



Washington Group International
Integrated Engineering, Construction, and Management Solutions



**PICEANCE BASIN NON-CONVENTIONAL GAS PROJECT
EARLY PRODUCTION SYSTEM**

**GARFIELD COUNTY SPECIAL USE PERMIT APPLICATION
FRESH WATER POND**

**Revision 1
April 30, 2007**

**Chevron North America Exploration and Production Company
744 Horizon Court
Grand Junction, CO 81506**



PICEANCE BASIN NON-CONVENTIONAL GAS PROJECT
EARLY PRODUCTION SYSTEM
GARFIELD COUNTY SPECIAL USE PERMIT APPLICATION
FRESH WATER POND

1	Incorporation of Editorial Review	SMC				4/30/07
0	Issued for County Submittal					4/25/07
REV.	DESCRIPTION	BY	CHKD	APVD	EM RVWD	DATE

REVISIONS

CLIENT:	Chevron North America Exploration and Production Company
PROJECT:	Piceance Basin Non-Conventional Gas Project – Early Production System
JOB NO.:	29021-003
DOC. NO.:	003-31-14-01



GARFIELD COUNTY
Building & Planning Department
108 8th Street, Suite 401
Glenwood Springs, Colorado 81601
Telephone: 970.945.8212 Facsimile: 970.384.3470
www.garfield-county.com

Special Use Permit

GENERAL INFORMATION

(To be completed by the applicant.)

- Street Address / General Location of Property: _____
SW1/4 NW1/4 Section 36, Township 5 South, Range 98 West, 6th Principal Meridian
- Legal Description: Portion of Tract 103 situated in SW1/4 NW1/4 of S36, T5S, R98W, 6th Principal Meridian, County of Garfield, State of Colorado
- Existing Use & Size of Property in acres: Grazing / Agricultural 1.6 of 4311.69 acres
- Description of Special Use Requested: Fresh Water Pond for drilling activities associated with natural gas development at Chevron North American Exploration and Production Company's Piceance Basin Non-Conventional Gas Project north of De Beque, Colorado
- Zone District: Resource Lands
- Name of Property Owner (Applicant): Chevron USA, Inc.
- Address: C/O Chevron Texaco Property Tax, P.O. Box 285 Telephone: _____
- City: Houston State: TX Zip Code: 77001 FAX: _____
- Name of Owner's Representative, if any (Attorney, Planner, etc):
Sally Cuffin, Washington Group International sally.cuffin@wgint.com
- Address: 7800 E. Union Avenue, Suite 100 Telephone: (303) 843-2219
- City: Denver State: CO Zip Code: 80237 FAX: (303) 843-3622

STAFF USE ONLY

- Doc. No.: _____ Date Submitted: _____ TC Date: _____
- Planner: _____ Hearing Date: _____

I. APPLICATION SUBMITTAL REQUIREMENTS

As a minimum, specifically respond to all the following items below and attach any additional information to be submitted with this application:

1. Please submit, in narrative form, the nature and character of the Special Use requested. Submit plans and supporting information (i.e. letters from responsible agencies). Include specifications for the proposed use including, but not limited to, the hours of operation, the number and type of vehicles accessing the site on a daily, weekly and/or monthly basis, and the size and location of any existing and/or proposed structures that will be used in conjunction with the proposed use, and provisions for electric power service and any other proposed utility improvements. Be specific.
2. If you will be using water or will be treating wastewater in conjunction with the proposed use, please detail the amount of water that would be used and the type of wastewater treatment. If you will be utilizing well water, please attach a copy of the appropriate well permit and any other legal water supply information, including a water allotment contract or an approved water augmentation plan to demonstrate that you have legal and adequate water for the proposed use.
3. Submit a site plan /map drawn to scale that portrays the boundaries of the subject property, all existing and proposed structures on the property, and the County or State roadways within one (1) mile of your property. If you are proposing a new or expanded access onto a County or State roadway, submit a driveway or highway access permit.
4. Submit a vicinity map showing slope / topography of your property, for which a U.S.G.S. 1:24,000 scale quadrangle map will suffice.
5. Submit a copy of the appropriate portion of a Garfield County Assessor's Map showing all the subject property and public and private landowners adjacent to your property (which should be delineated). In addition, submit a list of all property owners, public and private landowners and their addresses adjacent to or within 200 ft. of the site. This information can be obtained from the Assessor's Office. We will also need the names (if applicable) of all mineral right owners of the subject property. (That information can be found in your title policy under Exceptions to Title).
6. Submit a copy of the deed and a legal description of the subject property.
7. If you are acting as an agent for the property owner, you must attach an acknowledgement from the property owner that you may act in his/her behalf.
8. Submit a statement that specifically responds to each of the following criteria from Section 5.03 of the Zoning Regulations:
 - (1) Utilities adequate to provide water and sanitation service based on accepted engineering standards and approved by the Board of County Commissioners shall either be in place or shall be constructed in conjunction with the proposed use.
 - (2) Street improvements adequate to accommodate traffic volume generated by the proposed use and to provide safe, convenient access to the use shall either be in place or shall be constructed in conjunction with the proposed use;
 - (3) Design of the proposed use is organized to minimize impact on and from adjacent uses of land through installation of screen fences or landscape materials on the periphery of the lot and by location of intensively utilized areas, access points, lighting and signs in such a manner as to protect established neighborhood character;
9. Depending on the type of Special Use Permit requested, you may need to respond to additional review standards in the Garfield County Zoning Resolution Section 5.00 [Supplementary Regulations]. This may include uses such industrial uses [section 5.03.07 & 5.03.08], Accessory Dwelling Units [section 5.03.21], Utility line/Utility Substations, etc. Specific sections of the Zoning Resolution which can be located on the Garfield County web

site at http://www.garfield-county.com/building_and_planning/index.htm, or information can be obtained from this office

10. A \$400.00 Base Fee: Applicant shall sign the "Agreement for Payment" form and provide the fee with the application.
11. Submit 2 copies of this completed application form and all the required submittal materials to the Building and Planning Department. Staff will request additional copies once the Special Use Permit application has been deemed technically complete.

II. PROCEDURAL REQUIREMENTS

(The following steps outline how the Special Use Permit Application review process works in Garfield County.)

1. Submit this completed application form, base fee, and all supplemental information to the Garfield County Planning Department. It will be received and given to a Staff Planner who will review the application for technical completeness.
2. Once the application is deemed technically complete, the Staff Planner will send you a letter indicating the application is complete. In addition, Staff will also send you a "Public Notice Form(s)" indicating the time and date of your hearing before the Board of County Commissioners. Prior to the public hearing, Staff will provide you with a Staff Memorandum regarding your requested Special Use. (If Staff determines your application to be deficient, a letter will be sent to you indicating that additional information is needed to deem your application complete.)
3. It is solely the Applicant's responsibility to ensure proper noticing occurs regarding the requested Special Use and the public hearing. **If proper notice has not occurred, the public hearing will not occur.** Notice requirements are as follows:
 - a. Notice by publication, including the name of the applicant, description of the subject lot, a description of the proposed special use and nature of the hearing, and the date, time and place for the hearing shall be given once in a newspaper of general circulation in that portion of the County in which the subject property is located at least thirty (30) but not more than sixty (60) days prior to the date of such hearing, and proof of publication shall be presented at hearing by the applicant.
 - b. Notice by mail, containing information as described in the paragraph above, shall be mailed to all owners of record as shown in the County Assessor's Office of lots within two hundred feet (200') of the subject lot and to all owners of mineral interest in the subject property at least thirty (30) but not more than sixty (60) days prior to such hearing time by certified return receipt mail, and receipts shall be presented at the hearing by the applicant.
 - c. The site shall be posted such that the notice is clearly and conspicuously visible from a public right-of-way, with notice signs provided by the Planning Department. The posting must take place at least thirty (30) but not more than sixty (60) days prior to the hearing date and is the sole responsibility of the applicant to post the notice, and ensure that it remains posted until and during the date of the hearing.
4. The Applicant is required to appear before the Board of County Commissioners at the time and date of the public hearing at which time the Board will consider the request. In addition, the Applicant shall provide proof, at the hearing, that proper notice was provided.
5. Once the Board makes a decision regarding the Special Use request, Staff will provide the Applicant with a signed resolution memorializing the action taken by the Board. Following the Board's approval, this office will issue the Special Use Permit to the applicant. If the Board's approval includes specific conditions of approval to be met, this office will not issue the Official Special Use Permit certificate until the applicant has satisfied all conditions of approval. The Special Use Permit approval is not finalized until this office has issued the

Official Special Use Permit certificate signed by the Chairman of the Board of County Commissioners.

I have read the statements above and have provided the required attached information which is correct and accurate to the best of my knowledge.

(Signature of applicant/owner) Last Revised: 02/2006

**Garfield County Special Use Permit Application
Fresh-Water Pond**

Piceance Basin Non-Conventional Gas Project

**Chevron North America Exploration and Production Company
744 Horizon Court
Grand Junction, CO 81506**

**Prepared by Washington Group International
7800 East Union Avenue
Suite 100
Denver, Colorado 80237**

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Introduction

The Chevron North America Exploration and Production (CNAEP) Company is proposing to develop natural gas reserves from the Williams Fork Formation of the Mesaverde Group in the central Piceance Basin. CNAEP is the operator and 100-percent surface/mineral owner of about 40,000 acres north of De Beque, Colorado. The company also controls an additional 75,000 acres of severed mineral rights in the vicinity. Development of this natural gas field is referred to as the Piceance Basin Non-Conventional Gas (PBNCG) Project. The project will progress through the typical phases of natural gas production with exploration, expansion to a pilot phase (validating the exploration findings), and if the field is viable, development of the remainder of the field.

The project exploration phase was completed during 2006 with the Skinner Ridge Field, 13-well delineation program. Favorable results from these wells initiated the next phase of the project, which is designated the Early Production System (EPS).

The EPS includes operations planned from mid-2007 through 2009 primarily located within the Clear Creek drainage (see Maps - Figure 1). The EPS includes construction of support facilities and implementation of operations associated with the development of four well pads and two service pads. Two state-of-the-art directional drilling rigs will be utilized to install up to 22 wells per pad. The project infrastructure will include access roads, offices, temporary housing, utilities (water, sewage, electricity), storage areas, pipelines (water, gas, condensate, produced water), and processing / treatment equipment. Operations will include road construction, equipment transfer, facilities installation, drilling, well installation and development, material supply, production processing, and general maintenance. If the EPS results are favorable the program will be ramped up to full scale with the use of 6 to 10 drilling rigs over the next 10 to 15 years.

CNAEP is implementing their internal Environmental, Social, and Health Impact Assessment (ESHIA) process for the PBNCG Project. While this process has been used around the globe, the PBNCG Project will be the first execution of these procedures in North America. The ESHIA process is designed to integrate project needs and site specific regulations and concerns. It also identifies problem areas and attempts to develop mitigation plans prior to construction or initiation of operations. CNAEP has contracted with Environmental Resource Management (ERM) of Denver, Colorado, to perform the project ESHIA.

1 Nature and Character of Special Use Permit

Please submit, in narrative form, the nature and character of the Special Use requested. Submit plans and supporting information (i.e. letters from responsible agencies). Include specifications for the proposed use including, but not limited to, the hours of operation, the number and type of vehicles accessing the site on a daily, weekly and/or monthly basis, and the size and location of any existing and/or proposed structures that will be used in conjunction with the proposed use, and provisions for electric power service and any other proposed utility improvements. Be specific.

As part of the EPS development CNAEP proposes the installation and operation of a 2.6 million-gallon (350,000 cubic feet) Fresh-Water Pond. The facility will be located in the SW1/4 NW1/4 of Section 36, Township 6 South, Range 98 West of the 6th Principal Meridian (see Maps - Figure 2). The facilities will be used by CNAEP supply water for the EPS drilling operations.

1.1 Location

The proposed facilities will be located about 2.3 miles northwest of the end of County Road (CR) 211 in the Clear Creek drainage (Figure 2). The site can be accessed from Interstate 70, exit 62, by traveling north on local Road 45N. Road 45N north of De Beque is also known as Roan Creek Road/Drive and CR 204. The intersection of CR 211 and CR 204 is located about 12.5 miles north northwest of De Beque. Traveling north of the intersection about 4.5 miles, one reaches the end of CR 211, where a gated fence is encountered (a location locally known as Hiner Gate). An existing ranch road continues north onto Chevron fee land. The Fresh-Water Pond will be located on about 1.6 acres of land along the west side of the access road (Maps - Figure 2).

1.2 Fresh-Water Pond Purpose

Water is necessary for a variety of operations necessary for drilling natural gas wells. The water / drilling mud combination provides the necessary lubrication to allow the drill bit to advance, water is a necessary material for casing the well, and hydraulic fracturing (fracing) requires significant quantities of water. The Fresh Water Pond will provide the necessary water for these and other operations.

On-site water supplies are necessary because of the remote location of these operations. Currently CNAEP has no industrial water rights in the vicinity, which eliminates direct access to water in the Clear Creek basin.

The Fresh Water Pond also provides an on-site water supply in the event of a fire.

1.3 Hours of Operation

Typical operations at the Fresh-Water Pond will be a 12-hour shift, 7 days a week within the property boundaries. Water deliveries typically will be limited to daylight hours but on-site water transfers may occur as required.

Water deliveries may be minimized or eliminated if a water treatment system is used to treat / dispose of the production water. Studies are underway to determine the economic feasibility of several water treatment systems.

1.4 Vehicles / Traffic / Regulatory Requirements

A preliminary EPS traffic plan is provided as part of the EPS Preliminary Development Plan, which details estimates of traffic on area roads and highways along with possible mitigation measures. A period of increased vehicle traffic is anticipated until proposed mitigation measures can be implemented.

Initial traffic associated with the site will be the grading and site preparation including delivery of gravel for the pad / access road and storm-water controls. Once the site preparation is complete, liner deliveries and the associated installation crews will generate short term traffic. Additional deliveries / installations will include a security / wildlife fence and potentially the piping / valves associated with a water distribution system (currently under study). Once the physical installation is complete, water trucks will be used to fill the pond. Depending on the size of the truck mounted water tanks, it may require 20 to 40 truckloads per day for one to two months to fill the pond (multiple trucks may be used to expedite this process).

All vehicles working within Garfield County Right of Ways will be licensed and registered in the State of Colorado. Vehicles hauling equipment and materials will abide by Garfield County Road and Bridge Departments oversize / overweight regulations. All vehicles requiring an oversize / overweight permit will send a letter showing proof that they can operate under a known bond holder on file with Garfield and Mesa County Road and Bridge Departments before a permit will be issued.

Once sufficient volume is available at the pond, water will then be trucked to the individual well pads on an as needed basis (dependent of number and size of frac tanks). The proposed water distribution could potentially eliminate the on-site water trucking.

1.5 Civil / Building / Structure / Equipment Specifications

The Fresh-Water Pond area will be graded and then prepared with a 60-millimeter geosynthetic liner. A vehicle access road and turnaround area will be provided. The access road and turnaround will be graveled in accordance with the final design (typically four-inches or ¾-inch gravel). A grading permit will be submitted to Garfield County when the civil design is finalized.

The Fresh Water Pond geosynthetic liner will be installed in accordance with vendor specifications. The liner installer / vendor will supply materials and perform work in accordance with all regulatory requirements and current guidance.

The area will be graded as specified in Drawing 003-12-11-111-01 sheets 1 through 3 (see Drawings). Storm water / erosion controls will be used in accordance with the best management controls specified by the site Storm Water Pollution Prevention Plan (SWPPP) (see attached SWPPP and Construction Storm Water Permit). An addendum to the SWPPP for pond specific storm-water controls is provided in Drawing 003-12-11-061-001. Bi-weekly SWPPP inspections will be conducted to ensure site stabilization measures are adequate and / or identify areas that need repair / improvement.

Topsoil will be stockpiled and stabilized for eventual site reclamation in accordance with specific SWPPP requirements. A site specific reclamation plan will be generated after the completion of the final civil design and provided to the County along with the revegetation bond. The site specific reclamation plan will follow recommendations provided in the IVNWM Plan. Seed mixes used for site stabilization and revegetation will be in compliance with Garfield County Reclamation Standards.

A gated, six-foot chain-link fence will be installed around the pond area to control access and prevent wildlife from becoming trapped in the pond. The facility gate will be locked when no one is present at the site.

A site wide construction dewatering permit is currently being obtained from the Colorado Department of Public Health and Environment (CDPHE) as a precaution for the EPS development. Dewatering operations are not expected at this site because of the sandy soil and elevation above the local water table.

1.6 Structural Specification / Regulatory Requirements

Currently there are no structures planned at the Fresh Water Pond area. The proposed water distribution system may require a small control / pump house. The County will be notified if a significant structure is proposed for the site.

1.7 Electrical Utilities / Regulatory Requirements

Initial water transfers at the Fresh Water Pond will be limited to vehicle mounted pumps and hoses / valves. No on-site power will be required for these operations.

The addition of a water distribution system may require the addition of on-site pumps, which would require some type of power. Typically these power requirements are met by an on-site generator, but a finalized distribution design will be required to determine the actual electrical requirements.

Safety lighting may be added if night operations are required, which again would require some type of on-site power.

1.8 Floodplain

No Federal Emergency Management Agency (FEMA) flood map was available for the Clear Creek area. To properly evaluate the area for flooding issues, a preliminary, 100-year floodplain was developed for Clear Creek in accordance with FEMA guidance and specifications. The result of that analysis is provided as Figure 3 (see Maps). A report summarizing the findings of the Clear Creek floodplain analysis will be published in June, 2007, and be provided to the County. The current analysis indicates the Fresh Water Pond area is not located in the floodplain.

1.9 Noxious Weeds

An initial survey of noxious weeds in the Clear Creek drainage was completed during November, 2006, to determine the extent of the problem. The results were presented in the Integrated Vegetation and Noxious Weed Management (IVNWM) Plan for the Chevron Clear Creek 8-Inch Pipeline (see attached IVNWM, WestWater Engineering, December, 2006). The study indicated that about 50-percent of the valley has been infested with noxious weeds. ERM will conduct a supplemental survey of the area during the spring of 2007, with follow-up surveys as the project progresses. Information from these studies will be used to identify noxious weed infestations and develop management techniques. All identified noxious weeds will be removed during the initial site grading. Maintenance operations will include continuing control of all noxious weeds using a combination of removal and revegetation techniques.

1.10 Safety / Security / Emergency Response

Site personnel will be trained to report fires or other emergencies in accordance with the CNAEP Emergency Response Plan (see attached ERP). The ERP is a living document that will incorporate changes to facilities and operations as the various systems come on line. Coordination meetings will be held with the De Beque Fire Chief and other emergency agencies to address site specific issues.

A detailed map and GPS coordinates will be provided to the Garfield County Sheriff's Office and De Beque Fire Chief as part of the facility ERP. The map will provide sufficient detail to inform the officials of the site location, the types of facilities, and possible hazardous materials that may be encountered. Upon finalization of the Temporary Office design, meetings will be held with the De Beque Fire Chief to determine if additional fire protection is required

Portions of the pond liner will be sufficiently rough to allow the slope to be climbed in case of someone accidentally falling into the pond. Ropes leading to the pond interior will be provided every 50 to 100 feet to aid escape. Areas where water is delivered / removed will be posted to warn drivers of the slippage danger and these areas will be provided with hand rails and other safety equipment. The area will be fenced to prevent access by unauthorized personnel and wildlife.

No outdoor cooking / fires will be permitted at the Fresh-Water Pond location.

A Class ABC fire extinguisher will be provided at the loading / unloading point in the event of a vehicle fire. All personnel accessing the site will be trained on their proper operation.

All employees and contractors will comply with the provisions of the CNAEP PBNCG Hazard Elimination / Safety (HES) Plan (see attached HES). Applicable requirements will be detailed in any Master Service Agreement and must be met prior to any contracting activity. Noncompliance with the policy will result in immediate dismissal and termination of the contract.

2 Water Supply / Wastewater Management Systems

If you will be using water or will be treating wastewater in conjunction with the proposed use, please detail the amount of water that would be used and the type of wastewater treatment. If you will be utilizing well water, please attach a copy of the appropriate well permit and any other legal water supply information, including a water allotment contract or an approved water augmentation plan to demonstrate that you have legal and adequate water for the proposed use.

Up to 2.6-million gallons of water will be stored in the Fresh-Water pond. Water will be supplied by a licensed subcontractor. Treatment of produced water may eliminate the need for an off-site water supply.

Depending on the time required for loading / unloading, portable toilets may be provided at the Fresh Water Pond area. If this option is selected the units will be serviced at least twice a week by either Mountain West Oil Field Service & Supplies or Down Valley Septic. These contractors are currently undergoing review by CNAEP contracting to determine if the vendor meets specific contracting requirements.

3 Site Plan / Property Map

Submit a site plan /map drawn to scale that portrays the boundaries of the subject property, all existing and proposed structures on the property, and the County or State roadways within one (1) mile of your property. If you are proposing a new or expanded access onto a County or State roadway, submit a driveway or highway access permit.

A site plan of the property and proposed facilities and access is provided in Drawing 003-12-11-111-01 sheet 1. Figure 4 (see Maps) shows the existing county roads and general property owners within one-mile of the site. A preliminary plat of the Temporary Office area is provided in the Plat attachment.

4 Topographic Vicinity Map

Submit a vicinity map showing slope / topography of your property, for which a U.S.G.S. 1:24,000 scale quadrangle map will suffice.

The topographic vicinity map is provided as Figure 5 (see attached Maps). The steep cliffs in many portions of the project area represent a falling rock hazard. These issues will be addressed by the ESHIA process and possible mitigation methods will be incorporated into project planning and the site ERP.

5 Assessor's Map / Adjacent Landowners

Submit a copy of the appropriate portion of a Garfield County Assessor's Map showing all the subject property and public and private landowners adjacent to your property (which should be delineated). In addition, submit a list of all property owners, public and private landowners and their addresses adjacent to or within 200 ft. of the site. This information can be obtained from the Assessor's Office. We will also need the names (if applicable) of all mineral right owners of the subject property. (That information can be found in your title policy under Exceptions to Title).

A copy of the appropriate portion of the Garfield County Assessor's Map with the marked site location is provided in the Assessor Map attachment. The list of adjacent property owners is provided as the Property Owner attachment. Figure 6 (see Maps) also provides information about surrounding property owners.

6 Property Deed

Submit a copy of the deed and a legal description of the subject property.

The deed for the entire CNAEP Piceance Basin property is provided in the Deed attachment.

7 Authorization Letter

If you are acting as an agent for the property owner, you must attach an acknowledgement from the property owner that you may act in his/her behalf.

A letter authorizing Washington Group International to represent CNAEP in the permitting activities is provided in the Authorization Letter attachment.

8 Water & Wastewater Management / Street Improvements / Project Visual Effects

Submit an statement that specifically responds to each of the following criteria from Section 5.03 of the Zoning Regulations:

- (1) Utilities adequate to provide water and sanitation service based on accepted engineering standards and approved by the Board of County Commissioners shall either be in place or shall be constructed in conjunction with the proposed use.
- (2) Street improvements adequate to accommodate traffic volume generated by the proposed use and to provide safe, convenient access to the use shall either be in place or shall be constructed in conjunction with the proposed use;
- (3) Design of the proposed use is organized to minimize impact on and from adjacent uses of land through installation of screen fences or landscape materials on the periphery of the lot and by location of intensively utilized areas, access points, lighting and signs in such a manner as to protect established neighborhood character;

8.1 Water Supply System

Vendor selection is currently underway to determine which company will provide water service to the Fresh-Water Pond. The most likely scenario involves transporting water from the Colorado River in 2,400- to 4,800-gallon tanker trucks. Actual water delivery schedules will be affected by drilling rates, the number of drilling rigs, and the decisions surrounding the water treatment.

Water used for drilling operations does not need to be potable.

8.2 Road Improvements / Issues

CR 211 is scheduled for surface improvements (addition of 4-inches of gravel) beginning in May or June of 2007. CNAEP is studying improvements needed to handle the well pad traffic on the existing dirt road that continues along Clear Creek. If significant modifications are made to the existing access road a driveway permit application will be submitted to the County. Permit submittal will be held until specific CR 211 improvements clarified.

Improvements to CR 204 also are planned but there has been a delay due to the costs associated with the initial bids provided to the County. Negotiations are currently underway to obtain bids more in line with the County budget.

Mesa County currently has weight restrictions assigned to the bridge that crosses the Colorado River at De Beque. The V.5-45.3 Bridge on 45 Road (Roan Creek) is scheduled for removal and replacement beginning in October 2007 and is expected to take about a year to complete. Heavy loads (>27 tons) and less than 15-ft can take the Interstate 70 (I-70), De Beque exit (Exit 62), continue east on the frontage road to W.5 road and back to 45 Road (Roan Creek). Overweight vehicles greater than 15-ft need to exit I-70 at Exit 75 (Parachute) and continue west on the frontage road toward De Beque to W.5 road and back to 45 Road (Roan Creek) north of De Beque. A map posted by Mesa County of the affected area is provided (see 45 Road Bridge attachment).

8.3 Visual Effects

The Fresh-Water Pond is located in a remote region of Garfield County and will have minimal visual effects on adjoining property owners. Visual effects include the physical presence of the pond and operational traffic. Outdoor lighting currently is not planned but if installed in the future it will be positioned downward to minimize visual impacts.

8.4 Reclamation and Revegetation Plan

Once pond is no longer required the pond will be drained, the liner and gravel access road / turnaround will be removed, and the area will be returned to the original contours and planted with native vegetation. General details of the re-vegetation are provided in the IVNWM Plan and SWPPP and will be included in the final revegetation plan. Reclamation and revegetation activities will be in accordance with requirements outlined in Garfield County Zoning Resolution 5.02.21 (11). General details of the re-vegetation activities are provided in the IVNWM Plan and Storm Water Pollution Prevention Plan (SWPPP) and will be included in the final revegetation plan.

Future planning for full-scale development may determine that site has value for alternative purposes. New permits will be obtained and a modified site reclamation plan will be submitted in the event of such change.

9 Use Specific Standards

Depending on the type of Special Use Permit requested, you may need to respond to additional review standards in the Garfield County Zoning Resolution Section 5.00 [Supplementary Regulations]. This may include uses such industrial uses [section 5.03.07 & 5.03.08], Accessory Dwelling Units [section 5.03.21], Utility line/Utility Substations, etc. Specific sections of the Zoning Resolution which can be located on the Garfield County web site at http://www.garfieldcounty.com/building_and_planning/index.htm, or information can be obtained from this office.

Because the Fresh Water Pond supports operations associated with the development of natural gas, additional requirements must be met for Garfield County approval. The following details applicable information not provided in Sections 1 through 8 that are required by the supplemental regulations.

9.1 Environmental / Social Studies

A Class III Cultural Resources Inventory (Carl E. Conner and Barbara J. Davenport, June 3, 2005) and a Biological Survey (WestWater Engineering, July 11, 2006) were performed as part of the permitting process for an 8-inch gathering pipeline that will be part of the EPS. These studies provide baseline information for the ESHIA process and have been considered during the design process. Copies are provided as attachments for reference purposes.

9.2 Supplemental Industrial Operations Requirements

An initial impact statement of the EPS, which includes the Fresh-Water Pond facilities, is provided as the EPS Plan of Development that was submitted with this permit. Specific applicable statements are as follows:

No water will be removed or discharged from any of the State's waters without applicable permits. Any discharge will meet the drinking water standards controlled by the Colorado Department of Health and Environment.

Vehicle traffic to the Fresh-Water Pond will have effects on wildlife but the purpose of the ESHIA process is to identify problem areas and determine mitigation methods. Mitigation recommendations will be provided to project management, who will evaluate the options and implement appropriate measures.

A bond for the reclamation of the site after the cessation of activities is provided will be provided upon submittal of the reclamation plan and approval of the special use permit.

9.3 Supplemental Industrial Performance Standards

All operations will comply with applicable County, State, and Federal regulations for water, air and noise pollution and shall not be conducted in a manner constituting a public nuisance or hazard. Specific information about noise, heat, dust, etc. is provided in Sections 1 through 8.

No outdoor storage, including heavy equipment, will be allowed at the Fresh-Water Pond. All storage will be maintained at the service pads until the location for the Office / Shop / Warehouse / Laydown Yard is selected.

No repair operations will be allowed at the Fresh-Water Pond location. All repairs will be completed at the drilling or service pads.

Loading / unloading operations will include the water deliveries and water transfers. All loading / unloading operations will take place within the boundaries of the Fresh-Water Pond location.

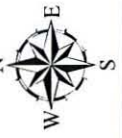
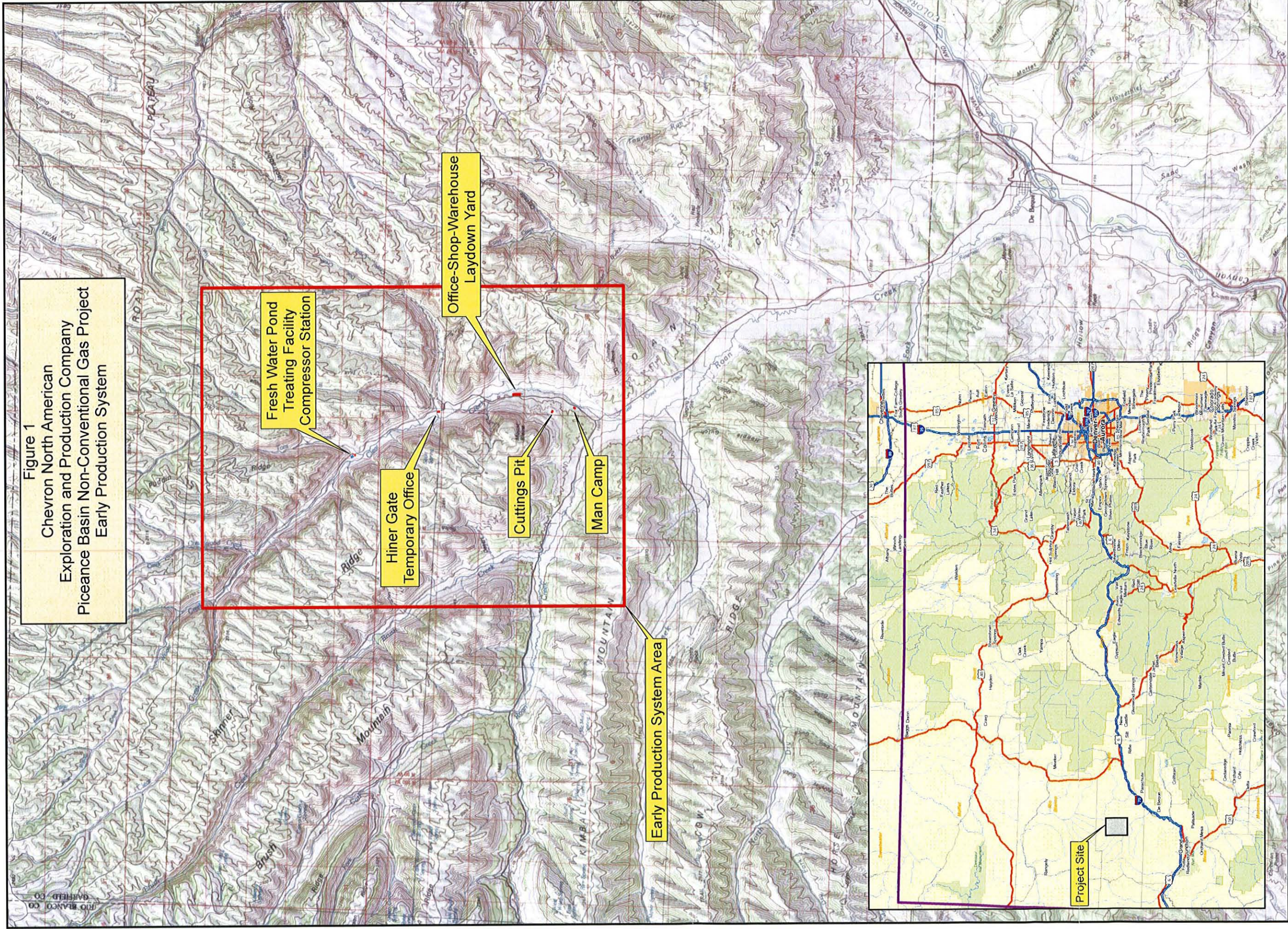
9.4 Supplemental Regulation for Accessory Dwelling Units

No alcohol or firearms will be permitted at the Fresh-Water Pond or any other CNAEP facilities / property. Outdoor smoking areas will be designated at safe distances from any potentially flammable materials.

9.5 Documentation

Assuming the approval of the Special Use Permit, Garfield County will be informed when the site development begins. Verification of the installation will be documented in writing, by final site plan, and photographic record. All written documentation and site plans verifying compliance will be stamped by a certified Colorado Engineer.

Figure 1
Chevron North American
Exploration and Production Company
Piceance Basin Non-Conventional Gas Project
Early Production System

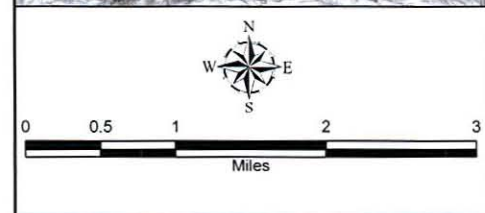
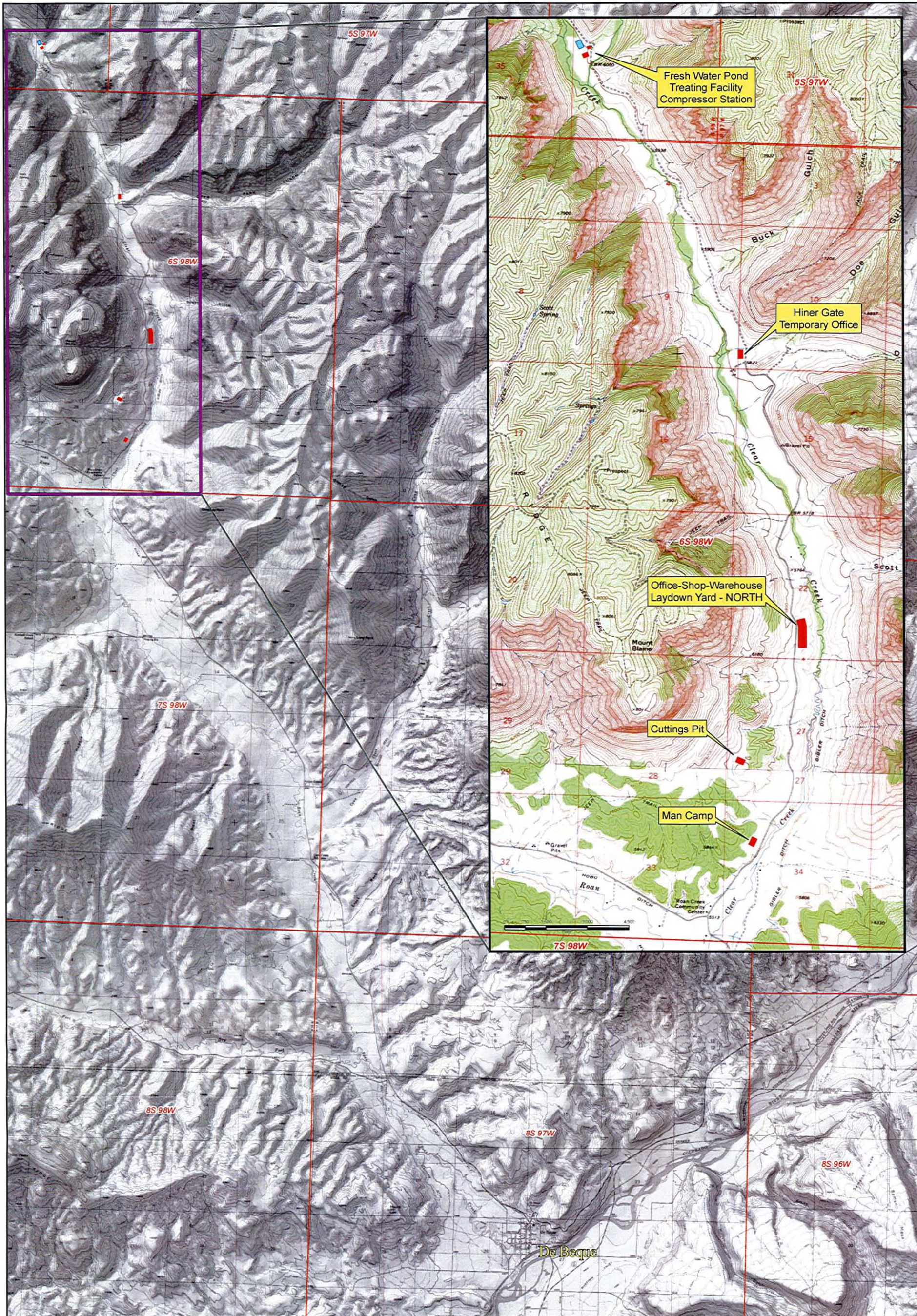


MicCon/Inco/Alaska SBU
 Chevron North America
 Exploration and Production

CNAEP PBNG Project

Washington Group International
 7800 E. Union Ave. • Denver, CO 80237 • (303) 843-2000

AREA	WESTERN SLOPE	FIELD	SKINNER RIDGE	CO	Mesa-Garfield ST	CO
PROPERTY UNIQUE						
PROPERTY COMMON						
PROJECT	PICEANCE BASIN DEVELOPMENT PROJECT					
DRAWING	SK-014-14-11-000-001					
WAS ELEM	COST CENTER	PROJECT	PROJECT	PROJECT	PROJECT	PROJECT
ENGR	TB	DRFTR	GAG	CHR	NO	NO
APPRD					2001-003	DATE
SCALE	SHEET SIZE 24x36					

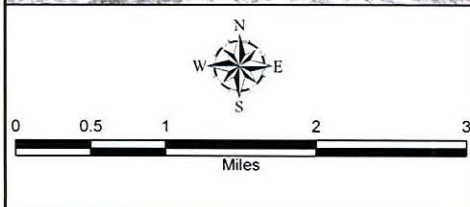
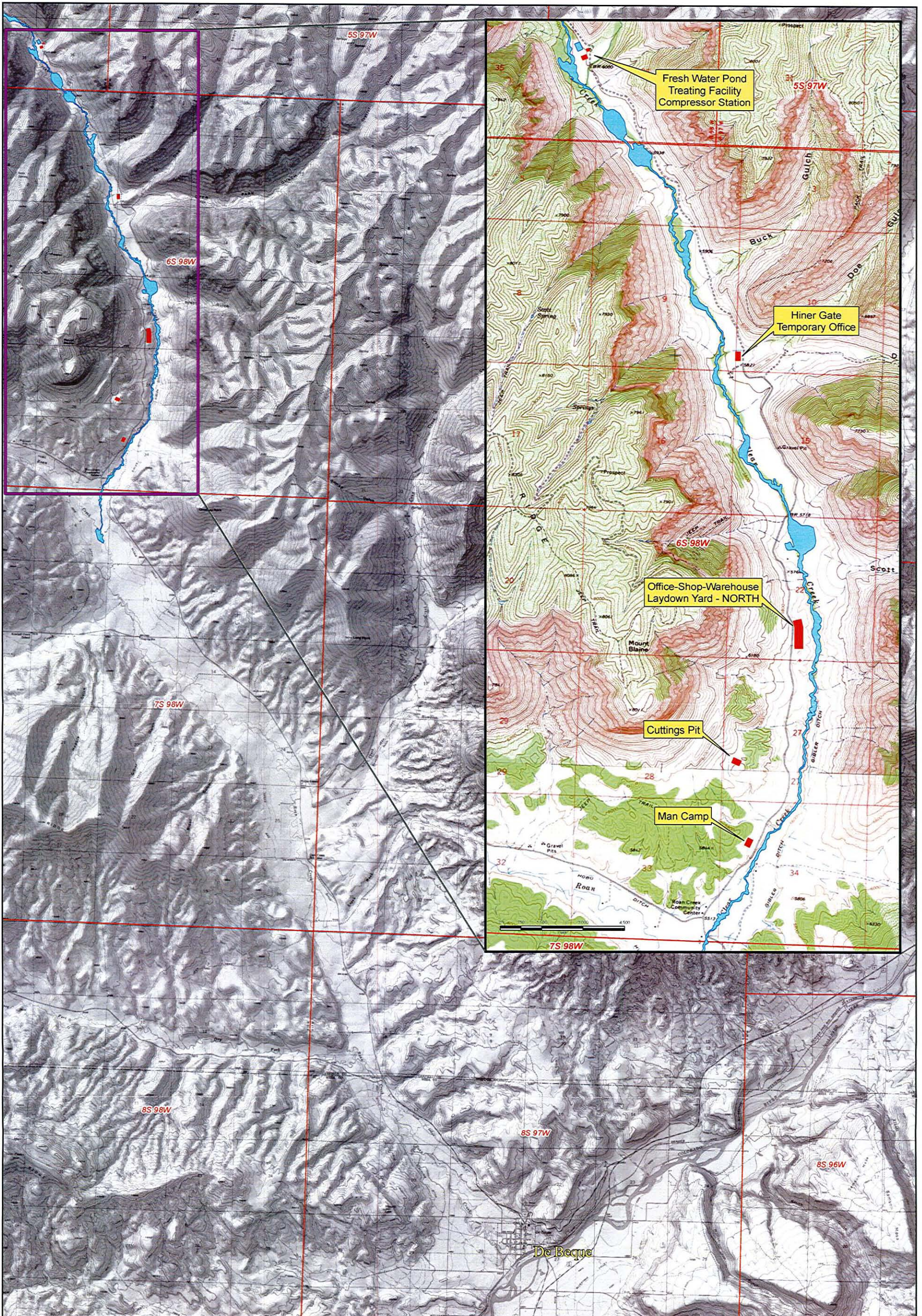


CNAEP PBNGC Project
Figure 2

Washington Group International
7800 E. Union Ave. • Denver, CO 80237 • (303) 843-2000

	MidContinent/Alaska SBU Chevron North America Exploration and Production
REVISIONS	
FILE	

AREA: WESTERN SLOPE	FIELD: SKINNER RIDGE	CO: Mesa-Garfield ST: CO
PROPERTY UNIQUE		
PROPERTY COMMON		
PROJECT: PICEANCE BASIN DEVELOPMENT PROJECT		
DRAWING: SK-014-14-11-030-002		
WBS ELEM	COST CENTER	PROJECT TYPE
ENGR: TB	DRFTR: GAG	CHKR:
APPRVD:		
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PROJECT NO.	REVISION NO.	DATE
29021-003		

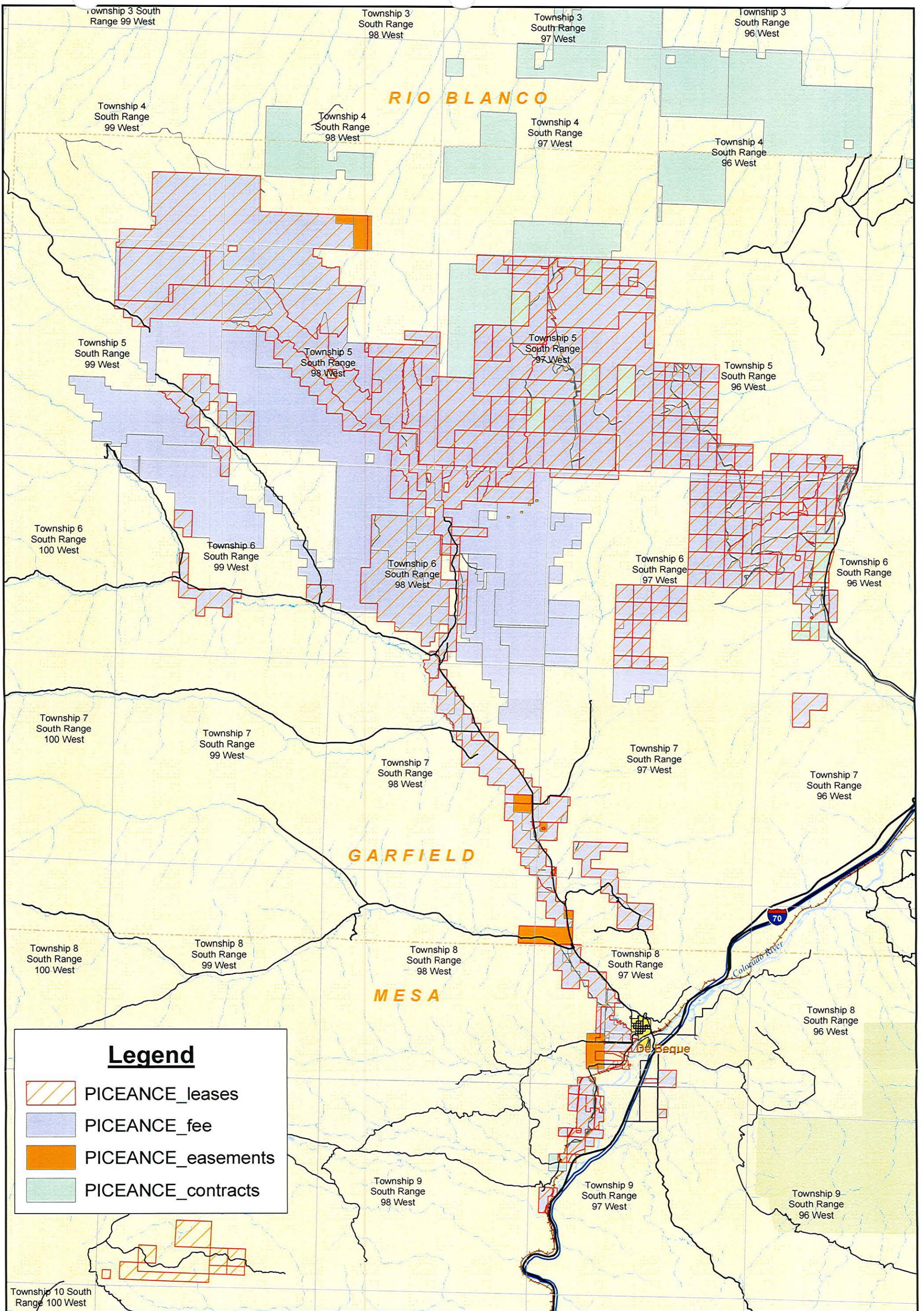


CNAEP PBNCG Project
 Clear Creek Floodplain - 100 yr.
 Figure 3





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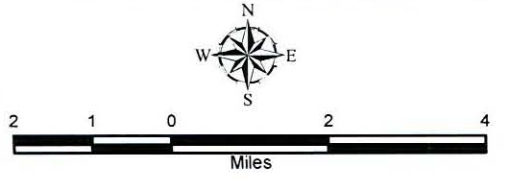
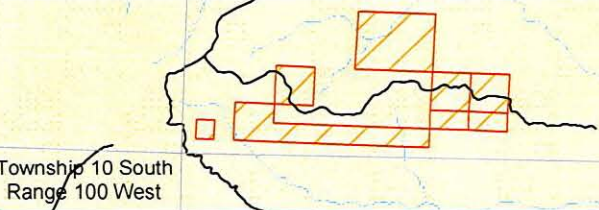
	MidContinent/Alaska SBU Chevron North America Exploration and Production
	FILE

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PROPERTY UNIQUE:						
PROPERTY COMMON:						
PROJECT:	PICEANCE BASIN DEVELOPMENT PROJECT					
DRAWING:	SK-014-14-11-030-003					
WBS ELEM:	COST CENTER	PROJECT TYPE	PROJECT NO.	REVISION NO.	DATE	
ENGR:	TB DRFTR GAG CHKR		29021-003		DATE	
APPRVD:					DATE	
SCALE:	SHEET SIZE: 24x36					



Legend

-  PICEANCE_leases
-  PICEANCE_fee
-  PICEANCE_easements
-  PICEANCE_contracts



**CNAEP PBNCG Project
Property Boundaries
Figure 4**

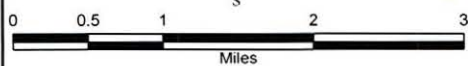
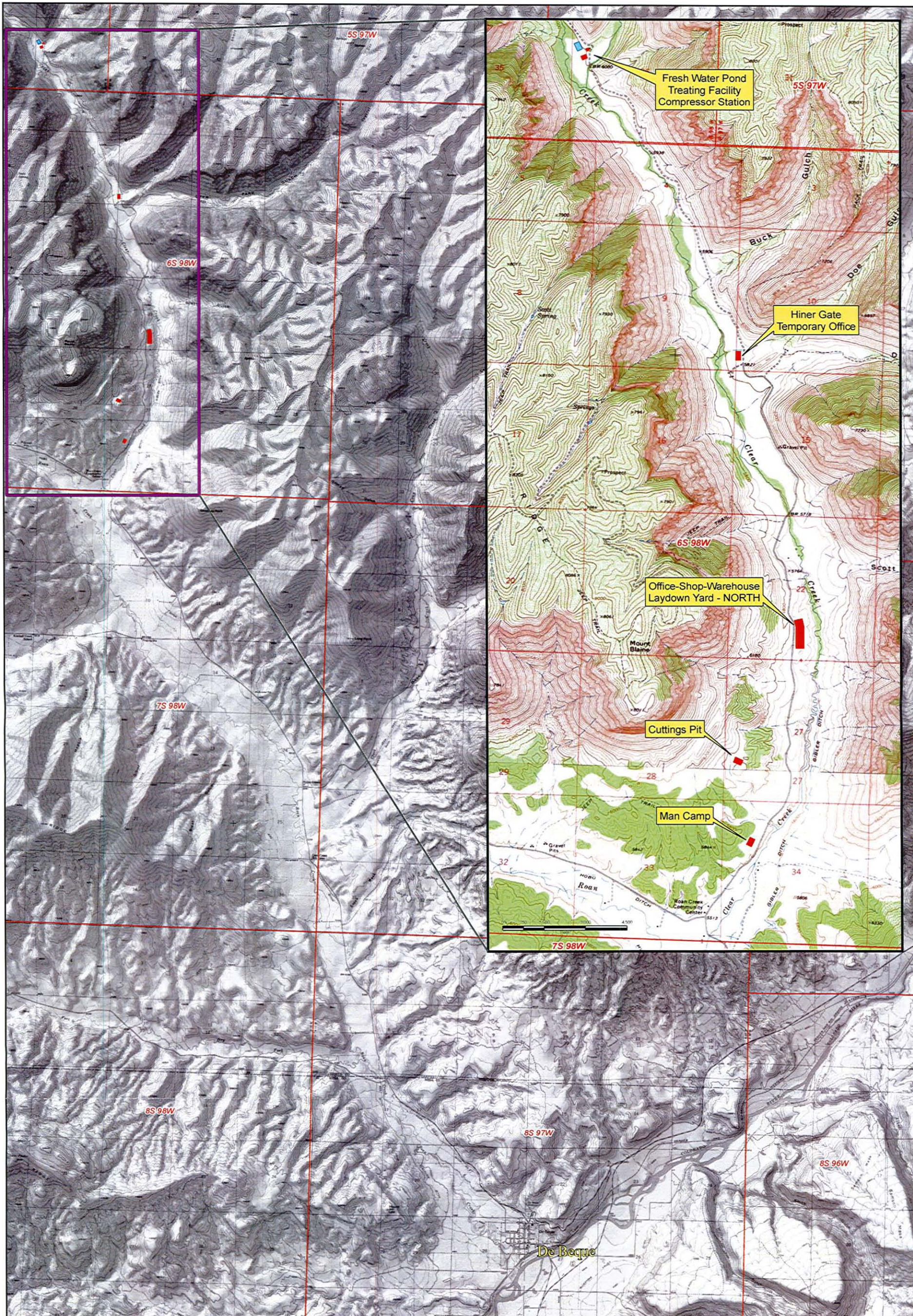
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Chevron North America
Exploration and Production

REVISIONS

FILE:

AREA: WESTER SLOPE	FIELD: SKINNER RIDGE	CO: Mesa-Garfield	ST: CO
PROPERTY UNIQUE			
PROPERTY COMMON			
PROJECT: PICEANCE BASIN DEVELOPMENT PROJECT			
DRAWING: SK-014-14-11-030-004			
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ENGR: TB	DRFTR: GAG	CHKR:	29021-003
APPRVD:			A
SCALE: #	SHEET SIZE: 11x17		DATE: 24Apr07



CNAEP PBNCG Project
Clear Creek Topographic Map
Figure 5

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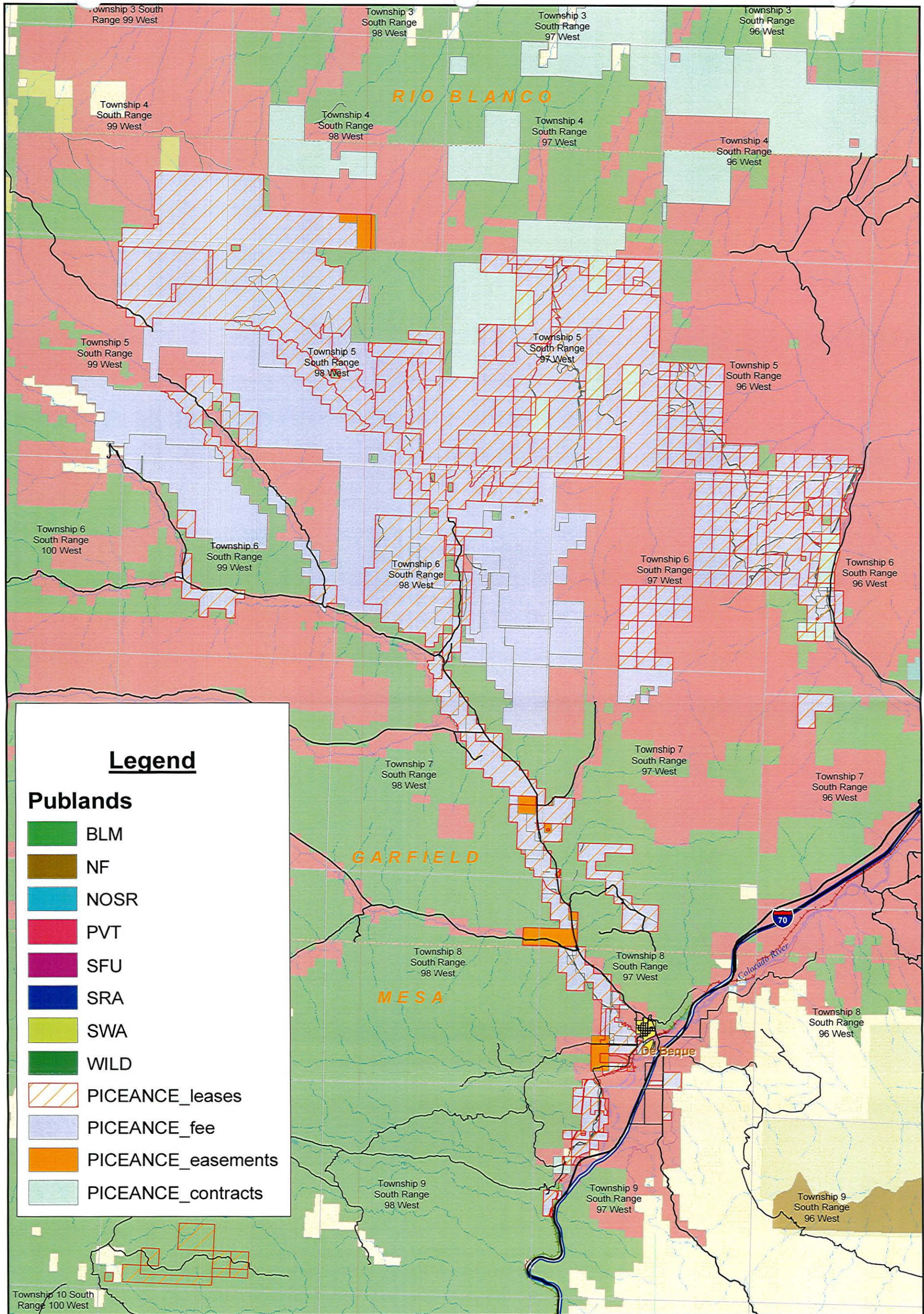


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Chevron North America
Exploration and Production

FILE

REVISIONS

AREA: WESTERN SLOPE	FIELD: SKINNER RIDGE	CO: Mesa-Garfield ST: CO
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PROPERTY COMMON		
PROJECT: PICEANCE BASIN DEVELOPMENT PROJECT		
DRAWING: SK-014-14-11-030-005		
WBS ELEM	COST CENTER	PROJECT NO
ENGR: TB	DRFTR: GAG	CHKR
APPRVD:		
SCALE: =	SHEET SIZE: 24x36	20021-003
		DATE



Legend

Publands

- BLM
- NF
- NOSR
- PVT
- SFU
- SRA
- SWA
- WILD
- PICEANCE_leases
- PICEANCE_fee
- PICEANCE_easements
- PICEANCE_contracts

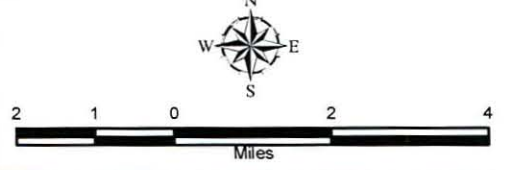
CNAEP PBNCG Project
Property Map w/adjacent owners
Figure 6

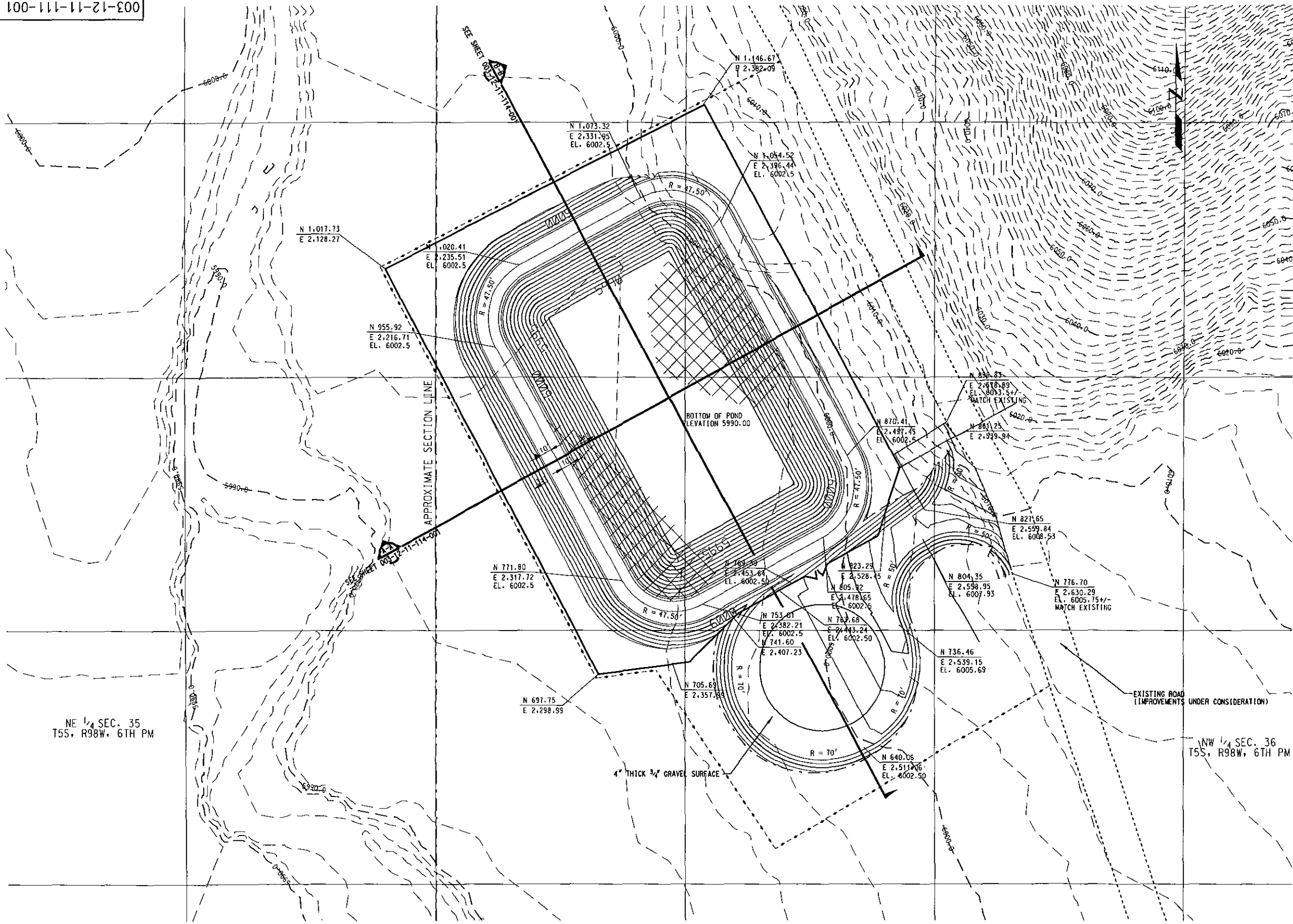
Washington Group International
7800 E. Union Ave. - Denver, CO 80237 - (303) 843-0000

Chevron MidContinent/Alaska SBU
Chevron North America
Exploration and Production

FILE: _____

AREA: WESTER SLOPE	FIELD: SKINNER RIDGE	CO: Mesa-Garfield	ST: CO
PROPERTY UNIQUE:			
PROPERTY COMMON:			
PROJECT: PICEANCE BASIN DEVELOPMENT PROJECT			
DRAWING: SK-014-14-11-030-004			
WBS ELEM:	COST CENTER:	PROJECT TYPE:	PROJECT NO:
ENGR: TB	DRFTR: GAG	CHKR:	REVISION NO:
APPRVD:			DATE:
SCALE: *	SHEET SIZE: 11x17	25021-003	A 24Apr07





NE 1/4 SEC. 35
T5S, R98W, 6TH PM

NW 1/4 SEC. 36
T5S, R98W, 6TH PM

LEGEND

— NEW 6' CHAIN LINK FENCE

- - - - - STRAW WADDLE

PRELIMINARY NOT FOR CONSTRUCTION

DISCIPLINE	BY	DATE	DISCIPLINE	BY	DATE
ELECTRICAL			MECHANICAL		
ENVIRON.			NUCLEAR		
GEN. ARRANG.			PIPING		
HVAC			PROCESS		
I & C			QA / QC		
			STRUCTURAL		

REV. C	REV. NO.	DATE	REVISIONS	BY	CHKR
A	04/02/07	ISSUED FOR PERMIT APPROVAL	JC	MN	
B	04/12/07	ISSUED FOR PERMIT APPROVAL	TOD	MN	
C	05/01/07	ISSUED FOR PERMIT APPROVAL			

DRAWING STATUS		REV	DATE	SDE	PEM
ISSUED					
PRELIMINARY	C				
APPROVED FOR CONSTRUCTION					

NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED & DATED. DESTROY ALL PRINTS BEARING EARLIER DATE &/OR REV. NO.

PROJECT NO.: 20921

DRAWN: JC DATE: 03/30/07

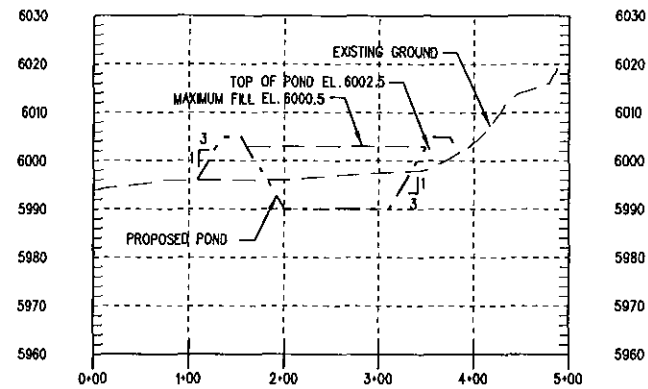
CHECKED: MN DATE:

SCALE: 1" = 40'

Chevron MidContinent/Alaska SBU
Chevron North America
Exploration and Production

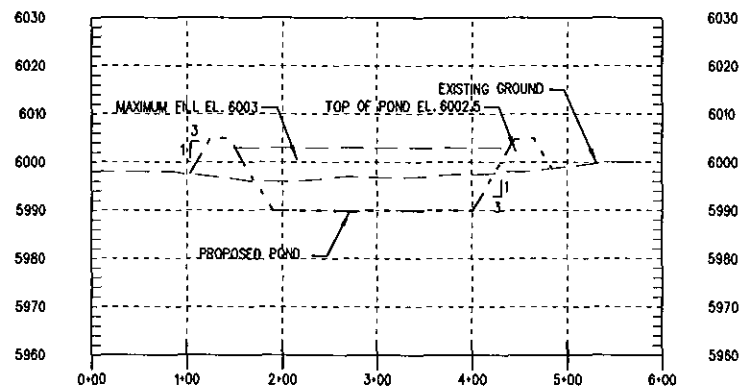
Washington Group International
7800 E. Union Ave. - Denver, CO 80237 - (303) 843-2000

AREA: 003	FIELD:	CD: GARFIELD	ST: CO.
PROPERTY UNIQUE:			
PROPERTY COMMON:			
PICEANCE BASIN DEVELOPMENT - EPS FRESH WATER POND ROUGH GRADING			
DWG. NO.	003-12-11-111-001		REV C



SECTION A-A
SEE SHEET 003-12-11-111-001

SCALE HORZ 1" = 100'
VERT 1" = 20'



SECTION B-B
SEE SHEET 003-12-11-111-001

SCALE HORZ 1" = 100'
VERT 1" = 20'

NOTE:

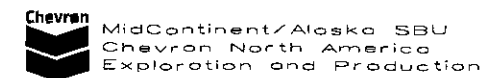
MAXIMUM BERM HEIGHT IS KEPT BELOW 10' MAXIMUM MEASURED AT CENTERLINE

PRELIMINARY NOT FOR CONSTRUCTION

REVISION APPROVAL RECORD				REV C	REV NO	DATE	REVISIONS	BY	CHKR	DRAWING STATUS				
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			NUCLEAR		04/12/07	B	ISSUED FOR PERMIT APPROVAL	TOD	MN					
					05/01/07	C	ISSUED FOR PERMIT APPROVAL	TOD	MN	PRELIMINARY	C			
ELECTRICAL			PIPING											
ENVIRON.			PROCESS											
GEN. ARRANG.			QA / QC							APPROVED FOR CONSTRUCTION				
HVAC			STRUCTURAL											
I & C														

NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED & DATED. DESTROY ALL PRINTS BEARING EARLIER DATE &/OR REV. NO.

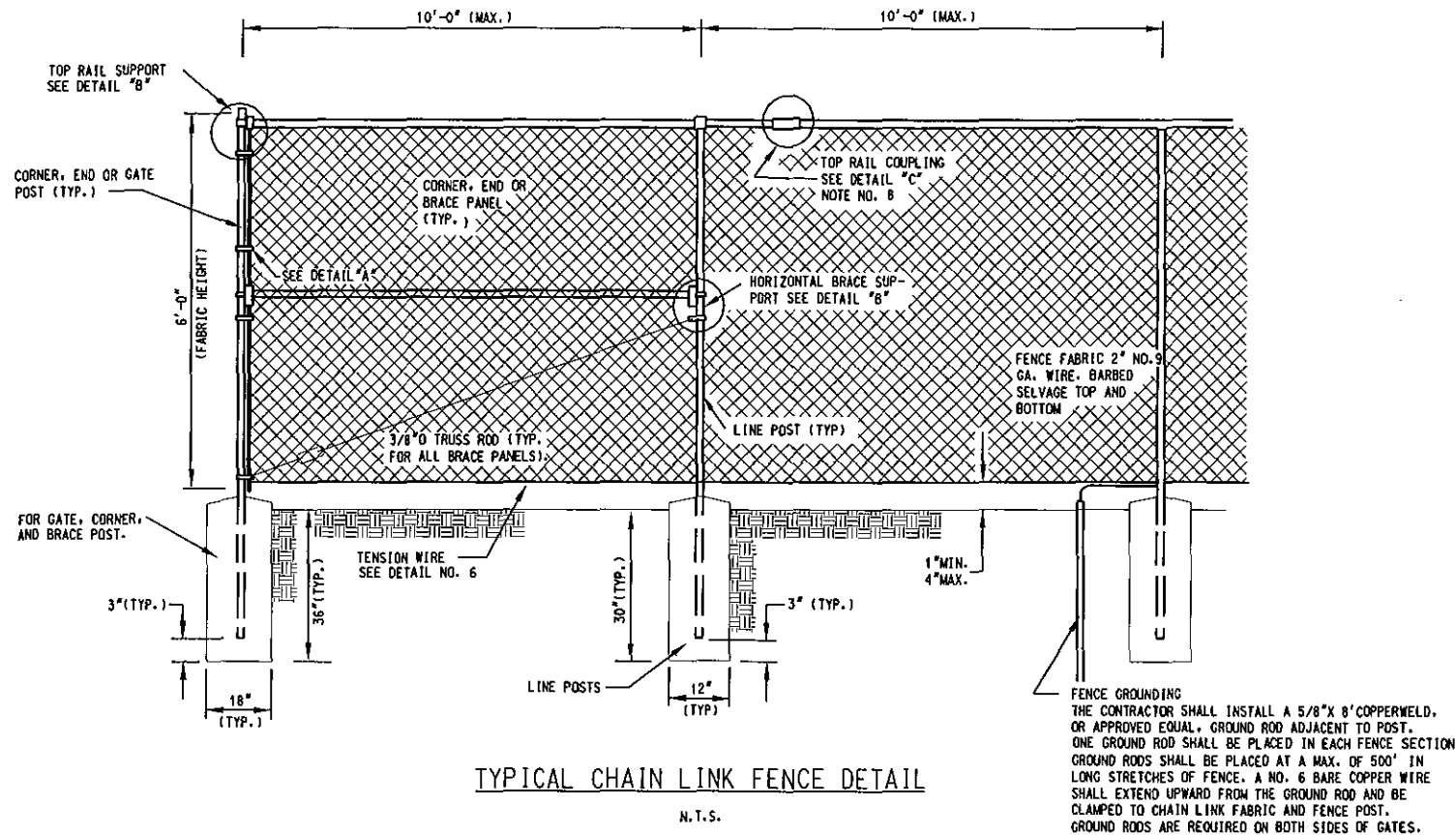
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CHECKED:	DATE:	
SCALE:	AS SHOWN	



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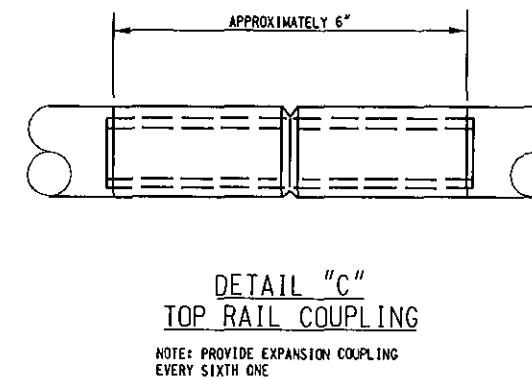
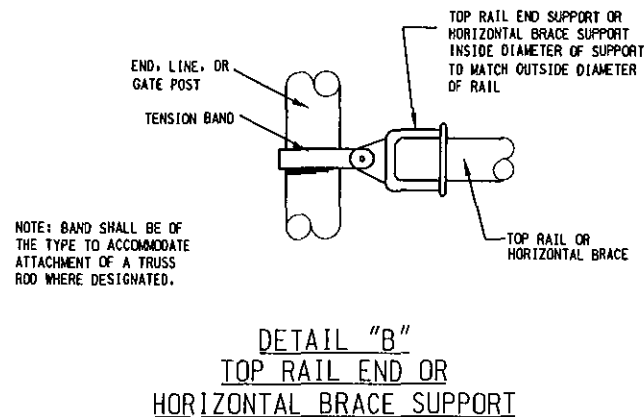
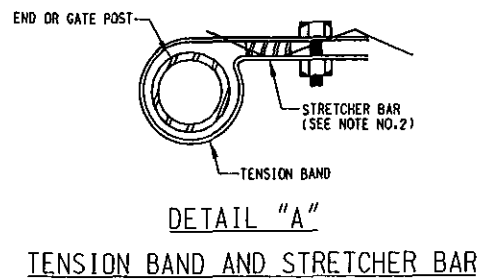
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PROPERTY UNIQUE:		
PROPERTY COMMON:		
PICEANCE BASIN DEVELOPMENT - EPS FRESH WATER POND ROUGH GRADING SECTIONS		
DWG. NO.	003-12-11-114-001	REV C

1 INCHES



NOTES:

1. THE CONTRACTOR SHALL PROVIDE AND INSTALL GALVANIZED FENCES AND GATES COMPLETE, INCLUDING ALL ERECTION, ACCESSORIES, FITTINGS, AND FASTENERS.
2. STRETCHER BARS WILL BE THE FULL HEIGHT OF THE FABRIC WITH A MINIMUM CROSS SECTION OF 1/4" X 3/4". STRETCHER BARS WILL BE USED ON EACH GATE AND AT CORNER, FULL, GATE, AND END POSTS. TENSION BANDS FOR SECURING STRETCHER BARS TO POSTS WILL BE SPACED 14" ON CENTERS OR LESS.
3. TIE WIRES (9 GA. GALVANIZED) WILL BE USED TO FASTEN THE CHAIN LINK FABRIC SECURELY TO (A) THE TOP RAIL ON FENCES AND GATES, (B) LINE POSTS, (C) HORIZONTAL BRACES AND (D) THE BOTTOM RAIL ON ALL GATES. WIRE SHALL BE GIVEN AT LEAST TWO TWISTS.
4. DIAGONAL TRUSS RODS WILL BE 3/8" DIAMETER GALVANIZED STEEL RODS EQUIPPED WITH A TURN BUCKLE OR EQUIVALENT ADJUSTMENT DEVICE. TRUSS RODS REQUIRED FOR EACH CORNER AND END POST. TRUSS RODS SHALL HAVE THREADED ENDS OR APPROVED EQUAL.
5. ALL STEEL MATERIAL TO BE GALVANIZED BY THE HOT DIP PROCESS.
6. TENSION WIRE NO. 7 GA. GALVANIZED COILED SPRING WIRE ATTACHED WITH GALVANIZED FASTENERS.
7. CHAIN LINK FABRIC WILL BE INSTALLED ON THE LINE POST AWAY FROM THE APRON AREAS, TAXIWAY, OR RUNWAYS.
8. TOP RAIL COUPLINGS WILL BE INSTALLED WHERE NECESSARY TO CONTINUE TOP RAIL ENTIRE LENGTH OF FENCE. EVERY SIXTH COUPLING WILL BE EQUIPPED WITH EXPANSION SPRINGS.
9. BRACE PANELS SHALL BE INSTALLED IN LONG STRAIGHT FENCE LINES TO PREVENT STRETCHING DISTANCES IN EXCESS OF 500 FEET.
10. THE CONTRACTOR SHALL PROVIDE MATERIALS SUBMITTALS FOR THE ENGINEERS APPROVAL PRIOR TO ORDERING.



PRELIMINARY NOT FOR CONSTRUCTION

REVISION APPROVAL RECORD				REV B		DATE		REVISIONS				BY		CHKR		DRAWING STATUS			
DISCIPLINE	BY	DATE	DISCIPLINE	BY	DATE	A	04/11/07	ISSUED FOR PERMIT APPROVAL	TOD	MIN	ISSUED	REV	DATE	SOE	PEM				
			MECHANICAL			B	05/01/07	ISSUED FOR PERMIT APPROVAL											
			NUCLEAR								PRELIMINARY	B							
			PIPING								APPROVED FOR CONSTRUCTION								
			PROCESS								NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED & DATED. DESTROY ALL PRINTS BEARING EARLIER DATE &/OR REV.NO.								
			OA / OC																
			STRUCTURAL																

PROJECT NO.:	20921
DRAWN:	TOD
DATE:	04/10/07
CHECKED:	NN
DATE:	
SCALE:	AS SHOWN

Chevron MidContinent/Alaska SBU
Chevron North America
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7800 E. Union Ave. - Denver, CO 80237 - (303) 843-2000

AREA: 003	FIELD:	CD: GARFIELD	ST: CO.
PROPERTY UNIQUE:			
PROPERTY COMMON:			
PICEANCE BASIN DEVELOPMENT - EPS FRESH WATER POND FENCING DETAILS			
DWG. NO.	003-12-11-215-001	REV	B

Storm Water Management Plan
For
Skinner Ridge Common Plan of Development
Garfield County, Colorado

September 2005
 Revised June, October 2006

Prepared for:

Chevron U.S.A. Inc
P.O. Box 36366
11111 South Wilcrest
Houston, Texas 77099

Prepared by:



Cordilleran Compliance Services, Inc
826 21 1/2 Road
Grand Junction, Colorado 8150

Note: For reference purposes only - baseline "living" document. EPS specific information incorporated as project details are finalized.

SKINNER RIDGE SWMP

CHEVRON U.S.A., INC.

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- Figure 1 Skinner Ridge Location
Figure 2 Final Stabilization Seed Mixture

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- Appendix A Skinner Ridge Storm Water Permit Application
Appendix B Typical Storm Water BMP Details
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1.0 INTRODUCTION

This Storm Water Management Plan (SWMP) is written to comply with the Colorado Department of Public Health and Environment's (CDPHE) General Permit No. COR-03000 issued on June 30, 2002 and will expire on June 30, 2007, and related U.S. Environmental Protection Agency (USEPA) National Pollutant Discharge Elimination System (NPDES) storm water regulations. This SWMP addresses construction activities associated with development of the natural gas resources in the Skinner Ridge area. This SWMP is intended to be periodically updated as needed to address planned developments, new disturbances, and other changes needed to manage storm water and protect surface water quality.

1.1 Storm Water Runoff Permitting Requirements

The Federal Clean Water Act [Section 402(p)] requires that discharges of pollutants to waters of the United States from any point source be regulated by NPDES permits. In November 1990 the USEPA published final regulations that established application requirements for storm water associated with construction activity for soil disturbances of 5 acres or more be regulated as an industrial activity and covered by an NPDES permit. In December 1999 the USEPA published final Phase II NPDES regulations that established application requirements for storm water associated with construction activity for soil disturbances to be regulated as an industrial activity and covered by an NPDES permit. These regulations became effective July 1, 2002.

Construction permits are required for oil & gas activities that disturb 5 or more acres during the life of the project or are part of a larger common plan of development. CDPHE considers a common plan of oil and gas development to mean development of several well pads and/or related infrastructure in a contiguous area either during the same time period or under a consistent plan for long-term development.

1.2 Project Description and Background

The Skinner Ridge Common Plan of Development will be located in Garfield County, Colorado within Townships 5 & 6 South, Range 98 West. The town of DeBeque, Colorado is the nearest population center. The Skinner Ridge area is located approximately 14 miles north of DeBeque. The current drilling and development plan includes pad construction, access road improvement/construction, pit construction, installation of associated facilities, well drilling, well completion, well testing and pipeline construction. The area of disturbance including the natural gas well pads, the access roads and gathering system pipeline will be greater than five acres.

1.3 Project Owner and Operator

The property owner and operator is Chevron Oil & Gas Corporation. Their address is:

Chevron U.S.A. Inc.
11111 S. Wilcrest
Houston, Texas 77099
Ph (981) 561-4991

The Chevron contact person for the project is Sean Norris. Mr. Norris can be contacted by phone at (970) 270-7517. Chevron will be in charge of all aspects of this project. Contractor(s) will do the actual construction and grading but all work will be supervised by Chevron and all decisions will be made by Chevron.

2.0 CONSTRUCTION SITE DESCRIPTION

2.1 Site Location and Construction Area Description

The Skinner Ridge project area will be located in Garfield County, Colorado within Townships 5 & 6 South, Range 98 West. The following is a list of the sections that are in the development area:

Township 5 South Range 98:
Sections: 8, 17, 25, 27, 36

Township 6 South Range 98:
Sections: 11, 12, 22, 23, 27, 28

In areas that are disturbed by construction, soil materials will be managed so that erosion and sediment transport are minimized. Nearby drainages will be protected by appropriate measures. The road will be graded and sloped to drain into roadside ditches and to direct runoff from adjacent slopes away from the road surface. The development consists of the construction of roads, pipelines, drilling pads and gas treatment facilities. The construction of the facilities in the development area will be done using conventional cut and fill, trenching and earth moving techniques.

Reclamation and final stabilization will be conducted as described in Section 7.

2.2 Schedule of Construction Activities

Natural gas exploration and development activities are planned for several years. Existing and future well pads and other disturbances are included in this SWMP. For well pads that will be constructed, BMPs will be installed prior to, during, and immediately following construction as practicable. Development of the natural gas resource and construction of necessary improvements on this property will likely continue for the next 3 to 5 years.

The development of natural gas wells is generally accomplished in three distinct work phases. The first phase is the Development (Construction/Drilling/Completion), the second phase is the Production (Operation/Maintenance), and the third phase is the Abandonment and final reclamation. Each work phase is briefly discussed below.

Development (Construction/Drilling/Completion/Reclamation)

The development phase includes the following activities; pad construction, well drilling, well completion, gas line installation, and pad area reclamation. Pad reclamation is accomplished by backfilling the reserve pit, contouring disturbed soils to conform with the surrounding terrain, replacing the stockpiled top soil, seeding of disturbed soil areas in order to reestablish a cover vegetation, and construction of erosion and sediment control structures. The completion of a well (gas production) generally triggers a one-year time period in which the reclamation phase of work should be completed. For the specific final stabilization seed mixture please refer to the Figure 2.

Production (Operation/Maintenance)

The production phase includes the operation and maintenance activities during natural gas production. The typical equipment on a pad during the production phase consists of a wellhead, a separation unit, from one to several 300-barrel capacity aboveground tanks for condensate, and an above ground tank for storing produced water. Gas pipelines are also installed during this phase of work.

Reclamation activities during this phase include maintenance of revegetated areas and maintenance of the erosion and sediment control structures. Natural gas wells in the Skinner Ridge area are projected to produce for approximately 20 to 30 years.

Abandonment and Final Reclamation

When the natural gas production of a well is exhausted it will be abandoned. Upon well abandonment each borehole will be plugged, capped, and all surface equipment will be removed. Subsurface pipelines will be removed to specified locations and plugged. The pad area will be reclaimed by contouring disturbed soils to conform to the surrounding terrain, by replacing the stockpiled top soil, by seeding of disturbed soil areas in order to reestablish cover vegetation, and by construction of erosion and sediment control structures as needed.

If the exploratory holes yield economically viable natural gas resources; additional gas well drilling will proceed. Any additional wells will need to be added to the SWMP. Once the well is completed and brought into production it will operate as an unmanned facility twenty-four hours per day, seven days per week, and 365 day a year. Chevron personnel or contract personnel will visit the site daily or at a minimum one per week.

Once stabilization is achieved, defined as uniform vegetative cover established with a density of at least 70 percent of pre-disturbance levels, a well pad may be removed from this SWMP for sediment controls. However, if petroleum hydrocarbons or other chemicals impact stormwater as a result of industrial activities onsite, the impacted stormwater will be addressed by following a spill prevention control and countermeasures (SPCC) plan.

2.3 Runoff Characteristics

Runoff characteristics are based on site topography, soil type, and soil/vegetative cover. According to the NCRS, soils for the Skinner Ridge project area consist of the following soil types:

1. Biedsaw-Sunup gravelly loams, 10 to 40% slopes – is on side slopes of mountains and ridges. Native vegetation is mainly juniper, sagebrush, shadscale saltbrush, greasewood, cphedra, yucca, and Indian ricegrass. Elevation is 5,100 to 6,600 feet. Biedsaw soil is deep and well drained. Permeability is slow and water capacity is high. Runoff is rapid and water erosion is severe. Sunup soil is shallow and well drained. Permeability is moderate and water capacity is very low. Runoff is rapid and water erosion is severe.
2. Cumulic Haploborolls, 1 to 3% slopes – are on flood plains. Vegetation is narrowleaf, cottonwoods, maples, willows, grasses, and forbs. Elevation is 5,800 to 7,400 feet. The soil is deep and is well drained to poorly drained. Permeability is moderate to moderately slow and water capacity is low to high. Runoff is slow and water erosion is slight.
3. Grobutte very channery loam, 30 to 60% slopes – is on steep hills and mountainsides. Native vegetation is shrubs and grass. Elevation is 6,000 to 8,000 feet. The soil is deep and well drained. Permeability is moderately rapid and water capacity is low. Runoff is rapid and water erosion is very severe.
4. Happle very channery sandy loam, 12 to 25% slopes – is on alluvial-colluvial fans and toeslopes. The soil is deep and well drained. Native vegetation is sagebrush, grasses, and forbs. Elevation is 5,400 to 6,200 feet. Permeability is moderate and water capacity is low. Runoff is medium and water erosion is severe.
5. Happle-Rock outcrop association, 25 to 65% slopes – is on side slopes and canyon rims. The soil is deep and well drained. Native vegetation is sagebrush, grass, and forbs. Elevation is 6,200 to 7,200 feet. Permeability is moderate and water capacity is low. Runoff is rapid and water erosion is severe.
6. Tosca channery loam, 25 to 80% slopes – is on mountain side slopes and footslopes. The soil is deep and well drained. Native vegetation is serviceberry, Gambel's oak, snowberry, and grasses. Elevation is 6,200 to 8,500 feet. Permeability is moderate and water capacity is low. Runoff is rapid and water erosion is very severe.

The runoff coefficient value prior to and after construction will range from 0.10 to 0.40; depending on the topography of each well pad. The pre-disturbance percent ground cover ranges from 60 to 85 percent. For specific pad percent ground cover information please refer to the plat maps. Possible receiving waters include unnamed tributaries of Tom Creek, Deer Park Gulch, Clear Creek, Roan Creek, and the Colorado River.

3.0 POTENTIAL POLLUTION SOURCES

Potential pollution sources associated with construction sites and natural gas development include:

- Sediment resulting from erosion of soil stockpiles and other areas cleared of vegetation;
- Leakage of fuels and lubricants from equipment and spills from fueling;
- Trash and debris from clearing activities, construction materials, and workers;
- Leakage or spills from storage tanks and process equipment associated with the natural gas development activities.

The most common source of pollution from pad and access road construction is sediment, which can be carried away from the work site with storm water runoff and impact the water quality of a receiving stream. Clearing, grading, and otherwise altering previously undisturbed land can increase the rate of soil erosion over pre-disturbance rates.

Petroleum products can also be potential storm water pollutants. These products are used in construction activities to power or lubricate equipment and include: fuel, gear oil, hydraulic oil, brake fluid, and grease.

Debris from laydown areas, residue from equipment cleaning and maintenance, and solid waste generated from land clearing operations and human activity (trees, brush, paper, trash, etc.) present other potential pollution sources within the construction site.

Spills or leaks from potential sources are described in the SPCC plan. Response to certain events may require specialized training due to health and safety concerns.

4.0 DESCRIPTION OF CONTROL MEASURES

4.1 Soil Erosion and Sediment Controls

The objective of erosion and sediment controls is to minimize the release of sediments to storm water runoff. This can be accomplished through the use of structural and/or nonstructural controls. This section describes erosion and sediment controls to be used at active construction sites to minimize possible sediment impacts to storm water runoff. The proposed erosion control features can include:

- Placement of any topsoil stockpiles along the cut-slope side of the pad to divert run-on;
- Installation of silt fence, straw bales or diversion ditches at or below the toe of fill slopes where located within 100 feet of surface water drainages or where steep slopes will likely result in rapid drainage from the location to nearby drainages, and;
- Installation of check dams in areas of concentrated flow;
- Use of erosion control matting, rock armoring, and soil berms to prevent soil erosion.

4.1.1 Uphill topsoil stockpile/diversion berm

In order to divert surface runoff from upgradient areas away from construction areas, salvaged topsoil may be placed on the uphill side of the road cut slope. The topsoil stockpile may be placed and graded to form a diversion berm that will direct surface water away from the road.

4.1.2 Downhill silt fence

Silt fence can be installed at the down gradient edge of the road and other fill slopes located within 100 feet of a surface drainage. Silt fences may also be required in areas where steep slopes will likely result in fast flow of water from the location to nearby drainages. Typical silt fence installation details are given in Appendix B.

4.1.3 Hay bale check dams

Hay bale check dams should be installed at suitable locations to slow the concentrated flow of drainage water. Typical hay bale check dam installation details are given in Appendix B.

4.1.4 Rock check dams

Rock check dams will be installed in areas of concentrated flow. Rock check dams may be used instead of hay bale check dams in areas where steep slopes, high flows, or long-term exposure are expected to result in failure or frequent maintenance of a hay bale structure. Typical hay bale check dam installation details are given in Appendix B.

4.1.5 Road drainage relief

Culverts, rolling dips or water bars may be used to provide drainage of water from road surfaces as needed to drain low areas or to reduce the amount of water flowing on the road surface. Road drainage relief should be provided as needed and in accordance with generally accepted practices. Guidance for road drainage relief is available in the document "Low-Volume Roads Engineering, Best Management Practices Field Guide," developed by the U.S. Forest Service and available on-line at <http://www.blm.gov/bmp/field%20guide.htm>. Depending on the location and type of drainage relief installed, additional sediment control features may be needed such as sediment removal at the inlet and erosion protection at the outlet.

4.1.6 Culvert inlet and outlet protection

Installation of culverts may be needed in certain areas where the access road intersects intermittent drainages. The culvert inlet area will include a sediment sump. The culvert outlet area will include an energy dissipation feature that should be installed to promote lateral spreading of the water.

4.1.7 Soil berm

Soil berms may be used to divert drainage away from areas of concern or to direct flow toward sediment control structures. Where used, soil berms shall be constructed of soil with sufficient fines to minimize flow through the berm. Berms shall be at least 18-inches tall and will be compacted in place by wheel rolling with suitable rubber tired, heavy equipment.

4.1.8 Straw wattles

Straw rolls are intended to capture and keep sediment on the slopes. Straw rolls are useful to temporarily stabilize slopes by reducing soil creep and sheet and rill erosion until permanent vegetation can be established. Straw rolls will last an average of one to two years. The slope needs to be prepared before the rolls are placed. Small trenches are created across the slope on the contour. The trench should be deep enough to

accommodate half the thickness of the roll (about 3"-5"). The trenches need to be 10 to 25 feet apart. The rolls need to be installed perpendicular to water movement, parallel to the slope contour. Start by installing rolls from the bottom of the slope. The rolls need to fit snugly against the soil. No gaps should be between the soil and roll. Willow or wooden stakes need to be driven through the roll and soil. There should only be 1 to 2 inches of stake exposed above the roll. The stakes should be installed every 4 feet.

4.1.9 Seeding of disturbed areas

Project areas disturbed by construction will be revegetated as soon as practicable following construction. Areas that will be revegetated will primarily be cut and fill slopes associated with grading activities. The permanent mix, rate, application method, and supplemental materials will be selected by the revegetation contractor. It is anticipated that this will include suitable grass species supplemented by cereal crops.

4.1.10 Rocky areas

In areas of the project, the depth to bedrock is expected to be relatively shallow. Excavation in these areas will result in rock fragment and pieces being exposed on the ground surface. Rock pieces, typically sedimentary sandstone, siltstone or shale, will provide a surface that is erosion resistant. Both cut and fill slopes in rocky areas may result in a surface that is similar to gravel surfacing (see below) and depending on the extent of rock pieces may preclude the use of downstream sediment retention BMPs (such as berms or silt fence). The person selecting BMPs should use experience and good judgment in determining which rocky soils will or won't require downstream BMPs.

4.1.11 Gravel surfacing

Gravel surfacing may be used to cover soil in areas of high traffic such as roads, facility areas, and the area near well heads. Gravel surfacing forms a layer that protects soil from wind and water erosion and prevents vehicle tracking.

4.1.12 Natural vegetative cover

An effective way to prevent erosion and sedimentation is to preserve the existing vegetation. It can provide both dust control and a reduction in erosion potential by increasing infiltration, trapping sediment, stabilizing the soil, and dissipating the energy of hard rain. Natural vegetative cover can be applied to any site and is not restricted by the type of soil, topography or climate.

4.1.13 Sediment basins

A sediment basin is a way to capture sediment from stormwater runoff before it leaves a development site. The basin will allow storm water runoff to collect in a basin, where the sediment can settle. Sediment basins must be located in an area that is easily accessible to maintenance crews for removal of accumulated sediment.

4.1.14 Diversion ditch

Diversion ditches convey concentrated runoff of surface water from the areas of disturbance to a stabilized area. The ditch should be excavated to a depth and width that can handle the expected flows. The ditch should be sloped so that the water velocities do not cause excess erosion. The ditch can be lined with check dams, vegetation, rock and/or other filter BMPs.

4.1.15 Erosion control matting

Erosion control matting is a way to provide erosion protection and assist in the establishment of vegetation. The matting selection should be based on the slope ratio. Typical erosion control matting installation details are given in Appendix B.

4.1.16 Additional BMP references

The structural and non-structural BMPs listed above are intended to include all BMPs that may be used for gas gathering projects. However, there may be situations where a BMP is needed but not included above or project personnel may need additional information on the use, specification, and maintenance of BMPs. Additional information resources are listed below:

- For oil and gas operations, the Bureau of Land Management and U.S. Forest Service have developed "Surface Operating Standards and Guidelines for Oil and Gas Exploration and Development," "Gold Book." The most recent version (fourth edition) of this is available on the internet at http://www.blm.gov/bmp/GoldBook_Draft_v12.pdf.
- For construction BMPs the Urban Drainage and Flood Control District, a Colorado front range group of city and county agencies has developed a BMP manual that is available on the internet at <http://www.udfcd.org/usdem/vol3.htm>
- For construction BMPs and surface stabilization methods, the Alabama Soil and Water Conservation Committee has developed "Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas, Volume 1 Developing Plans and Designing Best Management Practices." This information is available on the internet at

http://swcc.state.al.us/pdf/ASWCC_June_2003_Alabama_Handbook_Construction_E&S_Control.pdf

- For access roads, the US Forest Service and Bureau of Land Management have developed "Low-Volume Roads Engineering, Best Management Practices Field Guide," which is available on the internet at <http://www.blm.gov/bmp/field%20guide.htm>

4.2 Storm Water Management Controls

Structural BMPs will be installed, inspected, and maintained as needed. This SWMP will be revised as needed to address new disturbances. Depending on the type and location of new facilities there may be a need for inclusion of new and different BMPs. In general, new development should be planned with consideration for storm water quality (e.g. minimize disturbed area and maximize distance from surface water drainages, as practicable).

Other developments on the property, primarily existing and/or improved roads, not currently or specifically addressed in the SWMP will be periodically checked for erosion and drainage problems. This is especially important for access roads located within 100 feet of surface drainages or creeks. If problems are noted, they should be reported to the Site Manager and/or SWMP administrator. Problem areas may be addressed through construction activities, but will likely need to be addressed through BMPs which will be added to the plan as needed.

4.3 Other Controls

4.3.1 Waste management and disposal

Pad and access road construction will generate various other wastes during the course of construction. Other wastes may include the following:

- Trees and shrubs from clearing operations,
- Trash and debris from construction materials and workers,
- Sanitary sewage.

Each of these wastes will be managed so as to not contribute to storm water pollution. Trees and shrubs will be piled along the toe of fill slopes to provide additional sediment control. Construction trash and debris will be collected in containers and hauled off-site for disposal in suitable landfills. Sanitary waste will be containerized in portable toilets or other storage tanks with waste materials regularly pumped and transported off-site for disposal at approved facilities.

4.3.2 Fuels and materials management

Petroleum Products

Petroleum products which may be present at the construction site include: gasoline, diesel fuel, lubricant oils, hydraulic oils, used oils, and solvents. Gasoline and diesel fuel will be stored in portable storage tanks with secondary containment. Lubricant, hydraulic, and miscellaneous oils and solvents will be stored in 55-gallon or smaller containers.

Pollutants from petroleum products used during construction activities adhere easily to soil particles and other surfaces. In case of a spill or leak, soils contaminated with petroleum products will be contained and removed to a proper disposal site. Proposed soil erosion and sediment control practices will aid in retention of spills or leaks. Use of secondary containment and drip pans will reduce the likelihood of spills or leaks contacting the ground. Proposed maintenance and safe storage practices will reduce the chance of petroleum products contaminating the road site. Oily wastes such as crankcase oil, cans, rags, and paper containing oils will be placed in proper receptacles and disposed of or recycled. An additional source of petroleum contamination is leaks from equipment and vehicles. Routine daily inspections will be conducted to identify leaks and initiate corrective actions, if needed.

The following guidelines for storing petroleum products will be used.

- All product containers will be clearly labeled.
- Drums will be kept off the ground within secondary containment and stored under cover if needed.
- Fuel tanks will be stored within secondary containment.
- Lids of drummed materials will be securely fastened.
- Emergency spill response procedures will be available on-site. Persons trained in handling spills will be on call at all times.
- Spill clean up and containment materials (absorbent, shovels, etc.) will be easily accessible. Spills will be immediately cleaned up and contaminated materials will be properly stored on site until they can be disposed of in accordance with applicable regulations.
- Storage areas and containers will be regularly monitored for leaks and repaired or replaced as necessary. Workers should be reminded about proper storage and handling of materials during weekly subcontractor or safety meetings

Other Chemicals Products Management

Additional materials will be used and stored on site for use in construction. These materials will be stored appropriately and managed to minimize spills and leaks. Storage areas will be regularly inspected and any minor spills or leaks will be cleaned up immediately.

Materials Management

The construction contractor will maintain a laydown or staging area for equipment and materials storage on site. These areas will be maintained with good housekeeping and will be inspected on a regular basis for spills, leaks, and potential contamination.

4.3.3 Construction Site Housekeeping

Housekeeping will consist of neat and orderly storage of materials and containerized fluids. Wastes will be temporarily stored in sealed containers and regularly collected and disposed of at off-site, suitable facilities. If spills occur prompt cleanup is required to minimize any commingling of waste materials with storm water runoff.

Routine maintenance will be limited to fueling and lubrication of equipment. Drip pans will be used during routine fueling and maintenance to contain spills or leaks. Any waste product from maintenance will be containerized and transported off site for disposal or recycling. There will be no major equipment overhauls conducted on site. Equipment will be transported off site for major overhauls.

Cleanup of trash and discarded materials will be conducted at the end of each work day. Cleanup will consist of patrolling the road way, access areas, and other work areas to pickup trash, scrap debris, other discarded materials, and any contaminated soil. These materials will be disposed of appropriately.

5.0 INSPECTION AND MAINTENANCE PROCEDURES

To meet requirements of the General Permit inspection and maintenance of erosion and sediment controls must occur during the project. Continued inspection and maintenance is required for specific structures after construction is completed. The inspection program will include the following:

1. A qualified person familiar with the SWMP and control measures will conduct the inspections.
2. Inspections will cover these area of the construction site:
 - Disturbed areas without stabilization,
 - Material storage areas,
 - Best Management Practices (BMPs),
 - Surface water diversions,
 - Downgradient areas,
 - New access roads, and
 - Locations where vehicles enter or exit the site.
3. Inspections will occur at least once every 14 calendar days and after a significant precipitation or snow melt event that causes erosion.
4. Completed and stabilized sites will be inspected at least once per month.
5. A log of inspections will be kept.
6. Water quality will be assessed for all receiving streams and discharge areas during each inspection.
7. Disturbed areas and material storage areas that are exposed to precipitation will be inspected for evidence of pollutants entering nearby drainages.
8. Check dams, silt fences, and other BMPs will be inspected for evidence of deterioration, under-cutting, and build up of sediment. Sediment will be removed when it has built up one-third to one-half the height of the hay bales or silt fence.
9. Roads used for vehicle access will be inspected for evidence of off-site sediment transport.
10. Following each inspection, the SWMP will be modified as necessary to include additional controls designed to correct identified problems. Revisions to the SWMP will be made within 7 days of the inspection.
11. An inspection report summarizing the scope of the inspection, the name of the person conducting the inspection, date of inspection, and observations relating to the implementation will be prepared. Inspection reports will be retained for at least 3 years from the date that the site is finally stabilized.
12. Actions taken to modify any storm water control measure will be recorded and maintained with the SWMP.
13. If no deficiencies are found during the inspection, the report will contain certification that the site is in compliance with the SWMP. Signatures will be in accordance with the General Permit Conditions, Part E. 1 (Appendix A).

Maintenance will include prompt repairs and/or adjustments to any erosion and sediment control structures that are deteriorating or found to be performing inadequately. Repairs should be made as soon as possible and prior to the next anticipated storm event. Chevron U.S.A. or designated contractor(s) will maintain, on-site all materials necessary to make any reasonably expected repairs such as silt fence, hay bales, and stakes.

6.0 NON-STORMWATER DISCHARGES

No non-storm water discharges are anticipated from the project. Possible exceptions include fire prevention/suppression or dust control activities.

7.0 FINAL STABILIZATION

Areas which have been disturbed are considered to be stabilized when a uniform vegetative cover with a density of 70 percent of the pre-disturbance levels has been established or when an equivalent permanent, physical erosion reduction method is in place. For the specific final stabilization seed mixture please refer to Figure 2.

Areas at which are not used for facilities, access roads, materials storage yards, or other work areas will be stabilized with vegetation. Areas that are stabilized with vegetation will be considered to have achieved final stabilization when a uniform stand of vegetation with a density of at least 70 percent of the pre-disturbance has been established. Other areas which may include facilities, access roads, materials storage yards, and other work areas will be stabilized with the use of permanent, physical erosion reduction methods which include, but are not limited to:

1. Surface hardening – covering of the soil surface with hardened products such as concrete or asphalt pavement.
2. Surface covering – covering of the surface soil with structure that inhibits contact of precipitation with the soil surface which is generally considered to be placement of a structure (building or tank) over the soil surface.
3. Gravel surfacing – gravel surfacing will be applied in areas such as access roads, materials storage yards, and other work surfaces. Some gravel may be lost due to erosion from intense precipitation events or due to vehicle traffic. Gravel surfaces will be periodically inspected to determine the need for gravel replacement. Gravel surfaces will be replaced or repaired (through grading) when inspection reveals that the gravel surface is no longer effectively covering the soil surface.

8.0 CERTIFICATIONS

8.1 Owner/Applicant Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: _____

Name: Robert Life

Title: Rockies/CBM Operations Manager

Date: _____

Owner Name: Chevron U.S.A Inc.

Owner Address: 11111 S. Wilcrest
Houston, Texas 36366

Site Name and Location: Skinner Ridge Area
Township 5 & 6 South
Range 98 West
Garfield County, Colorado

SWMP Prepared by: Cordilleran Compliance Services, Inc.
826 21 1/2 Road
Grand Junction, CO 81505

8.2 Contractor/Subcontractor Certification

All contractors and subcontractors that will perform construction activities that could impact storm water will be familiar with the SWMP and will sign the following certification.

Contractor Certification

I certify under penalty of law that I understand the terms and conditions of the CHEVRON USA SKINNER RIDGE SWMP and associated CDPS General Permit that authorizes storm water discharges associated with industrial activity from the construction sites identified as part of this certification.

Signature: _____

Name: _____

Title: _____

Date: _____

Representing: _____

Company: _____

Address: _____

Address: _____

Phone: _____

Work to be conducted:

Activity 1: _____

Activity 2: _____

Activity 3: _____

Activity 4: _____

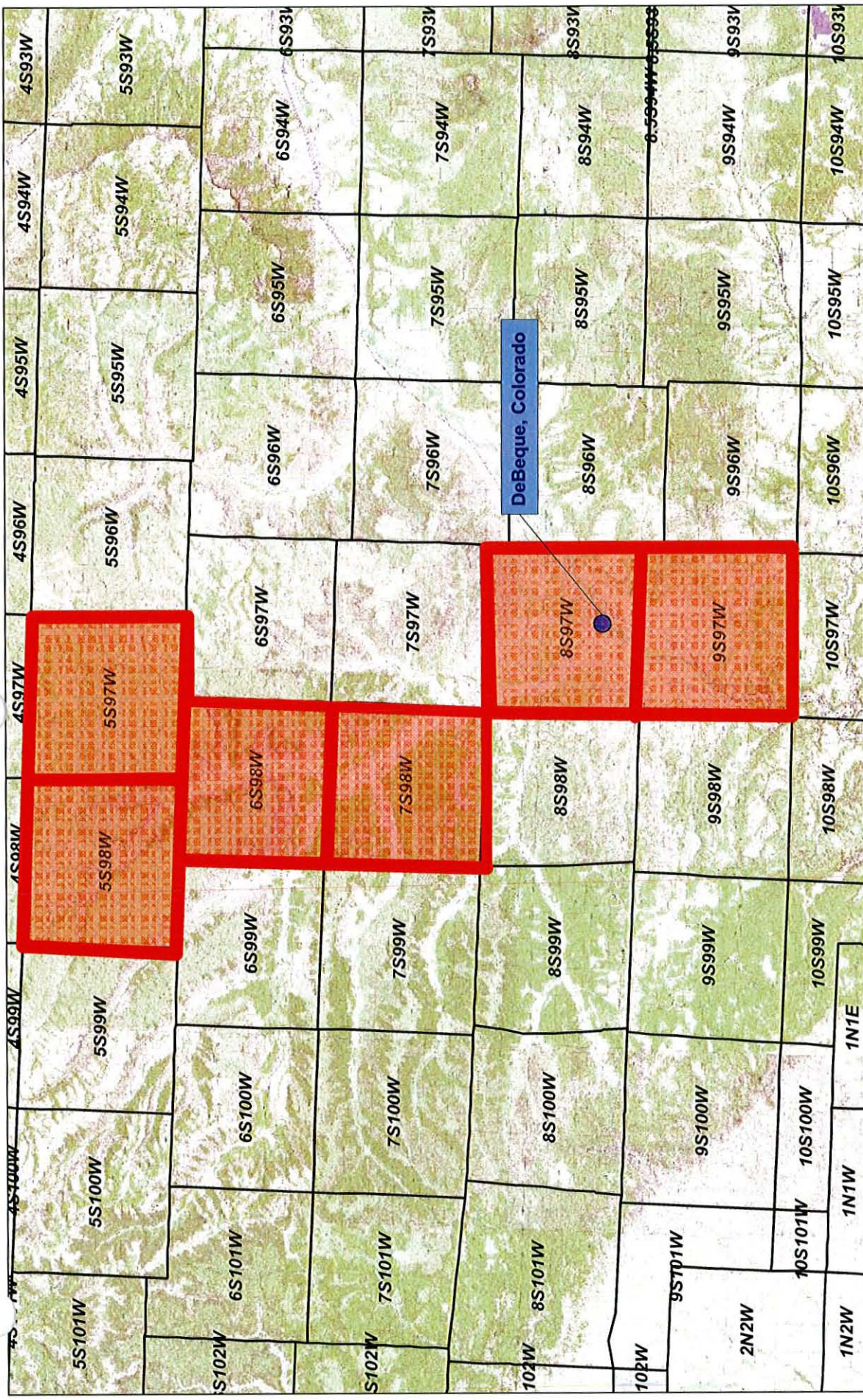
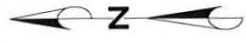


FIGURE 1
 SKINNER RIDGE COMMON PLAN OF DEVELOPMENT
 LOCATION MAP

CHEVRON U.S.A., INC.
 GARFIELD AND MESA COUNTIES, COLORADO

REVISION DATE	5/18/06
REVISION NUMBER	001
DRAWN BY	TPD
APPROVED BY	TPD
PROJECT #	EG06040
SCALE	NO SCALE



STATE OF COLORADO

Bill Owens, Governor
Douglas H. Benevento, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Cherry Creek Dr. S. Laboratory and Radiation Services Division
Denver, Colorado 80246-1530 8100 Lowry Blvd.
Phone (303) 692-2000 Denver, Colorado 80230-6928
TDD Line (303) 691-7700 (303) 692-3090

Located in Glendale, Colorado
<http://www.cdphe.state.co.us>



Colorado Department
of Public Health
and Environment

Permit No. COR-030000
Facility No. COR-037787
PAGE 1 of 17

February 17, 2005

Robert L. Life, Rockies/CBM Ops. Mgr
Chevron U.S.A. Inc. - Kenneth W. Jackson
11111 S. Wilcrest/P.O. Box 36366
Houston, TX 77099
281/561-4991

RE: Final Permit, Colorado Discharge Permit System – Stormwater

**Certification No: COR-037787, Garfield County
Skinner Ridge Natural Gas Wells**

Local Contact: Sean Norris, Senior Project Geologist, 970/ 263-7800

**Anticipated Activity: 02/07/2005 through 06/07/2006
On 3.4 acres (18.0 acres disturbed)**

Dear Sir or Madam:

Enclosed please find a copy of the permit certification that was issued to you under the Colorado Water Quality Control Act.

Your certification under the permit requires that specific actions be performed at designated times. You are legally obligated to comply with all terms and conditions of your certification.

Note that the stormwater permit for construction activities now covers construction sites disturbing down to one acre (the previous threshold was 5 acres). Effective July 1, 2002, any construction activity that disturbs at least 1 acre of land (or is part of a larger common plan of development or sale that will disturb at least 1 acre) must apply for permit coverage.

Please read the permit and certification. If you have any questions please visit our website at <http://www.cdphe.state.co.us/wq/permitsunit/wqcdpmt.html>, or contact Matt Czahor at (303) 692-3575.

Sincerely,

Kathryn Dolan
Stormwater Program Coordinator
Permits Unit
WATER QUALITY CONTROL DIVISION

Enclosure

xc: Regional Council of Governments
Local County Health Department
District Engineer, Technical Services, WQCD
Permit File
Fee File

CERTIFICATION

CDPS GENERAL PERMIT

STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION

Construction Activity: The construction activity includes the drilling of natural gas test wells, clearing of well drilling pads, construction of access roads, and the eventual construction of natural gas gathering pipelines.

This permit specifically authorizes: **Chevron U.S.A. Inc. - Kenneth W. Jackson**

to discharge stormwater from the facility identified as Skinner Ridge Natural Gas Wells

which is located at: Tom Creek in Skinner Ridge area,
Garfield County, Co

latitude 39.5877, longitude 108.3418 in Garfield County

to: Tom Creek

effective: 02/15/2005

Annual Fee: \$449.00 (**DO NOT PAY NOW**. You will receive a prorated bill.)

CDPS GENERAL PERMIT

STORMWATER DISCHARGES ASSOCIATED WITH
 CONSTRUCTION ACTIVITY

AUTHORIZATION TO DISCHARGE UNDER THE

COLORADO DISCHARGE PERMIT SYSTEM

In compliance with the provisions of the Colorado Water Quality Control Act, (25-8-101 et seq., CRS, 1973 as amended) and the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.; the "Act"), this permit authorizes the discharge of stormwater associated with construction activities certified under this permit, from those locations specified throughout the State of Colorado to specified waters of the State. Such discharges shall be in accordance with the conditions of this permit.

This permit specifically authorizes the facility listed on page 1 of this permit to discharge stormwater associated with construction activity, as of this date, in accordance with permit requirements and conditions set forth in Parts I and II hereof. All discharges authorized herein shall be consistent with the terms and conditions of this permit.

This permit and the authorization to discharge shall expire at midnight, June 30, 2007.

Issued and Signed this 21st day of May, 2002

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Susan Heathrich
 For

J. David Holm, Director
 Water Quality Control Division

DATE SIGNED: MAY 21, 2002

EFFECTIVE DATE OF PERMIT: JULY 1, 2002

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PART I

A. COVERAGE UNDER THIS PERMIT

1. Authority to Discharge

~~Under this permit, construction activities, including clearing, grading, and excavation, are granted authorization to discharge stormwater associated with construction activities into waters of the state of Colorado.~~

a. **Applicable Sections:** This permit is made up of several parts, not all of which apply to all permittees. The permittee will be responsible for determining and then complying with the applicable sections, depending upon whether or not a Qualifying Local Program covers the site. For sites not covered by a Qualifying Local Program, all Parts of the permit except Part I.A.3 apply.

2. Industries Covered Under this Permit

a) **Definitions:**

- 1) Stormwater: Stormwater is precipitation-induced surface runoff.
 - 2) Construction activity: Construction activity includes clearing, grading and excavation activities. Construction does not include routine maintenance performed by public agencies, or their agents to maintain original line and grade, hydraulic capacity, or original purpose of the facility.
 - 3) Small construction activity: Stormwater discharge associated with small construction activity means the discharge of stormwater from construction activities that result in land disturbance of equal to or greater than one acre and less than five acres. Small construction activity also includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale, if the larger common plan will ultimately disturb equal to or greater than one and less than five acres.
 - 4) Qualifying Local Program: This permit includes conditions that incorporate qualifying local erosion and sediment control program (Qualifying Local Program) requirements by reference. A Qualifying Local Program is a municipal stormwater program for stormwater discharges associated with small construction activity that has been formally approved by the Division.
 - 5) Other Definitions: Definitions of additional terms can be found in Part I.D. of this permit.
- b) **Types of Activities Covered by this Permit:** This permit may authorize all new and existing discharges of stormwater associated with construction activity. This includes stormwater discharges from areas that are dedicated to producing earthen materials, such as soils, sand and gravel, for use at a single construction site. This permit also includes stormwater discharges from dedicated asphalt batch plants and dedicated concrete batch plants. This permit does not authorize the discharge of mine water or process water from such areas.

3. Permit Coverage Without Application – for small construction activities under a Qualifying Local Program only

If a construction site is within the jurisdiction of a Qualifying Local Program, the operator of the construction activity is authorized to discharge stormwater associated with small construction activity under this general permit without the submittal of an application to the Division.

- a) **Applicable Sections:** For sites covered by a Qualifying Local Program, only Parts I.A.1, I.A.2, I.A.3, I.C.1, I.C.2, I.C.3, I.D and Part II of this permit, with the exception of Parts II.A.1, II.B.3, II.B.8, and II.B10, apply.
- b) **Local Agency Authority:** This permit does not pre-empt or supersede the authority of local agencies to prohibit, restrict, or control discharges of stormwater to storm drain systems or other water courses within their jurisdiction.

A. COVERAGE UNDER THIS PERMIT (cont.)

- c) **Permit Coverage Termination:** When a site has been finally stabilized, coverage under this permit is automatically terminated.
- d) **Compliance with Qualifying Local Program:** A construction site operator that has authorization to discharge under this permit under Part I.A.3 shall comply with the requirements of the Qualifying Local Program with jurisdiction over the site.
- e) **Full Permit Applicability:** The Division may require any owner or operator within the jurisdiction of a Qualifying Local Program covered under this permit to apply for and obtain coverage under the full requirements of this permit. The owner or operator must be notified in writing that an application for full coverage is required. When a permit certification under this permit is issued to an owner or operator that would otherwise be covered under Part I.A.3 of this permit, the full requirements of this permit replace the requirements as per Part I.A.3 of this permit, upon the effective date of the permit certification. A site brought under the full requirements of this permit must still comply with local stormwater management requirements, policies or guidelines as required by Part I.C.1.h of this Permit.

4. **Application, Due Dates**

- a) **Application Due Dates:** At least ten days prior to the commencement of construction activities, the operator of the construction activity shall submit an application form as provided by the Division, with a certification that the Stormwater Management Plan (SWMP) is complete.

One original completed discharge permit application shall be submitted, by mail or hand delivery, to:

Colorado Department of Public Health and Environment
Water Quality Control Division
WQCD-P-B2
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

- b) **Summary of Application:** The application requires, at a minimum, the following:

- 1) The operator's name, address, telephone number, tax payer identification number (or employer identification number), and the status as Federal, State, private, public or other entity;
- 2) Name, county and location of the construction site, including the latitude and longitude to the nearest 15 seconds of the approximate center of the construction activity;
- 3) A brief description of the nature of the construction activity;
- 4) The anticipated starting date of the project and the anticipated schedule of completion
- 5) Estimates of the total area of the site, the area of the site that is expected to be disturbed, and the total area of the larger common plan of development or sale to undergo disturbance;
- 6) The name of the receiving water(s), or the municipal separate storm sewer system and the ultimate (i.e., named) receiving water(s);
- 7) Certification that the SWMP for the construction site is complete (see Part I.B. below); and
- 8) The signature of the applicant signed in accordance with Part I.E.1 of this permit.

5. **Permit Certification Procedures**

If the general permit is applicable to the applicant's operation, then a certification will be developed and the applicant will be authorized to discharge stormwater under this general permit.

A. COVERAGE UNDER THIS PERMIT (cont.)

- a) **Request for Additional Information:** The Division shall have up to ten days after receipt of the above information to request additional data and/or deny the authorization for any particular discharge. Upon receipt of additional information, the Division shall have an additional ten days to issue or deny authorization for the particular discharge. (Notification of denial shall be by letter, in cases where coverage under an alternate general permit or an individual permit is required, instead of coverage under this permit.)
- b) **Automatic Coverage:** If the applicant does not receive a request for additional information or a notification of denial from the Division dated within ten days of receipt of the application by the Division, authorization to discharge in accordance with the conditions of this permit shall be deemed granted.
- c) **Individual Permit Required:** If, after evaluation of the application (or additional information, such as the SWMP), it is found that this general permit is not applicable to the operation, then the application will be processed as one for an individual permit. The applicant will be notified of the Division's decision to deny certification under this general permit. For an individual permit, additional information may be requested, and 180 days will be required to process the application and issue the permit.

- d) **Temporary Coverage:** Notwithstanding Parts I.A.5.a-c, above, the Division reserves the right to temporarily cover stormwater discharge from construction activity under general permits, even though individual permit coverage may be more appropriate.

Certification of these activities under a general permit does not in any way infringe on the Division's right to revoke that coverage and issue an individual permit or amend an existing individual permit.

- e) **General vs. Individual Permit Coverage:** Any owner or operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual CDPS permit. The owner or operator shall submit an individual application, with reasons supporting the request, to the Division at least 180 days prior to any discharge.
- f) **Local Agency Authority:** This permit does not pre-empt or supersede the authority of local agencies to prohibit, restrict, or control discharges of stormwater to storm drain systems or other water courses within their jurisdiction.

6. **Inactivation Notice**

When a site has been finally stabilized in accordance with the SWMP, the operator of the facility must submit an Inactivation Notice that is signed in accordance with Part I.E.1. of this permit. The Inactivation Notice form is available from the Division and includes:

- a) Permit certification number;
- b) The permittee's name, address, telephone number;
- c) Name, location, and county for the construction site for which the application is being submitted.
- d) Certification that the site has been finally stabilized, and a description of the final stabilization method(s).

An inactivation form may not be required for small construction activities if application was made for coverage with a completion date less than 12 months from the start of construction activity. In such cases, permit certification may be authorized for a predetermined period from 3 to 12 months. The permit certification will include the automatic expiration date for permit coverage. If permit coverage beyond that date is needed (i.e., the site has not been finally stabilized), the permittee must submit an extension request form to the Division at least 10 days prior to the expiration date.

7. **Transfer of Permit**

When responsibility for stormwater discharges at a construction site changes from one individual to another, the permittee shall submit a completed Notice of Transfer and Acceptance of Terms of a Construction General Stormwater Discharge Permit Certification that is signed in accordance with Part I.E.1. of this permit. The Notice of Transfer form is available from the Division and includes:

A. COVERAGE UNDER THIS PERMIT (cont.)

- a) Permit certification number.
- b) Name, location, and county for the construction site for which the application is being submitted.
- c) The current permittee's name, address, telephone number and the status as Federal, State, private, public or other entity.
- d) The new permittee's name, address and telephone number and the status as Federal, State, private, public or other entity.
- e) Certification that the new permittee has reviewed the permit and SWMP and accepts responsibility, coverage and liability for the permit.
- f) Effective date of transfer.

If the new responsible party will not complete the transfer form, the permit may be inactivated if the permittee has no legal responsibility, through ownership or contract, for the construction activities at the site. In this case, the new operator would be required to obtain permit coverage separately.

8. Permit Expiration Date

Authorization to discharge under this general permit shall expire on June 30, 2007. The Division must evaluate and reissue this general permit at least once every five years and must recertify the applicant's authority to discharge under the general permit at such time. Any permittee desiring continued coverage under the general permit must reapply by March 31, 2007. The Division will determine if the applicant may continue to operate under the terms of the general permit. An individual permit will be required for any facility not reauthorized to discharge under the reissued general permit.

9. Individual Permit Criteria

Aside from the activity type, the Division may use other criteria in evaluating whether an individual permit is required instead of this general permit. This information may come from the application, SWMP, or additional information as requested by the Division, and includes, but is not limited to, the following:

- a) the quality of the receiving waters (i.e., the presence of downstream drinking water intakes or a high quality fishery, or for preservation of high quality water);
- b) the size of the construction site;
- c) evidence of noncompliance under a previous permit for the operation;
- d) the use of chemicals within the stormwater system.

In addition, an individual permit may be required when the Division has shown or has reason to suspect that the stormwater discharge may contribute to a violation of a water quality standard.

B. CONTENTS OF THE STORMWATER MANAGEMENT PLAN

The SWMP shall be prepared in accordance with good engineering, hydrologic and pollution control practices. (The SWMP need not be prepared by a registered engineer.) The main objective of the plan shall be to identify Best Management Practices (BMPs) which when implemented will meet the terms and conditions of this permit (see Part I.C., below).

The plan shall identify potential sources of pollution (including sediment) which may reasonably be expected to affect the quality of stormwater discharges associated with construction activity from the facility. In addition, the plan shall describe and ensure the implementation of BMPs which will be used to reduce the pollutants in stormwater discharges associated with construction activity. Construction operations must implement the provisions of the SWMP required under this part as a condition of this permit.

The SWMP shall include the following items, at a minimum:

B. CONTENTS OF THE STORMWATER MANAGEMENT PLAN (cont.)

1. Site Description

Each plan shall provide a description of the following:

- a) A description of the construction activity.
- b) ~~The proposed sequence for major activities.~~
- c) Estimates of the total area of the site, and the area of the site that is expected to undergo clearing, excavation or grading.
- d) An estimate of the runoff coefficient of the site before and after construction activities are completed and any existing data describing the soil, soil erosion potential or the quality of any discharge from the site.
- e) A description of the existing vegetation at the site and an estimate of the percent vegetative ground cover.
- f) The location and description of any other potential pollution sources, such as vehicle fueling, storage of fertilizers or chemicals, etc.
- g) The location and description of any anticipated non-stormwater components of the discharge, such as springs and landscape irrigation return flow.
- h) The name of the receiving water(s) and the size, type and location of any outfall or, if the discharge is to a municipal separate storm sewer, the name of that system, the location of the storm sewer discharge, and the ultimate receiving water(s).

2. Site Map

Each plan shall provide a generalized site map or maps which indicate:

- construction site boundaries
- all areas of soil disturbance
- areas of cut and fill
- areas used for storage of building materials, soils or wastes
- location of any dedicated asphalt or concrete batch plants
- location of major erosion control facilities or structures
- springs, streams, wetlands and other surface waters
- boundaries of 100-year flood plains, if determined.

3. BMPs for Stormwater Pollution Prevention

The plan shall include a narrative description of appropriate controls and measures that will be implemented before and during construction activities at the facility.

The plan shall clearly describe the relationship between the phases of construction and the implementation and maintenance of controls and measures. For example, which controls will be implemented during each of the following stages of construction: clearing and grubbing necessary for perimeter controls, initiation of perimeter controls, remaining clearing and grubbing, road grading, storm drain installation, final grading, stabilization, and removal of control measures.

The description of controls shall address the following minimum components:

a) Erosion and Sediment Controls.

- 1) Structural Practices. A description of structural site management practices which will minimize erosion and sediment transport. Practices may include, but are not limited to: straw bales, silt fences, earth dikes, drainage swales, sediment traps, subsurface drains, pipe slope drains, inlet protection, outlet protection, gabions, and temporary or permanent sediment basins.
- 2) Non-Structural Practices. A description of interim and permanent stabilization practices, including site-specific scheduling of the implementation of the practices. Site plans should ensure that existing vegetation is preserved where possible and that disturbed areas are stabilized. Non-structural practices may include, but are not limited to: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, and preservation of mature vegetation.

B. CONTENTS OF THE STORMWATER MANAGEMENT PLAN (cont.)

b) Materials Handling and Spill Prevention.

The SWMP shall identify any procedures or significant materials (see definitions at Part I.D.) handled at the site that could contribute pollutants to runoff. These could include sources such as: exposed storage of building materials, fertilizers or chemicals; waste piles; and equipment maintenance or fueling procedures. Areas or procedures where potential spills can occur shall have spill prevention and response procedures identified.

Measures to control stormwater pollution from dedicated concrete batch plants or dedicated asphalt batch plants covered by this certification, must be identified in the SWMP.

4. Final Stabilization and Longterm Stormwater Management

The plan shall include a description of the measures used to achieve final stabilization and measures to control pollutants in stormwater discharges that will occur after construction operations have been completed.

Final stabilization is reached when all soil disturbing activities at the site have been completed, and uniform vegetative cover has been established with a density of at least 70 percent of pre-disturbance levels, or equivalent permanent, physical erosion reduction methods have been employed.

For purposes of this permit, establishment of a vegetative cover capable of providing erosion control equivalent to pre-existing conditions at the site can be considered final stabilization. The permittee will be responsible for providing to the Division the documentation to make this comparison. The Division may, after consultation with the permittee and upon good cause, amend the final stabilization criteria for specific operations.

5. Other Controls

The plan shall include a description of other measures to control pollutants in stormwater discharges, including plans for waste disposal and limiting off-site soil tracking.

6. Inspection and Maintenance

The plan shall include a description of procedures to inspect and maintain in good and effective operating condition the vegetation, erosion and sediment control measures and other protective measures identified in the SWMP.

C. TERMS AND CONDITIONS

1. General Limitations

The following limitations shall apply to all discharges covered by this permit:

- a) Stormwater discharges from construction activities shall not cause or threaten to cause pollution, contamination or degradation of State waters.
- b) Concrete wash water shall not be discharged to state waters or to storm sewer systems.
- c) Bulk storage structures for petroleum products and other chemicals shall have adequate protection so as to contain all spills and prevent any spilled material from entering State waters.
- d) No chemicals are to be added to the discharge unless permission for the use of a specific chemical is granted by the Division. In granting the use of such chemicals, special conditions and monitoring may be addressed by separate letter.
- e) The Division reserves the right to require sampling and testing, on a case-by-case basis, in the event that there is reason to suspect that compliance with the SWMP is a problem, or to measure the effectiveness of the BMPs in removing pollutants in the effluent. Such monitoring may include Whole Effluent Toxicity testing.

C. TERMS AND CONDITIONS (cont.)

- f) All wastes composed of building materials must be removed from the site for disposal in licensed disposal facilities. No building material wastes or unused building materials shall be buried, dumped, or discharged at the site.

~~g) Off-site vehicle tracking of sediments shall be minimized.~~

- h) All dischargers must comply with the lawful requirements of municipalities, counties, drainage districts and other local agencies regarding any discharges of stormwater to storm drain systems or other water courses under their jurisdiction, including applicable requirements in municipal stormwater management programs developed to comply with CDPS permits. Dischargers must comply with local stormwater management requirements, policies or guidelines including erosion and sediment control.

2. Prohibition of Non-Stormwater Discharges

- a) Except as provided in paragraph b, below, all discharges covered by this permit shall be composed entirely of stormwater. Discharges of material other than stormwater must be addressed in a separate CDPS permit issued for that discharge.
- b) Discharges from the following sources that are combined with stormwater discharges associated with construction activity may be authorized by this permit, provided that the non-stormwater component of the discharge is identified in the SWMP (see Part I.B.1.g of this permit):

- fire fighting activities
- landscape irrigation return flow
- springs

3. Releases in Excess of Reportable Quantities

This permit does not relieve the permittee of the reporting requirements of 40 CFR 110, 40 CFR 117 or 40 CFR 302. Any discharge of hazardous material must be handled in accordance with the Division's Notification Requirements (see Part II.A.3 of the permit).

4. Stormwater Management Plans

Prior to commencement of construction, the stormwater management plan (SWMP) shall be implemented for the construction site covered by this permit.

- a) **Signatory Requirements:** The plan shall be signed in accordance with Part I.E.1., with one retained on site.
- b) **SWMP Review/Changes:** The permittee shall amend the plan whenever there is a significant change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to the waters of the State, or if the SWMP proves to be ineffective in achieving the general objectives of controlling pollutants in stormwater discharges associated with construction activity.

5. Inspections

- a) **Active Sites -** For sites where construction has not been completed, the permittee shall make a thorough inspection of their stormwater management system at least every 14 days and after any precipitation or snowmelt event that causes surface erosion.

- 1) The construction site perimeter, disturbed areas and areas used for material storage that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the drainage system. Erosion and sediment control measures identified in the SWMP shall be observed to ensure that they are operating correctly.

C. TERMS AND CONDITIONS (cont.)

- 2) Based on the results of the inspection, the description of potential pollutant sources, and the pollution prevention and control measures that are identified in the SWMP shall be revised and modified as appropriate as soon as practicable after such inspection. Modifications to control measures shall be implemented in a timely manner, but in no case more than 7 calendar days after the inspection.
 - 3) The operator shall keep a record of inspections. Any incidence of non-compliance, such as uncontrolled releases of mud or muddy water or measurable quantities of sediment found off the site, shall be recorded with a brief explanation as to the measures taken to prevent future violations, as well as any measure taken to clean up the sediment that has left the site. After adequate measures have been taken to correct any problems, or where a report does not identify any incidents of non-compliance, the report shall contain a signed certification indicating the site is in compliance. This record shall be made available to the Division upon request.
 - b) Completed Sites - For sites where all construction activities are completed but final stabilization has not been achieved due to a vegetative cover that has been planned but has not become established, the permittee shall make a thorough inspection of their stormwater management system at least once every month. When site conditions make this schedule impractical, permittees may petition the Division to grant an alternate inspection schedule. These inspections must be conducted in accordance with paragraphs 1), 2), and 3) of Part I.C.5.a. above.
 - c) Winter Conditions - Inspections, as described above in a) and b), will not be required at sites where snow cover exists over the entire site for an extended period, and melting conditions do not exist. This exemption is applicable only during the period where melting conditions do not exist. Regular inspections, as described above, are required at all other times.
- 6. Reporting**
No regular reporting requirements are included in this permit; however, the Division reserves the right to request that a copy of the inspection reports be submitted.
- 7. SWMP Submittal Upon Request**
Upon request, the permittee shall submit a copy of the SWMP to the Division, EPA or any local agency in charge of approving sediment and erosion plans, grading plans or stormwater management plans.
All SWMPs required under this permit are considered reports that shall be available to the public under Section 308(b) of the CWA. The owner or operator of a facility with stormwater discharges covered by this permit shall make plans available to members of the public upon request, unless the SWMP has been submitted to the Division. However, the permittee may claim any portion of a SWMP as confidential in accordance with 40 CFR Part 2.

D. ADDITIONAL DEFINITIONS

For the purposes of this permit:

1. **BAT and BCT:** (Best Available Technology and Best Conventional Technology) Technology based federal water quality requirements covered under 40 CFR subchapter N.
2. **Best management practices (BMPs):** schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, waste disposal, or drainage from material storage.
3. **Dedicated asphalt plants and concrete plants:** portable asphalt plants and concrete plants that are located on or adjacent to a construction site and that provide materials only to that specific construction site.

D. ADDITIONAL DEFINITIONS (cont.)

4. **Final stabilization:** when all soil disturbing activities at the site have been completed, and uniform vegetative cover has been established with a density of at least 70 percent of pre-disturbance levels, or equivalent permanent, physical erosion reduction methods have been employed. For purposes of this permit, establishment of a vegetative cover capable of providing erosion control equivalent to pre-existing conditions at the site will be considered final stabilization.
5. **Municipal storm sewer system:** a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains), owned or operated by a State, city, town, county, district, or other public body (created by state law), having jurisdiction over disposal of sewage, industrial waste, stormwater, or other wastes, designed or used for collecting or conveying stormwater.
6. **Operator:** the individual who has day-to-day supervision and control of activities occurring at the construction site. This can be the owner, the developer, the general contractor or the agent of one of these parties, in some circumstances. It is anticipated that at different phases of a construction project, different types of parties may satisfy the definition of 'operator' and that the permit may be transferred as the roles change.
7. **Outfall:** a point source at the point where stormwater leaves the construction site and discharges to a receiving water or a stormwater collection system.
8. **Part of a larger common plan of development or sale:** a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.
9. **Point source:** any discernible, confined and discrete conveyance from which pollutants are or may be discharged. Point source discharges of stormwater result from structures which increase the imperviousness of the ground which acts to collect runoff, with runoff being conveyed along the resulting drainage or grading pattern.
10. **Process water:** any water which during manufacturing or processing, comes into contact with or results from the production of any raw material, intermediate product, finished product, by product or waste product. This definition includes mine drainage.
11. **Receiving Water:** any water of the State of Colorado into which stormwater related to construction activities discharges.
12. **Runoff coefficient:** the fraction of total rainfall that will appear as runoff.
13. **Significant Materials** include but are not limited to: raw materials, fuels, materials such as metallic products; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharge.
14. **Stormwater:** precipitation-induced surface runoff.
15. **Waters of the state of Colorado:** any and all surface waters that are contained in or flow in or through the state of Colorado. This definition includes all water courses, even if they are usually dry.

E. GENERAL REQUIREMENTS

1. **Signatory Requirements**

- a) All reports required for submittal shall be signed and certified for accuracy by the permittee in accordance with the following criteria:
 - 1) In the case of corporations, by a principal executive officer of at least the level of vice-president or his or her duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the form originates;
 - 2) In the case of a partnership, by a general partner;

E. GENERAL REQUIREMENTS (cont.)

- 3) In the case of a sole proprietorship, by the proprietor;
- 4) In the case of a municipal, state, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

b) **Changes to authorization.** If an authorization under paragraph a) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph a) of this section must be submitted to the Division, prior to or together with any reports, information, or applications to be signed by an authorized representative.

c) **Certification.** Any person signing a document under paragraph a) of this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

2. **Retention of Records**

- a) The permittee shall retain copies of the SWMP and all reports required by this permit and records of all data used to complete the application to be covered by this permit, for a period of at least three years from the date that the site is finally stabilized.
- b) The permittee shall retain a copy of the SWMP required by this permit at the construction site from the date of project initiation to the date of final stabilization, unless another location, specified by the permittee, is approved by the Division.

PART II

A. MANAGEMENT REQUIREMENTS

1. **Change in Discharge**

The permittee shall inform the Division (Permits Unit) in writing of any intent to significantly change activities from those indicated in the permit application (this does not include changes to the SWMP). Upon request, the permittee shall furnish the Division with such plans and specifications which the Division deems reasonably necessary to evaluate the effect on the discharge and receiving stream. The SWMP shall be updated within 30 days of the changes.

The permittee shall submit this notice to the Division within two weeks after making a determination to perform the type of activity referred to in the preceding paragraph.

Any discharge to the waters of the State from a point source other than specifically authorized by this permit is prohibited.

2. **Special Notifications - Definitions**

- a) **Spill:** An unintentional release of solid or liquid material which may cause pollution of state waters.
- b) **Upset:** An exceptional incident in which there is unintentional and temporary noncompliance with permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

A. MANAGEMENT REQUIREMENTS (cont.)

3. **Noncompliance Notification**

a) If, for any reason, the permittee does not comply with or will be unable to comply with any permit limitations, standards or permit requirements specified in this permit, the permittee shall, at a minimum, provide the Water Quality Control Division and EPA with the following information:

- 1) A description of the discharge and cause of noncompliance;
- 2) The period of noncompliance, including exact dates and times and/or the anticipated time when the discharge will return to compliance; and
- 3) Steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

b) The permittee shall report the following instances of noncompliance orally within twenty-four (24) hours from the time the permittee becomes aware of the noncompliance, and shall mail to the Division a written report within five (5) days after becoming aware of the noncompliance (unless otherwise specified by the Division):

- 1) Any instance of noncompliance which may endanger health or the environment;
- 2) Any spill or discharge of oil or other substance which may cause pollution of the waters of the state.

c) The permittee shall report all other instances of non-compliance to the Division within 30 days. The reports shall contain the information listed in sub-paragraph (a) of this section.

4. **Submission of Incorrect or Incomplete Information**

Where the permittee failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or report to the Division, the permittee shall promptly submit the relevant application information which was not submitted or any additional information needed to correct any erroneous information previously submitted.

5. **Bypass**

The bypass of treatment facilities is generally prohibited.

6. **Upsets**

a) **Effect of an Upset**

An upset constitutes an affirmative defense to an action brought for noncompliance with permit limitations and requirements if the requirements of paragraph b) of this section are met. (No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.)

b) **Conditions Necessary for a Demonstration of Upset**

A permittee who wishes to establish the affirmative defense of upset shall demonstrate through properly signed contemporaneous operating logs, or other relevant evidence that:

- 1) An upset occurred and that the permittee can identify the specific cause(s) of the upset;
- 2) The permitted facility was at the time being properly operated;
- 3) The permittee submitted notice of the upset as required in Part II.A.3. of this permit (24-hour notice); and

A. MANAGEMENT REQUIREMENTS (cont.)

4) The permittee complied with any remedial measures required under Section 122.7(d) of the federal regulations.

c) Burden of Proof

In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

7. Removed Substances

Solids, sludges, or other pollutants removed in the course of treatment or control of wastewaters shall be properly disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the State.

8. Minimization of Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to waters of the State resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

9. Reduction, Loss, or Failure of Treatment Facility

The permittee has the duty to halt or reduce any activity if necessary to maintain compliance with the permit requirements. Upon reduction, loss, or failure of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control production, or all discharges, or both until the facility is restored or an alternative method of treatment is provided.

It shall not be a defense for a permittee in an enforcement action that it would be necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

10. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

B. RESPONSIBILITIES

1. Inspections and Right to Entry

The permittee shall allow the Director of the State Water Quality Control Division, the EPA Regional Administrator, and/or their authorized representative, upon the presentation of credentials:

- a) To enter upon the permittee's premises where a regulated facility or activity is located or in which any records are required to be kept under the terms and conditions of this permit;
- b) At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit and to inspect any monitoring equipment or monitoring method required in the permit; and
- c) To enter upon the permittee's premises to investigate, within reason, any actual, suspected, or potential source of water pollution, or any violation of the Colorado Water Quality Control Act. The investigation may include, but is not limited to, the following: sampling of any discharge and/or process waters, the taking of photographs, interviewing permittee staff on alleged violations, and access to any and all facilities or areas within the permittee's premises that may have any effect on the discharge, permit, or alleged violation.

B. RESPONSIBILITIES (cont.)

2. Duty to Provide Information

The permittee shall furnish to the Division, within a reasonable time, any information which the Division may request to determine whether cause exists for modifying, revoking and reissuing, or inactivating coverage under this permit, or to determine compliance with this permit. The permittee shall also furnish to the Division, upon request, copies of records required to be kept by this permit.

3. Transfer of Ownership or Control

Certification under this permit may be transferred to a new permittee if:

- a) The current permittee notifies the Division in writing when the transfer is desired; and
- b) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between them; and
- c) The current permittee has met all fee requirements of the State Discharge Permit System Regulations, Section 61.15.

4. Modification, Suspension, or Revocation of Permit By Division

All permit modification, inactivation or revocation and reissuance actions shall be subject to the requirements of the State Discharge Permit System Regulations, Sections 61.5(2), 61.5(3), 61.7 and 61.15, 5 C.C.R. 1002-61, except for minor modifications.

- a) This permit, and certification under this permit, may be modified, suspended, or revoked in whole or in part during its term for reasons determined by the Division including, but not limited to, the following:
 - 1) Violation of any terms or conditions of the permit;
 - 2) Obtaining a permit by misrepresentation or failing to disclose any fact which is material to the granting or denial of a permit or to the establishment of terms or conditions of the permit;
 - 3) Materially false or inaccurate statements or information in the application for the permit;
 - 4) Promulgation of toxic effluent standards or prohibitions (including any schedule of compliance specified in such effluent standard or prohibition) which are established under Section 307 of the Clean Water Act, where such a toxic pollutant is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit.
- b) This permit, or certification under this permit, may be modified in whole or in part due to a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge, such as:
 - 1) Promulgation of Water Quality Standards applicable to waters affected by the permitted discharge; or
 - 2) Effluent limitations or other requirements applicable pursuant to the State Act or federal requirements; or
 - 3) Control regulations promulgated; or
 - 4) Data submitted pursuant to Part I.B or Part I.C.1 indicates a potential for violation of adopted Water Quality Standards or stream classifications.

B. RESPONSIBILITIES (cont.)

- c) This permit, or certification under this permit, may be modified in whole or in part to include new effluent limitations and other appropriate conditions where data submitted pursuant to Part I indicates that such effluent limitations and conditions are necessary to ensure compliance with applicable water quality standards and protection of classified uses.
- d) At the request of the permittee, the Division may modify or inactivate certification under this permit if the following conditions are met:
- 1) In the case of inactivation, the permittee notifies the Division of its intent to inactivate the certification, and certifies that the site has been finally stabilized;
 - 2) In the case of inactivation, the permittee has ceased any and all discharges to state waters and demonstrates to the Division there is no probability of further uncontrolled discharge(s) which may affect waters of the State.
 - 3) The Division finds that the permittee has shown reasonable grounds consistent with the Federal and State statutes and regulations for such modification, amendment or inactivation;
 - 4) Fee requirements of Section 61.15 of State Discharge Permit System Regulations have been met; and
 - 5) Requirements of public notice have been met.

For small construction sites covered by a Qualifying Local Program, coverage under this permit is automatically terminated when a site has been finally stabilized.

5. Permit Violations

Failure to comply with any terms and/or conditions of this permit shall be a violation of this permit.

Dischargers of stormwater associated with industrial activity, as defined in the EPA Stormwater Regulation (40 CFR 122.26(b)(14)), which do not obtain coverage under this or other Colorado general permits, or under an individual CDPS permit regulating industrial stormwater, will be in violation of the federal Clean Water Act and the Colorado Water Quality Control Act, 25-8-101. Failure to comply with CDPS permit requirements will also constitute a violation. Civil penalties for such violations may be up to \$10,000 per day, and criminal pollution of state waters is punishable by fines of up to \$25,000 per day.

6. Legal Responsibilities

The issuance of this permit does not convey any property or water rights in either real or personal property, or stream flows, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under Section 311 (Oil and Hazardous Substance Liability) of the Clean Water Act.

7. Severability

The provisions of this permit are severable. If any provisions of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances and the application of the remainder of this permit shall not be affected.

B. RESPONSIBILITIES (cont.)

8. Renewal Application

If the permittee desires to continue to discharge, a permit renewal application shall be submitted at least ninety (90) days before this permit expires. If the permittee anticipates that there will be no discharge after the expiration date of this permit, the Division should be promptly notified so that it can inactivate the certification in accordance with Part II.B.4.d.

9. Confidentiality

Except for data determined to be confidential under Section 308 of the Federal Clean Water Act and Regulations for the State Discharge Permit System 61.5(4), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Division. The permittee must state what is confidential at the time of submittal.

Any information relating to any secret process, method of manufacture or production, or sales or marketing data which has been declared confidential by the permittee, and which may be acquired, ascertained, or discovered, whether in any sampling investigation, emergency investigation, or otherwise, shall not be publicly disclosed by any member, officer, or employee of the Commission or the Division, but shall be kept confidential. Any person seeking to invoke the protection of this section shall bear the burden of proving its applicability. This section shall never be interpreted as preventing full disclosure of effluent data.

10. Fees

The permittee is required to submit payment of an annual fee as set forth in the Water Quality Control Act. Failure to submit the required fee when due and payable is a violation of the permit and will result in enforcement action pursuant to Section 25-8-601 et. seq., C.R.S. 1973 as amended.

11. Requiring an Individual CDPS Permit

The Director may require any owner or operator covered under this permit to apply for and obtain an individual CDPS permit if:

- a) The discharger is not in compliance with the conditions of this general permit;
- b) Conditions or standards have changed so that the discharge no longer qualifies for a general permit; or
- c) Data become available which indicate water quality standards may be violated.

The owner or operator must be notified in writing that an application for an individual CDPS permit is required. When an individual CDPS permit is issued to an owner or operator otherwise covered under this General Permit, the applicability of the general permit to that owner or operator is automatically inactivated upon the effective date of the individual CDPS permit.

RATIONALE

**STORMWATER DISCHARGES ASSOCIATED WITH
 CONSTRUCTION ACTIVITY**

**GENERAL PERMIT IN COLORADO
 SECOND RENEWAL
 COLORADO DISCHARGE PERMIT NUMBER COR-030000**

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I. INTRODUCTION

This permit is for the regulation of stormwater runoff from construction activities. The term "construction activity" includes clearing, grading and excavation operations. "Stormwater" is precipitation-induced surface runoff. This Rationale will explain the background of the Stormwater program, activities which are covered under this permit, how to apply for coverage under this permit, and the requirements of this permit.

The forms discussed in the Rationale and Permit are available on the Division's website at:
<http://www.cdphe.state.co.us/wq/permitsuniv/wqcdpmt.html>

A. Changes in this General Permit

Several notable changes from the previous General Permit for Construction Activities have been incorporated into this permit. Most of the changes are related to the Phase II revision to the stormwater regulation in the Colorado Discharge Permit System Regulations (5CCR 1002-61), effective March 2, 2001. Significant changes are listed below:

1. Permit coverage is now required for construction sites that disturb 1 to 5 acres (i.e., small construction activities). Allowances have been made for small construction activities to comply with the requirements of a Division-approved Qualifying Local Program (refer to section VI below for a discussion of Qualifying Local Programs) in place of many specific requirements in the Permit, including requirements to submit an application, inactivation notice, and fees to the Division. Refer to Part I.A.3 of the Permit and section VII.A of the Rationale for more details.
2. The requirements to submit with the application the Township, Range, section and quarter section of a site and a list of any other environmental permits for the site have been removed.
3. Inactivation requirements have been changed to allow small construction activities that submit applications indicating a completion date 12 months or less from the start of construction activity to be authorized for a predetermined period from 3 to 12 months. The permit certification will include the automatic expiration date for permit coverage. This expiration date will be in place of the requirement to submit an Inactivation Notice. If permit coverage beyond the expiration date is needed (i.e., the site has not been finally stabilized), the permittee must submit an extension request form to the Division at least 10 days prior to the expiration.

I. INTRODUCTION (cont.)

4. The Rationale discussion on the Exemptions for Small Municipalities (Section III.B) has been changed to include the March 10, 2003 deadline for permit coverage for municipally-owned industries. This did not involve any changes to the permit.

II. BACKGROUND

As required under the Clean Water Act amendments of 1987, the Environmental Protection Agency (EPA) has established a framework for regulating municipal and industrial stormwater discharges. This framework is under the National Pollutant Discharge Elimination System (NPDES) program (Note: The Colorado program is referred to as the Colorado Discharge Permit System, or CDPS, instead of NPDES). The Water Quality Control Division ("the Division") has stormwater regulations (5CCR 1002-61) in place. These regulations require specific types of industrial facilities that discharge stormwater associated with industrial activity (industrial stormwater), to obtain a CDPS permit for such discharge. The regulations specifically include construction activities that disturb one acre of land or more as industrial facilities. Construction activities that are part of a larger common plan of development which disturb one acre or more over a period of time are also included.

A. General Permits

The Water Quality Control Division ("the Division") has determined that the use of general permits is the appropriate procedure for handling the thousands of industrial stormwater applications within the State.

B. Permit Requirements

This permit does not require submission of effluent monitoring data in the permit application or in the permit itself. It is believed that a fully implemented Stormwater Management Plan (SWMP) should be sufficient to control water quality impacts.

The permit requires dischargers to control and eliminate the sources of pollutants in stormwater through the development and implementation of a SWMP. The plan must include Best Management Practices (BMPs), which will include pollution prevention and source reduction measures. This will constitute BAT and BCT and should achieve compliance with water quality standards. The narrative permit requirements include prohibitions against discharges of non-stormwater (e.g., process water). Refer to Part I.C.2 of the permit.

In addition, as a condition of this permit, the permittee is required to pay the annual fee as described in the Water Quality Control Act. Failure to submit the required fee when due and payable is a violation of the permit and will result in enforcement action as discussed below. Permittees will be billed for the initial permit fee within a few weeks of permit issuance.

Some construction activities may be required to comply with a Qualifying Local Program in place of meeting several of the specific requirements in this permit. Sites covered by a Qualifying Local Program may not be required to submit an application for coverage or a notice of inactivation and may not be required to pay the annual fee. Refer to Section VII.A of the Rationale for further information.

C. Violations/Penalties

Dischargers of stormwater associated with industrial activity, as defined in the Regulations for the State Discharge Permit System (5CCR 1002-61), which do not obtain coverage under this or other Colorado general permits, or under an individual CDPS permit regulating industrial stormwater, will be in violation of the Federal Clean Water Act and the Colorado Water Quality Control Act, 25-8-101. For facilities covered under a CDPS permit, failure to comply with any CDPS permit requirement constitutes a violation. Civil penalties for violations of the Act or CDPS permit requirements may be up to \$10,000 per day. Criminal pollution of state waters is punishable by fines of up to \$25,000 per day.

III. STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY

The Stormwater regulations require that stormwater discharges associated with certain industrial activities be covered under the permit program. Construction activity that disturbs one acre or more during the life of the project is specifically included in the listed industrial activities.

A. Construction Activity

Construction activity includes clearing, grading and excavation activities. Construction does not include routine maintenance performed by public agencies, or their agents to maintain original line and grade, hydraulic capacity, or original purpose of the facility.

Definitions of additional terms can be found in Part I.D of the Permit.

Stormwater discharges from construction activity require permit coverage, except for operations that result in the disturbance of less than one acre of total land area which are not part of a larger common plan of development or sale. A larger common plan of development or sale is a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.

B. Types of Activities Covered

This permit is intended to cover most new or existing discharges composed entirely of stormwater from construction activities that are required by State regulation to obtain a permit. This includes stormwater discharges associated with areas that are dedicated to producing earthen materials, such as soils, sand, and gravel, for use at a single construction site. These areas may be located at the construction site or at some other location. This permit does not authorize the discharge of mine water or process water from such areas.

This permit also includes stormwater discharges associated with dedicated asphalt plants and concrete plants located at the construction sites.

C. Types of Activities NOT Covered

This permit does not cover stormwater discharged from construction sites that is mixed with stormwater from other types of industrial activities, or process water of any kind. Other types of industrial activities that require stormwater discharge permits pursuant to different sections of the regulations (Regulation 5 CCR 1002-61, Section 61.2(e)(iii)(A-I, K)), are not covered by this permit.

This permit also does not cover the discharge of process water. If the construction activity encounters groundwater, a Construction Dewatering Discharge Permit (Permit Number COG-070000) must also be obtained in order to discharge this groundwater from the excavation site. An application for this permit can be obtained from the Division at the address listed in Part I.A.4.a of the Permit.

D. Exemptions for Small Municipalities

The Intermodal Surface Transportation Efficiency Act of 1991 (Section 1068(c)) added an exemption to the stormwater regulations for municipalities with less than 100,000 population. The term "municipality" includes cities, towns, counties, special districts or any entity created by or pursuant to State law.

Stormwater discharges associated with construction activity for facilities or sites that are owned or operated by a small municipality are not required to apply for or obtain a stormwater permit until March 10, 2003. (Note: This exemption does not apply to other, privately owned construction sites within the same small municipality.)

IV. COVERAGE UNDER THIS GENERAL PERMIT

Under this general permit, operators of stormwater discharges associated with construction activity may be granted authorization to discharge stormwater into waters of the State of Colorado. This includes stormwater discharges associated with industrial activity from areas that are dedicated to producing earthen materials, such as soils, sand and gravel, for use at a single construction site, and dedicated asphalt plants and dedicated concrete plants.

This permit does not pre-empt or supersede the authority of local agencies to prohibit, restrict or control discharges of stormwater to storm drain systems or other water courses within their jurisdiction.

Authorization to discharge under the permit requires submittal of a completed application form and a certification that the SWMP is complete, unless the site is covered by a Qualifying Local Program. Upon receipt of all required information, the Division may allow or disallow coverage under the general permit.

V. APPLICATION AND CERTIFICATION

At least ten days prior to the commencement of construction activities (i.e.: the initial disturbance of soils associated with clearing, grading, excavation activities, installation of structural BMPS, or other activities), the operator of the construction site shall submit an original completed application which includes the signed certification that the SWMP is complete. In order to avoid confusion during processing, original signatures are required for the application to be considered complete. For small construction sites only, if the site is covered by a Qualifying Local Program (see below), submittal of an application is not required.

For the purpose of this permit, the "operator" is the person who has day-to-day control over the project. This can be the owner, the developer, the general contractor or the agent of one of these parties, in some circumstances. At different times of a construction project, different types of parties may satisfy the definition of 'operator' and the certification may be transferred as roles change.

(Note - Under the Federal regulations, this application process is referred to as a Notice of Intent, or NOI. For internal consistency with its current program, the Division will continue to use the term "application.") An outline of the permit application requirements is found in the permit at Part I.A.4.b.

If this general permit is applicable, then a certification will be developed and the applicant will be certified under this general permit.

VI. QUALIFYING LOCAL PROGRAMS

For stormwater discharges associated with small construction activity (i.e., one to five acre sites), the permit includes conditions that incorporate approved qualifying local erosion and sediment control program (Qualifying Local Program) requirements by reference. A Qualifying Local Program is a municipal stormwater program for stormwater discharges associated with small construction activity that has been formally approved by the Division. The requirements for Qualifying Local Programs are outlined in Part 61.8(12) of the Colorado Discharger Permit System Regulations (also see the Division's "Qualifying Local Programs for Small Construction Sites - Application Guidance"). Such programs must impose requirements to protect water quality that are at least as strict as those required in this permit.

- A. **Approval Termination:** A Qualifying Local Program may be terminated by either the Division or the municipality. Upon termination of Division approval of a Qualifying Local Program, any small construction activity required to obtain permit coverage under Section 61.3(2)(h) of the State Discharge Permit System Regulations shall submit an application form as provided by the Division, with a certification that the Stormwater Management Plan (SWMP) is complete as required by Part I.A.4 of the Permit, within 30 days.
- B. **Approval Expiration:** Division approval of a Qualifying Local Program will expire with this general permit on June 30, 2007. Any municipality desiring to continue Division approval of their program must reapply by March 31, 2007. The Division will determine if the program may continue as an approved Qualifying Local Program.

VII. TERMS AND CONDITIONS OF PERMIT

A. Coverage under a Qualifying Local Program - For Small Construction Sites Only

For small construction sites (disturbing less than 5 acres) covered under a Qualifying Local Program (see Section VI above), only certain permit requirements apply, as outlined below. The local program must have been formally designated by the Division to qualify. Most municipalities have some type of local program and may require permits and fees. However, simply having a program in place does not necessarily mean that it is a qualifying program and that a State permit is not required. The local municipality will be responsible for notifying operators and/or owners that they are covered by a Qualifying Local Program. A list of municipalities with Qualifying Local Programs is also available at <http://www.cdph.state.co.us/wq/PermitsUnit/wqcdpmt.html>.

The Division reserves the right to require any owner or operator within the jurisdiction of a Qualifying Local Program covered under this permit to apply for and obtain coverage under the full requirements of this permit.

1. **Permit Coverage:** If a construction site is within the jurisdiction of a Qualifying Local Program, the operator of the construction activity is authorized to discharge stormwater associated with small construction activity under this general permit without the submittal of an application to the Division. The permittee also is not required to submit an inactivation notice or payment of an annual fee to the Division.
2. **Permit Terms and Conditions:** The permittee covered by a Qualifying Local Program must comply with the requirements of that Qualifying Local Program. In addition, the following permit sections are applicable:
 - i. I.A.1, I.A.2, and I.A.3: Authorization to discharge and discussion of coverage under the permit.
 - ii. I.C.1: General limitations that must be met in addition to local requirements.
 - iii. I.C.2, I.C.3: Prohibition of non-stormwater discharges unless addressed in a separate CDPS permit, and requirements related to releases of reportable quantities.
 - iv. I.D: Additional definitions.
 - v. Part II (except for Parts II.A.1, II.B.3, II.B.8, and II.B.10): Specifically includes, but is not limited to, provisions applicable in the case of noncompliance with permit requirement, and requirements to provide information and access.

B. Stormwater Management Plans (SWMPs)

Prior to commencement of construction, a stormwater management plan (SWMP) shall be developed and implemented for each facility covered by this permit. A certification that the SWMP is complete must be submitted with the permit application. The SWMP shall identify potential sources of pollution (including sediment) which may reasonably be expected to affect the quality of stormwater discharges associated with construction activity from the facility. In addition, the plan shall describe the best management practice (BMPs) which will be used to reduce the pollutants in stormwater discharges from the construction site. Facilities must implement the provisions of their SWMP as a condition of this permit. The SWMP shall include the following items:

1. Site Description
2. Site Map
3. BMPs for Stormwater Pollution Prevention
4. Longterm Stormwater Management
5. Other Controls
6. Inspection and Maintenance
7. Signatory Requirements and Availability
8. SWMP Review/Changes

(See Part I.B. of the permit for a more detailed description of SWMP requirements.)

VII. TERMS AND CONDITIONS OF PERMIT (cont.)

C. Monitoring

Sampling and testing of stormwater for specific parameters is not required on a routine basis under this permit. However, the Division reserves the right to require sampling and testing on a case-by-case basis, in the event that there is reason to suspect that compliance with the SWMP is a problem, or to measure the effectiveness of the BMPs in removing pollutants in the effluent.

D. Facility Inspections

Active construction sites must inspect their stormwater management controls at least every 14 days and after any precipitation or snowmelt event that causes surface erosion. At sites where construction has been completed but a vegetative cover has not been established, these inspections must occur at least once per month. At sites where winter conditions exist, inspections are not required during the period that the winter conditions exist. For all of these inspections, records must be kept on file. Refer to the permit at Part I.C.5 for detailed requirements of these inspections.

E. Revision of SWMP

Based on the results of the inspections (see D. above), the description of potential pollutant sources and the pollution prevention and control measures, identified in the SWMP, and the control measures themselves, shall be revised and modified as appropriate as soon as practicable after such inspection. Modification of control measures shall be implemented in a timely manner, but in no case more than 7 calendar days after the inspection.

F. Reporting

The inspection record shall be made available to the Division upon request. Regular submittal of an annual report is not required in this permit.

G. Annual Fee

The permittee is required to submit payment of an annual fee as set forth in the Water Quality Control Act. Permittees will be billed for the initial permit fee within a few weeks of permit issuance and then annually, based on a July 1 through June 30 billing cycle.

For small construction activities, if application was made for coverage with a completion date 12 months or less from the start of construction activity, a fee will be assessed based on the estimated number of calendar quarters the site is active. Projects going beyond that time will be billed the standard annual fee.

H. Inactivation Notice

When a site has been finally stabilized in accordance with the SWMP, the operator of the facility shall submit an Inactivation Notice that is signed in accordance with Part I.E.1 of the permit. The content of the Inactivation Notice is described in Part I.A.6 of the permit. A copy of the Inactivation Notice form will be mailed to the permittee along with the permit certification. Additional copies are available from the Division.

An exception to the requirement to submit an inactivation has been included in the renewed permit for Small Construction Sites that will be finally stabilized within 12 months of the beginning of construction activities. In such cases, the permit certification will indicate the automatic expiration date. If permit coverage is needed beyond that date, an extension request form must be submitted to the Division at least 10 days prior to the expiration date.

VII. TERMS AND CONDITIONS OF PERMIT (cont.)

I. Transfer of Permit

~~When responsibility for stormwater discharges at a construction site changes from one individual to another, the permit shall be transferred in accordance with Part I.A.7 of the permit. The Notice of Transfer form will be mailed to the permittee along with the permit certification. Additional copies are available from the Division. If the new responsible party will not complete the transfer form, the permit may be inactivated if the permittee has no legal responsibility, through ownership or contract, for the construction activities at the site. In this case, the new operator would be required to obtain permit coverage separately.~~

J. Duration of Permit

The general permit will expire on June 30, 2007. The permittee's authority to discharge under this permit is approved until the expiration date of the general permit. Any permittee desiring continued coverage under the general permit must apply for recertification under the general permit at least 90 days prior to its expiration date.

Nathan Moore
March 11, 2002

VII CHANGES MADE AFTER PUBLIC NOTICE

Several comments were received from the Environmental Protection Agency (EPA). Changes based on these comments and additional internal review are discussed below:

- A. The EPA commented that language needs to be added to the permit addressing the certification requirements for inspection reports. Part I.E.1 of the Permit requires that all reports submitted to the Division include specific certification language. Because site inspections required by Part I.C.5 of the permit are not submitted to the Division, they are not covered under Part I.C.5 of the Permit or Regulation 5 CCR 1002-61, Section 61.4(1)(f), which require specific certification language.

However, Regulation 5 CCR 1002-61, Section 61.8(4)(o)(ii)(B) does require that the permittee maintain a record summarizing the inspections that includes a certification that the site is in compliance with the plan and the permit. Therefore, language has been added to Part I.C.5 of the Permit, requiring that a signed statement be included with all records of inspection on the status of compliance at the site.

- B. The EPA recommended that the Permit and Rationale be changed to indicate that the application is due ten days prior to the commencement of construction activities, instead of prior to the anticipated date of discharge. The Division agrees that this wording is preferable and more accurately indicates the Division's existing interpretation of the regulations. These changes have been made.
- C. The EPA expressed concern with requiring a permittee to transfer permit coverage in cases where the new responsible party may not be cooperative. Language has been added to the Permit and Rationale clarifying that termination of permit coverage is allowed when the permittee no longer has any legal responsibility through ownership or contract for the construction activity.
- D. The EPA commented on the lack of a definition for the terms "receiving water" and "ultimate receiving water". A definition has been added to the Permit, and the term "ultimate receiving water" clarified to indicate that it means the first named receiving water, if the discharge initially goes to an unnamed ditch or storm sewer.

Nathan Moore
May 15, 2002

**Chevron Clear Creek 8 Inch Pipeline
Integrated Vegetation and Noxious Weed Management Plan
Garfield County, Colorado**

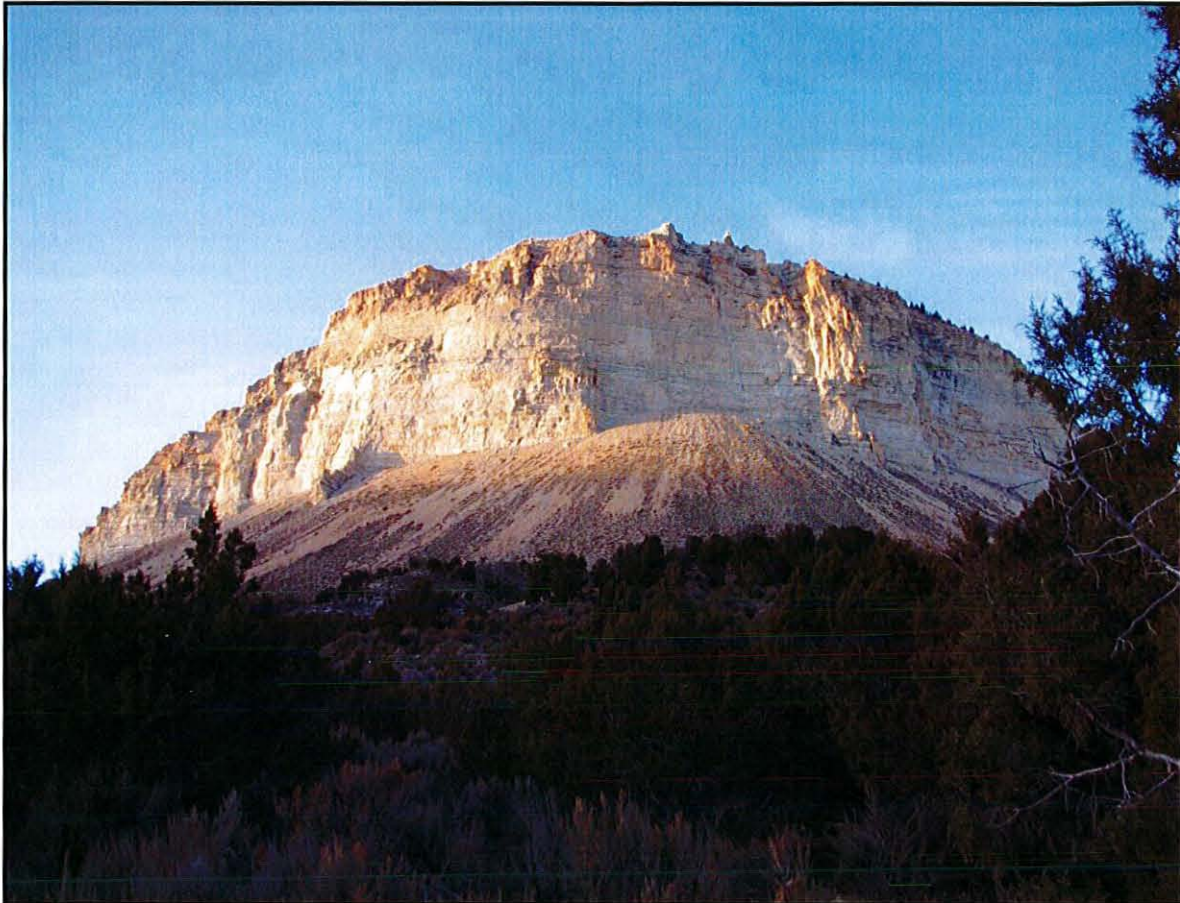


Photo 1. Mt. Blaine at confluence of Clear Creek and Roan Creek.

Prepared for:

Chevron/Texaco USA

Prepared by:

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**In Coordination with:
Cordilleran Compliance Services, Inc.**

December 2006

Chevron Clear Creek 8 Inch Pipeline Integrated Vegetation and Noxious Weed Management Plan December 2006

Introduction

On November 22, 2006, a field inspection of the subject pipeline was conducted by WestWater Engineering (WWE) biologists. The inspection identified appropriate topics for inclusion in an integrated vegetation and noxious weed management plan required by Garfield County Regulation 9.07.04 (13) (BOCC, 2006). Factors considered include soil type and texture, existing land management, absence or presence of listed noxious weeds and likely potential natural vegetation community.

Landscape Setting

Chevron Clear Creek 8 Inch Pipeline is on the first terrace above Clear Creek and generally follows the creek and road in a southeasterly direction before turning west and climbing the slopes of Mt. Blaine. At the northern terminus, Clear Creek was dry on the date of inspection (Photo 2). Southeast of the northern terminus a few hundred meters, high quality groundwater springs commence surface flow. The stream is lined with watercress, *Nasturtium officinale* with a heavy riparian deciduous shrub and woodland over story comprised of mountain boxelder, *Acer negundo* and introduced and naturalized New Mexico locust, *Robinia neomexicana* (Photo 3). The New Mexico locust has crowded out most native shrubs one would expect such as skunkbush sumac (*Rhus trilobata*) and willows (*Salix* spp.).



Photo 2. Dry stream bed near north terminus.



Photo 3. Clear Creek flowing near mid-point.

Terrain is gently sloping to moderately steep. Soils on the pipeline route are cumulic haploborolls in the meadow-forming swales and fans along the creek, Happle very channery sandy loam on moderately steep, brushy toe slopes, foot slopes, fans, and back slopes adjacent to the meadows and Biedsaw on the steep slopes where the route turns westerly to the southern terminus on the slopes of Mount Blaine. Texture of the meadow soil is very fine, sandy loam while the brushy Happle soils are variable but mostly medium texture sandy loam, deep, and well-drained with high permeability. The Biedsaw soil is clay loam or clay, but clay ranges from 35 to 45 percent, silt from 25 to 50 percent, and sand from 15 to 30 percent (NRCS, 2006b).

Potential natural vegetation for meadows includes basin big sagebrush (*Artemisia tridentata tridentata*), western wheatgrass (*Pascopyrum smithii*) and basin wildrye (*Leymus cinereus*). For moderate, loamy slopes, needle and thread (*Hesperostipa comata comata*), bluebunch wheatgrass (*Pseudoroegneria spicatum spicatum*), Indian ricegrass (*Achnatherum hymenoides*) western wheatgrass, Wyoming big sagebrush (*A. t. wyomingensis*), and winterfat, (*Kraschenimikovia lanata*) is expected and was, to an extent, observed during the inspection by WWE. Similar vegetation on the steeper but still moderate, brushy slopes is expected with the



Photo 4. Typical natural vegetation.



Photo 5. Shrubland near turn to west.

addition of bottlebrush squirreltail (*Sitanion hystrix*) and shadscale saltbush (*Atriplex confertifolia*). The westerly portion of the route across the slopes of Mount Blaine to the southern terminus has native vegetation dominated by Utah juniper (*Juniperis utahensis*), pinyon pine (*Pinus edulis*), western wheatgrass, bottlebrush squirreltail, and Wyoming big sagebrush (Photo 1, cover).

Current Amount of Infested Land Needing Treatment

More than half the route for the pipeline is exposed to or infested with Garfield County and State of Colorado (8 CCR 1203-19) listed noxious weed species (Figure 1 and 2, p. 13 and 14). This is particularly true near Clear Creek along the edge of the deciduous riparian vegetation and meadows and where the pipeline crosses the creek. Species in bold type in Table 1 are Garfield County listed noxious weeds and the others are listed by the State of Colorado as noted. All invasive species observed were noted due to the adverse impact these species may have on reclamation. Additionally, some species not listed in Garfield County are listed in adjacent jurisdictions, e.g., common mullein. Only Garfield County listed weeds are mapped.

Common Name*/ USDA Symbol	Scientific Name	Type**	Control Methods
cheatgrass ^C BRTE	<i>Bromus tectorum</i>	A	Plant competitive grasses, limit grazing.
chicory CIIN	<i>Cichorium intybas</i>	P	Plant competitive grasses in disturbed areas, be alert, herbicides work best on rosettes. Mowing can reduce an

			infestation.
Chinese clematis ^B CLOR	<i>Clematis orientalis</i>	P	same as field bindweed
common burdock ARMI2	<i>Arctium minus</i>	B	Cut and dig rosettes and bolting plants, re-seed with aggressive grasses. Herbicides probably necessary due to widespread infestation and large number of seed-bearing mature plants.
common mullein ^C VETH	<i>Verbascum thapsis</i>	B	same as common burdock
cutleaf nightshade ¹ SOTR	<i>Solanum triflorum</i>	A	same as cheatgrass
field bindweed ^C COAR4	<i>Convolvulus arvensis</i>	P	Herbicides in fall, plant competitive grasses.
houndstongue CYOF	<i>Cynoglossum officinale</i>	B	Re-seed with aggressive grasses, remove at flowering or early seed, dig or grub at pre-bud or rosette stage or apply herbicides.
Russian thistle ¹ SATR12	<i>Salsola tragus</i>	A	same as cheatgrass
salt cedar	<i>Tamarix ramosissima</i>	P	Repeated or historic flooding of bottomlands to prevent seedling establishment; hand pulling seedlings; spray herbicides on basal portion of stems of young, smooth barked plants, cut larger plants and treat cut stumps within 30 minutes with herbicide plus an adjuvant (remove all stems from site after cutting - they will re-sprout if in contact with soil); shade intolerant - promote growth of native riparian species that will shade out the tamarisk.
Thistle, Bull CIVU	<i>Cirsium vulgare</i>	B	Till or hand grub in the rosette stage, mow at bolting or early flowering; apply seed head & rosette weevils, leaf feeding beetles, cut and bag mature seed heads. Herbicides in rosette stage.
Thistle, Canada CIAR4	<i>Cirsium arvense</i>	P	Mowing every 2 weeks over 3 growing seasons, and using parasitic insects, or mowing every 2 or 3 weeks followed by herbicide application in late summer or fall, with combination treatments working best. When using herbicides use a mix with two different modes of action. Re-seeding with grasses only to allow spraying only when using appropriate herbicides.
Thistle, Musk	<i>Carduus nutans</i>	B	Tillage or hand grubbing in the rosette stage, mowing at bolting or early flowering, seed head & rosette weevils, leaf feeding beetles, herbicides in rosette stage.
Thistle, Scotch	<i>Onopordum acanthium</i>	B	Tillage, hand grubbing, herbicides in rosette stage, mowing at bolting stage.
*8 CCR 1203-19, Colorado Department of Agriculture, Bold type on Garfield County list , ^B State of Colorado "B" list, ^C State of Colorado "C" list, ¹ Not currently listed but invasive and problematic in reclamation.			

Recommended Treatment

It is important to know whether the target is annual, biennial, or perennial to select strategies that effectively control and hopefully eliminate the target. Treatment strategies are different

depending on plant type and are summarized in Tables 2 and 3. Herbicides should not necessarily always be the first treatment of choice when other methods can be effectively employed.

Table 2. Treatment Strategies for Annual and Biennial Noxious Weeds <i>Target: Prevent Seed Production</i>
1. Hand grub (pull), hoe, till, cultivate in rosette stage and before flowering or seed maturity. If seeds develop, cut and bag seed heads.
2. Chop roots with a spade below soil level.
3. Treat with herbicide in rosette or bolting stage, before flowering.
4. Mow biennials after bolting stage, before seed set. Mowing annuals will not prevent flowering but can reduce total seed production.

Herbicide treatment with two or more herbicide modes of action in fall (after approximately August 15 when natural precipitation is present) is the best method to control difficult perennials such as Canada thistle. The resilience of Canada thistle and its ability to quickly develop immunity to herbicides, particularly those used incorrectly, makes it imperative to use the proper chemicals at the correct time in the specified concentration. Most misuse seems centered around excessive use either in frequency or concentration. This results in mostly top kill and an immune phenotype.

Table 3. Treatment Strategies for Perennials <i>Target: Deplete nutrient reserves in root system, prevent seed production</i>
1. Allow plants to expend as much energy from root system as possible, do not treat when first emerging in spring but allow growth to bud/bloom stage. If seeds develop, cut and bag if possible.
2. Herbicide treatment at bud to bloom stage or in the fall (recommended, after August 15 when natural precipitation is present). In the fall plants draw nutrients into the roots for winter storage. Herbicides will be drawn down to the roots more efficiently at this time due to translocation of nutrients to roots rather than leaves. If the weed patch has been present for a long period of time, another season of seed production is not as important as getting the herbicide into the root system. Spraying in fall (after middle August) will kill the following year's shoots, which are being formed on the roots at this time.
3. Mowing usually is not recommended because the plants will flower anyway; seed production should be reduced. Many studies have shown that mowing perennials and spraying the re-growth is not as effective as spraying without mowing. Effect of mowing is species dependent; therefore, it is imperative to know the species and its basic biology. Timing of application must be done when biologically appropriate which is not necessarily convenient.
4. Tillage may or may not be effective. Most perennial roots can sprout from pieces only 1/2" - 1" long. Clean machinery thoroughly before leaving the weed patch.
5. Hand pulling is generally not recommended for perennial species unless you know the plants are seedlings and not established plants. Hand pulling can be effective on small patches but is very labor intensive because it must be done repeatedly.

Following any non-selective herbicide treatment (e.g. glyphosate), the entire treated portion should be replanted with a mix of grasses recommended in this plan. The seed mix of grasses does not include forbs or shrubs due to the presence of Canada thistle and field bindweed. Shrubs and native forbs and legumes are usually adversely affected by herbicides much as the weeds are affected. Shrub, forb and tree components of the vegetation community can be added after control of undesirable species has been attained. For example, in irrigated meadows, re-planting of the entire meadow with a mix of grasses and non-bloating legumes such as sainfoin, *Onobrychis viciaefolia*, followed by rest from grazing is recommended.

Best Management Practices

The following practices should be adopted for any construction project to reduce the costs of noxious weed control. The practices include:

- top soil, where present, should be segregated from deeper soils and replaced as top soil on the final grade,
- in all cases temporary disturbance should be kept to an absolute minimum,
- equipment and materials handling should be done on established sites such as the northern point of origin,
- disturbances should be immediately replanted with the recommended mix in the re-vegetation section.
- WWE recommends moving the pipeline laterally to keep as much of the route in the meadows and out of the shrubs as possible. It is far easier to manage meadow vegetation than re-establish shrubs and forbs and control weeds in shrubs.

In areas with slope greater than 3%, imprinting of the seed bed is recommended. Imprinting can be in the form of dozer tracks or furrows perpendicular to the direction of slope. When hydro-seeding or mulching, imprinting should be done prior to seeding unless the mulch is to be crimped into the soil surface. If broadcast seeding and harrowing, imprinting should be done as part of the harrowing. Furrowing can be done by several methods, the most simple of which is to drill seed perpendicular to the direction of slope in a prepared bed. Other simple imprinting methods include deep hand raking and harrowing, always perpendicular to the direction of slope.

Herbicides:

Difficult species respond better to application of a combination of two or more chemical modes of action (biological reason for plant death) rather than one. Local certified commercial herbicide applicators report best control of Canada thistle using a combination of modes of action. It has also been found that use of two different groups of chemicals in the same mode of action can increase effectiveness on difficult species, e.g. phenoxy and benzoic acids or carboxylic acids and benzoic acids in a mix. Some come commercially pre-mixed, e.g. Crossbow and Super Weed-be-Gone Max which are available over the counter. Some of the most effective herbicides are restricted use and available only for licensed applicators.

Professionals or landowners using herbicides must use the concentration specified. Herbicides generally do not work better at higher concentrations. Most herbicide failures observed by

WWE are related to incomplete control caused by high concentrations killing top growth before the active ingredient can be transported to the roots through the nutrient relocation process.

Most herbicide applications should use a surfactant as directed on the herbicide label or other adjuvants as called for on the herbicide label.

Grazing:

There is currently heavy grazing on much of the pipeline route as evidenced by plant utilization observed on 11-22-2006. Initial observations indicate areas currently open to cattle grazing harbor the greatest distribution, diversity and density of weeds. Grazing should be controlled in a manner to enhance rather than diminish the plant community. Certain noxious weeds are highly palatable during short stages of the life cycle to certain grazing animals including goats, sheep, mule deer, elk, cattle and horses. Preparation and implementation of an appropriate grazing management plan should be considered.



Photo 6. Severe meadow erosion.



Photo 7. Typical meadow with burdock.

Mechanical:

It is recommended senescent, seed-bearing, listed weeds on the route and adjacent to the route be cut, bagged and disposed of in a licensed landfill. Rosettes can be cut with a shovel below the



Photo 8. Seed bearing burdock.



Photo 9. Seed bearing musk thistle.



Photo 10. Houndstongue rosette.



Photo 11. Scotch thistle rosette.

surface of the soil on plants which are not yet dormant. Even with some seed drop, cutting and bagging will greatly reduce seed release. Future need to do mechanical or other control methods should be reduced after only two seasons of cutting and bagging.

Alternative Methods:

Some noxious weeds are subject to damage from beneficial insects. Included are Canada thistle stem mining beetle, *Ceutorhynchus litura*, Canada thistle bud weevil, *Larinus planus*, musk and plumeless thistle rosette weevil, *Trichosirocalus horridus*, Canada thistle stem gall fly, *Urophora cardui*, and thistle defoliating beetle, *Cassida rubiginosa*, which feeds on the foliage of Canada, musk, and plumeless thistles (Sullivan, 2004). Currently, the thistles present are not of sufficient density, in the opinion of WWE, to support populations of insect parasites. Therefore it is unlikely these insects would be helpful unless explosive spread and growth occurs after the pipeline is constructed.

The bindweed mite, *Aceria malherbae*, is a microscopic mite imported from southern Europe as a biological control agent for field bindweed (Hammon, 2006). According to recent anecdotal information it may be a very effective control for bindweed on pipeline route. This mite may be useful for reducing field bindweed.

Another alternative method, particularly for cheatgrass infestations and poor to non-existent topsoils in the Utah juniper woodlands on Mt. Blaine, is the application of vesicular-arbuscular mycorrhizal fungi (V/AMF). These fungi, mostly of the genus *Glomus* are symbiotic with about 80% of all vegetation. Endo-mycorrhizal fungi are associated mostly with grasses and forbs and ecto-mycorrhizal fungi are associated mostly with trees and some shrubs. In symbiosis, the fungi increase water and nutrient transfer capacity of the host root system by as much as several orders of magnitude (Barrow and McCaslin, 1995).

Over-the-counter commercial products, which are better adapted to coating seeds when reseeding and treating roots of live seedling trees and shrubs at time of planting come in powder and are available from many different sources. Some applicators, including a New Castle company, collect and grow local accessions of V/AMF. The latter are applied to weed patches and are

reputed to greatly increase competition of native plants with Canada thistle in particular thereby affecting a non-chemical control of some noxious weeds.

Revegetation

Soil types on the property support many of the same species of native vegetation. As stated previously, the recommended mix is limited to grasses due to the prevalence of field bindweed and the need to use selective herbicides to spot treat for perennial Canada thistle and field bindweed, biennial common burdock, bull, scotch, and musk thistle.

Table 4. Recommended Seed Mix for Drilled or Hydro-seed Rate for Chevron Clear Creek 8 Inch Pipeline				
Scientific Name/Seeds per Pound	Common Name/Preferred Cultivar	No. PLS/Ft²	% of Mix by PLS Wt.	Application Rate Lbs PLS/acre
<i>Achnatherum hymenoides</i> 140,000	Indian ricegrass/ Paloma*	4	12.5	1.25
<i>Hesperostipa comata comata</i> 115,000	Needle and thread	4	15	1.5
<i>Pascopyrum smithii</i> 140,000	Western wheatgrass/ Arriba*	10	31	3.1
<i>Pseudoroegneria spicata spicata</i> 140,000	Bluebunch wheatgrass/ P7	10	31	3.1
<i>Sitanion hystrix</i> 192,000	Bottlebrush squirreltail	4	10	0.90
<i>Poa canbyi</i> 925,000	Canby bluegrass/ Canbar	4	0.5	0.19
Total		36 PLS/FT²	100	10.04 Lbs. PLS/AC
*WWE recommends accepting no other cultivar for this site. (NRCS, 2006a), Colorado Natural Heritage Program, 1998.				

Seeding rate should be doubled for broadcast application. Preferred seeding method is multiple seed bin rangeland drill with no soil preparation other than simple grading to slope and waterbars. Seed should be bagged separately so each size group of seed can be metered at the appropriate rate. Applying a quarter pound over an acre with a species such as canby bluegrass is difficult and may require use of wheat bran or rice hulls or some other adjuvant to assist metering the small seeds at the appropriate rate.

Alternative seeding methods include but are not limited to:

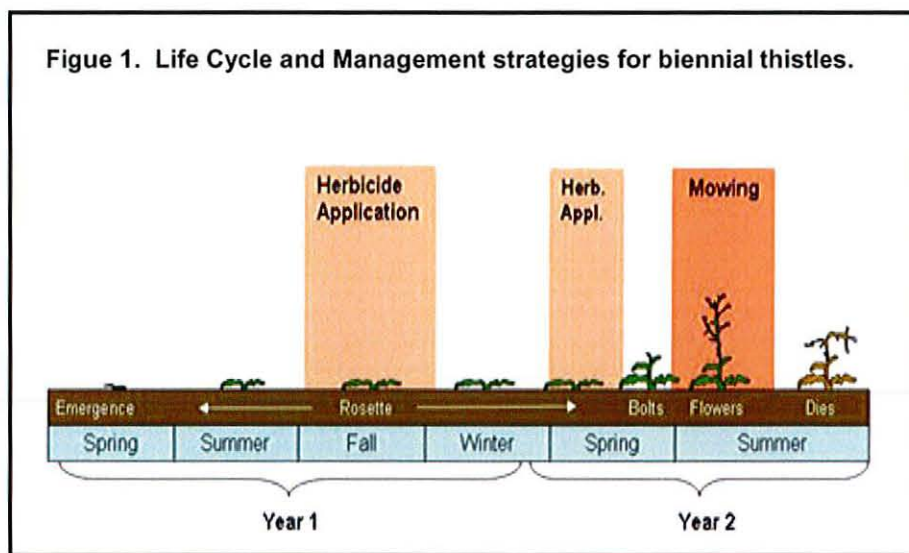
- harrow with just enough soil moisture to create a rough surface, broadcast seed and re-harrow, preferably at a 90 degree angle to the first harrow,
- hydro-seeding (most economical in terms of seed cost), and

- hand raking and broadcast followed by re-raking at a 90 degree angle to the first raking.
- These are not the only means of replanting the site. However, these methods have been observed to be effective in similar landscapes.

Upon successful control of target species and establishment of grasses, shrubs, forbs and trees can be planted without concern for herbicide damage. Few native forb seeds are available commercially as cultivars. Most are collected from natural populations. Native shrubs and forbs often do not establish well from seed, particularly when mixed with grasses. Past experience has shown that stabilizing the soil with grasses, accomplishing weed control and then coming back to plant live; containerized woody species in copses has been the most cost effective method for establishing the woody species component of the plant community.

Life Cycle and Management Calendars

Figure 1 is a 2 year calendar for control and life cycle of biennial thistles. It is also appropriate to control of common burdock and common mullein. One column which should be added is cutting of rosettes which can be done any time during growing.



Hartzler, 2006.

Table 5 is a calendar of strategies and when to undertake them specifically for Canada thistle.

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
Active Growth				X	X	X	X	X	X	X		
Bio-Control (Grazing)					X	X						
Mowing							X	X				
Herbicide Application					X	X			X	X		

Adams County Cooperative Extension Service, 2003

Table 6 is for other listed noxious weed species present in the pipeline route.

Species	Type*	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Chicory	B			germination	rosettes		bolting	flowering					
Houndstongue	B	rosettes	-->	prebud	flowering - seed set			germination			-->	-->	-->

A = annual; WA = winter annual; B = biennial; P = perennial; CP = creeping perennial

Shaded areas indicate best control timing.

Commercial Applicator Recommendations

A certified commercial applicator is a good choice for initial control efforts. An applicator has the full range of knowledge, skills, equipment and experience desired when dealing with Canada thistle and other difficult vegetation.

A reputable local company, Julius Ag, Andy Julius, Certified Applicator's License No. 11210, Julius Ag, 2169 I-70 West Frontage Road, Debeque, CO 81630, 970-379-6917 has the experience and knowledge necessary for success. Reclamation farming with multiple seed bin range drills and related equipment is also available through Julius Ag.

An alternative applicator using V/AMF and other natural products locally is: Alpha Natural, Inc., 1808 Road 245, New Castle, CO 81647, 970-984-2467.

Common chemical and trade names may be used in this report. The use of trade names is for clarity by the reader. Inclusion of a trade name does not imply endorsement of that particular brand of herbicide and exclusion does not imply non-approval. Certified commercial applicators will decide which herbicide to use and at what concentration. Landowners using unrestricted products must obey all label warnings, cautions, and application concentrations. The author of this report is not responsible for inappropriate pesticide use by readers.

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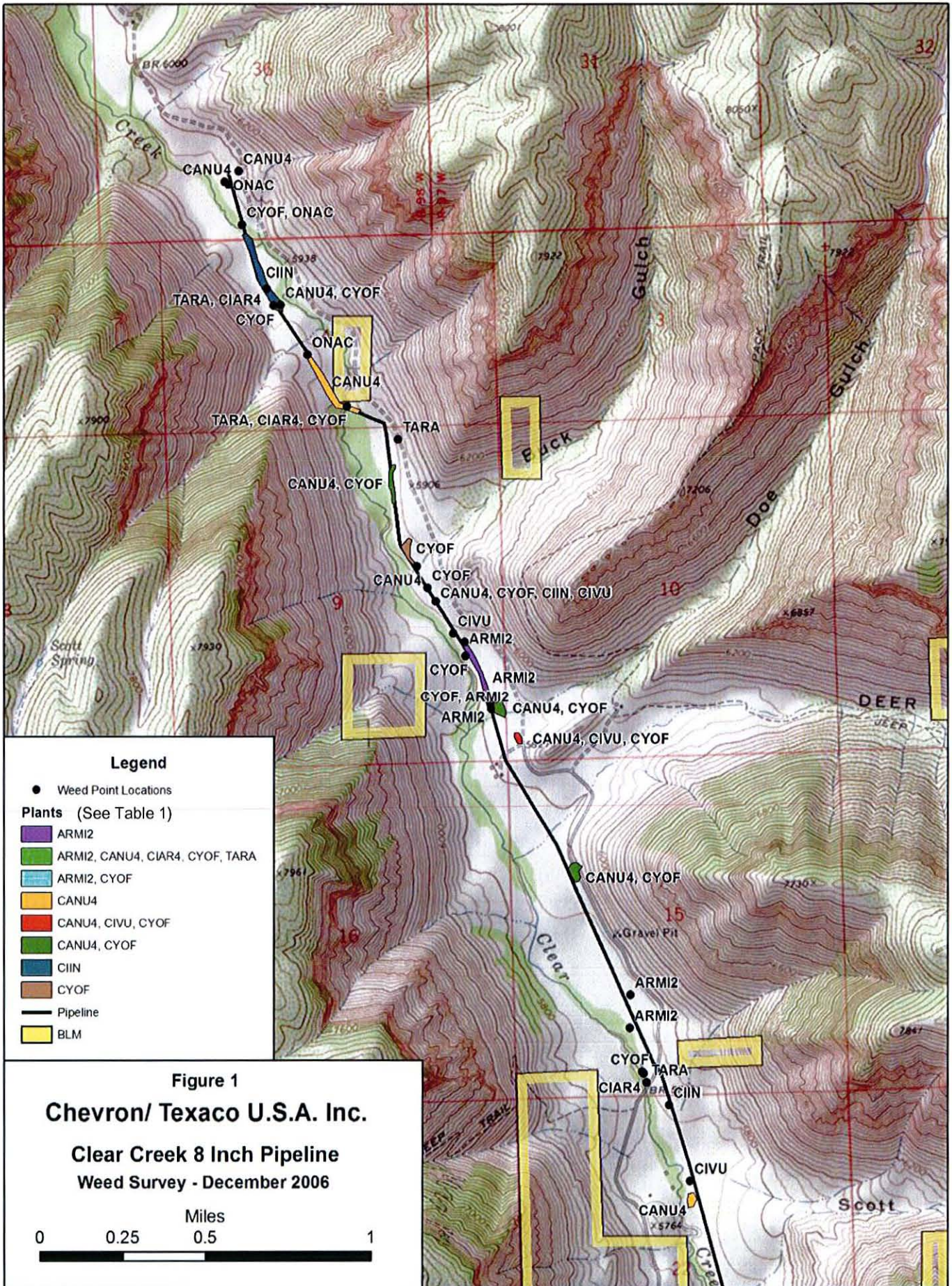
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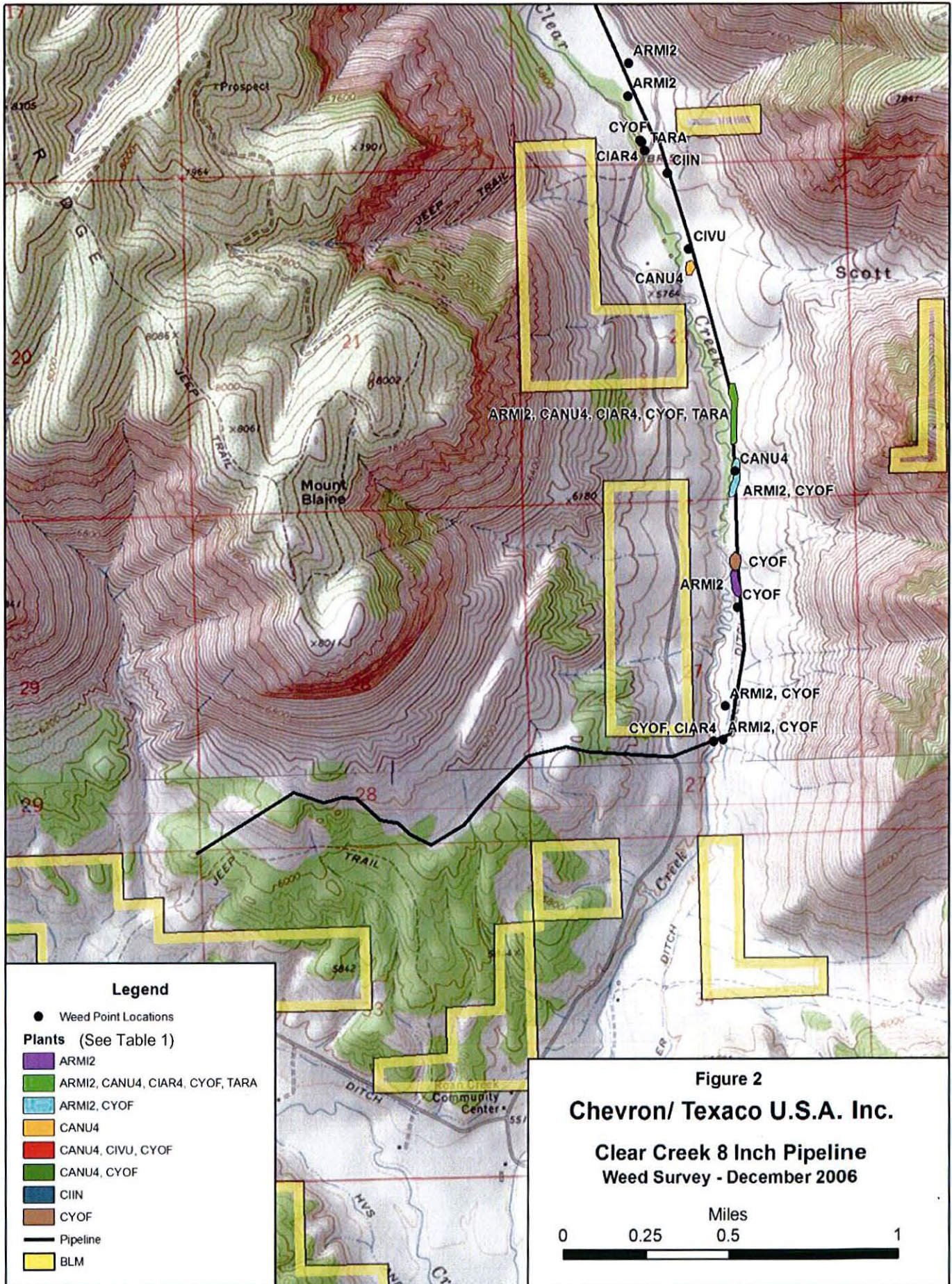
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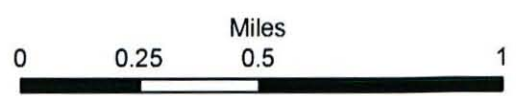




Legend

- Weed Point Locations
- Plants (See Table 1)**
- ARM I2
- ARM I2, CANU4, CIAR4, CYOF, TARA
- ARM I2, CYOF
- CANU4
- CANU4, CIVU, CYOF
- CANU4, CYOF
- CIIN
- CYOF
- Pipeline
- BLM

Figure 2
Chevron/ Texaco U.S.A. Inc.
Clear Creek 8 Inch Pipeline
Weed Survey - December 2006





MIDCONTINENT BUSINESS UNIT

Skinner Ridge / Piceance Basin

EMPLOYEE EMERGENCY ACTION PLAN (29 CFR 1910.38)

PROGRAM CONTENTS

Statement of Policy

Emergency Action Plan

Scope
Elements
Alarm system
Evacuation
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Appendix A

Emergency Contact Numbers

Note: For reference purposed only - baseline "living" document. EPS specific information incorporated as project details are finalized.

Revised 9/25/2006

Statement of Policy

Facility and personnel safety will always take precedence over maintaining operations. Personnel will not attempt to continue working on or remain at a location if the facility is in an unsafe condition. All personnel are authorized to stop work if an unsafe condition posing an immediate hazard occurs. No reprimands will be given if the situation later proves less serious than thought. Hazards of a less serious nature should be brought to the attention of the supervisor who will assess the situation and initiate appropriate action.

Under emergency response conditions, or drills, employees are expected to act only in accordance with their training. At no time will any employee place themselves, or allow themselves to be placed, into a life-threatening situation.

The following priorities will govern our response to any emergency situation:

1. The safety of employees takes precedence over all other considerations.
2. We will minimize impact on the environment once the safety of all personnel has been secured.
3. We will endeavor to minimize damage to or loss of property and equipment, keeping safety and environmental concerns at the top of our priority list.

Emergency Action Plan:

Scope:

This written plan covers the designated actions employees (Chevron & Contractors) associated with the Skinner Ridge Delineation Project (Piceance Creek/Debeque, Colorado) must take to ensure their safety from fire, bomb threats, gas leaks, severe weather, or other emergencies.

Elements:

Fires or other emergency situations should be verbally reported to the Chevron U.S.A. Inc. person in charge (PIC) in the field location. If they are unavailable call (307) 783-9428, where appropriate. 9-1-1 should also be called to initiate public emergency response resources to report the incident.

In the event that evacuation is required all employees shall evacuate per posted instructions (if applicable) and report to the following designated muster points:

Primary Muster Point: Hiner Gate (N39 Deg 32.474 W 108 Deg 19.518 Elevation 5839)

Alternate Muster Point: Cowboy Chapel (N39 Deg 29.115 ft, W 108 Deg 19.705 ft Elevation 5506)

Field Rally Point: Main Deer Camp approx. 2.1 miles north of Hiner gate on right hand side of road at log cabin. (N39 Deg 34.311 ft, W 108 Deg 20.776 ft Elevation 5985)

Note: See attached map.

Operator (Person In Charge) is designated to perform a final building check to ensure all temporary/portable office building/s have been evacuated in the event of an emergency. Designated individual/s will then remove the sign-in log and report to the muster point. Muster points will be discussed daily prior to job executions and will be carried over into night time operations should they exist.

There are no critical operations at the Skinner Ridge Project/ Field that would require personnel to remain behind and operate. However, to minimize the dangers associated with an emergency, any trained employee may shut off the following energy sources after evacuating temporary office facility/s:

Building	Energy Type	Utility Shut-off Location
Temporary On-Site Office – Drilling or test/s location.	Electricity- Generator Propane/Diesel fired devices.	Posted at entrance to Drilling rig location.

Visitors are required to sign a logbook upon entering any field office or location whether permanent or temporary. They will be required to note the time of their arrival, work location, emergency contact numbers (if not already on file) and departure time from the facility. In the event of an emergency, Chevron personnel will use the logbook, verbal communication, cell or satellite phones and/or radios at the muster point to account for all personnel. If necessary, available, pre-designated personnel may initiate a search for any missing person as long as it is safe to do so.

For Field Work sites, personnel present on location are noted by crew leaders and supervisors. Emergency muster points are pre-established and should be discussed daily before each job during (JSA) job safety analysis. In the event of an emergency, personnel will evacuate to the designated muster point where a headcount will be conducted.

Employees who have been certified in First Aid/CPR and have received Bloodborne Pathogen training may render assistance to injured employees.

For further information about this plan, contact the Charlie Eagler (HES Champion) at 307-799-6314 (cell). If he cannot be reached, please contact George Badovinatz (Operations Supervisor) at 307-799-7217 (cell) / 307-783-3613 (office), Dave Howard (Facility Rep.) at 970-986-9823 (cell) / 970-283-1041 (office), or Fairl Dixon (Field Operations) at 970-379-6688 (cell) or 254-387-4949 (satellite).

Alarm System:

The only current active alarms will be designated "drilling rig " alarms and will be noted on the sign in sheet at rig site.

Notification of an emergency situation may be given by using either of the following methods:

Temporary Office Facility/s

- Verbally
- Company Radio
- Telephone/ Cell

Field Offices and Field Work Sites

- Verbally
- Company Radio
- Telephone/ Cell

Evacuation:

Employees shall follow the procedures noted below for evacuation in emergency situations:

Emergency	Employee Action
Bomb Threats	Evacuate to the Cowboy Chapel parking lot.
Fire/Explosion	Evacuate to the Cowboy Chapel parking lot.
Gas Leak	Evacuate to the Cowboy Chapel parking lot if possible or upwind of leak.
High Winds, Thunderstorms or Tomadoes	Seek immediate shelter in a non-hazardous location.

All-Clear Signal: When employees have been evacuated from any building/s or worksite/s, they may only be re-entered after it has been determined to be safe to do so by the designated on-site "Person in Charge". This may be done in consultation with local emergency responders or Chevron Management as appropriate. The Chevron designated onsite "Person In Charge" shall communicate the all-clear signal verbally to all affected employees.

Training:

Duties of individuals, trained to carry out the safe and orderly emergency evacuation of the Skinner Ridge Delineation Project Temporary office/s or worksite/s are noted below:

Position	Duty
All Employees	Evacuate and assist others in leaving building/s or worksite/s and reporting to muster point.
Designated "Person in Charge"	Make final sweep of building/s or worksite/s to insure that all rooms or sites are evacuated. Take building/s sign-in log sheet/s to the muster point.
Operations Supervisor (or designee)	Oversee evacuation, direct additional response as appropriate. Determine when all-clear may be given.

Reviews are conducted with employees covered by the plan at intervals noted below. Documentation of each review is contained in the Skinner Ridge temporary office/s located at the current site/s of drilling operations.

- Upon employee's initial assignment to the Skinner Ridge Project, employees receive training on this plan.
- Whenever the employee's responsibilities or designated actions under the plan change.
- Whenever the plan is changed.

Documentation of each review is contained in the Skinner Ridge Temporary Office/s located at the Hiner Gate.

Building evacuation drills will be conducted in accordance with local fire codes on an annual basis.

**Appendix A
Skinner Ridge
Emergency Contact Numbers**

CHEVRON PERSONNEL

Name	Title	Office	Cell	Satellite
George Badovinatz	Operations Supervisor	307-783-3613	307-799-7217	
Dave Howard	Facility Representative	970-283-1011	970-986-9823	251-387-4267
Fairl Dixon	Operator	970-283-1011	970-379-6688	251-387-4949
Chris Bear	Facilities Engineering	281-361-3918	832-41-1195	
Sean Norris	Environmental Specialist	970-257-6001	970-270-7517	
Craig Tysse	Ranch Manager			251-240-3397
Charlie Eagler	HES Champion	970-257-6006	970-778-0989	

CHEVRON MCBU Management

Name	Title	Office	Cell	Other Numbers
Scott Davis	MCBU Vice President	281-361-3713	832-851-9169	
Neil Henry	Project Manager	281-361-3719	713-725-3116	281-365-1122 home
Michael DeBerry	Operations Manager	832-851-6399	307-679-4650	281-491-9713 home
James Head	HES Manager	281-361-3744	713-304-1474	
Jim Barrum	General Manager	432-687-7161	432-238-9121	
Mark Hinton	Project Coordinator	281-361-3687	281-989-7229	
Nicole Johnson	Facilities Team Lead	281-361-3809	713-892-2797	
Steve Lastrapes	Legal Counsel	281-361-3736	281-797-3748	281-382-3233 pager

MCBU HES Support Staff

Name	Title	Office	Cell	Other Numbers
Curtis Ladley	HES Champion Lead	281-361-3885	713-398-3769	
Randy Golden	Sr. Safety Specialist	281-361-4854	713-826-1804	
Sadie Luker	Sr. Safety Specialist	281-361-3823	281-851-8890	
Dave Vroom	Sr. Safety Specialist	281-361-3797	713-851-9251	
Lloyd Richardson	Contractor Safety Specialist	970-257-6003	970-640-3185	
Bruce Beynon	Environmental Lead	281-361-3689	713-210-9275	
Hector Cavazos	Water & Waste Specialist	281-361-3664	713-398-6096	
Sara Simton	Air Specialist	281-361-3830	281-630-9272	
Ken Jackson	Regulatory/Permitting	281-361-4991	281-435-0866	
Oscar Quiroz	DOT/PSM Coordinator	432-366-8801x610	432-238-7071	

Non-Chevron Assistance

Government Agencies, First Aid, and Municipalities

Emergency	911
Public Service Company of Colorado	(800) 772-7858
Sheriff's Departments	
Garfield County	(970)-945-0453
Mesa County	(970)-244-3500
Federal Bureau of Investigation	(970)-242-8360
Town of DeBeque	(970) 823-5531
Town Marshall	(970)-283-5146
Mesa County Dispatch	(970) 241-6704
Debeque Fire Department	(970) 283-8632
Fire Chief – Nick Marx Cell Phone	(970) 261-3305
Grand Junction Hospital	(970) 244-2273
St. Mary's CareFlight	(800) 332-4923

In the event St. Mary's Careflight is needed, the Debeque Fire Department must also be notified as a backup.

BLM	(970)-244-3000
To report a fire	(970)-257-4800
Colorado DEQ	(877)-518-5608
Forest Service	(970)-242-8211
OSHA	(303)-844-1600
COGCC Parachute Office	(970)-285-9000
COGCC Debeque Office	(970)-283-8635
Weather Services	(970)-243-7007
Recorded Weather	(970)-243-0914
Worker's Compensation	(970)-248-7347

Contract Construction Companies

Flint Construction	(970) 625-4265
Elkhorn Construction	(970) 625-4180
Hyland Enterprise	(970) 625-8270
Compression	

Other Municipalities

Town of Parachute	(970) 285-7630
Town of Rifle	(970) 625-2121
Rifle Fire Department Non-Emergency	(970) 625-1220
Glenwood Springs Hospital	(970) 945-6535
Rifle Hospital	(970) 625-1510

Piceance Basin Skinner Ridge Project

Hazard Elimination / Safety Plan



Note: For reference purposes only - baseline "living" document. EPS specific information incorporated as project details are finalized.

1.0 INTRODUCTION

This chapter of the HES Plan describes lines of authority, responsibility, and communication as they pertain to health and safety functions at this site. The purpose of this chapter is to identify the personnel who impact the development and implementation of the site health and safety plan and to describe their roles and responsibilities. This chapter also identifies other contractors and subcontractors involved in work operations and establish the lines of communication among them for safety and health matters.

The organizational structure of this site's HES program is consistent with Injury and Illness Prevention Program, and the MCA Safety Programs

- Compliance
- Communication
- Hazard Assessment
- Training and Instruction
- Recordkeeping

1.1 Roles and Responsibilities

All personnel and visitors on this site must comply with the requirements of this Plan. The specific responsibilities and authority of management, safety and health, and other personnel on this site are detailed in the following paragraphs. A site organizational chart illustrating the hierarchy of personnel and lines of communication within this company and with additional contractors on site is found in Figure 1-1.

Project Manager (PM)

The PM has responsibility and authority to direct all work operations. The PM coordinates safety and health functions with the local Area Management and HES Specialist, has the authority to oversee and monitor the performance of all workers, and bears ultimate responsibility for the proper implementation of this Plan.

Site Supervisor

The Site Supervisor is responsible for field operations and reports to the Project Manager (PM). The Site Supervisor ensures the implementation of the Plans requirements and procedures in the field.

The specific responsibilities of the Site Supervisor are: Executing the work plan and schedule as detailed by the PM and Coordination with the HES Specialist on safety, environmental, and health issues;

Site Workers

Site workers are responsible for complying with this Plan, using the proper PPE, reporting unsafe acts and conditions, and following the work and safety and health instructions of the Project Manager (PM), and Site Supervisor.

1.2 Identification of Other Site Contractors

The other contractors and subcontractors on this site who could be affected by the tasks and operations associated with this work plan are listed in Table 1-2 below.

Table 1-2 Other Site Contractors and Subcontractors

Company	Function
TBD	Health & Safety
Flint Construction	Construction
Hyland Trucking	Waste Water
Cordilleran and ERM	Environmental Testing
Washington Group and PAI Engineering	Project Engineering
TBD	Sampling Lab
Per Plan	Waste Disposal
TBD	Ultrasonic Testing
TBD	Construction Inspection
TBD	Pipe
TBD	Valve Vault
TBD	Valves & Fittings
TBD	Nitrogen
Waste Management	Waste Containers
TBD	X-Ray Services
Hyland Trucking	Vac Trucks
TBD	Coating Inspection
TBD	Hydro Inspection

2.0 Hazards Communications

This chapter of the Plan describes the safety and health hazards associated with site work and the control measures selected to protect workers. The purpose of a Job Hazards Analysis (JHA) and Job Safety Analysis (JSA) is to identify and quantify the health and safety hazards associated with each site task and operation, and to evaluate the risks to workers. Using this information, appropriate control methods are selected to eliminate the identified risks if possible, or to effectively control them. The control methods are documented in each task-specific JSA, and phase-specific JHA.

- Hazards Communications Program
- Employee Notification
- Job Hazard Analysis
- Job Safety Analysis

2.1 Hazard Communications Program

- Located in Filenet Document Management System
<http://evaidmweb01/dmws/home.asp>
Piceance / HES / Safety / Plans, Programs, Procedures, Processes / Programs and Procedures
Specific PHA's (Compressor, and Pad Protection) can be located in Filenet under the Analysis Folder

2.2 Employee Notification of Hazards and Overall Site Information

The information in the JHA's and JSA's and the available MSDS's are made available to all employees who could be affected by it prior to the time they begin their work activities. Modifications to JSA's and JHA's are communicated during routine briefings such as TIF / Tailgate Safety Meetings.

Chevron shall also inform other contractors and subcontractors about the nature and level of hazardous substances at this site, and the likely degree of exposure to workers who participate in site operations with the TIF forms copied in the Contracts.

2.3 Job Safety Analysis (JSA)

A JSA is a planning tool that identifies all hazards and safeguards associated with each step or task. These shall be shared with all affected parties associated with these tasks. JSAs shall be modified if:

- the scope of work is changed by adding, eliminating, or modifying tasks
- new methods of performing site tasks are selected
- observation of the performance of site tasks results in a revised characterization of the hazards
- new chemical, biological, or physical hazards are identified
- exposure data indicate changes in the concentration and/or likelihood of exposure
- new/different control measures are selected
- Approved Blank JSA form can be found at O Drive / NAU / MCBU / Major Capital Projects / Piceance / FLD-Skinner Ridge / HES / HES Champion Files / Piceance / Blank HES Forms / Safety / New Complex JSA2

2.4 Job Hazards Analysis (JHA)

A JHA is a planning tool that does a high level identification of hazards associated with phases of the project.

- Tables attached in Table 2.1

Table 2-1: Site-Specific Job Hazard Analysis			
Operational Phase	Phase No.	Task/Operation	Location Where Task/ Operation Performed
Mobilization	1	Set up site controls and services	On-site
Person Certifying This JHA			
Date This JHA Conducted 3/2/2007	Print Name		Signature
Chemical Hazards			
Chemical Name	Source	Concentration	Exposure Limit
No anticipated chemical hazards	N/A	N/A	N/A
Physical Hazards			
Name of Physical Hazard	Source	Exposure Level/Potential	Exposure Limit
Hand Tool Use	Silt fence installation	Likely	N/A
Heat (ambient)	Environment	Likely	N/A
Heavy Manual Lifting/Moving		Likely	N/A
Inclement Weather - Lightning and High Winds		Likely	N/A
Material Handling	Stage supplies	Likely	N/A
Noise (Sound Pressure Level), dBA	Hammering	85 dBA	90 dBA
Rough Terrain	Walking surface	Likely	N/A
Slips/Trips/Falls	Uneven ground	Likely	N/A
Traffic	On or Near Site Roadways	Likely	N/A
Vehicular Travel	Construction traffic	Likely	N/A
Biological Hazard			
Name of Biological Hazard	Source	Exposure Potential	
Hantavirus - Small Mammals/droppings	Mice	Unlikely	
Histoplasmosis - Bird Droppings/Bat Guano	Birds	Unlikely	
Insect bites and stings	Bees	Likely	
Lyme Disease - Ticks	Ticks	Likely	
Poison Plants (Ivy, Oak, and/or Sumac)	Plants	Likely	

Control Measures Used	
Engineering Controls: Only trained, medically qualified individuals may be present at this site. All work is to be in accordance with Chevron Pipe Line's HES Procedures: HES-102 General Safe Work HES-204 Safe Work HES-501 Personal Protective Equipment HES -202 Excavation Procedure HES- 203 Isolation of Equipment for Work Procedure HES -205 Hot Work Procedure	
Work Practices: Workers shall adhere to work practice controls outlined in the contractors health and safety procedures and Standard Operating Procedures. All work practices must comply or exceed Chevron Pipeline HES Policies.	
Level of PPE: D	Respirator Cartridge/Canister: Not Applicable Service Life: Not Applicable Task-Specific Modifications: None
PPE Upgrade: No	
PPE Downgrade: No	

Table 2-1: Site-Specific Job Hazard Analysis			
Operational Phase	Phase No.	Task/Operation	Location Where Task/Operation Performed
Excavation	2	Open Pipe Trench	On-Site
Person Certifying This JHA			
Date This JHA Conducted 3/2/2007	Print Name	Signature	
Chemical Hazards			
Chemical Name	Source	Concentration	Exposure Limit
			100 ppm PEL-TWA OSHA
Physical Hazards			
Name of Physical Hazard	Source	Exposure Level/Potential	Exposure Limit
Heat (ambient)	Pipeline right of way	Likely	N/A
Earth Moving Equipment Operations	Excavation	Likely	N/A
Hand Tool Use	Excavation	Likely	N/A
Heavy Equipment Operation	Site activity	Likely	N/A
Heavy Manual Lifting/Moving	Setting shoring	Likely	N/A
Inclement Weather - Lightning and High Winds	Environmental	Likely	N/A
Ladder Use	Excavation egress	Likely	N/A
Lifting Equipment Operation- Cranes	Placing shoring	Likely	N/A
NOISE (SOUND PRESSURE), dBA	Equipment	<85 dBA	90 dBA TWA OSHA
Slips/Tnps/Falls	Uneven terrain	Likely	N/A

Biological Hazard		
Name of Biological Hazard	Source	Exposure Potential
Bloodborne Pathogens (Hepatitis B or C, HIV)	Mice	Unlikely
Histoplasmosis - Bird Droppings/Bat Guano	Birds	Unlikely
Insect bites and stings	Bees	Likely
Lyme Disease - Ticks	Ticks	Likely
Rabies - Small Mammals	Small mammals	Likely
Poison Plants (Ivy, Oak, and/or Sumac)	Plants	Likely
Control Measures Used		
Engineering Controls: Only trained, medically qualified individuals may be present at this site. All work is to be in accordance with: HES-102 General Safe Work HES-204 Safe Work HES-501 Personal Protective Equipment		
Work Practices: Workers shall adhere to work practice controls outlined in: HES-102 General Safe Work All work shall be under the controls stipulated in the safe work permit system; HES-204 Safe Work Employees shall don personal protective equipment in accordance with: HES-501 Personal Protective Equipment		
Level of PPE: D	Task-Specific Modifications: None	

Table 2-1: Site-Specific Job Hazard Analysis			
Operational Phase	Phase No.	Task/Operation	Location Where Task/ Operation Performed
Welding	3	Pipelng fabrication	On-site
Person Certifying This JSA			
Date This JHA Conducted 3/2/2007	Print Name	Signature	
Chemical Hazards			
Chemical Name	Source	Concentration	Exposure Limit
No Chemical Hazards()			
Physical Hazards			
Name of Physical Hazard	Source	Exposure Level/Potential	Exposure Limit
Non-ionizing Radiation	Welding	Likely	N/A
Welding/Cutting/Burning	Pipe fabrication	Likely	N/A
Hot Surfaces	Welding	Likely	N/A
Biological Hazard			
Name of Biological Hazard	Source	Exposure Potential	
Poison Plants (Ivy, Oak, and/or Sumac)	Plants	Likely	
Control Measures Used			
Engineering Controls: Only trained, medically qualified individuals may be present at this site.			
All work is to be in accordance with: HES-102 General Safe Work HES-204 Safe Work HES-501 Personal Protective Equipment.			
Work Practices: Workers shall adhere to work practice controls outlined in: HES-102 General Safe Work All work shall be under the controls stipulated in the safe work permit system, HES-204 Safe Work Employees shall don personal protective equipment in accordance with: HES-501 Personal protective Equipment			
Level of PPE: D	Respirator Cartridge/Canister: Not Applicable		
	Service Life: Not Applicable		
	Task-Specific Modifications:		

Table 2-1: Site-Specific Job Hazard Analysis			
Operational Phase	Phase No.	Task/Operation	Location Where Task/ Operation Performed
Welding	4	Hydro-testing	On-site
Person Certifying This JHA			
Date This JHA Conducted 3/2/2007	Print Name	Signature	
Chemical Hazards			
Chemical Name	Source	Concentration	Exposure Limit
No Chemical Hazards()			
Physical Hazards			
Name of Physical Hazard	Source	Exposure Level/Potential	Exposure Limit
Compressed Gas - Storage and Use	Pigging	Likely	N/A
Electrical	Coating testing	Likely	N/A
Excavation/Trenching Operations	Testing in trench	Likely	N/A
Hand Tool Use	Shrink fit cutting	Likely	N/A
Hot Surfaces	Shrink fit	Likely	N/A
NOISE (SOUND PRESSURE LEVEL), dBA	Pigging air release	>90 dBA	90 dBA TWA OSHA
Slips/Trips/Falls	Uneven ground	Likely	N/A
Working Over Water		Unlikely	
Biological Hazard			
Name of Biological Hazard	Source	Exposure Potential	
Insect bites and stings	Bees	Likely	
Lyme Disease - Ticks	Ticks	Likely	
Poison Plants (Ivy, Oak, and/or Sumac)	Plants	Likely	
Control Measures Used			
Engineering Controls: Only trained, medically qualified individuals may be present at this site. All work is to be in accordance with: HES-102 General Safe Work HES-204 Safe Work HES-501 Personal Protective Equipment			
Work Practices: Workers shall adhere to work practice controls outlined in: HES-102 General Safe Work			

All work shall be under the controls stipulated in the safe work permit system. HES-204 Safe Work Employees shall don personal protective equipment in accordance with: HES-501 Personal Protective Equipment	
Level of PPE: D	Respirator Cartridge/Canister: Not Applicable Service Life: Not Applicable Task-Specific Modifications: None
PPE Upgrade: No	
PPE Downgrade: No	

Table 2-1: Site-Specific Job Hazard Analysis			
Operational Phase	Phase No.	Task/Operation	Location Where Task/ Operation Performed
Site closure	5	Final grade site	On-site
Person Certifying This JHA			
Date This JHA Conducted 3/2/2007	Print Name		Signature
Chemical Hazards			
Chemical Name	Source	Concentration	Exposure Limit
No Chemical Hazards()			
Physical Hazards			
Name of Physical Hazard	Source	Exposure Level/Potential	Exposure Limit
Earth Moving Equipment Operations	Final grading	Likely	N/A
Traffic - On or Near Site	Roadway	Likely	N/A
Biological Hazard			
Name of Biological Hazard	Source	Exposure Potential	
No Biological Hazards		Unlikely	
Control Measures Used			
Engineering Controls: Only trained, medically qualified individuals may be present at this site. All work is to be in accordance with: HES-102 General Safe Work HES-204 Safe Work HES-501 Personal Protective Equipment			
Work Practices: Workers shall adhere to work practice controls outlined in: HES-102 General Safe Work All work shall be under the controls stipulated in the safe work permit system: HES-204 Safe Work Employees shall don personal protective equipment in accordance with: HES-501 Personal Protective Equipment			
Level of PPE: D	Respirator Cartridge/Canister: Not Applicable Service Life: Not Applicable Task-Specific Modifications: None		
PPE Upgrade: No			
PPE Downgrade: No			

Table 2-1: Site-Specific Job Hazard Analysis		
Operational Phase	Phase No.	Task/Operation Location Where Task/Operation Performed
Demobilization	6	Demobilize equipment On-site
Person Certifying This JHA		
Date This JHA Conducted	Print Name	Signature
3/2/2007		
Chemical Hazards		
Chemical Name	Source	Concentration Exposure Limit
No Chemical Hazards()		
Physical Hazards		
Name of Physical Hazard	Source	Exposure Level/Potential Exposure Limit
Hand Tool Use	Dismantle equipment	Likely N/A
Heat (ambient)	Environment	Likely N/A
Material Handling	Demobilize unused supplies	Likely N/A
Slips/Trips/Falls	Uneven ground	Likely N/A
Biological Hazard		
Name of Biological Hazard	Source	Exposure Potential
Insect bites and stings	Bees	Likely
Poison Plants (Ivy, Oak, and/or Sumac)	Plants	Likely
Control Measures Used		
Engineering Controls: Only trained, medically qualified individuals may be present at this site. All work is to be in accordance with: HES-102 General Sale Work HES-204 Safe Work HES-501 Personal Protective Equipment		
Work Practices: Workers shall adhere to work practice controls outlined in: HES-102 General Sale Work All work shall be under the controls stipulated in the safe work permit system; HES-204 Safe Work Employees shall don personal protective equipment in accordance with: HES-501 Personal Protective Equipment		
Level of PPE: D	Respirator Cartridge/Canister: Not Applicable	Service Life: Not Applicable
	Task-Specific Modifications: None	
PPE Downgrade: No		
PPE Upgrade: No		

3.0 SITE CONTROL

This site control program is designed to facilitate emergency evacuation and medical care, to prevent unauthorized entry to the site, and to deter vandalism and theft.

The site control program provides the following site-specific information:

- site access procedures
- site security
- both internal (on-site) and external communications

3.1 Site Map

A map of this site, showing site boundaries, designated work zones, and points of entry and exit is provided in Figure 3-1, at the end of this chapter.

3.2 Site Access

Access to this site is restricted to reduce the potential for exposure to its safety and health hazards. During hours of site operation, site entry and exit is authorized only at the point(s) identified in Figure 3-1. Entry and exit at these points is controlled by Chevron personnel. All entrants must sign in at the check-in location upon arrival and must sign out when they leave the site (each time). This will assist accounting for personnel in case of an emergency and not put personnel in danger by having them look for someone that isn't at the site.

Visitors to the site register with Project Manager, and are escorted at all times. Visitors are expected to comply with the requirements of this Plan. In case of an emergency they will stay with the Chevron person that is escorting them to the staging locations. PPE for visitors is provided by Chevron.

If Contract workers need to be on the Chevron properties after Chevron personnel go off shift there must be a process in place to insure they are accounted for each day.

- They must have a Chevron contact person designated
- They must have a Representative from their company that is their point person
- They must follow proper check in / check out procedure for the site
- They must communicate their planned work locations to the appropriate Chevron site personnel daily to insure they are working in safe locations and to help if search response becomes necessary.

The personnel on site after normal work hours and without Chevron on site Supervision must contact their Companies' point person after leaving our site as a check out. If by a set time they don't contact their Representative that person will contact the Chevron contact person to set a search response into place. It is important to know the general work location and travel plans to aid in the search response.

3.3 Site Security

Security at this site is maintained during both working hours and non-working hours to prevent unauthorized entry, exposure of unauthorized, unprotected people to site hazards, and increased hazards due to vandalism and theft.

Site Personnel are responsible for establishing and maintaining site security during working hours. This site takes the following measures for security during working hours:

- Access gates on roads to the well locations that are locked during the hours that personnel aren't on site.

3.4 Site Communications

The following communication equipment is used to support on-site communications:

- Telephones at this site are located in the following areas:
Approved employee cell phones following MCA Guidelines.
Phone at the Hiner Gate office location.
Satellite phones for some employees
- A current list of emergency contact numbers is posted in the following locations:
Office trailer
- Two-way radios are available in the following locations:
Equipment trailer
- The following people will carry two-way radios:
Site supervisor
Field Leads
Resource individuals

In addition, site personnel are trained to recognize and use hand signals when visual contact is possible but noise or PPE inhibit voice communication. These hand signals are listed below in Table 2
Table 2 Communications – Hand Signals

Signal	Meaning
Clutching throat	Out of air/cannot breathe
Thumbs down	No
Thumbs up	OK/understood
Both arms waving upright above head	Need assistance/send support
Stand with hands on waist or grab partner's wrist	Exit immediately
One fist raised above head	Stop immediately
Arms horizontal and circling out to sides	Situation under control

3.5 Site Communications for Emergency

The nearest emergency medical assistance selected to support this site is:

Government Agencies, First Aid, and Municipalities

Emergency	911
Public Service Company of Colorado	(800) 772-7858
Sheriff's Departments	
Garfield County	(970)-945-0453
Mesa County	(970)-244-3500
Federal Bureau of Investigation	(970)-242-8360
Town of DeBeque	(970) 823-5531
Town Marshall	(970)-283-5146
Mesa County Dispatch	(970) 241-6704
Debeque Fire Department	(970) 283-8632
Fire Chief – Nick Marx Cell Phone	(970) 261-3305
Grand Junction Hospital	(970) 244-2273
St. Mary's CareFlight	(800) 332-4923

In the event St. Mary's Careflight is needed, the Debeque Fire Department must also be notified as a backup.

BLM	(970)-244-3000
To report a fire	(970)-257-4800
Colorado DEQ	(877)-518-5608
Forest Service	(970)-242-8211
OSHA	(303)-844-1600
COGCC Parachute Office	(970)-285-9000
COGCC Debeque Office	(970)-283-8635
Weather Services	(970)-243-7007
Recorded Weather	(970)-243-0914
Worker's Compensation	(970)-248-7347

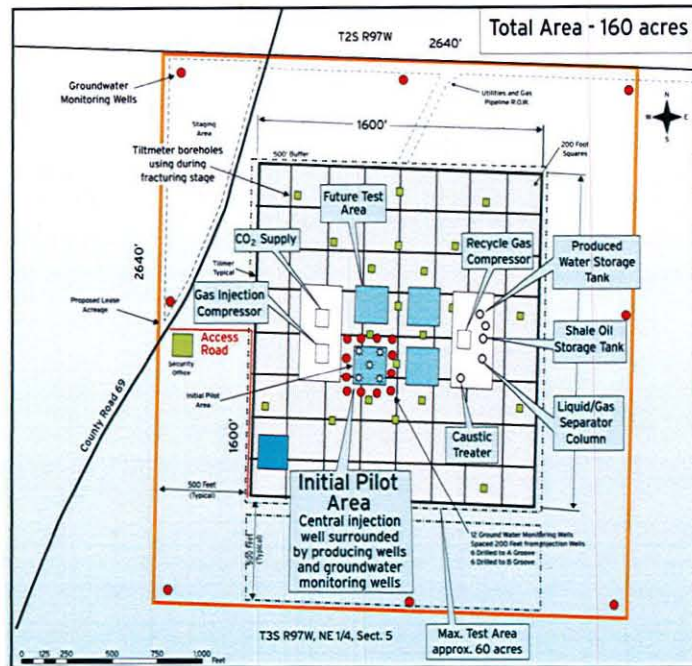
Contract Construction Companies

Flint Construction	(970) 625-4265
Elkhorn Construction	(970) 625-4180
Hyland Enterprise	(970) 625-8270
Compression	

Other Municipalities

Town of Parachute	(970) 285-7630
Town of Rifle	(970) 625-2121
Rifle Fire Department Non-Emergency	(970) 625-1220
Glenwood Springs Hospital	(970) 945-6535
Rifle Hospital	(970) 625-1510

Figure 3-1 Map of Site Boundaries, Work Zones, and Entry/Exit Points



4.0 PERSONAL PROTECTIVE EQUIPMENT

This chapter of the Plan describes how personal protective equipment (PPE) is used to protect against employee exposures to hazardous substances and hazardous conditions on this site. Exposure hazards from the decontamination process are also considered. The following topics are addressed in this chapter:

- PPE selection criteria
- Site-specific PPE assessment
- Use of PPE
- Training in use of PPE
- Respiratory protection
- Hearing conservation
- PPE maintenance && storage

4.1 PPE Selection Criteria

Site safety and health hazards are eliminated or reduced to the greatest extent possible through engineering controls and work practices. Where hazards are still present, a combination of engineering controls, work practices, and PPE are used to protect employees.

An initial level of PPE is assigned to each task to provide an adequate barrier to exposure hazards. Initial PPE ensembles are selected based on the anticipated route(s) of entry of the hazardous substances on site and their concentration. Ensemble materials are selected using permeation data supplied by individual manufacturers. Materials providing the greatest duration of protection have been chosen. When necessary, multiple layers of protection are used to accommodate the range of hazards that may be encountered. Where possible, employees are provided with a range of component sizes to ensure properly fitted PPE.

4.2 PPE Assessment

- Located in Filenet Document Management System
<http://evaidmweb01/idmws/home.asp>
 Piceance / HES / Safety / Plans, Programs, Procedures, Processes / Hazards Analysis

4.3 Training

Employees receive general information regarding proper selection, use and inspection of PPE during initial orientation training.

4.4 Respiratory Protection

Respiratory Protection should not be necessary during normal operations at this site. The potential to wear dust masks will be reviewed if the issue arises.

4.5 Hearing Conservation

Employees must use hearing protection when noise exposures equal or exceed an 8-hour time-weighted average sound level of 85 dBA. Where noise exposure meets or exceeds this level, noise is listed as a physical hazard in the JSA/JHA for the tasks/operation, and hearing protection is included as one of the control measures (PPE).

4.6 PPE Maintenance & Storage

In order to ensure that PPE continues to provide the anticipated protection, this site uses specific procedures for PPE inspection, cleaning, maintenance, and storage. Adherence to these procedures is

tracked with written inspection records.

4.7 Use of PPE

Site-specific PPE ensembles and materials are identified below in Table 4-2a. PPE is used in accordance with manufacturers' recommendations.

Table 4-2a Site-Specific PPE Ensemble

Equipment	Model	Material	Employee Purchased
Level D			
Coveralls/Standard Work Clothes	Tyvek	Polypropylene or equivalent	No
Boots/shoes, chemical-resistant steel toe and shank	Varies	Leather or synthetic	No
Escape Mask: N/A			
Boots, outer, chemical-resistant (disposable)	When in contact with contaminated soils	Chemically resistant disposable	No
Safety glasses	Z87 compliant	Plastic or synthetic materials	No
Hard hat	ANSI approved	Plastic or synthetic materials	No
Face shield used in conjunction with goggles or spoggles	While grinding or transferring contaminated liquid	Plastic	No
Gloves	Leather Work Gloves Nitrile / Butyl Mix Gloves	Abrasion resistant Use with Solvents	No

5.0 ENVIRONMENTAL MEDICAL CONDITION PREVENTION PROGRAM

This section of the Plan describes how the site-specific environmental conditions (temperature, humidity, air movement), work loads, and PPE may expose workers to hazards resulting in injury or illness related to Hot or Cold Conditions.

- Utilize the OSHA Quick Card Guidelines for response to Heat related Issues and get information from following web sites:
 - <http://www.osha.gov/SLTC/heatstress/index.html>
 - <http://www.osha.gov/Publications/OSHA3154.pdf>
 - <http://www.cdc.gov/niosh/topics/heatstress/>
 -
- Utilize the following links to gain information on cold related illnesses and hazards:
 - <http://www.webmd.com/a-to-z-guides/Hypothermia-and-Cold-Temperature-Exposure-Topic-Overview>
 - <http://www.princeton.edu/~oa/safety/hypocold.shtml>
 - http://www.westchesteroh.org/fire/hypo_frostbite.pdf
 - http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=FACTSHEETS&p_id=186

6.0 SPILL CONTAINMENT PROGRAM

This section of the Health and Safety Plan describes the potential for hazardous substance spills at this site and procedures for controlling and containing such spills. The purpose of this section of the Plan is to ensure that spill containment planning is conducted and appropriate control measures are established.

The spill containment program addresses the following elements:

- Potential hazardous substance spills and available controls
- Initial notification and response
- Spill evaluation and response
- Post-spill evaluation

6.1 Potential Spills and Available Controls

An evaluation was conducted to determine the potential for hazardous substance spills at this site. That evaluation indicates that there is no potential for a hazardous substance spill of sufficient size to require containment planning, equipment, and procedures. For that reason, no spill containment program is implemented at this site.

7.0 EMERGENCY RESPONSE PLAN

This is the site-specific emergency response plan. This chapter of the Health and Safety Plan describes potential emergencies at this site, procedures for responding to those emergencies, roles and responsibilities during emergency response, and training that workers must receive in order to follow emergency procedures. This plan also describes the provisions this site has made to coordinate its emergency response planning with other contractors on site and with off-site emergency response organizations.

This emergency response plan provides the following site-specific information:

- pre-emergency planning
- on site equipment
- maps
- roles and responsibilities
- alerting and evacuation
- response
- emergency medical treatment and first aid
- training
- fire management
- Chevron contact list

7.1 Pre-emergency Planning

This site has been evaluated for potential emergency occurrences, based on site hazards, the tasks within the work plan, the site topography, and prevailing weather conditions. The results of that evaluation are shown in Table 7-1 below.

Type of Emergency	Source of Emergency	Location of Source
Fire	Ruptured service lines (gas, electric)	In right-of-way
Explosion	Ruptured service lines (gas, electric)	In right-of-way
Cave-in	Excavation	In right-of-way
Collision (person/equipment or equipment/equipment)	Operator error	Work Site
Spill	Ruptured service lines (gas, electric)	In excavation
Earthquake	Environmental occurrence	Entire site
Flood	Weather	Entire site
Lightning	Weather	Entire site
Acute chemical exposure	Ruptured service lines (gas, electric)	In excavation
Heat stress/worker collapses	Heat	Entire site
Leaking supply line	Ruptured service lines (gas, electric)	In right-of-way

7.2 On-Site Emergency Response Equipment

Emergency procedures may require specialized equipment to facilitate worker rescue, contamination control and reduction, or post-emergency clean-up. Emergency response equipment stocked on this site is listed in Table 7-2. The equipment inventory and storage locations are based on the potential emergencies described in Table 7-1. This equipment inventory is designed to meet on-site emergency response needs and any specialized equipment needs that off-site responders might require because of the hazards at this site but not ordinarily stocked.

Any additional PPE required and stocked for emergency response is also listed in Table 7-2 below. At a minimum, personal protective equipment used by emergency responders will comply with Chapter 4, Personal Protective Equipment, of this Plan.

Emergency response equipment is inspected at regular intervals and maintained in good working order. The equipment inventory is replenished as necessary to maintain response capabilities.

Table 7-2 Emergency Equipment & Emergency PPE

Emergency Equipment	Specific Type	Quantity Stocked	Location Stored
Berm materials	Native soils		
First aid kit	Sufficient for personnel at site		Same
Fire extinguisher	Trailers, heavy equipment hot work areas	Min. of 1 at each listed location	Varies
Emergency eye wash	Portable	Minimum of 1	Equipment Trailer
Emergency PPE	Specific Type	Quantity Stocked	Location Stored
Tyvek suit, coated	Tyvek or equivalent	20 in various sizes	Equipment trailer
Gloves	Nitrile		
Eye protection	Z87		

7.3 Emergency Planning Maps

Figure 7-3 provides a map of the site with key on-site emergency planning information clearly marked. Emergency evacuation route(s), places of refuge, assembly point(s), and the locations of key site emergency equipment are identified on this map. Major topographical features and the direction of prevailing winds/weather conditions that could affect emergency response planning are also marked on this map. Figure 7-3a is posted at site entry points and at locations throughout the work area.

7.4 Roles and Responsibilities for On-Site and Off-Site Personnel

The Project Supervisor is responsible for implementing the emergency response plan and coordinates emergency response activities on this site. He/she provides specific direction for emergency action based upon information available regarding the incident and response capabilities and initiates emergency procedures, including protection of the public and notification of appropriate authorities.

In the event of an emergency, site personnel are evacuated and do not participate in emergency response activities. As a result, this emergency response plan is designed to comply with 29 CFR 1910.38(a). The on-site personnel and their alternates responsible for coordinating site evacuation efforts are listed in Table 7-4.

The site relies upon the off-site emergency response organizations listed in the Emergency Contact Information, Table 7-4, to respond to site emergencies.

7.5 Emergency Alerting and Evacuation

Site workers are alerted to emergencies through the use of an employee alarm system. The employee alarm systems at this site are listed in Table 7-5.

Table 7-5 Employee Alarm Systems

Type of Alarm	Location	How Alarm is Used
Air horn	SSO	Three blasts

This alarm system is tested periodically under normal site operating conditions to ensure that it is in good working order and can effectively alert all persons on-site.

If evacuation notice is given, site workers leave the worksite by way of the nearest exit. Appropriate primary and alternate evacuation routes and assembly areas have been identified. The routes and assembly area will be determined by conditions at the time of the evacuation based on wind direction, the location of the hazard source, and other factors as determined by rehearsals and inputs from emergency response organizations.

Wind direction indicators are located so that workers can determine a safe up wind or cross wind evacuation route and assembly area if not informed by the emergency response coordinator at the time the evacuation alarm sounds.

Personnel exiting the site gather at a designated assembly point. To determine that everyone has successfully exited the site, personnel will be accounted for at the assembly site. If any worker cannot be accounted for, notification is given to the Project Supervisor so that appropriate action can be initiated.

Contractors and subcontractors on this site have coordinated their emergency response plans to ensure that these plans are compatible and that source(s) of potential emergencies are recognized, alarm systems are clearly understood, and evacuation routes are accessible to all personnel relying upon them.

7.6 Emergency Response

When the lead person on site determines that outside assistance is required, the applicable off-site organization shown in Table 7-4 is contacted. They provides relevant information to the responding organizations, including hazards associated with the emergency incident, potential containment problems, and missing site personnel.

7.7 Emergency Medical Treatment and First Aid

This site does not assign site personnel to provide first aid. Personnel who require medical care are transferred to a medical facility. Some personnel on site will be trained in basic first aid and will render care to the best of their abilities under the "Good Samaritan" laws.

7.8 Emergency Response Training

All persons who enter this worksite, including visitors, receive a site-specific briefing about anticipated emergency situations and the emergency procedures.

Prior to the commencement of work and in accordance with the Training Section of this Plan, site personnel are trained in the contents of this emergency response plan, including potential emergencies, personnel roles and responsibilities, evacuation routes and procedures, and the location of medical assistance.

Where this site relies on off-site organizations for emergency response (see Table 7-3), the training of personnel in those off-site organizations has been evaluated and is deemed adequate for response to this site.

7.9 Emergency Response Fire Management

We will minimize the risk of accidental fire by utilizing the following mitigation measures as applicable for the site.

- Strictly adhere to Hot Work Procedures and protocols
- Control noxious weeds and cheatgrass
- Inspect and maintain equipment to minimize potential ignition sources
- Use spark arrestors on engines where applicable
- Carry incipient stage fire fighting equipment (up to 20# ABC extinguisher) in vehicles and they (30# ABC extinguishers) will be staged on all pad locations
- Individuals will be trained in Incipient stage fire fighting techniques and will respond according to their training to suppress any accidental fires
- Will create defensible spaces in line with the Colorado Firewise Guidelines and in line with BLM Fire Management Guidelines

Figure 7.3

Primary Muster Point: Hiner Gate (N39 Deg 32.474 W 108 Deg 19.518 Elevation 5839)
Alternate Muster Point: Cowboy Chapel (N39 Deg 29.115 ft. W 108 Deg 19.705 ft Elevation 5506)
Field Rally Point: Main Deer Camp approx. 2.1 miles north of Hiner gate on right hand side of road at log cabin. (N39 Deg 34.311 ft. W 108 Deg 20.776 ft Elevation 5985)
Note: See attached map.

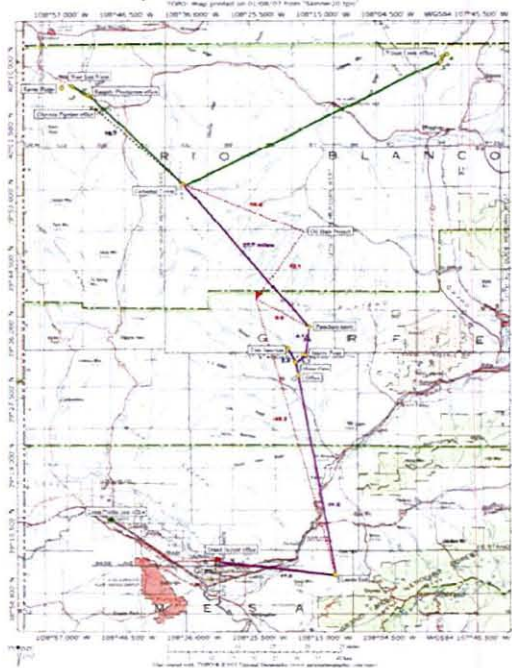


Table 7-4 Emergency Contact Information

The list of telephone numbers below are the emergency contact numbers for this site. These emergency numbers are verified to be accurate, working numbers. Site personnel are trained and rehearsed in site-specific emergency calling procedures.

**Skinner Ridge
 Emergency Contact Numbers**

CHEVRON PERSONNEL

Name	Title	Office	Cell	Satellite
George Badovitz	Operations Supervisor	307-783-3613	307-799-7217	
Dave Howard	Facility Representative	970-283-1041	970-986-9823	254-387-4267
Fair Dixon	Operator	970-283-1041	970-379-6988	254-387-4949
Chris Bear	Facilities Engineering	281-561-3918	832-414-1195	
Sean Norris	Environmental Specialist	970-237-6001	970-270-7317	
Craig Tysse	Ranch Manager			254-240-5897
Charlie Eagler	HES Champion	970-237-6006	970-778-0989	

CHEVRON MCBU Management

Name	Title	Office	Cell	Other Numbers
Scott Davis	MCBU Vice President	281-561-3713	832-851-9469	
Neil Henry	Project Manager	281-561-3719	713-725-3416	281-565-1122 home
Michael DeBerry	Operations Manager	832-854-6599	307-679-4050	281-494-9713 home
James Head	HES Manager	281-561-3744	713-304-4354	
Jim Barum	General Manager	432-687-7161	432-288-9424	
Mark Hinton	Project Coordinator	281-561-3687	281-989-7229	
Nicole Johnson	Facilities Team Lead	281-561-3809	713-302-2797	
Steve Lastrapes	Legal Counsel	281-561-3736	281-797-3748	281-582-5243 pager

MCBU HES Support Staff

Name	Title	Office	Cell	Other Numbers
Curtis Hatley	HES Champion Lead	281-561-3885	713-598-3769	
Randy Golden	Sr. Safety Specialist	281-561-4854	713-826-1804	
Susie Luker	Sr. Safety Specialist	281-561-3823	281-851-8890	
Dave Vroom	Sr. Safety Specialist	281-561-3797	713-851-9251	
Lloyd Richardson	Contractor Safety Specialist	970-237-6003	970-610-3185	
Bruce Bevon	Environmental Lead	281-561-3689	713-210-9275	
Hector Cavazos	Water & Waste Specialist	281-561-3664	713-598-6096	
Sara Stratton	Air Specialist	281-561-3830	281-630-9272	
Ken Jackson	Regulatory/Permitting	281-561-4991	281-435-0666	
Oscar Quiroz	DOI/PSM Coordinator	432-366-8801x640	432-238-7071	

7.0 ENVIRONMENTAL PLAN

The environmental plan is to comply fully with the requirements set forth in the Oil Shale Research, Development, and Demonstration Lease COG 69165, including but not limited to CDPHE APCD construction emission permits, CDPHE WQCC permit requirements, EPA NPDES SW regulations, Region 8 EPA Guidelines, and BLM Gold Book guidelines. Chevron is utilizing the ESHIA Process for all planning with this Project. Contact the ESHIA Coordinator (Sean Norris) for any further information about what this entails.

Other Applicable Documents and References;

- **Located in Filenet Document Management System**

- <http://evaidmweb01.idmws/home.asp>

- **Piceance / HES / Safety / Plans, Programs, Procedures, Processes / Programs and Procedures**

- Respiratory Protection Program
 - Confined Space Entry Program
 - Hot Work Permitting Program
 - Lockout / Tagout Procedure
 - Hearing Conservation Guidelines
 - Excavation and Trenching Guidelines

- **Applicable Web Sites**

- <http://www.co.blm.gov/fire/index.htm>
 - <http://www.southwestcoloradofires.org/default.asp>
 - <http://www.rockymountainwildlandfire.info/>
 - <http://www.osha.gov/index.html>
 - <http://www.cotrip.org/>
 - <http://web.ansi.org/>
 - [http://techstds.ric100.chevrontexaco.net/Tech_standards/Special t/Sid/TOCfwr.pdf](http://techstds.ric100.chevrontexaco.net/Tech_standards/Special%20t/Sid/TOCfwr.pdf)
 - <http://www.axiomllc.com/>
 - <http://oil-gas.state.co.us/>
 - <http://www.uncc2.org/>

Hyland Enterprises, Inc

Complete
Production Services



P.O. Box 1906
Rifle, CO 81650

P: (970) 625-8270
F: (970) 625-8271

March 23, 2007

Garfield County Road and Bridge
0567 County Road 352
Rifle, CO 81650

To Whom It May Concern:

Hyland Enterprises, Inc provides road maintenance, including snow removal for Chevron on Deer Park, Tom Creek, Clear Creek and Chapel Well Roads year around.

Bill Davis
District Manager

DOWN VALLEY SEPTIC & DRAIN, INC

SCOTT MOYER, OWNER

SMELLY PROBLEM SPECIALIST

P.O. BOX 1929 • RIFLE, CO 81650

970-625-5556 TOLL FREE 866-311-5556

April 19, 2007

Fred Jarman
Director – Garfield County Building & Planning Dept.
108 8th Street, Suite 401
Glenwood Springs, CO 81601

Re: Hauler affidavit for rigs and temporary housing on COGCC well sites.
Piceance Basin Project
Chevron

Dear Fred,

Please accept this letter as certification that Down Valley Septic will provide sewage collection and hauling services for Chevron Oil.

I certify that Down Valley Septic will provide sewage collection and hauling services for Chevron Oil for the temporary housing facilities and the drilling rigs on the Piceance Basin project. Service will be provided every three days, unless needed more frequently. Down Valley Septic is available 24 hours a day, 7 days a week, 365 days a year. Collected sewage will be disposed of in the South Canyon Landfill or other certified disposal facilities.

(signature)

(date)

(name)

(title)

Please contact me if you need any additional information at 970-625-5556.

Thank you,



Scott Moyer
Down Valley Septic
Owner

**MUNICIPAL • RESIDENTIAL • COMMERCIAL
SEPTIC • SEWER • DRAIN**

.....

1884 SO 1500 E
Vernal, Utah 84078
435-789-0872
Fax 435-789-0882
mtnwest@easilink.com

Mountain West Oil Field Service & Supplies

March 27, 2007

Chevron Texaco
Randy Morgan

To Whom It May Concern:

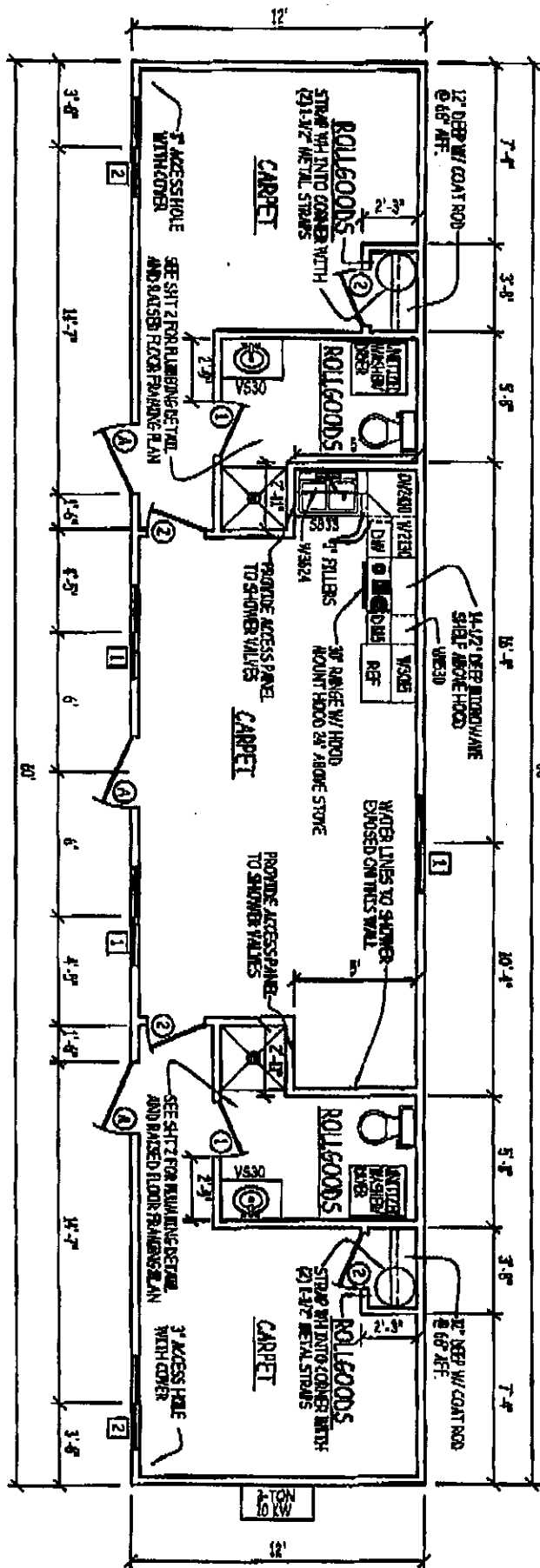
This letter is referencing letter sent to you on 03/09/2007 on rental equipment 5-living quarters, 2-attachable offices, 3-potable water tanks, 4-sewer tanks

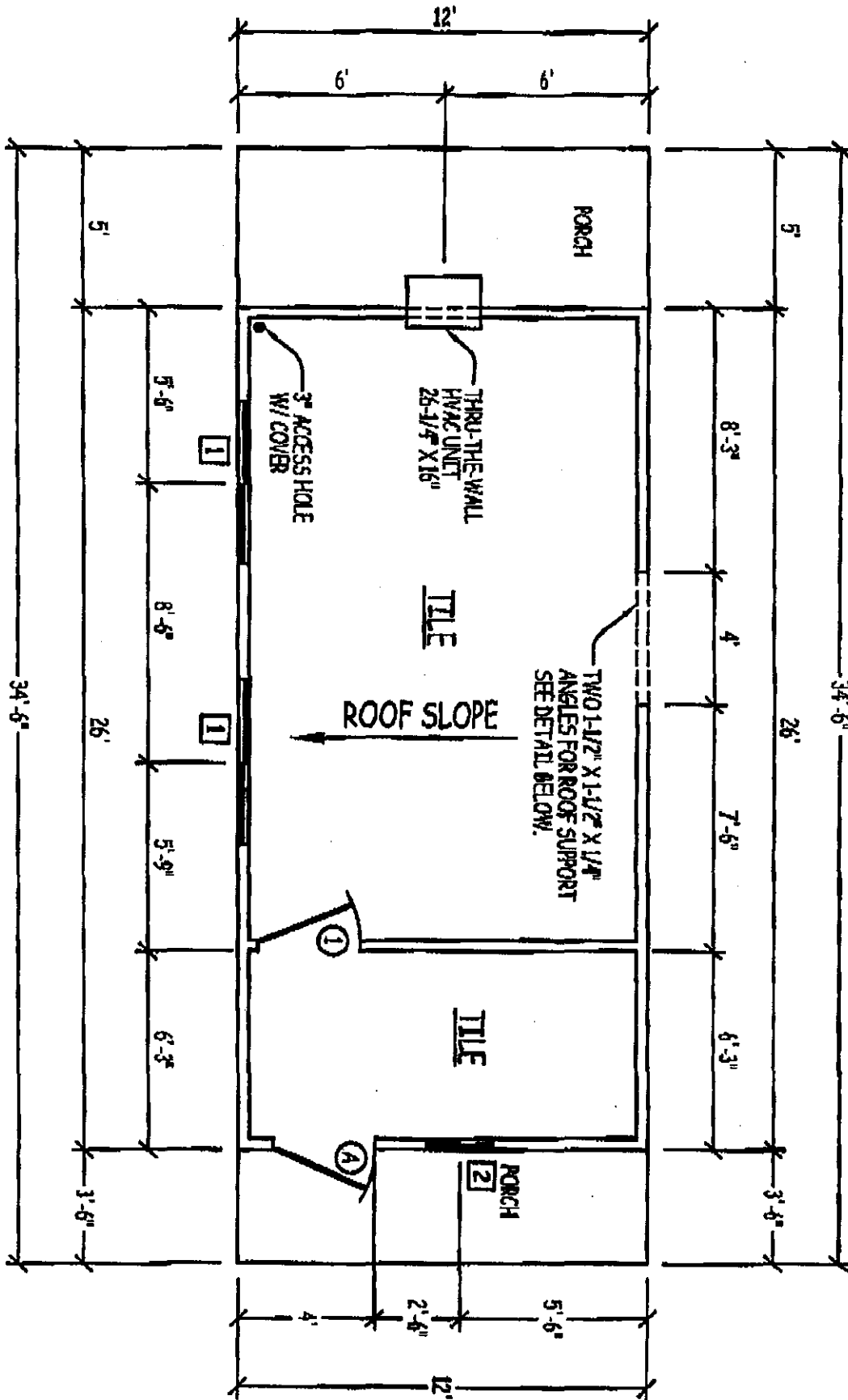
We will provide services to equipment including sewer pump, potable water delivery & garbage disposal. All permits and fees will be charged back to company as per agreement. All hook up will be provided by Mountain West Oil Field Service & Supplies. Electrical hook up will be provided by a certified electrician.

Sincerely,

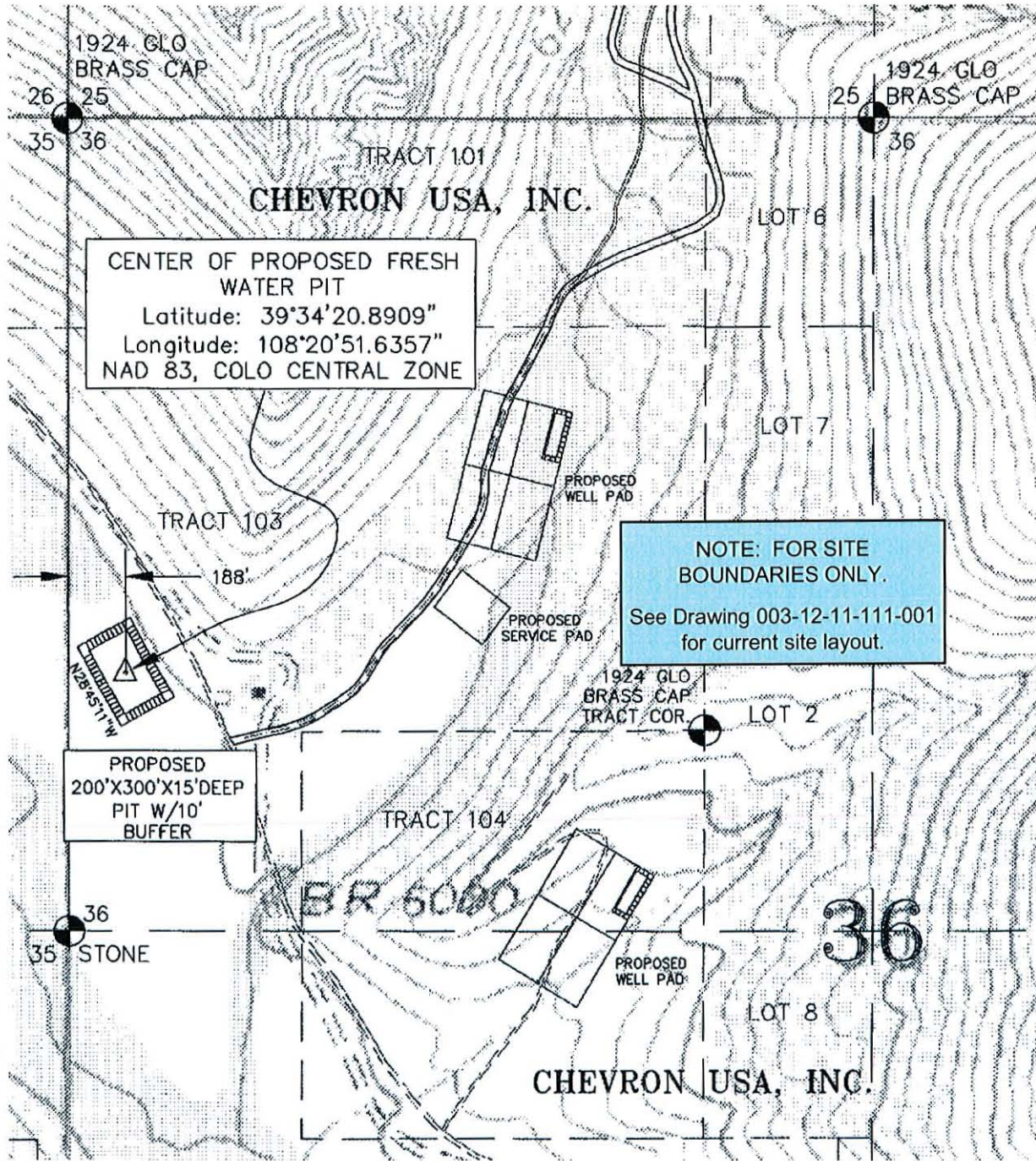
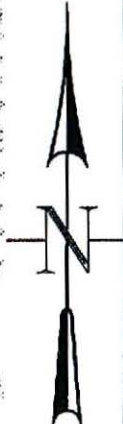
Debbie Sorensen
Office Manager

.....





TRACT 103 (NW1/4) SECTION 36
 T5S, R98W, 6TH PM
 COUNTY OF GARFIELD, STATE OF COLORADO



CENTER OF PROPOSED FRESH WATER PIT
 Latitude: 39°34'20.8909"
 Longitude: 108°20'51.6357"
 NAD 83, COLO CENTRAL ZONE

NOTE: FOR SITE BOUNDARIES ONLY.
 See Drawing 003-12-11-111-001 for current site layout.

PROPOSED 200'X300'X15'DEEP PIT W/10' BUFFER



CONSTRUCTION SURVEYS, INC. Chevron U.S.A. Inc.
 0012 SUNRISE BLVD. PROPOSED FRESH WATER PIT
 BILT, CO 81652
 970-876-5753
 DWG: CHEVRON\SR-GRASSROOTS
 SCALE: 1" = 500' SHEET: 1 OF 1

Legend

- Tax Exempt
- BLM
- US Forest Service
- Subdivision
- Tax District Boundary
- State, Federal Highway
- Interstate 76
- County Road
- Private Road, Trail
- Other Boundaries
- BLM GCSDB Coordinates

BASE MAP SOURCE

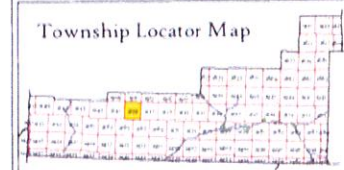
- County Road centerline GIS data, Garfield County IT Department, (last revised 2007)
- USGS 1:250,000 Quadrangle Maps digitized by Garfield County IT Department, (2007)
- Colorado Department of Transportation highway centerlines GIS data, (2006)

PARCEL MAP SOURCE

- Garfield County Assessor's Office Parcel Map Series, AutoCAD maps converted to GIS Geodatabase format (2007)
- Following acceptance of this map by the Assessor, all subsequent parcel changes shall be input from digital CAD drawings, reviewed by a certified engineer or shall be digitized by the IT Department from the legal description by means of coordinate geometry.

DISCLAIMER

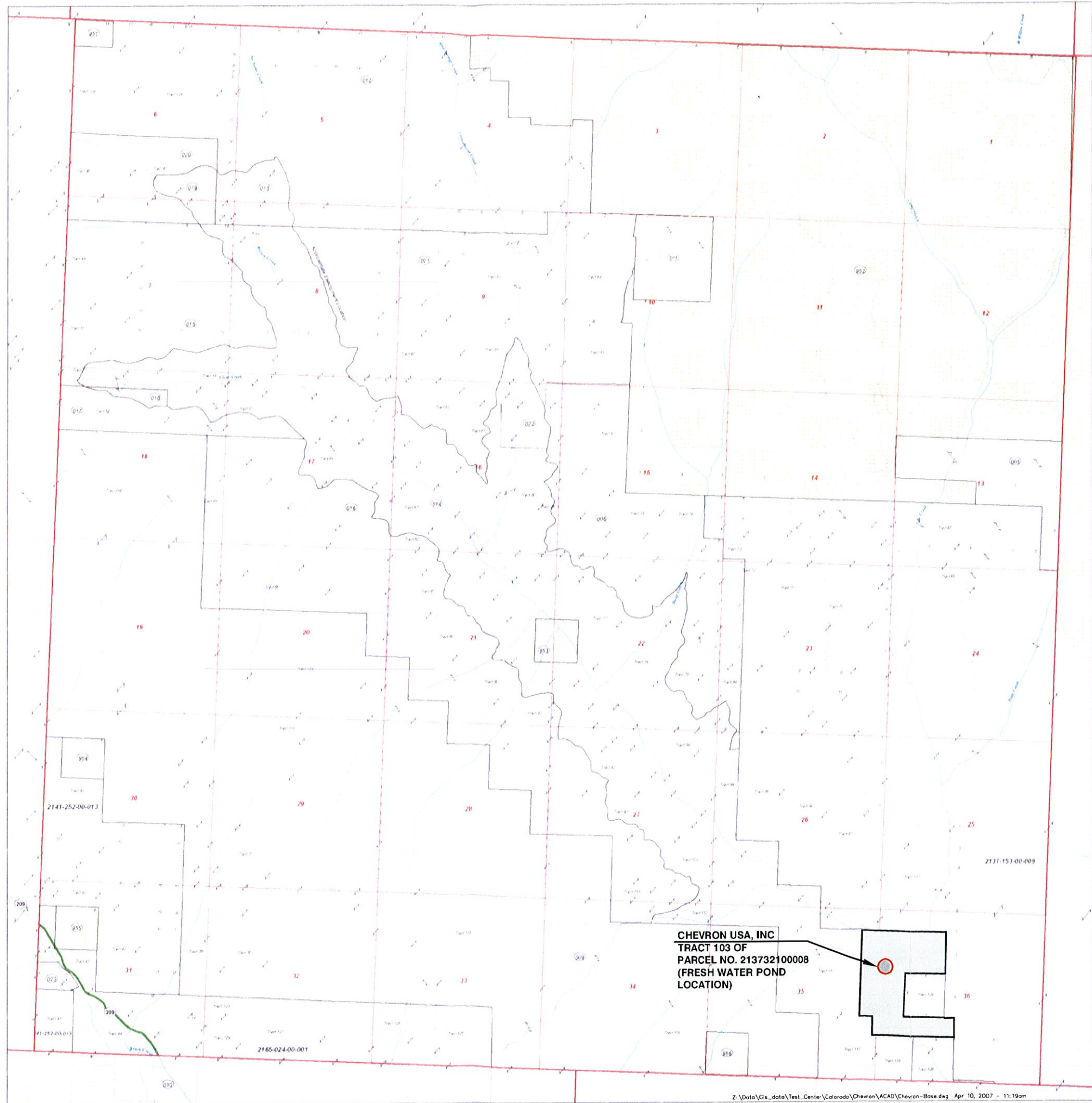
This map was prepared by the Assessor's Office using GIS Department and map data provided by other agencies. It is not intended to be used for any purpose other than the purposes stated herein. The Assessor's Office is not responsible for any errors or omissions in this map or for any consequences arising therefrom. The Assessor's Office is not responsible for any damage, including consequential damages, which may be caused by the use of this map. The Assessor's Office is not responsible for any damage, including consequential damages, which may be caused by the use of this map.



2139
Township 5 South
Range 98 West



Projection: UTM Zone 13 NAD83
1 inch equals 1,000 feet
1:125,000



CHEVRON USA, INC
TRACT 103 OF
PARCEL NO. 213732100008
(FRESH WATER POND
LOCATION)

List of Adjacent Landowners

T4S R99W

Puckett Land Company
5460 S Quebec Street, Ste 250
Greenwood Village, CO 80111-1917

State of Colorado Division of Wildlife
Division of Wildlife
6060 Broadway
Denver, CO 80216-1029

Lov Land Company
439 County Road 26
Rifle, CO 81650-8823

Paul M Dougan
215 S State Street, Ste 1170
Salt Lake City, UT 84111-2334

Bureau of Land Management
PO Box 1009
Glenwood Springs, CO 81602-1009

T5S R99W

Franklin and Vicky Norell
PO Box 1536
Meeker, CO 81641

David Manter
353 South Oneida Way
Denver, CO 80224-1331

Kerogen Oil Company
Attn: C R Davis
PO Box 51
Winnetka, IL 60093-0051

Colorado Nature Ranch
4901 Vineland Road, Ste 650
Orlando, FL 32811

T4S R98W

Amerada Hess Corporation
PO Box 2040
Houston, TX 77252-2040

Bureau of Land Management
Already listed

T5S R98W

Bureau of Land Management
Already listed

EV Ranch LLLP
22593 Rio Blanco County Road 5
Rifle, CO 81650

Colorado Nature Ranch
Already listed

T6S R98W

Lucas Renninger
269 Main Street
Meeker, CO 81641

Colorado Nature Ranch
Already listed

Gary and Tammie Crossen
10566 County Road 204
De Beque, CO 81630-0042

Erwin Knirlberger
PO Box 42
De Beque, CO 81630-0042

Shell Frontier Oil & Gas
c/o Shell Oil Company
PO Box 4854
Houston, TX 77010

T4S R97W

Exxon Mobil
PO Box 53
Houston, TX 77001-0053

EV Ranch LLLP
Already listed

T5S R97W

EV Ranch LLLP
Already Listed

Eva Uphoff
17037 Rio Blanco County Road 5
Rifle, CO 81650

T6S R97W

Shell Frontier Oil & Gas
Already listed

Oxy USA WTP LP
5 Greenway Plaza, Ste 110
Houston, TX 77046-0506

T5S R96W

EnCana Oil & Gas
c/o Logan and Firmine
3615 S Huron Street, Suite 200
Englewood, CO 80110

Reuben and Stephanie Oldland
14667 County Road 5
Rifle, CO 81650

Berry Petroleum Company
950 17th Street, Ste 2400
Denver, CO 80202

Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"GETTY OIL EXPLORATION COMPANY", A DELAWARE CORPORATION, WITH AND INTO "CHEVRON U.S.A. INC." UNDER THE NAME OF "CHEVRON U.S.A. INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF PENNSYLVANIA, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTIETH DAY OF APRIL, A.D. 2002, AT 9:05 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE FIRST DAY OF MAY, A.D. 2002, AT 2 O'CLOCK P.M.



669006 02/22/2005 02:07P B1664 P367 M ALSDORF
1 of 3 R 16.00 D 0.00 GARFIELD COUNTY CO

0784181 8100M

050107962



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 3674757

DATE: 02-09-05

CERTIFICATE OF MERGER
OF
GETTY OIL EXPLORATION COMPANY
WITH AND INTO
CHEVRON U.S.A. INC.

It is hereby certified that:

1. The constituent business corporations participating in the merger herein certified are:

(i) Getty Oil Exploration Company, which is incorporated under the laws of the State of Delaware; and

(ii) Chevron U.S.A. Inc., which is incorporated under the laws of the State of Pennsylvania.

2. An Agreement of Merger has been approved, adopted, certified, executed and acknowledged by each of the aforesaid constituent corporations in accordance with the provisions of subsection (c) of Section 252 of the General Corporation Law of the State of Delaware, to wit, by Getty Oil Exploration Company in the same manner as is provided in Section 251 of the General Corporation Law of the State of Delaware and by Chevron U.S.A. Inc. in accordance with the laws of the State of its incorporation.

3. The name of the surviving corporation in the merger herein certified is Chevron U.S.A. Inc., which will continue its existence as said surviving corporation under the name Chevron U.S.A. Inc. upon the effective date of said merger pursuant to the provisions of the laws of the State of its incorporation.

4. The certificate of incorporation of Chevron U.S.A. Inc., as now in force and effect, shall continue to be the certificate of incorporation of said surviving corporation until amended and changed pursuant to the provisions of the laws of the State of its incorporation.

5. The executed Agreement of Merger between the aforesaid constituent corporations is on file at an office of the aforesaid surviving corporation at: 575 Market Street, San Francisco, CA 94105.

6. A copy of the aforesaid Agreement of Merger will be furnished by the aforesaid surviving corporation, on request, and without cost, to any stockholder of each of the aforesaid constituent corporations.

7. The aforesaid surviving corporation does hereby agree that it may be served with process in the State of Delaware in any proceeding for enforcement of any obligation of Getty Oil Exploration Company, as well as for enforcement of any obligation of said surviving corporation arising from the merger herein certified, including any suit or other proceeding to enforce the right, if any, of any stockholder of Getty Oil Exploration Company as determined in appraisal proceedings pursuant to the provisions of Section 262 of the General Corporation Law of the State of Delaware; does hereby irrevocably appoint the Secretary of State of the State of Delaware as its agent to accept service of process in any such suit or other proceedings; and does hereby specify the following as the address to which a copy of such process shall be mailed by the Secretary of State of the State of Delaware: Corporate Secretary Department, Chevron U.S.A. Inc., 575 Market, San Francisco, CA 94105.

8. The merger is to become effective on May 1, 2002, 2:00 P.M., Eastern Standard Time.

Dated: May 1, 2002

CHEVRON U.S.A. INC.

By: /s/Frank G. Soler
Frank G. Soler
Its: Assistant Secretary

457

DEED

BOOK 72S PAGE 19

KNOW ALL MEN BY THESE PRESENTS:

That this deed is made effective as of the 31st day of December, 1984 by and between Getty Oil Company, a Delaware corporation, (hereinafter referred to as "Grantor") and Getty Oil Exploration Company, a Delaware corporation (hereinafter referred to as "Grantee").

WITNESSETH:

WHEREAS, Grantor is the owner and/or holder of those certain shale oil properties, and lands in Mesa and Garfield Counties, Colorado, described in Exhibits "A" and "B" attached hereto and by this reference made a part hereof (hereinafter collectively referred to as the "Properties"); and

NOW THEREFORE, for and in consideration of one dollar and other good and valuable considerations, the receipt of which is hereby acknowledged, Grantor does hereby quitclaim, bargain, sell and convey unto Grantee, all of Grantor's right, title and interest in and to the Properties, together with all improvements situated thereon and all water rights, permits and applications, and reservoir and ditch rights, appertaining or belonging thereto or used in connection therewith, and other appurtenances thereunto belonging.

Grantee does hereby accept this deed subject to easements, rights of ways, exceptions and any and all reservations appearing of record affecting any of the Properties and/or rights granted.

To have and to hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining to Grantee, and all the estate, right, title, claim and demand whatsoever, of the Grantor, either in law or equity, of, in and to the Properties, together with all improvements situated thereon and all water rights, permits and applications, and reservoir and ditch rights, appertaining or belonging thereto or used in connection therewith, and other appurtenances thereunto belonging.

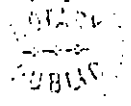
This deed shall extend to, be binding upon, and inure to the benefit of the successors, and assigns of Grantee.

GRANTOR:
GETTY OIL COMPANY
By: J. E. Shames MWR
Vice-President

GRANTEE:
GETTY OIL EXPLORATION COMPANY
By: H. F. Straw
Attorney-in-Fact

STATE OF COLORADO
CITY AND COUNTY OF DENVER

The foregoing instrument was acknowledged before me this 8th day of January, 1988, by J. E. Shames, to be known to be the person who executed the foregoing instrument as Vice President of Getty Oil Company. Witness my hand and official seal.



Notary Public: Sharon M. Morrison
My Commission Expires: AUG 19 1988
Address: 11670 BROADWAY
DENVER, CO 80202

The foregoing instrument was acknowledged before me this 8th day of January, 1987, by H. F. Straw, to be known to be the person who executed the foregoing instrument as Attorney-in-Fact of Getty Oil Exploration Company. Witness my hand and official seal.



Notary Public: Barbara J. Busby
My Commission Expires: June 26, 1991
Address: 15022 Andrews Dr
Denver, Co. 80239

STATE OF COLORADO
County of Garfield

I, Mildred Alsdorf, County Clerk and Recorder in and for said County, in the State aforesaid, do hereby certify that the foregoing is a full, true and correct copy of a Quit Claim ~~Deed~~ recorded 05/11/1988 in Book 734 at Page 107 as Reception # 391922 as the same appears upon the records of my office.

Given under my hand and official seal this 8th day of November, A.D. 2005, 2:45 o'clock P M

Mildred Alsdorf

Mildred Alsdorf
County Clerk and Recorder

Deputy _____

Recorded at 12:18 o'clock A.M.

MAY 11 1988

Reception No. 391922 MILDRED ALSDORE, RECORDER
GARFIELD COUNTY, COLORADO

GARFIELD
MAY 11 1988
State Doc. Fee

QUIT CLAIM DEED 73-1 page 107

\$ EX

THIS DEED, Made effective as of the 1st day of January in the year of our Lord one thousand nine hundred and eighty five (1985) between Texaco Producing Inc., a Delaware corporation, of the City and County of Denver and State of Colorado, party of the first part, and Getty Oil Exploration Company, a Delaware corporation, of Box 5568 TA, Denver, CO 80217, party of the second part.

Witnesseth, That the said party of the first part, for and in consideration of the sum of one dollar and other good and valuable consideration to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has remise, released, conveyed and QUIT CLAIMED, and by these presents does remise, release, convey and QUIT CLAIM unto said party of the second part, its successors and assigns forever, all the right, title, interest, claim and demand which the said party of the first part has in and to the following described lands situate, lying and being in the County of Garfield and State of Colorado, described in Exhibit "A", attached hereto and made a specific part hereof.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the said party of the first part, either in law or equity, to the only proper use and benefit of the said party of the second part, its successors and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set its hand the day and year first above written.

TEXACO PRODUCING INC.

By: [Signature]
D. P. Loughry
Attorney-in-Fact

STATE OF COLORADO)
)SS:
CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 11 day of May A.D. 1988, by D. P. Loughry, Attorney-in-Fact for Texaco Producing Inc. Witness my hand and official seal.

Notary Public: [Signature]

My Commission Expires: Reiko Wood

Address: 1744 East Poudre Plaza
Aurora, Colorado 80013
My Commission expires April 9, 1992



EXHIBIT "A"

GARFIELD COUNTY

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- Section 1: The Triumph No. 21 claim, comprising Lots five (5), six (6), seven (7) and eight (8), also known as (aka) Lot 5 being the 37.54 acres being the NE/4NE/4, Lot 6 being the 37.82 acres being the NW/4NE/4, Lot 7 aka 38.10 acres being the NE/4NW/4 and Lot 8 aka 38.38 acres being the NW/4NW/4;
- The Triumph No. 22 claim, comprising the S/2N/2;
- The Triumph No. 23 claim, comprising the N/2S/2;
- The Triumph No. 24 claim, comprising the S/2S/2;
- Section 2: J. D. No. 1 claim, comprising Lots five (5) and six (6) and the S/2NE/4; with Lot 5 aka 38.67 acres being the NE/4NE/4 and Lot 6 aka 38.95 acres being the NW/4NE/4;
- J.D. No. 2 claim, comprising Lot seven (7) and Lot eight (8) and S/2NW/4; with Lot 7 aka 39.25 acres being the NE/4NW/4 and Lot 8 aka 39.55 acres being the NW/4NW/4;
- F.D. No. 7 claim, comprising the SE/4;
- F.D. No. 8 claim, comprising the SW/4.
- Section 3: J.D. No. 3 claim, comprising Lots five (5) and six (6) and the S/2NE/4; with Lot 5 aka the 39.80 acres being the NE/4NE/4 and Lot 6 aka the 39.99 acres being the NW/4NE/4;
- J.D. No. 4 claim, comprising the SE/4;
- J.D. No. 5 claim, comprising Lots seven (7) and eight (8) and the S/2NW/4; with Lot 7 aka the 40.19 acres being the NE/4NW/4 and Lot 8 aka the 40.38 acres being the NW/4NW/4;
- J.D. No. 6 claim, comprising the SW/4.
- Section 4: A.D. No. 1 claim, comprising Lots five (5) and six (6) and the S/2NE/4, with Lot 5 aka the 40.49 acres being the NE/4NE/4, and Lot 6 aka the 40.50 acres being the NW/4NE/4;
- A.D. No. 2 claim, comprising Lots seven (7) and eight (8) and the S/2NW/4, with Lot 7 aka the 40.52 acres being the NE/4NW/4 and Lot 8 aka the 40.53 acres being the NW/4NW/4;
- P.D. No. 7 claim, comprising the SE/4;
- P.D. No. 8 claim, comprising the SW/4.
- Section 5: A.D. No. 3 claim, comprising Lots five (5) and six (6) and the S/2NE/4; with Lot 5 aka the 40.63 acres being the NE/4NE/4, and Lot 6 aka the 40.80 acres being the NW/4NE/4;
- A.D. No. 4 claim, comprising Lots seven (7) and eight (8) and the S/2NW/4; with Lot 7 aka the 40.98 acres being the NE/4NW/4 and Lot 8 aka the 41.16 acres being the NW/4NW/4.
- Section 9: P.D. No. 3 claim, comprising the NE/4;
- P.D. No. 4 claim, comprising the SE/4;
- P.D. No. 5 claim, comprising the NW/4;
- P.D. No. 6 claim, comprising the SW/4.
- Section 10: J.D. No. 7 claim, comprising the NE/4;

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- Section 10: J.D. No. 8 claim, comprising the NW/4;
 P.D. No. 1 claim, comprising the SE/4;
 P.D. No. 2 claim, comprising the SW/4.
- Section 11: F.D. No. 3 claim, comprising the NE/4;
 F.D. No. 4 claim, comprising the SE/4;
 F.D. No. 5 claim, comprising the NW/4;
 F.D. No. 6 claim, comprising the SW/4.
- Section 12: Triumph No. 25 claim, comprising the N/2N/2;
 Triumph No. 26 claim, comprising the S/2N/2;
 Triumph No. 27 claim, comprising the N/2S/2;
 Triumph No. 28 claim, comprising the S/2S/2.
- Section 13: Triumph No. 29 oil shale placer mining claim, comprising the N/2N/2;
 Triumph No. 30 oil shale placer mining claim, comprising the S/2N/2;
 Triumph No. 31 oil shale placer mining claim, comprising the N/2S/2;
 Triumph No. 32 oil shale placer mining claim, comprising the S/2S/2.
- Section 14: F.D. No. 1 oil shale placer mining claim, comprising the NE/4;
 F.D. No. 2 oil shale placer mining claim, comprising the NW/4;
 C.D. No. 7 oil shale placer mining claim, comprising the SE/4;
 C.D. No. 8 oil shale placer mining claim, comprising the SW/4.
- Section 15: Triumph No. 1 placer mining claim, comprising the S/2S/2;
 Triumph No. 2 placer mining claim, comprising the N/2S/2;
 Triumph No. 3 placer mining claim, comprising the S/2N/2;
 Triumph No. 4 placer mining claim, comprising the N/2N/2.
- Section 16: Triumph No. 5 placer mining claim, comprising the S/2S/2;
 Triumph No. 6 placer mining claim, comprising the N/2S/2;
 Triumph No. 7 placer mining claim, comprising the S/2N/2;
 Triumph No. 8 placer mining claim, comprising the N/2N/2.
- Section 17: Triumph No. 9 placer mining claim, comprising the S/2S/2;
 Triumph No. 10 placer mining claim, comprising the N/2S/2;
 Triumph No. 11 placer mining claim, comprising the S/2N/2;
 Triumph No. 12 placer mining claim, comprising the N/2N/2.
- Section 19: Coral T. No. 39 oil shale placer mining claim, comprising the E/2SW/4 and Lots seven (7) and eight (8); with Lot 7 aka the 37.79 acres being the NW/4SW/4 and lot 8 aka the 37.99 acres being the SW/4SW/4;

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- Section 19: Coral T. No. 40 oil shale placer mining claim, comprising the SE/4.
- Section 20: Big Bell No. 5 placer mining claim, comprising the NE/4;
Big Bell No. 6 placer mining claim, comprising the SE/4;
Big Bell No. 7 placer mining claim, comprising the NW/4;
Big Bell No. 8 placer mining claim, comprising the SW/4.
- Section 21: Big Bell No. 1 placer mining claim, comprising the NE/4;
Big Bell No. 3 placer mining claim, comprising the NW/4.
- Section 22: Triumph No. 15 placer mining claim, comprising the S/2N/2;
Triumph No. 16 placer mining claim, comprising the N/2N/2.
- Section 23: C.D. No. 3 oil shale placer mining claim, comprising the NE/4;
C.D. No. 4 oil shale placer mining claim, comprising the SE/4;
C.D. No. 5 oil shale placer mining claim, comprising the NW/4;
C.D. No. 6 oil shale placer mining claim, comprising the SW/4.
- Section 24: Triumph No. 33 oil shale placer mining claim, comprising the N/2N/2;
Triumph No. 34 oil shale placer mining claim, comprising the S/2N/2;
Triumph No. 35 oil shale placer mining claim, comprising the N/2S/2;
Triumph No. 36 oil shale placer mining claim, comprising the S/2S/2.
- Section 25: Triumph No. 37 oil shale placer mining claim, comprising the N/2N/2;
Triumph No. 38 oil shale placer mining claim, comprising the S/2N/2;
Triumph No. 39 oil shale placer mining claim, comprising the N/2S/2;
Triumph No. 40 oil shale placer mining claim, comprising the S/2S/2.
- Section 26: C.D. No. 1 oil shale placer mining claim, comprising the NE/4;
C.D. No. 2 oil shale placer mining claim, comprising the NW/4;
C.C.D. No. 7 oil shale placer mining claim, comprising the SE/4;
C.C.D. No. 8 oil shale placer mining claim, comprising the SW/4.
- Section 28: Clear Creek No. 1 placer mining claim, comprising the NE/4;
Clear Creek No. 2 placer mining claim, comprising the NW/4;
Clear Creek No. 3 placer mining claim, comprising SE/4.
- Section 29: Chicago No. 1 placer mining claim, comprising the NE/4;
Chicago No. 2 placer mining claim, comprising the SE/4;
Chicago No. 3 placer mining claim, comprising the NW/4;
Chicago No. 4 placer mining claim, comprising the SW/4.

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Section 30: Coral T. No. 27 oil shale placer mining claim, comprising Lots five (5) and six (6) and the E/2NW/4; with Lot 5 aka 38.19 acres being the NW/4NW/4 and Lot 6 aka 38.40 acres being the SW/4NW/4, also that part of Tract 117 and 118 in the NW/4NW/4 and SW/4NW/4;

Coral T. No. 28 oil shale placer mining claim, comprising the NE/4;

Coral T. No. 29 oil shale placer mining claim, comprising the SE/4;

Coral T. No. 30 oil shale placer mining claim, comprising Lots seven (7) and eight (8) and the E/2SW/4, with Lot 7 aka 38.62 acres being the NW/4SW/4 and Lot 8 aka 38.83 acres being the SW/4SW/4; and also that part of Tract 118 and 119 in the NW/4SW/4 and SW/4SW/4.

Section 31: Coral T. No. 33 claim, comprising the E/2NW/4 and Lots five (5) and six (6); with Lot 5 aka 39.07 acres being the NW/4NW/4 and Lot 6 aka 39.34 acres being the SW/4NW/4;

Coral T. No. 34 claim, comprising the NE/4;

Coral T. No. 35 claim, comprising the N/2SE/4 and Lots ten (10) and eleven (11); with Lot 10 aka 39.54 acres being the SW/4SE/4 and Lot 11 aka 39.54 acres being the SE/4SE/4;

Coral T. No. 36 claim, comprising the NE/4SW/4 and Lots seven (7), eight (8) and nine (9); with Lot 7 aka 39.60 acres being the NW/4SW/4, Lot 8 aka 39.87 acres being the SW/4SW/4 and Lot 9 aka 39.96 acres being the SE/4SW/4;

The Buck Canyon No. 3 placer claim, comprising that part of Tract 58 lying in the S/2S/2S/2 of the Section also described in Deed recorded in Book 240, page 192 of the County Records of Garfield County, Colorado.

Section 32: Smuggler No. 1 placer mining claim, comprising the NE/4;

Smuggler No. 2 placer mining claim, comprising the N/2SE/4 and lots one (1) and two (2); with Lot 1 aka 39.60 acres being the SE/4SE/4 and Lot 2 aka 39.59 acres being the SW/4SE/4;

Smuggler No. 3 placer mining claim, comprising the NW/4;

Smuggler No. 4 placer mining claim, comprising the N/2SW/4 and Lots three (3) and four (4); with Lot 3 aka 39.58 acres being the SE/4SW/4 and Lot 4 aka 39.57 acres being the SW/4SW/4;

Buck Canyon No. 3 placer claim, comprising that part of Tract 58 lying in the S/2S/2S/2 of the section, also described in deed recorded Book 240 page 192 of County Records of Garfield County, Colorado;

Buck Canyon No. 9 placer claim, comprising that part of Tract 54 lying in the S/2S/2S/2 of the section, also described in Deed Recorded Book 240, page 192 of County Records of Garfield County, Colorado.

Section 33: Clear Creek No. 5 placer claim, comprising the NE/4;

Clear Creek No. 6 placer claim, comprising the NW/4;

Clear Creek No. 7 placer claim, comprising the N/2SE/4 and Lots four (4) and five (5); with Lot 4 aka 39.60 acres being the SE/4SE/4 and Lot 5 aka 39.60 acres being the SW/4SE/4;

Clear Creek No. 8 placer claim comprising the N/2SW/4 and Lots 6 and 7; with Lot 6 aka 39.50 acres being the SE/4SW/4 and Lot 7 aka 39.60 acres being the SW/4SW/4;

Blue Bird No. 3 oil shale placer mining claim, being that part of Tract 51 lying in the S/2S/2S/2 of the section;

- Section 33: Buck Canyon No. 9 placer claim, comprising that part of Tract 54 lying in the S/2S/2S/2 of the section, also described in Deed Recorded Book 240, page 192 of County Records of Garfield County, Colorado.
- Section 34: C.C.D. No. 5 oil shale placer mining claim, comprising the NE/4;
C.C.D. No. 6 oil shale placer mining claim, comprising the NW/4;
Buffalo No. 3 claim, comprising the SW/4;
Buffalo No. 4 claim, comprising the N/2SE/4 and Lots three (3) and four (4); with Lot 3 aka 42.00 acres being the SW/4SE/4 and Lot 4 aka 41.79 acres being the SE/4SE/4.
- Section 35: C.C.D. No. 1 oil shale placer mining claim, comprising the NE/4;
C.C.D. No. 2 oil shale placer mining claim, comprising the N/2SE/4 and Lots three (3) and four (4); with Lot 3 aka 41.45 acres being SW/4SE/4 and Lot 4 aka 41.33 acres being the SE/4SE/4;
C.C.D. No. 3 oil shale placer mining claim, comprising the NW/4;
C.C.D. No. 4 oil shale placer mining claim, comprising the N/2SW/4 and Lots one (1) and two (2); with Lot 1 aka 41.67 acres being the SW/4SW/4 and Lot 2 aka 41.55 acres being the SE/4SW/4.
- Section 36: Triumph No. 41 oil shale placer mining claim, comprising the N/2N/2;
Triumph No. 42 oil shale placer mining claim, comprising the S/2N/2;
Triumph No. 43 oil shale placer mining claim, comprising the N/2S/2;
Triumph No. 44 oil shale placer mining claim, comprising the S/2S/2;
- All of the above Triumph No.s 41 - 44 also encompass Tract 37, lying in the section and containing 634.74 acres, and Lot 1 being the 2.76 acres in the W/2W/2NW/4NW/4, Lot 2 being 2.59 acres in the W/2W/2SW/4NW/4, Lot 3 being 2.42 acres in the W/2W/2NW/4SW/4 and Lot 4 being 2.33 acres in the W/2W/2SW/4SW/4.

- Section 13: Lucky Strike No. 19 Placer Mining claim, comprising Tract 68, aka N/2SW/4SE/4, S/2NW/4SE/4, SW/4NE/4SE/4, NW/4SE/4SE/4, N/2SW/4SW/4, N/2SE/4SW/4, S/2NE/4SW/4 and S/2NW/4SW/4;
Lucky Strike No. 20 Placer Mining Claim, comprising Lots five (5), six (6), seven (7) and eight (8), aka that part of Tract 69 covering Lot 5 - 19.39 acres being the S/2SW/4SW/4, Lot 6 - 19.53 acres being the S/2SE/4SW/4, Lot 7 - 19.65 acres being the S/2SW/4SE/4 and Lot 8 - 11.75 acres being the SW/4SE/4SE/4.
- Section 14: Lucky Strike No. 19 Placer Mining claim, comprising Tract 68, aka NE/4SE/4SE/4 and SE/4NE/4SE/4;
Lucky Strike No. 20 Placer Mining Claim, comprising Lot seven (7), aka 8.01 acres being the SE/4SE/4SE/4, or that part of tract 69 covering Lot seven (7);
Lucky Strike No. 24 Placer Mining Claim, comprising Tract 72 aka SE/4NW/4SW/4, SW/4NE/4SW/4, E/2SW/4SW/4, and W/2SE/4SW/4;
Lucky Strike No. 25 Placer Mining Claim, comprising Tract 71, aka SE/4NE/4SW/4, E/2SE/4SW/4, SW/4NW/4SE/4 and W/2SW/4SE/4;

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- Section 14: Lucky Strike No. 26 Placer Mining Claim, comprising Tract 70, aka SE/4NW/4SE/4, SW/4NE/4SE/4, E/2SW/4SE/4 and W/2SE/4SE/4;
- Lucky Strike No. 23 Placer Mining Claim, comprising Lots five (5) and six (6), with Lot 5 aka 11.28 acres being the SW/4NW/4SE/4 and Lot 6 aka 23.36 acres being the W/2SW/4SW/4, or that part of Tract 73 covering Lots 5 and 6.
- Section 15: Lucky Strike No. 23 Placer Mining Claim, comprising Lots six (6) and seven (7), with Lot 6 aka 8.04 acres being the SE/4NE/4SE/4 and Lot 7 aka 8.32 acres being the NE/4SE/4SE/4, or that part of Tract 73 covering Lots 6 and 7.
- Section 23: Lucky Strike No. 24 Placer Mining Claim, comprising Tract 77, aka E/2NW/4NW/4, E/2SW/4NW/4, W/2NE/4NW/4, W/2SE/4NW/4, NE/4NW/4SW/4 and NW/4NE/4SW/4;
- Lucky Strike No. 25 Placer Mining Claim, comprising Tract 71, aka E/2NE/4NW/4, E/2SE/4NW/4, W/2NW/4NE/4, W/2SW/4NE/4, NW/4NW/4SE/4 and NE/4NE/4SW/4;
- Lucky Strike No. 26 Placer Mining Claim, comprising Tract 70, aka E/2NW/4NE/4, E/2SW/4NE/4, W/2NE/4NE/4, W/2SE/4NE/4, NW/4NE/4SE/4, and NE/4NW/4SE/4;
- Lucky Strike No. 2 Placer Mining Claim, comprising Tract 96 aka SW/4SW/4SE/4 and SE/4SE/4SW/4;
- Lucky Strike No. 3 Placer Mining Claim, comprising Tract 95, aka SE/4NW/4SW/4, SW/4NE/4SW/4, E/2SW/4SW/4 and W/2SE/4SW/4;
- Coral T. No. 3 Placer Mining Claim, comprising Lots seven (7), eight (8), and eleven (11) and the SE/4SE/4; with Lot 7 aka 27.88 acres being the E/2NE/4SE/4 and SW/4NE/4SE/4; Lot 8 aka 19.30 acres being the S/2NW/4SE/4 and Lot 11 aka 28.75 acres being the N/2SW/4SE/4 and SE/4SW/4SE/4;
- Coral T. No. 4 Placer Mining Claims, comprising Lots nine (9) and ten (10); with Lot 9 aka 8.05 acres being the SE/4NE/4SW/4 and Lot 10 aka 8.65 acres being the NE/4SE/4SW/4;
- Coral T. No. 7 Placer Mining claim, comprising Lots four (4), five (5) and six (6); with Lot 5 aka 8.02 acres being the SE/4NE/4NE/4, Lot 6 aka 16.62 acres being the E/2SE/4NE/4, and Lot 4 aka that part of Tract 69 covering Lot 4 or the 8.59 acres being the NE/4NE/4NE/4.
- Section 24: Coral T. No. 1 Oil Shale Placer Mining Claim, comprising the SE/4;
- Coral T. No. 2 Oil Shale Placer Mining Claim, comprising the SW/4;
- Coral T. No. 8 Oil Shale Placer Mining Claim, comprising the NW/4 including that part of Tract 69 as it covers the N/2N/2NW/4;
- Coral T. No. 9 Oil Shale Placer Mining Claim, comprising the NE/4, including that part of Tract 69 as it covers the N/2NW/4NE/4 and NW/4NE/4NE/4.
- Section 25: Coral T. No. 26 Oil Shale Placer Mining Claim, comprising the NE/4;
- Coral T. No. 31 Oil Shale Placer Mining Claim, comprising the SE/4;
- Coral T. No. 38 Oil Shale Placer Mining Claim, comprising the NW/4;

- Section 25: Clear Creek No. 4 Placer, being Lots three (3) and four (4); with Lot 3 aka 8.04 acres being the SE/4NE/4SW/4 and Lot 4 aka 16.45 acres being the E/2SE/4SW/4;
- Velvet No 13 Placer Claim comprising Lots one(1) and two (2); with Lot 1 aka 20.47 acres being the N/2 NE/4SW/4 and Lot 2 aka 20.58 acres being the N/2NW/4SW/4;
- Clear Creek No. 3 Placer Mining Claim, described as the Tract one hundred one (101), aka the SW/4NE/4SW/4, S/2NW/4SW/4, SW/4SW/4 and W/2SE/4SW/4.
- Section 26: Lucky Strike No. 15 Oil Shale Placer Mining Claim, comprising Lot one (1), with Lot 1 aka 29.30 acres being the N/2NE/4NE/4 and NE/4NW/4NE/4;
- Clear Creek No. 3 Placer Mining Claim, described as that part of Tract one hundred one (101) lying in the SE/4NE/4SE/4 and E/2SE/4SE/4;
- Velvet No. 13 Placer Claim, comprising Lot three (3), aka the 16.64 acres being the SE/4SE/4NE/4 and NE/4NE/4SE/4;
- Velvet No. 14 Placer Claim, comprising Lot two (2), aka 16.64 acres being the NE/4SE/4NE/4 and SE/4NE/4NE/4;
- Lucky Strike No. 1 Placer Mining Claim, comprising Tract 97, aka SW/4NE/4NE/4, SE/4NW/4NE/4, W/2SE/4NE/4, E/2SW/4NE/4, E/2NW/4SE/4, W/2NE/4SE/4, E/2SW/4SE/4 and W/2 SE/4SE/4;
- Lucky Strike No. 2 Placer Mining Claim, comprising Tract 96, aka W/2NW/4NE/4, W/2SW/4NE/4, E/2NE/4NW/4, E/2SE/4NW/4, E/2NE/4SW/4, W/2NW/4SE/4, NE/4SE/4SW/4 and NW/4SW/4SE/4;
- Lucky Strike No. 3 Placer Mining Claim, comprising Tract 95, aka W/2NE/4NW/4, E/2NW/4NW/4, W/2SE/4NW/4, E/2SW/4NW/4, NE/4NW/4SW/4 and NW/4NE/4SW/4.
- Section 35: Lucky Strike No. 1 Placer Mining Claim, comprising Tract 97, lying in the NW/4NE/4NE/4, W/2NE/4NE/4NE/4 and E/2NE/4NW/4NE/4;
- Clear Creek No. 3 Placer Mining Claim, described as the Tract one hundred one (101) aka that part of the NE/4NE/4, being the E/2NE/4NE/4NE/4;
- Tract 103 aka the E/2E/2NE/4, E/2NE/4SE/4 and E/2E/2SE/4NE/4SE/4, as described in Warranty Deed recorded in Book 257 page 137 of the County Records of Garfield County, Colorado.
- Section 36: Clear Creek No. 3 Placer Mining Claim, described as Tract one hundred one (101) aka the N/2NW/4NW/4, NW/4NE/4NW/4 and W/2W/2NE/4NE/4NW/4;
- Tract 103, aka the S/2NW/4NW/4, SW/4NE/4NW/4, W/2SE/4NE/4NW/4, N/2SW/4NW/4, SW/4SW/4NW/4, W/2W/2SE/4SW/4NW/4, NW/4SE/4NW/4, W/2W/2NE/4SE/4NW/4, W/2NW/4SW/4, SE/4NW/4SW/4, W/2W/2NE/4NW/4SW/4, SW/4NE/4SW/4, SE/4NE/4SW/4 less Lot 9 in the E/2E/2E/2SE/4NE/4SW/4, also described in the Warranty Deed recorded in Book 257, page 137 of County Records of Garfield County, Colorado;
- Tract 104, aka the 40 acres of the E/2SE/4SW/4NW/4, E/2W/2SE/4SW/4NW/4, E/2W/2NE/4NW/4SW/4, E/2NE/4NW/4SW/4, SW/4SE/4NW/4, NW/4NE/4SW/4, W/2W/2NE/4NE/4SW/4, W/2W/2SE/4SE/4NW/4, also described in Warranty Deed recorded in Book 257, page 137 of County Records of Garfield County, Colorado;
- Tract 108, aka the W/2SE/4SW/4, E/2E/2NE/4SW/4SW/4, E/2E/2SE/4SW/4SW/4, and the E/2SE/4SW/4, less Lot 4, and any part in the S/2S/2SW/4SE/4, also described in Warranty Deed recorded in Book 257, page 137 of the County Records of Garfield County, Colorado;

- Section 36:
- Clear Creek No. 2 Placer, being Lots 2, 7 and 8; with Lot 2 aka 16.44 acres being the E/2NE/4SE/4NW/4 and E/2W/2NE/4SE/4NW/4, and E/2SE/4SE/4NW/4 and E/2W/2SE/4SE/4NW/4, and with Lot 7 aka 8.04 acres being the E/2SE/4NE/4NW/4 and that part lying in the E/2W/2SE/4NE/4NW/4, and Lot 8 aka 8.40 acres being the E/2NE/4NE/4SW/4 and that part lying in the E/2W/2NE/4NE/4SW/4;
- Clear Creek No. 4 Placer, being Lot 6, aka the 8.40 acres lying in the E/2W/2NE/4NE/4NW/4 and E/2NE/4NE/4NW/4;
- Velvet Shale No. 20 Placer, being Lots 4 and 9; with Lot 4 being the 3.10 acres lying in the E/2E/2E/2NE/4SE/4SW/4 and E/2E/2E/2SE/4SE/4SW/4, and Lot 9 aka 1.53 acres lying in the E/2E/2E/2SE/4NE/4SW/4;
- Coral T. No. 32, comprising the NE/4;
- Coral T. No. 37, comprising the E/2SE/4, NW/4SE/4 and Lot 5; with Lot 5 aka 39.57 acres being the SW/4SE/4.

- Section 1:
- Blue Bird No. 3 oil shale placer mining claim, being that part of Tract 51, being the 120.00 acres lying in the section;
- Buck Canyon No. 9 placer claim, comprising that part of Tract 54 lying in the W/2 of the section; also described in Deed recorded Book 240, page 192 of County Records of Garfield County, Colorado;
- Buck Canyon No. 10 placer claim, comprising that part of Tract 37 lying in the W/2W/2 of the section, also described in Deed recorded Book 240, page 192 of County Records of Garfield County, Colorado;
- Buck Canyon No. 11 placer claim, comprising that part of Tract 56 lying in the S/2S/2 of the section, also described in Deed recorded Book 240, page 193 of County Records of Garfield County, Colorado.
- Section 2:
- Buck Canyon No. 3 placer claim, comprising that part of Tract 58 lying in the W/2, also described in Deed recorded Book 240, page 192 of County Records of Garfield County, Colorado;
- Buck Canyon No. 4 placer claim, comprising that part of Tract 38 lying in the W/2W/2, also described in Deed recorded Book 240, page 192 of County Records of Garfield County, Colorado;
- Buck Canyon No. 5 placer claim, comprising that part of Tract 49 lying in the S/2S/2, also described in Deed recorded Book 240, page 193 of County Records of Garfield County, Colorado;
- Buck Canyon No. 9 placer claim, comprising that part of Tract 54 lying in the section, also described in Deed recorded Book 240, page 192 of County Records of Garfield County, Colorado;
- Buck Canyon No. 10 placer claim, comprising that part of Tract 37 lying in the S/2 of the section, also described in Deed recorded Book 240, page 192 of County Records of Garfield County, Colorado;
- Buck Canyon No. 11 placer claim, comprising that part of Tract 56 lying in the S/2S/2, also described in Deed recorded Book 240, page 193 of County Records of Garfield County, Colorado.
- Section 3:
- Buck Canyon No. 3 placer claim, comprising that part of Tract 58 lying in the section, also described in Deed recorded Book 240, page 192 of County Records of Garfield County, Colorado;
- Buck Canyon No. 4 placer claim, comprising that part of Tract 38 lying in the S/2, also described in Deed recorded Book 240, page 192 of County Records of Garfield County, Colorado;
- Buck Canyon No. 5 placer claim, comprising that part of Tract 49 lying in the S/2S/2SE/4, also described in Deed recorded Book 240, page 193 of County Records of Garfield County, Colorado;

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- Section 3: Hunter placer claim, comprising that part of Tract 398 lying in the W/2SW/4, also described in Deed recorded Book 240, page 193 of County Records of Garfield County, Colorado;
- Wallace placer claim, comprising that part of Tract 48B lying in the S/2S/2SW/4, also described in Deed recorded in Book 240, page 193 of County Records of Garfield County, Colorado;
- Clear Creek placer claim, comprising Lot 5, being the 47.05 acres in Tract 107, in the W/2 of the section.
- Section 4: Clear Creek placer claim, comprising Lot 5, aka 31.90 acres in Tract 107, in the E/2;
- Clear Creek placer No. 1 claim, comprising the Lot 6; with Lot 6 being 39.52 acres in the E/2, aka part of Tract 106 lying in the section;
- That part of Tract 108 lying in the section as described in Warranty Deed recorded in Book 257 page 137 of County Records of Garfield County, Colorado;
- That part of Tract 40 described under the original survey as the SE/4SW/4 in Warranty Deed recorded in Book 275 page 137 of County Records of Garfield County, Colorado, and as may include any part of the S/2NE/4SW/4, NW/4SE/4 and S/2SE/4;
- Hunter placer claim, comprising that part of Tract 398 aka the SE/4SE/4, and including any part covering the S/2NE/4SE/4, SE/4NW/4SE/4 and E/2SW/4SE/4. Also described in Warranty Deed recorded Book 240, page 193 of County Records of Garfield County, Colorado.
- Section 9: That part of Tract 40 lying in section and described in Warranty Deed Recorded in Book 257, page 137 of County Records of Garfield County, Colorado, and as it may include any of the NE/4NW/4, and NE/4;
- Hunter placer claim, comprising that part of Tract 398, and described in Deed recorded Book 240, page 193 of County Records of Garfield County, Colorado, and as it may include any of the E/2NE/4;
- W/2NE/4; E/2SE/4 and NW/4SE/4; aka part of Tracts 40 and 44, in the section.
- Section 10: Hunter placer claim, comprising that part of Tract 398, described in Deed recorded Book 240, page 193 of County Records of Garfield County, Colorado, and lying in the W/2W/2NW/4;
- Wallace placer claim, comprising that part of Tract 48B, described in Deed recorded in Book 240, page 193 of County Records of Garfield County, Colorado, and lying in NW/4 and W/2W/2NE/4;
- Buck Canyon No. 5 placer claim comprising Tract 49, described in Deed Recorded in Book 240, page 193 of County Records of Garfield County, Colorado as it may lie in the N/2NE/4;
- Buck Canyon No. 6 placer claim comprising Tract 50, described in Deed Recorded in Book 240, page 193 of County Records of Garfield County, Colorado and lying in the NE/4;
- Westfield No. 1 oil shale placer mining claim, comprising Lot 4, with Lot 4 aka 40.00 acres lying in the S/2SE/4NW/4, E/2W/2NW/4SE/4, SW/4SW/4NE/4, and NE/4SW/4;
- Westfield No. 2 oil shale placer mining claim, comprising Lot 1 and Lot 3, with Lot 1 aka 32.86 acres lying in the NW/4SW/4 and S/2SW/4NW/4, and Lot 3 aka 7.14 acres lying in the E/2NW/4SW/4, W/2NE/4SW/4, E/2SW/4NW/4 and W/2SE/4NW/4.

- Section 11: Buck Canyon No. 5 placer claim comprising Tract 49, described in Deed Recorded in Book 240, page 193 of County Records of Garfield County, Colorado, as it may lie in the N/2N/2;
- Buck Canyon No. 6 placer claim comprising Tract 50, described in Deed Recorded in Book 240, page 193 of County Records of Garfield County, Colorado, and lying in the S/2N/2N/2 and S/2N/2;
- Buck Canyon No. 11 placer claim comprising Tract 56, described in Deed Recorded in Book 240, page 193 of County Records of Garfield County, Colorado, as it may lie in the N/2N/2;
- Buck Canyon No. 12 placer claim comprising Tract 57, described in Deed Recorded in Book 240, page 193 of County Records of Garfield County, Colorado, and lying in the S/2N/2N/2 and S/2N/2.
- Section 12: Buck Canyon No. 11 placer claim comprising Tract 56, described in Deed Recorded in Book 240, page 193 of County Records of Garfield County, Colorado, as it may lie in the N/2N/2.
- Buck Canyon No. 12 placer claim comprising Tract 57, described in Deed Recorded in Book 240, page 193 of County Records of Garfield County, Colorado, as it may lie in the N/2;
- Section 14: Tract No. 68, formerly described as the SW/4NW/4, in Deed Recorded in Book 257, page 449 of County Records of Garfield County, Colorado, and any part lying in the S/2NW/4NW/4.
- Section 15: Tract No. 68, formerly described as the SE/4NW/4 and S/2NE/4, in Deed Recorded in Book 257, page 449 of County Records of Garfield County, Colorado, and any part lying in the N/2NE/4, S/2N/2NE/4, and S/2NE/4NW/4;
- W/2NW/4, NW/4SW/4 and NE/4SW/4, aka parts of Tracts 72, 73, 75, and that part of Tract 77-C as it covers any part of the W/2W/2 NW/4SW/4.
- Section 16: NE/4NE/4 and SE/4NE/4; aka part of Tracts 72 and 44.
- Section 33: SE/4SE/4 (now Tract 110).

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- Section 32: The Southwest Quarter of the Southwest Quarter (SW/4SW/4), the Southeast Quarter of the Northwest Quarter (SE/4NW/4) and the East One-Half of the Southwest Quarter (E/2SW/4).

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- Section 19: SE/4SW/4 and W/2SW/4SE/4, aka Tract 51; and SW/4SE/4 and W/2SE/4SE/4, aka Tract 52; and any part of Tract 50 lying in the S/2S/2S/2SW/4SW/4.
- Section 30: W/2 comprising Tract 50 being the 37.19 acres being the NW/4NW/4, and that part of Tract 51 covering the E/2NW/4 and SW/4NW/4; and Tract 55 being the 37.43 acres being the NW/4SW/4; and Tract 56 being the 117.63 acres covering the E/2SW/4 and SW/4SW/4 less Lots 8 and 9; and also Lot 8 being the 1.34 acres in the S/2S/2S/2SW/4; and Lot 9 being the 1.70 acres in the S/2S/2S/2SW/4; Also the W/2NE/4 comprising Tract 52.
- Section 31: Tract 57 comprising Lots 2, 3 and 4 and the SE/4SW/4, and containing 153.14 acres, and as it may include any part of the W/2SW/4SE/4.
- Section 32: NW/4, N/2NE/4, SW/4NE/4, NE/4SW/4 and Lots 4, 5 and 6, with Lot 4 aka 41.14 acres being the SE/4SW/4, Lot 5 aka 40.23 acres being the SW/4SE/4 and Lot 6 aka the 40.00 acres being the SE/4SE/4.
- Section 33: N/2NW/4 and Lot 3; with Lot 3 aka 40.00 acres being the SW/4SW/4.

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- Section 3: SW/4SW/4; SW/4NW/4; and W/2SW/4.

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Section 4: E/2SE/4; Lot 1; SE/4NE/4; and all that part of Lot 2 and of the SW/4NE/4 lying on the easterly side of the center of the channel of Roan Creek, containing 115 acres more or less, with Lot 1 aka 39.93 acres being the RE/4NE/4.

Section 10: NW/4; W/2NE/4; The west 70 acres of the SE/4;

A tract of land in the SW/4, described as beginning at the center of said Section 10, said point being marked by the corner of a fence as now constructed and in use and by a stone monument now in place, from which point the section corner common to Sections 10, 11, 14 and 15, T7S-R98W of the 6th P.M., bears S. 44°35' E. 3731 feet, thence on the N. line of the said SW/4 of Section 10, N. 89°36' W. 1485 feet to the easterly bank of Roan Creek, thence along said easterly bank of Roan Creek, S. 29°12' E. 230 feet, thence N. 81°45' E. 180 feet, thence S. 19°00' E. 560 feet, thence S. 76°50' E. 290 feet, thence S. 43°10' W. 60 feet, thence S. 76°50' E. 70 feet, thence S. 22°45' E. 347 feet, thence S. 63°30' E. 275 feet, thence S. 24°55' E. 168 feet, thence S. 49°55' E. 135 feet, thence S. 19°45' W. 330 feet, thence leaving the said easterly bank of Roan Creek N. 71°06' E. 257 feet, thence along the east line of said SW/4 of Section 10, N. 0°29' E. 1791 feet to the point of beginning, containing 28.91 acres, more or less;

The east 90 acres of the SE/4.

Section 11: SW/4SW/4.

Section 13: SW/4SW/4.

Section 14: N/2NW/4; S/2NW/4; SW/4; W/2NE/4; W/2SE/4; SE/4SE/4.

Section 15: E/2E/2;

The east 882 feet of the NW/4NE/4, situated south of the County Road, containing 21.16 acres, more or less.

Section 23: NE/4; NE/4NW/4.

Section 24: NW/4; N/2SW/4; SW/4NE/4; N/2SE/4; SE/4SE/4; S/2SW/4; SW/4SE/4.

Section 25: NW/4; E/2SW/4; NW/4NE/4; SW/4SE/4; E/2E/2; SW/4NE/4; NW/4SE/4.

Section 36: N/2SE/4, SE/4SE/4 and S/2NE/4; NE/4NW/4; N/2NE/4;

NE/4SE/4NW/4 as described in Patent Recorded Book 577, page 918, of County Records of Garfield County, Colorado;

N/2NE/4SW/4SE/4 as described in Patent Recorded Book 577, page 918, of County Records of Garfield County, Colorado.

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Section 4: Lot 4.

Section 5: Lots 1, 2 and 3;

That part of Lots 4 and 5 and of the Southwest Quarter of the Northwest Quarter (SW/4NW/4) in Section 5, Township 8 South, Range 96 West of the 6th P.M. described as follows: Beginning at the Northwest corner of said Lot 4, thence South 29°04' East 3120.6 feet to the bank of the Colorado River; thence Northeasterly along the Easterly line of said Lot 5 to the Northeast corner thereof; thence West along the North line of said Lot 5 to the Northwest Corner thereof; thence North along the East line of said Lot 4 to the Northeast corner thereof; thence West along the North line of said Lot 4, to the point of beginning, containing 53.11 acres.

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- Section 3: SW/4SW/4
- Section 4: SW/4NW/4; W/2SW/4; SE/4SW/4 and the S/2SE/4; and Lot 4 aka the 39.65 acres being the NW/4NW/4.
- Section 5: SE/4NE/4; Lot 1 aka the 39.53 acres being the NE/4NE/4.
- Section 6: Lots 3, 4 and 5; SE/4NW/4; N/2SW/4 aka the NE/4SW/4 and Lot 6 being the 38.59 acres being the NW/4SW/4; SE/4SW/4; SW/4SE/4; with Lot 3 aka the 39.62 acres being the NE/4NW/4 and Lot 4 aka the 37.77 acres being the NW/4NW/4 and Lot 5 aka the 39.25 acres being the SW/4NW/4;
- Section 6: Lots 12 and 14 containing 4.10 acres, as described in Patent recorded Book 577 page 919 in County Records of Garfield County, Colorado.
- Section 7: NE/4; NE/4NW/4; SE/4; E/2SW/4; Lots 3 and 4, with Lot 3 aka 38.92 acres being the NW/4SW/4 and Lot 4 aka 38.84 acres being the SW/4SW/4;
- Section 9: NE/4 and E/2NW/4.
- Section 10: W/2NW/4.
- Section 17: That part of W/2NW/4 lying in Garfield County, Colorado.
- Section 18: NE/4NE/4 lying in Garfield County;
That part of SE/4NE/4 and W/2NE/4 lying in Garfield County.

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- Section 12: SE/4.

End of EXHIBIT "A"



James S. Talbot
Senior Counsel

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North America Exploration
and Production Company
11111 S. Wilcrest #N2006
Houston, Texas 77099-4397
Tel 281-561-3536
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March 26, 2007

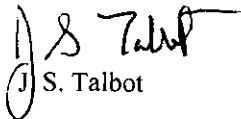
Mr. Mark Bean, Director
Garfield County Building & Planning Department
108 8th Street, Suite 401
Glenwood Springs, CO 81601

Re: Authorization to Represent Chevron -
Sally Cuffin, Washington Group Inc.

Dear Mr. Bean:

Chevron U.S.A. Inc. (Chevron) has retained the services of Sally Cuffin of the Washington Group Inc. Ms. Cuffin will represent Chevron in facility permitting for our Piceance Project in Garfield County, a role in which she will prepare and submit Special Use Permit Applications on behalf of Chevron. Ms. Cuffin is also authorized to participate in discussions before appointed and elected boards regarding the Special Use Permit Applications, however at such meetings, her authority to legally bind Chevron is limited to the terms set forth in the Permit Applications or other written documents filed on our behalf.

Sincerely,


J S. Talbot

cc: Nicole Johnson
Timothy Barrett
Sally Cuffin

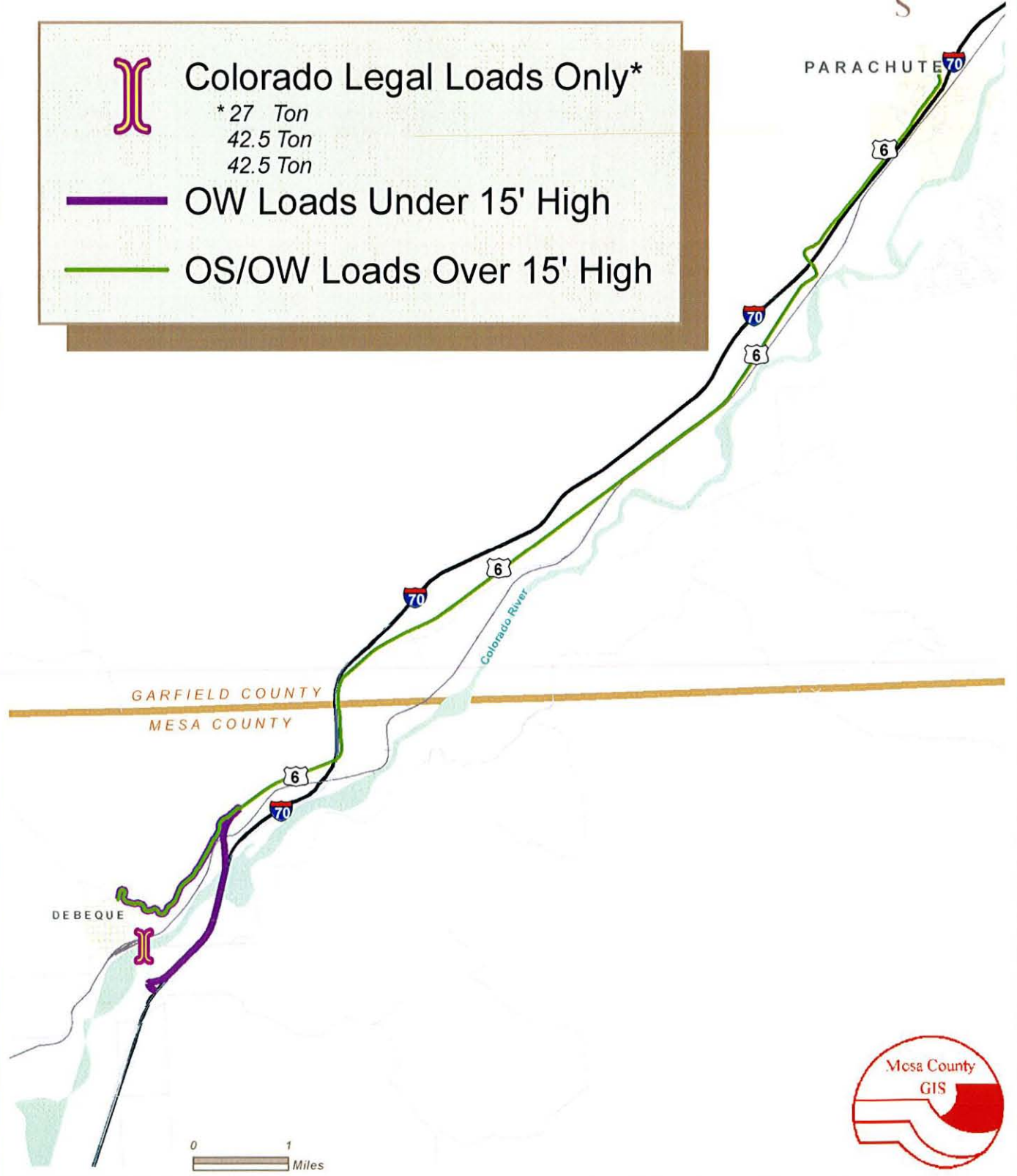


Colorado Legal Loads Only*

- * 27 Ton
- 42.5 Ton
- 42.5 Ton

— OW Loads Under 15' High

— OS/OW Loads Over 15' High



**Class III Cultural Resource Inventory Report
for
Two Proposed Pipeline Route Segments (8.50 miles)
in the Clear Creek and Deer Park Areas
of Garfield County, Colorado,
for ChevronTexaco**

GRI Project No. 2533
3 June 2005

Prepared by

Carl E. Conner and Barbara J. Davenport
Grand River Institute
P.O. Box 3543
Grand Junction, Colorado 81502
BLM Antiquities Permit No. C-52775

Submitted to

Bureau of Land Management
Grand Junction Field Office
2815 H Road
Grand Junction, Colorado 81506

Abstract

Grand River Institute (GRI) conducted a Class III cultural resources inventory of two proposed pipeline route segments in the Clear Creek and Deer Park areas of Garfield County, Colorado, for ChevronTexaco. These routes totals approximately 8.50 miles long, of which 6.85 miles are located on private lands and 1.65 miles are on Bureau of Land Management (BLM) administered property. A 200-foot wide corridor was inspected for the pipeline routes, resulting in a survey of a total of 166 acres of private property and 40 acres of BLM land. The survey and report preparation were conducted by Carl E. Conner, Barbara J. Davenport, Nicole Darnell, Jim Conner and Dana Archuleta. A files search was completed on 19 May 2005, and the field inventory was carried out on May 31st and June 1st of 2005.

The inventory was undertaken to ensure the project's compliance with federal legislation governing the identification and protection of cultural resources. The purposes of this investigation were to identify resources within the project area likely to be affected by the proposed action, to evaluate these sites' eligibility for listing in the National Register of Historic Places (NRHP), and to make management recommendations for those sites found to be eligible or potentially eligible.

The files search identified three historic sites within the project corridors. Two sites (5GF424 and 5GF5425) are structures near the mouth of Clear Creek and one site is reportedly an historic race track (5GF351), all occurring on private property. The Roan Creek Community Center (5GF424), was revisited just last year for another project so a new reevaluation form was not completed for this site. The Roan Creek School House (5GF425) was previously field evaluated as eligible for listing on the NRHP. Site 5GF425 was reevaluated as "field not eligible" for listing on the NRHP. Site 5GF351, the historic race track, was previously field evaluated as need data. With this revisit, no indication of the race track was found. Site 5GF351 was reevaluated as "field not eligible" for listing on the NRHP. In conclusion, the two historic structures will not be affected by the proposed pipeline construction. The historic race track site has been previously disturbed by road construction, and farming/ranching activities and there is no subsurface potential. Since the pipeline construction through this site will take place in already disturbed areas (road corridor) archaeology clearance for the project is recommended.

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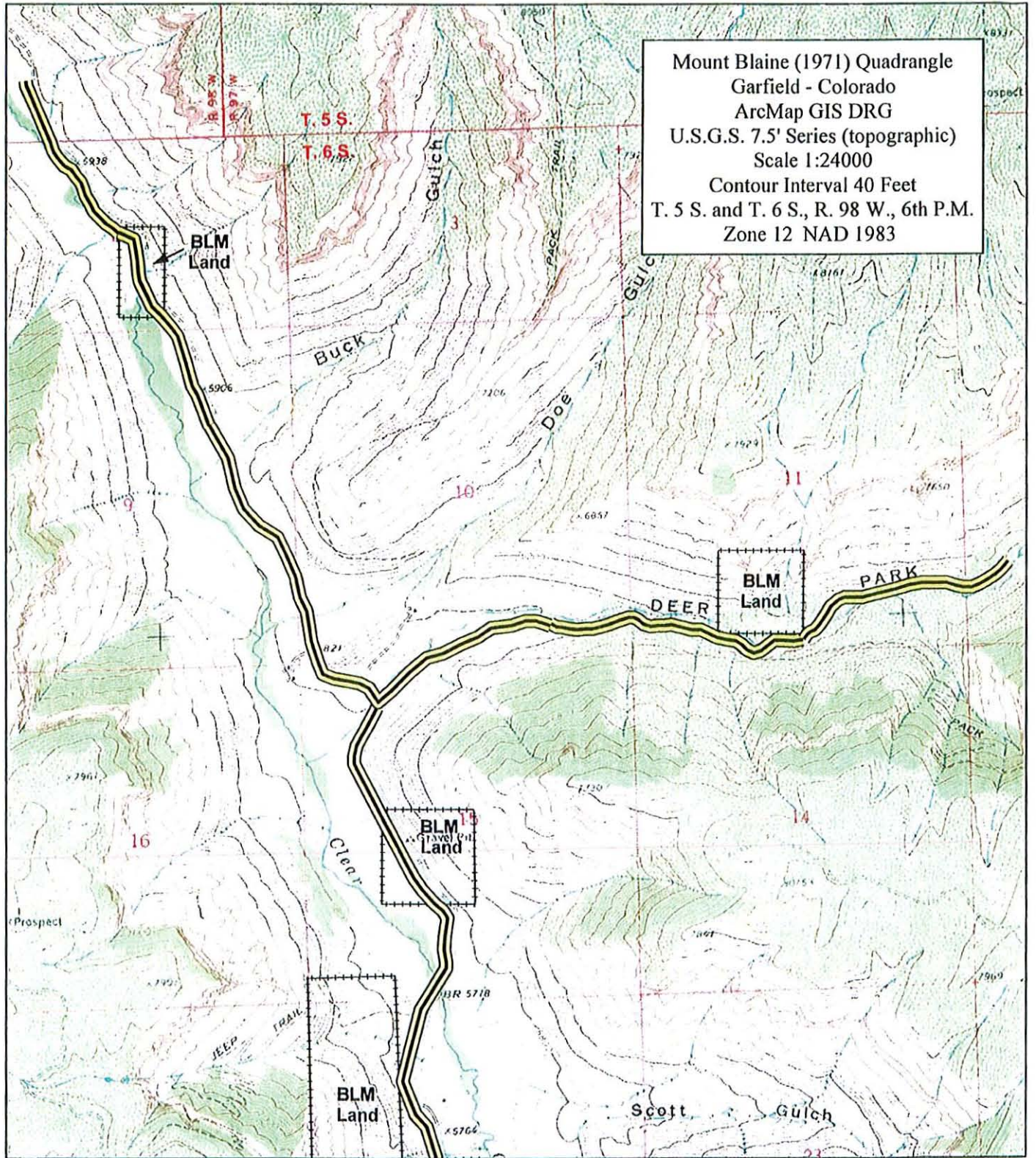


Figure 1. Project location map (1 of 2) for the Class III cultural resources inventory for two proposed pipeline route segments in the Clear Creek and Deer Park areas of Garfield County, Colorado for ChevronTexaco. Areas surveyed are highlighted. [GRI Project #2533, BLM No. 1105-06, 6/03/05]

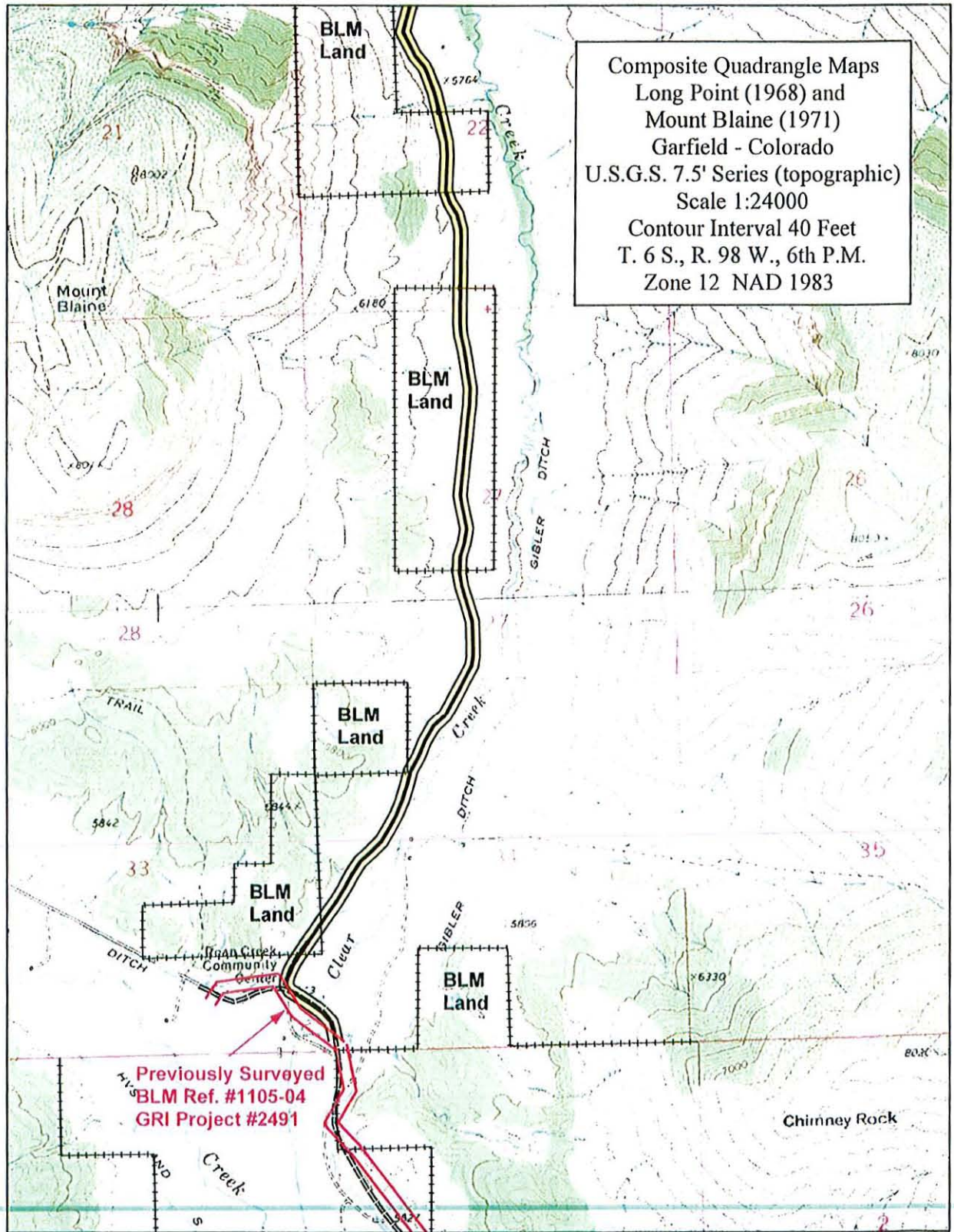


Figure 2. Project location map (2 of 2) for the Class III cultural resources inventory for three proposed pipeline route segments in the Clear Creek and Deer Park areas of Garfield County, Colorado for ChevronTexaco. Areas surveyed are highlighted. [GRI Project #2533, BLM No. 1105-06, 6/02/05]

Colorado Office of Archaeology and Historic Preservation
CULTURAL RESOURCE SURVEY MANAGEMENT INFORMATION

Please complete this form and attach a copy behind the Table of Contents of each survey report.

Project Class III cultural resource inventory of two proposed pipeline Route Segments (8.50 miles)
in the Clear Creek and Deer Park Areas of Garfield County, Colorado for ChevronTexaco.
[GRI Project #2533, 06/03/05]

Acres of Potential Effect/Project: <30 **Class III Acres Surveyed:** 206
(166 acres private, 40 acres BLM)

Legal Location of Project (add additional pages if necessary)

Principal Meridian: 6th Quad map date: 1968 Quad Map Name: Long Point
 Quad map date: 1968 Quad Map Name: Long Point
 Township: 5 South Range: 98 West Sections: 36
 Township: 6 South Range: 98 West Sections: 4, 9, 10, 11, 15, 22, 27, 33, and 34

Smithsonian Number	Resource Type				Eligibility				Management					Recommendation Other (specify)	
	Prehistoric	Historical	Paleontologica	Unknown	Eligible	Not Eligible	Need Data	Contributes to National Register	No Further Work	Preserve	Monitor	Test	Excavate		Archival Research
5GF351*		X				X			X						
5GF424*		X			X					X					
5GF425		X				X			X						
		3			1	2			2	1					

Principal Investigator Name: Carl E. Conner
 Principal Investigators Signature: *Carl E. Conner* Date: June 3, 2005

- The next page of the report should be a copy of the USGS topographic map(s) clearly indicating the following:
- ◆ The project area
 - ◆ Areas surveyed
 - ◆ Principal Meridian, Township, Range, Sections
 - ◆ Quad. name and date(s)

Introduction

At the request of the Bureau of Land Management Grand Junction Field Office (BLM) and ChevronTexaco, Grand River Institute (GRI) conducted a Class III cultural resources inventory of two proposed pipeline route segments in the Clear Creek and Deer Park areas of Garfield County, Colorado, for ChevronTexaco. These segments total approximately 8.5 miles long, of which 6.85 miles are located on private lands and 1.65 miles are on Bureau of Land Management administered property. A total of 166 acres of private property and 40 acres of BLM land was surveyed. The survey and report preparation were conducted by Carl E. Conner (Principal Investigator), Barbara J. Davenport, Nicole Darnell, Jim Conner and Dana Archuleta. A files search was completed on 19 May 2005, and the field inventory was carried out on May 31st and June 1st of 2005.

The survey was done to meet requirements of the Federal Land Policy and Management Act of 1976, the National Historic Preservation Act (as amended in 1992), the National Environmental Policy Act (NEPA) of 1969, and Article 80.1 of the Colorado Revised Statutes. These laws are concerned with the identification, evaluation, and protection of fragile, non-renewable evidences of human activity, occupation and endeavor reflected in districts, sites, structures, artifacts, objects, ruins, works of art, architecture, and natural features that were of importance in human events. Such resources tend to be localized and highly sensitive to disturbance.

Location of the Project Area

The project area is located about 12 miles north of the town of De Beque in the Clear Creek and Deer Park areas of Garfield County, Colorado. In general, the pipeline will follow the west side of County Road 211 and the north side of the upgraded Deer Park Road, but the 200 foot wide inventory corridor includes both sides of these roads. The three segments of pipeline occur within T. 5 S., R. 98 W., Section 36; and T. 6 S., R. 98 W., Sections 4, 9, 10, 11, 15, 22, 27, 33, and 34; 6th P.M. (Figures 1 and 2).

Environment

The proposed project is within the Piceance Creek Basin, one of the major geologic subdivisions of Colorado. The Piceance Creek Basin is an elongate structural downwarp of the Colorado Plateau province that apparently began its subsidence approximately 70 million years ago during the Laramide Orogeny. Sediments from surrounding highlands were deposited in the basin, accumulating to a thickness of as much as 9000 feet by the lower Eocene epoch, when subsidence ceased. Regional uplift occurred in the Late Tertiary, and erosion of the area has continued since (Young and Young 1977:43-46). The Wasatch formation underlies the south portion of the study area, while the Green River Formation

occurs in the northern part.

The project area rests within valley bottoms of the Roan Plateau. Elevations range from about 5500 to 6000 feet. These elevations have three vegetation communities including salt desert shrublands, pinyon juniper woodlands, and sagebrush/grasslands. Ground visibility ranged from 30% in the sagebrush and greasewood to about 90% in the disturbed areas along the roads.

These communities support a variety of wildlife species although the present day land use of the project area (including energy development, grazing, ranching and farming) has pushed most large mammals into the surrounding mountains. There, mule deer, elk, coyote, and black bear are common, as are cottontail rabbits, beavers, and various rodents. Mountain lion, bobcat, fox, skunk, badger, and weasel are also likely inhabitants. Bird species observed in the area include the jay, raven, red-shafted flicker, long-eared owl, and various raptors.

There is little climate variation within the study area. These relatively low elevations are host to a cool semiarid climate where temperatures can drop to -10 degrees F during the winters and summer temperatures may reach 100 degrees F; there is a maximum of 120 frost free days and the annual precipitation is about 14 inches. The surrounding higher elevations are characterized as cooler and moister. Annually, the high mountain temperatures could average 5 degrees cooler and the precipitation as much as 14 inches greater than the surrounding low elevations (USDA SCS 1978:244).

Summary of Files Search and Literature Overview

A records search was made for the project area through the BLM on 19 May 2005. An on-line search of the records at Colorado Historical Society's "Compass" site was also completed. These searches, which also included GLO Plats, were conducted to determine which areas were previously surveyed, to identify all known cultural resources in the vicinity of the study area, and to gather pertinent published and unpublished information on previous surveys in the immediate area. This information is important in the interpretation and evaluation of the cultural resources that were expected to be found.

The files search identified three historic sites within the project corridors. Two sites (5GF424 and 5GF5425) are structures near the mouth of Clear Creek and one site is reportedly an historic race track (5GF351), all occurring on private property. In addition, there are nine sites in the general vicinity of the project area and these are listed in Table A-1 in Appendix A. Table A-2 (Appendix A) provides a bibliographic list of the previous projects conducted near the project area.

Cultural resource investigations in the region have yielded surface diagnostic

artifacts and excavated cultural materials consistent with the regional cultural history. Evidence of the Paleoindian Era, the Archaic Era, Formative Era, and Protohistoric Era has been found in the area. Historic records suggest occupation or use by EuroAmerican trappers, settlers, miners, and ranchers as well. Overviews of the prehistory and history of the region are provided in documents published by the Colorado Council of Professional Archaeologists' entitled Colorado Prehistory: A Context for the Northern Colorado Plateau (Reed and Metcalf 1999), and by the Colorado Historical Society entitled Colorado Plateau Country Historic Context (Husband 1984).

A more specific document regarding the Euro-American settlement of the study area is History of Roan Creek and De Beque (Prather and de Beque, n.d.). As therein described, in the De Beque - Roan Creek area, the first to file homestead claims were Robert Eaton, L.T. Stewart and George Gibson along Dry Fork. Brothers Harve and John Van Cleave filed claim to Roan Creek property and established a cattle business in 1883 that became well known in Western Colorado. Other creeks in the area are named for the early ranchers who often brought cattle and cowboys with them. Kimball Creek is named for Gayton and William Kimball. Con [now Conn] Creek is named for C.H. Conwell. Tom Wallace set up his outfit on Wallace Creek, and John Carr on Carr Creek. George and Frank Newton settled on Clear Creek--apparently named before they arrived. The importance of water--and water rights--to the settlers not only was acknowledged by naming the creeks after them but also by so naming the ditches. Accordingly, one will also find the familiar names of Charles Creek, Joe Newman, A.S. Himebaugh, Henderson Frashier, Tom King, George P. Anderson, George Hayes, and W.A. DeLaMatyr on ditches and ranches of the surrounding area. By 1888, at least 31 ranches were in active operation, and a total of 140 cubic feet of water had been filed on (ibid.:3-4).

The town of De Beque is named for Dr. W.A.E. de Beque, who arrived with three companions (Fred Webster, John Boudin and Dick Smith) in the spring of 1884. He established a ranch on the banks of the Grand River near its confluence with Roan Creek. The first post office was within a log building built by Dr. de Beque, which served as his office, a drug store and a general store. Marie de Beque was the first Postmistress, officially named so in 1888. During this year, the town site of De Beque was established outside the boundary of the de Beque's ranch on what was originally the H.L. Spencer homestead. It was platted by surveyor John Walzl and given the name of De Beque in February of 1888. Shortly thereafter, Dr. de Beque built the first residence in the town (ibid.:3-4).

Adjacent to Ravensbeque (Dr. de Beque's ranch), the first school was started in 1886 by Mrs. Joseph McMillen, who initially began teaching her own children, but soon took in others from the surrounding homesteads. About that same time, a public school was opened on Con [Conn] Creek. Later, county schools were opened on Brush Creek, Kimball Creek, Dry Fork and main Roan Creek. The school started by Mrs. McMillen was moved to town where various buildings served as classrooms until a stone school house was built in 1892. Grades through high school were added as were new buildings to the school grounds, and in

1912, the first class was graduated from the high school (Prather and de Beque, n.d.:6).

The town grew steadily during the late 1800's and early 1900's, due in part to the coming of the railroad in May of 1890. It quickly became an areal center serving not only the Roan Creek ranches north of the Grand River, but also the Blue Stone Valley farms and ranches south of the river--after a bridge was built in 1891. Over the years, many people came and left, but the town's population rarely exceeded 400 persons (ibid.:7-9).

Study Objectives

The purpose of the inventory was to identify and record all cultural resources within the areas of potential impact, to assess their significance and eligibility to the National Register of Historic Places (NRHP), and to make management recommendations for those sites found to be eligible or potentially eligible. Based on the files searches cultural resources were expected to be encountered.

Field Methods

A Class III cultural resource inventory of the project areas was performed by two persons who walked zig zag transects along the two segments of the proposed pipeline route to cover a 60 meter (200 foot) wide corridor centered on the west side of the existing Clear Creek road and the north side of the Deer Park road. Crew members worked from USGS 7.5' series maps.

Cultural resources were sought as surface exposures and were characterized as sites or isolated finds. Sites were defined by the presence of five or more artifacts and/or significant feature(s) indicative of patterned human activity. Isolated finds were defined by the presence of a single artifact or several artifacts, which apparently represent a single event (e.g., a single core reduction), and is surficial in nature. All cultural resources such as open camps, lithic scatters, and isolated finds were recorded as they were encountered.

Sites were to be recorded using the following methods of mapping and note taking. The basic approach to the data collection was to be the continuous mapping of observed artifacts and features by recording UTM coordinates (NAD 83 Datum) using a Trimble Geo XT. Site maps were to be created using corrected GPS data and ARCMAP. Photographs were to be taken at each site and include general views and specific artifacts or features. Field notes and photo negatives for this project are on file at Grand River Institute, while the photographs are submitted to the BLM. No artifacts were collected.

Results

As expected, cultural resources were encountered during the survey. Field conditions were as anticipated, and did not affect the methods. This portion of the report presents a discussion of site significance evaluation and describes the two previously re-recorded historic sites.

Site Significance

The National Historic Preservation Act of 1966 (NHPA) directs the BLM to ensure that BLM-initiated or authorized actions do not inadvertently disturb or destroy significant cultural resource values. Significance is a quality of cultural resource properties that qualifies them for inclusion in the NRHP. The statements of significance included in this report are field assessments to support recommendations to the BLM and State Historic Preservation Officer (SHPO). The final determination of site significance is made by the BLM in consultation with the SHPO and the Keeper of the Register.

The Code of Federal Regulations was used as a guide for the in-field site evaluations. Titles 36 CFR 60, 36 CFR 800, and 36 CFR 64 are concerned with the concepts of significance and (possible) historic value of cultural resources. Titles 36 CFR 65 and 36 CFR 66 provide standards for the conduct of scientific data recovery activities. Finally, Title 36 CFR 60.4 establishes the measure of significance that is critical to the determination of a site's NRHP eligibility, which is used to assess a site's research potential:

The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects of State and local importance that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and **a**) that are associated with events that have made a significant contribution to the broad patterns of history; or **b**) that are associated with the lives of persons significant in our past; or **c**) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or **d**) that have yielded, or may be likely to yield, information important in the prehistory or history.

Site Description

The Roan Creek Community Club (5GF424) was revisited just last year for another project so a new reevaluation form was not completed for this site. The Roan Creek School (5GF425), was revisited and reevaluated along with site 5GF351, an historic race track. This section provides general descriptions of these sites. Location data for them is provided in Appendix A (Figure A-1). Detailed information for 5GF425 is provided in Appendix B:

OAHP Site Form (available at the BLM and OAHP).

Site **5GF351** was originally recorded only as a report from a local (unnamed) land owner in 1978 by the Museum of Western Colorado. The original site form contained very little information and an assessment of the reported location was never conducted.

Upon revisiting the site, no indication of cultural manifestations remained. It could not be relocated by this inventory and there is no subsurface potential. Much of the site area has been previously disturbed by road construction and farming/ranching activities.

Evaluation and Management Recommendation

Due to a perceived lack of potential for this site to yield additional significant information regarding the area's history, this site is field evaluated as not eligible for listing on the National Register of Historic Places. No further work is necessary.

Site **5GF424** is the Roan Creek Community Club building complex and is presently in use as the "Cowboy Chapel of Prayer." The site was previously recorded, however, that form was not signed or dated and contains limited information. The site is located at the confluence of Clear Creek (County Road 211) and Roan Creek (County Road 204) at an elevation of 5520 feet. Vegetation on the site is grass and the surrounding open areas contain sagebrush. Most of the ground around the structures is barren and includes a dirt parking area.

The main focus of the site is a large milled log structure which measures 54 feet in length by 30 feet in width and rests on a concrete foundation. The south side (front) of the building has double door entryway which measures 7 feet by 15 feet and contains two, five-horizontal panel, plywood doors. The gable ends and the upper portion of the entryway have cedar shingle siding in a coursed pattern. The east wall has three windows and one (newer) door opening and the west wall has four windows and a door while the rear wall and entryway each have two double windows of an older style of true divided lite glass with a pattern of 2W3H. The asphalt shingle roof appears to be new (the original site form states that the roof was of corrugated metal). Two brick chimneys are present, one in the center of the west wall and the other at the northeast corner of the building. Also, the concrete landing, stairs and iron hand rails at the entryway seem to have been replaced fairly recently.

Approximately ten feet from the northwest corner of the main log structure is a storage shed which measures 12 feet by 8 feet and is constructed of milled lumber with a metal shed style roof. This building has a single door on its east side and a single small window on the south wall. Forty feet north-northeast from the northeast corner of the main

log building is an old privy with a wood shed style roof. The site has been well maintained and is currently in use.

This structure is referenced in a booklet entitled, "Cattle and Shale, 1884-1984, A Story of Roan Creek and De Beque" in the section that discusses families and ranching on upper Roan Creek. The description from pages 13 and 14 is as follows:

"A community hall, "Highmore Hall" was erected, which became the center of many social gatherings and dances. Plays, musicals, all day picnics, church services, and neighborhood gatherings of all kinds were held there. The guiding star and musical director of all this activity was Pearl Sullivan, the wife of Dougald Sullivan, whose ranch was the Himebaugh ranch at the mouth of Clear Creek. Pearl and her music will long be remembered. There were other Sullivan brothers, too, who engaged in the cattle business here for years, but they are not here now. Other names closely associated with the development of the community are Flasche, Franklin, Firvin, Letson, Huntley, Gordon, and Simmons, but most of the people who bore those names and lived among us for awhile, are gone."

Evaluation and Management Recommendation

This site appears to meet criteria for National Register status (36 CFR 60.4 a, b and c) and is field evaluated as eligible for listing on the National Register of Historic Places. It will not be directly affected by the proposed project and no further work is recommended.

Site **5GF425** is the old Roan Creek School building. It is presently not in use. The site was previously recorded, however, the form was not signed or dated and contains limited information. The site is located along County Road 211 near the confluence of Roan and Clear Creeks in Garfield County at an elevation of 5530 feet. Surrounding vegetation is grass and sagebrush.

The site consists of a one room school house with and an attached entryway/mudroom. It is a framed structure with horizontal wood-siding. It was painted white sometime in the past, however, portions are beginning to weather or are lacking paint altogether. The main room has a front gabled roof of galvanized corrugated metal while the entry has a shed (half-gabled) roof of milled lumber with wood shake shingles (most of which are missing).

The main room measures 22 feet by 14 feet and has five single hung windows (2 sashes each) on the east wall and one single hung window (2 sashes) on the west wall, all measuring approximately 24" by 60" overall. All these windows are authentic divided lite with a 2W1H pattern to each sash, however the glass is no longer present. No window or door openings are on the south wall. This room has a brick chimney along the center of the west wall and extends on the exterior approximately five feet up from the roof (on its lowest side). The interior of this room possesses remnant areas of wall paper with a childlike motif

(baby ducks, chicks, birds etc.) and some modern graffiti. Some old shelves were also present. There is electrical wiring on the exterior of the east and south walls.

The entry/mudroom on the north end measures 10 feet by 14 feet and has a single door on the north wall and a square window opening (about 30 inches) on each the east and west walls. Again, the glass is no longer present.

A search for any reference to this school was made in a booklet entitled, 'Cattle and Shale, 1884-1984, A Story of Roan Creek and De Beque,' but none was found. Despite this, the estimated time of construction is ca. 1930.

Evaluation and Management Recommendation

This site does not appear to meet criteria for National Register status (36 CFR 60.4 a, b and c). The structure seems to be structurally unsound as it is listing to the east. Given its deteriorating condition and lack of historic artifacts or references, and due to a perceived lack of potential for this site to yield additional significant information regarding the area's history, it is field evaluated as not eligible for listing on the National Register of Historic Places. No further work is necessary.

Discussion

This project has provided an opportunity to continue the investigations into the Clear Creek and Deer Park Valleys. As expected, historic structures were the site type encountered by the inventory. One such site was re-recorded. Other farm and ranch complexes are present near the pipeline route that are likely to date to the first half of the twentieth century. Limitations to the study included the disturbance of much of the proposed routes by previous construction activities (road, ditch, fence, etc.) or by cultivation.

Summary of Site Evaluations and Recommendations

The eligibility determination and consultation process is guided by Section 106 of the NHPA (36 CFR 60, 63, and 800). Inventory to identify, evaluate, and mitigate potential effects to cultural resources affected by an undertaking is the first step in the Section 106 process. BLM actions cannot be authorized until the Section 106 process is completed (36 CFR 800.3). Final determinations of National Register eligibility and effect are sought from the controlling federal agencies in consultation with the State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation.

The files search identified three historic sites within the project corridors. Two sites (5GF424 and 5GF5425) are structures near the mouth of Clear Creek and one site is reportedly an historic race track (5GF351), all occurring on private property. The Roan Creek Community Center (5GF424), was revisited just last year for another project so a new reevaluation form was not completed for this site. The Roan Creek School House (5GF425)

was previously field evaluated as eligible for listing on the NRHP. Site 5GF425 was reevaluated as "field not eligible" for listing on the NRHP. Site 5GF351, the historic race track, was previously field evaluated as need data. With this revisit, no indication of the race track was found. Site 5GF351 was reevaluated as "field not eligible" for listing on the NRHP. In conclusion, the two historic structures will not be affected by the proposed pipeline construction. The historic race track site has been previously disturbed by road construction, and farming/ranching activities and there is no subsurface potential. Since the pipeline construction through this site will take place in already disturbed areas (road corridor) archaeology clearance for the project is recommended.

As directed by the new 36 CFR800 regulations, this inventory included the search for relevant traditional cultural properties. None were found.

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U.S.D.A., Soil Conservation Service

1978 Soil Survey of Mesa County Area, Colorado.

Young, Robert G. and Joann W.

1977 Colorado West, Land of Geology and Wildflowers. Wheelwright Press, Ltd..

**Appendix A: Tables of Previously Recorded Cultural Resources and Bibliographic List of
Previously Conducted Inventories Within 1.0 Mile of the Study Areas,
and Location Data for the Re-Recorded Site (Figure A-1)**

Appendix B: OAHP Site Form



WestWater Engineering

2516 FORESIGHT CIRCLE, #1 GRAND JUNCTION, COLORADO 81505 (970) 241-7076 FAX: (970)241-7097

July 11, 2006

Mr. Sean Norris, Senior Project Geologist
Cordilleran Compliance Services, Inc.
826 21½ Road
Grand Junction, CO 81505

RE: Biological Survey for Chevron/Texaco 8" Natural Gas Pipeline, Clear Creek, Garfield County, Colorado

Dear Mr. Norris:

Field surveys were conducted on July 5-6, 2006 to investigate the occurrence of raptors, United States Fish and Wildlife Service Birds of Conservation Concern and T & E/sensitive plants along and adjacent to a proposed natural gas pipeline in lower the Clear Creek Canyon in Garfield County, Colorado. The proposed 8-inch pipeline, which is approximately 6.25 miles long, runs parallel to Garfield County Road 211, except on the southern portion where it turns west and runs for about 2 miles (Figure 1).

Surveys were conducted using roadside observations from a motor vehicle and on foot in order to more thoroughly inventory the pipeline alignment. Field observations to document the presence of raptors were conducted using binoculars, listening for raptor vocalizations and searching for nests and sign of raptor presence. Searching for raptor sign included looking for droppings, castings, feathers, excrement (whitewash) and discarded prey items, particularly around nest sites. Potential raptor nesting habitat was surveyed including piñon-juniper woodlands and box-elder/Mexican locust vegetation that was predominantly found along the Clear Creek riparian corridor. The canyon walls along Clear Creek and its tributaries were surveyed to determine the presence of raptors and nest sites.

Plant surveys were conducted in conjunction with raptor and bird of conservation concern inventories.

RESULTS

Raptors

Two species of raptors were observed during the survey. Species included Cooper's Hawk (*Accipiter cooperii*) and American Kestrel (*Falco sparverius*); seven individual raptors (5 adults, 2 chicks) were counted. Two active nest sites were found and four nests that were likely to have active during the 2006 nesting season were located (Table 1 and Figure 2). The survey was conducted late enough in the current nesting season that a large portion of raptors have already fledged their chicks. The inactive nests (at time of survey) were determined to have been either active and fledged or possibly active but failed, based on observations in and around the nest. In most cases, raptor whitewash was observed under nests or deposited on current annual plant growth, which indicates recent presence of raptors. One possible American Kestrel nesting territory was located, but no nest was found.

Based on chick size, feathered development and movements within Cooper's Hawk nest # 2, the young were estimated to be approximately 10-12 days old on July 6, 2006 (Figure 3 and 4). Cooper's Hawks will typically fledge at about 30-34 days. Therefore, it is likely that fledging would occur around July 30. The status of nest # 1 is unknown (either eggs or chicks) and if the adults were incubating at the time of the survey, fledging may not occur to sometime in mid-August.

The active Cooper's Hawk nest sites #'s 1 and 2 are located about 105 feet and 265 feet from the centerline of the pipeline ROW, respectively (Figure 1 and 2). The proposed pipeline construction will result in increased human activity and vehicular traffic in the vicinity of the nest site, increasing the potential of nest failure. What is not known is the level of vehicular/human activity that would cause these nesting pairs to abandon the nests.

The Colorado Division of Wildlife does not have a recommended buffer for Cooper's Hawks; however, it is our opinion that a one-quarter mile buffer zone around this nest would decrease the likelihood of nest failure due to project related disturbance. Nests # 2 is located in a box-elder tree about 300-400 feet east of an active drill pad west of Clear Creek. This pad has apparently received a substantial amount of activity and daily traffic and these birds have shown a tolerance for this level of disturbance. In general, raptors have a higher tolerance to occasional vehicular traffic and a lower tolerance to "constant" human-related activity on the ground. It is generally accepted by avian biologists that raptors have a stronger fidelity to their nest site after young have hatched and are more apt to abandon their nest site in response to disturbance during incubation.

Table 1. Active and inactive raptor nests; Lower Clear Creek, Garfield County, Colorado, July 2006.

Species	Zone	UTM Easting	UTM Northing	Observation
Cooper's Hawk	12S	728650	4382370	2 adults defending a nest, no chicks observed due to foliage, but active nest.
Cooper's Hawk	12S	730517	4378352	1 adult female observed on nest brooding a minimum of 2 chicks, possibly more.
American Kestrel	12S	730228	4379000	Adult male observed, possible active nest in area.
Possible Cooper's Hawk	12S	730228	4378940	A maternal-acting female Cooper's in the area with a box-elder tree with whitewash underneath. Several stick nests in the area; none showed signs of recent use.
Unknown raptor	12S	730698	4378308	Stick nest in a 35 ft. box-elder tree east of the pipeline alignment. Whitewash on vegetation surrounding the nest.
Unknown raptor	12S	730820	4377413	Nest determined to have been active, with whitewash on vegetation below nest, which was in a 75 ft box-elder.
Cooper's Hawk	12S	730847	4376427	Cooper's Hawk territory/roosting site in a box-elder along Clear Creek. No nest found, but whitewash and feathers on ground indicated frequent use in the area.

Construction Recommendations: If possible, delaying pipeline construction within 0.25 miles of the active nest sites until fledging occurs will reduce the chances of nest failure. The nest sites should continue to be monitored by qualified personnel if construction approaches the nest site prior to fledging. If construction cannot be delayed until fledging, construction activities, vehicular and equipment traffic, and on-ground personnel should be confined to the side of the pipeline corridor away from the nest, which would maximize the buffer between disturbance and the nest. Individual raptors react to disturbance inconsistently; therefore, it is difficult to predict how these birds, which have adapted to the current level of disturbance, would react to pipeline construction.

Birds of Conservation Concern

The U.S. Fish and Wildlife Service places its highest priority for conservation for those species listed as Birds of Conservation Concern for the Southern Rockies and Colorado Plateau. No birds of conservation concern were observed during the survey. Clear Creek, due to the riparian vegetation, is suitable habitat for a variety of bird species.

Threaten, Endangered, or Sensitive Plant Species

Plant species that may be subject to protection under the ESA list and could potentially occur in this area are shown in following table.

Common Name	Scientific Name	ESA Status
Uinta Basin hookless cactus	<i>Sclerocactus glaucus</i>	Threatened (T)
Debeque phacelia	<i>Phacelia submutica</i>	Candidate for Listing
Debeque milkvetch	<i>Astragalus debequaeus</i>	Proposed for Listing

For two of these species, specific soil types are necessary for the occurrence of these species. The Debeque phacelia and the Debeque milkvetch require soils consistent with the Wasatch formation and this soil type was not observed along the pipeline alignment. The soil type along Clear Creek appears to be that of the Green River formation.

The sagebrush and open piñon-juniper along Clear Creek and on the westward portion of the pipeline bisects possible Uinta Basin cactus habitat but no plants were observed.

Please feel free to contact our office if you have questions regarding this report, or if we can be of service in any way.

Sincerely,


Van K. Graham

Environmental Scientist/Wildlife Biologist

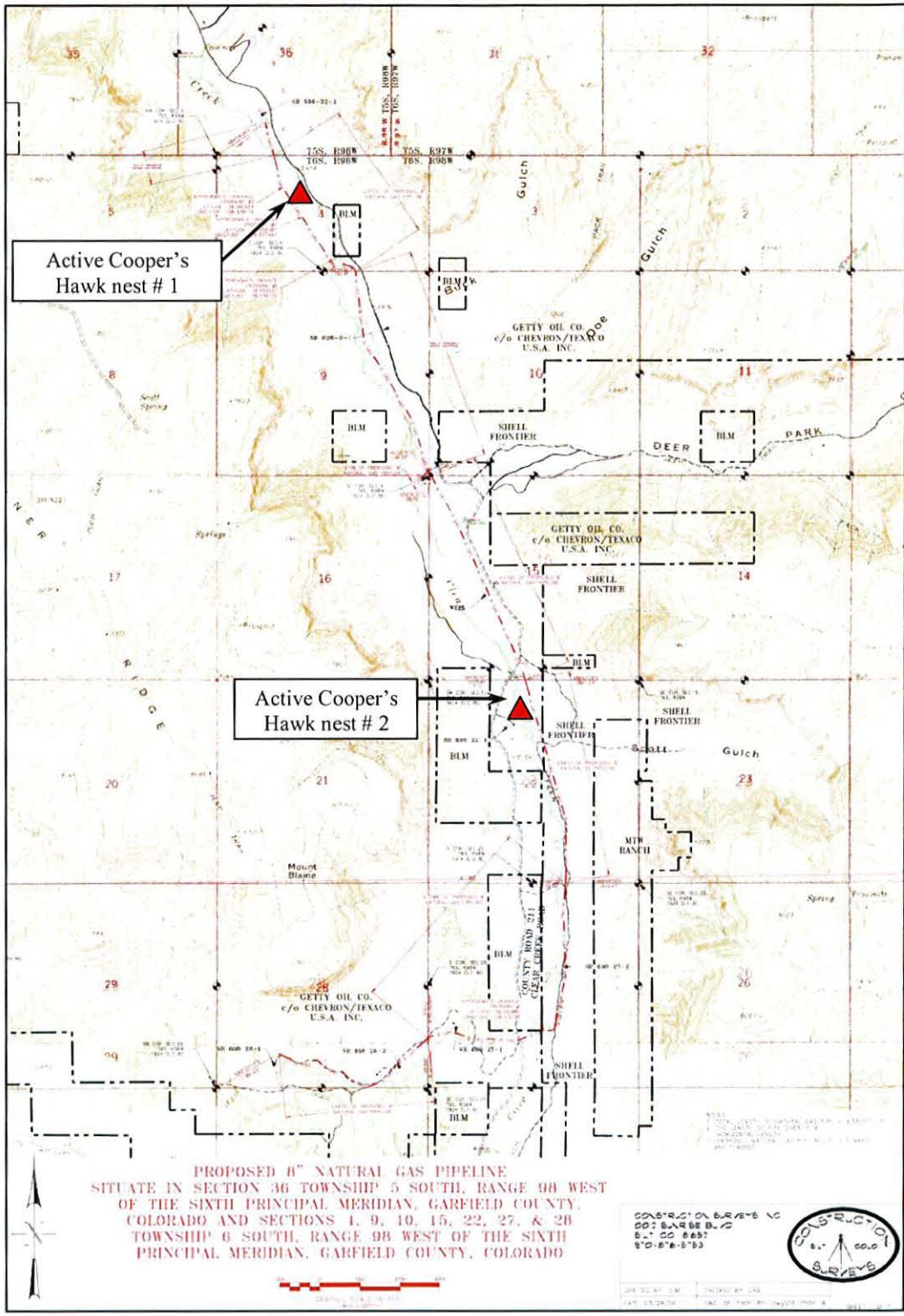


Figure 1. Chevron/Texaco 8 inch natural gas pipeline, Lower Clear Creek, Garfield, County.

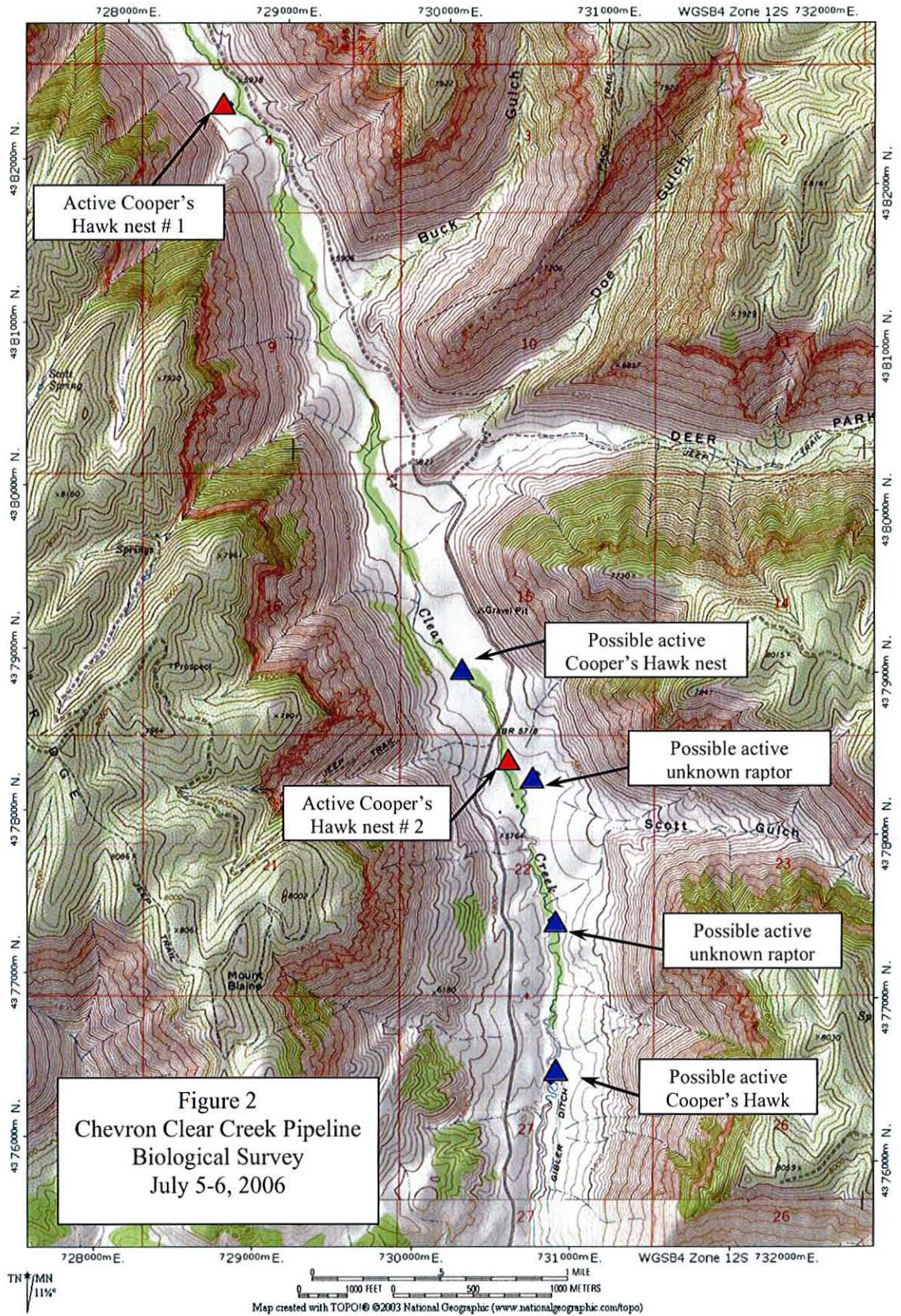
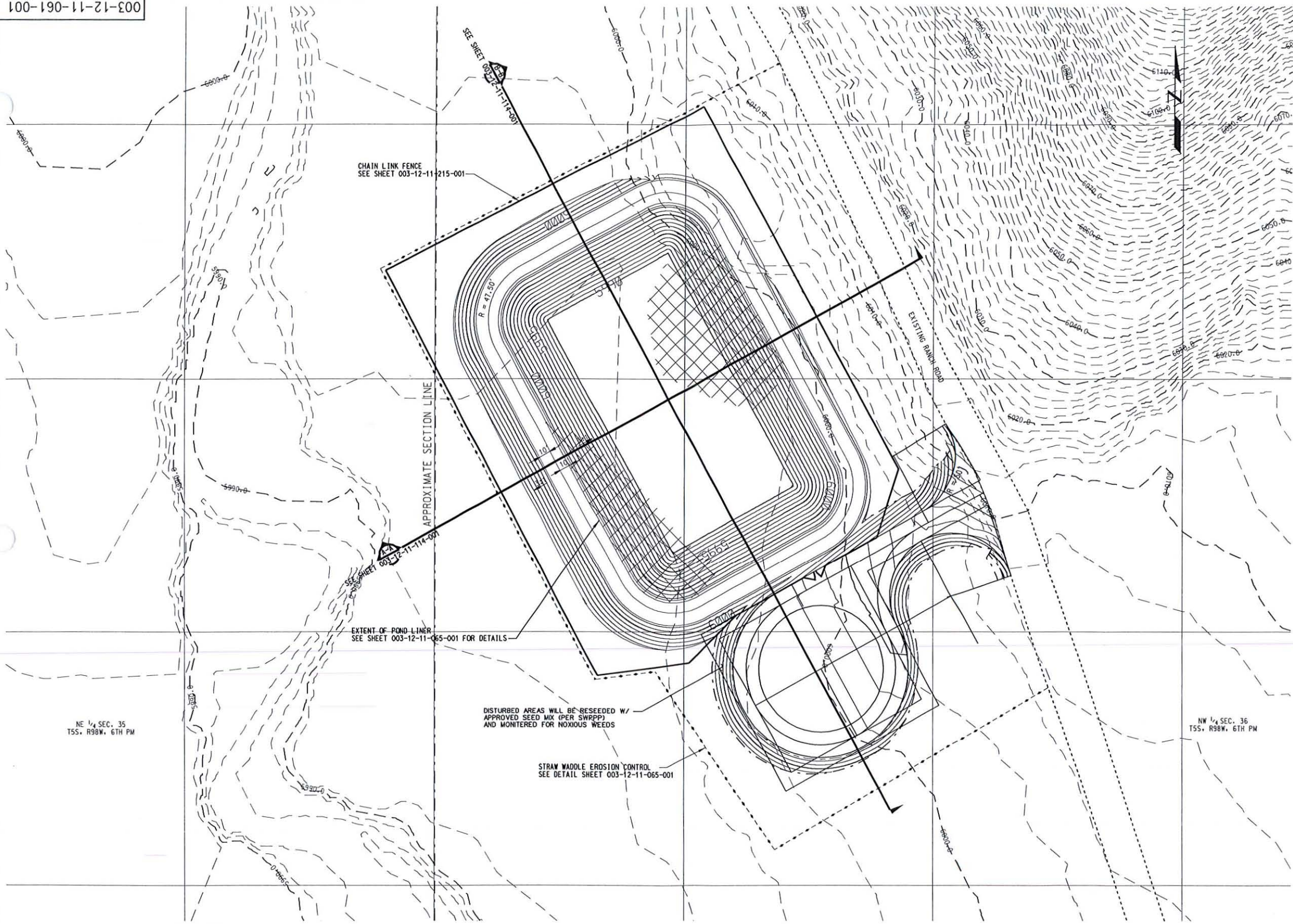




Figure 3. Cooper's Hawk nest with two chicks on an old magpie nest.



Figure 4. Cooper's Hawk nest in a box-elder tree in riparian habitat along Clear Creek, Garfield County, Colorado.



— NEW 6" CHAIN LINK FENCE
 - - - - - STRAW WADDLES PER PICEANCE BASIN NON CONVENTIONAL GAS PROJECT STORM WATER POLLUTION PREVENTION PLAN

PRELIMINARY NOT FOR CONSTRUCTION

REVISION APPROVAL RECORD				REV B	REV NO	DATE	REVISIONS	BY	CHKR	DRAWING STATUS				
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			MECHANICAL		04/12/07	B	ISSUED FOR PERMIT APPROVAL	JC	MN					
			NUCLEAR		05/12/07	C	ISSUED FOR PERMIT APPROVAL			PRELIMINARY	C			
ELECTRICAL			PIPING											
ENVIRON.			PROCESS											
GEN. ARRANG.			QA / OC							APPROVED FOR CONSTRUCTION				
HVAC			STRUCTURAL											
I & C														

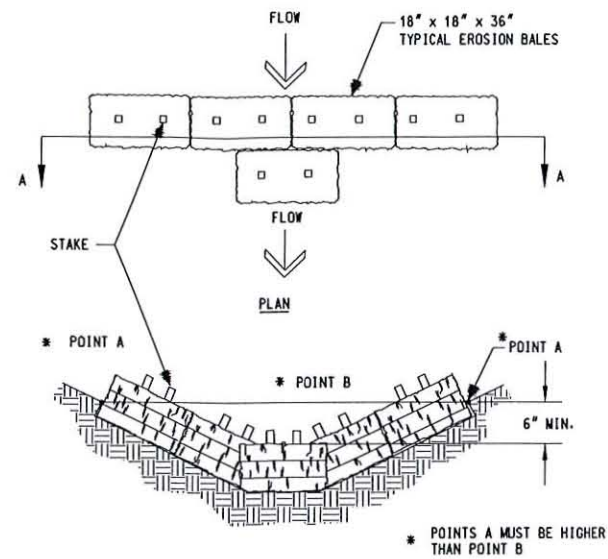
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 CHECKED: MN DATE:
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Chevron MidContinent/Alaska SBU
 Chevron North America
 Exploration and Production

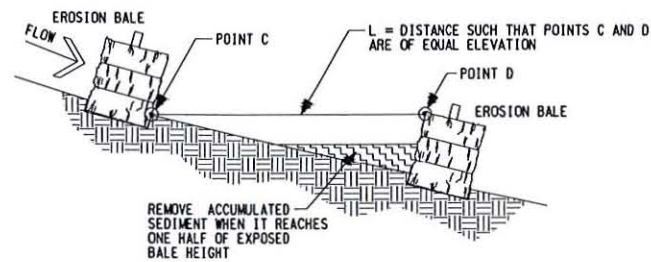
Washington Group International
 7800 E. Union Ave. - Denver, CO 80237 - (303) 843-2000

AREA: 003	FIELD:	CD: GARFIELD	ST: CO.
PROPERTY UNIQUE:			
PROPERTY COMMON:			
PICEANCE BASIN DEVELOPMENT - EPS FRESH WATER POND EROSION CONTROL POND			
DWG. NO.	003-12-11-061-001		REV C

INCHES

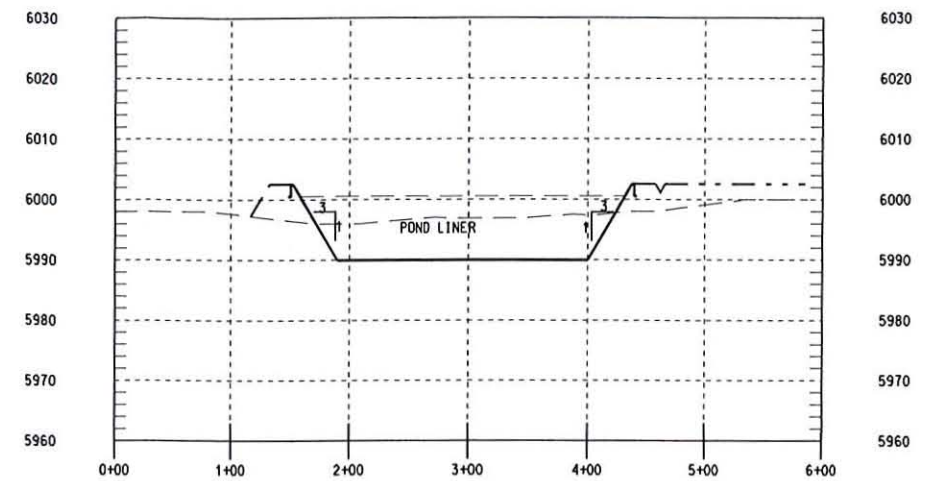


SECTION A-A



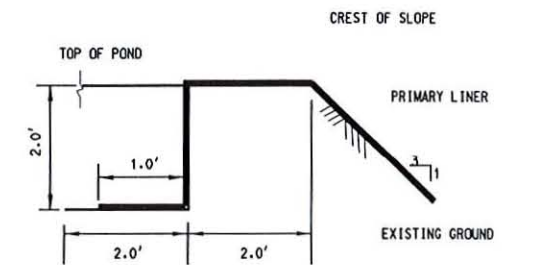
CHANNEL PROFILE

SPACING BETWEEN EROSION BALES



SECTION B
DRAWING 003-12-11-111-001

SCALE: HORIZ. 1" = 50'
VERT 1" = 10'



ANCHOR TRENCH DETAIL AT TOP OF BERM

NTS

PRELIMINARY NOT FOR CONSTRUCTION

REVISION APPROVAL RECORD				REV B	REV NO	DATE	REVISIONS				BY	CHKR	DRAWING STATUS			
DISCIPLINE	BY	DATE	DISCIPLINE	BY	DATE	A	04/11/07	ISSUED FOR PERMIT APPROVAL	TOD	MN	ISSUED	REV	DATE	SDE	PEM	
			MECHANICAL			B	05/01/07	ISSUED FOR PERMIT APPROVAL			PRELIMINARY	B				
			NUCLEAR													
ELECTRICAL			PIPING													
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HVAC			STRUCTURAL													
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NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED & DATED. DESTROY ALL PRINTS BEARING EARLIER DATE &/OR REV.NO.																

PROJECT NO. : 20921	
DRAWN: TOD	DATE: AS SHOWN
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SCALE: AS SHOWN	

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Chevron North America
Exploration and Production

Washington Group International
7800 E. Union Ave. - Denver, CO 80237 - (303) 843-2000

AREA: 003	FIELD:	CD: GARFIELD ST: CO.
PROPERTY UNIQUE:		
PROPERTY COMMON:		
PICEANCE BASIN DEVELOPMENT - EPS FRESH WATER POND EROSION CONTROL DETAILS		
DWG. NO. 003-12-11-065-001	REV B	

INCHES