



Hans Schuster <hschuster@gmtexploration.com>

Crystal-Ruby & Irwin-Taylor CPW Consultation and BMPs - Request for Waiver of COGCC Rule 1202.c.1.R by rule 309.E.5.D.i.

Hans Schuster <hschuster@gmtexploration.com>

Tue, Apr 13, 2021 at 9:10 AM

To: "Marette - DNR, Brandon" <brandon.marette@state.co.us>

Cc: Tim Demasters <tdemasters@corvusenv.com>, Rachel Puttmann <rputtmann@corvusenv.com>, Dennis Snow <dsnow@gmtexploration.com>, BJ Cox <bjcox@gmtexploration.com>, Kirstie Yeager - DNR <kirstie.yeager@state.co.us>, Casey Westbrook - DNR <casey.westbrook@state.co.us>

Mr. Marette,

Thank you. GMT appreciates the CPW's careful time and consideration on this process. We will proceed with our coordination with the COGCC on our filings and let you know if anything else comes up. We look forward to working with you on these locations moving forward.

All the best,

Hans

*Hans C. Schuster, CPL**DJ Basin Land Manager**1560 Broadway, Suite 2000**Denver, CO 80202**Direct: 303.586.9280*

On Tue, Apr 13, 2021 at 7:46 AM Marette - DNR, Brandon <brandon.marette@state.co.us> wrote:

Good morning Hans (et al.),

My apologies for the delayed response, as I was out in the field yesterday and also led two long calls in the afternoon.

In any case, I just read Casey's reply to me and CPW is satisfied with your proposed BMPs for both sites.

Should you need anything else to assist with your COGCC permitting, please let us know.

We appreciate your consultation with CPW for these unique situations, and we look forward to working with GMT and Corvus on future projects.

Regards,

Brandon B. Marette, CWB®

Northeast Region Energy Liaison and Land Use Coordinator

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[CPW's Energy Webpage](#)



THINK SAFETY FIRST!



On Tue, Apr 6, 2021 at 3:45 PM Marette - DNR, Brandon <brandon.marette@state.co.us> wrote:

Good afternoon Hans (et al.),

Let me review these BMPs and documents with Casey & Kirstie and get back to you hopefully by Friday COB.

Regards,

Brandon B. Marette, CWB®

Northeast Region Energy Liaison and Land Use Coordinator



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THINK SAFETY FIRST!



On Mon, Apr 5, 2021 at 2:19 PM Hans Schuster <hschuster@gmtexploration.com> wrote:

Mr. Marette,

GMT Exploratin Company LLC ("GMT") hereby submits the attached Natural Resource Assessment memorandums to the Colorado Parks and Wildlife ("CPW") regarding the approved form 2As for the Crystal-Ruby and Irwin-Taylor oil and gas locations. GMT intends on filing new form 2s on both the Crystal/Ruby and Irwin/Taylor oil and as locations in the near future and per the newly adopted Colorado Oil and Gas Conservation Commission ("COGCC") 1200 series rules GMT is required to consult with the CPW regarding any new ground disturbance within an area designated high priority habitat ("HPH"). GMT has discussed this process with the CPW and the COGCC and has contracted with Corvus Environmental Consulting, LLC to assess the two aforementioned oil and gas locations to develop mutually acceptable best management practices ("BMPs") addressing the potentially sensitive habitat surrounding the locations. The results of the assessments and GMT's proposed BMPs can be found within the attached memorandums.

Based on the findings contained in the memorandums, GMT is recommending the below BMP's for each pad.

IRWIN/TAYLOR - COGCC FORM 2A DOC NO. 402073354 -

Aquatic Species Conservation Waters HPH and NLF (CSU)

Through an abundance of caution a silt fence will be installed around the disturbance area and downgradient of the access road three inches deep and 20 inches high, to act as a barrier to possible NLF using uplands.

Burrowing Owl and Swift Fox (TL)

A pre-construction presence/absence survey for nesting burrowing owls and swift fox will be completed prior to the initial site disturbance on the proposed location. If initial site disturbance will occur between March 15 and October 31, and existing burrows are found on-site, then a further survey will be conducted for activity/occupancy pursuant to the "Recommended Survey Protocol and Actions to Protect Nesting Burrowing Owls."

Once each burrow is confirmed inactive, it will be manually closed (buried). If greater than eight-inch diameter burrows are found, and the initial site disturbance will occur between April 1 and June 30 (swift fox denning season), the Operator will contact CPW for recommended swift fox survey protocols. If burrowing owls or swift foxes are documented during the surveys, The operator will adhere to the relevant seasonal timing recommendations.

Raptors and Migratory Birds (TL)

A pre-construction presence/absence survey for raptors will be completed prior to the initial site disturbance at the proposed location. If initial site disturbance will occur between February 15, and August 31, and existing nests are found on-site, or within the CPW's Recommended Buffer Zone for Colorado Raptors, then a further survey will be conducted for activity/occupancy. If raptors are documented during the surveys, the Operator will adhere to the relevant seasonal timing recommendations.

CRYSTAL/RUBY - COGCC FORM 2A DOC NO. 402245599

Aquatic Species Conservation Waters HPH and NLF (CSU)

Through an abundance of caution a silt fence will be installed around the disturbance area and downgradient of the access road three inches deep and 20 inches high, to act as a barrier to possible NLF using uplands.

Mule Deer Severe Winter Range HPH (a blend of TL, CSU)

The initial site disturbance will occur prior to December 1 or after April 30 to mitigate population fragmentation and/or mule deer avoiding certain areas of severe winter habitat.

Raptors and Migratory Birds (TL)

A pre-construction presence/absence survey for raptors will be completed prior to the initial site disturbance at the proposed location. If initial site disturbance will occur between February 15, and August 31, and existing nests are found on-site, or within the CPW's Recommended Buffer Zone for Colorado Raptors (Attachment F), then a further survey will be conducted for activity/occupancy. If raptors are documented during the surveys, the Operator will adhere to the relevant seasonal timing recommendations.

If the BMPs are acceptable to the CPW, GMT respectfully requests a waiver of Rule 1202.c.1.R by rule 309.E.5.D.i. for the NSO Aquatic Native Species Conservation Waters HPH layer potentially intersecting with the Crystal/Ruby and Irwin/Taylor oil and gas locations.

In addition to the requested waiver of Rule 1202.c.1.R., GMT requests confirmation from the CPW to the Director of the COGCC, under rule 309.5.A., referencing the CPW support of GMT's proposed BMPs which are intended to protect Wildlife Resources with practices that are necessary and reasonable to avoid, minimize, or mitigate direct, indirect, and cumulative adverse impacts to the local wildlife resources from oil and gas operations, including impacts to the Mule deer severe winter range, aquatic native species conservation waters, swift fox, burrowing owl, and raptors.

If you have any further questions or concerns please promptly respond to this email message as time is of the essence in this project. A response from the CPW on this matter before 4/12/2021 would be greatly appreciated.

Most Respectfully,

Hans Schuster



Hans C. Schuster, CPL

DJ Basin Land Manager

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4/27/2021

GMT Exploration Company Mail - Crystal-Ruby & Irwin-Taylor CPW Consultation and BMPs - Request for Waiver of COGCC Rule 1202.c...

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