

Dave Kubeczko - DNR

From: Dave Kubeczko - DNR
Sent: Monday, March 10, 2014 9:15 AM
To: dave.kubeczko@state.co.us
Subject: FW: Pond 10 Form 2A, document #400561970
Attachments: Mule Deer & Elk BMPs.doc; Wildlife (Bear) BMP.doc

Categories: Green Category

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-----Original Message-----

From: [Joan Proulx@oxy.com](mailto:Joan.Proulx@oxy.com) [<mailto:Joan.Proulx@oxy.com>]
Sent: Wednesday, March 05, 2014 11:35 AM
To: Dave.Kubeczko@state.co.us
Cc: Jim.komatinsky@state.co.us
Subject: Pond 10 Form 2A, document #400561970

Dave:

Jim brought to my attention the fact that I forgot to attach the BMPs to the Form 2A for Pond 10. Per my conversation with Jim, the BMPs are attached to this email. Please let me know if you have any questions.

Regards,

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OXY USA WTP LP and OXY USA Inc.

Sensitive Wildlife Habitat: Mule Deer and Elk

- Consult with CPW to identify locations of mule deer and elk important wintering habitats and production areas. Map all seasonal habitats using CPW habitat selection models as they become available.
- After drilling and completions activities reduce visits to well-sites through remote monitoring (i.e. SCADA) and the use of multi-function contractors.
- Schedule, as best as possible, well site visitations to portions of the day between 10:00 a.m. and 3:00 p.m. between December 1 through June 1 in mule deer critical winter range or elk winter concentration areas.
- Schedule, as best as possible, well site visitations to portions of the day between 10:00 a.m. and 3:00 p.m. between May 15 through June 30 in mule deer or elk production areas.
- Establish company guidelines to minimize wildlife mortality from vehicle collisions on roads.
- Implement the species appropriate Infrastructure Layout and Drilling and Production Operations Wildlife Protection Measures found in Section II D. of the CPW Wildlife BMP document as follows:
 - Section II D. **DRILLING AND PRODUCTION OPERATIONS WILDLIFE PROTECTION MEASURES:** *The purpose of these measures is to reduce disturbance on the actual drill site and the surrounding area, to reduce direct conflict with wildlife and hunters, and to prevent wildlife access to equipment.*
 1. Use centralized hydraulic fracturing operations.
 2. Transport water through centralized pipeline systems rather than by trucking.
 3. Where possible, locate pipeline systems under existing roadways, or roadways that are planned for development.
 4. Maximize use of state-of-the-art drilling technology (e.g., high efficiency rigs, coiled-tubing unit rigs, closed-loop or pitless drilling, etc.) to minimize disturbance.
 5. Conduct well completions with drilling operations to limit the number of rig moves and traffic.
 6. Install exclusionary devices to prevent bird and other wildlife access to equipment stacks, vents and openings.
- Minimize surface disturbance and fragmentation of mule deer and elk habitat through use of the smallest facility footprints possible, use of multiple well pads, clustering of roads and pipelines, and the widest possible spacing of surface facilities.
- Remove all unnecessary infrastructure.
- Treat waste water pits and any associated pit containing water that provides a suitable 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, especially grouse.
- In order to prevent wildlife from accessing the temporary drilling pits, pits will be contained by a 4-foot high fence. Further, while the pit is not in use, flagging will be placed over the pit to prevent birds from entering the pit.
- Implement the species appropriate reclamation guidelines found in Section II G. of the CPW Wildlife BMP document.
 - Section II G. **RESTORATION, RECLAMATION AND ABANDONMENT:** *The purpose of these measures is to restore disturbed sites to their pre-development conditions, using native vegetation that can be used by the indigenous wildlife. Develop a reclamation plan in*

consultation with CPW, NRCS, and the land owner or land management agency that incorporates wildlife species-specific goals and that defines reclamation performance standards, including the following components:

1. Seed

- a. Use only certified weed-free native seed in seed mixes, unless use of non-native plant materials is recommended by CPW.
- b. Use locally adapted seed whenever available, especially for species which have wide geographic ranges and much genetic variation (e.g., big sagebrush (*Artemisia tridentata*), antelope bitterbrush (*Purshia tridentata*), etc.).
- c. Where more than one ecotype of a given species is available and potentially adapted to the site, include more than one ecotype per species in the seed mix.
- d. Use appropriately diverse reclamation seed mixes that mirror an appropriate reference area for the site being reclaimed (see also species-specific recommendations).
- e. Conduct seeding in a manner that ensures that seedbed preparation and planting techniques are targeted toward the varied needs of grasses, forbs and shrubs (e.g., seed forbs and shrubs separately from grasses, broadcast big sagebrush but drill grasses, etc.).
- f. Emphasize bunchgrass over sod-forming grasses in seed mixes in order to provide more effective wildlife cover and to facilitate forb and shrub establishment.
- g. Seed immediately after recontouring and spreading topsoil. Spread topsoil and conduct seeding during optimal periods for seed germination and establishment. Use of the same contractor for re-contouring land as used for seeding is often the most effective approach.
- h. Do not include aggressive, non-native grasses (e.g., intermediate wheatgrass, pubescent wheatgrass, crested wheatgrass, smooth brome, etc.) in reclamation seed mixes. Site specific exceptions may be considered.
- i. Distribute quick germinating site adapted native seed or sterile non-native seed for interim reclamation on cut and fill slopes and topsoil piles.
- j. Plan for reclamation failure and be prepared to repeat seeding as necessary to meet vegetation cover, composition, and diversity standards.

2. Vegetative Cover Standard

- a. Choose reference areas as goals for reclamation that have high wildlife value, with attributes such as a diverse and productive understory of vegetation, productive and palatable shrubs, and a high prevalence of native species.
- b. Establish vegetation with total perennial non-invasive plant cover of at least eighty (80) percent of pre-disturbance or reference area levels.
- c. Establish vegetation with plant diversity of non-invasive species which is at least half that of pre-disturbance or reference area levels. Quantify diversity of vegetation using a metric that considers only species with at least 3 percent relative plant cover.
- d. Observe and maintain a performance standard for reclamation success characterized by the establishment of a self-sustaining, vigorous, diverse, locally appropriate plant community on the site, with a density sufficient to control erosion and non-native plant invasion and diversity sufficient to allow for normal plant community development.

3. Timing

- a. Use early and effective reclamation techniques, including interim reclamation to accelerate return of disturbed areas for use by wildlife.
- b. Remove all unnecessary infrastructure.
- c. Close and reclaim roads not necessary for development immediately, including removing all bridges and culverts and recontouring/reclaiming all stream crossings.
- d. Reclaim reserve pits as quickly as possible after drilling and ensure that pit contents do not contaminate soil.
- e. Remediate hydrocarbon spills on disturbed areas prior to reclamation.
- f. Reclaim sites during optimum seasons (e.g. late fall/early winter or early spring).
- g. Complete final reclamation activities so that seeding occurs during the first optimal season following plugging and abandonment of oil and gas wells.

4. Interim reclamation
 - a. Use a variety of native grasses and forbs to establish effective, interim reclamation on all disturbed areas (e.g., road shoulders and borrow areas), including disturbed areas where additional future ground disturbance is expected to occur.
 - b. Oxy will make a good-faith effort to perform interim reclamation to final reclamation species composition and establishment standards.
 - c. Perform "interim" reclamation on all disturbed areas not needed for active support of production operations.
5. Riparian areas (none associated with this pad or associated access roads and pipelines)
 - a. Replace all riparian vegetation removed during development at a rate of at least 3:1.
 - b. Restore both form and function of impacted wetlands and riparian areas and mitigate erosion.
6. Disposal
 - a. Remove well pad and road surface materials that are incompatible with post-production land use and re-vegetation requirements.
 - b. Remove and properly dispose of degraded silt fencing and erosion control materials after their utility has expired.
 - c. Remove and properly dispose of pit contents where contamination of surface water, groundwater, or soil by pit contents cannot be effectively prevented.
7. Establishing reclaimed areas
 - a. Apply certified weed free mulch and crimp or tacify to remain in place to reclaim areas for seed preservation and moisture retention.
 - b. Utilize staked soil retention blankets for erosion control and reclamation of large surface areas with 3:1 or steeper slopes. Avoid use of plastic blanket materials, known to cause mortality of snakes.
 - c. Control weeds in areas surrounding reclamation areas in order to reduce weed competition.
 - d. Educate employees and contractors about weed issues.

- Use early and effective reclamation techniques, including an aggressive interim reclamation program, to return habitat to use by greater sage-grouse as quickly as possible.
- Gate single-purpose roads and restrict general public access to reduce traffic disruptions to wildlife.
- Close and immediately reclaim all roads that are redundant, not used regularly, or have been abandoned to the maximum extent possible to minimize disturbance and habitat fragmentation.
- Avoid aggressive non-native grasses and shrubs in mule deer and elk habitat restoration.
- Reclaim mule deer and elk habitats with native shrubs, grasses, and forbs appropriate to the ecological site disturbed.
- Restore disturbed sagebrush sites with the appropriate sagebrush species or subspecies on disturbed sagebrush sites. Use locally collected seed for reseeded where possible.

OXY USA WTP LP
and
OXY USA Inc.

Wildlife and Domestic Animals Policy

- All firearms and hunting paraphernalia are strictly prohibited.
- Employees, contractors, subcontractors, or visitors will not hunt, fish, trap, trade, feed, or harass animals or keep wildlife in captivity.
- Employees, contractors, subcontractors or visitors shall not bring domestic animals to Oxy property.
- All employees, contractors, subcontractors, or visitors shall comply with Colorado Parks and Wildlife, and U.S. Fish and Wildlife rules and regulations pertaining to wildlife.
- All employees and visitors shall attend Oxy's Visitor Orientation presentation which includes training for Oxy's Wildlife and Domestic Animals policy.
- Contractors and subcontractors shall read Oxy's Contractor, Health, Environment, and Safety Expectations Handbook, which contains Oxy's wildlife policies. After reading the handbook, all contractors and subcontractors shall sign, date, and return the last sheet of the handbook prior to coming on location.
- All employees, contractors, subcontractors, or visitors shall comply with the following bear specific guidelines:
 - Initiate a food and waste/refuse management program that uses bear-proof food storage containers and trash receptacles, including but not limited to all permanent facilities, drilling locations, temp housing facilities, completions and workover locations.
 - Food and food waste located at temporary job sites shall be kept in the vehicle and only disposed of in bear-proof containers.
 - Report bear conflicts immediately to Oxy HES and/or Regulatory Departments so that it may be reported to CPW.