

Wildlife Protection Plan – 304.c.(17)

Federal RG 11-13-298 Oil and Gas Location

New Location

April 2022



INTRODUCTION

TEP Rocky Mountain LLC (“TEP”) has prepared the following Wildlife Protection Plan for the Federal RG 11-13-298 pad to address the implementation of the operational requirements outlined under Rule 1202.a. This plan provides an assessment of wildlife impacts from the proposed activities, compliance with the applicable operating requirements under Rule 1202, and best management practices that will be implemented to avoid, minimize, mitigate impacts to wildlife from the proposed activities.

SITE DESCRIPTION

The proposed Federal RG 11-13-298 pad is one (1) of two (2) oil and gas locations included in the Ryan Gulch Phase 2 Oil and Gas Development Plan (“OGDP”). Development of the Federal RG 11-13-298 pad involves construction of the following: the Federal RG 11-13-298 pad, a new access road, a new pipeline corridor for natural gas and produced water transportation, and utilization of other existing facilities (i.e. Federal RGU 23-7-297 pad) to support well completion and production operations.

The proposed Federal RG 11-13-298 pad is located in Lot 4 of Section 13, Township 2 South, Range 98 West, 6th P.M., within Rio Blanco County, Colorado, on Federal surface administered by the Bureau of Land Management (“BLM”). TEP is proposing to construct the Federal RG 11-13-298 pad to support drilling, completion, and production operation of twenty-two (22) proposed natural gas wells. The proposed 8.15-acre Federal RG 11-13-298 pad will have a constructed pad elevation of 6618.10 feet. The long-term disturbance attributed to the Federal RG 11-13-298 pad would be approximately 1.54-acres. The proposed access road would account for an additional 4.79-acres of disturbance with approximately 1.29-acres remaining following reclamation of the cut and fill slopes of the proposed road. The proposed pipeline corridors would account for an additional 1.38-acres of disturbance all of which will be fully reclaimed following installation. The total disturbance associated with development of the Federal RG 11-13-298 pad would be approximately 14.32-acres. Approximately 2.83-acres of long-term disturbance would remain following interim reclamation of the proposed facilities and pipeline corridor. All proposed disturbance would be located on Federal surface. Please see the Plan of Development attached to the Form 2A for a detailed breakdown of disturbance acreage for all project components associated with the Federal RG 11-13-298 pad.

During initial site planning, TEP reviewed the High Priority Habitat (“HPH”) layers listed under Rule 1202.c and 1202.d to determine if there are any wildlife related impacts associated with development of the Federal RG 11-13-298 pad. Based on this review the Federal RG 11-13-298 pad is not located within any HPH layers listed under Rule 1202.c. and 1202.d. As shown on the Wildlife Habitat Drawing attached to the Form 2A, Mule Deer Severe Winter Range and Winter Concentration Area, and Aquatic Sportsfish Management Waters HPH boundaries are located within one mile of the working pad surface.

DEVELOPMENT ACTIVITY AND SCHEDULE

Development of the Federal RG 11-13-298 pad is contingent upon approval of all required Federal, state, and local permits. Table 2, Preliminary Development Schedule, provides an estimated timeline for each phase of development, including construction, drilling, completion, and interim reclamation. Development of the Federal RG 11-13-298 pad may be accelerated or delayed base on market conditions and company constraints.

Table 2, Preliminary Development Schedule

Development Phase	Start Date	End Date	Duration
Construction	September 2022	November 2022	90 Days
Drilling ¹	September 2023	April 2024	221 Days
Completions (SIMOPS) ²	November 2023	August 2024	284 Days
Interim Reclamation	September 2024	October 2024	30 Days

¹Winter drilling operations proposed for this oil and gas location

²Simultaneous operations are proposed for this OGL

As shown in **Table 2, Preliminary Development Schedule**, TEP intends to conduct winter drilling operations on the Federal RG 11-13-298 pad. A Big Game Winter Range/Winter Concentration Timing Limitation from February 1st through March 30th annually will be applied to the BLM Applications for Permit to Drill. Assuming modifications to the development schedule do not occur, TEP will submit a request to BLM for an exception to the timing limitation prior to winter operations and requesting approval to conduct operations as proposed above.

OPERATION COMPLIANCE WITH RULE 1202.a

The following outlines the operating requirements pursuant to Rule 1202.a and a description of how TEP plans to implement measures to ensure compliance with these rules where applicable:

1. *In black bear habitat, Operators will install and utilize bear-proof dumpsters and trash receptacles for food-related trash at all facilities that generate trash.*

TEP will install and utilize bear proof dumpsters and trash receptacles for food-related trash at all facilities that generate trash.

2. *Operators will disinfect water suction hoses and water transportation tanks withdrawing from, or discharging into surface waters (other than contained pits) used previously in another river, intermittent or perennial stream, lake, pond, or wetland and discard rinse water in an approved disposal facility. Disinfection practices will be repeated prior to completing work and before moving to the next water body.*

During operations associated with the development of the proposed Oil and Gas Location, freshwater trucks used to support construction, drilling, well completion, and injection operations will be cleaned by spraying and soaking the tank cavity and all suction hoses with water greater than 140° Fahrenheit for at least ten (10) minutes when the tank and/or hoses have been used previously in another river, intermittent or perennial stream, lake, pond, or wetland. During drilling operations TEP will only utilize trucks assigned directly to the rig. All suction hoses associated with the water source will remain in place throughout the duration of drilling operations. Any hoses switched out will be cleaned using the same guidelines mentioned above.

3. *At new and existing Oil and Gas Locations, Operators will not situate 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.*

TEP will ensure that all staging, refueling, or chemical storage areas are more than 500 feet from the OHWM of any river, perennial or intermittent stream, lake, pond, or wetland.

4. *To prevent access by wildlife, including birds and bats, Operators will fence and net or install other CPW-approved exclusion devices on new drilling pits, production pits, and other pits associated with Oil and Gas Operations that are intended to contain fluids.*

There are no drilling pits, production pits, or other pits associated with planned operations on the proposed oil and gas location.

5. *For trenches that are left open for more than 5 consecutive days during construction of pipelines regulated pursuant to the Commission's 1100 Series Rules, Operators will install wildlife escape ramps at a minimum of one ramp per ¼ mile of trench.*

TEP will install wildlife escape ramps at a minimum of one ramp per ¼ mile of trench if any trench is left open for more than 5 consecutive days as required by COGCC regulations.

6. *When conducting interim and final reclamation pursuant to Rules 1003 and 1004, Operators will use CPW-recommended seed mixes for reclamation when consistent with the Surface Owner's approval and any local soil conservation district requirements.*

TEP has consulted with BLM (surface owner) on the appropriate seed mix for use during reclamation of the Oil and Gas Location. TEP believes this to be consistent with CPW's recommended seed mix for the project area.

7. *Operators will use CPW-recommended fence designs when consistent with the Surface Owner's approval and any Relevant Local Government requirements.*

TEP does not intend to install fencing at this location. However, if fencing is installed, TEP will use wildlife friendly fence consistent with CPW recommendations when consistent with the Surface Owner's approval and any Relevant Local Government requirements.

8. *Operators will conduct all vegetation removal necessary for Oil and Gas Operations outside of the nesting season for migratory birds (April 1 to August 31). For any vegetation removal that must be scheduled between April 1 to August 31, Operators may implement appropriate hazing or other exclusion measures prior to April 1 to avoid a take of migratory birds. If hazing or other exclusion measures are not implemented, Operators will conduct pre-construction nesting migratory bird surveys within the approved disturbance areas prior to any vegetation removal during the nesting season. If active nests are located, Operators will provide work zone buffers around active nests.*

As mentioned in the Plan of Development, TEP has tentatively scheduled construction of the Federal RG 11-13-298 pad during September of 2022, outside the nesting season for migratory birds. However, if the construction schedule changes, and vegetation removal is required during the nesting season, TEP will utilize the methods described above to avoid take of migratory birds during planned construction operations.

9. *Operators will treat drilling pits, production pits, and any other pits associated with Oil and Gas Operations containing water that provides a 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 resources. Such treatment will be conducted in a manner which will not adversely affect aquatic wildlife resources.*

There are no drilling pits, production pits, or any other pits planned for construction on this Oil and Gas Location.

10. *Operators will employ the following minimum Best Management Practices on new Oil and Gas Locations with a working pad surface located between 500 feet and 1000 feet hydraulically upgradient from a High Priority Habitat identified in Rule 1202.c.(1).Q-S:*

There are no High Priority Habitat boundaries identified under Rule 1202.c.(1).Q-S within 500 feet and 1000 feet of the working pad surface of this Oil and Gas Location.

WILDLIFE BEST MANAGEMENT PRACTICES

The following wildlife Best Management Practices (“BMPs”) will be employed by TEP during development of the proposed wells on the Federal RG 11-13-298 pad:

- 1) TEP will inform and educate all employees and contractors on wildlife conservation practices, including no harassment or feeding of wildlife;
- 2) TEP will install a proposed water pipeline from the Oil and Gas Location to TEP’s existing water management system to minimize truck traffic to the location and minimize potential impact to wildlife;
- 3) TEP will minimize direct impacts to wildlife habitat by utilizing existing infrastructure and disturbance corridors whenever possible;
- 4) Well telemetry equipment will be installed to minimize site visitation through remote monitoring of production operations;

Black Bear BMPs:

- 1) Wildlife – Avoidance: The operator agrees to report bear conflicts immediately to CPW staff.
- 2) Wildlife – Avoidance: TEP will install and utilize bear proof dumpsters and trash receptacles for food-related trash at all facilities that generate trash.

Raptors BMPs:

- 1) Wildlife – Minimization: Exclusionary devices will be installed to prevent bird and other wildlife from access equipment stacks, vents, and openings.
- 2) Wildlife – Avoidance: TEP will conduct vegetation removal activities outside the migratory bird nesting season (April 1 – August 30). If vegetation removal must occur during the nesting season, TEP will implement hazing or other exclusionary measures prior to April 1 to avoid take of migratory birds. Alternatively, TEP may conduct a migratory bird survey prior to vegetation removal as required by COGCC Rule 1202.a.(8) to avoid take of migratory birds.

Mule Deer and Elk BMPs:

- 1) Wildlife – Avoidance: The operator agrees to reclaim mule deer and elk habitats with CPW identified native shrubs, grasses, and forbs appropriate to the ecological site disturbed.
- 2) Wildlife – Minimization: To minimize the potential for wildlife related traffic accidents, TEP has implemented speed restrictions for all lease roads and requires that all TEP employees and contractors adhere to these posted speed restrictions. During post-development production operations, TEP will make best efforts to minimize operations at this location during winter months by maximizing operations when possible between 9:00am to 4:00pm when wildlife activity minimal.

- 3) Wildlife – Minimization: Certified weed-free native seed in seed mixes, except for non-native plants that benefit wildlife will be used. TEP will use certified, weed free grass hay, straw, hay or other mulch materials used for the reseeded and reclamation of disturbed areas.

**ATTACHMENT A
FEDERAL RG 11-13-298 DRILL PAD
COLORADO PARKS AND WILDLIFE
CORRESPONDENCE
APRIL 27, 2022**

From: [Taylor Elm - DNR](#)
To: [Adam Tankersley](#)
Cc: [Dave Kubeczko - DNR](#); [Neumann - DNR, Danielle](#)
Subject: Re: Ryan Gulch Phase 2 - Wildlife Protection Plans
Date: Wednesday, April 27, 2022 1:03:37 PM
Attachments: [image001.png](#)
[Federal 298-13-1 Form 2A 304.c.\(17\) Wildlife Protection Plan \(TE Edits\).docx](#)
[RG 11-13-298 Form 2A 304.c.\(17\) Wildlife Protection Plan \(TE Edits\).docx](#)

Mr. Tankersley,

Thank you for the detailed status update on the Ryan Gulch Phase 2 OGDG submittal and access to the draft OGDG documents. CPW confirms that staff was present during the Phase 2 onsite held on April 7, 2021 with BLM, and that both of the proposed locations fall outside of CPW-mapped high priority habitats. Furthermore, I have reviewed the draft Wildlife Protection Plans and have included a few very minor edits contained within the documents attached to this email. CPW does not have any further questions regarding the information contained within the Wildlife Protection Plans.

Regarding the Lesser Impact Area Exemption for noise and light impacts associated with wildlife, CPW affirms that there were no additional requests made by CPW for noise and light mitigation pursuant to Rules 423.b.(4) and 424.c.(3).C. Specifically, as you have indicated: both locations fall well outside of HPH, topography and vegetation between the locations and nearest HPH will serve as a buffer and reduce impacts, production-phase equipment at the locations will not generate excessive levels of noise and light, and TEP is not requesting a variance to the noise standards listed in COGCC's Table 423-1. Lastly, these locations are not within or near habitats that CPW considers especially sensitive to noise and light impacts (e.g. greater sage-grouse lek sites). The scientific literature does not suggest that additional measures beyond those being implemented are necessary for protection of the nearby mule deer winter ranges.

Consider this email as CPW's formal concurrence with TEP's assessment of the noise and lighting impacts to wildlife associated with the proposed activities in the Ryan Gulch Phase 2 OGDG. If you have any questions or if we can supply additional information, please don't hesitate to contact me.

Thank you,

On Tue, Apr 26, 2022 at 1:24 PM Adam Tankersley <ATankersley@terraep.com> wrote:

Good Afternoon Taylor,

As discussed previously, TEP is preparing to submit our Ryan Gulch Phase 2 OGDG which included the existing Federal 298-13-1 pad and the proposed Federal RG 11-13-298 pad. In April of 2021, we held onsite at these locations with BLM, COGCC, RBC, and CPW to discuss the proposed development plans. Since the onsite we have been completing the required surveys for the BLM EA and refined our development plan as necessary to minimize impacts to resources.

As mentioned previously, both of these location are located outside of High Priority Habitat, so the impacts to wildlife should be minimal if any. We have prepared Wildlife Protection Plans for both of these locations, which are available for your review via the link below.

Additionally, I have included the current Plan of Development, Location Drawing, Wildlife Drawings, and the Lesser Impact Area Exemption Request for this project.

As part of these Form 2As, TEP will be requesting a Lesser Impact Area Exemption for the Noise Mitigation Plan and Light Mitigation Plan. During initial planning, TEP reviewed topographic maps, aerial imagery, and completed a site visit to evaluate siting considerations and potential impacts to wildlife. During this review TEP determined that it is unlikely for noise and light generated during construction, drilling, completion, or production operations to adversely impact wildlife resource. This is based on the overall distance between the oil and gas location and High Priority Habitat boundaries, and the presence of dense vegetation cover immediately adjacent to the oil and gas location. The working pad surface of the Federal 298-13-1 pad is location 990' from mule deer habitat and the Federal RG 11-13-298 pad is located 453' from mule deer habitat. Both oil and gas location are located on ridge lines with dense pinion juniper forest surrounding these locations. Due to these factors it is unlikely for noise and light generated during pre-production operations at these location to adversely impacts mule deer within the project area. During long-term production operations noise will be minimal. Additionally, there will be no onsite lighting during long-term production operations. As a best management practice TEP will direct all lighting on site during drilling and completion operations downward and inward toward operations on the site to further minimize potential lighting impacts. TEP is not request a variance to the noise standards listed in COGCC Rule 423.

Please let me know if CPW has any question regarding the Wildlife Protection Plan. Additionally, please let me know if CPW agrees with TEPs assessment on noise and lighting impacts associated with activities planned at these location.

[Ryan Gulch Phase 2 - Docs for CPW](#)

Thanks,

Adam Tankersley | Planning Manager | TEP Rocky Mountain LLC | 1058 CR215 Parachute, CO 81635

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