

# **ATTACHMENT A**

## **PROPOSED BMP's**

KGH Operating Company  
Meagher #3-3H  
Latitude: 39.993461, Longitude: 109.047140  
NE SE (Lot 1) Sec 3, T 1 S, R 104 W, 6<sup>th</sup> PM  
Rio Blanco County, CO

A telephone conversation on Wednesday February 5, 2014 between Jeff Wingerter with Hohn Engineering and CPW representative Mr. Taylor Elm regarding the Mule Deer Critical Winter Range Sensitive Wildlife Habitat occurred to discuss the BMPs to satisfy the CPW requirements to accommodate Form 2A. A copy of the email correspondence in this matter is attached.

### **SENSITIVE WILDLIFE AREA**

#### **PROPOSED BMPs**

1. Where oil and gas activities must occur in mule deer critical winter range or elk winter concentration areas, conduct these activities outside the time period from December 1 through April 15 (construction and drilling operations).
2. Restrict post-development well site visitations to between the hours of 10:00 a.m. and 3:00 p.m. and reduce well site visitations between December 1 and April 15 in mule deer and elk winter range.
3. Establish company guidelines to minimize wildlife mortality from vehicle collisions on roads.
4. Gate single-purpose roads and restrict general public access to reduce traffic disruptions to wildlife.
5. Close and immediately reclaim all roads that are redundant, not used regularly, or have been abandoned to the maximum extent possible to minimize disturbance and habitat fragmentation.
6. Avoid aggressive non-native grasses and shrubs in mule deer and elk habitat restoration.
7. Reclaim mule deer and elk habitats with native shrubs, grasses, and forbs appropriate to the ecological site disturbed.
8. Restore appropriate sagebrush species or subspecies on disturbed sagebrush sites. Use locally collected seed for reseeding when possible.

## Jeff Wingerter

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**From:** Taylor Elm - DNR <taylor.elm@state.co.us>  
**Sent:** Thursday, February 06, 2014 12:17 PM  
**To:** Jeff Wingerter  
**Subject:** Re: BMP Mule Deer Rio Blanco County

Jeff,

Sorry for the delayed response. Your email ended up in my spam folder for some reason. Thanks for the information and preemptive approach to including wildlife protection measures for this location.

After reviewing the location and previous comments from Ed Winters, the list of BMPs is still applicable for this site. There have been recent mapping changes to the COGCC's habitat boundaries but this location is still within Mule Deer Critical Winter Range Sensitive Wildlife Habitat. The key BMPs are numbers 1 and 2, but we would still recommend the exact list that Ed provided in 2010.

If KGH is still in agreement on these BMPs, I would recommend proceeding exactly as Ed had explained in his email. Attach this list as BMPs on the Form 2A and I will comment that the attached BMPs adequately address wildlife concerns. I don't think CPW will need to conduct an onsite for this location, although Dave Kubeczko with COGCC may want to see the location in person.

If there's anything else I can help with, don't hesitate to call or email.

Thanks,

**Taylor Elm**

Land Use Specialist, NW Region  
Colorado Parks and Wildlife  
0088 Wildlife Way  
Glenwood Springs, CO 81601  
(970) 947-2971  
[taylor.elm@state.co.us](mailto:taylor.elm@state.co.us)

On Wed, Feb 5, 2014 at 3:38 PM, Jeff Wingerter <[jwingerter@hohneng.com](mailto:jwingerter@hohneng.com)> wrote:

Taylor,

Thanks you for talking with me today regarding the requirements for a drilling permit 2A.

We are preparing a drilling permit for KGH Operating Co. The specifics for the well are as follows:

KGH Operating Company

Meagher #3-3H

NE SE (Lot 1) Sec 3, T 1 S, R 104 W

Rio Blanco County, Co

I have attached a communication between the former permitting agent and Mr. Ed Winters for your review.

Please let me know if these BMPs are still ok.

Thanks,

**Jeff Wingerter**

Hohn Engineering, PLLC

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Craig Richardson

RECEIVED

SEP 28 2010

COGCC

From: Winters, Edward [Edward.Winters@state.co.us]  
Sent: Friday, June 18, 2010 10:00 AM  
To: Craig Richardson  
Subject: Wildlife BMPs for Mule deer critical winter range  
Attachments: Image003.jpg

Craig,

As per our conversation, here is a listing of BMPs that will satisfy the mule deer critical winter range issue associated with the well location:

- Where oil and gas activities must occur in mule deer critical winter range or elk winter concentration areas, conduct these activities outside the time period from December 1 through April 15 (construction and drilling).
- Restrict post-development well site visitations to between the hours of 10:00 a.m. and 3:00 p.m. and reduce well site visitations between December 1 and April 15 in mule deer and elk winter range.
- Establish company guidelines to minimize wildlife mortality from vehicle collisions on roads.
- Gate single-purpose roads and restrict general public access to reduce traffic disruptions to wildlife.
- Close and immediately reclaim all roads that are redundant, not used regularly, or have been abandoned to the maximum extent possible to minimize disturbance and habitat fragmentation.
- Avoid aggressive non-native grasses and shrubs in mule deer and elk habitat restoration.
- Reclaim mule deer and elk habitats with native shrubs, grasses, and forbs appropriate to the ecological site disturbed.
- Restore appropriate sagebrush species or subspecies on disturbed sagebrush sites. Use locally collected seed for reseeding where possible.

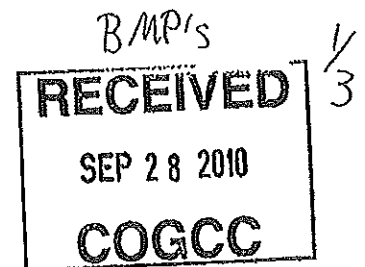
If all agree to these mitigative practices, just attach the listing of wildlife BMP's to the 2A application. Once I receive the packet from COGCC for review and approval, I will post the attached BMPs for wildlife as acceptable and a condition of approval for this action. This will also satisfy the consultation requirement from COGCC.

If I can be of further help, please just let me know.

Thanks,  
Ed



*Edward T. Winters*  
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Northwest Region  
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[edward.winters@state.co.us](mailto:edward.winters@state.co.us)



Attachment A

KGH Operating Company

Colorado Oil and Gas Conservation Commission (COGCC), Form 2A:

Colorado Division of Wildlife (CDOW) Consultation Requirement

Based on the fact that KGH's proposed well pad in Section 10, Twn 1S, Rng 104W is in an area that is classified by the CDOW as a *sensitive wildlife area*, a formal consultation with the CDOW is required as part of the Form 2A process. A phone conference was conducted on June 18, 2010 with CDOW representative Edward Winters to solicit inputs regarding CDOW wildlife concerns for the area and to identify the CDOW's expectations for informational requirements to accommodate the Form 2A consultation.

Meeting Report and Recommended BMPs

Mr. Winters confirmed that the proposed project is in an area deemed as a *sensitive wildlife area*. He indicated that it is "critical winter range for mule deer" and an "elk concentration area". He provided the following mitigation recommendations:

1. Where oil and gas activities must occur in mule deer critical winter range or elk winter concentration areas, conduct these activities outside the time period from December 1 through April 15 (**construction and drilling**).
2. Restrict post-development well site visitations to between the hours of 10:00 a.m. and 3:00 p.m. and reduce well site visitations between December 1 and April 15 in mule deer and elk winter range.
3. Establish company guidelines to minimize wildlife mortality from vehicle collisions on roads.
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