

WILDLIFE IMPACT MANAGEMENT PLAN

City of Aurora, Colorado

Denver Expansion Project

Prepared for:



Magellan Pipeline Company, L.P., is a subsidiary of ONEOK

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Prepared by:



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January 2025

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LIST OF ACRONYMS

BCCs	Birds of Conservation Concern
BMPs	best management practices
CPW	Colorado Parks and Wildlife
FEMA	Federal Emergency Management Agency
HPH	High Priority Habitat
IPaC	Information for Planning and Consultation
Magellan	Magellan Pipeline Company, L.P.
PEM	palustrine emergent
Perennial	Perennial Environmental Services, LLC
Project	Denver Expansion Project
T&E	threatened and endangered
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
WIMP	Wildlife Impact Management Plan
WOTUS	Waters of the United States

1. INTRODUCTION

Magellan Pipeline Company, L.P., (Magellan) a subsidiary of ONEOK, Inc., (ONEOK) retained Perennial Environmental Services, LLC (Perennial) to complete a Wildlife Impact Management Plan (WIMP) for the proposed Denver Expansion Project (Project) to ensure Magellan is in compliance with the City of Aurora Oil & Gas Division requirements. The Project involves the installation of approximately 235 miles of new buried pipeline of varying diameter (i.e., 10-inch and 16-inch) that will be utilized to transport various transportation fuels, including aviation and sustainable aviation fuel from Scott City, Kansas to the Denver International Airport in Colorado. Of the 235 miles of pipeline, approximately 7 miles traverse the City of Aurora, Colorado. The purpose of this WIMP is to identify any wildlife or other natural resource constraints within or surrounding the Project area in the city limits of Aurora using observations and data from field surveys and online resources through state and federal agencies, including Colorado Parks and Wildlife (CPW) and U.S. Fish and Wildlife Service (USFWS). Maps of the Project area are located in Appendix A.

2. PROJECT AREA

The Project area in the City of Aurora limits is located in Sections 1, 12, 13-S14, 23, 26, and 35 Township 3S Range 65W in Adams County and is in the Central High Tableland Major Land Resource Area of the Central Great Plains Winter Wheat and Range Region Land Resource Region (Natural Resource Conservation Service, 2022). Construction of the Project is estimated to impact a total of approximately 47 acres of land in the City of Aurora within areas characterized primarily as agricultural land. Following construction, a 30-foot-wide permanent easement centered on the new pipeline will be retained in the City of Aurora. Operational impacts will be limited to the occasional mowing of the permanent pipeline right-of-way.

3. METHODOLOGY

Perennial conducted field surveys for the Project on parcels within the City of Aurora in July and November of 2024. These field surveys included a wetland and waterbody delineation and a habitat assessment for threatened and endangered (T&E) species. A background literature review was also conducted using agency resources to determine federally and state-listed T&E species, as well as CPW-designated high priority habitat (HPH) that may occur within the Project area.

4. WETLANDS AND WATERS OF THE UNITED STATES

The wetland and waterbody delineation performed by Perennial biologists in July and November of 2024 included the identification and recording of physical features that may be considered Waters of the United

States (WOTUS), as defined by the U.S. Army Corps of Engineers (USACE). The wetland and waterbody delineation was conducted in accordance with the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region* (Version 2.0; USACE, 2010) and the routine determination guidelines provided in the *USACE Wetland Delineation Manual* (Technical Report Y-87-1; USACE, 1987).

A total of three waterbodies were delineated within the Project area in the City of Aurora, including three ephemeral, unnamed streams. The open-cut method will be used for the three ephemeral stream crossings. If possible, construction at the open-cut crossings will be conducted during low-flow periods to minimize sedimentation and turbidity, stream bank disturbances, and limit the time it will take to complete in-stream construction (24 to 48 hours). Mitigation measures for erosion and sediment control may include straw bale barriers/check dams, temporary water bars, and straw fiber rolls/wattles, as appropriate. One palustrine emergent (PEM) wetland was delineated within the Project area in the City of Aurora; however, the proposed pipeline centerline does not cross the wetland. The primary means Magellan will utilize to minimize impacts on the wetland include the use of timber matting for equipment crossings if the wetland is found to be saturated during Project construction. No permanent impacts on the identified waterbodies or wetland are anticipated.

5. 100-YEAR FLOODPLAIN

According to the Federal Emergency Management Agency (FEMA), approximately 1.5 miles of the Project area in the City of Aurora occurs within Zone AE of a 100-year floodplain (FEMA, 2024). Areas that occur within Zone AO and Zone AE of a 100-year floodplain also occur within 0.5 mile of the Project. Magellan will obtain a Floodplain Development Permit for Project activities located within floodplains prior to construction. No spoil will be placed within the floodway, all fuel will be stored at least 100 feet from any waterbody or wetland, refueling will not occur within 100 feet of a waterbody or wetland, and all boring equipment, stationary equipment, and any equipment carrying more than 115 gallons of fuel will be equipped with spill kits.

6. THREATENED AND ENDANGERED SPECIES

Perennial utilized the USFWS Information for Planning and Consultation (IPaC) system and the state-listed species list to determine T&E species that could potentially occur in the Project area. According to the USFWS IPaC Official Species List (Appendix B) and CPW, a total of seven federally listed and one state listed T&E species were identified as having the potential to occur in the Project area in the City of Aurora (USFWS, 2024; CPW, 2024). The piping plover (*Charadrius melodus*) and pallid sturgeon

(*Scaphirhynchus albus*) only need to be considered if the Project includes water-related activities and/or use in the North Platte, South Platte, and Laramie River Basins, which may affect listed species in Nebraska. The Project does not include water depletions in the North Platte, South Platte, and Laramie River Basins; therefore, these species will not be impacted and are not discussed further. The common name, scientific name, federal status, state status, preferred habitat, Project impact assessment, and determination of effect for the six remaining listed species with potential to occur in the Project area are summarized in Table 1 below.

Table 1 Federally and State Listed Species with Potential to Occur in the Denver Expansion Project Area in Aurora, Colorado					
Species	Federal Status	State Status	Preferred Habitat	Project Impact Assessment	Determination of Effect
Whooping crane (<i>Grus americana</i>)	E	E	Whooping cranes utilize shallow, freshwater ponds, tidal flat, herbaceous wetlands, marshes and wet prairies as they migrate from their breeding grounds in Wood Buffalo National Park in Alberta, Canada to their wintering grounds in Aransas National Wildlife refuge on the Texas coast. Whooping cranes primarily rely on wetland mosaics, as well as riverine habitats, shallow, seasonally and semi-permanently flooded palustrine wetlands for roosting and feeding.	There is no suitable stopover habitat within the Project area. Further, whooping cranes have not been documented in Colorado since 2010.	<i>No effect</i>
Burrowing owl (<i>Athene cunicularia</i>)	-	T	This species can be found in dry, open habitat with short grasses and few trees and commonly nests in underground burrows created by prairie dogs.	Suitable habitat is present in the Project area. Mitigation measures that will be implemented to minimize impacts on the species are discussed in Section 7 of the text following this table.	<i>Not likely to adversely impact.</i>
Preble's meadow jumping mouse (<i>Zapus hudsonius preblei</i>)	T	T	In summer, this species occurs in riparian areas with un-grazed, dense shrub and grass cover, and adjacent wet meadows. From autumn through spring, this species hibernates in underground burrows at the base of vegetation.	No suitable habitat exists in the Project area.	<i>No effect</i>

<p align="center">Table 1 Federally and State Listed Species with Potential to Occur in the Denver Expansion Project Area in Aurora, Colorado</p>					
Species	Federal Status	State Status	Preferred Habitat	Project Impact Assessment	Determination of Effect
Monarch butterfly (<i>Danaus plexippus</i>)	PT	-	This species requires diverse vegetation with abundant nectar sources and milkweed.	Potentially suitable habitat may be present in the Project area. However, construction activities will take place almost entirely within agricultural fields where year-round nectaring habitat may not be available for the species. While flowering species were observed during the survey, no milkweed species were observed.	<i>Not likely to adversely affect</i>
Ute Ladies'-tresses (<i>Spiranthes diluvialis</i>)	T	-	This species occurs in wet meadows and riparian edges along perennial streams.	No suitable habitat exists in the Project area.	<i>No effect</i>
Western prairie fringed orchid (<i>Platanthera praeclara</i>)	T	-	This species occurs in wet sedge meadows and tallgrass prairies.	No suitable habitat exists in the Project area.	<i>No effect</i>

As presented in Table 1, there is suitable habitat for the burrowing owl and potentially suitable habitat for the monarch butterfly. Consultation has been initiated with CPW and burrowing owl impact mitigation measures will be implemented to minimize impacts on the species during construction. As such, it has been determined that the Project is *not likely to adversely affect* the burrowing owl. Although there is potentially suitable habitat for the monarch butterfly, impacts to the species are likely to be avoided as almost the entirety of the Project will occur within agricultural fields. Construction activities will take place almost entirely within agricultural fields; therefore, it has been determined that the project is *not likely to adversely affect* the monarch butterfly. Suitable habitat for the remaining T&E species does not exist within the Project area; therefore, the Project will have *no effect* on the remaining species listed in Table 1.

7. Colorado Parks and Wildlife designated High Priority Habitat

Construction will be scheduled and executed to minimize impacts on sensitive wildlife species within the Project area to the maximum extent possible. In October of 2024, Magellan initiated consultation with CPW regarding impacts to sensitive wildlife species and HPH, and Magellan and CPW agreed to evaluate the HPH crossings within the Project area to determine the appropriate minimization measures at each crossing. Mapping exhibits identifying HPH crossed by the Project are presented in Appendix A.

Burrowing Owls

A total of 0.50 mile of the Project in the City of Aurora crosses within 0.25 mile of identified active burrowing owl nest sites. Magellan consulted with CPW regarding burrowing owls and potential measures that can be implemented to minimize impacts during construction. CPW recommends no encroachment within 660 feet of a nest site from March 15 to August 31. Magellan currently plans to begin construction in August 2025. If Project construction commences before August 31, Magellan will conduct surveys for burrowing owls prior to the mobilization of construction equipment, in accordance with CPW's Recommended Survey Protocols and Actions to Protect Nesting Burrowing Owls. If burrowing owls are observed in the Project area, Magellan will notify CPW to identify the appropriate measure to take to protect the species during construction (e.g., avoidance, visual barriers, and/or straw bales).

Mule Deer Migration Corridor

A total of 790 feet of the Project in Aurora crosses a mule deer migration corridor, which CPW has designated as HPH. In accordance with CPW's *Recommendations to Avoid and Minimize Impacts to Wildlife from Land Use Development in Colorado* guidance document (CPW, 2023), pipeline routes should be limited to less than one linear mile per square mile within mule deer migration corridor HPH. Therefore, the Project complies with this guidance.

8. MIGRATORY BIRDS

According to the USFWS IPaC system (Appendix B), there are three Birds of Conservation Concern (BCCs) with the potential to occur within or near the Project area in the City of Aurora that include the ferruginous hawk (*Buteo regalis*), grasshopper sparrow (*Ammodramus savannraum*), and the northern harrier (*Circus hudsonius*).

If vegetation removal occurs during the breeding season (April 1 to August 31), Magellan will conduct migratory bird nest surveys no later than two weeks before construction. If nests are located, Magellan will implement nest protection best management practices (BMPs) that include the appropriate species-specific work zone buffers around the nest.

9. NESTING RAPTORS

Based on a review of data obtained from CPW, there is the potential for nesting raptors (in addition to burrowing owls, discussed above) to occur in the Project area. CPW has established recommended seasonal and spatial buffers to minimize impacts on nesting raptors. The nesting seasons for these species

vary, as does CPW's recommended buffer around active nests to avoid impacts. Generally, nesting activities begin in mid-February and extend through spring and into the summer. Buffers established by CPW to minimize impacts on nesting raptors range from 0.25 mile to 0.50 mile, depending on the species. There were no raptor nests or raptors observed during the field survey efforts conducted for the Project within the City of Aurora.

If the start of construction occurs during the nesting season, Magellan will conduct surveys prior to the start of construction to identify active nests within 0.50 mile of the Project workspace. In the event an active nest is discovered at the time of construction, Magellan will notify CPW and identify appropriate measures to implement to minimize impacts.

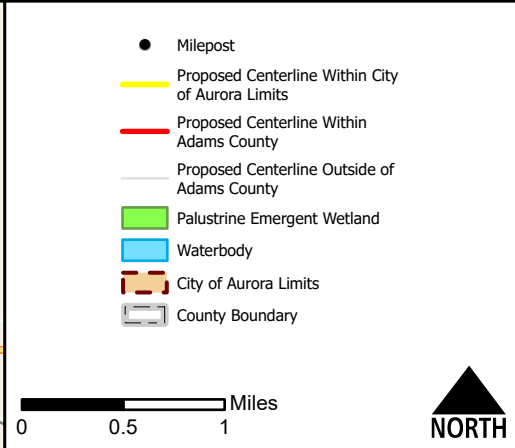
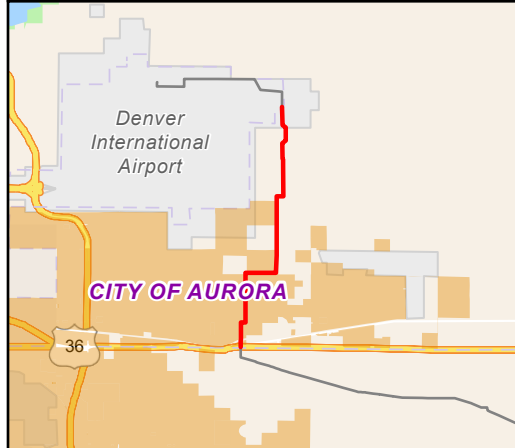
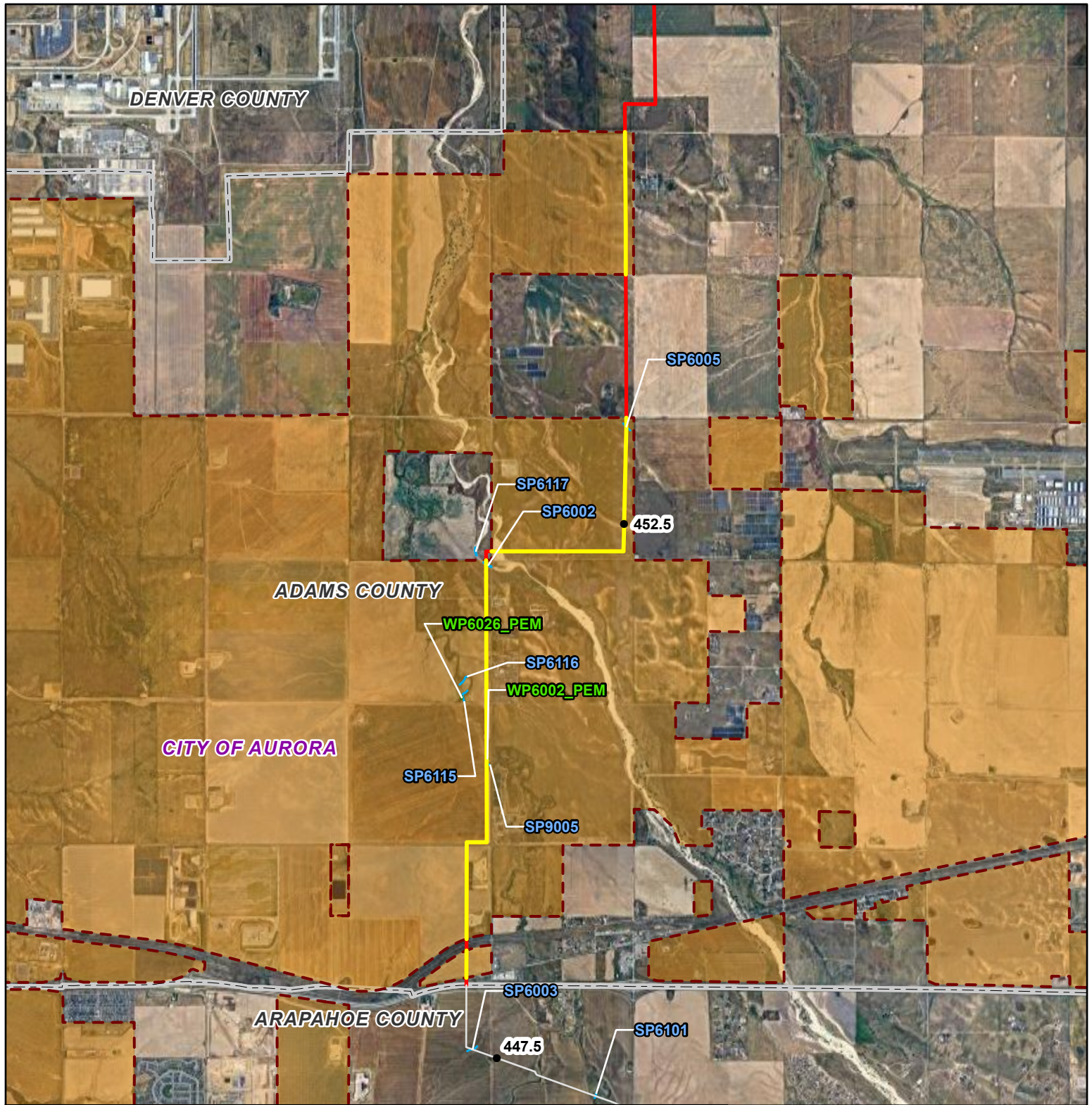
10. SUMMARY OF FINDINGS


Three ephemeral streams and one PEM wetland were delineated within the Project area in the City of Aurora. Impacts on the waterbodies and wetland are anticipated to be temporary and minor. According to FEMA, portions of the Project are located within a 100-year floodplain. Magellan will obtain a Floodplain Development Permit and abide by mitigation measures to minimize impacts on floodplains. Suitable habitat for the burrowing owl and potentially suitable habitat for the monarch butterfly were documented within the Project area. Consultation has been initiated with CPW regarding HPH and impact mitigation measures to be implemented during construction to minimize impacts on T&E species and HPH. Magellan will also follow timing restrictions to mitigate impacts to BCCs and nesting raptors. Potential adverse impacts on wildlife as a result of the Project are anticipated to be minimal due to the minimization and mitigation measures proposed throughout this plan.

11. LITERATURE CITED

- Colorado Parks and Wildlife. 2024. Threatened and Endangered List.
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APPENDIX A
PROJECT MAPPING





ONEOK

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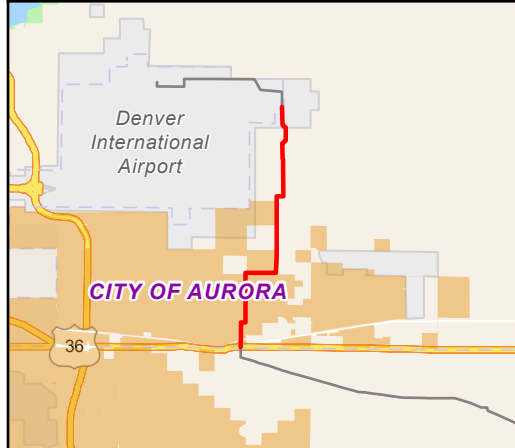
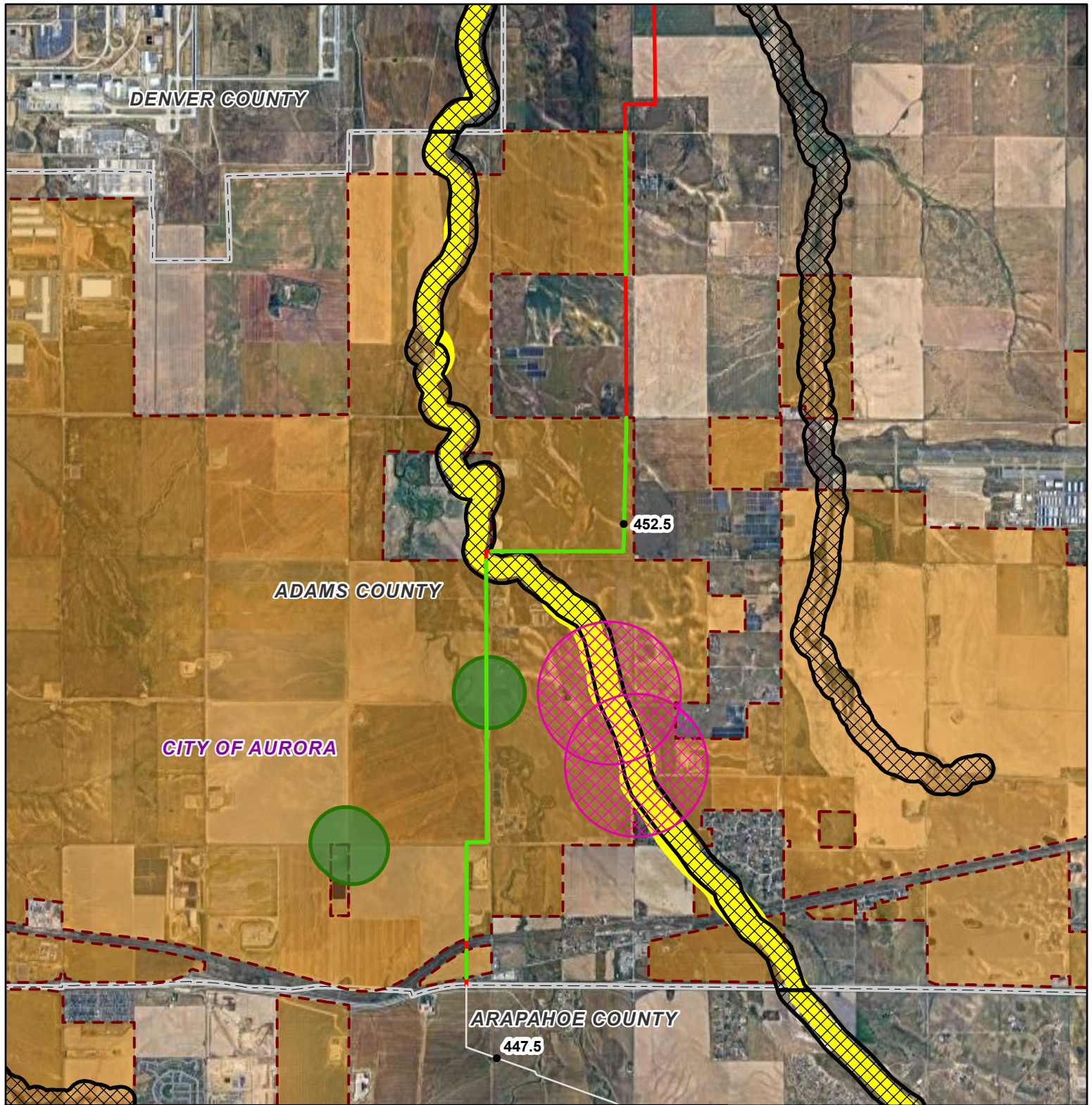
Wetland and Waterbody Map


Denver Expansion Project

Magellan Pipeline Company, L.P.

Adams County, Colorado

Page 1 of 1	Scale: 1:60,000
NAD83 BLM Zone 13N	Date: January 2025

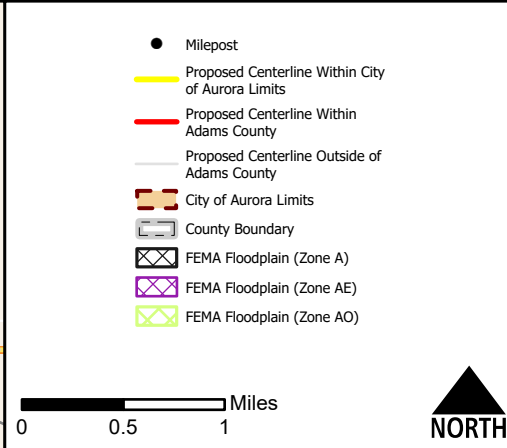
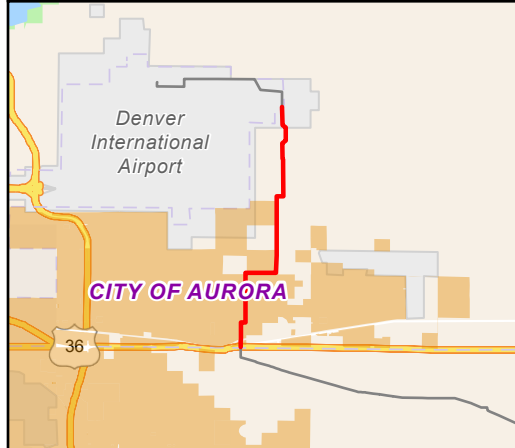
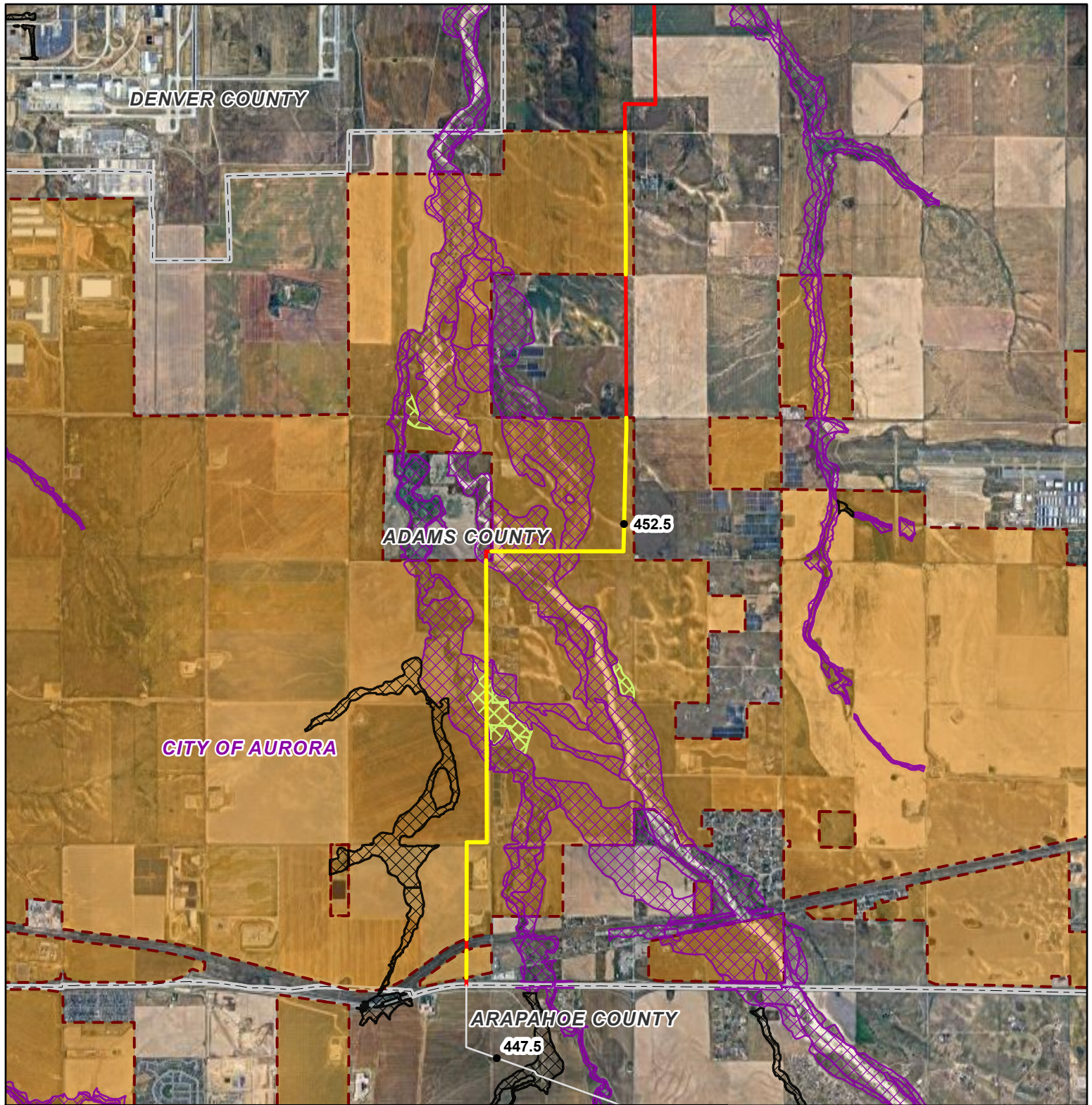





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CPW High Priority Habitat Map
Denver Expansion Project
Magellan Pipeline Company, L.P.
Adams County, Colorado

Page 1 of 1	Scale: 1:60,000
NAD83 BLM Zone 13N	Date: January 2025





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Floodplain Map
Denver Expansion Project
Magellan Pipeline Company, L.P.
Adams County, Colorado

Page 1 of 1	Scale: 1:60,000
NAD83 BLM Zone 13N	Date: January 2025

APPENDIX B
USFWS IPAC Official Species List



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Colorado Ecological Services Field Office
Denver Federal Center
P.O. Box 25486
Denver, CO 80225-0486
Phone: (303) 236-4773 Fax: (303) 236-4005



In Reply Refer To:

12/16/2024 19:23:26 UTC

Project Code: 2025-0032531

Project Name: Denver Expansion Project

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2))

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Colorado Ecological Services Field Office

Denver Federal Center

P.O. Box 25486

Denver, CO 80225-0486

(303) 236-4773

PROJECT SUMMARY

Project Code: 2025-0032531

Project Name: Denver Expansion Project

Project Type: Pipeline - Onshore - New Constr - Above Ground

Project Description: Magellan Pipeline Company (Magellan) proposes to construct the Denver Expansion Project (Project). The overall Project involves the construction of approximately 232.2 miles (mi) (761.6 kilometers [km]) of new buried pipeline beginning north of Scott City, Kansas and extending northwest through Wallace, Logan, Wichita, Scott counties, Kansas and Denver, Adams, Arapahoe, Elbert, Lincoln, Kit Carson, and Cheyenne counties, Colorado before terminating at the Denver International Airport.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@39.7845966,-104.6042302,2894915,14z>



Counties: Adams and Arapahoe counties, Colorado

ENDANGERED SPECIES ACT SPECIES

There is a total of 7 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
<p>Preble's Meadow Jumping Mouse <i>Zapus hudsonius preblei</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/4090</p> <p>General project design guidelines:</p> <p>https://ipac.ecosphere.fws.gov/project/DJBX5QFDBFBZFPSN7YD4VN3SXY/documents/generated/6861.pdf</p>	Threatened

BIRDS

NAME	STATUS
<p>Piping Plover <i>Charadrius melodus</i></p> <p>Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered.</p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> Project includes water-related activities and/or use in the N. Platte, S. Platte, and Laramie River Basins which may affect listed species in Nebraska. <p>Species profile: https://ecos.fws.gov/ecp/species/6039</p>	Threatened
<p>Whooping Crane <i>Grus americana</i></p> <p>Population: Wherever found, except where listed as an experimental population</p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/758</p>	Endangered

FISHES

NAME	STATUS
<p>Pallid Sturgeon <i>Scaphirhynchus albus</i></p> <p>No critical habitat has been designated for this species.</p> <p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> Project includes water-related activities and/or use in the N. Platte, S. Platte, and Laramie River Basins which may affect listed species in Nebraska. <p>Species profile: https://ecos.fws.gov/ecp/species/7162</p>	Endangered

INSECTS

NAME	STATUS
<p>Monarch Butterfly <i>Danaus plexippus</i></p> <p>There is proposed critical habitat for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/9743</p>	Proposed Threatened

FLOWERING PLANTS

NAME	STATUS
<p>Ute Ladies'-tresses <i>Spiranthes diluvialis</i></p> <p>No critical habitat has been designated for this species.</p>	Threatened

NAME	STATUS
Species profile: https://ecos.fws.gov/ecp/species/2159	
Western Prairie Fringed Orchid <i>Platanthera praeclara</i>	Threatened
No critical habitat has been designated for this species.	
Species profile: https://ecos.fws.gov/ecp/species/1669	

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Maggie Kuhn
Address: 13100 Northwest Fwy #150
City: Houston
State: TX
Zip: 77040
Email: mkuhn@perennialenv.com
Phone: 7134627121