

Friedman, Rachel

From: Schlichtemeier, Chad
Sent: Monday, November 11, 2024 2:47 PM
To: Friedman, Rachel
Cc: Schlichtemeier, Chad
Subject: FW: [EXTERNAL] Re: Wildlife Protection Plan and Wetland Delineation Memo - Parsnip Fed Pad

Quick response, I think this is the last piece for Parsnip. Let me know if I'm missing anything. thanks

Chad Schlichtemeier

[HSE - Rockies](#)

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From: Hamous-Miller - DNR, Lexi <lexi.hamous-miller@state.co.us>
Sent: Monday, November 11, 2024 2:43 PM
To: Schlichtemeier, Chad <Chad_Schlichtemeier@oxy.com>
Cc: Spelts, Tracy L <Tracy_Spelts@oxy.com>; Marette - DNR, Brandon <brandon.marette@state.co.us>; Erin Priest - DNR <erin.priest@state.co.us>
Subject: [EXTERNAL] Re: Wildlife Protection Plan and Wetland Delineation Memo - Parsnip Fed Pad

WARNING - This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Hi Chad,

Thanks for the information on KMOG's Parsnip Pad. Below is CPW's more detailed wildlife assessment for the 1202.a.(3) signed waiver for wetlands/creeks near chemical storage areas.

Rule 1202.a.(3) (creeks/wetlands) Waiver Assessment

Below is a formal description of how CPW independently assessed the operator's specific situation related to their Rule 1202.a.(3) (creeks/wetlands) waiver request. This context should give the Energy and Carbon Management Commission "ECMC" (previously COGCC), their Commissioners, and the public, CPW's wildlife-related perspective on this matter.

Background on Rule 1202.a.(3) and any High Priority Habitat (HPH) impacts

- Rule 1202.a.(3) is a statewide operating requirement in ECMC's 1200 Series Rules that prohibits operators from situating 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.
- When CPW examines a proposed location for this waiver, we also examine if there are any mapped High Priority Habitats that could be directly or indirectly impacted by this development.
- It should be understood that CPW does not have jurisdictional authority over wetlands and other waters of the U.S., as defined by the Environmental Protection Agency, the U.S. Army Corps of Engineers

(USACE), and/or the Colorado Department of Public Health and Environment. However, it should be noted that regardless of USACE's jurisdictional status, both types of wetlands (jurisdictional and non-jurisdictional) fall under this rule. This assessment is only based on CPW's understanding of how this development could potentially impact wildlife and fish associated with the identified water feature and CPW's authority as defined by ECMC's regulations. Furthermore, ECMC technical staff (and in many cases, the Local Government and/or USACE) will conduct a thorough (engineering and hydrology) review of permit applications to ensure that the proposed stormwater BMPs are protective of nearby surface water bodies and water quality.

CPW's Assessment of this Site-Specific Situation

- KMOG's environmental consultant, Quandary Consultants, conducted a formal wetland delineation by a Professional Wetland Scientist (PWS) on October 28, 2024, and received a wetlands assessment for this Working Pad Surface (WPS).
- During the October 2024 delineation, Fulton Ditch, was identified which had an Ordinary High-Water Mark(OHWM) ± 118 feet southwest of the proposed produced water tanks, maintenance tanks, and water vault.
- The closest edge of the irrigation ditch is located ± 60 feet downgradient of the chemical storage totes, but the pad itself is downgradient of CR 27 which is raised preventing flow from the pad to the ditch (creating a barrier).
- This location does not occur within Aquatic High Priority Habitat.
- The pad will be graded so that all stormwater flows to the retention pond on the north side of the pad with no discharge during normal operation. Water will be dissipated from the pad via Infiltration. The Working Pad Surface will have an approximately 3-foot stormwater detention berm around it.
- KMOG stated that *"the chemical totes that are used on KMOG locations in the DJ contain built in secondary containment and are made of steel. All other tanks on location will be within steel bermed secondary containment compliant with EPA rule 40CFR 112 Subpart A, B, C.."*
- CPW appreciates KMOG's collaboration in responsibly developing this WPS while directly and indirectly protecting the adjacent wetland.

Conclusion

- Therefore, because of the above discussion, and because the Fulton ditch within 500 feet of the WPS is not mapped as an Aquatic Native Species Conservation Water, CPW grants KMOG this signed waiver (per the requirement discussed in ECMC Rule 1202.a.(3)) requiring chemicals and new sites to be located more than 500 ft away from the wetlands and ditches.

Should KMOG or ECMC have any comments about this assessment, please let me know.

Regards,



Lexi Hamous, MS ([She/Her](#))
Northeast Region Land Use Coordinator
Colorado Parks and Wildlife



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Lexi.Hamous-Miller@state.co.us

[CPW's Energy Webpage](#)



On Mon, Nov 11, 2024 at 12:44 PM Schlichtemeier, Chad <Chad_Schlichtemeier@oxy.com> wrote:

Hi Lexi,

Attached is the Wildlife Protection Plan and Wetland Delineation Memo for the Parsnip Fed Pad. As noted in the WPP, there are no downgradient wetlands within 500 feet of the Location. The nearest NWI mapped downgradient potential wetland is located approximately 606 feet southwest of the Working Pad Surface (WPS). The Fulton Lateral Ditch is located approximately 60 feet from the Parsnip Fed Pad disturbance area. A wetland delineation was completed on the vegetated fringe bordering the Fulton Lateral Ditch identified as a wetland on the NWI. The results of the delineation conclude that the ditch does not meet the three criteria identified by the U.S. Army Corps of Engineers (USACE) to qualify as a wetland. The Fulton Lateral Ditch does contain an OHWM. There will be chemical storage and/or refueling (see picture below) within 500' of the OHWM and, therefore, Kerr-McGee is requesting a waiver from Rule 1202 a.(3) which states, *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.* The Fulton Lateral Ditch is further described in the WPP and Wetlands Delineation Memo.. There will be temporary chemical storage and refueling during drilling and completions (D&C) operations. The chemical storage and refueling locations may vary due to the setup of the D&C equipment. There will be longer term chemical storage associated with the production facility operations. All chemical storage and refueling during D&C and production facility operations will have secondary containment (BMPs in WPP).

Below is a summary.

- 1) No wetlands or other surface waters with potential to be considered as waters of the U.S. were observed within the Working Pad Surface.
- 2) The nearest bank of Fulton Lateral Ditch to the west is approximately 60 feet from the proposed disturbance area. The ditch does not meet the three criteria identified by the U.S. Army Corps of Engineers (USACE) to qualify as a wetland but does contain an OHWM.
- 3) As shown on the figure, County Road 27 is between the Fulton Lateral Ditch and the Parsnip Fed Pad. The county road is raised preventing flow from the pad to the ditch.

- 4) The pad will be graded so all stormwater flows to the retention pond on the north side of the pad with no discharge during normal operation. Water will be dissipate from the pad via Infiltration.
- 5) The Working Pad Surface will have an approximately 3 foot stormwater detention berm around the pad.
- 6) The nearest chemical tote or refueling area during drilling and completions operations will be approximately 118 feet from the Fulton Lateral Ditch.
- 7) Chemical totes and refueling at KMOG locations will have secondary containment.
- 8) All other tanks on location will be within bermed secondary containment complaint with EPA rule 40CFR 112 Subpart A, B, C

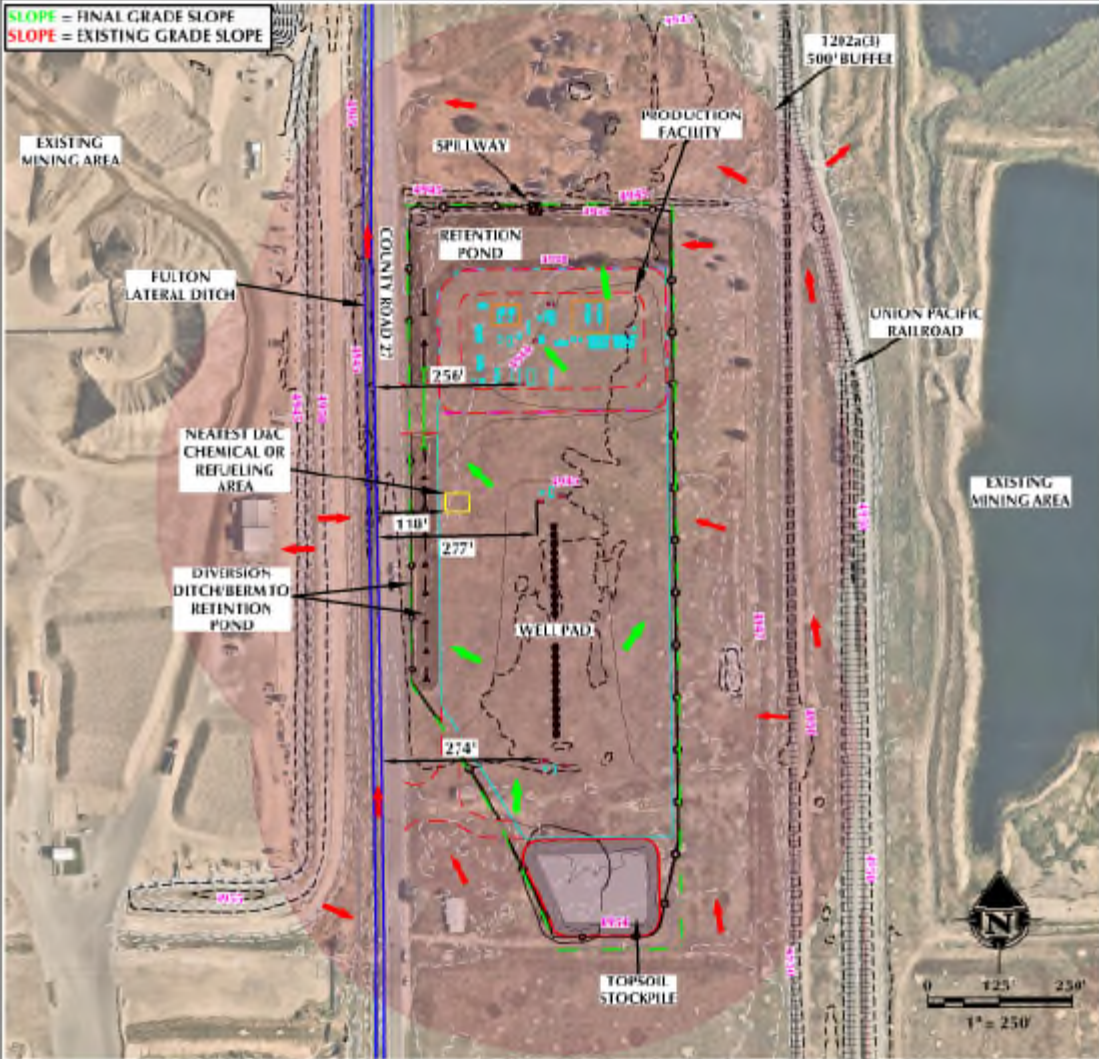
Please don't hesitate to reach out if you have any questions. If possible, we would like a response by 11/20/24.

Thank you, Chad



1202a(3) EXHIBIT
PARSNIP FED HZ

NW1/4 SW1/4 SECTION 20, TOWNSHIP 1 NORTH, RANGE 56 WEST, 6TH P.M., WELD COUNTY, COLORADO



LEGEND

- PROPOSED WELL
 - PROPOSED OIL & GAS LOCATION
 - WORKING PAD SURFACE
 - ACCESS ROAD
 - EXISTING GRADE CONTOUR (1' INTERVAL)
 - FINAL GRADE CONTOUR (1' INTERVAL)
 - ▭ PROPOSED CONTAINMENT AREA
 - ▭ PROPOSED PRODUCTION FACILITY CHEMICAL TOTE
 - ▭ FULTON LATERAL DITCH
- APPROXIMATE FINISHED GRADE ELEVATION
 WELL PAD = 4945.2'
 FACILITY PAD = 4944.3'



CONSULTING, LLC
 LOWLAND OFFICE: 4700 South Parkview Avenue, Fort Collins, CO 80525
 MIDLAND OFFICE: 1005 Solon Avenue, Greeley, CO 80639

DATE SURVEYED: 9/18/24
 DATE: 11/8/24
 DRAFTER: CDR
 REVISED:

DATA SOURCE:
 - AERIAL COURTESY OF NEARMAP.

PREPARED FOR:
Kerr-McGee Oil & Gas Onshore LP

1202a(3) EXHIBIT, PARSNIP FED HZ, NW1/4 SW1/4 SECTION 20, TOWNSHIP 1 NORTH, RANGE 56 WEST, 6TH P.M., WELD COUNTY, COLORADO

Chad Schlichtemeier

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