

## Webb, Julie [Noble Energy]

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**From:** Taylor Elm - DNR <taylor.elm@state.co.us>  
**Sent:** Tuesday, November 8, 2022 12:26 PM  
**To:** Keller, Michael  
**Cc:** Dave Kubezcko - DNR; Montoya, Mo; Mizell, Rose S (RMizell); Eggert, Derek A; Webb, Julie [Noble Energy]; Hefta, Mark; White, Evan; Olson, Andrew K.  
**Subject:** **[\*\*EXTERNAL\*\*]** Re: Chevron Skinner Ridge Sportfish Management Waters, High Priority Habitat Waiver Request

**Be aware this external email contains an attachment and/or link.**

Ensure the email and contents are expected. If there are concerns, please submit suspicious messages to the Cyber Intelligence Center using the Report Phishing button.

Hello Michael,

I apologize for the delayed response to your email and associated waiver requests. I have reviewed the formal requests following our on-site discussions on September 7, 2022. Below are CPW's written responses to each request. Please let me know if you have any questions regarding these responses, or if CPW can provide any additional information.

### Waiver to Rule 1202.a.(3).

Thank you for providing the detailed information and list of best management practices that will be implemented at the SKR-598-35-AV and SKR-598-36-BV locations. Based on these practices and the distances between the pad edges and Clear Creek, CPW agrees to waive the Rule 1202.a.(3). operating requirement for these sites. CPW does not anticipate any adverse impacts to the aquatic resource resulting from the placement of temporary flowback tanks, chemical and fuel tanks between 300 and 500 feet from Clear Creek. We appreciate Chevron's agreement to implement all of the measures we discussed during the on-site consultation meeting.

### Waiver to Rule 1202.c.(1).S.

Contrary to the USGS National Hydrography Database mapping, CPW agrees that Clear Creek appears better categorized as an intermittent drainage through this section. Regardless, CPW retains the right to waive Rule 1202.c.(1).S. for perennial sportfish streams between 300-500 feet of the OHWM, as determined by field surveys. This particular instance falls within that authority provided by Rule 309.e.(5).D.ii.aa. Based on the protective measures outlined in the previous waiver request, CPW does not anticipate any adverse impacts to the Clear Creek waterway from the proposed activities. Due to the intermittent nature of the waterway, it has been determined by CPW aquatic biologists that there are no sportfish populations present within Clear Creek. For these reasons, CPW agrees to waive the No Surface Occupancy requirement under Rule 1202.c.(1).S. for the proposed activities.

It should be noted that Roan Creek (the receiving drainage downstream of Clear Creek) is mapped by CPW as an Aquatic Native Species Conservation Water and connects directly to the Colorado River. Several species of native CO River fish will seasonally utilize small tributaries for spawning that are dry or nearly dry during other portions of the year. The annual hydrograph should not be used as a measure for determining the importance of a particular waterway for fish and other native aquatic species. In this instance, there is enough physical separation from the pad locations

and Roan Creek (over 7 miles) that CPW does not have concerns with impacts to this downstream native species conservation water.

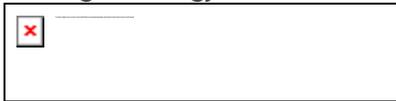
Review and Acceptance of Rule 1202.c.(2).C.

CPW concurs that Chevron has consulted with CPW, and is implementing the best management practices that were recommended by CPW for the road and pipeline construction within the aquatic NSO buffer area. Rule 1202.c.(2).C. is an exemption for these disturbances within 1202.c.(1).Q-S habitats and no additional waiver is needed from CPW.

Thank you,



Taylor Elm  
NW Region Energy Liaison



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On Tue, Nov 1, 2022 at 11:38 AM Keller, Michael <[michael.keller@chevron.com](mailto:michael.keller@chevron.com)> wrote:

Good morning, Taylor.

Please see the attached waiver request for the well completion activities we discussed in the field back in September 2022.

We appreciate your support of this waiver process; please don't hesitate to reach out to me directly if you have any specific questions or need additional information.

Mike.

**Michael Keller**

Lead Environmental Specialist

[Michael.Keller@Chevron.com](mailto:Michael.Keller@Chevron.com)

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