

Based on Noble Energy's Preliminary Draft of their CDP (dated 7/5/18), Colorado Parks & Wildlife (CPW) has the following five (5) comments for this proposed development (in order of priority):

1) Avoid locating pads within 1/2-mile of Milton Reservoir and the associated riparian area for three reasons. First, there is an active bald nest in T3N, R65W, Section 10. Second, there is a mapped bald eagle winter night roost mapped on and near Milton Reservoir [T3N, R65W, Section 10 (all), and portions of Sections 2-3, 11, 14-15, and 23]. If pads are proposed within 1/2-mile of this active bald eagle nest between October 15 through July 31 or within the mapped buffers between November 15 and March 15, then CPW requests further consultation with us and the U.S. Fish and Wildlife Service to discuss avoidance, minimization, and mitigation options to reduce any impacts on bald eagles to the maximum extent possible.

2) Avoid mapped raptor nests and potential nesting habitats for raptors and songbirds. If initial site disturbances will occur between March 1 through July 31, we recommend that a biologist conduct a breeding bird survey for riparian, ground (e.g., horned larks, burrowing owls, or northern harriers), shrub, tree or man-made (e.g., poles) habitats. If an active nest is observed, contact CPW for the appropriate timing buffers and spatial recommendations. Currently there are four active red-tailed hawk nest mapped in T2N, R64W, Section 6, NW 1/4; T3N, R65W, Section 12, NW 1/4; T4N, R64W, Section 28 SW 1/4; T4N, R64W, Section 29, SE 1/4; and three active Swainson's hawk nests mapped in T3N, R65W, Section 24, SW & SE 1/4; and T2N, R63W, Section 8, NE 1/4; T4N, R64W, Section 33, SE 1/4.

3) Avoid placing wells within Box Elder Creek and its 100-year floodplain, and minimize to the extent possible any new vehicle crossings of the creek. For any new creek crossings, please ensure they are at a perpendicular angle and appropriate sedimentation measures are installed and regularly maintained. Box Elder Creek is mapped as an Aquatic Recovery and Conservation Water, meaning that they are managed for several species of Eastern Plains native fish from the creek bank edges extending 100 meters away. This recommendation is to ensure the protection of water quality from hydrocarbons when the next flood occurs.

4) Include CPW during the project's construction kickoff meeting. Besides discussing bald eagle avoidance, minimization and mitigation measures, one of the topics a wildlife officer would discuss is to discourage poaching during construction. While we do not expect it at this site, there has been an increase of construction-related poaching across the state where the construction crews and/or the public using construction roads have illegally shot various wildlife (e.g., deer) in the areas where new energy facilities were being constructed. Therefore, we request that Noble commits to conducting a one-time kickoff environmental briefing for all their construction and other field staff with a CPW wildlife officer to present on legal hunting (e.g. how they can purchase tags and legal hunting seasons) in Colorado. Making this connection with the local wildlife officer will also assist when the wells and pipelines are operational, and if someone has a wildlife and/or habitat-related question that could arise (e.g., dead bird or deer found on a pad). It is imperative that this project is ethically constructed and does not illegally take big game or other wildlife species in Weld County.

5) Discuss and coordinate the timing and effects of this project with the private owner of Milton Reservoir and other upland landowners to minimize the disruption on any waterfowl/upland hunting and/or fishing.

In conclusion, CPW appreciates the pre-application meeting with Noble Energy to discuss ways this development can minimize its effect on sensitive wildlife species in the area by finding locations that allow for responsible energy development.

Should anyone have any questions about these comments, contact CPW's Northeast Region Energy Liaison (Brandon Marette) at (303) 291-7327.