

Wavetech Helium, Inc. (Wavetech) proposed Harker-Victor-Roberts Helium Oil and Gas Development Plan includes three (3) helium locations. All three locations occur in mapped Lesser Prairie-Chicken (LEPC) estimated occupied range. Two locations, 1 Wavetech Harker-Family 14-26 and 1 Wavetech Roberts 42-3, are within a mapped LEPC connectivity area which meets COGCC Rule 309.e(2) A.

Upstream Petroleum Management began the CPW consultation on behalf of Wavetech on September 7<sup>th</sup>, 2022. Andrea Gross facilitated a virtual meeting with Karen Voltura, Energy Liaison and Land Use Specialist for CPW for the Southeast Region. Wavetech also participated in a Pre-Application Meeting on March 23, 2023 with COGCC where Karen Voltura with CPW attended.

Habitat at each proposed Location is grazed grassland. The following is a brief summary of LEPC habitat suitability at each of the proposed Locations.

#### **1 Wavetech Roberts 42-3**

- Proposed Location is within grassland habitat (active grazing observed in August 2022).
- The Locations is bordered by agricultural fields on three sides.
- The Location is within 2,000 meters of an existing wind turbine.
- Location is approximately 1.8 miles from a mapped production area.
- LEPC habitat suitability is expected to range between low and unsuitable based on isolation of the grassland habitat, relatively small size of the grassland patch, the active grazing of the grassland, and the proximity to active wind turbines.

#### **1 Wavetech Harker-Family 14-26**

- The proposed location is within grassland habitat (active grazing observed in August 2022).
  - This grassland patch is relatively large and contiguous.
  - Vegetative structure in this grassland is low stature and lacks structure that would support LEPC nesting or hiding.
- Three turbines are within 1,800 meters of the proposed location.
- Location is within 1.2 miles of a mapped production area.
- Habitat at this Location is expected to be unsuitable for LEPC.

#### **1 Wavetech Victor Weed 42-27**

- The proposed location is within grassland habitat (active grazing observed in August 2022).
  - This grassland patch is relatively large and contiguous.
  - Vegetative structure in this grassland is low stature and lacks structure that would support LEPC nesting or hiding.
- Four turbines are within 1,800 meters of the proposed location.
- Location is 1.5 miles from a mapped production area.
- Habitat at this Location is expected to be unsuitable for LEPC.

There are several layers of LPC High Priority Habitat that fall within Cheyenne County. They are the following:

Rule 1202.c. NSO Habitat

- Lesser Prairie Chicken Lek site

Rule 1202.d Density Habitat

- Lesser Prairie Chicken Focal Area

Rule 309.e.1 Other Consultation Habitat

- Lesser Prairie Chicken Connectivity Area
- Lesser Prairie Chicken Estimated Occupied Range

The vast majority of Cheyenne County is within the Lesser Prairie Chicken Estimated Occupied Range. All Wavetech's proposed locations fall within Estimated Occupied Range.

A multi-agency meeting took place on January 17, 2023, that included representatives of CPW, including Karen Voltura and Liza Rossi, as well as representatives from U.S. Fish and Wildlife. USFW confirmed that LPC may avoid otherwise suitable habitats within 1,800 meters (5,905 ft) of a turbine (LPC Conservation 2021).

Best Management Practices (BMP), along with minimization and avoidance measures were discussed. At the time of the Oil and Gas Development Plan submittal, CPW has not identified any prescribed BMPs. However, Wavetech has committed to the following BMPs:

- The operator agrees to install raptor perch deterrents on equipment, fences, cross arms, and pole tops in lesser prairie chicken habitat.
- The operator agrees to replace any permanently impacted, disturbed, or altered lesser prairie chicken seasonal habitats by enhancing CPW-identified marginal sand sagebrush habitat or reclamation of altered or converted habitat within or immediately adjacent to mapped nesting or brood rearing habitat.