

1200 Series

Wildlife Rules

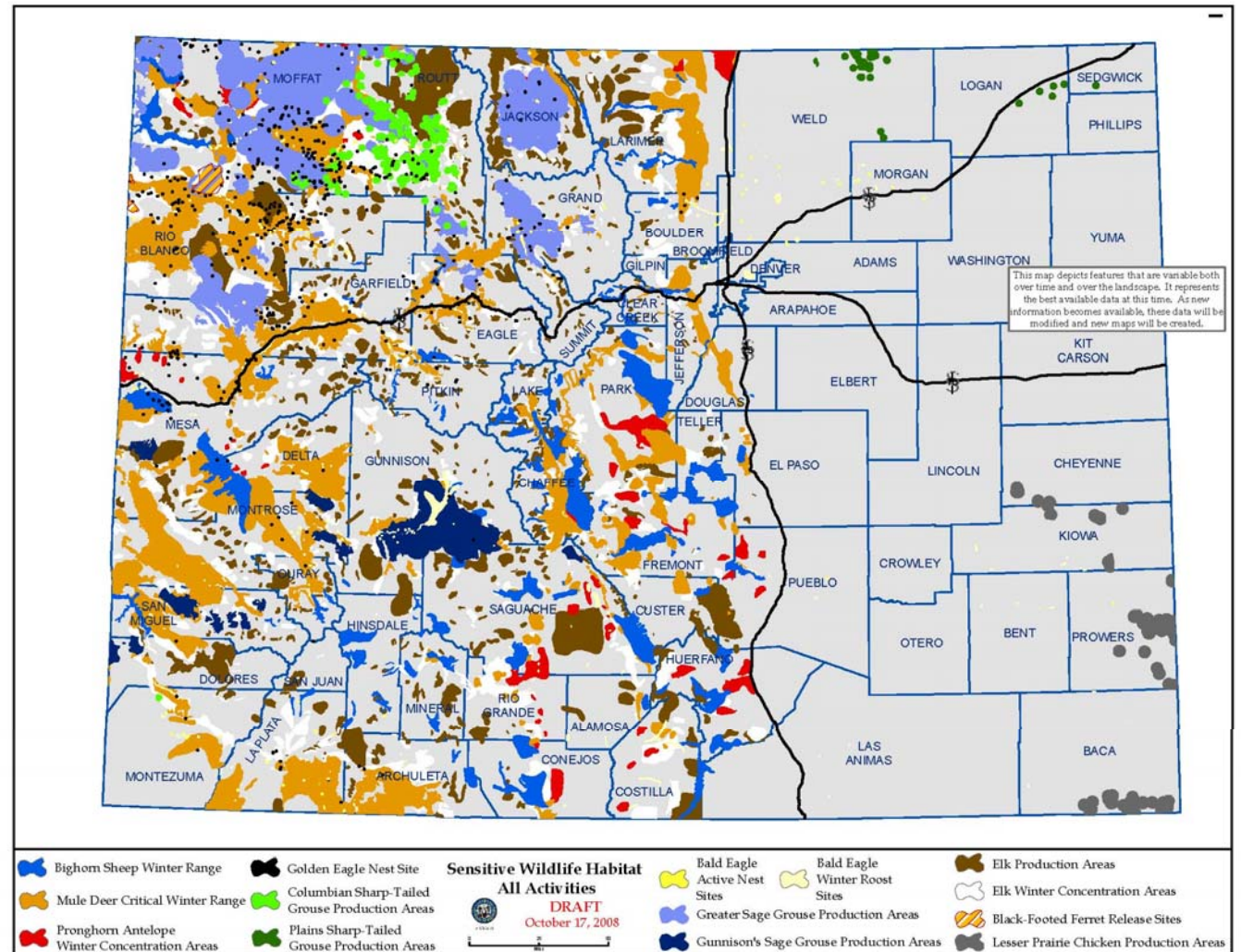
Rule 1201

Identification of Wildlife Habitats

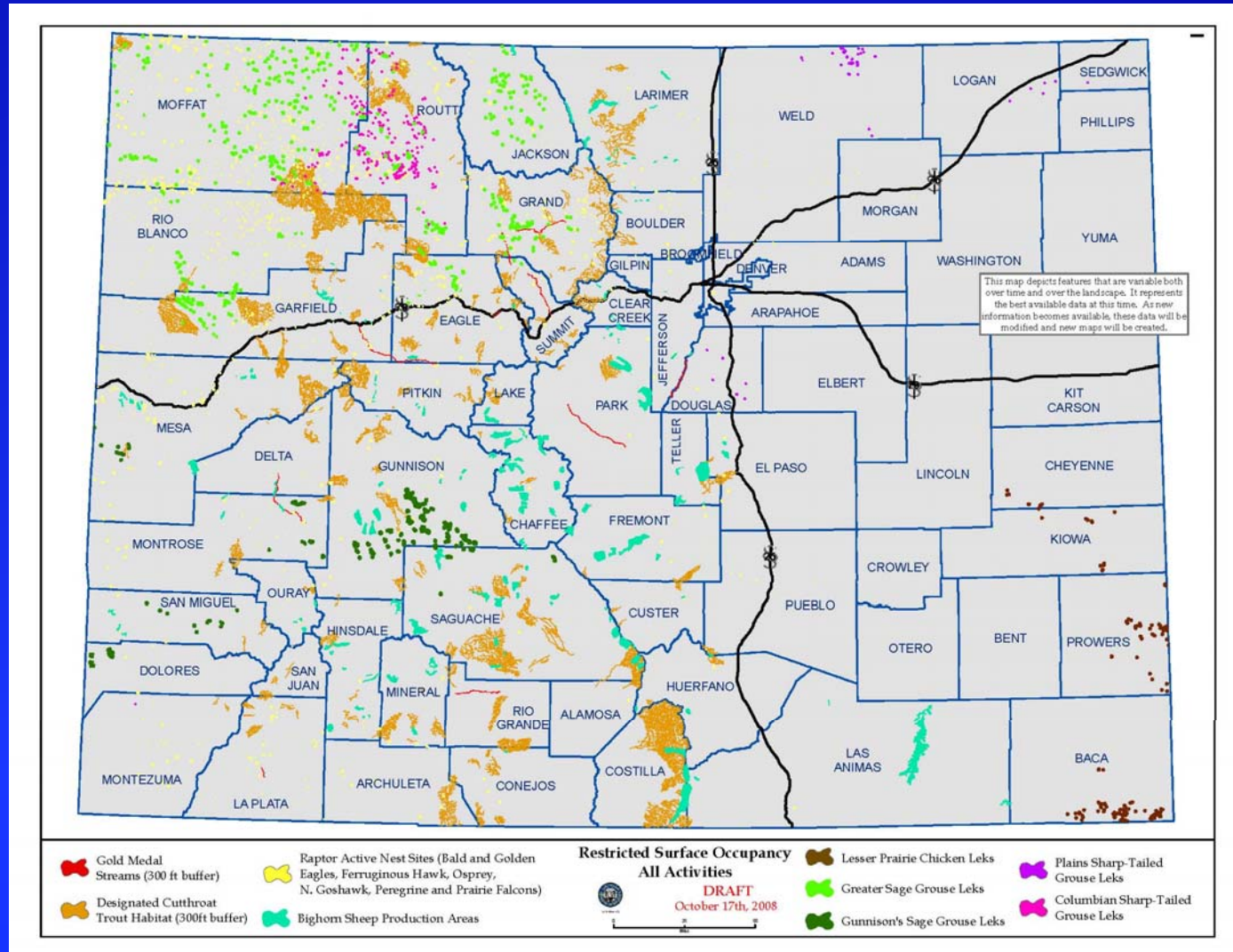
1201 - Identification of Wildlife Habitats

- Before preparing a CDP or Form 2A, operators must review sensitive wildlife habitat (SWH) and restricted surface occupancy (RSO) area maps on the COGCC website.
- The CDP or Form 2A must note whether the location is in a SWH or RSO area.

Map of Sensitive Wildlife Habitat



Map of Restricted Surface Occupancy



Rule 1202

Protection Of Wildlife Resources - Consultation

1202 - Consultation

- Allows the Director to determine whether conditions of approval are necessary to minimize adverse impacts:
 - from a proposed location in a SWH or RSO area;
 - in an order increasing well density; or
 - for a variance from the 1200 Rules.

1202 – Consultation (Cont'd)

- Minimize adverse impacts means to:
 - avoid such impacts;
 - minimize the extent and severity of impacts that cannot be avoided;
 - mitigate the effect of any remaining impacts; and
 - consider cost-effectiveness and technical feasibility together with other provisions of the Act.

1202 – Consultation (Cont'd)

The consultation process is initiated by the CDOW and includes the COGCC, operator, and surface owner.

1202 – Consultation (Cont'd)

- Conditions of approval are guided by a “picklist” of wildlife BMPs (forthcoming).
- In selecting conditions of approval, the Director may consider multiple factors including:
 - The listed BMPs;
 - The site and species;
 - The direct and indirect wildlife effects;
 - Use of existing facilities and reduction of additional disturbance;
 - The existence of alternative sites;
 - Other existing disturbance.

1202 – Consultation (Cont'd)

Consultation is **not** required in the following circumstances:

- The location is already covered by a CDP or Form 2A
- The location is covered by a wildlife mitigation agreement with CDOW.
- The habitat or species is not present.
- The new well would involve a one-time increase in disturbance of 1 acre or less per well site at or immediately adjacent to the well site.
- The operator gets a COGCC order limiting development to 3 well sites per section with ground disturbing activity limited to 1 well site during the most sensitive period (not applicable to certain sage grouse habitat).

1202 – Consultation (Cont'd)

The surface owner must consent to any permit-specific condition of approval for wildlife habitat. If such consent is withheld, then the parties will consult on alternative conditions.

Rule 1203

General Operating Requirements Within Sensitive Wildlife Habitat

1203 - General Operating Requirements Within Sensitive Wildlife Habitat

In SWH and RSO areas, operators must comply with 16 operating requirements, including:

- Installing wildlife crossovers and escape ramps over open trenches;
- Consolidating new facilities to minimize wildlife impact;
- Minimizing rig mobilization and demobilization where practicable;
- Consolidating pipeline corridors and roads to the extent practicable;
- Boring instead of trenching to cross certain perennial streams;
- Treating pits to control West Nile virus;
- Using wildlife appropriate seed mixes and fences with the surface owner's consent;

1203 - General Operating Requirements Within Sensitive Wildlife Habitat (Cont'd)

- Limiting access to oil and gas roads where approved by surface owners, surface managing agencies, or local government;
- Using topographic features and screening to create seclusion areas, with the surface owner's consent;
- Using remote production monitoring where practicable;
- Reducing traffic associated with transporting liquids

Any exceptions need to be specified in the Form 2A

Rule 1204

Other General Operating Requirements

1204 - Other General Operating Requirements

In all areas, operators must comply with the following 5 operating requirements:

- Using bear-proof dumpsters and trash receptacles in specified black bear habitat;
- Using disinfection practices for mud and debris in specified areas;
- Minimizing surface disturbance;
- Establishing new staging, refueling, and chemical staging areas outside of riparian zones and floodplains; and
- Using minimum practical construction widths for new rights-of-way crossing riparian areas, streams, and critical habitats.

Any exception needs to be specified in the Form 2A.

Rule 1205

Requirements in Restricted Surface Occupancy Areas

1205 - Requirements in Restricted Surface Occupancy Areas

Operators must avoid new ground disturbance in RSO areas to the extent technically and economically feasible.

Exceptions:

- When authorized following consultation;
- When authorized by a CDP;
- Where the identified habitat is not present;
- When specifically exempted by the CDOW; and
- In situations posing a risk to public health, safety, welfare, or the environment.

1205 - Requirements in Restricted Surface Occupancy Areas (Cont'd)

Exceptions cont.:

- The restriction on ground disturbance is not applicable to: production; routine maintenance; repairs and replacements; emergency operations; reclamation; and habitat improvements. Non-emergency workovers may be performed with prior Director approval.
- The restrictions will not apply until January 1, 2010, where the operator initiates consultation on the location prior to the effective date of the rule.