



Wildlife Protection Plan

Rule 304.c.(17)

Coyote Fed 0397-14

Section 14 T3N R97W 6<sup>th</sup> P.M.

Moffat County, Colorado

November 2022



## **Coyote Fed 0397-14 Pad**

(Coyote Fed 0397-14-3-1 NH, Coyote Fed 0397-14-2-3 NH, Coyote Fed 0397-14-2-4 NH,  
Coyote Fed 0397-14-23-13 NH, Coyote Fed 0397-14-23-14 NH,  
Coyote Fed 0397-14-2-3 WNH)

## **Wildlife Mitigation Plan COGCC Rule 1201.b**

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## 1 INTRODUCTION

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Anschutz Exploration Corporation (Operator No. 3104), to be referred to as Anschutz, is completing a Form 2A for an Oil and Gas Location Assessment (OGLA) as part of the respective Oil and Gas Development Plan (OGDP) permit in Moffat County, Colorado. The Coyote Fed 0397-14 location consists of the development of a pad with six (6) wells. These wells are the Coyote Fed 0397-14-3-1 NH (split-estate), Coyote Fed 0397-14-2-3 NH (fee/fee/fed), Coyote Fed 0397-14-2-4 NH (fee/fee/fed), Coyote Fed 0397-14-23-13 NH (split-estate), Coyote Fed 0397-14-23-14 NH (split-estate), and Coyote Fed 0397-14-2-3W NH (fee/fee/fed). The Coyote Fed 0397-14 Pad will be a new location developed on private land owned and managed by the John R. Pierce Trust.

Per the Colorado Oil and Gas Conservation Commission's (COGCC) Rule 1201.b, a Wildlife Mitigation Plan is required for proposed new or amended oil and gas locations within Colorado Parks and Wildlife (CPW) designated High Priority Habitat (HPH). The Coyote Fed 0397-14 location is newly proposed within HPH, therefore, triggering the need for a Wildlife Mitigation Plan. This Wildlife Mitigation Plan has been developed through collaboration with Anschutz, CPW, the Bureau of Land Management-White River Field Office (BLM-WRFO), and the COGCC. Anschutz hopes that through extensive site planning and early communication with the agencies, they have developed a Wildlife Mitigation Plan that is both amenable to the standards and guidelines set forth by the agencies and effectively mitigates the impacts to wildlife populations inhabiting HPH in the local region.

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## 2 PROJECT DESCRIPTION

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The Coyote Fed 0397-14 is located on Parcel No. 114914200003 within Moffat County, Colorado. The parcel is located approximately twenty-one (21) miles northwest of Meeker, Colorado. The site is situated along the northwestern edge of this parcel.

**Legal Description: NW¼ NW¼, Section 14, T03N-R97W, 6<sup>th</sup> P.M., Moffat County, Colorado**

**Location Coordinates: 40.235181, -108.253523 (NAD 83)**

**Elevation: 5,897 feet**

Development of the Coyote Fed 0397-14 location will consist of construction of an oil pad location inclusive of production facilities, including containment for new crude oil, condensate, and produced water. An associated access road approximately 13,481 feet in length will extend north from an existing improved road. Approximately 70% of the proposed road length will align with an existing two-track road whereas the remaining 30% will be constructed where no previous primitive roads have been previously established. The proposed access will be developed within a total construction Rights-of-Way (ROW) of one hundred (100) feet and have associated long-term disturbance width of twenty-four (24) feet to allow for sufficient entry and exit from the pad location. Pipeline infrastructure will be developed in alignment with the access route and will be constructed within the proposed one hundred (100) foot construction ROW for the access. Pipeline infrastructure will consist of buried gas injection pipe for secondary recovery, buried gas sales pipe, a produced waterline, and a temporary surface waterline. The temporary surface use waterline will be used only for transporting fresh water. It will be aligned with existing access roads southwest to a water take point on the White River in Section 12 T2N-R98W and south to proposed freshwater ponds in Section 25 T3N-R97W (Map 1).

Please refer to the table below for a description of the total disturbance associated with the development of this pad and access under the Coyote Fed 0397-14 OGDG.

**Table 1. New Disturbance Associated with Coyote Fed 0397-14 Pad and Access.**

\* Regarding the disturbance calculations for access, disturbance for access aligning with existing two-track roads excluded the already existing eight (8) feet of disturbance associated with the road.

Location	Infrastructure Type	Long-term Disturbance Acres	Short-term Disturbance Acres	Total Disturbance Acres
Coyote Fed 0397-14	Pad	4.33	2.49	6.82
	Access	5.66	23.52	29.18
	<b>TOTAL</b>	<b>9.99</b>	<b>26.01</b>	<b>36.00</b>

Anschutz is proposing the development of six (6) wells in total on the Coyote Fed 0397-14 well pad. The preferred option for construction and drilling would allow for three (3) wells to be developed consecutively each year. This would reduce the number of site occupancies for the drilling/fracking activities to two (2) total occupations but would require flexibility for entering into the beginning of the big game crucial winter concentration area and elk severe winter range timing stipulation periods (December 1-April 30) in order to complete the wells during the first year. Please refer to the table below for a description of the duration of each phase required for the completion of the Coyote Fed 0397-14 location. These activities will not occur simultaneously at this location. See Section 5.2 for additional discussion regarding this preferred option.

**Table 2. Duration of phased development for Coyote Fed 0397-14 OGDG option for drilling three (3) wells annually over two (2) years.**

Phase	Stage	Estimated Time	Projected Timeframe
Phase 1 (2023)	Construction of Road & Pad	45 days	July 16 to August 30
	Mobilize Rig to Location	7 days	August 30 to September 6
	Drilling of three (3) wells includes: 24 days per well plus 10 additional days for pilot hole on first well	82 days	September 6 to November 27
	Construct Facilities/Mobilize Rig off Location	10 days	November 27 to December 7
	Completing three (3) wells: 17 days per well	51 days	December 7 to January 27, 2024
Phase 2 (2024)	Mobilize Rig to Location	7 days	July 16 to 23
	Drilling three (3) wells: 24 days per well	72 days	July 23 to October 3
	Mobilize Rig off Location	7 days	October 3 to 10
	Completing three (3) wells: 17 days per well	51 days	October 10 to November 30

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### 3 AGENCY CONSULTATION

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Consultation with the CPW and BLM was initiated in May of 2022. Both the CPW and BLM-WRFO attended a field onsite visit for the Coyote Fed 0397-14 location on May 17<sup>th</sup>, 2022. These agencies had the opportunity to assess and provide feedback for the proposed site as well as an alternative site location for the well pad. CPW provided detailed notes and initial recommendations to Anschutz following the onsite visit (Appendix B-Agency Consultation Document- Onsite Visit May 17, 2022). Since that time, Anschutz has kept in close communication with the CPW and BLM-WRFO, participating in conference calls and/or providing detailed information via email regarding the planning process and amendments to the OGDG and associated Wildlife Mitigation Plan.

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### 4 HIGH PRIORITY HABITATS

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The Coyote Fed 0397-14 is located within HPH areas subject to both Rule 1202.c and 1202.d. Rule 1202.c outlines that “Operators will not conduct any new ground disturbance and well work, including access road and pad construction, drilling and completion activities, and Flowline/utility corridor clearing and installation activities in the High Priority Habitats listed in Rule 1202.c.(1).” Proposed disturbance associated with development of the Coyote Fed 0397-14 well pad is located within CPW-designated HPH, Sportfish Management Waters. Rule 1202.c.(1)S outlines that operators will not conduct any new ground disturbance in Sportfish Management Waters not identified by CPW as “Gold Medal” (within 500 feet of OHWM). Per National Hydrography Dataset flowlines, there are two (2) identified streams classified as intermittent within 500ft of the edge of the proposed Coyote Fed 0397-14 pad working surface. Both stream channels are considered upstream tributaries of the Crooked Wash Creek and White River. Based on the condition of these streams and proposed Best Management Practices (BMPs) to mitigate impacts, Anschutz applied for a waiver to rule 1202.c.(1)S on August 23, 2022. CPW agreed to waive the no surface occupancy (NSO) stipulation associated with Rule (1202.c.(1)S) and provided email confirmation on August 25, 2022 (Appendix B- Agency Consultation Document- Waiver to Rules 1202.c.(1)S & 1202.a.(3)).

Proposed disturbance associated with the Coyote Fed 0397-14 OGDG is located within seven (7) designated HPH areas subject to Rule 1202.d (Table 3, Map 2). Development of the Coyote Fed 0397-14 location will not result in a density of greater than one (1) oil and gas location per square mile and, as such, is not subject to additional evaluation and mitigation requirements for indirect impacts through CPW per Rule 1203.d.(1). However, as these wells will require a federal Application for Permit to Drill (APD) through the BLM-WRFO, they are subject to additional standards under BLM-WRFO regulatory authority and will require an assessment of indirect impacts to greater sage-grouse (*Centrocercus urophasianus*). The need for mitigation to account for indirect impacts to greater sage-grouse exceeds the requirements outlined within the COGCC 1200 series Rules and is only required to support the federal APD in order to meet standards associated with the Northwest Colorado Greater Sage-Grouse Approved Resource Management Plan Amendment (ARMPA; USDA-BLM 2015b). Requirements and commitments for indirect impacts to greater sage-grouse are discussed further in Section 6.

**Table 3. HPH areas pursuant to Rule 1202.d that are located within the proposed footprint for the Coyote Fed 0397-14.**

\* Stipulations per Colorado Parks and Wildlife's (CPW) Recommendations to Avoid and Minimize Impacts to Wildlife from Land Use Development in Colorado (CPW 2021).

HPH	Relevant Stipulations*	Proposed Action Coverage
Greater Sage-grouse Priority Habitat Mgmt. Area	TL - No permitted or authorized human activities from March 1 to July 15	6.82 acres- Total Pad Disturbance
		5,087 feet- New & Improved Access
Greater Sage-grouse General Habitat Mgmt. Area	TL - No permitted or authorized human activities from March 1 to July 15	0 acres- Total Pad Disturbance
		5,480 feet- New & Improved Access
Elk Severe Winter Range	TL - No permitted or authorized human activities from December 1 to April 30	6.82 acres- Total Pad Disturbance
		4,252 feet- New & Improved Access
Pronghorn Winter Concentration Area	TL - No permitted or authorized human activities from January 1 to April 30	6.82 acres- Total Pad Disturbance
		3,108 feet- New & Improved Access
Mule Deer Winter Concentration Area	TL - No permitted or authorized human activities from December 1 to April 30	1.92 acres- Total Pad Disturbance
		13,147 feet- New & Improved Access
Elk Winter Concentration Area	TL - No permitted or authorized human activities from December 1 to April 30	6.82 acres- Total Pad Disturbance
		13,481 feet- New & Improved Access
Sportfish Management Waters	NSO/NGD (year-round) within 500 feet of the Ordinary High Water Marks Waived by CPW	5.04 acres- Total Pad Disturbance
		6,286 feet- New & Improved Access

## 5 AVOIDANCE AND MINIMIZATION

Anschutz made a concerted effort during the preplanning process to avoid sensitive habitats and minimize disturbance where possible to reduce overall direct and indirect impacts to HPH. A preliminary desktop analysis was conducted to identify HPH areas within the planning area. Anschutz conducted several site visits prior to agency consultation to assess the surrounding habitats, identify alternate sites and less suitable habitat for pad placement, and identify any environmental or logistical constraints for location development. The local area is extremely rural with little development and no previously developed pad sites to allow for co-location. Additionally, existing roads within the immediate area are limited and primitive where they do exist. Anschutz understood that, wherever possible, avoidance and minimization were crucial as this landscape presented topographical, infrastructure and wildlife challenges limiting options for site placement. Anschutz involved CPW and BLM-WRFO early in the site pre-planning process to provide feedback

regarding pad sites, alternative pad sites (see Alternative Location Analysis), other infrastructure placement, development plans and potential wildlife concerns. Species-specific impacts to HPH areas were considered in concert with input from the respective agencies and logistical and economic feasibility for location development during the siting process.

### 5.1 Greater Sage-grouse

The proposed pad is located within greater sage-grouse Priority Habitat Management Area (PHMA) with some segments of the proposed access route located within General Habitat Management Area (GHMA; Table 3). Although the pad location is sited within PHMA, the established vegetation onsite is not favorable for the species and was considered as such by the agencies. Per onsite notes provided by CPW (Appendix B-Agency Consultation Document- Onsite Visit May 17, 2022), the “Pad location is in a grease-wood flats area.” This habitat type is not favorable for greater sage-grouse who generally select nesting sites in sagebrush patches with mid-range sagebrush (*Artemisia* spp.) canopy cover (i.e., 15-25%; Connelly et al. 2000). Although sagebrush habitat is present in the adjacent area, the placement of the pad location within less suitable habitat for greater sage-grouse serves to reduce overall direct impacts to the species by reducing overall removal of suitable sagebrush habitats. Additionally, the consulted agencies agreed the proposed pad site was more favorable to reduce overall impacts to greater sage-grouse as compared to an alternative site located within favorable habitat. CPW stated “Looked at an alternate location to the west on adjacent landowner’s property. This site was less desirable [for site planning] from a wildlife perspective due to better sagebrush habitat and higher pad elevation that would project noise and light onto more surrounding habitat” (Appendix B-Agency Consultation Document- Onsite Visit May 17, 2022). Thus, by siting the pad in the currently proposed location, Anschutz was able to avoid and/or minimize overall direct impacts to suitable greater sage-grouse habitat as well as minimize potential impacts of noise and lighting to the species.

During the preplanning process, Anschutz also modified access routes to further avoid greater sage-grouse HPH. Originally, Anschutz considered utilizing an existing BLM access route located within section 24 T3N-R97W and constructing a new access road off the existing BLM access road within the NW quarter of Section 24 T3N-R97W. This route seemed logistically favorable at the time as it would have allowed for use of existing infrastructure, which is limited in the area, and required less linear feet construction of new access road; however, the route would have required upgrades to the existing BLM access route and new access development within a one (1) mile buffer of an existing greater sage-grouse lek site. To avoid new disturbance within the greater sage-grouse NSO lek area, Anschutz proposed an entirely new access route to the west of the one (1) mile NSO area. Although the BLM access route is being proposed for use by the drill rig to access the Coyote Fed 0397-14 location, this action will take place outside of the greater sage-grouse breeding period and will not require any improvements to the road. Additionally, Anschutz minimized overall access disturbance by aligning approximately 70% of the new proposed access disturbance with an existing two-track.

Concerns related to noise from construction, drilling and production of the Coyote Fed 0397-14 location as relates to impacts to greater sage-grouse are minimal. Currently the proposed pad is located greater than two (2) miles from the nearest lek. The topography of the surrounding landscape is composed of rolling hills and broken terrain which will serve to impede noise associated with any additional sources added to the landscape by development of the pad location. All proposed construction, drilling and fracking activities will take place outside of the greater sage-grouse stipulation period (March 1-July 15). Additionally, noise samples collected at representative locations suggest that activities associated with the production phase of the Coyote Fed 0397-14 location are not expected to result in an exceedance of maximum cumulative noise levels for Commercial/Agricultural land use per Rule 423. Per Anschutz’ Noise Mitigation Plan, baseline/ambient noise measurements as outlined within Rule 423.b and follow-up noise

measurements will be collected if a complaint is received per Rule 423.c.(2)A. Finally, BMPs will be applied to alleviate noise associated with onsite equipment (see Section 7).

## 5.2 Big Game

The proposed well pad and access are located in big game HPH as outlined in Table 3. Because the greater region is primarily pinyon-juniper and sagebrush habitats, the subsequent majority is used by big game species during crucial wintering periods. Complete avoidance of big game HPH was not possible as the majority of the region is designated as big game HPH. However, Anschutz was able to avoid and minimize direct impacts to associated suitable habitats where possible. Like sage-grouse, sagebrush steppe can provide key habitat components for big game species on winter range. Lower elevation pinyon-juniper and sagebrush shrub habitats provide important winter habitat components for both mule deer and elk in Colorado (Hobbs et al. 1981; NRCS 2000). Additionally, sagebrush serves as a primary forage component for both mule deer and pronghorn on winter range (Bayless, 1969; Beale and Smith, 1970; Hansen and Reid 1975; Mitchell and Smoliak, 1971). As outlined above for greater sage-grouse, by siting the Coyote Fed 0397-14 pad on a greasewood flat, Anschutz was able to avoid direct habitat loss of adjacent sagebrush shrublands and avoid loss of productive habitats for big game species on winter range.

Like greater sage-grouse, by siting the location at a lower elevation and within a broken topographic landscape, impacts of noise and light to wildlife within the surrounding landscape were minimized (Appendix B-Agency Consultation Document- Onsite Visit May 17, 2022). Additionally, Anschutz' Noise Mitigation Plan suggest that maximum cumulative noise levels for relevant land use will be in compliance with Rule 423.

Anschutz will also abide by timing stipulations for the majority of the big game winter stipulation period. Due to the presence of several HPH areas, there is only a short duration of time for which disturbance activities may take place outside of the wildlife stipulation periods, July 16-November 30 (137 days of a calendar year). For Anschutz to construct the Coyote Fed 0397-14 location, drill, and complete three (3) wells within the first year (Table 3, Phase 1), leniency will need to be provided at the beginning of the big game winter stipulation period. Per Anschutz' proposed schedule, completions of three (3) wells will conclude by January 27, 2024, fifty-eight (58) days after the start of the winter stipulation period for mule deer and elk (December 1-April 30) and twenty-seven (27) days after the start of the winter stipulation period for pronghorn (January 1-April 30). As discussed in Section 4, the Coyote Fed 0397-14 location is not subject to additional evaluation and mitigation requirements for indirect impacts through CPW per Rule 1203.d.(1). Accordingly, the BLM-WRFO would have regulatory authority to apply and authorize a request for exception to big game timing stipulations in this case as the BLM-WRFO RMP outlines the same stipulation dates (December 1-April 30; WR-TL-14) for big game winter range and winter concentration areas (USDA-BLM 2015a). Anschutz has discussed this scenario with both CPW and the BLM-WRFO. The BLM-WRFO is amenable for the effort to decrease total site occupations for drilling by completing the three (3) wells within the first year. The agency requests all details for the three (3) well option be included within the Surface Use Plan for analysis through the NEPA process. Anschutz will abide by this request.

Further, the development schedule as proposed (Table 2) not only reduces the number of site occupations (from three [3] to two [2]) and subsequent duration of disturbance activities at the proposed location but also prioritizes avoidance of the stipulation period associated with species of greater conservation priority. The greater sage-grouse is considered a Tier 1 Species of Greatest Conservation Need (SGCN) by CPW whereas elk, mule deer, and pronghorn are not listed as SGCN (CPW 2015). Additionally, the USFWS' determination that loss of greater sage-grouse habitat is a major concern for population persistence has resulted in more proactive conservation measures through interagency collaboration across the greater sage-grouse range. Extending the development

period into the big game stipulation period enables Anschutz to completely avoid the greater sage-grouse stipulation period (ending July 15) and, thereby, avoid further negative impacts to and align with multiagency conservation priorities and measures for this high priority species.

### 5.3 Sportfish Management Waters

As discussed in Section 4, the Coyote Fed 0397-14 pad is located within Sportfish Management Waters. Through consultation with the agencies, CPW granted a waiver to the NSO stipulation associated with Rule 1202.c.(1)S (Appendix B- Agency Consultation Document- Waiver to Rules 1202.c.(1)S & 1202.a.(3)). Although the condition of the intermittent streams within 500ft of the Coyote Fed 0397-14 location were determined to not contain sufficient flows required to support a sport fishery downstream, Anschutz is still committed to adhering by BMPs to prevent negative impacts to these streams (outlined in Section 7).

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## 6 MITIGATION

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Rule 1203.a states that compensatory mitigation to mitigate direct impacts is required for proposed disturbance in HPH areas subject to rule 1202.d. Anschutz chose to fulfill their obligation to mitigate direct adverse impacts to HPH areas by paying CPW a direct mitigation fee per Rule 1202.c (Table 1203-1 in Rule 1203.c). Total cost for direct mitigation was based on a per acre fee provided by CPW through the consultation process.

As stated in Section 4 above, the need to account for indirect impacts and requirements for associated mitigation is not warranted for HPH areas under the current COGCC Rules due to density thresholds of development not being exceeded. However, indirect impacts to greater sage-grouse were assessed and mitigation fees agreed upon between Anschutz and the agencies in order to meet regulatory standards outlined within the BLM's 2015 Northwest Colorado Greater Sage-grouse ARMPA (USDA-BLM 2015b). For all actions that result in habitat loss, the Northwest Colorado ARMPA requires and ensures mitigation measures that result a net conservation gain to greater sage-grouse. CPW utilized the Colorado Greater Sage-Grouse Habitat Quantification Tool (HQT) to calculate the number of debits considered for compensatory mitigation (Appendix B-Agency Consultation Document- Habitat Quantification Tool Results). The CPW and BLM-WRFO provided, and Anschutz agreed on, a proposed indirect mitigation cost per acre relevant to the project scale and associated field mitigation costs for the local area.

It is Anschutz' understanding that the CPW and BLM-WRFO will enter into a Memorandum of Understanding for fund sharing. The compensatory mitigation dollars provided by Anschutz will go towards supporting multi-agency local mitigation projects on the ground specific to benefitting greater sage-grouse populations within the local area. Anschutz will provide payment for compensatory mitigation no less than 30 days prior to submitting a Form 42, Field Operations Notice –Notice of Construction or Major Change pursuant to Rule 405.b.

The below table represents Anschutz' commitment to meet requirements for compensatory mitigation associated with direct impacts and habitat loss per COGCC Rules as well as indirect impacts to greater sage-grouse in order to fulfill additional standards required for federal permit approval (Table 4).

**Table 4. Mitigation costs required to offset direct impacts to all HPH areas and indirect impacts to greater sage-grouse.**

\* Debit acres calculated using Colorado's Habitat Quantification Tool (HQT). The acres reflected here represents the original HQT debit value minus the total disturbance acres (direct impacts).

Impacts Type	Impacts Sub Type	Acres	Cost/Acre Unit	Mitigation Cost
Direct	Long-Term	9.99	\$5,295.00	\$52,912.49
	Short-Term	26.01	\$735.00	\$19,116.99
Indirect	---	199.55	\$350.00	\$69,841.65
<b>TOTAL</b>				<b>\$141,871.13</b>

## 7 WILDLIFE BEST MANAGEMENT PRACTICES

Anschutz will implement the following BMPs during construction, drilling, completions, and production phases of the Coyote Fed 0397-14 OGD as applicable to relevant species:

### 7.1 Greater Sage-grouse

Timing Stipulations (CPW 2021): Anschutz will adhere to restrictions on human activities during the greater sage-grouse breeding stipulation period.

- No construction, drilling, completions/flowback activity will occur from March 1-July 15.

Noise: Rule 423.a(4)- Anschutz will adhere to the following BMPs to effectively mitigate noise levels.

- Exhaust mufflers installed on engines to reduce noise impacts.
- Mufflers or vent tanks will be used for sound suppression when bypassing air injection on connections when drilling with aerated fluid.
- Major surface pipe handling operations will be limited to daylight as much as possible.
- Solids control equipment and shale shakers will be maintained to ensure proper function and noise mitigation.
- Direction of exhaust pipes will be directed towards elevated obstructions (e.g. topography, baffles, etc.) and away from property boundaries to reduce noise transmission.

### 7.2 Big Game

Timing Stipulations (CPW 2021): Anschutz will adhere to restrictions on human activities during the big game winter stipulation periods during the second year of development (Table 2, Phase 2). Leniency will be requested from the BLM-WRFO at the beginning of the big game winter stipulation period during the first year to allow for construction/development of location and drilling and completions three (3) wells (Table 2, Phase 1).

- Phase 1 (Table 2): No construction, drilling, completions/flowback activity will occur within pronghorn, elk and mule deer Winter Concentration Areas and elk Severe Winter Range from January 27 to April 30.
- Phase 2 (Table 2): No construction, drilling, completions/flowback activity will occur within Pronghorn Winter Concentration Areas from January 1 to April 30.

- Phase 2 (Table 2): No construction, drilling, completions/flowback activity will occur within elk and mule deer Winter Concentration Areas and elk Severe Winter Range from December 1 to April 30.

Noise: Rule 423.a(4)- BMPs listed in Section 7.1 will also serve to mitigate potential effects of noise wintering big game populations.

### 7.3 Sportfish Management Waters

Anschutz is committed to adhering to BMPs for intermittent and ephemeral streams listed in 309.e.(5)D.ii.bb including the following measures:

- Contain Flowback and Stimulation Fluids in Tanks that are placed on a Working Pad Surface in an area with downgradient perimeter berming.

*Anschutz will utilize secondary containments systems (See below for further detail) and plans to place production facilities on the western corner of the pad where a containment ditch and berm will be constructed around the working pad perimeter and the topsoil piles. The containment berm will be compacted and act to prevent any further spills or leakage from the secondary containment systems from reaching downgradient intermittent streams. Additionally, the production facilities were placed on the western side of the pad which is furthest from the Deep Channel Creek.*

- Construct lined berms or other lined containment devices pursuant to Rule 603.o around any new crude oil, condensate, and produced water storage Tanks that are installed after January 15, 2021.

*Anschutz will design, construct, and maintain secondary containment devices around new crude oil, condensate, and produced water storage tanks as described in Rule 603.o to prevent spills and releases from primary containment vessels. Containment will be sized to hold at least 110% of the capacity of the largest containment and be independent of the back cut (per 40 CFR 112 Standards). The spill containment walls around the produced oil and water tanks will be constructed of corrugated steel. To further prevent leakage, the secondary containment will be lined with an impervious synthetic surface, rig grip carpeted liner that underlays all primary containment vessels. An earthen berm will be constructed around production facilities to prevent releases into downgradient intermittent waters within 500ft. No sources of ignition will be placed in the secondary containment area and all electrical equipment installations inside of the bermed area will comply with API RP 500.*

- Inspect the Oil and Location on a daily basis, unless the approved Form 2A provides for different inspection frequency or alternative method of compliance.

*Due to the remote vicinity and unknown production capabilities of the well, Anschutz will inspect the Coyote Fed 0397-14 oil location on a daily basis.*

- Maintain adequate Spill response equipment at the Oil and Gas Location during drilling and completion operations.

*Anschutz will place spill response equipment on the Coyote Fed 0397-14 proposed pad location during drilling and completion operations.*

- Not construct or utilize any Pits, except that Operators may continue to utilize existing Pits that were properly permitted, constructed, operated, and maintained in compliance prior to January 15, 2021.

*Anschutz does not plan to construct any new pits on the Coyote Fed well pad.*

Anschutz will also utilize stringent erosion and sediment control measure to prevent discharges into intermittent streams within 500ft per the following:

- A Storm Water Pollution Prevention Plan will be developed to include installation of BMPs to prevent erosion and sediment release from reaching downgradient drainages. BMPs may include:
  - Excelsior Wattles (preferred but straw maybe substituted as availability dictates.)
  - Coconut matting
  - Fractured rock (limestone preferably) for rock checks, rip rap, and armor for culverts
  - Straw mulch
  - Wood straw
  - Straw bales
  - Earthen ditches (i.e. v-, eyebrow-, diversion-, wing-)
  - Earthen berms
  - Stabilization seeding (seeding with simple seed mix to stabilize stored topsoil)
- Topsoil will be stockpiled within an earthen berm along the toe of the stockpile to prevent any migration and manage erosional risk. Topsoil will be seeded to further reduce the erosional risk and prevent soil migration.
- Backfilling, leveling, and re-contouring are planned as soon as reasonably possible following drilling and completion operations.
- Any disturbed fill slopes will be smoothed and reshaped to near pre-disturbed conditions to match the native contour. Fill slopes will be restored to cuts and blended or reshaped into large natural berms that provided visual and storm water benefits.
- Soil stabilization and erosion control issues will be addressed immediately upon surface disturbance and continue throughout the life of the wells.

#### **7.4 General Operating Requirements Rule 1202.a**

Anschutz will comply with operating requirements for statewide oil and gas operations per Rule 1202.a as follows:

- 1) In black bear habitat, Operators will install and utilize bear-proof dumpsters and trash receptacles for food-related trash at all facilities that generate trash.

*For all Anschutz facilities that generate food waste within black bear habitat, enclosed metal trash receptacles will be installed and utilized.*

- 2) Operators will disinfect water suction hoses and water transportation Tanks withdrawing from or discharging into surface waters (other than contained Pits) used previously in another river, intermittent or perennial stream, lake, pond, or wetland and discard rinse water in an approved disposal facility. Disinfection practices will be repeated prior to completing work and before moving to the next water body. Disinfection will be performed by scrubbing and pre-rinsing equipment away from water bodies to remove all mud, plants, and organic materials....

*For all water suction hoses and water transportation tanks withdrawing or discharging surface waters used in an alternate river source, Anschutz will disinfect (repeat prior to completing*

*work and before moving to the next water body) and discard rinse water. Disinfection will consist of scrubbing and pre-rinsing equipment away from water bodies to remove all mud, plants, and organic materials followed by one of the following practices: 1) Spray/soak equipment with a CPW-approved disinfectant solution capable of killing whirling disease spores and other aquatic nuisance species defined by CPW; or 2) Spray/soak equipment with water greater than 140° Fahrenheit for at least 10 minutes. All equipment and any compartments they contain will be completely drained and dried between each use.*

- 3) At new and existing Oil and Gas Locations, Operators will not situate new staging, refueling, or Chemical storage areas within 500 feet of the Ordinary High Water Mark (“OHWM”) of any river, perennial or intermittent stream, lake, pond, or wetland.

*See Section 7.3*

- 4) To prevent access by wildlife, including birds and bats, Operators will fence and net or install other CPW-approved exclusion devices on new Drilling Pits, Production Pits, and other Pits associated with Oil and Gas Operations that are intended to contain Fluids.

*Anschutz is not proposing any drilling, production, or other pits on location.*

- 5) For trenches that are left open for more than 5 consecutive days during construction of Pipelines regulated pursuant to the Commission’s 1100 Series Rules, Operators will install wildlife escape ramps at a minimum of one ramp per 1/4 mile of trench.

*If pipeline trenches are left open for more than five (5) consecutive days during construction, Anschutz will install wildlife escape ramps every ¼ mile of trench.*

- 6) When conducting interim and final reclamation pursuant to Rules 1003 and 1004, Operators will use CPW-recommended seed mixes for reclamation when consistent with the Surface Owner’s approval and any local soil conservation district requirements.

*Utilized seed mixes are at the discretion of the surface landowner but will be discussed with the landowner prior to reclamation. Seed mixes consistent with CPW and BLM recommendations will be used if approved by the surface landowner.*

- 7) Operators will use CPW-recommended fence designs when consistent with the Surface Owner’s approval and any Relevant Local Government requirements.

*If Anschutz installs a perimeter fence around the pad area, fencing design will be discussed with the private surface landowner. Fencing designs consistent with CPW-recommendations will be used if approved by the surface landowner. Fencing design is at the discretion of the surface landowner.*

- 8) Operators will conduct all vegetation removal necessary for Oil and Gas Operations outside of the nesting season for migratory birds (April 1 to August 31). For any vegetation removal that must be scheduled between April 1 to August 31, Operators may implement appropriate hazing or other exclusion measures prior to April 1 to avoid take of migratory birds. If hazing or other exclusion measures are not implemented, Operators will conduct pre-construction nesting migratory bird surveys within the approved disturbance area prior to any vegetation removal during the nesting season. If active nests are located, Operators will provide work zone buffers around active nests.

*Due to the limited duration of time for which disturbance activities may take place outside of the wildlife stipulation periods, Anschutz is proposing to initiate construction and vegetation removal activities immediately following the greater sage-grouse stipulation period, July 16. Taking place at the end of the migratory bird breeding season, Anschutz will either implement appropriate hazing or other exclusion measures prior to April 1 to avoid take of migratory birds*

*or will conduct pre-construction nesting migratory bird surveys within the approved disturbance area prior to any vegetation removal from July 16-August 31.*

- 9) Operators will treat Drilling Pits, Production Pits, and any other Pit associated with Oil and Gas Operations containing water that provides a medium for breeding mosquitoes with Bti (*Bacillus thuringiensis v. israelensis*) or take other effective action to control mosquito larvae that may spread West Nile virus to Wildlife Resources. Such treatment will be conducted in a manner which will not adversely affect aquatic Wildlife Resources.

*Anschutz is not proposing drilling, production, or other pits on location. Thus, mosquito abatement will not be necessary.*

- 10) Operators will employ the following minimum Best Management Practices on new Oil and Gas Locations with a Working Pad Surface located between 500 feet and 1000 feet hydraulically upgradient from a High Priority Habitat identified in Rule 1202.c.(1)Q-S: 1200-3 As of January 15, 2021

*See Section 7.3*

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## 8 LITERATURE CITED

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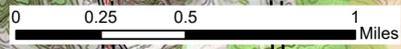
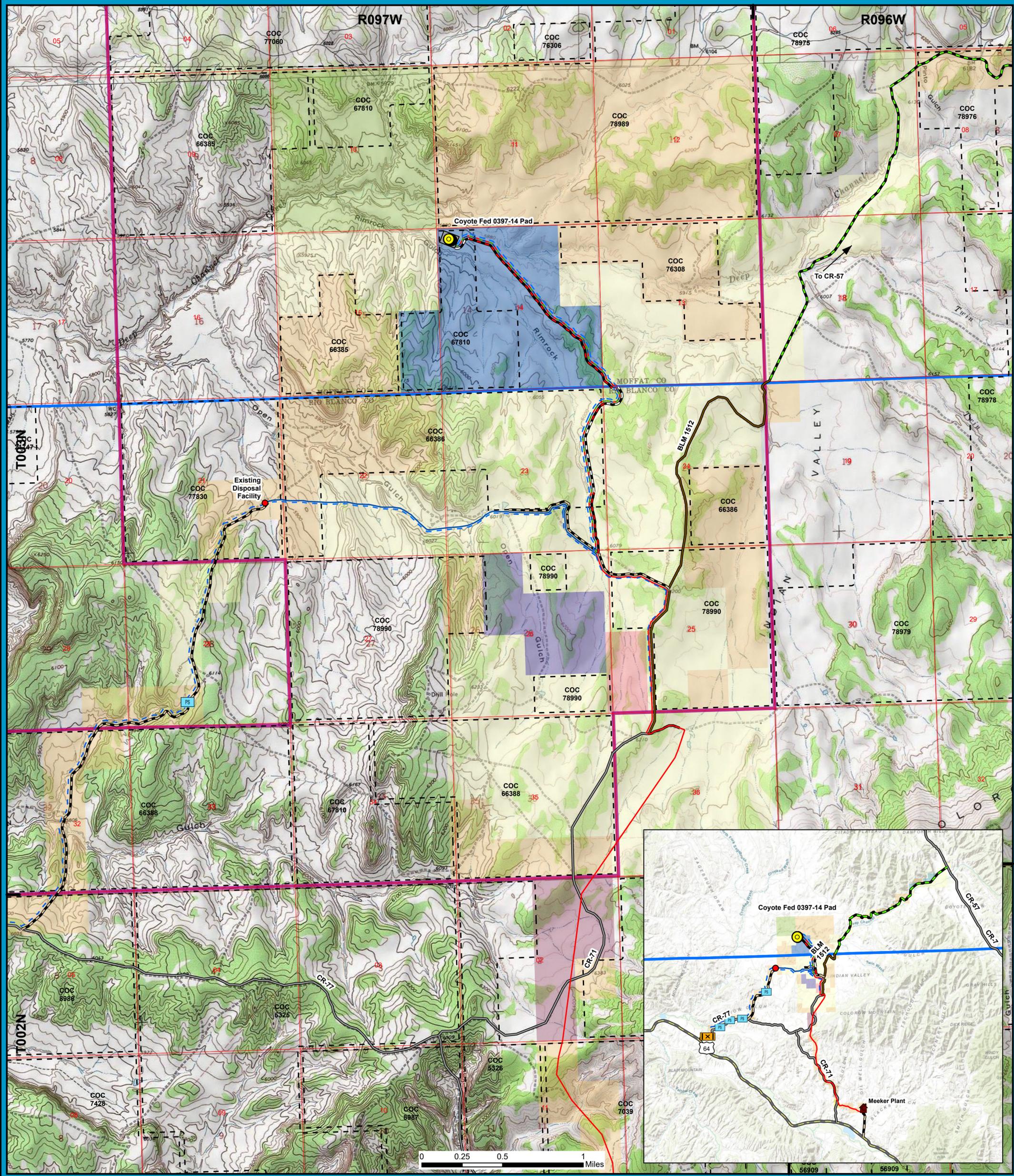
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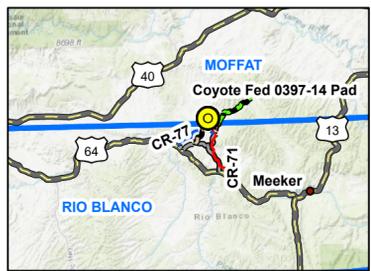
# **APPENDIX A.**

## **MAPS**

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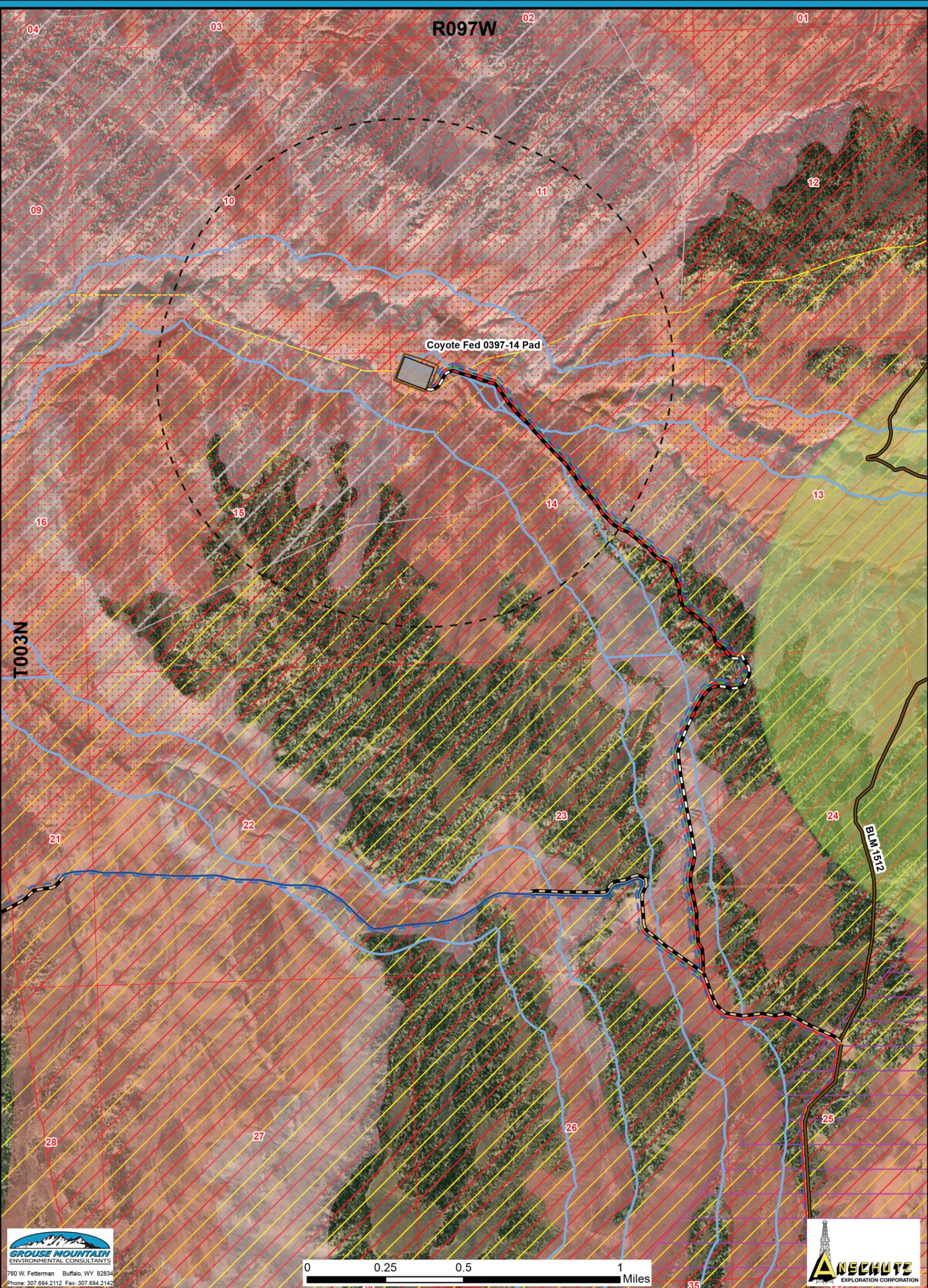


**Map 1. Overview- Coyote Fed 0397-14**



- |   |  |   |
|---|--|---|
| <ul style="list-style-type: none"> <li> Proposed Oil Well SHL</li> <li> Proposed Oil Pad</li> <li> Existing Disposal Facility</li> <li> Booster Station</li> <li> Unit Boundary</li> <li> ANSCHUTZ EXPLORATION CORPORATION</li> <li> BLM</li> <li> BUFFALO HORN PROPERTIES, LLC</li> <li> CORYELL, ANDREW C &amp;</li> <li> FAMILY REAL ESTATE ENTERPRISES, LLC</li> <li> PIERCE, JOHN R REVOCABLE TRUST DATED MAY 12, 2014</li> <li> SMITH, M. BRITTON &amp; CATHELENE S.</li> </ul> | <ul style="list-style-type: none"> <li> Existing BLM Improved Access</li> <li> County Road</li> <li> County Road</li> <li> Proposed Temporary Surface Waterline</li> <li> Existing Improved Access; 24' Running Width (No Upgrade Needed)</li> <li> Existing Improved Access; 14' Running Width (No Upgrade Needed)</li> <li> Existing BLM Improved Access; Gas Piping</li> <li> Existing Improved Access; Proposed Temporary Surface Waterline</li> <li> Proposed Improved Access (New Construction); Proposed Gas Pipe; Proposed Temporary Surface Waterline</li> <li> Existing Buried Gas Pipeline</li> <li> Existing Improved Access; Existing Gas Pipe; Proposed Temporary Surface Waterline</li> <li> Existing Improved Access; Proposed Temporary Surface Waterline; Produced Waterline</li> <li> Proposed Temporary Surface Waterline; Produced Waterline</li> </ul> | <ul style="list-style-type: none"> <li> Existing BLM Improved Access; Gas Piping; Proposed Temporary Surface Waterline</li> <li> Proposed Improved Access; Proposed Temporary Surface Waterline; Gas Injection Piping; Gas Piping; Produced Waterline</li> <li> Existing Unimproved Access; Proposed Temporary Surface Waterline; Gas Injection Piping; Gas Piping; Produced Waterline</li> </ul> |
|---|--|---|

Coordinate System: NAD 1983 UTM Zone 12N  
 Projection: Transverse Mercator  
 Datum: North American 1983  
 Units: Meter  
 Scale: 1:24,000  
 Date: 10/31/2022  
 Created by: AutoCAD  
 File Name: AEC\_307



### Map 2. Wildlife High Priority Habitat- Coyote Fed 0397-14

- |   |   |   |  |
|---|---|---|--|
| <ul style="list-style-type: none"> <li> Proposed Oil Well Pad</li> <li> Surface Disturbance Boundary</li> <li> One-mile Buffer of Proposed Pad</li> <li> Existing BLM Improved Access</li> <li> Existing Improved Access; 24' Running Width (No Upgrade Needed)</li> <li> Existing BLM Improved Access; Gas Piping</li> <li> Existing Improved Access; Proposed Temporary Surface Waterline</li> <li> Proposed Improved Access (New Construction); Proposed Gas Pipe; Proposed Temporary Surface Waterline</li> </ul> | <ul style="list-style-type: none"> <li> Existing Buried Gas Pipeline</li> <li> Existing Improved Access; Existing Gas Pipe; Proposed Temporary Surface Waterline</li> <li> Existing Improved Access; Proposed Temporary Surface Waterline; Produced Waterline</li> <li> Proposed Temporary Surface Waterline; Produced Waterline</li> <li> Existing BLM Improved Access; Existing Gas Pipe; Proposed Temporary Surface Waterline</li> </ul> | <ul style="list-style-type: none"> <li> Proposed Improved Access; Proposed Temporary Surface Waterline; Gas Injection Piping; Gas Piping; Produced Waterline</li> <li> Existing Unimproved Access; Proposed Temporary Surface Waterline; Gas Injection Piping; Gas Piping; Produced Waterline</li> <li> Existing Improved Access; Proposed Temporary Surface Waterline; Gas Injection Piping; Gas Piping; Produced Waterline</li> </ul> | <ul style="list-style-type: none"> <li> Greater Sage-grouse Lek Site- 1 mile NSO</li> <li> Greater Sage-grouse Priority Habitat Mgmt. Area</li> <li> Greater Sage-grouse General Habitat Mgmt. Area</li> <li> Elk Severe Winter Range</li> <li> Elk Production Area</li> <li> Pronghorn Winter Concentration Area</li> <li> Mule Deer Winter Concentration Area</li> <li> Elk Winter Concentration Area</li> <li> Sportfish Management Waters</li> </ul> |
|---|---|---|--|

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**APPENDIX B.**  
**AGENCY CONSULTATION DOCUMENTS**

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Notes Prepared by Taylor Elm-CPW (Notes not relevant to the Coyote Fed location were omitted below)

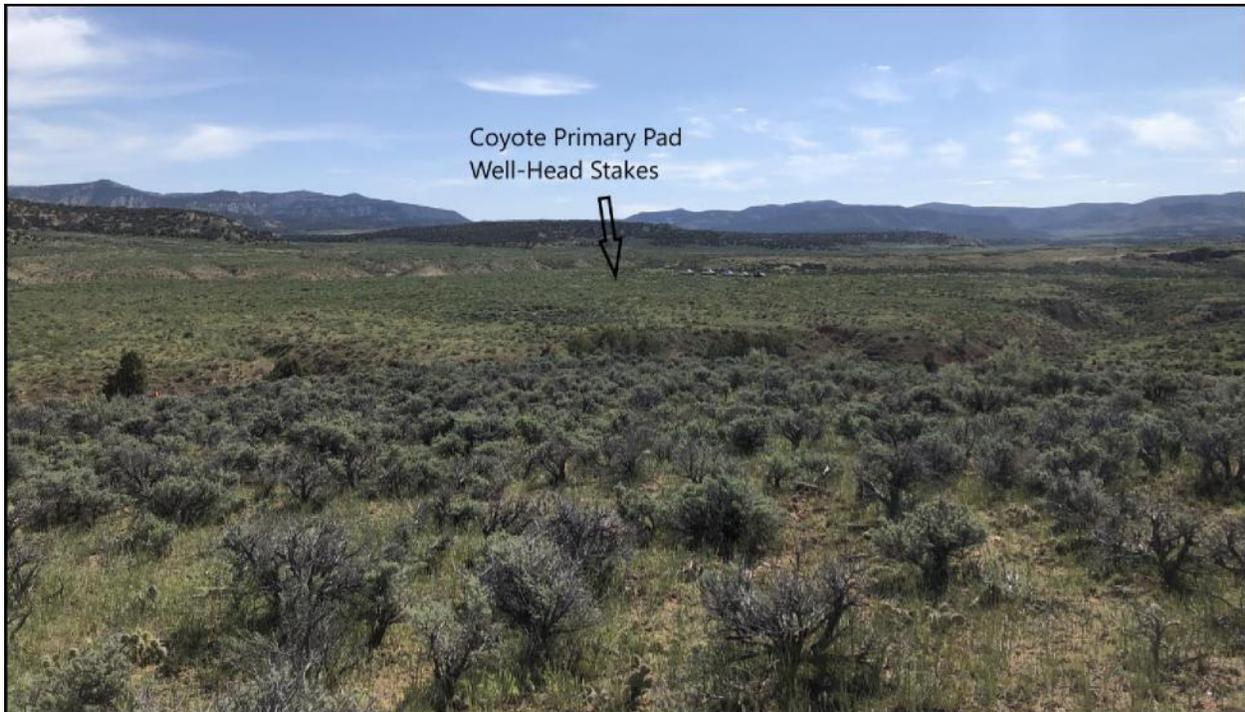
## Anschutz - Wiley Unit Onsite Tour

May 17, 2022

Attendees: BLM (Shawn Wiser & Matthew Dupire), CPW (Taylor Elm), Grouse Mountain (Steve Seidel & Greg Shed), Anschutz, Timberline Land Surveying

### Coyote Fed Pad (preferred location)

- New (FEE/FEE/FED) pad with plans for three new wells targeting federal lease to the north.
- Gas, oil, and waterlines will follow the access road alignment.
- There will be a freshwater surface line to supply water for completions. Will be removed following completions operations.
- Planning for construction in July 2023 after the TL periods. Anticipate being able to complete construction, drilling, and completions before the December 1 big game winter TL period.
- Pad location is in a grease-wood flats area
- Looked at an alternate location to the west on adjacent landowner's property. This site was less desirable from a wildlife perspective due to better sagebrush habitat and higher pad elevation that would project noise and light onto more surrounding habitat.



### Wildlife Habitat Analysis:

- Mostly within 1202.c. aquatic sportfish management NSO buffer (CPW waiver possible due to ephemeral mapping of Rim Rock Gulch)

**Notes Prepared by Taylor Elm-CPW (Notes not relevant to the Coyote Fed location were omitted below)**

- Greater sage-grouse priority habitat management area (PHMA) (fully within)
- Elk Severe Winter Range & Winter Concentration Area (fully within)
- Mule Deer Winter Concentration Area (partially within)
- Pronghorn Winter Concentration Area (fully within)
- Pad is within 500 ft. buffers from ephemeral streams - Rule 1202.a.(3) for fuel tanks and chemical storage tanks will apply unless CPW waiver is granted.
- No active locations within 1.12 miles and does not trigger the >1 active locations per square mile for CPW to make a recommendation for mitigating adverse indirect impacts.

**→ CPW Wildlife Recommendations & Relevant COGCC Wildlife Regulations:**

- Avoid construction, drilling, and completions between Dec. 1 and April 30 for elk, pronghorn, and mule deer winter concentration habitat.
- Avoid construction, drilling, and completions between March 1 and July 15 for greater sage-grouse priority habitat management areas (PHMA).
- Continue conversations with CPW regarding specific wildlife best management practices for WMP and OGDG application (e.g. reduced speed limits, daily timing limitations, weed management protocol, noise and light minimization, dust suppression activities, etc.).
- Adhere to COGCC Table 423-1 for noise limitations, especially for any production-phase equipment on the pad location.
- Conduct compensatory mitigation for direct impacts per Rule 1203. Anschutz can elect to pay a mitigation payment to CPW's mitigation account or complete their own project to offset an acreage equal to the disturbance from the pad and access road construction. (Must determine the total disturbance acreage and that which will receive interim reclamation – long term vs. shorter term disturbance values) \* *see table 1203-1 Direct Impact Habitat Mitigation Fee*
  - o CPW may run the CO Greater Sage-Grouse Habitat Quantification Tool (HQT) for this location to share results with BLM for consideration of federally required compensatory mitigation pursuant to the [2015 NW Colorado Greater Sage-Grouse Approved Resource Management Plan Amendment](#).
  - o *This location does not meet the 1200 series density threshold for CPW to recommend indirect impact compensatory mitigation to the COGCC Director (Rule 1203.d).*
- For CPW waiver to Rule 1202.a.(3) - tanks 500 ft. from waterways:
  - o Implement secondary and tertiary containment on tanks and chemical storage
  - o Stage emergency spill response kit on the pad or within close proximity
  - o Implement remote monitoring technology to detect potential tank releases.
  - o Provide CPW with copies of storm water protection plans and spill prevention and response plans
- Develop a Wildlife Mitigation Plan (pursuant to Rule 1201.b.) that addresses all statewide operating requirements, best management practices for wildlife, and compensatory mitigation obligations to offset direct impacts
- Conduct Alternative Location Analysis pursuant to 300 Series rules for the presence of HPH
  - o Consult with COGCC for guidance on protocols for an alt. location analysis

**Email Correspondence**

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**Katie Taylor**

**From:** Taylor Elm - DNR <[taylor.elm@state.co.us](mailto:taylor.elm@state.co.us)>  
**Sent:** Thursday, August 25, 2022 2:44 PM  
**To:** Katie Taylor  
**Cc:** Dave Kubeczko - DNR; Miracle Pfister; Steve Seidel; Clint Beck; Rebecca Deal; Danielle Neumann - DNR  
**Subject:** Re: Anschutz Exploration Corporation: Request for Waiver to Rule 1202.c.(1)S. and 1202.a.(3) for  
**Attachments:** Anschutz\_Coyote 0397-14\_Request for Waiver to 1202.c.(1)S. & 1202.a.(3)\_ 2022.08.23.pdf

Katie,

Thank you for providing this waiver request on August 23rd, 2022, including thorough details on best management practices, current site and hydrological conditions, and location photos. As you are aware, CPW staff attended an on-site consultation meeting with Anschutz, Grouse Mountain, and the Bureau of Land Management on May 17th, 2022. Following this on-site consultation, CPW has participated in numerous discussions with Grouse Mountain and Anschutz regarding development plans for the Coyote 0397-14 pad and wells. Below are CPW's responses to each waiver request that have been made.

**COGCC Rule 1202.c.(1).S. Waiver for Sportfish Management Waters NSO Designation**

CPW staff, including local aquatic biologists, agree with your assessment regarding the intermittent nature of these two drainages. Based on NHD mapping and our on-site assessment, the unnamed tributary to Deep Channel Creek appears to rarely convey water and most likely only during extreme storm events. Furthermore, Deep Channel Creek may convey water on a more frequent basis, but does not contain year-round flows that would be required to support a sport fishery. In addition to the intermittent nature of these waterways, the nearest downgradient perennial waterway that contains fish populations is significantly downstream of the proposed pad location (i.e. approximately 12 stream miles). Native fish species (Bluehead Suckers, Flannel-mouth Suckers, Roundtail Chub, etc.) that reside in the White River are not likely to use the upper reaches of Deep Channel Creek, and CPW does not have concerns other than the sportfish management waters designation.

CPW has reviewed the proposed spill prevention and stormwater/sediment containment BMPs, as proposed in your waiver request. CPW has also confirmed that remote monitoring and remote shut-in technology (e.g. telemetry/SCADA) may be installed at this location in the future, depending on production results. CPW finds these measures to be adequate to reduce and minimize any potential risks to these waterways. Based on the BMPs and current site conditions, CPW agrees to waive the no surface occupancy stipulation (*for oil and gas locations*) associated with [Rule 1202.c.\(1\).S.](#) This authority is granted to CPW under COGCC [Rule 309.e.\(5\).D.ii.bb.](#)

**COGCC Rule 1202.a.(3). Waiver for Chemical Storage Facilities within 500 ft. of Intermittent Streams and Wetlands**

**Email Correspondence**

In addition to the above waiver request, CPW has also reviewed the request to waive the 1202.a.(3). statewide operating requirement that precludes situating new staging, refueling, or chemical storage areas within 500 feet of the Ordinary High Water Mark ("OHWM") of any river, perennial or intermittent stream, lake, pond, or wetland. Based on the site conditions mentioned above and the best management practices contained within your waiver request (including: secondary and tertiary containment measures, siting of tanks away from drainages, remote monitoring, and staging of an emergency spill response kit), CPW also agrees to waive this statewide operating requirement. This authority is granted to CPW through COGCC Rule 1202.a. Consider this email response as your official signed waiver from CPW. Note that CPW does not have jurisdictional authority regarding impacts to delineated wetlands or mapped waters of the U.S. For relevant stream and/or wetland impacts, consultation with the US Army Corps of Engineers may be required.

If there are any questions regarding this response or needs for additional details, please feel free to reach out to me directly.



Taylor Elm  
NW Region Energy Liaison



P (970) 947-2971 | C (970) 986-9767  
711 Independent Ave., Grand Junction, CO  
[taylor.elm@state.co.us](mailto:taylor.elm@state.co.us) | [cpw.state.co.us](http://cpw.state.co.us)

On Tue, Aug 23, 2022 at 3:05 PM Katie Taylor <[ktaylor@gmecwy.com](mailto:ktaylor@gmecwy.com)> wrote:

Hi Taylor and Dave-

Anschutz Exploration Corporation is requesting a waiver to Rules 1202.c.(1)S. and 1202.a.(3) for the Coyote Fed 039714 location. Please see the attached detailed request and let us know if you require any additional information.

Thanks again!

**KATIE TAYLOR**

*Project Manager/Senior Biologist*

Tel: 307-684-2112 ext. 230  
Cell: 360-521-0442  
Email: [ktaylor@gmecwy.com](mailto:ktaylor@gmecwy.com)



Email Correspondence-Provided by Taylor Elm on July 27<sup>th</sup>, 2022

