

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)

Colorado Parks and Wildlife Consultation Narrative

Prepared for:



Anschutz Exploration Corporation
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1 CONSULTATION INTRODUCTION

Consultation with the Colorado Parks and Wildlife (CPW) and the Bureau of Land Management-White River Field Office (BLM-WRFO) was initiated in May of 2022 regarding development plans for the Coyote Fed 0397-14 location, Oil and Gas Development Plan (OGDP) application and associated Wildlife Mitigation Plan. Since that time, Grouse Mountain Environmental Consultants (Grouse Mountain) on behalf of Anschutz Exploration Corporation (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 OGDP and Wildlife Mitigation Plan. Timelines of major communications and meetings are outlined below. Smaller conversations via brief follow-up phone calls may not be listed.

Table 1. Consultation history with agencies regarding development of the Wildlife Mitigation Plan for the Coyote Fed 0397-14 location.

Consultation Type/Subject	Attendees/Participants	Date	Associated Documents
Onsite Visit/ Coyote Location Planning	CPW, BLM, Grouse Mountain, Anschutz	May 17, 2022	Appendix A-Agency Consultation Document- Onsite Visit May 17, 2022 Page 6-7
Email/ Habitat Quantification Tool (HQT)	CPW, BLM, Grouse Mountain, Anschutz	July 17, 2022	Appendix A-Agency Consultation Document- Habitat Quantification Tool Results Page 10
Email/Waiver to Rules 1202.c.(1)S. & 1202.a.(3)	CPW, Grouse Mountain, Anschutz	August 25, 2022	Appendix A-Agency Consultation Document- Waiver to Rules 1202.c.(1)S. & 1202.a.(3) Page 8-9
Email/ CPW Wildlife Mitigation Plan Review and Mitigation Costs	CPW, Grouse Mountain, Anschutz	October 21-27, 2022	Appendix A- Agency Consultation Document- Wildlife Mitigation Plan and Mitigation Costs Page 11-16

2 CONSULTATION NARRATIVE

2.1 Onsite Visit

Both the CPW and BLM-WRFO attended a field onsite visit with Grouse Mountain and Anschutz for the Coyote Fed 0397-14 location on May 17th, 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 A-Agency Consultation Document- Onsite Visit May 17, 2022).

2.2 Greater Sage-grouse Indirect Mitigation

The need to account for indirect impacts by the Coyote Fed 0397-14 location and requirements for associated mitigation was 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 2015). CPW utilized the Colorado Greater Sage-Grouse Habitat Quantification Tool (HQT) to calculate the number of debits considered for compensatory mitigation (Appendix A-Agency Consultation Document- Habitat Quantification Tool Results). Through subsequent emails, 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 (see Section 2.4).

2.3 Waiver to Rules 1202.c.(1)S. & 1202.a.(3)

The Coyote Fed 0397-14 pad is located within Sportfish Management Waters. Through consultation with the agencies, CPW determined that a waiver to Rules 1202.c.(1)S and 1202.a.(3) would be required. Anschutz conducted a stream condition assessment of the intermittent streams within 500ft of the Coyote Fed 0397-14 location which were determined to not contain sufficient flows required to support a sport fishery downstream. Anschutz submitted a request for waiver including supporting documentation and justification for stream condition on August 23, 2022. CPW agreed to waive Rules 1202.c.(1)S and 1202.a.(3) and provided email confirmation on August 25, 2022 (Appendix A- 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 of the Wildlife Mitigation Plan).

2.4 CPW Wildlife Mitigation Plan Review and Mitigation Costs

Grouse Mountain provided CPW with a draft Wildlife Mitigation Plan on October 21, 2022 to review and provide input prior to submitting with the OGD. CPW indicated they did not have any edits and that they were pleased with the information captured within the plan. On October 26, 2022, Grouse Mountain also provided revised disturbance calculations and associated compensatory mitigation costs for which Anschutz was committed to paying as a part of the plan. CPW approved these changes on October 27, 2022 (Appendix A- Agency Consultation Document- Wildlife Mitigation Plan and Mitigation Costs).

APPENDIX A. AGENCY CONSULTATION DOCUMENTS

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

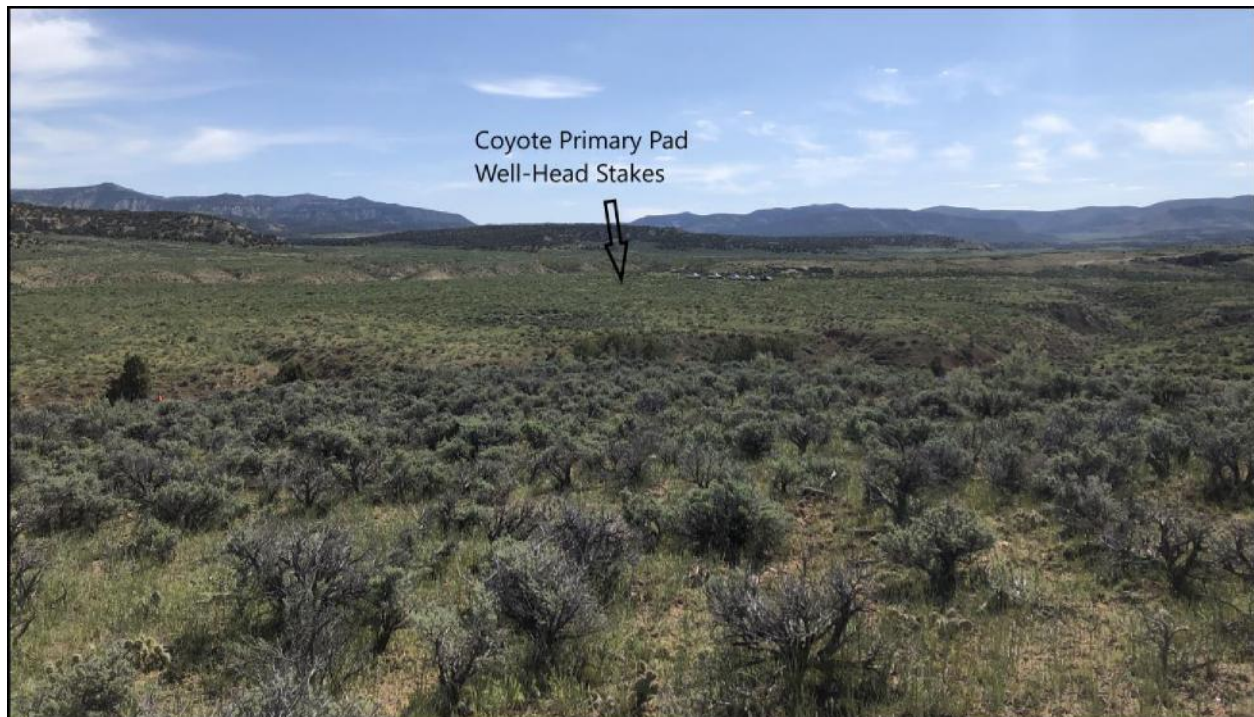
Anschutz - Wiley Unit Onsite Tour

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 OGD 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*
 - 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](#).
 - *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:
 - Implement secondary and tertiary containment on tanks and chemical storage
 - Stage emergency spill response kit on the pad or within close proximity
 - Implement remote monitoring technology to detect potential tank releases.
 - 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
 - Consult with COGCC for guidance on protocols for an alt. location analysis

Email Correspondence

Katie Taylor

From: Taylor Elm - DNR <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

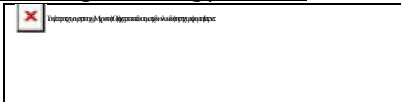
Email Correspondence

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



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711 Independent Ave., Grand Junction, CO
taylor.elm@state.co.us | cpw.state.co.us

On Tue, Aug 23, 2022 at 3:05 PM Katie Taylor <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.

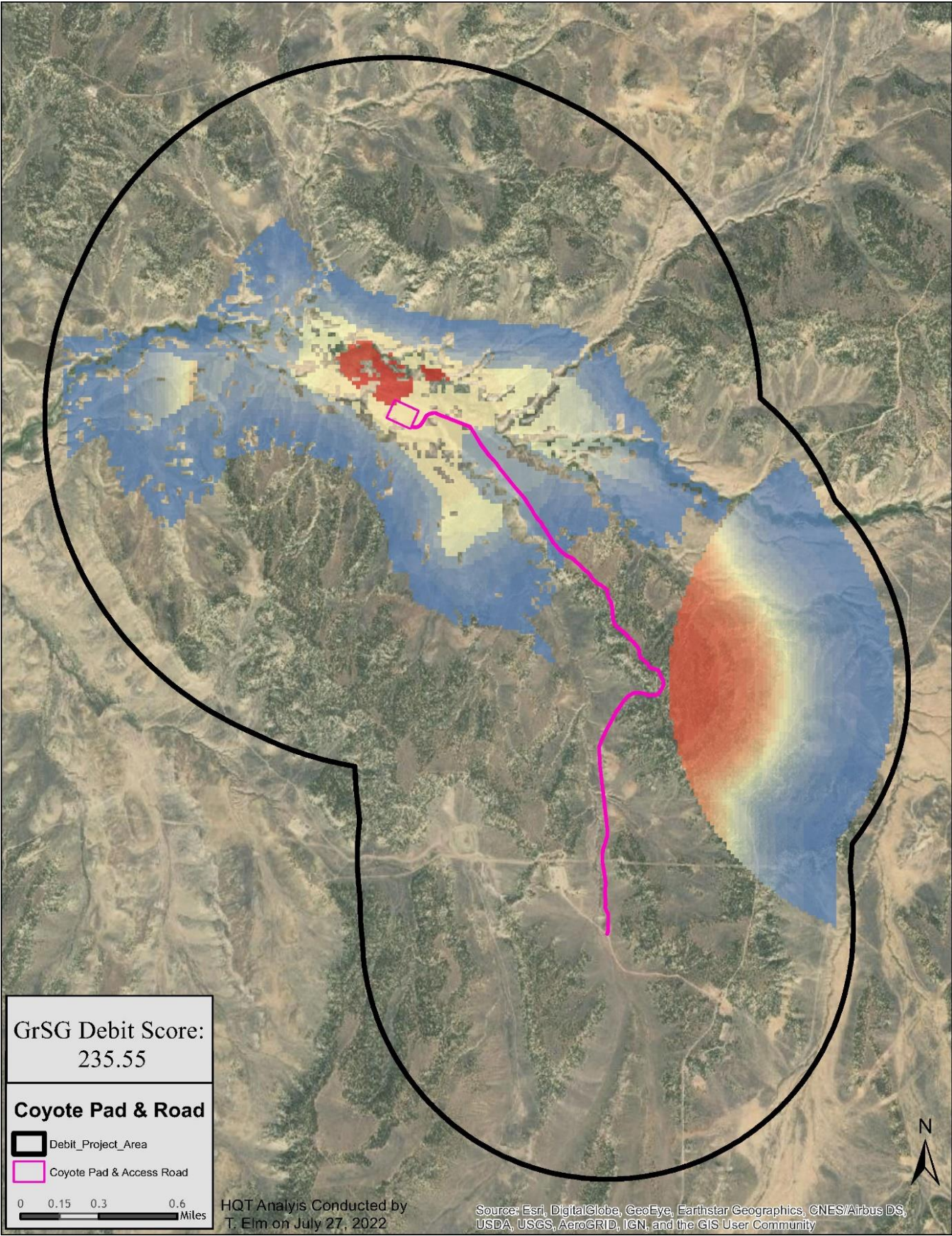
Thanks again!

KATIE TAYLOR

Project Manager/Senior Biologist

Tel: 307-684-2112 ext. 230
Cell: 360-521-0442
Email: ktaylor@gmecwy.com





Email Correspondence- October 21-27th, 2022

Katie Taylor

From: Taylor Elm - DNR <taylor.elm@state.co.us>
Sent: Thursday, October 27, 2022 8:13 AM
To: Katie Taylor
Cc: Wisner, Shawna D; Mastin Dixon, Diane J; Steve Seidel; Clint Beck; Dupire, Matthew L
Subject: Re: [EXTERNAL] Anschutz Coyote Wildlife Mitigation Plan Draft

Katie,

Thanks. Those revised numbers look good, and sorry for throwing a slight wrench in things with that question on ROW width!

Take care,

On Wed, Oct 26, 2022 at 4:43 PM Katie Taylor <ktaylor@gmecwy.com> wrote:

Thanks for the input Taylor!
See the attached ALA for your reference.

An additional note on the Wildlife Mitigation Plan: Per our conversation yesterday regarding the ROW for the access road including all pipeline disturbance, we will be updating that total ROW in the report from 70ft to 100ft. That will change the short term disturbance and associated mitigation costs slightly. I will be updating the language and Tables 1 and 2 in the plan we submit with the OGDG to reflect that. Below are the revised tables for all to reference.

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

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
	TOTAL	9.99	26.01	36.00

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).

Email Correspondence- October 21-27th, 2022

Impacts Type	Impacts Sub Type	Acres	Cost/Acre Unit	Mitigation Cost
Direct	Long-Term	9.99	¹ \$5,295.00	\$52,912.49
	Short-Term	26.01	\$735.00	\$19,116.99
Indirect	---	199.55	\$350.00	\$69,841.65
TOTAL				\$141,871.13

Let me know if you have any questions on this.

KATIE TAYLOR

Project Manager/Senior Biologist



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Buffalo, WY 82834

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Tel: 307-684-2112 ext. 230

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Email: ktaylor@gmecwy.com

From: Taylor Elm - DNR <taylor.elm@state.co.us>

Sent: Wednesday, October 26, 2022 10:16 AM

To: Katie Taylor <ktaylor@gmecwy.com>

Cc: Wiser, Shawna D <swiser@blm.gov>; Mastin Dixon, Diane J <dmastindixon@blm.gov>; Steve Seidel <sseidel@gmecwy.com>; Clint Beck <cbeck@gmecwy.com>; Dupire, Matthew L <mdupire@blm.gov>

Subject: Re: [EXTERNAL] Anschutz Coyote Wildlife Mitigation Plan Draft

Email Correspondence- October 21-27th, 2022

Katie,

I just made it through the WMP in its entirety. I really don't have any edits and think that you captured everything exceptionally well. I tried to review it from the perspective of someone who hasn't been intimately involved, and still think it's very clear on all aspects that we've worked through. I'll be curious to hear what feedback you receive from COGCC staff during their completeness review, but it looks great to me. Do you have a copy of the ALA that I could take a quick look at, if you don't mind?

Thanks,

On Mon, Oct 24, 2022 at 2:23 PM Katie Taylor <ktaylor@gmecwy.com> wrote:

Not a problem. Just granted permission. She should have received an email to access.

KATIE TAYLOR

Project Manager/Senior Biologist

Tel: 307-684-2112 ext. 230

Cell: 360-521-0442

Email: ktaylor@gmecwy.com

Email Correspondence- October 21-27th, 2022

From: Wiser, Shawna D <swiser@blm.gov>
Sent: Monday, October 24, 2022 11:18 AM
To: Katie Taylor <ktaylor@gmecwy.com>; Taylor Elm - DNR <taylor.elm@state.co.us>; Mastin Dixon, Diane J <dmastindixon@blm.gov>
Cc: Steve Seidel <sseidel@gmecwy.com>; Clint Beck <cbeck@gmecwy.com>; Dupire, Matthew L <mdupire@blm.gov>
Subject: Re: [EXTERNAL] Anschutz Coyote Wildlife Mitigation Plan Draft

Greetings Katie-

Could you please extend this access to Diane Mastin Dixon [dmastindixon@blm.gov]? She helps BLM with GRSG Plan implementation and tracking disturbance in GRSG habitat; you may have worked with her in the past, she was on leave this summer and wasn't included in these discussions.

Thank You-

Shawn Wiser

BLM WRFO



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Buffalo, WY 82834

West

Fetterman

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grousemtnc consultants.com



Wildlife Biologist

970.826.5086 (in Craig)

Email Correspondence- October 21-27th, 2022

From: Katie Taylor <ktaylor@gmecwy.com>

Sent: Friday, October 21, 2022 4:39 PM

To: Taylor Elm - DNR <taylor.elm@state.co.us>; Wiser, Shawna D <swiser@blm.gov>

Cc: Steve Seidel <sseidel@gmecwy.com>; Clint Beck <cbeck@gmecwy.com>; Dupire, Matthew L <mdupire@blm.gov>

Subject: [EXTERNAL] Anschutz Coyote Wildlife Mitigation Plan Draft

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hi Taylor and Shawn-

You should have just received a link to download the Coyote Wildlife Mitigation Plan and revised mitigation calculations spreadsheet. The email should be coming from our secure FILR system. If you don't see anything please check your spam.

Just a note on the calculations, there were some issues with original road length estimates so you will have noticed that the values have changed a bit from the last one you looked at.

Anschutz would really appreciate any feedback you have on the plan before they submit with the OGD. I realize it's a bit of a push, but they are estimating to submit the OGD by Nov 1 so if you have a chance to take a look sometime next week that would be great. We tried to include everything we have discussed in the meetings. Please let us know if there is anything we are missing and/or any other suggested changes. Also, feel free to add comments to the document if that is easier. Call me on my cell anytime next week.

Thanks all for your help on this!

KATIE TAYLOR

Project Manager/Senior Biologist

Tel: 307-684-2112 ext. 230

Email Correspondence- October 21-27th, 2022

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