



**WILDLIFE PROTECTION PLAN**  
FOR  
**Cartwright 24**

Prepared By:



2655 S Calhan Hwy  
Calhan, CO 80808

[www.wingsovercolorado.com](http://www.wingsovercolorado.com)

Date Prepared: August 18<sup>th</sup> 2024

## Table of Contents

1. INTRODUCTION.....	3
2. DEVELOPMENT OVERVIEW.....	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.....	8
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.....	12

### APPENDIX A – Environmental Site Assessment Results

## 1. INTRODUCTION

This Wildlife Protection Plan (WPP) has been prepared by Wings Over Colorado (WOC) on behalf of Bison IV Operating LLC (Bison). Bison IV Operating, LLC (BISON) is presenting this WPP for the Cartwright 24 Oil & Gas Location (hereafter referred to as C24 and/or Location). The plan adheres to the updated rules of the Colorado Energy & Carbon Management Commission (ECMC) pursuant to 304.c.(17) & 1201.a for Oil and Gas Locations outside High Priority Habitats. The WPP serves as a framework for wildlife protection and a communication tool to foster cooperative relationships between Bison and its stakeholders. By implementing this plan, adverse effects on wildlife populations, their habitats, and productivity levels will be avoided or minimized in anticipation of Bison’s oil and gas resource development.

This WPP outlines Bison’s plans to comply with all applicable operating requirements and includes a site-specific environmental site assessment. Additional measures may be implemented based on new environmental constraints or site-specific recommendations.

## 2. DEVELOPMENT OVERVIEW

The Site boundaries are defined as the limits of disturbance (LOD) for the proposed pad and access road. The Site is in Section 24 of Township 5 North, Range 61 West in Weld County, Colorado.

## 3. OPERATING REQUIREMENTS

Below is a review of the operating requirements described in Rule 1202 and Bison’s plans to adhere to those which are applicable to the Site. Bison’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.*

**Surface water will be withdrawn from designated sources (see water plan). Bison’s water provider will comply with disinfection BMP’s by spraying and/or soaking their equipment with a CPW-approved disinfectant solution capable of killing whirling disease spores and other aquatic nuisance species (ANS) defined by CPW.**

- (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 are no National Hydrography Dataset (NHD)- nor National Wetland Inventory (NWI)- mapped aquatic features present within 500 feet of the Site.**

- (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, Bison 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 Bison 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 Bison 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, Bison 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, Bison 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;*
- 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

Bison 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 Bison recognizes the nature of fluctuating wildlife conditions and remains adaptable to new wildlife constraints that may arise.

Additionally, Bison 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

WOC conducted a comprehensive Environmental Site Assessment (ESA) of the proposed Site and provided recommendations based on site-specific observations. WOC'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, WOC has conducted a field survey on August 18<sup>th</sup>, 2024, 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.

### 5.1. Eagles

There is no suitable nesting habitat for bald eagles (*Haliaeetus leucocephalus*) or golden eagles (*Aquila chrysaetos*) within ½ mile of the Site, and no eagle activity was observed during the survey.

There are no CPW-mapped bald eagle winter night roost areas within ½ mile of the Site.

**No further action recommended.**

### 5.2. Burrowing Owls

The Site is located within suitable burrowing owl (*Athene cunicularia*) habitat. No Prairie dog activity was observed during the field survey, and no evidence of current burrowing owl occupation was observed.

**If construction begins between March 15 and August 31, burrowing owl surveys, in accordance with CPW-recommended protocol, are recommended. If burrowing owl occupation within ¼ mile is observed, consultation with CPW is recommended to determine appropriate mitigation measures.**

### 5.3. Other Raptors

No raptor nests or nesting activity were observed within ½-mile of the Site during the field surveys. However, there is suitable raptor nesting habitat (e.g., artificial structures, ground topography, etc.) within ½ mile of the Site.

**If construction begins between April 1 and August 15, additional raptor nesting surveys are recommended. If active raptor nests are observed within CPW’s recommended 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, Bison will provide work zone buffers around them while they remain active and/or implement other applicable nest protection BMPs as needed.**

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

The IPaC report included eight (8) 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 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*), Suckley’s Cuckoo Bumble Bee (*Bombus suckleyi*), and monarch butterfly (*Danaus plexippus*). No suitable habitat for any of these species was identified at the Site.

**No further action recommended.**

---

#### 5.6. High Priority Habitats

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

**No further action is recommended.**

#### 5.7. Safety or Other Concerns

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

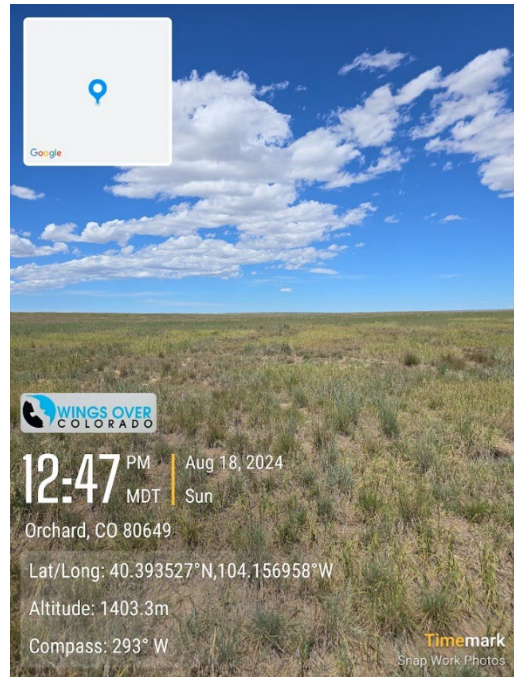
**No further action is recommended.**

## 6. SUMMARY

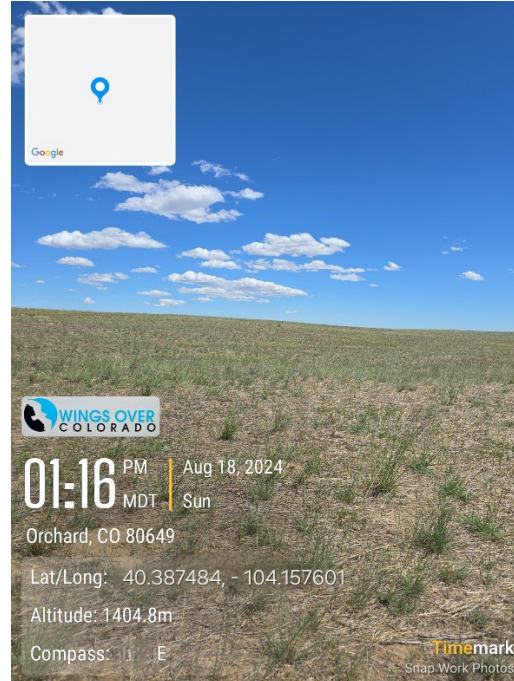
The Cartwright 24 Pad location is not located within any High Priority Habitats. Therefore, a Wildlife Mitigation Plan is not needed per Rule 1201.b. and this Wildlife Protection Plan fulfills the obligations of Rule 1201.a.

No active wildlife constraints were observed at the time of the field survey.

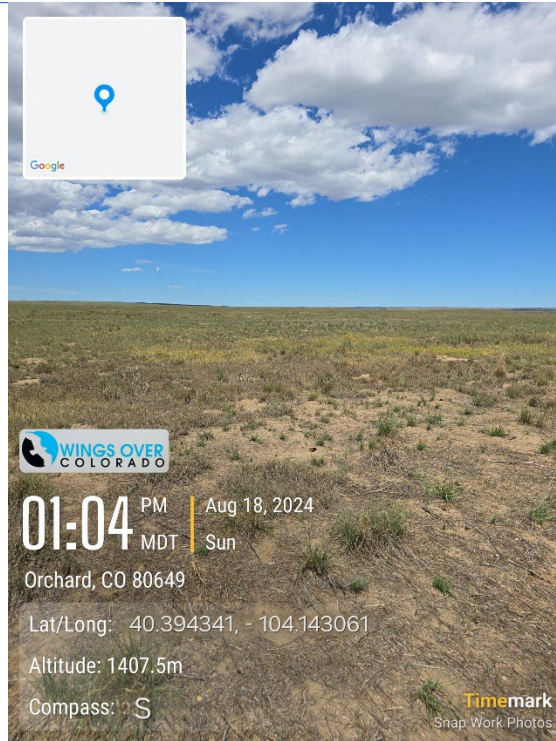
## PHOTOS



1. From eastern side of LOD facing west.



2. From western side of LOD facing east.



3. From northern side of LOD facing south.



4. From southern side of LOD facing north.

## LITERATURE CITED

- Colorado Natural Heritage Program. 1997+. Colorado Rare Plant Guide. [www.cnhp.colostate.edu](http://www.cnhp.colostate.edu). Latest update: October 2022.
- Energy and Carbon Management Commission. 2021. Permitting Process 300 Series. Colorado Department of Natural Resources.
- Energy and Carbon Management Commission. 2021. Protection of Wildlife Resources 1200 Series. Colorado Department of Natural Resources.
- Colorado Parks and Wildlife. 2020. Colorado Parks and Wildlife’s (CPW) Recommendations to Avoid and Minimize Impacts to Wildlife from Land Use Development in Colorado. Colorado Department of Natural Resources.
- Colorado Parks and Wildlife. 2020. Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors. Colorado Department of Natural Resources.
- Colorado Parks and Wildlife. Species Profiles. <https://cpw.state.co.us/learn/Pages/SpeciesProfiles.aspx>. Accessed September 2023.
- Department of the Interior: Fish and Wildlife Service. 2010. Endangered and Threatened Wildlife and Plants; Revised Critical Habitat for the Preble’s Meadow Jumping Mouse in Colorado; Final Rule.
- National Resources Conservation Service. 2006. National Coordinated Major Land Resource Area (MLRA) Version 4.2. U.S. Department of Agriculture, National Soil Survey Center.
- U.S. Fish and Wildlife Service. 2016. Draft Revised Recovery Plan for the Northern Great Plains Piping Plover (*Charadrius melodus*).
- U.S. Fish and Wildlife Service. 2021. Featured Pollinator Monarch butterfly (*Danaus plexippus plexippus*). [https://www.fws.gov/pollinators/features/Monarch\\_Butterfly.html](https://www.fws.gov/pollinators/features/Monarch_Butterfly.html). Accessed September 2023.
- U.S. Fish and Wildlife Service. IPaC Information for Planning and Consultation. <https://ecos.fws.gov/ipac/>. Accessed September 2023.