

Director Criteria Review Summary - Robert L Bayless Producer LLC, Weaver Ridge 14 Well Pad location, Form 2A #401808241

This summary explains how COGCC and CPW staff conducted its technical review of the Robert L Bayless Producer LLC, Weaver Ridge 14 Well Pad Oil and Gas Location, Form 2A #401808241 within the context of SB 19-181 and for the required Director's Objective Criteria. This Form 2A permit application met the following Director's Objective Criteria -

1. *(Criteria 6) This new Federal Surface and Federal Minerals oil and gas location falls within a CPW mapped 'sensitive wildlife habitat' (SWH) area for mule deer critical winter range; and therefore, a CPW Wildlife Consultation was required.*

COGCC staff met with the Director to discuss whether the Objective Criteria were sufficiently addressed and whether the Form 2A could be approved with the proposed Best Management Practices (BMPs) and applied Conditions of Approval (COAs). The following sections provide details regarding the evaluation of each criterion.

Criteria 6: Oil and Gas Locations within a Colorado Parks and Wildlife ("CPW") mapped Restricted Surface Occupancy Area ("RSO") or Sensitive Wildlife Habitat ("SWH"), or locations receiving site- or species-specific CPW comments.

Site Specific Description of Applicability of Criteria 6: Based on the technical review and desktop evaluation, staff determined that this new Federal Surface and Federal Minerals oil and gas location falls within a CPW mapped 'sensitive wildlife habitat' (SWH) area for mule deer critical winter range; and therefore, a CPW Wildlife Consultation was required.

Site Specific Measures to Address Criteria 6: CPW reviewed this Form 2A and passed the wildlife task with the following comment: "The annual winter timing restriction for construction, drilling, and completions supplied by the operator (BMP #1 - If new oil and gas operations must occur within CPW-identified mule deer critical winter range or elk winter concentration areas), the operator agrees to conduct new oil and gas operations outside the time period from December 1 through April 30.), along with the lease stipulations and COAs being implemented by the Bureau of Land Management, are sufficient to avoid and minimize impacts to wildlife. There are no additional recommendations being made by CPW at this time." COGCC has received and attached the approved Federal Applications for Permit to Drill or Reenter (APDs) to the Form 2A.

In addition, CPW conducted additional review and concluded that the December 1 to April 30 timing limitation provided by the operator is sufficient to address their concerns regarding big game winter range habitats. Given the relatively low density of existing development in this area, CPW does not feel that compensatory mitigation is necessary to offset the residual impacts of the location after construction, drilling, and completions activities are completed. If

these highest impact activities are occurring outside of the critical winter time period, there should be minimal resource impacts from the proposed activity. Furthermore, CPW is confident that the BLM and COGCC requirements for interim reclamation and stormwater control measures will effectively minimize the direct disturbance to big game habitats.

Determination: During the technical review process, COGCC staff requested additional information and clarification regarding the applicant's proposal; the information received (the approved Federal APDs) have been added to the application materials. Given the foregoing, the Director determined Criteria 6 was sufficiently analyzed.

Staff met with the Director on June 19, 2019 to discuss the CPW wildlife consultation. The Director determined that following the application of the additional analysis from the Objective Criteria, the permit application meets the standard for protection of public health, safety, welfare, the environment and wildlife resources set by SB 19-181.