

STATE OF  
COLORADO

Deranleau - DNR, Greg &lt;greg.deranleau@state.co.us&gt;

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**Middle Boulder Creek Roost**

3 messages

**Mike Chiropoulos** <mike@chiropoloslaw.com>

Mon, Dec 7, 2020 at 3:51 PM

To: Greg Deranleau - DNR &lt;greg.deranleau@state.co.us&gt;, dana bove &lt;danajbove@gmail.com&gt;

Greg,

I'm checking in on the Front Range Eagle's concerns and November 2020 complaint regarding ongoing impacts to the Middle Boulder Creek Winter Roost / Night Roost from Crestone's operations at the "Dreamweaver" site.

My understanding is that the most recent field data shows that bald eagles have been avoiding the roost since the commencement of the latest round of operations. The roost is classified as high priority habitat under CPW policies including the updated (2020) Raptor Buffers and 2020 HPH matrix of general applicability to all activities and disturbances.

Those policies provide for half-mile seasonal closures beginning Nov. 15 so we are 3 weeks into the closure and Crestone's operations continue, as does avoidance and displacement of eagles that would otherwise be expected to use the sensitive habitat. As many as 20-plus eagles have been observed at the roost in past years when no disturbances were present (heavy industry and noise, etc.). By contrast, past observations and data establish displacement and avoidance during periods when heavy equipment and noise "harrasses" or otherwise disturbs the eagles.

Crestone's apparent assertions that its consultant has not documented avoidance or eagles flying away is gainsaid by the lack of baseline data or knowledge of this habitat, past usage levels, and documented avoidance during past periods of activity within 1/2 mile during the winter closures. I'm told there is precedent for swift and decisive action by CPW and/or COGCC under similar circumstances.

Crestone is well aware of the presence and location of the habitat based on past meetings and documentation, and I assume they have been provided with a copy of the November 2020 complaint.

All the best - and hope you had some good time off in Moab at the close of the rulemaking,

Mike

Mike Chiropoulos

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"Because it's not the size of the firm in the fight, it's the size of the fight in the firm"

*Please contact sender immediately if you may have received this email in error, because this email may contain confidential or privileged information*

cc: Dana Bove

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**Deranleau - DNR, Greg** <greg.deranleau@state.co.us>

Mon, Dec 7, 2020 at 4:38 PM

To: Brandon Marette - DNR &lt;brandon.marette@state.co.us&gt;, John Noto - DNR &lt;john.noto@state.co.us&gt;

FYI.

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Greg Deranleau

Environmental Manager

**COLORADO**  
Oil & Gas Conservation  
Commission  
Department of Natural Resources

The mission of the COGCC is to regulate the development and production of the natural resources of oil and gas in the state of Colorado in a manner that protects public health, safety, welfare, the environment and wildlife resources.

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**Marette - DNR, Brandon** <[brandon.marette@state.co.us](mailto:brandon.marette@state.co.us)>  
To: "Deranleau - DNR, Greg" <[greg.deranleau@state.co.us](mailto:greg.deranleau@state.co.us)>  
Cc: John Noto - DNR <[john.noto@state.co.us](mailto:john.noto@state.co.us)>

Tue, Dec 8, 2020 at 7:58 AM

Received, thx

Regards,

**Brandon B. Marette, CWB®**

Northeast Region Energy Liaison and Land Use Coordinator



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