

November 18, 2021

Catamount Energy Partners, LLC

Attn: Nolan Redmond

nredmond@catamountep.com

1001 W. 17th Street, Suite 1160

Denver, CO 80202

RE: Minor Oil & Gas Pipeline Facility – Project # 2021-0305
4A11 Phase 2 - Ellis to Bayfield CDP Pipeline (Harper Pipeline Tie-in)

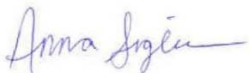
Dear Mr. Redmond,

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 4A11 Phase 2 Pipeline 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. Use an appropriate seed mix as recommended by Colorado Parks and Wildlife (CPW) – see attached comment letter.
6. 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).
7. At all times, best management practices shall be used to prevent stormwater discharges from impacting surface water quality and to ensure no jurisdictional Waters of the United States or Jurisdictional riparian/wetland areas are permanently impacted, including Crowbar Creek. (LUC Sec. 90-123.III.H).
8. Ag-induced/irrigated wetlands are present across portions of the pipeline route (parcel 568118100801 & 568117200800). Best management practices shall be employed to ensure the areas are not permanently impacted. Re-seed with an appropriate wetland seed mix. (LPLUC Sec.90-123.I.B, Sec. 90-123.IV.A.4.e).
9. Catamount Energy Partners, LLC is responsible for ongoing weed control of the right-of-way until final reclamation is complete (LPLUC Sec. 90-124.V).
10. 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).
11. The site shall be maintained free of debris and excess material at all times during operation (LPLUC Sec. 90-124.IV.A).
12. Do not place equipment staging, storage, and/or refueling areas within riparian and/or wetland areas (LPLUC Sec. 90-123.IV.A.4.e).
13. 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).
14. Applicant shall remove or require the removal of chains from its heavy equipment before entering a county road (LUC Sec. 90-124.III.A).
15. 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).

16. Dust shall be suppressed throughout construction and operational activities (LUC Sec. 90-124.III.H).
17. Open-ended discharge valves on all storage tanks, pipelines and other containers shall be secured (LUC Sec. 90-122.V.C).
18. During construction, 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).
19. 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.
20. Adhere to all Federal and State regulations.
21. 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 (LUC Sec 90-123.IV).
22. Adhere to terms of the La Plata County Open Space Conservation Easement (parcels 568118100801 & 568117200800, reception #1137241).
23. *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).*
24. *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 recommended by Colorado Parks and Wildlife (CPW):

- Adhere to and complete all obligations required by the mitigation agreement with CPW to offset construction-related impacts to wildlife, per CPW's comment letter:

"Catamount and CPW have signed a Letter Agreement that will offset the anticipated project impacts from construction activities in the beginning of the winter. Catamount has agreed to make available up to \$50,000 to help cover the transaction costs of placing a Conservation Easement on a property that contains significant winter range habitat for deer and elk with a 3rd party land trust."
- "Avoid construction activities February 1st – April 30th to minimize project impacts on wintering big game.
- If the project is not completed by January 2022, then a preconstruction raptor nest survey should occur within ½ mile along the pipeline alignment. Surveys should be conducted between March 15th - July 15th, paying particular attention to surveying the prairie dog colony for burrowing owls. If an active raptor nest is located within ½ mile of the project, consult with CPW.
- During pipeline construction, install trench plugs, earthen ramps, or other means as necessary to ensure that open pipeline trenches do not trap wildlife, and that pipe strings do not impair wildlife movements. Escape ramps should be constructed at a minimum of ¼ mile intervals.
- Do not place staging, refiling, or chemical storage areas within riparian zones and floodplains
- Control erosion and sedimentation from spoils and repair incised channels where excessive erosion and sedimentation is occurring.
- Do not remove native riparian canopy or stream bank vegetation where possible.
- If dewatering is to occur, do not discharge water directly back into 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 | F 970.375.6705

November 18, 2021

Mr. Neal Starkebaum
La Plata County
Community Development Department
211 Rock Point Ave
Durango, CO 81301

RE: Catamount Energy Partners LLC-4A11 Phase 2 Ellis to Bayfield Pipeline

Dear Director Starkebaum:

The Colorado Parks and Wildlife (CPW) has reviewed the materials for the La Plata County Minor Pipeline Permit Application for the proposed Catamount Energy Partners (Catamount) 4A11 Phase 2-Ellis to Bayfield CDP Pipeline. CPW attended and onsite with the operator, landowners, and representatives from La Plata County. The proposed pipeline is approximately 7125 feet length resulting in approximately 9 acres of surface disturbance of the project. The pipeline begins on the north side of County Road (CR) 523 at near the intersection of CR 523 and CR 525. The line parallels CR 523 then travels north, crossing Crowbar Creek, then turns west across the Simco Property and ties into the Bayfield CDP Facility. The pipeline will follow an existing pipeline corridor across the Simco Property. Irrigated agricultural fields dominate the surrounding landscape with small pockets of pinyon-juniper and sagebrush. Crowbar creek consist of wetlands and riparian areas, and there are several pockets of irrigated wetlands and sagebrush throughout the corridor.

Habitat Quality and Impacts to Habitat Use from Construction Activities:

The proposed pipeline falls within an area mapped by CPW as elk and mule deer severe winter range. The area is also mapped by CPW as elk and mule deer winter concentration areas. 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.

There is a prairie dog colony located on the western portion of the project alignment adjacent to an existing well pad and pipeline corridor. Burrowing owls often nest underground within prairie dog colonies and can be highly tolerant to human disturbance. In Colorado, burrowing owls can occupy their nests between March 15-October 31.

The New Mexico Meadow Jumping Mouse (NMMJM) is known to occur on Southern Ute Indian Tribe (SUIT) lands in close proximity to the project area. A presence/absence survey was conducted along Crowbar Creek in 2018. There were no NMMJM found during that survey.



A portion of the Simco Property is under a conservation easement held by La Plata Open Space Conservancy (LPOSC) who has a legal surface interest in the property. We recommend contacting LPOSC for more details regarding the easement and the proposed project.

Mitigation Project

CPW has had numerous conversations with Catamount regarding the timing of construction activities of this project, and understands that Catamount has a need to complete the pipeline by January 2022. CPW typically recommends that construction activities not occur in the winter annually to minimize disturbance to deer and elk without mitigation designed to offset the impacts to deer and elk during the winter months. Catamount and CPW have signed a Letter Agreement that will offset the anticipated project impacts from construction activities in the beginning of the winter. Catamount has agreed to make available up to \$50,000 to help cover the transaction costs of placing a Conservation Easement on a property that contains significant winter range habitat for deer and elk with a 3rd party land trust.

Conservation Easements are legally binding agreements intended to protect in perpetuity conservation values by limiting the surface use of the encumbered property. Conservation easements are often used to protect critical ecological, open-space, and habitat values for wildlife and wildlife recreation. Conservation easements have significant public benefit by maintaining the conservation values of land in perpetuity, and are used as the primary conservation strategy for maintaining populations of sensitive wildlife species that occupy private lands.

Therefore, CPW believes that the proposed mitigation project will provide long-term conservation benefit for the San Juan deer and elk herds and thus is in the public interest.

Seed Mix

The proposed seed mix for rangeland primarily utilizes preferred native species. This mix could be improved for use by wildlife with the addition of a shrub component of either sagebrush, four winged salt brush, or winter fat at a PLS rate of 1/acre.

We are concerned with the use of Garrison Creeping Foxtail proposed within the irrigated pasture mix. This species can become dominant and invasive. If acceptable to the surface owners, CPW recommends omitting this species from the proposed pasture mix.

Impact Avoidance, Minimization, and Mitigation Recommendations:

In addition to completing the Mitigation Project mentioned above, CPW recommends the following best management practices (BMP) to minimize impacts to wildlife resources:

- Avoid construction activities February 1st-April 30th to minimize project impacts on wintering big game;
- If the project is not completed by January 2022, then a preconstruction raptor nest survey should occur with ½ mile along the pipeline alignment. Surveys should be conducted between March 15-July 15 paying particular attention to surveying the prairie dog colony for burrowing owls. If an active raptor nest is located within ½ mile of the project area, consult with CPW.

- During pipeline construction, install trench plugs, earthen ramps, or other means as necessary to ensure that open pipeline trenches do not trap wildlife, and that pipes strings do not impair wildlife movements. Escape ramps should be constructed at a minimum of ¼ mile intervals;
- Do not place staging, refueling, or chemical storage areas within riparian zones and floodplains;
- Control erosion and sedimentation from spoils and repair incised channels where excessive erosion and sedimentation is occurring;
- Do not remove native riparian canopy or stream bank vegetation where possible;
- 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; and
- 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 schedule a site visit to discuss possible alternative recommendations to those that we have provided, please contact me at 970-375-6707. We look forward to working together with you to benefit wildlife.

Sincerely,



Brian Magee
Land Use Coordinator
Southwest Region

cc: Matt Thorpe, Deputy Regional Manager, Adrian Archuleta, Area Wildlife Manager-Durango, Stephanie Taylor, District Wildlife Manager, Brad Weinmeister, Terrestrial Biologist.