

October 2, 2025

Julie Murphy, Director
Colorado Energy and Carbon Management Commission

Re: Rule 309.e. Colorado Parks and Wildlife's Consultation Summary

Summary

Crestone Peak Resources (Operator)
OGDP Name: State Sunlight-Long Pad
Form 2A Number(s): 404012825
Docket Number: 241200313

Colorado Parks and Wildlife (CPW) has approved the Operator's State Sunlight-Long Wildlife Mitigation Plan (WMP) and added CPW-proposed COAs, which resulted in CPW having no further wildlife concerns for this Oil and Gas Development Plan (OGDP). This State Sunlight-Long OGDP location (Location) is the fourth¹ location that CPW has formally commented on under the approved Lowry Comprehensive Area Plan (CAP), which is located within the State Land Board's (SLB) 25,955-acre Lowry Ranch, located east of the City of Aurora.

This new Location and improved access road include the development of 32 new directionally-drilled wells to access oil and gas resources within its 12-square-mile Drilling Spacing Unit (DSU). The proposed Location is located entirely outside mapped High Priority Habitats (HPH); however, approximately 1.29 miles of the widened access road is within the HPH for Mule Deer Severe Winter Range. The presence of that HPH area triggers CPW consultation under Rule 309.e.(2).A. CPW has worked with Crestone Peak Resources (Operator) through a pre-application and post-completeness consultation process. A summary of the findings to address potential wildlife impacts of the OGDP is outlined below. Furthermore, CPW consulted with the Operator to avoid and minimize impacts to other Wildlife Resources, including the Northern Leopard Frog, Black-tailed Prairie Dog, Burrowing Owl, and Swift Fox.

¹ CPW has previously commented on these Lowry CAP locations to date: State La Plata, Harvard-Yale, and Wetterhorn-Handies.

Consultation Timeline

The Operator generally discussed that they held consultations with CPW in their submitted WMP (dated 5/29/25; PDF page 9). To add more specificity, below are additional dates and consultation topics:

- September 27, 2022: CPW's initial field visit of all Lowry CAP locations with the SLB and the Operator, including this Sunlight-Long Location.
- April 1, 2024: CPW's second field visit to all Lowry CAP locations with the SLB and the Operator, including this Sunlight-Long Location.
- March 10, 2025: CPW submitted its comments for this Location to Arapahoe County and discussed Northern Leopard Frogs, Black-tailed Prairie Dogs, and Burrowing Owls.
- July 29, 2025: ECMC notified CPW via email that this OGDG passed its completeness review.
- September 11, 2025: CPW attended the State Sunlight-Long Rule 511 public meeting and heard the wildlife concerns about Northern Leopard Frogs using the habitat, where the proposed Location is slated, as a movement corridor between Aurora Reservoir and Black Shack Creek. The public also discussed potential concerns for Swift Foxes and prairie dogs.
- September 25, 2025: CPW hosted a post-completeness virtual consultation for State Sunlight-Long, with ECMC and the Operator present.
- September 30, 2025: The Operator sent CPW its initial 2025 wildlife survey results, CPW passed its Wildlife Task in ECMC's Webforms, and submitted this summary.

Alternative Location Analysis and Waiver

The Operator did not request a Rule 304.b.(2).B.viii Alternative Location Analysis (ALA) waiver from CPW. Therefore, the Operator conducted a formal ALA analysis and came up with other viable alternatives that are still outside the Mule Deer Severe Winter Range HPH. Alternative 2 is further away from Northern Leopard Frog habitat (which is discussed in more detail below), and would have a shorter access road, but would be closer to Aurora Reservoir. The Operator did not receive Preliminary Siting Approval for this Location, so CPW initially preferred that the Operator develop Alternative 2, so that unfragmented habitats would be maximized along the southern boundary of the Lowry Ranch. However, CPW also understands this alternative is well within (1,567 ft) Arapahoe County's 3,000-foot reservoir setback, and is not a feasible

alternative. CPW also asked the Operator about the feasibility of the NE 1/4 of Section 27, and the Operator stated that it would be within one mile² of the proposed SLB Reservoir B, and would not be in compliance with the same Arapahoe County's reservoir buffer regulation; hence the slant on this Location's northeastern boundary.

Best Management Practices and Compensatory Mitigation

As a result of multiple conversations with CPW, the Operator proposed several wildlife-specific Best Management Practices (BMP) in Section 3 (PDF page 9), Section 12 (PDF page 17), and Table 4 of the Operator's 5/29/25 WMP. Additionally, the Operator proposed the following three wildlife BMPs that CPW approved on 9/19/25:

1. *Minimization - Oil, gas, and produced water takeaway will be installed to reduce traffic on the road.*
2. *Minimization - Pipeline ROW will be located east of the improved road.*
3. *The Operator's consultant will resurvey for Northern Leopard Frog presence in the Location's limits of disturbance within one week of the start of construction and will immediately contact CPW if any Northern Leopard Frogs are observed. If standing water is observed within the Location, a secondary Northern Leopard Frog survey will be conducted within 24 hours of the start of construction, and will similarly contact CPW if any Northern Leopard Frogs are observed.*

CPW evaluated potential wildlife impacts of this proposed OGDG based on the Operator's development schedule and the sensitive seasons for Mule Deer Winter Concentration Area and Northern Leopard Frog (NLF) (further discussed below and in Table 1). The Operator is tentatively planning to begin site pad construction and access roads improvements beginning in September 2026 to January 2027 for 14 weeks, and is expected to have 72 heavy trucks a day. The Operator is minimizing its impact on wintering deer by prioritizing the access road improvements within this HPH between May 1 and Nov. 30, or outside the Mule Deer winter season (Dec. 1 to April 30). The Operator plans to drill for 39 weeks from January through August 2027, and is expected to have 24 heavy trucks a day. Completion activities are planned to occur between May and November 2027 for 63 weeks, for a total of 116 weeks (or 2.2 years), and 90 heavy trucks a day. CPW questioned the Operator as May to November is approximately

² CPW clarified the two different reservoir distances with Arapahoe County and found out that Aurora Reservoir has a smaller 3,000-foot buffer since it is in a different watershed than this Location. However, SLB's proposed Reservoir B has a larger one mile buffer since it would be immediately downstream of this Location.

30 weeks, but they stated 63 weeks was a worst-case scenario, and are hoping for 30 weeks of simultaneous drilling and completion activities. That could mean 114 trucks per day (90+24), potentially between May-August, which is during the NLFs active period.

Table 1 - Development Activities and HPH/NLF Seasonal Impacts

Development Activity	Timing	Number of Weeks	Heavy Truck Impacts Per Day	Mule Deer and NLF impacts
Site Pad Construction	Sept. '26 - Jan. '27	14	72	No wintering Mule Deer impacts, as the Operator plans to construct the road and Location before Dec. 1. <i>Some NLF impacts may occur if the Operator does not construct the pad and road between Dec. 1 and Feb. 28, as they disperse before brumation.</i>
Drilling	Jan. - Aug. '27	39	24	No wintering Mule Deer impacts as the Location is outside the mapped HPH. <i>Some NLF impacts as they emerge from brumation to breed and subsequently disperse.</i>
Completions	May - Nov. '27	63	90	No wintering Mule Deer impacts as the Location is outside the mapped HPH. <i>Some NLF impacts as they breed, disperse for forage and brumation. Most of these impacts are expected to occur along the access road from the highest truck traffic.</i>

Below are additional species-specific discussions for topics identified by CPW during the consultation and those topics discussed at the 9/11/25 ECMC Rule 511 public meeting.

Mule Deer Severe Winter Range

- Avoidance Measures. CPW appreciates that this Location is outside of this HPH.
- Minimization Measures. However, approximately a net of 1.29 miles (~33%) are located within the HPH for Mule Deer Severe Winter Range (as the existing 2-track dirt road east

of Aurora Reservoir will be reclaimed). As discussed above, the Operator is minimizing its impact on wintering deer by prioritizing the improvements of the access road between May 1 and Nov. 30, which is outside the HPH winter season (Dec. 1 to April 30).

- Mitigation Measures. Based on direct road improvement impacts to the Mule Deer Severe Winter Range HPH, the Operator requested that CPW calculate a compensatory mitigation amount to offset this one-time impact. Of the 4.0-mile-long improved access road, only the 1.29-mile northern portion of the widened access road will be assessed for direct impacts to the mapped HPH for Mule Deer Severe Winter Range. No indirect costs will be assessed since this Location is outside of HPHs. The Operator has elected to satisfy their mitigation requirements by paying a one-time fee to CPW's SB-181 Compensatory Mitigation Program. The Operator-submitted WMP document includes an accurate breakdown of the required direct and indirect compensatory mitigation amounts on WMP PDF Page 9. To summarize, the following amount would be required to be received by CPW no later than 30 days prior to the submission of Form 42, Construction Notification:

Direct Impact Mitigation: \$23,894.25

Indirect Impact Mitigation: \$0 (*Since the road doesn't increase the density of oil and gas locations*)

Total Mitigation Amount: **\$23,894.25**

Northern Leopard Frog (NLF)

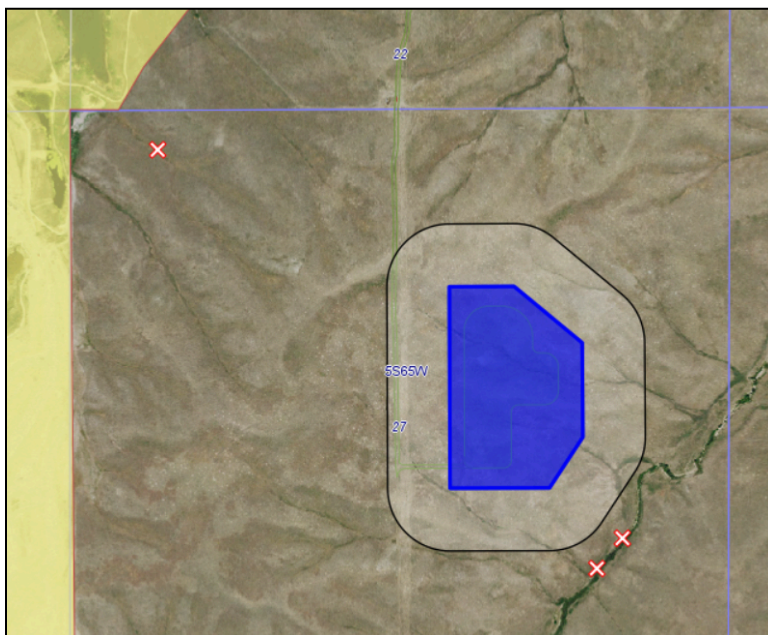
CPW previously addressed NLFs in the Wildlife Consultation Summary for another Lowry CAP OGDP, the State La Plata location. However, that location is different from this Sunlight-Long Location since that location already existed (and was recently expanded), and the access road likewise already existed and was regularly utilized by truck traffic. Therefore, CPW expected minimal NLF concerns for that location.

However, this Location would include a new 35.21-acre disturbance, near continuous operations for up to 2.2 years, and upwards of 90 or more trucks a day at the height of development activities. Hence, CPW's NLF discussion below will be more thorough as more significant habitat impacts are expected to occur, and will provide the basis for CPW's NLF COAs. Furthermore, impacts to NLFs were discussed by a few stakeholders at ECMC's 9/11/25 511 public meeting for this OGDP.

NLFs are known by CPW records and the Operator’s consultant (HWA) to occur in Black Shack Creek, the drainage approximately 535 feet east of this Location. On 9/17/25, HWA surveyed for NLF within the Location, within a 200-foot buffer of the Location, the drainages to the northwest of the Location (toward Aurora Reservoir), and the drainage to the southeast of the Location, and did not observe any NLFs nor suitable breeding habitat.

Furthermore, a 9/9/25 survey by a consulting firm (Adaptation Environmental) hired by the private advocacy group Save the Aurora Reservoir (STAR) observed NLFs also along Black Shack Creek (at least 700 feet southeast of this Location), as well as 0.49-mile northwest of the Location approaching Aurora Reservoir (see Figure 1 below).

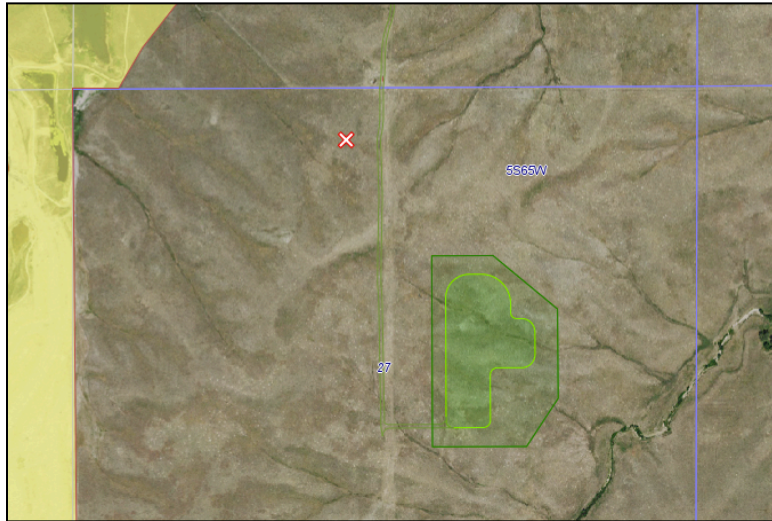
Figure 1 - Adaptations’ NLF sightings 9/9/25 (red X). The blue polygon is the proposed location, while the white polygon is a 500-foot buffer.



CPW also contacted the City of Aurora Parks and Open Space staff on 9/24/25 to ask about NLF and bullfrog observations around Aurora Reservoir. Aurora staff stated they have found NLFs on the west side of the lake, as well as downstream of the dam, both north and south of Quincy Avenue. Aurora staff could not confirm that bullfrogs have been documented at the reservoir. Also, CPW reviewed data from iNaturalist on 9/25/25, and saw that no bullfrogs have been observed at Aurora Reservoir or Black Shack Creek (a good thing for NLF; and discussed

further below). Furthermore, iNaturalist³ recorded a NLF 0.23-mile NW of this Location in July 2024 (see Figure 2).

Figure 2 - iNaturalist NLF sighting 7/2024 (red X).



The abundance of long-term and recent data points from different surveyors confirms that NLFs are present immediately in Black Shack Creek (outside the 500' buffer adjacent to the Location), upstream of this Location (even into the western neighborhoods in 2020 and Sept. 2025), and downstream approaching E. Quincy Avenue, downstream of Aurora Reservoir on both sides of Quincy, and along Coal and Box Elder creeks to the east.

CPW's codified threatened and endangered species list (Chapter 10 in 2007) cites NLFs as a non-game species⁴, and CPW's website⁵ states that NLFs have been a species of State Special Concern for the last couple of decades. However, CPW's recent (9/2025) update to its State Wildlife Action Plan (SWAP) lists NLFs as a Tier 1 Species of Greatest Conservation Need (SGCN)⁶, due to being "somewhat vulnerable based on its abundance and distribution", and "extremely vulnerable due to population trend". NLFs are one of the native amphibians

³ https://www.inaturalist.org/observations?subview=map&taxon_id=66003

⁴ CPW's Chapter 10 with NLFs as non-game vs. state endangered or threatened
<https://cpw.widencollective.com/assets/share/asset/rqyvwfzap3>

⁵ <https://cpw.state.co.us/species/northern-leopard-frog>

⁶

[https://lookerstudio.google.com/u/0/reporting/590a929e-cd66-4d95-9fc4-3bdac550f416/page/TJJ0C?params=%7B%22df9%22%22include%25EE%2580%25800%25EE%2580%2580IN%25EE%2580%2580Amphibians%22.%22df10%22%22include%25EE%2580%25800%25EE%2580%2580IN%25EE%2580%2580Northern%2520Leopard%2520Frog%2520\(Lithobates%2520pipiens\)%22%7D](https://lookerstudio.google.com/u/0/reporting/590a929e-cd66-4d95-9fc4-3bdac550f416/page/TJJ0C?params=%7B%22df9%22%22include%25EE%2580%25800%25EE%2580%2580IN%25EE%2580%2580Amphibians%22.%22df10%22%22include%25EE%2580%25800%25EE%2580%2580IN%25EE%2580%2580Northern%2520Leopard%2520Frog%2520(Lithobates%2520pipiens)%22%7D)

addressed under ECMC Rule 1202.c.(1).R species of “...other native fish and other native aquatic species conservation waters (within 500 feet of the Ordinary High Water Mark).”

On July 1, 2009, the U.S. Fish and Wildlife Service (USFWS) began a 90-day petition finding to list the NLF as federally threatened. However, on October 5, 2011, USFWS decided that listing NLFs was not warranted^{7,8}, because “while there have been declines noted in portion of the range of the species, the frog is apparently still considered to be widespread and relatively common in the eastern United States and eastern Canada.” The USFWS also stated in that federal register summary that, “some northern leopard frog populations could be impacted by oil and gas development activities through changes to water quantity or quality (due to chemical pollution or increased salinity) and through insufficient water flow to maintain wetland and stream habitat. Natural gas drilling and hydraulic fracturing may occur across the range of the northern leopard frog; however, the impacts are expected to be localized population and habitat losses rather than regional or species-level effects. The USFWS continued that, “Roads have been shown to pose barriers to northern leopard frog dispersal, to contribute to nonpoint source pollution, and to result in direct mortality of northern leopard frogs. Bouchard et al. (2009, pp. 5–6) found that the northern leopard frog’s inability to avoid roads and their slow movement make them particularly vulnerable to road mortality and that roads could thus result in negative effects to local population abundance.”

CPW's recent (9/2025) SWAP update aligns with recent (9/2025) conversations with CPW's Statewide Amphibian Coordinator and Platte River Basin Native Aquatic Species Biologist, as they agreed that the western U.S. population of NLFs is declining. For Colorado's Northeast Region and Front Range area, those biologists stated NLF populations are fragmented and limited, and existing threats are likely to significantly increase in scope and/or severity within ten years. CPW is observing that the declines are associated with habitat conversions, and drainages changing from seasonal flows to permanent flows that benefit the predatory bullfrog, which requires permanent water sources for overwintering bullfrog tadpoles. These biologists also stated that, depending on habitat conditions, adult NLFs can disperse into the uplands for up to five miles, but more likely around 0.8-mile. So while it could be possible that NLFs could be moving from Black Shack Creek to Aurora Reservoir, it is unknown for sure due to the absence of site-specific movement data.

⁷ <https://www.fws.gov/species/northern-leopard-frog-rana-piapiens>

⁸ https://www.fws.gov/sites/default/files/federal_register_document/2011-25498.pdf

However, there is likely high site fidelity (particularly for metamorph NLFs) along the creeks, which is where CPW expects most NLF activity to occur. However, due to seasonal water fluctuations and forage availability, NLF could have a wide range of movements along and between drainages, particularly to overwinter in small pools or undercut banks along Black Shack and Sand creeks, Aurora Reservoir, or the ponds in Blackstone Country [Golf] Club upstream of this Location along Black Shack Creek. While Black Shack Creek is likely not mapped as a 1202.c HPH due to it being an ephemeral tributary and mapping efforts to primarily focus on perennial drainages, CPW expects that this adjustment will be made in early 2026 for the Northeast Region's 2027 HPH map updates.

The multiple NLF observations along Black Shack Creek and Coal Creek are evidence of the good land management practices by the SLB, and point to the importance for this Operator to partner with CPW for the conservation of a SWAP Tier 1 / 1202.c.(1).R species for this Location. Also, CPW appreciates the Operator's biological consultant conducting several amphibian surveys over the last several years across SLB's Lowry Ranch, which CPW values in its deliberations for this species that appears relatively stable in these drainages. Based on all the above information, CPW makes the following recommendations to ECMC and the Operator to offset CPW's concern about this development on NLFs:

- Avoidance Measures:
 - CPW appreciates that the Location and improved access road are >500 ft from Black Shack Creek. The 500-ft buffer would have been the minimum had this tributary been mapped as HPH, and it is preferable to avoid many, but not all, of the potential negative impacts for NLF and other amphibians.
 - The Operator removed the Beaver location that would have crossed Black Shack Creek.
- Minimization Measures:
 - Although the Location is more than 500 feet from Black Shack Creek and associated wetlands⁹ and no 1202.a.3 wetland waiver will be required, CPW completed an internal review that agrees with ECMC's review of the Operator's stormwater plan to identify multiple components that ensure chemical releases do not enter Black Shack Creek.

⁹ HWA completed three wetlands surveys to confirm the 500-ft distance, Nov 2023, April 2025, and Sept. 2025

- CPW is also concerned about NLF mortalities resulting from truck and vehicle traffic. Therefore, CPW requests a CPW Proposed Condition of Approval that the Operator construct the majority of this Location and the southern portion of the access road (south of the dam) between Dec. 1 and Feb. 28 (which is during the NLFs hibernation, technically brumation¹⁰, season).
 - Furthermore, Civitas should plan ahead to coordinate with SLB to have the initial Unexploded Ordinance (UXO) clearances conducted for the initial groundbreaking in sufficient time to allow for any potential delays, or conduct two occupations of road development in that offseason, should there also be weather and/or UXO delays.
 - NLF's annual phenology includes the following:
 - Breeding season is March-May, which is CPW's highest priority to protect. NLFs may be dispersing from brumation to breeding locations.
 - Broad adult and juvenile dispersal occurs from June through November. CPW's concern is that NLFs could be injured or killed on the new access road and could have an interrupted ability to reach upland foraging areas and riparian wintering grounds.
 - Brumation (e.g., overwintering) occurs from Dec. 1 to February 28.
 - Thus, work during the time frame that NLF is in brumation is CPW's recommended best time for the Operator to complete road improvements and pad construction, particularly if they can work weekends during brumation. CPW further understands that the current (9/2025) development schedule is the following:
 - Construction: Sept. 2026 to Jan. 2027 (prioritizing road construction in Mule Deer HPH prior to December); 72 heavy trucks a day.
 - Drilling: Jan. to Aug. 2027; 24 heavy trucks a day.
 - Completions: May to Nov. 2027; 90 heavy trucks a day
- CPW appreciates the full-wrap sound wall to ensure NLFs are not directly impacted by this development and will have some indirect benefits as well.

¹⁰ Brumation = hibernation among cold blooded animals. (<https://www.britannica.com/science/brumation>)

- Mitigation Measures:
 - Given that the most traffic will occur during dispersal, we collectively have an opportunity to study and improve on CPW's recommendations for the next OGDG near occupied NLF habitat with these CPW Proposed COAs:
 - *“Monitoring - identifying the timing of NLF egg laying (active breeding season) in spring 2026, should the start of operations get pushed into spring and reconsult with CPW.”* This measure would be to get a baseline for when NLFs begin reproduction in this specific area relative to the start of drilling in spring 2027.
 - *“The operator agrees to collect water samples to monitor water quality before, during, and after occupation and document data and changes.”*
 - *“The Operator will send CPW a list of the chemicals that will be used prior to being on-site.”*
 - *“The operator agrees to repair incised channels where excessive erosion and sedimentation are occurring in connection with the Operator’s Location (where permitted by SLB).”* This is primarily focused on the area between the WPS’s outlet on the south side, where the topography doesn’t have a swale toward Black Shack Creek.
 - *“The Operator’s consultant will complete a windshield survey (vs. a pedestrian survey for safety purposes) to document any NLF mortalities on the road each time the consultant travels the access road, but no less than once a week, between March to November (NLF active periods). Any wildlife mortalities will be reported to CPW with a monthly report, with any high mortality events (>5 NLFs) be reported to CPW within 48 hours. Should a high mortality event occur, CPW requests that the Operator discuss any additional measures with CPW within 48 hours of that observation. Since predators could scavenge roadkilled NLFs between surveys, CPW requests that once a month, one of those weekly surveys occur at dawn and dusk to ensure high roadkill areas are not getting missed.”* As a reminder, “Roads” and “Oil and Gas Development” are both listed as threats by CPW¹¹ and the USFWS for this CPW Tier 1 species.

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https://tableau.state.co.us/t/CPW_AquaticVisualization/views/2025SWAPDataHubProd/SpeciesDashboard?%3Aembed=y&%3AisGuestRedirectFromVizportal=y (click on Threats Tabthreats)

juveniles away from breeding sites following completion of metamorphosis in summer, and 4) dispersal to brumation habitat during autumn.

CPW addresses the NLF concerns the public brought up during the 9/11/25 511 Public Hearing:

- One testimony discussed the 9/9/25 NLF survey, which was sent to CPW on 9/23/25. It documented the presence of NLF about 0.14 miles SE of the Location along Black Shack Creek and 0.49 miles NW of the Location near the southern tip of Aurora Reservoir.
 - CPW responds that this data matches existing CPW and HWA data that NLFs are temporarily foraging throughout these uplands. However, this data, plus the existing data from CPW and HWA, led CPW to ask for culverts and silt fencing above to reduce mortalities and to ensure NLF movement can continue throughout the development phases and during subsequent production activities.
- The same survey suggests that noise pollution during site pad construction, drilling, and completions will disrupt NLFs during breeding, as they use auditory calls to respond and move responsively.
 - CPW responds that while there will be some noise impacts to NLFs, given their continued presence along Black Shack Creek, CPW does not expect noticeable breeding or population declines due to the implementation of a sound wall at the Location, and because some proportion of NLFs may not be moving across drainages to breed (e.g., moving from Black Shack Creek to Aurora Reservoir), but within the same drainage (e.g., strong breeding site fidelity).
- Based on the science of NLFs being observed near this Location, a public commenter recommends the pad be canceled or moved away from critical wildlife habitat.
 - CPW responds by stating that the alternative locations were examined, and given the other receptor constraints, we could not identify a better, more protective location to drain this DSU.

Black-tailed Prairie Dogs and Burrowing Owls

Even though there are Black-tailed Prairie Dog (BTPD) burrows on ECMC's webmapper's most recent (2021) aerial photos, and some were observed during CPW's 9/27/22 site visit, CPW did not observe any during the 4/1/24 site visit. However, the Operator's consultant surveyed for

and mapped a 141.53-acre BTPD colony immediately adjacent to the Location's WPS¹³; hence why it resembles the outline of the side profile of a fire hydrant. HWA has re-mapped this prairie dog town for eight of the last 13 years. For the 11.66 acres of BTPDs within the proposed Location (and 1.16 acres within the WPS), the Operator plans to passively live relocate them outside of the Location's Limit of Disturbance. This Operator is also constructing this Location outside the BTPD's spring pupping season, so CPW expects limited to no impacts to the adjacent BTPD colony. The Operator also stated that they are not going to poison these burrows.

Regarding the BTPD-dependent Burrowing Owl, the Operator's biological consultant has observed a nesting Burrowing Owl approximately 500 feet northeast of the Location, and three more northeast of Aurora Reservoir, immediately northeast of the access road. During 2025 surveys, no active Burrowing Owl nests were within 0.25-mile of the proposed Location.

However, the Operator is planning to construct this Location and access road outside (September to January) the Burrowing Owls' nesting season (March 15 to August 31). This demonstrates that the Operator plans to avoid nesting impacts. Should the Operator's schedule to begin work be delayed, then the Operator's consultant will complete a formal Burrowing Owl survey, and re-consult with CPW should a nesting Burrowing Owl appear within the Location's Limit of Disturbance or within ¼-mile of this Location..

Swift Fox

The Operator and CPW are aware that Swift Foxes are relatively common across SLB's Lowry Ranch, as CPW observed a Swift Fox about four miles east during the initial 9/27/22 Lowry CAP site visit. According to the Operator's WMP, which is based on seven years of data, there are no documented Swift Fox dens within ½-mile of this Location. The closest den is approximately 1.25 miles to the ENE, but it was last active in 2018 and was inactive during surveys the next two years. The closest Swift Fox detections have been approximately 1.0 mile to the east back in 2020. Furthermore, the Operator's consultant also documented a Swift Fox on a trail camera

¹³ Note: to ensure readers are clear on the difference between the definitions of "Location" and "Working Pad Surface". The "Location" is the larger main limits of disturbance (besides the access road and pipeline corridors) and includes the stormwater controls and slope stabilization outside of the "Working Pad Surface" - which includes both the permanent production pad ("post-interim reclamation pad") and the temporary pad during development. The permanent production pad is the smallest remaining area of impact that has been leveled where the oil and gas locations will occur and will remain for the life of the wells.

southeast of Aurora Reservoir in 2020. HWA is still processing 2025 Swift Fox data and has no updates at this time.

While Swift Foxes are observed throughout the Lowry Ranch, none have been observed occurring or denning within or near this Location or access road in the last five years; therefore, CPW expects little to no impact on this Swift Fox population from this OGD. Should the Operator's schedule to begin work get delayed into the Swift Fox's denning season (March 15 to June 15), then the Operator's consultant will complete a formal Swift Fox den survey within the Location and within ½-mile of this location, and reconsult with CPW should a den be detected.

Remaining wildlife-related public testimony or emails

- CPW appreciates that the Operator moved the access road outside the 500-foot Sportfish Water buffer associated with Aurora Reservoir, even though it will create a new disturbance on the landscape. However, the benefits are that any sedimentation or spills would not go into Aurora Reservoir.
- CPW received two emails from nearby STAR residents asking about potential impacts from this development on Cooper's Hawks and Great-horned Owls. Both raptor species are common in urbanized areas, and are not expected to be directly affected by this OGD.
- Another testimony stated that this OGD is "not protective of wildlife per the above NLF discussion" and to "update the wildlife surveys".
 - CPW disagrees, and responds with similar language to other Lowry OGDs - that the Operator's consultant has the most robust (10s of thousands of data points) and recent (2024 and some initial 2025) wildlife data for CPW to consider and make the above wildlife protection recommendations.

Conclusion

Based on the results of CPW's pre-application and post-completeness consultation process, no outstanding issues or concerns identified by CPW with this development proposal remain unaddressed by the Operator. CPW believes that the applicant's proposed measures will effectively avoid, minimize, and mitigate adverse impacts to wildlife resources present in this area.

CPW has approved the Operator's State Sunlight-Long South WMP (dated 5/29/25) and CPW's webforms Wildlife Task on 9/30/25. CPW plans to attend this hearing and answer any wildlife questions.

Brandon Marette, M.S., Certified Wildlife Biologist®
CPW's Northeast Region Energy Liaison