AKA COYOTE POWER PROJECT
ENVIRONMENTAL ASSESSMENT

July 2026

Summary: Environmental Assessment of the Southern Ute Tribal Council's decision to approve or disapprove a business lease for the development of a natural gas power generation facility with up to 10 reciprocating internal combustion engine (RICE) generating units on Tribal trust lands. The facility would be developed within a 38.75 acre permitted area located in Section 17, Township 32 North, Range 11 West, New Mexico Principal Meridian within the exterior boundaries of the Southern Ute Indian Reservation in La Plata County, Colorado.

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Contents

Acronyms

AQD	Southern Ute Air Quality Division
BA	biological assessment
BIA	Bureau of Indian Affairs
BMP	best management practice
CFR	Code of Federal Regulations
CPD	Southern Ute Cultural Preservation Department
dB(A)	A-weighted decibel
DNR	Southern Ute Department of Natural Resources
DOE	Southern Ute Department of Energy
DWRM	Southern Ute Division of Wildlife Resources Management
EA	environmental assessment
ECMC	Colorado Energy and Carbon Management Commission
EPA	Environmental Protection Agency
IPaC	Information for Planning and Consultation website
kV	kilovolt
LPC	La Plata County
LPEA	La Plata Electric Association
MSL	mean feet above sea level
MW	megawatt
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NMPM	New Mexico Principal Meridian
NRMP	Southern Ute Indian Tribe Natural Resources Management Plan: Planning Period 2012-2032
NSR	New Source Review
PA	permitted area
ppb	parts per billion
RICE	reciprocating internal combustion engine
SECMG	Southern Ute Growth Fund Safety and Environmental Compliance Management Group
SIL	significant impact limit
SJC	San Juan County
SU	Southern Ute
SUIT	Southern Ute Indian Tribe
SUITC	Southern Ute Indian Tribal Code
SWPPP	stormwater pollution prevention plan

TCP	traditional cultural property
TERO	Tribal Employment Rights Ordinance
TERP	Tribal Environmental Review Policy
THPO	Tribal Historic Preservation Office
USC	United States Code
USDI	U.S. Department of the Interior
USFWS	U.S. Fish and Wildlife Service

1. Introduction

Aka Power LLC (Aka) has proposed to develop a natural gas power generation facility with up to 10 reciprocating internal combustion engine (RICE) generating units on Tribal trust lands. The proposed facility would be developed within a 38.75 acre permitted area adjacent to the Red Cedar Gathering Company (Red Cedar) Coyote Gulch Treating Plant and the La Plata Electric Association (LPEA) El Paso Substation on Southern Ute (SU) Route 111 in La Plata County, Colorado. The power generation facility requires a business lease from the Southern Ute Indian Tribe under Title 30 of the Southern Ute Indian Tribal Code and compliance with the Tribal Environmental Review Policy (TERP) under Title 31 of the Tribal Code.

This Environmental Assessment (EA) has been prepared pursuant to the TERP Code to disclose and analyze the environmental effects of the proposed business lease, determine if these effects could be significant, and identify any measures necessary to mitigate effects. In considering whether the effects of a proposed action are significant, the potentially affected environment and the degree of the effects of the action are analyzed. The degree of effects is influenced by short- and long-term effects, beneficial and adverse effects, effects on public health and safety, and effects that would violate laws protecting the environment. After the Southern Ute Indian Tribe, through the Southern Ute Department of Energy (DOE), reviews the analysis in this EA, it will either:

1. Issue a "Finding of No Significant Impact" and the Southern Ute Tribal Council can proceed with approving the business lease, or
2. Require an Environmental Impact Statement if the project has significant effects.

1.1 Purpose and Need for the Action

The purpose of the proposed action is to allow Aka to use existing resources to develop a power generation facility on Tribal trust lands for the benefit of Tribal members. The need for the proposed action is to provide additional power to existing transmission infrastructure and to responsibly develop the Tribe's resources for the benefit of the Tribe.

1.2 Decision to be Made

The Southern Ute Tribal Council's decision is whether to approve or disapprove the business lease for Aka to develop a natural gas power generation facility Tribal trust land.

1.3 Conformance with Statutes, Regulations, and Plans

The authority to grant and administer a business lease was delegated by the Secretary of the Interior to the Southern Ute Indian Tribe under the Helping Expedite and Advance Responsible Tribal Home Ownership Act of 2012 (HEARTH Act) (25 USC 415(h)). The Tribe's regulations for business leases are under Title 30 of the Southern Ute Indian Tribal Code. Before a business lease can be approved by the Tribal Council, compliance with the TERP Code shall be

demonstrated (SUITC 30-4-105). The Tribe's Department of Energy is the designated lead agency for the environmental compliance review [SUITC 31-3-101(5)].

As required under the Tribe's TERP Code, this EA has been prepared consistent with the requirements under the National Environmental Policy Act (NEPA), as amended. The U.S. Department of Interior's (USDI's) NEPA regulations (43 CFR 46); requirements in Departmental Manual 516, Chapter 10 (USDI 2020); and the Bureau of Indian Affair's (BIA's) NEPA Guidebook (BIA 2012) were also used to guide the preparation of this document.

The proposed project would be consistent with the Southern Ute Indian Tribe's Natural Resources Management Plan: Planning Period 2012 to 2032 (NRMP) and the plan's goal to "provide integrated management of renewable and non-renewable resources in an environmentally, culturally, and socially responsible manner to benefit current and future generations of the Southern Ute Tribal membership" (SUIT 2012).

2. Description of Alternatives, including Proposed Action

2.1 Alternative A – Proposed Action

The proposed action is the approval of a business lease for Aka to develop a new natural gas-fired electric generation facility on the western side of the Southern Ute Indian Reservation in La Plata County. The business lease would have a term of 25 years with the option to renew for up to two additional terms. The proposed facility would be developed on a 28.88-acre graded pad within a 38.75-acre permitted area adjacent to the Red Cedar Coyote Gulch Natural Gas Treating Plant and the LPEA El Paso Substation. The legal description is S/2 of Section 17, Township 32 North, Range 11 West, New Mexico Principal Meridian. The facility would be located adjacent to SU Route 111/La Plata County (LPC) Road 137. The project area can be accessed from the west via Highway 140, LPC 136, and LPC 137. Access from the east is through Highway 550, San Juan County (SJC) Road 2300 (in New Mexico), SJC 2310, Cox Canyon Road, Rancho Durango Road, and LPC 137. A vicinity map and project area map are provided in Appendix A. Appendix B contains a plat showing the permitted area and graded pad.

Initially, the project would utilize five Wärtsilä 18V46TS natural gas-fired RICE generating units. The project would be fueled by natural gas delivered from existing regional natural gas infrastructure. The facility would be designed to provide approximately 100 megawatts (MW) of net electric generating capacity and approximately 113 MW of gross generating capacity. Based on the proposed design, the facility would be capable of producing up to approximately 876,000 MW-hours of electricity annually. The facility would operate as a dispatchable generation resource capable of providing baseload electricity, reserve capacity, and other grid support services through LPEA.

The reciprocating engines would be located within an approximate 22,000 square foot warehouse building. The connected exhaust system with selective catalytic reduction would be outside the warehouse. An array of closed-loop, forced-air radiators would also be located outside of the warehouse to dissipate heat from the engine blocks and jacket water. Tanks for storing glycol, ammonia, and lube oil would be located within the warehouse. Ancillary facilities would include an approximate 9,000-square foot control building, an approximate 500-square foot fire pump house, an approximate 900-square foot water treatment enclosure, a 175,000-gallon raw water/fire tank, a 20,000-gallon treated water tank, a 20,000-gallon potable water tank, and a natural gas equipment area. The control building would serve as the operational center for the facility and would house plant control and monitoring equipment and storage areas, as well as an employee support area with two restrooms. Domestic wastewater generated by facility personnel would be managed through an on-site septic system and associated leach field designed and constructed in accordance with applicable regulatory requirements. Natural gas equipment would include a meter, slug catcher, coalescing filter/separator, gas chromatograph, and pressure regulating station. Energy output would run through a generator step up unit, a 115 kilovolt (kV) circuit breaker, a 115 kV take off structure, and a switchyard. Aka anticipates expanding the

facility with five additional Wärtsilä 18V46TS RICE generating units within five years of the initial construction. The expansion would increase the facility output to approximately 200 MW. A conceptual site diagram in Appendix B shows the initial proposed development along with the future expanded facility layout.

An office building and storage warehouse would also be constructed within the graded pad area. The office building would be approximately 5,000 square feet and would contain a kitchen and restrooms. Wastewater from the office building would go through the proposed on-site wastewater system. The warehouse would be approximately 5,000 square feet and would house equipment, materials, and supplies for the facility. A security fence would be constructed around the 28.88-acre graded pad area. The fence would be a 6-foot chain link fence topped with angled barb wire. Vehicle parking would be located within the security fence.

Fresh water would be trucked to the facility, as needed, from a permitted source outside the project area. Water would primarily be used for cooling the reciprocating engines with a closed-loop cooling system. Other uses would include potable water, sanitary systems, and plant cleaning. The annual water demand for the facility would be approximately 50,400 gallons (0.15 acre-feet).

Operational activities would include electricity generation, fuel management, equipment maintenance, emissions monitoring, and other tasks necessary to maintain safe and reliable plant operations. The facility would operate 24 hours per day and would have between one and six employees on location, depending on the time of day and operational needs.

2.1.1 Construction

Project construction would include the clearing and grading of a 28.88-acre pad within the 38.75-acre permitted area. Any piñon pine or juniper 4 inches in diameter or greater would be hauled to the Southern Ute Forestry Division fuels yard. The project area is expected to yield approximately 2 to 3 cords of firewood. Level pad construction would require a cut of approximately 167,779 cubic yards of soil and a fill of approximately 150,480 cubic yards of soil. Approximately 17,299 cubic yards of topsoil would be stockpiled. There would be no net export of soil. The boundaries of the permitted area outside of the graded pad would be used for topsoil storage, cut and fill slopes, and stormwater best management practices (BMPs). All cut and fill slopes would be no steeper than 3:1 and graded to blend with adjacent undisturbed terrain. A Stormwater Pollution Prevention Plan (SWPPP) would be developed for this project that outlines specific BMPs to aid in stormwater control and prevent erosion during construction and subsequent operation.

Following construction, the disturbed areas outside of the graded pad would be reclaimed. Table 1 below shows the acres of disturbance associated with project construction and long-term operations. Construction activities are expected to take up to 24 months due to the timing of equipment deliveries and assembly time. Current project planning anticipates construction during

2028 and 2029 with commercial operation anticipated during the third quarter of 2029. Figure 2 in Appendix A shows the permitted area and graded pad.

Table 1. Disturbance totals for the Coyote Power Project.

Area of Disturbance	Acres
Graded Pad (long-term disturbance)	28.88
Reclaimed Area (short-term disturbance)	9.87
Permitted Area (total disturbance)	38.75

2.1.2 Reclamation

Reclamation activities would include recontouring; disking to reduce compaction, as needed; re-distributing topsoil; and seeding. The seed mixture to be used for reclamation would be specified in the site specific SWPPP. A certified weed free mulch would be used as temporary stabilization and to promote successful re-vegetation. Mulch typically consists of crimped straw, with the use of a tackifier, as necessary. Reclamation would be monitored in conjunction with the site-specific SWPPP. Noxious weeds within the permitted area would be controlled for the life of the project. All site-specific stipulations from the Tribe's Range Division on-site report will be implemented as well. The on-site report is attached in Appendix C.

2.2 Alternative B – No Action

Under the "no action" alternative, the Tribe would not approve the business lease and the project area would not be developed. This alternative would not provide additional power to existing transmission infrastructure or benefit Tribal members through the development of Tribal resources. The no action alternative does however, provide a baseline reference, enabling decision makers to compare the magnitude of environmental effects of the alternatives.

2.3 Alternatives Considered, but Eliminated from Further Analysis

An alternative location was considered before the current proposed project location was selected. The alternative was an undeveloped area adjacent to a vacant, unreclaimed pad approximately 2 miles east of the current project location. This location is situated closer to existing transmission infrastructure but would have required a greater amount of new disturbance. The proposed project area was the previous location of a biofuels facility and currently contains a range corral and stock pond. In addition, the proposed site was recently considered for a different power generation project and already had a plat, an on-site, and had been cleared for cultural resources. No other alternatives were considered or necessary to resolve resource conflicts.

3. Affected Environment and Environmental Consequences

Chapter 3 addresses the affected environment and environmental consequences of the proposed project. This chapter's purpose is to convey how each of the alternatives described in Chapter 2 may affect the natural and human environment. The "proposed action alternative" will incorporate the Tribe's site-specific mitigations identified in the on-site report (Appendix C) and the projected environmental consequences are based on the implementation of these mitigation measures.

To avoid redundancy, the "no action alternative" will not be compared throughout the analysis. The "no action alternative" would deny Aka's business lease and, therefore, the construction of the proposed power generation facility. The project area would not be developed and the affected environment would not change.

3.1 Scoping and Identification of Issues

Scoping is an initial means by which the lead agency identifies potential issues related to a proposed action. Scoping was initiated on March 9, 2023 through the Tribe's internal Proposed Project Notification process for the Coyote Clean Power project. The Tribe's review period ended on March 23, 2023. The issues raised during this process are listed below.

- Lands Division staff recommended that a new archaeological survey be completed for the project.
- Range Division staff noted that the project is located in an active grazing unit and a corral is located in the project area.
- Forestry Division staff reiterated the requirement for a permit before removing trees and the need to haul cut trees to the Forestry fuels yard.
- Water Resources staff indicated the project is in close proximity to a pond and Coyote Gulch and that noxious weeds would need to be controlled.

On December 19, 2023, Tribal representatives gathered for an "on-site" to review the proposed project in the field. Appendix C contains the general and site-specific stipulations identified during the on-site as provided by the Tribe's Range Division. These stipulations are also listed in Chapter 4. The project will comply with all the site-specific stipulations developed at the on-site. A pedestrian biological survey of the project area was conducted on July 9, 2026.

3.2 Effects Analysis

An EA must analyze and describe the affected area and degree of effects of the proposed action and alternatives on the quality of the human environment. Effects or impacts means changes to the human environment from the proposed action or alternatives that are reasonably foreseeable. Effects can be direct, which are caused by the action and occur at the same time and place, or indirect, which are caused by the action and are later in time or further removed in distance but are still reasonably foreseeable. Environmental effects can be ecological, aesthetic, historic,

cultural, economic, social, or health effects. For purposes of this EA, short-term effects occur during or after the activity or action and may continue for up to 5 years. Long-term effects occur beyond the first 5 years.

Table 2 shows the components of the human environment that were considered for direct and/or indirect environmental effects as a result of the proposed business lease. The components that have the potential to be affected by the proposed action are discussed further in this EA. Table 2 indicates if a component is considered further or why the component was eliminated from further discussion.

Table 2. Components of the human environment that may be affected by the proposed action.

Components of the Human Environment[1]	May be affected	Rationale
Land Resources		
Topography (landforms, drainage, gradients)	Yes	See Section 3.3 below
Soils (types, characteristics)	Yes	See Section 3.3 below
Geologic Setting, Mineral and Paleontological Resources	No	The proposed project would not develop or change the geologic resources in the project area. Paleontological resources were not detected by the cultural resource consultants during the on-site.
Water Resources		
Surface Water (quality, quantity, use, rights)	Yes	See Section 3.4 below
Groundwater (quality, quantity, use, rights)	No	The proposed project would not develop or affect groundwater resources in the project area.
Air		
Air quality/achievement, visibility	Yes	See Section 3.5 below
Living Resources		
Vegetation (terrestrial, riparian, threatened/endangered)	Yes	See Section 3.6 below
Wildlife (terrestrial, aquatic, threatened/endangered)	Yes	See Section 3.6 below
Cultural Resources		
Historic and Archeological Resources	Yes	See Section 3.7 below
Cultural, Sacred and Traditional Cultural Properties	No	No cultural, sacred, or traditional cultural properties have been identified in the project area.

Components of the Human Environment[1]	May be affected	Rationale
Socioeconomic Conditions		
Employment and Income	No	While the proposed development will employ one to six employees, this is not expected to have an impact on employment and income in the area.
Demographic Trends	No	The project area is located in a remote, undeveloped area. The development of a power generation facility is not expected to change demographic trends or lifestyle or cultural values on the Reservation.
Lifestyle and Cultural Values (rural, urban)	No	
Community Infrastructure (public services, utilities)	Yes	See Section 3.8 below
Resource Use		
Hunting, Fishing, Gathering	Yes	See Section 3.9 below
Timber Harvesting	No	While the lease area does contain pinyon-juniper woodlands that could be used by Tribal members for firewood gathering, the harvesting of timber does not occur in the area.
Agriculture (livestock, crops, prime and unique farmland)	Yes	See Section 3.9 below
Mineral Extraction	No	The proposed development does not include mineral extraction activities and no mineral extraction occurs in the project area.
Recreation	No	Although Tribal members may use the project area for recreational purposes, there are no known recreational uses in the area. Development of the proposed project is not expected to affect recreational uses in the area.
Transportation Networks	Yes	See Section 3.9 below
Other Values		
Noise and Light	Yes	See Section 3.10 below
Visual	Yes	See Section 3.10 below
Public Health and Safety	No	The lease area is located in a remote, undeveloped area. In addition, the facility will be located within a security fence that will exclude public access.

[1] This list was modified from the principal components of the human environment that must be considered in BIA NEPA documents (BIA 2012).

3.3 Land Resources

3.3.1 Affected Environment

Topography

The topography in the vicinity of the lease area contains mild rolling terrain between short mesa tops and erosional valleys. The permitted area encompasses 38.75 acres with elevations ranging from approximately 6,110 mean feet above sea level (MSL) to 6,160 MSL. The topography in the permitted area gently slopes toward the west with a few hills along the southern portion and a dam and stock pond in the northwest.

Soils

The primary soil type within the project area is Sili clay loam, 3 to 6 percent slopes. This series consists of deep, well drained soils that formed from alluvium derived from shale. Sili soils are typically found on valley bottoms and alluvial fans. The erosion hazard potential for disturbed soils is moderate and the erosion hazard potential is slight for undisturbed soils (NRCS 2026). A map showing the soils in the project area is included with the biological assessment (BA) in Appendix D.

A biofuels plant operated in the northwest quadrant of the proposed project area between 2009 and 2013. The plant was operated by Solix Biosystems Inc. and was biofuels pilot operation. The plant utilized natural gas and carbon dioxide (CO_2) from the adjacent Red Cedar Coyote Gulch Treating Plant and produced water from Red Willow Production Company to grow lipid-rich algae. The growth process included the use of salts to mix saline water necessary for algae growth at the plant. After the plant was decommissioned, the area was returned to rangeland. As a result of the presence of saline waters at the facility, elevated chlorides were identified in the soils. Three areas were identified for remedial activities. The remediation was approved by the BIA and the Southern Ute Environmental Programs Department in 2015.

3.3.2 Reasonably Foreseeable Effects

Topography

Development of the proposed project would involve changing the topography in the 38.75-acre permitted area to create a 28.88-acre level, graded pad. The level pad would require 20.8 feet of cut in the northwest corner of the project area and approximately 15 feet of fill in the northwest and southwest corners. The boundaries of the permitted area outside of the graded pad would be used for topsoil storage, cut and fill slopes, and stormwater BMPs. All cut and fill slopes would be no steeper than 3:1 and graded to blend with adjacent undisturbed terrain. While the changes in topography required to create a 28.88 acre pad would be noticeable, the effect is not expected to be significant due to limiting the grade of cut and fill slopes and blending the grade with surrounding terrain.

Soils

The project would require approximately 38.75 acres of soil disturbance. Following construction of the graded pad, approximately 9.87 acres would be reclaimed outside of the pad, leaving 28.88 acres of long-term disturbance. A portion of the area would be covered by buildings and equipment, but the remainder of the pad would be undeveloped.

During construction, a Construction Stormwater Discharge General Permit from the Environmental Protection Agency (EPA) would be required. Under the permit, a SWPPP would be developed that identifies BMPs for erosion control during construction operations. BMPs would also be implemented for long-term operations to control stormwater flows in and around the project area. Several BMP requirements were identified during the on-site and are detailed in the site-specific stipulations in Section 4 below and Appendix C. For example, an ephemeral drainage that runs across the northern portion of the project area will be redirected around the southern edge of the pad into Coyote Gulch and stormwater from the access road along the northern edge of the pad will be controlled and redirected.

Effects to soils as a result of the proposed development are expected to be moderate, but will be mitigated through the implementation of BMPs to control stormwater erosion and the reclamation of disturbed soils outside of the graded pad.

3.4 Surface Water

3.4.1 Affected Environment

The project area is located in an area with little surface water or precipitation. The average annual precipitation for the lease area is 14.20 inches (NCEI 2021). Coyote Gulch, an ephemeral drainage, runs east to west along the southern boundary of the project area (see Figure 2 in Appendix A). Coyote Gulch runs into the intermittent McDermott Arroyo approximately 2 miles west of the project area. McDermott Arroyo eventually flows into the La Plata River approximately 7.8 miles southwest of the confluence with Coyote Gulch, as the crow flies. As an ephemeral drainage, Coyote Gulch is not a Water of the U.S.

There are two ephemeral drainages that run across the northern portion of the project area. One originates from the northeast corner of the project area and the other originates from a culvert under SU Route 111 along the northern edge of the permitted area. The two drainages join before flowing into a dammed stock pond in the northwest quadrant of the project area. The stock pond is a decreed structure for livestock and wildlife use (CDSS 2026). The stock pond was dry at the time of the site visit on July 9, 2026.

3.4.2 Reasonably Foreseeable Effects

Construction of a 28.88-acre graded pad would require the redirection of surface water flows within the permitted area. The ephemeral drainage running from the northeast corner of the permitted area would be redirected around the southeast corner and into Coyote Gulch. The other

ephemeral drainage would be redirected along the permitted area boundary and around the northwest edge of the permitted area. The stock pond would be abandoned and the Range Division would construct a new pond in the general vicinity.

Construction activities would create exposed soils that could allow stormwater to carry sediment to the ephemeral drainages in the project area and eventually into McDermott Arroyo. Fluids spilled on the ground surface during construction or operational activities as well as materials or equipment exposed to precipitation also have the potential to contribute contaminants to stormwater that could carry those contaminants downstream.

A Construction Stormwater Discharge General Permit from the EPA would be required for the project during construction. A SWPPP would be prepared for the proposed construction and operation activities to identify BMPs and control measures to minimize erosion or sediment discharge outside of the project area and to protect Tribal water resources. BMPs would be inspected on a regular basis during construction. It is not expected that the facility would require a Spill, Prevention, Control, and Countermeasure (SPCC) Plan from the EPA, but a spill prevention and response plan would be prepared and implemented at the facility. Secondary containment would be required for any petroleum products, chemicals, or hazardous wastes stored at a facility.

Development of the proposed business lease would have effects on surface water resources in the project area. These effects would be limited to the project area through the implementation of BMPs to redirect and control stormwater erosion, the reclamation of disturbed soils outside of the graded pad, and the implementation of a spill prevention and response plan.

3.5 Air

3.5.1 Affected Environment

Overall, air quality within the Reservation meets all federal air quality standards, as measured by the Tribe's Environmental Programs Department Air Quality Division (AQD). The AQD measures four criteria pollutants through three monitoring stations around the Reservation. These criteria pollutants include ozone (O_3), nitrogen dioxide (NO_2), fine particulate matter (PM 2.5), and particulate matter (PM 10). Monitoring of the other two criteria pollutants, carbon monoxide (CO) and sulfur dioxide (SO_2), was discontinued in 2024 and 2023, respectively. AQD determined that past levels for these pollutants have been far below the EPA's National Ambient Air Quality Standards (NAAQS) and are not likely to increase due to any identified anthropogenic emissions sources. Ozone is the only pollutant close to reaching the NAAQS threshold. Ozone design values (fourth highest maximum averaged over a three-year period) were calculated for the three monitoring stations using 2024 data. The values were 67 parts per billion (ppb), 67 ppb, and 55 ppb. EPA's NAAQS threshold for ozone is 70 ppb. An unidentified instrument issue was suspected at the monitoring station with an ozone design value of 55 ppb. The values at the other two monitoring stations have shown a slow but steady increase since 2021 (SUIT 2025). According to the Colorado Department of Public Health and Environment

Air Quality Control Commission, increased development in southwest Colorado, including coal-fired power plants, oil and gas wells, and population growth, are contributing to air quality concerns. An overall haze can sometimes be seen in the skies, which impacts visibility (CDPHE 2025).

The Tribe's AQD has been delegated authority to administer several programs and standards under the Clean Air Act within the exterior boundaries of the Reservation. These include the Title V operating permitting program, minor New Source Review (NSR) permitting program, new source performance standards, and maximum achievable control technology standards. The EPA Region 8 retains the authority of the major NSR permitting program.

3.5.2 Reasonably Foreseeable Effects

Primary criteria pollutant emissions from natural gas fired reciprocating engines include nitrogen oxides (NO_x), carbon monoxide, and volatile organic compounds (VOC). These emissions could contribute to the formation of ozone. Carbon monoxide and volatile organic compounds primarily result from incomplete combustion (USEPA 2000). Nitrogen oxides are formed from the reaction of oxygen (O_2) with either atmospheric or fuel-bound nitrogen during the combustion process. The formation is exponentially related to combustion temperature in the engine cylinder. The proposed development would use selective catalytic reduction to control nitrogen oxide emissions in the engine exhaust. This system uses ammonia (NH_3) to convert nitrogen oxides to nitrogen (N_2) and water (H_2O). Methane emissions can also occur in small proportions as a result of incomplete combustion of the natural gas fuel, leaks in the fuel gas supply line, or during engine malfunctions (USEPA 2026).

Development of the proposed power generation facility would require air permits through the AQD. Anticipated emissions, as measured at the fenceline, would be modeled and compared to EPA-established significant impact limits (SILs). If any pollutants are expected to exceed the SILs, then additional modeling would be conducted to demonstrate that the project would not cause or contribute to an exceedance of the NAAQS. Otherwise, Aka would pursue a minor NSR permit for construction activities through the AQD. A Title V (Part 70) operating permit application would be submitted to AQD within 1 year of the facility commencing operation.

Construction activity and traffic are expected to cause increases in fugitive dust and particulate matter in the project area and immediate vicinity. Air quality may also be affected by exhaust emissions from engines used for transportation, construction, and other uses. Potential engine emissions include the criteria pollutants carbon monoxide, nitrogen dioxide, sulfur dioxide, and particulate matter, as well as carbon dioxide (CO_2), nitric oxide (NO), and hydrocarbons.

Aka would implement dust control methods during construction and long-term facility operations, as necessary. Dust control methods may include traffic speed limits, restricting construction during high wind days (>30 mph), the application of water to the construction site or roads during heavier traffic periods, and/or surfacing roads with an appropriate aggregate or soil binder.

Effects on air quality from soil disturbance and engine emissions would primarily be short-term during construction. Effects on air quality from development of the proposed power generation facility would be long-term, but are not expected to be significant since emissions would be controlled through the use of selective catalytic reduction and monitored under AQD permits.

3.6 Living Resources

3.6.1 Affected Environment

Vegetation

The dominant vegetation communities in the action area are Inter-Mountain Basins Big Sagebrush Shrubland and Colorado Plateau Piñon-Juniper Woodland (Lowry et al. 2005) A map showing the mapped land cover in the project area is included with the BA in Appendix D. Most of the project area contains arid grassland species with dispersed greasewood (*Sarcobatus vermiculatus*) and big sagebrush (*Artemisia tridentata*) shrubs. Piñon pine (*Pinus edulis*) and Utah juniper (*Juniperus osteosperma*) trees are scattered in the southwest quadrant of the project area. The northwest corner of the project area, downstream of the stock pond dam, contains a mature stand of big sagebrush. Common sunflowers (*Helianthus annuus*) cover the bottom of the stock pond. Patches of musk thistle (*Carduus nutans*) and Russian knapweed (*Acroptilon repens*) are located around the stock pond. Another patch of Russian knapweed was observed in the northeast corner of the project area.

The lease area has not been identified as potential habitat for any threatened or endangered plant species by the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website (USFWS 2026).

Culturally important plants are species that are reported by Tribal members to have been historically or currently used for food, medicine, crafts, or Tribal ceremonies (USDI 2002). Piñon pine is a culturally important plant that occurs in the project area.

Wildlife

The project area is located in the La Plata Management Unit, Unit 1, of the Tribe's NRMP (SUIT 2012). The project area contains a variety of wildlife habitat types, including piñon-juniper woodlands, sagebrush shrublands, and shrub steppe. There is a general lack of available water for wildlife in the vicinity of the project area. The stock pond within the permitted area is a potential water source for wildlife, although it does not contain water all year. The Southern Ute Division of Wildlife Resources Management (DWRM) has significant radio collar data indicating the area is used by mule deer (*Odocoileus hemionus*) and elk (*Cervus canadensis nelsoni*) year-round and is important habitat for these species. Signs of elk, mule deer, coyote (*Canis latrans*), and woodrats (*Neotoma* sp.) were observed within the permitted area during the biological survey on July 9, 2026.

There is also potential nesting habitat for a variety of migratory bird species and game birds within the project area. Golden eagles (*Aquila chrysaetos*) and other raptors may use the project area for foraging. Migratory birds are protected under the Migratory Bird Treaty Act of 1918 (16 USC 703-712) and golden eagles are protected under the 1940 Bald and Golden Eagle Protection Act (16 USC 668-668d).

A BA was prepared to evaluate the potential effects of the proposed project on threatened, endangered, and candidate species and designated critical habitat for those species as listed by the USFWS under the Endangered Species Act of 1973 (16 U.S.C. 1531-1544). The BA is included in Appendix D. According to the USFWS IPaC website, there are seven species with a threatened, endangered, proposed threatened, proposed endangered, or experimental population status that could be present within the lease area based on species range (USFWS 2026). None of these species were determined to have the potential to occur in the project area or be affected by the development of the business lease. A concurrence for the no effect determination was issued by the DWRM on July 27, 2026 and is included as an appendix to the BA.

3.6.2 Reasonably Foreseeable Effects

Vegetation

Development of the proposed business lease would result in the loss of 38.75 acres of vegetation and an increased potential for invasion by noxious weed species. The additional human traffic and equipment in the area during construction and operational activities could also increase the potential for the introduction of noxious weed species to the area. Vegetation removal would include pinon pine and Utah juniper trees. The project area was estimated to yield approximately 2 to 3 cords of firewood during the on-site in December 2023. A BIA timber cutting permit would be required for the removal of trees in the project area. Any piñon pine or juniper trees that are 4 inches in diameter or greater would be hauled to the Southern Ute Forestry Division fuels yard. Some downed trees and vegetation could be salvaged on site and used for final stabilization efforts. The remaining removed trees would be chipped and/or hauled off site for disposal.

The top 6 inches of topsoil from the entire project area would be stockpiled around the edges of the graded pad for future reclamation efforts. Approximately 9.87 acres would be reclaimed following construction activities. The project area would be monitored for reclamation success once reclamation activities are complete. Monitoring would continue until vegetation is well established and reclamation is successful. Successful reclamation would be defined as desirable vegetation occupying at least 70% cover of the reclaimed area relative to background vegetation, with noxious weeds occupying less than 5% of the vegetation. Aka would be responsible for controlling the presence of noxious weeds within the fenced pad area for the life of the power generation facility.

The culturally important plant, piñon pine, is common in the greater area and the removal of these trees for project construction is not expected to impact the local populations. No other

culturally important plants would be impacted by the proposed action. Effects on vegetation from the proposed project are not expected to be significant due to the proposed mitigation measures and reclamation efforts.

Wildlife

Effects on wildlife from the development of the proposed business lease include the long-term loss of 28.88 acres of habitat, reducing the effective habitat size for species like deer and elk. In addition, the stock pond in the project area would no longer be available for wildlife use in a dry area. The increased human presence and noise associated with traffic and equipment during construction and operational activities could disturb wildlife and cause habitat avoidance. An increase in traffic to the project area could also raise the potential for traffic and wildlife collisions. The vegetation removal and soil disturbance associated with site development could be a cause of mortality for smaller mammals, birds, and other wildlife.

Approximately 9.87 acres around the outside of the graded pad would be reclaimed following construction, helping to reduce the total habitat lost. The level pad would be fenced with a security fence that would keep big game out of the facility. Bird netting would be suspended and maintained over all open tanks and catchments. Open-vent exhaust stacks would be screened to prevent birds and bats from entering, and to discourage perching, roosting, and nesting.

The Southern Ute Range Division would construct a new stock pond in the general vicinity of the project to replace the stock pond that would be lost. Any vegetation clearing activities during construction that would occur between April 1st and August 31st would require pre-construction migratory bird surveys to ensure that migratory bird nests would not be disturbed. In addition, if active raptor nests are found on Tribal lands within the project vicinity at any time of year, DWRM staff would be consulted for appropriate conservation measures.

Due to the amount of habitat that will be lost, the length of time needed for construction, and the noise associated with construction activities and the power generation facility, effects to wildlife as a result of the proposed action are expected to be long-term and moderate.

3.7 Historic and Archeological Resources

3.7.1 Affected Environment

The Reservation has a relatively high density of prehistoric archeological sites and artifacts. In addition, many areas within the Reservation have historically been used for traditional cultural purposes and are important for the preservation of Tribal culture and customs (SUIT 2012). To protect and preserve archeologically and culturally significant resources, the Tribe requires archeological clearance for all ground-disturbing activities on the Reservation (SUIT 2012). In addition, the Tribe's Cultural Preservation Department (CPD)/Tribal Historic Preservation Office (THPO) is provided all draft EAs for review to assess potential impacts to traditional cultural properties (TCPs). This process also fulfills the consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (NHPA) (54 USC 300101 et seq.).

ERO Resources Corporation conducted a Class III cultural resource inventory of the project area in 2023 (ERO Project No. 21-244). The cultural resource report did not identify any significant features or TCPs within the area surveyed. A hearth feature was found in the permitted area, but was determined to not be historic. In accordance with the TERP code (SUITC 31-6-103), the Southern Ute Department of Natural Resources (DNR) and the CPD issued a joint concurrence with the findings of the report in May 2024. The THPO issued a TCP addendum in June 2024 that verified the absence of TCP and did not identify any site-specific stipulations for the protection of cultural resources. These letters are included in Appendix E.

3.7.2 Reasonably Foreseeable Effects

All construction and operational activities would be confined to the areas surveyed for cultural resources. If any human remains or cultural resources were discovered during construction, all activities would be stopped and the DOE and DNR would be notified. All contractors working in the project area would be informed that they are subject to prosecution for disturbing archaeological sites or looting artifacts. The proposed project is not expected to have any effects on cultural resources.

In addition, all development activities are subject to applicable Tribal and/or federal regulations, including the Tribe's Non-Disturbing Cultural Resource Inventory and Monitoring Permit Policy; the Southern Ute Indian Tribe Policy for the Protection of Burial Sites, Human Remains and Funerary Objects; the Archaeological Resources Protection Act; Native American Graves Protection and Repatriation Act; and the NHPA.

3.8 Community Infrastructure

3.8.1 Affected Environment

There are not any public utilities within the project area. The proposed facility would be located adjacent to the LPEA El Paso substation. This substation connects to a 115kV electric transmission line that runs north to south approximately 1.4 miles east of the project area (Xcel 2021). This transmission line runs between Hesperus, Colorado and New Mexico.

3.8.2 Reasonably Foreseeable Effects

The proposed power facility would ultimately connect and provide additional power through the LPEA 115 kV transmission line. The development would have a positive effect on community infrastructure by providing baseload electricity, reserve capacity, and other grid support services through LPEA.

3.9 Resource Use

3.9.1 Affected Environment

Hunting, Fishing, Gathering

Big game species like mule deer and elk can be found in the project area and vicinity year-round and the area is used for hunting by Tribal members. No fish habitat exists in the project area that would provide opportunities for fishing. The area could be used by Tribal members for gathering items such as firewood, piñon nuts, sagebrush, or other plants that grow in the project area. The existing oil and gas lease roads facilitate these activities.

Agriculture

The project area is within the Southern Ute Range Division Picnic Flats Range Unit. The Picnic Flats range unit contains 20,562 acres and is managed for livestock and wildlife (SUIT 2012). A stock pond for livestock and a corral are located within the permitted area boundary. The project area is actively leased for grazing.

The soils in the project area are classified as prime farmland when irrigated (NRCS 2026). There is no irrigation in the project area or vicinity and no existing infrastructure for irrigation.

Transportation Networks

The facility would be located adjacent to SU Route 111/ LPC Road 137. The project area can be accessed from the west via Highway 140, LPC 136, and LPC 137. Access from the east is through Highway 550, SJC Road 2300, SJC 2310, Cox Canyon Road, Rancho Durango Road, and LPC 137. There are also multiple oil and gas access roads within the project area vicinity. The county roads are maintained by the counties that they are located in. The BIA route is maintained by the BIA. The oil and gas access roads are maintained by oil and gas operators.

3.9.2 Reasonably Foreseeable Effects

Hunting, Fishing, Gathering

The general lease area is used by Tribal members for hunting and, potentially, gathering activities. Effects to wildlife and vegetation are discussed in Section 3.6.2 above. Increased activity and noise associated with the development of the proposed power facility has the potential to impact big game distribution and hunting activities for Tribal members.

The project area was estimated to yield approximately 2 to 3 cords of firewood. A BIA timber cutting permit would be required for the removal of trees in the project area. Any piñon pine or juniper trees that are 4 inches in diameter or greater would be hauled to the Southern Ute Forestry Division fuels yard. This effort will help facilitate firewood gathering activities for Tribal members.

Effects on fishing and gathering as a result of the proposed project would be minor. Effects on hunting in the vicinity of the project area have the potential to be moderate. Hunters are not

expected to use the immediate project area vicinity for hunting due to the presence of the new facility and the associated noise.

Agriculture

The project area is located within an active range unit. Approximately 28.88 acres of range land would be lost due to construction of the proposed facility in addition to the existing corral and stock pond. The corral will be relocated or replaced by Aka in close proximity to the project per the site-specific stipulations identified during the on-site. Aka is working with the Range Division to identify a suitable location and for site preparation. The Range Division will construct a new stock pond in the general vicinity of the project area to replace the lost pond. The fence around the facility will keep livestock out and will keep livestock from damaging equipment and protect livestock from harm. No significant effects to agricultural resources are anticipated due to the identified mitigation measures.

Transportation Networks

Future construction activities would necessitate an increase in traffic to the project area. Traffic would include heavy trucks transporting equipment and materials and would last approximately two years. Once the facility has been constructed, daily light truck traffic associated with one to six employees would occur along with material, chemical, and water deliveries at a reduced level.

Increased traffic on area roads may increase the risk of traffic accidents and increase the rate of road degradation, the frequency of maintenance, and the cost of maintenance. Nearby residents on local roads may experience large trucks and wide loads at increased rates. Depending on the expected level of traffic during construction and the proposed route of access to the site, Aka would implement a traffic control plan as necessary. Short-term effects on traffic networks could be moderate, but would reduce to low in the long-term.

3.10 Other Values

3.10.1 Affected Environment

Noise and Light

The lease area is mostly quiet and dark at night due to its remote location. Noise sources are primarily from oil and gas traffic activities, the adjacent Coyote Gulch Treating Plant, and wildlife. The Coyote Gulch Treating Plant does have exterior lighting at night. There are not any residential areas or highways visible from the lease area.

Visual

The general view in the project area is undisturbed, rolling terrain with dispersed oil and gas well pads and access roads. The exception is the Coyote Gulch Treating Plant, which includes several large buildings, tanks, and tall equipment stacks within a fenced area, and a transmission line

from the LPEA El Paso substation. The project area is not located within a prominent viewshed or visible from any residential areas or highways.

3.10.2 Reasonably Foreseeable Effects

Noise and Light

Noise levels in the project area would increase during construction activities due to equipment, traffic, and increased human presence. These increases would be short-term. Noise levels would also increase in the long term due to the operation of the power plant. The major noise sources on a reciprocating engine power plant include the engine hall, charge air inlets, exhaust systems and stacks, cooling radiators, and transformers. Structural and mechanical noise can also be caused by the vibration of various structural parts and components. These plants typically generate a significant amount of low-frequency noise, between 31 and 100 hertz, from the engine bodies and exhaust, as well as broadband and higher frequency sound levels from the radiators, charge air inlets, and transformers. The RICE units would be located within a warehouse constructed with insulated metal panels. The reciprocating engines are designed to operate within a building without a sound enclosure around the engine. This can create a sound environment often in excess of 110 dB(A) (A-weighted decibels) within the building. Workers would be required to wear hearing protection and limit how much time they spend in the engine hall while the units are operating (Weger et al. 2019).

The exhaust stacks, radiators, and transformers would be situated outside of the warehouse. In a model designed by Burns and McDonnell, a facility with 3 reciprocating engines in an engine hall and standard noise mitigation measures was shown to have a sound level of 70 dB(A) at 500 feet (Weger et al. 2019). There are not noise regulations that apply on Tribal trust lands. The DOE uses the Colorado Energy and Carbon Management Commission (ECMC) Rule 423 for noise as a guideline for acceptable noise levels from oil and gas operations. As a reference, the ECMC maximum permissible noise level in agricultural areas is 60 dB(A) during the day and 55 dB(A) during the night. The maximum level for light industrial areas is 70 dB(A) during the day and 65 dB(A) at night.

The facility would have exterior lights at night for security purposes. Light sources would be shielded and face downward so they don’t spotlight areas adjacent to the facility.

The project area is located in a remote area with little to no residential development. The primary land uses in the area are oil and gas development, cattle grazing, and wildlife habitat. The facility would also be located adjacent to the existing Red Cedar Coyote Gulch Treating Plant. The treating plant does have exterior lighting at night, but is not a notable source of noise. The greatest effects from increased noise levels would be to livestock and wildlife. While effects from increased lighting would be minimal, the effects from noise are expected to be moderate, particularly to wildlife, unless noise mitigation measures are implemented.

Visual

Development of the proposed business lease would change the visual landscape in the project area. Approximately 28.88 acres would be converted to a level pad and enclosed within a chain link fence. Several warehouses and auxiliary structures would be constructed within the fenced area. Warehouses and equipment would be painted with colors that blend with the surrounding landscape. Due to the remote location of the project area away from residences and popular thoroughfares, and the presence of existing industrial development adjacent to the proposed facility, visual impacts are not expected to be significant.

4. Mitigation and Monitoring

The site-specific mitigation measures developed for this project and identified in the Range Division on-site report, the biological assessment, and this environmental assessment are listed below. These measures were considered when determining the potential for effects associated with development of the proposed business lease.

Southern Ute Range Division On-site Report

1. A new stormwater ditch will be constructed on the east side of the permitted area to divert flow from an ephemeral drainage around the project area. The new stormwater ditch will begin north of PA 2 and continue south to the point of discharge between PA 3 and PA 4. Sufficient erosion and sedimentation control BMPs shall be utilized to protect the stormwater ditch.
2. The new stormwater ditch shall have velocity checks installed as necessary and appropriate armoring at the corner located at PA 3 and at the discharge point between PA 3 and PA 4.
3. A stormwater turnout is present on the adjacent lease road (Indian Route 111) between PA 9 and PA 10. It would be prudent to direct stormwater flow to the west, around the fill slope and install erosion control/velocity checks within the permitted area to reduce erosion and offsite sedimentation.
4. Install appropriately sized culverts under the facility access roads near PA 10 and PA 14. Culverts shall be properly covered to avoid damage by large truck traffic and inlets and outlets shall be properly armored.
5. A culvert is present on the adjacent lease road (Indian Route 111) at PA 13. The culvert is directly upgradient of a 2.9’ cut slope. It would be prudent to armor the discharge side of this culvert as well as the cut/fill transition between PA 12 and PA 13 where stormwater will discharge from the working surface of the facility.
6. Aka shall update the stormwater plan to show points of stormwater discharge from the working surface of the pad. Placement of the discharge points will be left up to the discretion of Aka. All stormwater discharge locations shall be properly armored to reduce off site sedimentation and erosion.
7. Updated stormwater plans related to active construction and interim reclamation must be submitted to the SUIT Department of Energy and DNR Range Division prior to construction of the well site.
8. To preserve the integrity of topsoil, stockpiles shall be constructed no higher than 3 feet, shall be adequately protected with BMPs, seeded, mulched, & stabilized once established.
9. For temporary topsoil stockpiles, a visual barrier of straw shall be applied below the topsoil pile in order to differentiate topsoil and native grade.

10. Musk thistle (*Carduus nutans*) and Russian knapweed (*Acroptilon repens*) infestations were observed to be developing near PA 11 adjacent to the inlet of the nearby stock pond. Weeds shall be controlled at this site for the life of the facility.
11. SUIT DNR Range Division maintains a stock pond within the project area. The pond will be lost due to construction. The Range Division will work on constructing a new pond in the general vicinity that does not conflict with the project.
12. Construction of project will result in the loss of a pipe corral, within the permitted area, currently used by tribal grazing permittees. The operator shall establish a corral exactly like the existing one in size, shape and materials on a site in close proximity to the project. This can be done by either disassembling, moving and reassembling the existing corral or simply constructing a new one of the same specifications. Aka representatives suggested relocating the corral to a reclaimed well pad immediately to the west of the project site. Aka will explore the possibility of using the site and how it will affect final reclamation. Should the site be usable, Aka will consult with the DNR Range Division on site preparation as it relates to orientation of the corral and gravel and access requirements. If the reclaimed well pad is not usable, Aka will work with the Range Division to identify a suitable location.
13. All cut and fill slopes will be no steeper than 3:1 and graded to blend with adjacent undisturbed terrain as best as possible.
14. If applicable, Aka shall develop a Spill Prevention, Control, and Countermeasure (SPCC) plan for this facility.

Coyote Power Project Biological Assessment

1. Aka will implement BMPs and control measures to minimize erosion or sediment discharge outside of the permitted area and to protect Tribal water resources. A SWPPP will be created for the project.
2. If construction activities are scheduled during the migratory bird breeding/nesting season (April 1 to August 31), nest surveys will be conducted within the project area by a qualified biologist. If active nest sites are found on Tribal lands, the Tribe's DWRM will be consulted for appropriate conservation measures.

Coyote Power Project Environmental Assessment

1. A SPCC plan will be prepared and implemented at the facility. Secondary containment will be required for any petroleum products, chemicals, or hazardous wastes stored at the facility.
2. Aka will implement dust control methods during construction and long-term facility operations, as necessary. Dust control methods may include traffic speed limits, restricting construction during high wind days (>30 mph), the application of water to the construction site or roads during heavier traffic periods, and/or surfacing roads with an appropriate aggregate or soil binder.

3. A BIA timber cutting permit will be required for the removal of trees in the project area.
4. Any piñon pine or juniper trees that are 4 inches in diameter or greater will be hauled to the Southern Ute Forestry Division fuels yard.
5. The top 6 inches of topsoil from the entire project area will be stockpiled around the edges of the graded pad for future reclamation efforts.
6. The project area will be monitored for reclamation success once reclamation activities are complete. Monitoring will continue until vegetation is well established and reclamation is successful. Successful reclamation will be defined as desirable vegetation occupying at least 70% cover of the reclaimed area relative to background vegetation, with noxious weeds occupying less than 5% of the vegetation.
7. Aka will be responsible for controlling the presence of noxious weeds within the fenced pad area for the life of the power generation facility.
8. Bird netting will be suspended and maintained over all open tanks and catchments.
9. Open-vent exhaust stacks will be screened to prevent birds and bats from entering, and to discourage perching, roosting, and nesting.
10. All construction and operational activities will be confined to the areas surveyed for cultural resources.
11. If any human remains or cultural resources are discovered during construction, all activities will be stopped and the DOE and DNR will be notified.
12. All contractors working in the project area will be informed that they are subject to prosecution for disturbing archaeological sites or looting artifacts.
13. Depending on the expected level of traffic during construction and the proposed route of access to the site, a traffic control plan will be implemented as necessary.
14. Exterior lighting will be shielded and face downward so it doesn't spotlight areas adjacent to the facility.
15. Warehouses and equipment will be painted with colors that blend with the surrounding landscape.

5. Consultation, Coordination, and Document Preparation

An interdisciplinary team of resource specialists from the Tribe were asked to review and comment on the draft version of this EA. All comments were addressed before the finalization of the EA.

The decision documents for this EA will be posted in the Southern Ute DOE office, located in Ignacio, Colorado, for 30 days. Any public comments received during this time will be considered.

Table 3 lists the agencies, organizations, and individuals consulted while preparing this EA document. Table 4 below lists all persons who contributed to the development of this EA.

Table 3. List of All Persons, Agencies, and Organizations Consulted

Name & Organization	Purpose & Authorities for Consultation or Coordination
Southern Ute Resource Specialists: • Wildlife Division • Range Division • Forestry Division • Agricultural Division • Water Resources Division • Lands Division • Environmental Programs Department	Reviewed and commented on the draft EA.
DOE	Reviewed and commented on the EA and provided guidance on DOE specific EA requirements.
Aran Johnson, Southern Ute Division of Wildlife Resources Management	Reviewed and commented on the EA, collected all comments from Southern Ute Resource Specialists
Southern Ute Cultural Preservation Department/THPO	NHPA Section 106 compliance

Table 4. List of Contributors

Name	Title	Area of Expertise/Discipline
Brenna Kampf	Senior Environmental Compliance Specialist, SECMG, Southern Ute Growth Fund	NEPA, Environmental Biology
Amanda Kuenzi	Senior Environmental Compliance Specialist, SECMG, Southern Ute Growth Fund	NEPA, Environmental Biology
Ember Michel	Environmental Health and Safety Regulatory Compliance Manager, SECMG, Southern Ute Growth Fund	NEPA

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Appendix A. Project Maps

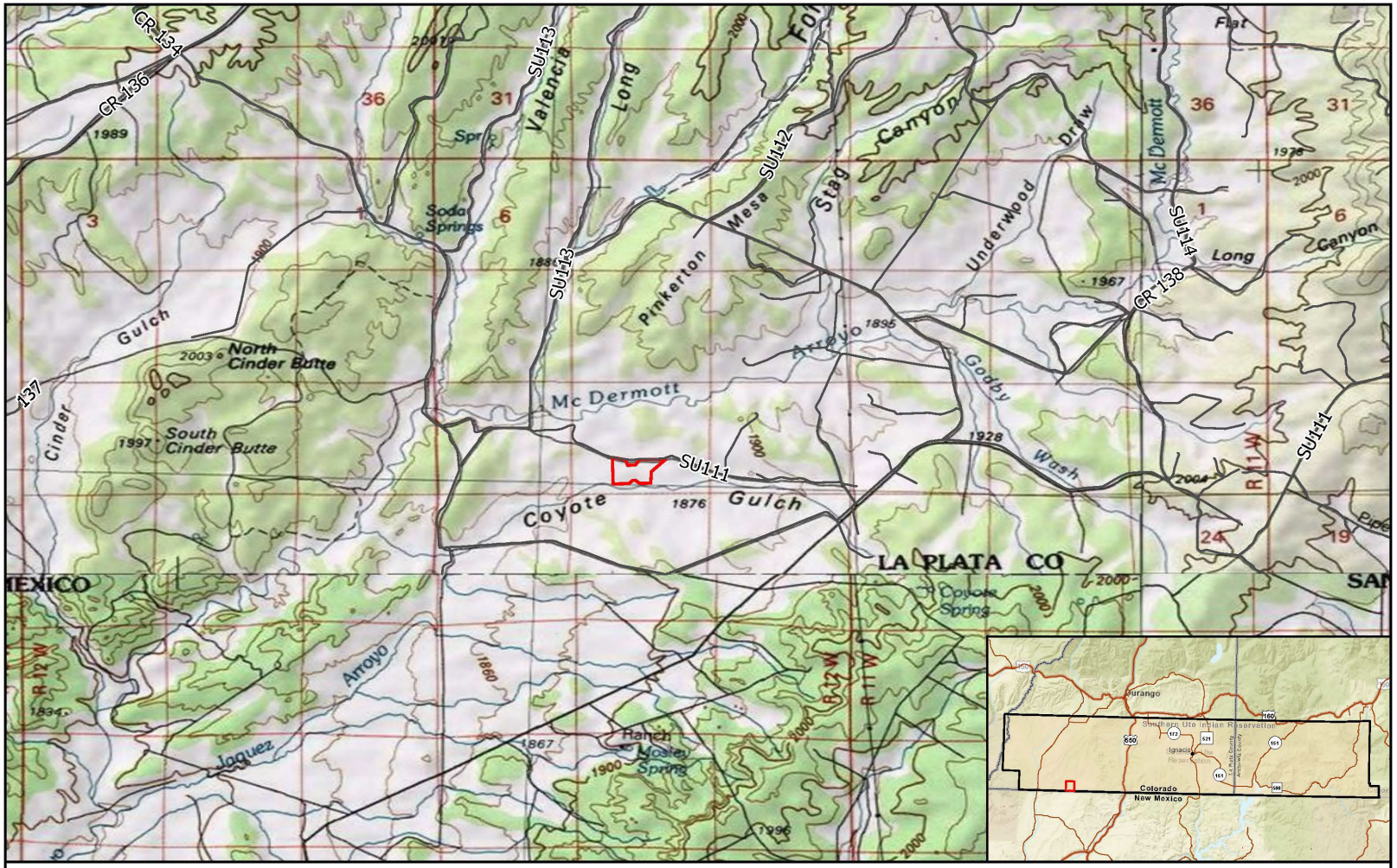
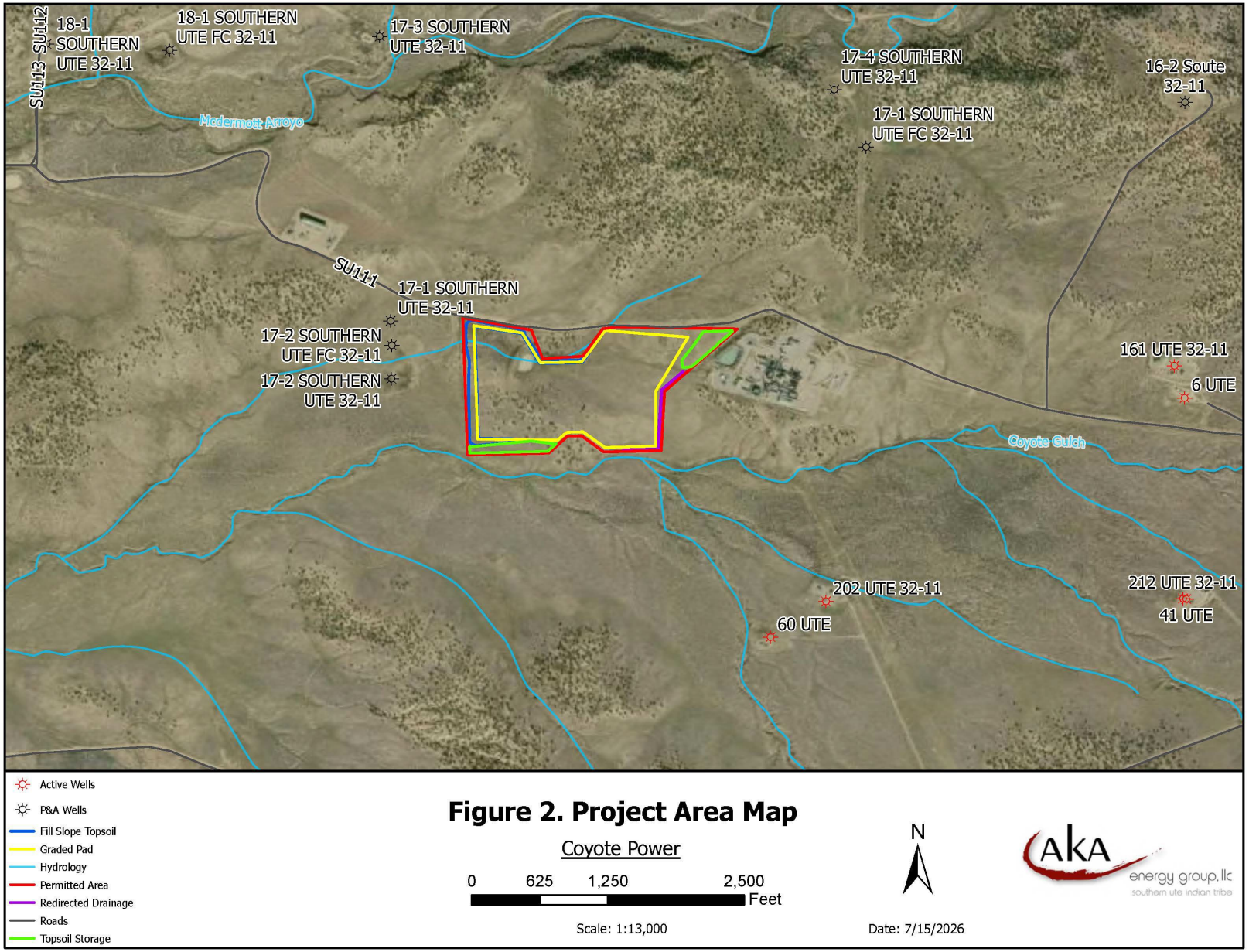


Figure 1. Vicinity Map

Coyote Power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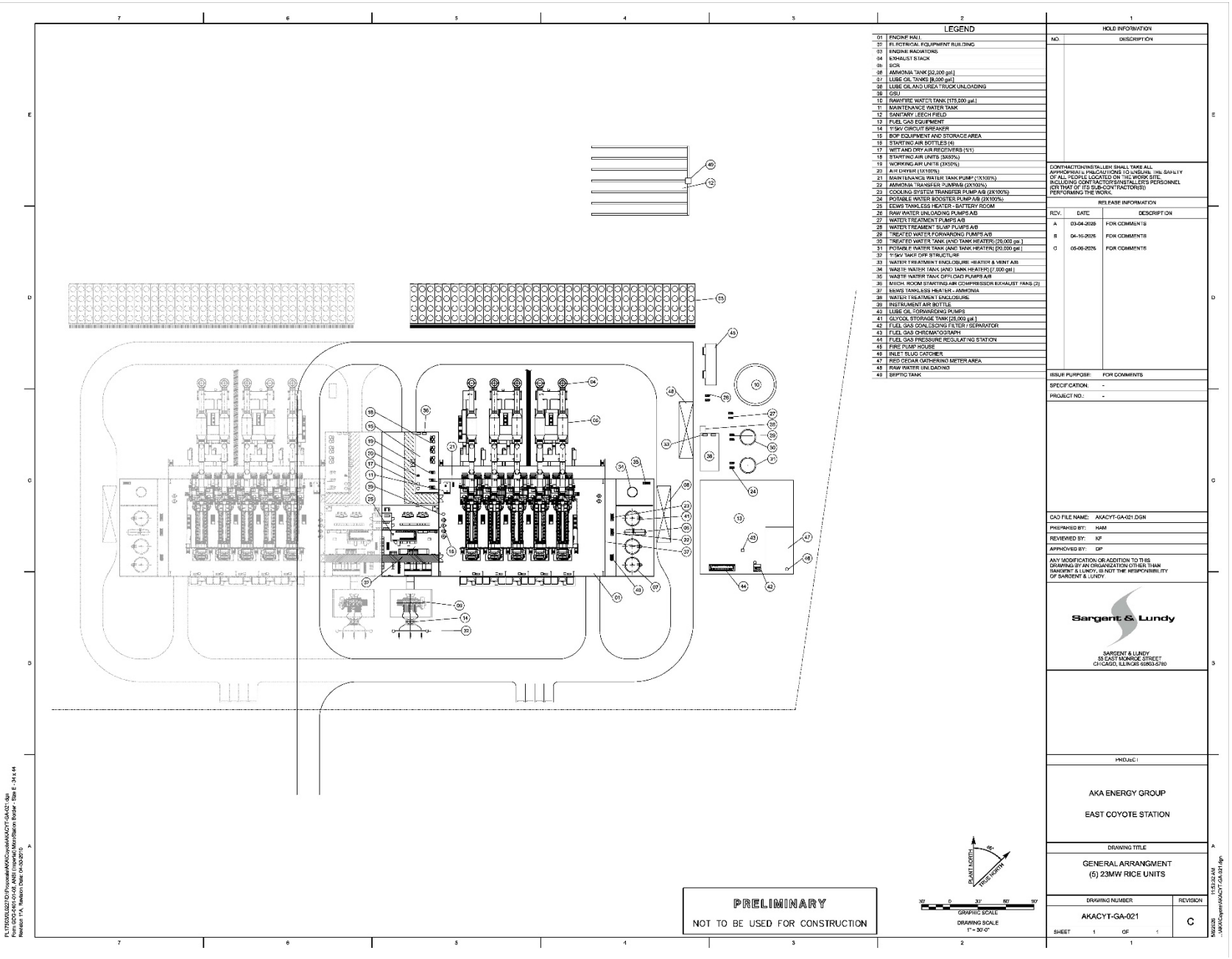
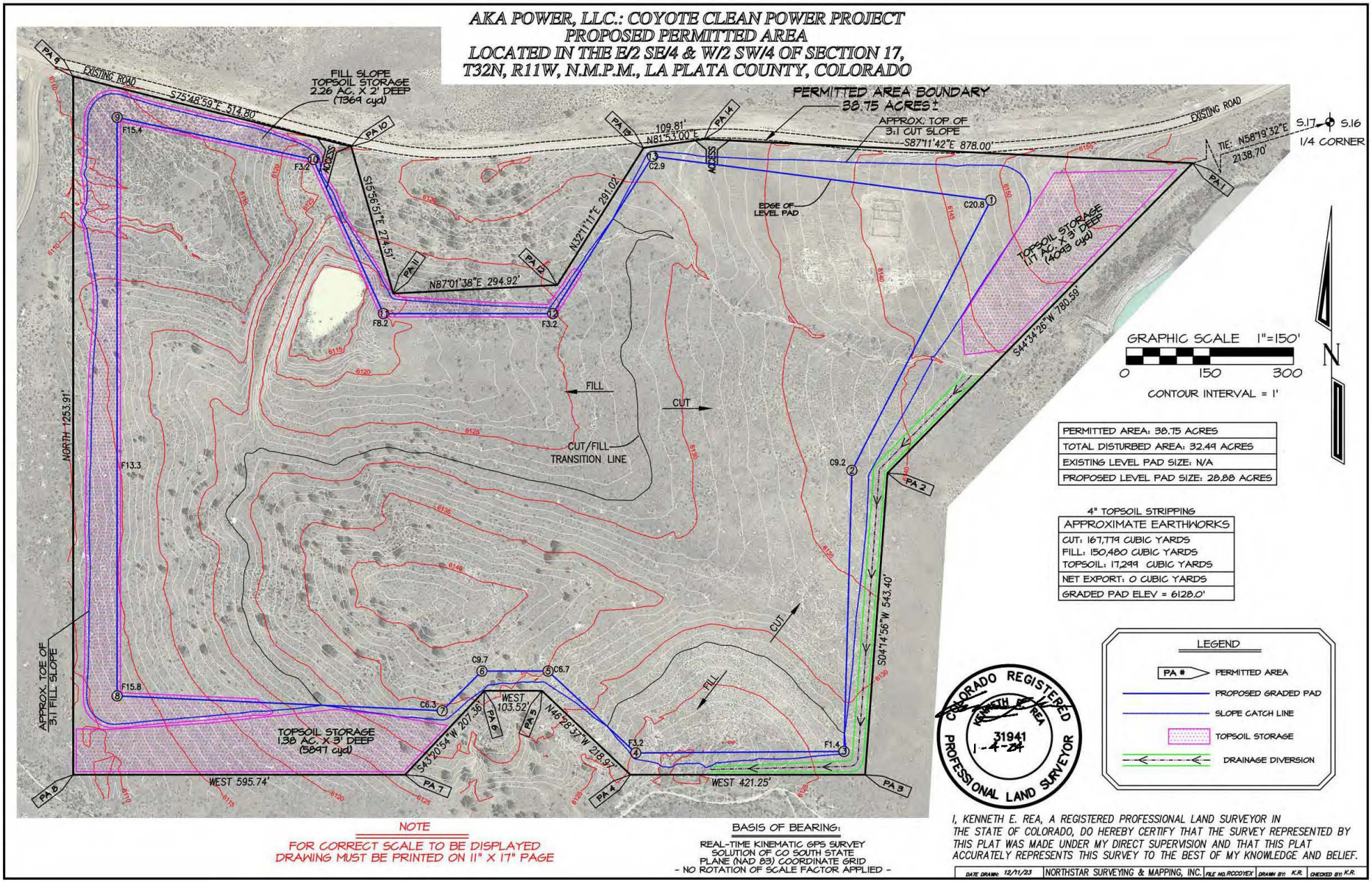
18-1 SOUTHERN UTE FC 32-11
17-3 SOUTHERN UTE 32-11
17-4 SOUTHERN UTE 32-11
16-2 Soute 32-11
17-1 SOUTHERN UTE FC 32-11
SU113
SU112
Mcdermott Arroyo
SU111
17-1 SOUTHERN UTE 32-11
17-2 SOUTHERN UTE FC 32-11
17-2 SOUTHERN UTE 32-11
161 UTE 32-11
6 UTE
Coyote Gulch
202 UTE 32-11
60 UTE
212 UTE 32-11
41 UTE
Active Wells
P&A Wells
Fill Slope Topsoil
Graded Pad
Hydrology
Permitted Area
Redirected Drainage
Roads
Topsoil Storage
Figure 2. Project Area Map
Coyote Power
0 625 1,250 2,500
Feet
Scale: 1:13,000
N
Date: 7/15/2026
AKA energy group, llc
southern ute indian tribe

Appendix B. Conceptual Site Diagram and Proposed Permitted Plat


LEGEND
01 ENGINE HALL
02 ELECTRICAL EQUIPMENT BUILDING
03 ENGINE RADIATORS
04 EXHAUST STACK
04a SCR
06 AMMONIA TANK [32,000 gal.]
07 LUBE OIL TANKS [8,000 gal.]
08 LUBE OIL AND UREA TRUCK UNLOADING
09 GSU
10 RAW/FIRE WATER TANK [175,000 gal.]
11 MAINTENANCE WATER TANK
12 SANITARY LEECH FIELD
13 FUEL GAS EQUIPMENT
14 115kV CIRCUIT BREAKER
15 BOP EQUIPMENT AND STORAGE AREA
16 STARTING AIR BOTTLES (4)
17 WET AND DRY AIR RECEIVERS (1/1)
18 STARTING AIR UNITS (3X50%)
19 WORKING AIR UNITS (3X50%)
20 AIR DRYER (1X100%)
21 MAINTENANCE WATER TANK PUMP (1X100%)
22 AMMONIA TRANSFER PUMPS/A/B (2X100%)
23 COOLING SYSTEM TRANSFER PUMP A/B (2X100%)
24 POTABLE WATER BOOSTER PUMP A/B (2X100%)
25 EEWS TANKLESS HEATER - BATTERY ROOM
26 RAW WATER UNLOADING PUMPS A/B
27 WATER TREATMENT PUMPS A/B
28 WATER TREAMENT SUMP PUMPS A/B
29 TREATED WATER FORWARDING PUMPS A/B
30 TREATED WATER TANK (AND TANK HEATER) [20,000 gal.]
31 POTABLE WATER TANK (AND TANK HEATER) [20,000 gal.]
32 115kV TAKE OFF STRUCTURE
33 WATER TREATMENT ENCLOSURE HEATER & VENT A/B
34 WASTE WATER TANK (AND TANK HEATER) [7,000 gal.]
35 WASTE WATER TANK OFFLOAD PUMPS A/B
36 MECH. ROOM STARTING AIR COMPRESSOR EXHAUST FANS (2)
37 EEWS TANKLESS HEATER - AMMONIA
38 WATER TREATMENT ENCLOSURE
39 INSTRUMENT AIR BOTTLE
40 LUBE OIL FORWARDING PUMPS
41 GLYCOL STORAGE TANK [25,000 gal.]
42 FUEL GAS COALESCING FILTER / SEPARATOR
43 FUEL GAS CHROMATOGRAPH
44 FUEL GAS PRESSURE REGULATING STATION
45 FIRE PUMP HOUSE
46 INLET SLUG CATCHER
47 RED CEDAR GATHERING METER AREA
48 RAW WATER UNLOADING
49 SEPTIC TANK
HOLD INFORMATION
NO. DESCRIPTION
CONTRACTOR/INSTALLER SHALL TAKE ALL APPROPRIATE PRECAUTIONS TO ENSURE THE SAFETY OF ALL PEOPLE LOCATED ON THE WORK SITE, INCLUDING CONTRACTOR'S/INSTALLER'S PERSONNEL (OR THAT OF ITS SUB-CONTRACTOR(S)) PERFORMING THE WORK.
RELEASE INFORMATION
REV. DATE DESCRIPTION
A 03-04-2026 FOR COMMENTS
B 04-16-2026 FOR COMMENTS
C 05-06-2026 FOR COMMENTS
ISSUE PURPOSE: FOR COMMENTS
SPECIFICATION: -
PROJECT NO.: -
CAD FILE NAME: AKACYT-GA-021.DGN
PREPARED BY: HAM
REVIEWED BY: KF
APPROVED BY: DP
ANY MODIFICATION OR ADDITION TO THIS DRAWING BY AN ORGANIZATION OTHER THAN SARGENT & LUNDY, IS NOT THE RESPONSIBILITY OF SARGENT & LUNDY.
Sargent & Lundy
SARGENT & LUNDY
55 EAST MONROE STREET
CHICAGO, ILLINOIS 60603-5780
PROJECT
AKA ENERGY GROUP
EAST COYOTE STATION
DRAWING TITLE
GENERAL ARRANGMENT
(5) 23MW RICE UNITS
DRAWING NUMBER
AKACYT-GA-021
REVISION
C
SHEET 1 OF 1
PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION
PLANT NORTH
TRUE NORTH
89°
GRAPHIC SCALE
30' 0 30' 60' 90'
DRAWING SCALE
1" = 30'-0"


AKA POWER, LLC.: COYOTE CLEAN POWER PROJECT
PROPOSED PERMITTED AREA
LOCATED IN THE E/2 SE/4 & W/2 SW/4 OF SECTION 17,
T32N, R11W, N.M.P.M., LA PLATA COUNTY, COLORADO
PERMITTED AREA BOUNDARY
38.75 ACRES±
EXISTING ROAD
S75°48'59"E 514.80'
FILL SLOPE
TOPSOIL STORAGE
2.26 AC. X 2' DEEP
(7369 cyd)
ACCESS
S15°56'51"E 274.51'
N87°01'38"E 294.92'
N32°11'11"E 291.02'
109.81'
N81°53'00"E
APPROX. TOP OF
3:1 CUT SLOPE
S87°11'42"E 878.00'
TIE: N58°19'32"E
2138.70'
S.17
S.16
1/4 CORNER
EDGE OF
LEVEL PAD
TOPSOIL STORAGE
1.17 AC. X 3' DEEP
(4049 cyd)
S44°34'26"W 780.59'
GRAPHIC SCALE 1"=150'
0 150 300
CONTOUR INTERVAL = 1'
N
FILL
CUT
CUT/FILL
TRANSITION LINE
NORTH 1253.91'
APPROX. TOE OF
3:1 FILL SLOPE
WEST 595.74'
WEST 421.25'
S04°14'56"W 543.40'
S43°20'54"W 207.36'
WEST
103.52'
N46°28'37"W 218.97'
TOPSOIL STORAGE
1.38 AC. X 3' DEEP
(5897 cyd)
PERMITTED AREA: 38.75 ACRES
TOTAL DISTURBED AREA: 32.49 ACRES
EXISTING LEVEL PAD SIZE: N/A
PROPOSED LEVEL PAD SIZE: 28.88 ACRES
4" TOPSOIL STRIPPING
APPROXIMATE EARTHWORKS
CUT: 167,779 CUBIC YARDS
FILL: 150,480 CUBIC YARDS
TOPSOIL: 17,299 CUBIC YARDS
NET EXPORT: 0 CUBIC YARDS
GRADED PAD ELEV = 6128.0'
LEGEND
PA # PERMITTED AREA
PROPOSED GRADED PAD
SLOPE CATCH LINE
TOPSOIL STORAGE
DRAINAGE DIVERSION
COLORADO REGISTERED
KENNETH E. REA
31941
1-4-24
PROFESSIONAL LAND SURVEYOR
NOTE
FOR CORRECT SCALE TO BE DISPLAYED
DRAWING MUST BE PRINTED ON 11" X 17" PAGE
BASIS OF BEARING:
REAL-TIME KINEMATIC GPS SURVEY
SOLUTION OF CO SOUTH STATE
PLANE (NAD 83) COORDINATE GRID
- NO ROTATION OF SCALE FACTOR APPLIED -
I, KENNETH E. REA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN
THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY
THIS PLAT WAS MADE UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT
ACCURATELY REPRESENTS THIS SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.
DATE DRAWN: 12/11/23
NORTHSTAR SURVEYING & MAPPING, INC.
FILE NO: RCCOYEX
DRAWN BY: K.R.
CHECKED BY: K.R.

AKA Power, LLC

Coyote Clean Power Project

E/2 SE/4 & W/2 SW/4, Section 17, T32N, R11W, N.M.P.M., LaPlata County, Co.

PERMITTED AREA LEGAL DESCRIPTION

Beginning at a point whence the East ¼ Corner of said Section 17, being a 2-1/2" dia. aluminum cap L.S. #20693, bears N58°19'32"E a distance of 2138.70 feet.

Thence S44°34'26"W a distance of 780.59 feet,

Thence S04°14'56"W a distance of 543.40 feet,

Thence N90°00'00"W a distance of 421.25 feet,

Thence N46°28'37"W a distance of 218.97 feet,

Thence N90°00'00"W a distance of 103.52 feet,

Thence S43°20'54"W a distance of 207.36 feet,

Thence N90°00'00"W a distance of 595.74 feet,

Thence N00°00'00"W a distance of 1253.91 feet,

Thence S75°48'59"E a distance of 514.80 feet,

Thence S15°56'51"E a distance of 274.51 feet,

Thence N87°01'38"E a distance of 294.92 feet,

Thence N32°11'11"E a distance of 291.02 feet,

Thence N81°53'00"E a distance of 109.81 feet,

Thence S87°11'42"E a distance of 878.00 feet, to the point of beginning.

Containing 38.75 acres more or less.

I, KENNETH E. REA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS DOCUMENT WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THIS DOCUMENT REPRESENTS THIS SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

KENNETH E. REA P.L.S. #31941

Appendix C. Southern Ute Range Division On-site Report

Appendix D. Biological Assessment

Appendix E. THPO Section 106 Concurrence Letter