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Comments:

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January 9, 2024

Columbine District Ranger - Nick Glidden

Columbine Ranger District, USFS

367 South Pearl St.

Bayfield, CP 81122

RE: Catamount Spring Creek Pipeline and Associated Fruitland Coal Gas Drilling Project - Draft Environmental Assessment #63036

Dear Mr. Glidden:

Colorado Parks and Wildlife (CPW) has reviewed the Draft Environmental Assessment (EA) #63063 provided by the San Juan National Forest (SJNF) - Columbine Ranger District for the above mentioned project. In addition, CPW provided scoping comments on November 18, 2022 and visited the location for the proposed Catamount Spring Creek Pipeline and Associated Fruitland Coal Gas Drilling Project on November 2, 2022. The project is located in the western HD Mountains of La Plata and Archuleta Counties, Colorado. The proposed pipeline is approximately 8.4 miles in length and will be constructed within a 40-foot Right-of-Way (ROW) resulting in 40.86 acres of short-term surface disturbance. The proposed pipeline follows Spring Creek and Salt Canyon, which are identified as intermittent drainages. In addition, an existing well pad and access road will be expanded along with the installment of pipeline TUAs resulting in 3.36 acres of new long-term disturbance. The well pad and upper sections of the proposed pipeline are within mixed conifer forest, transitioning to pinyon/juniper and sagebrush dominated landscapes in the lower elevations.

Habitat Quality and Habitat Use

The proposed pipeline and well pad fall within an area mapped as elk and mule deer Winter Concentration Areas, mule deer Migration Corridor, and Severe Winter Range for elk - High Priority Habitats (HPHs). Deer and elk also migrate through this area from high elevation summer range in the San Juan Mountains to the project area and further south into New Mexico. This area has some of the highest concentrations of wintering mule deer anywhere in the San Juan Basin. The pinyon-juniper and ponderosa forest located on hillsides and ridge tops provide security and thermal cover to wintering big game animals adjacent to the proposed alignment. The sagebrush flats are heavily browsed along the project route. There is suitable nesting habitat for a variety of raptor species, particularly on the ridge tops.

Noise

The Pargin Mtn UT #2 is located approximately three miles from the nearest oil and gas facility or any other anthropogenic noise producing disturbance. Since the location is situated on the top of the mountain, noise impacts have the potential to be greater with noise traveling and impacting an increased

area. There is a large body of scientific literature that shows avoidance of breeding birds from loud noise sources such as oil and gas wells. This avoidance behavior has also been shown to be exhibited by big game species from oil and gas facilities. The EA does not specify if well-head methane (gas) fueled engines or electric motors are planned to be used to power well pad machinery (pump jacks). CPW is concerned that if gas fueled engines will be used to power the pump jacks then the noise produced by

Jeff Davis, Director, Colorado Parks and Wildlife

Parks and Wildlife Commission: Dallas May, Chair ? Richard Reading, Vice-Chair ? Karen Bailey, Secretary ? Jessica Beaulieu

Marie Haskett ? Jack Murphy ? Gabriel Otero ? Duke Phillips, IV ? Gary T. Skiba ? James Jay Tutchtton ? Eden Vardy

these engines, even if they meet human health noise standards, will have detrimental effects on wildlife in the area. With this concern in mind, we would recommend that Pargin Mtn UT # 2 well pad utilize electric motors on all well pad machinery. The NSJB FEIS 2006 recommends the use of noise reduction technologies at all infrastructure sites during construction and production phase.

Suggested Revision to the EA

Table 3 and Section 3.1.4 states that raptor nest surveys will be conducted within 0.25 miles of the well pad and pipeline ROW when the ROW is in forested areas. Please revise this to include a 0.5 mile survey for raptors from all permitted activities. This distance is an industry standard and follows CPW HPH recommendations due to the largest raptor avoidance buffer being 0.5 miles.

The draft EA states on Page 67 that there are no elk or mule deer migration corridors in the project area. However, there is a CPW mapped mule deer migration corridor that overlaps the western and northern portions of the project, including the Pargin Mtn UT #2 well pad.

Section 2.3.6. States that management activities and access should be limited or avoided in CPW identified big game HPH habitats from December 1 - April 30. Please revise to define allowed and restricted activities for this sensitive time period.

Mitigation under the NSJB EIS

The NSJB EIS section 3.9.6.4.2 details habitat enhancement requirements for operators in deer and elk winter range equal to or greater to the acreage disturbed by development. The proposed action includes approximately 3.36 acres of long term disturbance from the well pad expansion and Pipeline TUAs and 40.86 acres of temporary surface disturbance from the associated pipeline. CPW agrees that the driving surface of the road does not constitute deer and elk habitat and therefore does not need to be included in acres for mitigation. However, as identified in our scoping comments and confirmed during the onsite, much of the vegetation within the existing ROW is reestablished and sufficient to warrant its inclusion as a new disturbance from a wildlife standpoint. These acres of habitat disturbance are not specified in the EA and may need to be delineated in order to accurately calculate habitat disturbance.

As noted in our scoping comments, there is uncertainty in how the USFS has implemented the EIS in regards to the frequency and duration of the compensatory mitigation habitat improvement/enhancement offsets. In our experience, habitat enhancement projects typically result in improved forage conditions for 7-10 years post treatment for big game. CPW supports compensatory mitigation efforts that persist for the duration of the impact. In this case, since the oil and gas facility and ancillary facilities are expected to have a 30-year life, the habitat enhancements should have a lifespan commensurate with the duration of the impact. For acres of permanent habitat disturbance, as stated in the NSJB FEIS 2006, habitat enhancement projects would need to be implemented every 5 years, or calculated to enhance that projected amount of acreage. For temporary habitat disturbance, habitat enhancement projects should

account for a 7-10 year loss of functioning habitat. For example:

Permanent Habitat Disturbance: 3.36 acres x 6 (every 5 years for 30 years) = 20.16 acres

Temporary Habitat Disturbance: 40.86 acres x 2 (7-10 years for beneficial effects of habitat improvement) = 81.73 acres.

Total: 101.88 acres of habitat improvement required

CPW desires to work cooperatively with the operator, USFS, BLM and ECMC to ensure that mitigation offsets the residual unavoidable impacts to wintering elk and deer. Please revise the EA to disclose the amount of compensatory mitigation necessary to offset the project impacts pursuant to the EIS. We are aware of several projects authorized by the USFS that have similarly tiered project level NEPA to the NSJB FEIS. However, we are uncertain if the compensatory mitigation associated with those project

authorizations has been conducted. Therefore, we recommend that the USFS detail what project or projects the USFS will require the operator to conduct, so that the mitigation obligation is clear to the operator and the public. It also ensures that the lag time between the impact and the mitigation necessary to offset that impact is not unnecessarily exacerbated.

We appreciate this opportunity to provide comments on the draft EA. If you have questions or would like to discuss our comments please contact me at 970-375-6707. We look forward to working together with you to benefit wildlife.

Sincerely,

Brian Magee
Energy Liaison
Southwest Region

cc: SW Region File; Area 15 File