

September 29, 2021

SIMCOE LLC

Attn: Gina Doerner

Gina.Doerner@ikavenergy.com

1199 Main Ave., Ste 101

Durango, CO 81301

**RE: Minor Oil & Gas Pipeline Facility – Project # 2021-0247
Barnes SWD to Florida SWD Waterline**

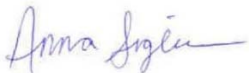
Dear Ms. Doerner,

In accordance with Section 90-74 of the Oil and Gas Regulations of the La Plata County Land Use Code (LUC), the La Plata County Planning Department hereby grants administrative approval for the Barnes SWD to Florida SWD Waterline and the associated disturbance as provided in the application.

This permit approval does not remove or negate any conditions placed on co-located facilities or other previously approved infrastructure, nor does it preclude the requirement to adhere to any of the provisions in Chapter 90 of the LUC.

The facilities that are approved by this application shall be subject to the requirements as outlined in Chapter 90 of the LUC and the attached conditions of approval (COA's). Conditions that may require additional submittals with other County Departments have been emphasized with italics. If you have any questions or concerns please feel free to contact the La Plata County Natural Resources Planner, Anna Sigler, via email at anna.sigler@co.laplata.co.us or by phone at (970)382-6375.

Thank you,



Anna Sigler

Natural Resources Planner

La Plata County Community Development Department

La Plata County Land Use Code – Conditions of Approval

1. Approval granted for the facility shall expire or be considered revoked if the project has not started within two years from the date of this approval, or three years with a valid permit extension. Expired permits forfeit all associated fees paid as part of the original application including MOU or road impact fees (LUC Sec. 90-44.I).
2. If the applicant desires to modify the subject facility by changes to the permanent equipment, site layout, or operating plan approved in this permit, the addition of new permanent equipment, or new grading activities, an amendment to the original application is required (LUC Sec. 90-44.II).
3. Replace earth adjacent to water crossings at slopes less than the natural angle of repose for the soil type of the site (LUC Sec 90-123.III.C).
4. All segregated soil horizons shall be replaced to their original relative positions and contour as near as practicable to achieve erosion control and long-term stability, and shall be tilled adequately in order to establish a proper seedbed. Reseeding of disturbed areas shall occur within 30 days after completion of grading (LUC Sec. 90-124.VI).
5. All above ground equipment shall be colored in uniform or camouflaging, non-contrasting, non-reflective color tones, similar to BLM Standard Environmental and Supplemental Colors coding system. Colors should match the land, not sky, and be slightly darker than the adjacent landscape (LUC Sec. 90-123.III.E).
6. At all times, best management practices shall be used to prevent stormwater discharges from impacting surface water quality and prevent any impacts to the adjacent Florida River (LUC Sec. 90-123.III.H).
7. All outdoor lighting fixtures with an initial output of more than 2,000 lumens shall have a full cutoff fixture. The fixture shall be designed to shield the source of illumination from view from above or from adjacent property, and to not cast significant light other than straight down from the source (LUC Sec. 90-123.III.J).
8. Simcoe LLC is responsible for ongoing weed control of the right-of-way until final reclamation is complete (LPLUC Sec. 90-124.V).
9. All land within 25 ft. of any tank, pit or other structure containing flammable or combustible materials shall be kept free of dry weeds, grass or rubbish (LUC Sec. 90-122.V.D).
10. The site shall be maintained free of debris and excess material at all times during operation (LPLUC Sec. 90-124.IV.A).
11. Do not place equipment staging, storage, and/or refueling areas within riparian and/or wetland areas (LPLUC Sec. 90-123.IV.A.4.e).
12. During pipeline construction, for trenches that are left open for more than five days and are greater than five feet in width, install wildlife crossovers and escape ramps where the trench crosses well-defined game trails and at a minimum of one-quarter mile intervals where the trench parallels well-defined game trails (LUC Sec. 90-123.IV.A.4.c).
13. Applicant shall remove or require the removal of chains from its heavy equipment before entering a county road (LUC Sec. 90-124.III.A).
14. If mud and/or debris is tracked onto the county road by applicant or its subcontractor's equipment, applicant shall remove same and restore the condition of the road as promptly as is reasonable under the circumstances (LUC Sec. 90-124.III.B).
15. Dust shall be suppressed throughout construction and operational activities (LUC Sec. 90-124.III.H).
16. Open-ended discharge valves on all storage tanks, pipelines and other containers shall be secured (LUC Sec. 90-122.V.C).

17. The exhaust from all engines, motors, coolers and other mechanized equipment shall be vented up or in a direction away from the closest existing residences (LUC Sec. 90-122.IV.A).
18. Applicant shall be required to adhere to all other applicable regulations for the construction and operation of the pipeline facility, as indicated in Chapter 90 of the LUC.
19. All recommendations and commitments as identified in the Colorado Parks and Wildlife (CPW) agency comment letter shall be adhered to at all times. A summary of the recommendations and conditions are outlined below. The original letter is also attached. As discussed in the CPW letter, SIMCOE LLC outlined best management practices to be used in the permit application letter. These are repeated below and shall be implemented to avoid and minimize potential impacts to big game and raptor resources in the area from construction activities. (LUC Sec 90-123.IV).
20. *Submit an AutoCAD or equivalent GIS digital file of the proposed pipeline to the Office of Emergency Management at pipeline@co.laplata.co.us once the pipeline has been constructed (this information will be kept confidential).*
21. *Submit a map of the as built pipeline alignment with the pipeline material and diameter information to Renae Durand at the Assessor's Office at renae.durand@co.laplata.co.us once the pipeline has been constructed (this information will be kept confidential).*

Site Specific Wildlife Mitigation Plan to be followed (as outlined in the permit application). "SIMCOE LLC agrees to implement the following measures to mitigate adverse impacts to wildlife resources along the proposed pipeline route."

- "Avoid initial pipeline construction activities between December 1 and April 30 for wintering big game (mule deer and elk).
- If initial pipeline construction activities will occur between February 15 and July 14, conduct a preconstruction raptor nest survey within ½ mile of the proposed pipeline alignment and within two weeks of the construction start date. If an active raptor nest is located within ½ mile of the construction area, SIMCOE LLC will consult with CPW.
- If initial pipeline construction activities will occur between December 1 and July 31, conduct a preconstruction bald eagle nest survey within ½ mile of the pipeline alignment and within two weeks of the construction start date. If an active nest is located within ½ mile of the construction area, SIMCOE LLC will consult with CPW (Colorado Parks and Wildlife)".
- If initial pipeline construction activities will occur between April 1 and August 31 and will involve removal of suitable habitat for nesting migratory birds, a nesting migratory bird survey will be conducted within two weeks of the construction start date.

Colorado Parks and Wildlife (CPW) encourages the operator to implement the following measures to minimize adverse impacts to wildlife resources along the proposed pipeline route and Florida River:

- "Control sedimentation from entering the Florida River.
- If dewatering is to occur, do not discharge water directly back in to the stream, filter sediment out of discharge water by utilizing a sedimentation bag or other means to remove sediment.
- Avoid direct discharge of hydrostatic test water into any wetland or stream course.
- Disinfect heavy equipment, hand tools, boots, and any other equipment that was previously used in a river, stream, lake, pond, or wetland prior to moving equipment to another water body to avoid spreading aquatic nuisance species or other undesirable biota (fish pathogens or parasites)."



COLORADO

Parks and Wildlife

Department of Natural Resources

Southwest Region Office
415 Turner Drive
Durango, CO 81303
P 970.375.-6703 | F970.375.6705

September 23, 2021

Ms. Anna Sigler
La Plata County Community Development Department
211 Rock Point Ave
Durango, CO 81301

RE: Simcoe, LLC Barnes SWD to Florida SWD Pipeline Project

Dear Anna:

Colorado Parks and Wildlife (CPW) has reviewed the surface location and permit application for the proposed Simcoe Barnes SWD to Florida SWD Pipeline Project. CPW conducted an onsite of the proposed project on September 16, 2021 with the operator and La Plata County staff. The proposed pipeline is located in Section 3 T33N, R9W and is approximately 340 feet in length and 40 feet in width. Pinyon-juniper forest dominate the surrounding landscape and the Florida River is located immediately to the south.

Habitat Quality and Impacts to Habitat Use from Construction Activities:

The proposed pipeline falls within an area mapped as mule deer critical winter range. In addition, deer and elk migrate through this area from high elevation summer range in the San Juan Mountains to the project area and further south into New Mexico. The piñon-juniper forest located on hillside and ridge tops provide security and thermal cover to wintering big game animals adjacent to the proposed alignment. Raptor nests are near the proposed project.

We appreciate the operator proposed best management practices outlined in permit application #3.A-D. These are sufficient to avoid and minimize potential impacts to big game and raptor resources in the area from construction activities. CPW encourages La Plata County and the operator to implement the following measures to minimize adverse impacts to wildlife resources along the proposed pipeline route and Florida River:

- Control sedimentation from entering the Florida River;
- If dewatering is to occur, do not discharge water directly back into to the stream, filter sediment out of discharge water by utilizing a sedimentation bag or other means to remove sediment;



- Avoid direct discharge of hydrostatic test water into any wetland or stream course;
- Disinfect heavy equipment, hand tools, boots, and any other equipment that was previously used in a river, stream, lake, pond, or wetland prior to moving equipment to another water body to avoid spreading aquatic nuisance species or other undesirable biota (fish pathogens or parasites).

We appreciate this opportunity to comment on this project. If you have questions, or would like to discuss possible alternative recommendations to those that we have provided, please contact me at 970-759-9587. We look forward to working together to benefit wildlife.

Sincerely,



Brian Magee

SW Region Energy Liaison

Cc: Adrian Archuleta Area Wildlife Manager, Stephanie Schuler, District Wildlife Manager, Brad Weinmeister Terrestrial Biologist, Area File, Region File