



Extraction Oil & Gas, Inc

## WILDLIFE PROTECTION PLAN

FOR

Draco Pad

Prepared For:



1120 Lincoln Street, Suite 801  
Denver, CO 80203  
[www.ecmc.state.co.us](http://www.ecmc.state.co.us)

Prepared By:



1720 South Bellaire Street, Suite 202  
Denver, CO 80222  
[www.rpgres.com](http://www.rpgres.com)

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## Table of Contents

1. INTRODUCTION .....	3
2. SITE DESCRIPTION .....	3
3. OPERATING REQUIREMENTS .....	3
4. GENERAL PROTECTION MEASURES & BMPs .....	6
5. ENVIRONMENTAL SITE ASSESSMENT .....	7
5.1. Eagles .....	7
5.2. Burrowing Owls .....	7
5.3. Other Raptors .....	7
5.4. Migratory Birds .....	8
5.5. Threatened, Endangered, and Candidate Species .....	8
5.6. Wetlands, Waters of the U.S., and Floodplains .....	8
5.7. High Priority Habitats .....	9
5.8. Safety or Other Concerns .....	9
6. SUMMARY .....	9
PHOTOS .....	10
LITERATURE CITED .....	13

APPENDIX A – Environmental Site Assessment Results

APPENDIX B – Environmental Site Maps

## 1. INTRODUCTION

This Wildlife Protection Plan (WPP) was prepared by RPG Resources (RPG), on behalf of Extraction Resources (Civitas Resources, Inc.; hereafter Extraction) for the proposed Draco Pad location (Site). This plan was prepared to adhere to the Colorado Energy & Carbon Management Commission's (ECMC) updated rules pursuant to 304.c.(17) & 1201.a for Oil and Gas Locations located outside High Priority Habitats. The WPP serves as a framework for wildlife protection and a communication tool to foster cooperative relationships between Extraction and its stakeholders. Implementation of this plan will serve to avoid or minimize adverse effects to wildlife populations, their associated habitats, and respective productivity levels in anticipation of the development of Extraction oil and gas resources.

This WPP addresses Extraction's plans to comply with all applicable operating requirements and includes a site-specific environmental site assessment. Additional measures may be implemented based on any new environmental constraints that arise or site-specific recommendations.

## 2. SITE DESCRIPTION

The Site boundaries are defined as the limits of disturbance (LOD) for the proposed pad and access road. The Site is located in Section 21 of Township 1 North, Range 68 West in Weld County, Colorado. It is in the Western Great Plains Range and Irrigated Region Land Resource Region (LRR) of the Central High Plains, Southern Part Major Land Resource Region (MLRA; NRCS 2006). The existing land type is cropland, and the proposed Site is immediately north of an existing oil and gas location.

## 3. OPERATING REQUIREMENTS

Below is a review of the operating requirements described in Rule 1202 and Extraction's plans to adhere to those which are applicable to the Site. Extraction's contractors will also comply with all applicable operating requirements.

*a. The operating requirements identified in Rule 1202.a apply to Oil and Gas Operations statewide unless the Operator obtains a signed waiver from Colorado Parks and Wildlife (CPW) and the Director or Commission approves a Form 4, Sundry Notice or Form 2A documenting the relief.*

*(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.*

**The Site is not located within black bear habitat.**

*(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 waterbody. Disinfection will be performed by scrubbing and pre-rinsing equipment away from water bodies to remove all mud, plants, and organic materials and then by implementing one of the following practices:*

- A. *Spray/soak equipment with a CPW-approved disinfectant solution capable of killing whirling disease spores and other aquatic nuisance species defined by CPW; or*
- B. *Spray/soak equipment with water greater than 140° Fahrenheit for at least 10 minutes. All equipment and any compartments they contain will be completely drained and dried between each use.*

**Extraction will not be withdrawing from or discharging into any surface waters.**

- (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.*

**There is one NHD-mapped canal ditch, Community Ditch, approximately 15 feet northwest of the Site. Emergent wetlands were delineated along the banks of the ditch. Stormwater and erosion control measures will be implemented to ensure these features are not impacted by operations, and a formal waiver for Rule 1202.a.(3) will be requested from CPW.**

- (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.*

- A. *Such fencing and netting or other CPW-approved exclusion device will be installed within 5 days after the cessation of active drilling and completion activities and maintained until the Pit is removed from service and dried or closed pursuant to the Commission’s 900 Series Rules.*
- B. *The Director may require an operator to fence and net or install other CPW-approved exclusion devices on an existing Pit if the Director determines that the installation is necessary and reasonable to protect Wildlife Resources based on the analysis required by Rule 909.j, or other information that demonstrates additional protections for Wildlife Resources are appropriate.*
- C. *Operators will properly maintain and repair all fences, nets, and CPW-approved exclusion devices required by this Rule 1202.a.(4).*

**The Site will not include Drilling Pits, Production Pits, or other Pits associated with Oil and Gas Operations.**

- (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 1/4 mile of trench.*

**If a trench is left open for more than 5 consecutive days during pipeline construction, Extraction will install wildlife escape ramps at a minimum of one ramp per ¼ mile of trench.**

- (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.*

**The Site is not located within sensitive wildlife HPH, so Extraction will coordinate with the surface owner regarding the most appropriate seed mix (see the Interim Reclamation Plan for details).**

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

**The Site is not located within sensitive wildlife HPH, so Extraction will coordinate with the surface owner and comply with local requirements regarding fence design, if applicable.**

- (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 take of migratory birds. If hazing or other exclusion measures are not implemented,~~<sup>1</sup> Operators will conduct pre-construction nesting migratory bird surveys within the approved disturbance area prior to any vegetation removal during the nesting season. If active nests are located, Operators will provide work zone buffers around active nests.

**If construction or other earth-moving activities will begin within the recognized migratory bird breeding season between April 1 and August 31, Extraction will conduct migratory bird surveys no later than one week before construction is scheduled to start to identify potential presence of nesting MBTA species within the Site. Should any nests be identified at that time, Extraction will pursue additional surveys, nest monitoring and/or other species-specific best management practices as recommended by and in coordination with CPW.**

- (9) Operators will treat Drilling Pits, Production Pits, and any other Pit 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.

**The Site will not include Drilling Pits, Production Pits, or other Pits associated with Oil and Gas Operations.**

- (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:

- A. Contain Flowback and Stimulation Fluids in Tanks that are placed on a Working Pad Surface in an area with downgradient perimeter berming;
- B. Construct lined berms or other lined containment devices pursuant to Rule 603.o around any new crude oil, condensate, and produced water storage Tanks that are installed after January 15, 2021;

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<sup>1</sup> Although this language regarding hazing measures is included within ECMC's 1200 Series Rules, more recent guidance provided directly by ECMC commissioners included a request to avoid any hazing measures.

- C. Inspect the Oil and Location on a daily basis, unless the approved Form 2A provides for different inspection frequency or alternative method of compliance;*
- D. Maintain adequate Spill response equipment at the Oil and Gas Location during drilling and completion operations; and*
- E. Not construct or utilize any Pits, except that Operators may continue to utilize existing Pits that were properly permitted, constructed, operated, and maintained in compliance prior to January 15, 2021.*

**The Site is not located between 500 feet and 1000 feet hydraulically upgradient from any High Priority Habitat identified in Rule 1202.c.(1). Q-S.**

- b. Operators will bore, rather than trench, Flowline and utility crossings of perennial streams identified as aquatic High Priority Habitat unless the Operator obtains a signed waiver from CPW and the Director or Commission approves a Form 4 or Form 2A documenting the relief. When installing culverts or bridges, such structures will not impact or prevent the passage of fish unless otherwise directed by CPW.*

**Flowlines and utilities associated with the Site will not cross any perennial streams identified as aquatic High Priority Habitat.**

Rules 1202.c and 1202.d describe operating requirements for proposed Oil and Gas Operations that are located within High Priority Habitats. This plan addresses proposed locations that are located outside of High Priority Habitat and, therefore, these rules do not apply to any locations for which this plan is provided.

## 4. GENERAL PROTECTION MEASURES & BMPs

Extraction strives to avoid and minimize impacts to wildlife by incorporating general and site-specific guidance into development plans and project design. In addition to the above-discussed standard operating requirements, additional wildlife protection measures are considered and implemented as appropriate for each project.

When possible, seasonal avoidance of important breeding, nesting, and winter habitats is the primary protection measure to reduce oil and gas development impacts on wildlife populations, productivity, and habitat use. Consultation with CPW and/or other wildlife agencies may be initiated to determine which other site-specific protection measures, if any, should be included in each project. Data collected during preliminary survey efforts is considered during project planning and design, and subsequent follow-up surveys and/or monitoring efforts are scheduled as needed. Protection measures are not limited to those identified in wildlife plans, and Extraction recognizes the nature of fluctuating wildlife conditions and remains adaptable to new wildlife constraints that may arise.

Additionally, Extraction will implement the following general wildlife BMPs:

- Ensure all personnel and contractors are aware of and adhere to applicable wildlife protection measures and BMPs;

- Personnel and contractors will not harm any wildlife observed on site and will maintain recommended buffer distances related to wildlife;
- Personnel and contractors will report any wildlife concerns, including the discovery of injured or orphaned wildlife, to on-site management and applicable EHSR personnel;
- Consult CPW and/or other applicable agencies/personnel, upon the discovery of new wildlife constraints, as needed;
- Use qualified third-party contractors for wildlife surveys, monitoring, and other consultation purposes; and
- Document any wildlife-related issues or changes.

## 5. ENVIRONMENTAL SITE ASSESSMENT

RPG conducted a comprehensive Environmental Site Assessment (ESA) of the proposed Site and provided recommendations based on site-specific observations. RPG's considerations included, but were not limited to, resources protected under the Bald and Golden Eagle Protection Act (BGEPA), Migratory Bird Treaty Act (MBTA), Endangered Species Act, Colorado Nongame, Endangered, or Threatened Species Conservation Act, and the Clean Water Act (CWA). The ESA included a desktop review of aerial imagery, agency-mapped sensitive natural resources, and a site-specific U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) report. Following the desktop review, RPG conducted a field survey on September 29, 2022 and June 20, 2023 to assess the potential for other protected or sensitive natural resources to be impacted by operations. Detailed results of the ESA are provided in Appendix A and Environmental Site Maps are provided in Appendix B.

### 5.1. Eagles

Although suitable nesting habitat is present, no bald eagle (*Haliaeetus leucocephalus*) or golden eagle (*Aquila chrysaetos*) nests or nesting activity were observed within ½ mile of the Site. There are no CPW-mapped bald eagle winter night roost areas within ½ mile of the Site.

**If construction begins between December 1 and July 31, eagle nesting surveys are recommended. If active eagle nests are observed within ½ mile, consultation with CPW is recommended to determine appropriate mitigation measures.**

### 5.2. Burrowing Owls

No suitable burrowing owl (*Athene cunicularia*) habitat (i.e., prairie dog town) was observed within ¼ mile of the Site.

**No further action recommended.**

### 5.3. Other Raptors

No other raptor nests or nesting activity were observed; however, suitable nesting habitat, including trees and artificial structures, is present within ½ mile of the Site.

**If construction begins between February 1 and August 15, raptor nesting surveys are recommended. If active raptor nests are observed within applicable CPW-listed species-specific buffers, consultation with CPW is recommended to determine appropriate mitigation measures.**

#### 5.4. Migratory Birds

No migratory bird nests or nesting activity were observed; however, suitable nesting habitat, including surface topography, vegetation, and artificial structures, is present at and immediately surrounding the Site.

**If construction begins between April 1 and August 31, migratory bird nesting surveys are recommended. If MBTA-protected active nests are found, Extraction will provide work zone buffers around them while they remain active.**

#### 5.5. Threatened, Endangered, and Candidate Species

The IPaC report included nine (9) federally listed threatened, endangered, or candidate species that have potential to exist within or in the immediate vicinity of the Site. These species include: the gray wolf (*Canis lupus*), Preble's meadow jumping mouse (*Zapus hudsonius preblei*), Eastern Black Rail (*Laterallus jamaicensis ssp. Jamaicensis*), Piping Plover (*Charadrius melodus*), Whooping Crane (*Grus americana*), Pallid Sturgeon (*Scaphirhynchus albus*), Ute ladies'-tresses (*Spiranthes diluvialis*), western prairie fringed orchid (*Platanthera praeclara*), and monarch butterfly.<sup>2</sup> (*Danaus plexippus*). No suitable habitat for any of these species was identified at the Site.

#### 5.6. Wetlands, Waters of the U.S., and Floodplains

One vegetated drainage ditch, called "Community Ditch" is located approximately 15 feet northwest, and upgradient of the proposed Site. Community Ditch is mapped on the National Wetlands Inventory (NWI) Map as a riverine feature and as a canal ditch on the National Hydrography Dataset (NHD) Map. In addition, one unnamed tributary to Little Dry Creek is mapped approximately 303 feet south of the proposed Oil and Gas Location. The unnamed tributary to Little Dry Creek is mapped as an intermittent stream on the NHD map, and as a riverine feature on the NWI map.

In order to verify the existence, location, and condition of these features, RPG Resources conducted field surveys on July 5<sup>th</sup>, 2023, and October 26<sup>th</sup>, 2023. Community Ditch was field verified at the time of survey by visual observation of defined bed and bank, and an OHWM. Approximately a 2-foot band of emergent wetland was delineated along the banks of community ditch, extending from the top of slope toward the bed of the ditch.

The unnamed tributary to Little Dry Creek was verified not to be present at the time of the field survey with no associated OHWM or wetland vegetation observed within 500 feet of the OGL.

No additional wetland or waterway features were identified within 500 feet of the proposed Site at the time of the field survey. The Site is not located within any Federal Emergency Management Agency (FEMA-)-mapped 100-year floodplain.

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<sup>2</sup> The monarch butterfly is currently a USFWS candidate species and is not yet listed as threatened or endangered. There are generally no section 7 requirements for candidate species; however, efforts to conserve this species and its associated habitats are strongly encouraged while an official federal listing determination is being considered.



**Stormwater and erosion control measures will be implemented to ensure these features are not impacted by operations, and a formal waiver for Rule 1202.a.(3) will be requested from CPW.**

#### 5.7. High Priority Habitats

The Site is not located within any CPW-mapped High Priority Habitats.

**No further action is recommended.**

#### 5.8. Safety or Other Concerns

No safety issues or other concerns were identified at the Site.

**No further action is recommended.**

## 6. SUMMARY

The Draco location is not located within any High Priority Habitats. Therefore, a Wildlife Mitigation Plan is not needed per Rule 1201.b. and this Wildlife Protection Plan fulfills the obligations of Rule 1201.a.

No active wildlife constraints were observed at the time of the field survey. However, suitable nesting habitat for migratory birds was identified within applicable CPW-recommended species-specific buffers. Additional wildlife surveys are recommended prior to the start of construction to ensure no sensitive wildlife resources will be impacted.

Extraction and all associated contractors agree to adhere to all relevant operating requirements outlined in this WPP. In addition to the standard operating requirements, supplementary measures and protocols may be implemented in response to specific needs identified at the Site.

## PHOTOS



1. Facing west near the center of the proposed disturbance area.



2. Facing east within near the center of the proposed disturbance area.





3. Facing west approximately 10 feet northwest of the proposed disturbance area toward Community Ditch.



4. Facing north near the center of the proposed disturbance area.





5. Facing south near the center of the proposed disturbance area.



6. Facing east approximately 10 feet northwest of the proposed disturbance area toward Community Ditch.

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- U.S. Fish and Wildlife Service. IPaC Information for Planning and Consultation. <https://ecos.fws.gov/ipac/>. Accessed October 2022.

## APPENDIX A

### Environmental Site Assessment Results





## ENVIRONMENTAL SITE ASSESSMENT



<b>Project Name:</b>	Draco Well Pad and Facility	<b>County, State:</b>	Weld County, CO
<b>Report Date:</b>	August 2023	<b>Region:</b>	DJ Basin
<b>Inspection Date:</b>	6/20/2023	<b>Field Name:</b>	Wattenberg
<b>Inspector Name:</b>	Brent Hoeppner, Jennifer Loyal	<b>Location:</b>	Sec 21, T1N R68W
<b>ESA Type:</b>	New Development	<b>Project Lat-Long:</b>	40.033451, -105.003408

### **RAPTORS**

<b>Bald and Golden Eagle Active Nests:</b>	No	<b>Status:</b>	<b>CLEARED</b>
There is suitable eagle nesting habitat (e.g., trees) within ½ mile of the Site, however, no bald eagle ( <i>Haliaeetus leucocephalus</i> ) or golden eagle ( <i>Aquila chrysaetos</i> ) nests or nesting activity were observed during the field surveys.			
<b>Bald Eagle Winter Night Roost/Communal Roost:</b>	No	<b>Status:</b>	<b>CLEARED</b>
There are no CPW-mapped bald eagle winter night roosts / communal roosts within 1/2 mile of the Site. Not a constraint.			
<b>*Burrowing Owls and Black-Tailed Prairie Dogs:</b>	No	<b>Status:</b>	<b>CLEARED</b>
No suitable burrowing owl ( <i>Athene cunicularia</i> ) habitats (i.e., prairie dog towns) were identified within ¼ mile of the Site, and no burrowing owls were observed during the field surveys.			
<b>Other Raptor Nests:</b>	No	<b>Status:</b>	<b>CLEARED</b>
There is suitable raptor nesting habitat (e.g., trees, structures, etc.), however, no raptor nests were observed within ½ mile of the Site during the field surveys.			

### **OTHER BIRDS**

<b>Grouse or Prairie Chicken High Priority Habitats:</b>	No	<b>Status:</b>	<b>CLEARED</b>
The Site is not within any grouse or prairie chicken HPHs. Not a constraint.			
<b>Non-Raptor Migratory Bird Nests:</b>	No	<b>Status:</b>	<b>CLEARED</b>
There is suitable non-raptor migratory bird nesting habitat (e.g., surface topography and vegetation) present at and immediately surrounding the Site. No nests were observed during the field surveys.			

### **MAMMALS**

<b>Big Game High Priority Habitats:</b>	No	<b>Status:</b>	<b>CLEARED</b>
The Site is not located within any Big Game High Priority Habitats. Not currently a constraint.			
<b>** Preble's Meadow Jumping Mouse (PMJM) Habitat:</b>	No	<b>Status:</b>	<b>CLEARED</b>
Site is not located within suitable PMJM habitat.			
<b>Swift Fox Habitat/Dens:</b>	No	<b>Status:</b>	<b>CLEARED</b>
The Site is not within CPW-mapped swift fox overall range, and no swift fox habitat was observed during the initial site survey.			

### **VEGETATION**

<b>**Ute ladies'-tresses orchid (ULTO):</b>	No	<b>Status:</b>	<b>CLEARED</b>
There is no suitable Ute ladies'-tresses orchid habitat at the Site. Not a constraint.			
<b>Colorado State Noxious Weeds - List A,B,C:</b>	No	<b>Status:</b>	<b>CLEARED</b>

<b>Current Land Use:</b>	Cropland	<b>Future Land Use:</b>	Cropland
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## ENVIRONMENTAL SITE ASSESSMENT



### AQUATIC HABITATS

Aquatic High Priority Habitats:	No	Status:	CLEARED
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N/A

Wetlands/WOUS:	No	Status:	Waiver Approved
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Community Ditch was field verified at the time of survey by visual observation of defined bed and bank, and the presence of an OHWM. Approximately a 2 foot band of emergent wetland was delineated along the banks of community ditch, extending from the top of slope toward the bed of the ditch. The unnamed tributary to Little Dry Creek was verified not to be present at the time of the field survey. No additional wetland or waterway features were identified within 500 feet of the proposed Site at the time of the field survey. The Site is not located within any Federal Emergency Management Agency (FEMA)-mapped 100-year floodplain.

### OTHER/SAFETY

Other Issues:	No	Status:	CLEARED
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None.

Safety Issues:	No	Status:	CLEARED
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None.

### FORM 2A

Is HPH Present (309.e(2)A) ?	No
If <u>NO</u> , then Wildlife <u>Protection</u> Plan Needed (1201.a):	Yes
If <u>YES</u> , then Wildlife <u>Mitigation</u> Plan Needed (1201.b):	No
Is project in State Park or Wildlife Area (309.e(2)A) ?	No
Is project in federally designated critical habitat (309.e(2)B)?	No
**Federal or *Colorado T&E Species Present (309.e(2)B)?:	No
Is project in a wildlife habitat conservation easment (309.e(2)C)?:	No
CPW Consultation Needed (309.e)?:	No
Vegetation removal scheduled April 1 to August 31 (1202.a(8))?:	TBD
Working Pad Surface 500 to 1000' hydraulically upgradient from a HPH (1202.a(10))?:	No
Density of O&G locations exceed 1 per square mile w/in HPH (1202.d)?:	N/A
If <u>YES</u> , then Compensatory Mitigation Plan Needed (1203.a(1)):	N/A

### FIELD DATA COLLECTED

### GENERAL COMMENTS

Site Photos:	Yes
Reference Area Photos:	Yes
Updated Aerial Imagery Taken?:	Yes
Ground Control Points?:	No
Wetland Determination Data Form?	No

Reviewed By: Russell Beam  
Signature: *RB*

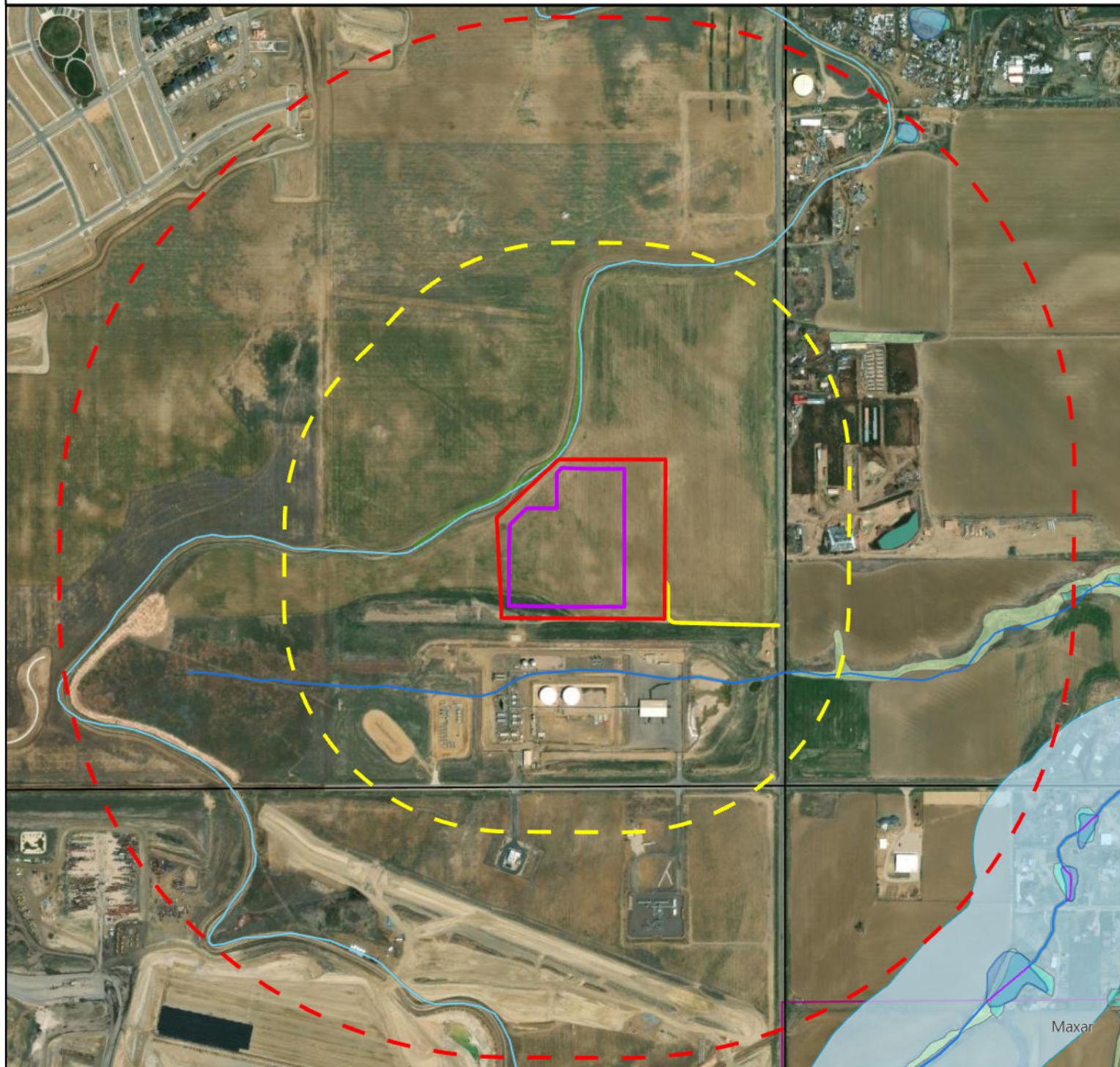
Title: Environmental Manager  
Date: November 7, 2023



APPENDIX B

Environmental Site Maps

EXTRACTION OIL AND GAS  
 DRACO PAD  
 SEC 21, T1N, R68W, 6th P.M.  
 WELD COUNTY, COLORADO



## ENVIRONMENTAL SITE MAP

- |                                    |  |
|------------------------------------|--|
| Working Pad Surface (WPS)          | NHD-Mapped Lake/Pond   |
| Oil and Gas Location (OGL)         | NWI-Mapped Riverine  |
| Access Road                        | NWI-Mapped Freshwater Pond                                       |
| 0.50 Mile Survey Radius Around WPS | NWI-Mapped Freshwater Emergent Wetland                           |
| 0.25 Mile Survey Radius Around WPS | Aquatic Native Species Conservation Waters (HPH)                 |
| NHD-Mapped Canal/Ditch             | Aquatic Native Species Conservation Waters HPH-C (500-Ft Buffer) |
| NHD-Mapped Stream/River            | Delineated Wetland   |
| NHD-Mapped Artificial Path         |  |

Projection: WGS 1984  
 Date: 10/12/2023  
 Drafted by: HJL



0 500 1,000  
 Feet

1 inch equals 1,078 feet