

Objective Criteria Review Summary - TEP Rocky Mountain LLC (TEP), Clough RWF 34-12 Tank Pad, Form 2A #402063279, Location ID #324259.

This summary explains how COGCC staff conducted its technical review of the TEP Clough RWF 34-12 Tank Pad, Location ID #324259, Form 2A #402063279 within the context of SB 19-181 and for the required Objective Criteria. This Form 2A permit application met the following Objective Criteria -

1. *(Criteria 5.c) The existing oil and gas location is in a sensitive area for surface water resources.*
2. *(Criteria 6) The existing oil and gas location falls within CPW mapped 'sensitive wildlife habitat' (SWH) area for mule deer critical winter range.*
3. *(Criteria 12) The existing access road (the road constructed from Colorado Highway 6 to the oil and gas location) falls within CPW mapped 'sensitive wildlife habitat' (SWH) area for mule deer critical winter range.*

COGCC staff met with the Director to discuss whether the Objective Criteria were sufficiently addressed and whether the Form 2A could be approved with the proposed Best Management Practices (BMPs) and applied Conditions of Approval (COAs). The following sections provide details regarding the evaluation of each criterion.

Criteria 5.c: Oil and Gas Locations within: c) a Sensitive Area for water resources.

Site Specific Description of Applicability of Criteria 5.c: Based on the technical review and desktop evaluation, staff determined that there is one (1) unnamed USGS identified intermittent stream located approximately 25 feet to the northeast and two (2) unnamed ephemeral drainages located approximately 160 feet to the southwest and southeast of the edges of disturbance. The unnamed USGS intermittent stream flows from the northwest to southeast then south and is a tributary to Rifle Creek.

Site Specific Measures to Address Criteria 5.c: This existing oil and gas location was constructed in January 2004 and has one (1) vertical gas well that was drilled in February 2004, completed and placed into production in March 2004, and is currently producing. There is one (1) separator, one (1) produced water storage tank, and one (1) condensate storage tank on site. TEP is planning to add one (1) condensate storage tank, five (5) produced water storage tanks, two (2) gunbarrel tanks, one (1) electric pump, and three (3) VOC combustors.

The one (1) acre location will be re-constructed in a manner to control run-on and run-off, prevent offsite transport of sediments or contaminants, and minimize site degradation. Storm water BMP's will include sediment traps, diversion ditches, and other control measures as needed. Site degradation control measures will include grading, slope stabilization (seeding, mulching, surface roughening), and the use of gravel and roadbase materials for surfacing. Through the installation of a steel lined secondary containment structure, the potential for impacts is low.

Determination: During the technical review process for this Form 2A, COGCC staff reviewed information regarding the operator's planned activities, fluid containment, and storm water/erosion control measures. Given that the Form 2A drawings and site-specific BMPs address the protection of surface water resources and have met the

standard for protection of the sensitive environment and water resources, the Director determined Criteria 5.c. was sufficiently analyzed.

Criteria 6: Oil and Gas Locations within a Colorado Parks and Wildlife (“CPW”) mapped Restricted Surface Occupancy Area (“RSO”) or Sensitive Wildlife Habitat (“SWH”), or locations receiving site- or species-specific CPW comments.

Criteria 12: Oil and Gas Locations with an access road (the road constructed from the public road to the Oil and Gas Location) within a RSO, SWH, 317B buffer zone, or within 200’ feet of a Building Unit on lands not subject to a Surface Use Agreement.

Site Specific Description of Applicability of Criteria 6 and 12: Based on the technical review and desktop evaluation, staff determined that this existing oil and gas location and access road from Highway 6 fall within a CPW-mapped 'sensitive wildlife habitat' (SWH) area for mule deer critical winter range, which warranted a CPW consultation on the Form 2A at this location.

Site Specific Measures to Address Criteria 6 and 12: The existing access road and location fall within CPW mapped 'sensitive wildlife habitat' (SWH) area for mule deer critical winter range habitat. COGCC contacted TEP to determine the timeframe and duration of the planned activities (tank pad re-construction, reconfiguration, and facility equipment installation). The activities will start in late October 2019 and are estimated to take three to four weeks to complete. Interim reclamation will start the following spring.

Given the site will be re-constructed before December 1 and that this will be a tank battery without active drilling operations, CPW does not see a need for mitigation as has been required on the other nearby oil and gas locations. BMPs to address wildlife conflicts, erosion and storm water control, interim reclamation, certified weed-free native and wildlife friendly seed mixes, and remote facilities monitoring, are adequate to minimize any other wildlife impacts from the proposed activities.

Determination: During the technical review process for this Form 2A, COGCC staff reviewed the CPW pre-consultation and Form 2A consultation for this location. The Director determined that Objective Criteria 6 and 12 were sufficiently analyzed given the short duration to complete the work (3 to 4 weeks) and the proposed timing of the work, outside of the recommended deer and elk timing stipulation of December 1 to April 30.

Staff met with the Director to discuss Objective Criteria that are met by this Oil and Gas Location. The Director determined that following the application of the additional analysis from the Objective Criteria, the permit application meets the standard for protection of public health, safety, welfare, the environment and wildlife resources set by SB 19-181.