

Dave Kubeczko - DNR

From: Dave Kubeczko - DNR
Sent: Thursday, July 11, 2013 11:49 AM
To: dave.kubeczko@state.co.us
Subject: FW: Swift Waters La Plata County Permit - SWIFT RESPONSE TO CPW COMMENTS, CONCERNS, AND QUESTIONS REGARDING WATERS LOCATION

Categories: Green Category

Scan No 2106696

CPW CORRESPONDENCE and PROPOSED WILDLIFE BMPs

2A#400403083

From: Magee - DNR, Brian [mailto:brian.magee@state.co.us]
Sent: Thursday, June 27, 2013 2:21 PM
To: Redweik, Bob
Cc: Dave Kubeczko - DNR; Jon Holst - DNR
Subject: Re: Swift Waters La Plata County Permit - SWIFT RESPONSE TO CPW COMMENTS, CONCERNS, AND QUESTIONS REGARDING WATERS LOCATION

Bob-

Thanks for the response. Based on the information in the e-mail and commitments to conduct a burrowing owl survey and avoid construction during the time periods outlined below. I'll go ahead and pass the CPW portion of your COGCC permit.

Let me know if you have any questions,

Thanks,

Brian

On Mon, Jun 24, 2013 at 3:25 PM, Redweik, Bob <Robert.Redweik@swiftenergy.com> wrote:
See the Swift comments below in RED.

Thanks,

Bob Redweik



Swift Energy Operating, LLC
Corporate Manager - Health, Safety, and Environment
(281) 874-2570 (Office)
(713) 702-7534 (Mobile)

"No job is so urgent that you can't do it safely."

This message is for the addressee(s) only. It may be confidential and may include communications protected by the attorney-client privilege, work product protected from discovery in litigation, or inside information regarding business transactions. Unauthorized use, disclosure, or copying is prohibited and may be unlawful. If you have received this message in error, please call the sender at (281) 874-2570 and delete this message from your system.

From: Amanda Stenjem [mailto:stenjem@ecosphere-services.com]
Sent: Thursday, June 20, 2013 9:36 AM
To: Redweik, Bob
Cc: Janet Wolf; Hondo Brisbin
Subject: FW: Swift Waters La Plata County Permit

Hi Bob,

Please see Brian's (with CPW) comments/concerns/questions below regarding the Waters location. Please respond with any answers directly to him and me as I will be in the field today. (brian.magee@state.co.us)

I will be available via cell phone today and back in the office on Monday.

Let me know if you have any questions,

Thanks,

Amanda

From: Magee - DNR, Brian [mailto:brian.magee@state.co.us]
Sent: Wednesday, June 19, 2013 2:37 PM
To: Amanda Stenjem
Cc: Jon Holst - DNR; Drayton Harrison - DNR; Chris Kloster - DNR; Brad Weinmeister - DNR; Stephanie Schuler - DNR
Subject: Re: Swift Waters La Plata County Permit

Amanda-

Thanks for meeting with us onsite last week. Here is some follow up to our conversations that we would like you to clarify with the operator. It is our understanding that Swift would like to construct, drill, and complete this well during the Summer of 2013. Below I have provided some specific recommendations of ways to avoid, minimize and mitigate impacts to wildlife resources. I have given some seasonal dates considerations for your information and for planning purposes if Swift's plans change.

The well site contains an active colony of Gunnison Prairie dogs. Prairie dog colonies are important for a number of raptor species including burrowing owls. Burrowing owls are a protected species under the Migratory Bird Treaty Act. CPW has developed a survey protocol (attached) of active prairie dog colonies for burrowing owl nest sites. In SW Colorado, May 1- July 15 encompass most of the breed and rearing season for Burrowing Owls with dependent young. We would like Swift to conduct a burrowing owl survey during this period to determine if burrowing owls are presently nesting within the prairie dog colony. **SWIFT RESPONSE – SWIFT WILL CONDUCT A BURROWING OWL SURVEY PRIOR TO JULY 15, 2013 OR PRIOR TO INITIATION OF THE PAD CONSTRUCTION, WHICHEVER COMES FIRST.**

Additionally, prairie dogs have dependent young from March 1- June 15. It would be best to avoid construction (surface disturbance) during this time as well. **SWIFT RESPONSE – DUE TO TIMING ISSUES REGARDING THE COUNTY PERMIT SUBMITTAL, SWIFT WILL NOT BE STARTING CONSTRUCTION UNTIL AFTER THE SPECIFIED JUNE 15, 2013 TIME PERIOD.**

The access into the location seems long and parallels a riparian corridor along Cherry Creek. It would appear that there are shorter access routes to the location. Truck traffic for both drilling and production could be a major issue for big game species during the winter and migratory periods. Typically mule deer start moving onto winter range around the third week in October and migrating back in mid April. They have high site fidelity to particular patches of winter range. How many truck trips does swift anticipate for drilling phase and production phase? We would expect that the mortality rates from truck traffic on mule deer to be higher along the riparian corridor than a shorter access north of the location. How does swift propose to minimize vehicle collision mortality on big game? **SWIFT RESPONSE – SWIFT HAS REVIEWED SEVERAL ACCESS ROUTES TO THE LOCATION AND HAS SELECTED THE ACCESS ROUTE ALONG CHERRY CREEK DUE TO TRAFFIC CONCERNS AS DISCUSSED AND APPROVED BY LA PLATA COUNTY PUBLIC**

WORKS AND CDOT. ASSUMING THAT OUR DRILLING OPERATIONS START ON OR ABOUT AUGUST 15, 2013, THE LEVEL OF TRAFFIC DURING THE PERIOD OF OCTOBER THROUGH APRIL SHOULD BE GREATLY REDUCED. IN ADDITION, DURING PERIODS OF ELEVATED TRAFFIC, SWIFT PLANS TO PERIODICALLY HIRE OFF DUTY SHERIFF DEPARTMENT DEPUTIES TO ASSIST WITH TRAFFIC ENFORCEMENT AND MONITORING OF CONTRACT TRAFFIC ALONG THIS CORRIDOR. THIS PLAN PLUS PERIODIC MEETINGS WITH OUR CONTRACTORS TO RE-ENFORCE SAFETY AND TRAFFIC CONCERNS SHOULD MINIMIZE COLLISION MORTALITY ON BIG GAME.

Where does swift intend to get the water for drilling? We are increasingly concerned about the transportation of aquatic nuisance species (ANS). Rule 1204.a.(2) requires that equipment be disinfected prior to using the equipment in another water body. Even though there is not cutthroat trout habitat we would like the company to disinfect their equipment as describe in the Rule, as best management practice. **SWIFT RESPONSE – CURRENT PLANS ARE TO TRUCK TREATED CITY WATER FROM NEW MEXICO. DISINFECTION WILL BE IMPLEMENTED AS A BEST MANAGEMENT PRACTICE PRIOR TO USING EQUIPMENT IN OTHER WATER BODIES.**

Also, I have a few general comments on the Biological Survey Report. Since most CPW raptor nest buffer guidelines suggest 1/2 mile buffer, you could expand your "Action Area" out from 1/3 mile and look for nests as you conduct your site visits in the future. Big game species are pretty important to State wildlife agencies and rural counties both of whom depend on revenue generated from hunting. The regulatory mechanisms (at least in Colorado) are not as 'high profile' as ESA or MBTA, but from a local land use (and permitting) perspective more in depth discussion of big game use at the project location could be beneficial to your clients, so when there is a County or State permit required the client already knows that these species are of economic importance to the local community. **SWIFT RESPONSE – SWIFT AGREES.**

Let me know if you have any questions and feel free to give me a call to discuss.

Thanks,

Brian

P.S. I got the County request in the mail. Thanks.

On Mon, Jun 17, 2013 at 9:27 AM, Amanda Stenjem <stenjem@ecosphere-services.com> wrote:

Hi Brian,

An update: I will submit the La Plata County Permit on June 24...so you know. I will send you a formal letter today.

Let me know if you have any questions,

Thanks,

Amanda

Amanda Stenjem | Biologist

[970.382.7256](tel:970.382.7256)

776 E. 2nd Avenue | Durango, CO 81301





--
Brian Magee
Colorado Parks and Wildlife
970-375-6707

--
Brian Magee
Colorado Parks and Wildlife
970-375-6707