Oil and Gas Location
- Digital social media notifications to identified local community groups
- Outreach to Homeowner Association groups and/or other community groups, if applicable
- The Operator's crisis or emergency communications plan
- Regarding the post-completeness community meeting, the plan could describe how the Operator will provide notice, and it could describe any lessons learned from the pre-application meeting

Compliance with 304.c.(19).A.iii is obtained by including a description of a plan to facilitate ongoing and transparent communication.

Regarding Rule 304.c.(19).B., if a Working Pad Surface is proposed within 1 mile of a Building Unit or High Occupancy Building Unit located within a Disproportionately Impacted Community, the Operator will consult with the Community Liaison while developing the Community Outreach Plan to identify local community organizations representative of the potentially impacted communities. If the Community Liaison identifies such local community organizations, the Operator will coordinate with such organization(s) to distribute necessary and relevant notice and information to the community.

Compliance with Rule 304.c.(19).B. is obtained by consulting with the community liaison to identify local community organizations that are representative of potentially impacted communities. If the operator and/or community liaison identify local community organizations that are representative of potentially impacted communities and interested in distributing information to the community, the Operator is required to engage that organization. Ultimately, it is the responsibility of the Operator to distribute necessary and relevant information and notices to all relevant stakeholders.

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Contact: Please reach out to our ECMC's community relations team with any questions at dnr_ecmc_communityliaison@state.co.us. For more information, please also visit our website- <https://ecmc.colorado.gov/community-resources/environmental-justice>

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Appendix A

Rule 304.c.(19)

304.c. Plans. All Form 2As will include site-specific plans that demonstrate compliance with the Commission's Rules for the operation of the proposed Oil and Gas Location in a manner that is protective of and minimizes adverse impacts to public health, safety, welfare, the environment, and wildlife resources, and addresses incremental and Cumulative Impacts to the resources identified in the Operator's Cumulative Impacts analysis pursuant to Rule 315.b. Each Form 2A will include the following plans, unless otherwise provided in a Commission Order approving a CAP pursuant to Rule 314.

(19) Community Outreach Plan. For Oil and Gas Locations with a Working Pad Surface proposed within 1/2 mile of a Residential Building Unit, High Occupancy Building Unit, School Facility, or Child Care Center, or within 1 mile of a Building Unit or High Occupancy Building Unit located within a Disproportionately Impacted Community, the Operator will submit a consultation, outreach, and engagement plan.

A. The Community Outreach Plan will include:

- i.** A description of any measures taken to directly mitigate adverse impacts to the residents, owners, or tenants of a Residential Building Unit, High Occupancy Building Unit, School Facility, or Child Care Center within 1/2 mile of the proposed Working Pad Surface, or within 1 mile of the proposed Working Pad Surface if a Building Unit or High Occupancy Building Unit is located within a Disproportionately Impacted Community, during pre-production and production phases of operations;
- ii.** Certification that written materials have been and will be provided in all languages spoken by 5% or more of the population in any census block groups within 1 mile of the proposed Oil and Gas Location; and
- iii.** A description of the Operator's plan to facilitate ongoing and transparent communication with residents, owners, or tenants of:
 - aa.** A Residential Building Unit, High Occupancy Building Unit, School Facility, or Child Care Center within 1/2 mile of the proposed Working Pad Surface; and

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- bb.** Building Unit or High Occupancy Building Unit within a Disproportionately Impacted Community that is located within 1 mile of the Proposed Working Pad Surface.
- B.** If a Working Pad Surface is proposed within 1 mile of a Building Unit or High Occupancy Building Unit located within a Disproportionately Impacted Community, the Operator will consult with the Community Liaison while developing the Community Outreach Plan to identify local community organizations representative of the potentially impacted communities. If the Community Liaison identifies such local community organizations, the Operator will coordinate with such organization(s) to distribute necessary and relevant notice and information to the community.