

ENVIRONMENTAL ASSESSMENT FOR THE ARKANSAS LOOP CENTRAL TREATING STORAGE PROJECT



October 2026

Summary: Environmental Assessment of the Southern Ute Tribal Council's decision to approve or disapprove a business lease for the development of a storage area on Tribal trust lands. The facility would be developed within a 1.26 acres permitted area located in SE/4 SE/4 of Section 35, Township 33 North, Range 9 West, New Mexico Principal Meridian within the exterior boundaries of the Southern Ute Indian Reservation in La Plata County, Colorado.

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Acronyms

AQD	Southern Ute Indian Tribe Air Quality Division
BA	Biological Assessment
BIA	Bureau of Indian Affairs
BMP	Best Management Practice
CAA	Clean Air Act
CDP	Central Delivery Point
CPD	Southern Ute Indian Tribe Cultural Preservation Department
CFR	Code of Federal Regulations
CR	County Road
DNR	Southern Ute Indian Tribe Department of Natural Resources
DOE	Southern Ute Indian Tribe Department of Energy
DWRM	Southern Ute Indian Tribe Division of Wildlife Resources Management
EA	Environmental Assessment
ESA	Endangered Species Act
EPA	Environmental Protection Agency
FEIS	Final Environmental Impact Statement for Oil and Gas Development on the Southern Ute Indian Reservation
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
PM	Particulate Matter
ppb	Parts per billion
ROW	Right-of-way
SUIT	Southern Ute Indian Tribe
SUIR	Southern Ute Indian Reservation
SWPPP	Stormwater Pollution Prevention Plan
TCP	Traditional Cultural Property
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

Red Cedar Gathering Company (Red Cedar's) has applied for a business lease with the Southern Ute Indian Tribe (Tribe) in order to construct Arkansas Loop Central Treating Storage Project (storage area). The proposed facility would be developed within a 1.26-acre permitted area adjacent and connecting to the existing Arkansas Loop/Simpson Treating Facility, in order to create a long-term equipment storage area. With cut-and-fill slopes, the total pad area would be 0.88 acres, and the final level pad size would be 0.69 acres. No additional designated staging areas or temporary use areas are being contemplated at this time. A 44.4-foot access road would be constructed to connect the storage area to an existing lease road, within the permitted area. A chain link fence would be installed around the perimeter of the storage area, consistent with what is currently installed around the Arkansas Loop Facility. Cut-and-fill slopes would be reclaimed after construction. The project is located within the boundaries of the Southern Ute Indian Reservation (SUIR) in La Plata County. The legal description for the project area is SE/4 SE/4 of Section 35, Township 33 North, Range 9 West, New Mexico Principal Meridian (NMPM). See Appendix A for a project vicinity map, an overview map, and a project area map for reference.

The storage area 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. The Tribe's Department of Energy (DOE) is the designated lead agency for the environmental compliance review [SUITC 31-3-101(5)].

This EA has been prepared pursuant to the TERP Code to disclose and analyze the environmental effects of the proposed ROW and determine if these effects could be significant. In considering whether the effects of the 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 Tribe, through the DOE, reviews the analysis in this EA, it will either:

1. Issue a "Finding of No Significant Impact"(FONSI) and proceed with requesting the approval of the business lease through Tribal Council Resolution, or
2. Require an Environmental Impact Statement if the project has significant effects.

1.1 Purpose and Need for the Project

The purpose of the proposed project is to construct a long-term storage area for equipment to support oil and gas development. The storage area is necessary for the long-term storage of equipment in proximity to the existing Arkansas Loop/Simpson Treating Facility. The project would benefit Red Cedar, as well as the Tribe, which is the majority owner of Red Cedar.

1.2 Decision to be Made

Southern Ute Tribal Council's decision is whether to approve or disapprove a business lease for the construction of a storage area on 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 Affairs' (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

Red Cedar has applied for a business lease with the Tribe to construct the Arkansas Loop Central Treating Storage Project (storage area) on Tribal trust land. The proposed action would include constructing the new storage area adjacent to and connecting with the existing Arkansas Loop/Simpson Treating Facility boundary, in order to create a long-term equipment storage area. The storage area would be within a 1.26-acre permitted area. With cut-and-fill slopes, the total pad area would be 0.88 acre, and the final level pad size would be 0.69 acre. No additional designated staging areas or temporary use areas are being contemplated at this time. A 44.4-foot access road would be constructed to connect the storage area to an existing lease road, within the permitted area. A chain link fence would be installed around the perimeter of the storage area, consistent with what is currently installed around the Arkansas Loop Facility. Cut-and-fill slopes would be reclaimed after construction. The project is located in La Plata County, Colorado, approximately 9 miles southwest of the Town of Ignacio. The legal description for the project area is SE/4 SE/4 of Section 35, Township 33 North, Range 9 West, New Mexico Principal Meridian (NMPM). See Appendix A for a project vicinity map, an overview map, and a project area map for reference.

A start date for construction was not determined at the time of the writing of this EA. Construction disturbances within the permitted area would include vegetation clearing and the excavation of topsoil and subsoils as described below. Construction disturbances would be temporary, lasting approximately 3-6 months. All work would be restricted to the approved permitted area. Overall, construction of the project would be sequenced as follows:

- The construction area would be clearly marked and/or staked.
- The permitted area would be cleared of vegetation and roughly graded.
 - Vegetation material and topsoil removed during this initial stage of the project would be stockpiled for later use during reclamation.
 - Any piñon pine, juniper, or oak trees 4 inches in diameter or greater would be hauled to the Southern Ute Forestry Division fuels yard. All other woody material will be chipped and integrated into and salvaged during topsoil removal activities.
 - The top 4 inches of topsoil, if available, would be stockpiled along the perimeter to be used during reclamation (see Plats in Appendix A). Refer to the stormwater plan for reclamation details.
 - Topsoil would be stockpiled separately from subsoils along the perimeter of the project area.
- The level pad would be constructed.
- An access road would be constructed to connect the storage area to the lease existing road.

- A chain link fence would be installed around the perimeter of the storage area, consistent with what is currently installed around the Arkansas Loop Facility.
- Reclamation of the cut-and-fill slopes would follow the construction phase.

Worker vehicles and trucks hauling equipment and water would access the location periodically throughout the construction period. After construction, occasional truck traffic would visit the site for storing and retrieving equipment. Municipally sourced fresh water would be used during the construction for dust suppression. The primary source of fresh water would either be the Southern Ute Utilities Division water sales dock located approximately 1.5 miles south of Ignacio, Colorado near the intersection of CO-172 and CR-318 or from another water vendor.

Project construction is expected to be completed within 3-6 months, including reclamation. Reasonably foreseeable actions for the proposed action include storing and retrieving equipment. There is no plan for decommissioning the storage area.

2.2 Alternative B – No Action

Under the “no action” alternative, the Southern Ute Tribal Council would deny Red Cedar’s business lease application for the proposed storage area. The storage area would not be constructed and limitations for long-term storage of equipment would continue. This may hinder Red Cedar’s ability to develop surrounding natural gas assets. This alternative would not fulfill the goal of the Tribe to pursue responsible energy development for the benefit of Tribal members. The “no action” alternative does, however, provide a baseline reference, enabling decision makers to compare the magnitude of environmental effects between the alternatives.

2.3 Alternatives Considered, but Eliminated from Further Analysis

The proposed location was chosen to minimize impacts to the project area by locating the storage area adjacent to an existing lease road and previously disturbed terrain associated with the existing Arkansas Loop facility. No other alternatives were considered that would meet the proposed action's purpose and need.

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.

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 for the project was initiated on May 20, 2026, through the Tribe's internal Proposed Project Notification process. The Tribe's environmental review period ended on June 2, 2026. During the initial scoping process, the following issues were raised:

- A new cultural survey of the project area was recommended by the Tribal Historic Preservation Office (THPO) since a portion of the area of potential effect had not been previously surveyed.
- The Range Division expressed concerns about tree removal within the temporary use areas (TUAs), but the TUAs were later eliminated from the project.

On July 28, 2026, Tribal representatives gathered for an "on-site" to review the proposed project in the field. Appendix B 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.

3.2 Effects Analysis

Environmental effects describe the effects on the human environment and they can be ecological, aesthetic, historic, cultural, economic, social, or health effects. Components of the human environment that were considered for environmental effects as a result of the proposed project are listed in Table 1. The components that are expected to be significantly affected by the proposed action or have been identified as issues during the scoping process and have not been sufficiently considered under previous analyses will be discussed further in this EA. If components are not present in the project area, they are not discussed further. The effects analysis and projected environmental consequences are based on the implementation of the design features described in the 2002 Final Environmental Impact Statement for Oil and Gas Development on the Southern Ute Indian Reservation (FEIS) and site-specific mitigation measures (see Chapter 4). Table 1 indicates if a component is considered further or why the component was eliminated from further discussion.

This EA considers the direct and indirect effects of the proposed action. Direct effects are caused by the action and occur at the same time and place. Indirect effects are caused by the action and are later in time or farther removed in distance but are still reasonably foreseeable. 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 1. Principle components of the human environment considered for analysis.

Components of the Human Environment¹	Considered in this EA?
Land Resources	
Topography (landforms, drainage, gradients)	No. The proposed project would be sited adjacent to an existing facility and an existing lease road. Impacts through alterations to topography, existing drainage patterns, or gradient are unlikely due to stormwater controls during construction and interim reclamation upon completion of construction.
Soils (types, characteristics)	No. The project area contains soils with slight erosion potential and no significant impacts to project area soils are expected since impacts will be mitigated through the implementation of a site-specific stormwater plan to help reduce impacts from erosion. Mitigation measures would include reclamation of any disturbed soils outside of the level pad and access road to restore vegetative cover and reduce long term erosion potential. The environmental consequences of oil and gas development on soils have been analyzed in the 2002 FEIS, pages 4-111 to 4-121.
Geologic Setting, Mineral and Paleontological Resources	No. The proposed project would not affect geologic resources, as it does not produce natural gas. It only provides storage for equipment to support natural gas development. There are no mines in the project area. Paleontological resources were not detected by the cultural resource consultants. Analysis of oil and gas impacts to geology and minerals is found in the 2002 FEIS, pages 4-102 to 4-111.
Water Resources	
Surface Water (quality, quantity, use, rights)	No. The proposed storage area does not cross any perennial or intermittent drainages. Stormwater controls would be implemented for construction and reclamation of the project area would occur upon completion of construction.
Groundwater (quality, quantity, use, rights)	No. Construction of the proposed project would not interact with groundwater resources. Analysis of oil and gas impacts to groundwater is found in the 2002 FEIS, pages 4-121 to 4-141.
Air	
Air quality/achievement, visibility	Yes. See Section 3.3 below.
Living Resources	
Wildlife (terrestrial, aquatic, threatened/endangered, ESA consultation)	Yes. See Section 3.4 below.
Vegetation (terrestrial, aquatic, riparian, threatened/endangered)	Yes. See Section 3.5 below.
Cultural Resources	
Historic and Archeological Resources	Yes, due to the potential for archaeological resources to be located in the vicinity of the project, although no historic or archaeological resources were identified during a cultural survey of the project area. See Section 3.6 below.

Cultural, Sacred and Traditional Cultural Properties	No. Cultural, sacred, or traditional uses have not been identified within the project area.
Socioeconomic Conditions	
Employment and Income	No. The proposed project is not expected to change socioeconomic conditions on the SUIR. Approval of the proposed project would benefit the local economy, Red Cedar, and the Tribe, therefore, Tribal members. Analysis of socioeconomic impacts of oil and gas development are found in the 2002 FEIS, pages 4-218 to 4-260.
Demographic Trends	
Lifestyle and Cultural Values (rural, urban)	
Community Infrastructure (public services, utilities)	
Resource Use	
Hunting, Fishing, Gathering	Yes. The general project area is known to be used by locals for hunting big game. Impacts to big game are discussed in Section 3.4 below. Impacts to plant species that may be gathered by Tribal members is discussed in Section 3.5. No fish habitat exists within the project area. The environmental consequences of oil and gas development on wildlife and fisheries have been analyzed in the 2002 FEIS, pages 4-38 to 4-81.
Timber Harvesting	No. The proposed project would require the removal of some trees within the project area. A forest product/firewood permit would be required from the Southern Ute Forestry Division for the removal of all viable firewood on Tribal trust land. In addition, all juniper, Gambel oak, and piñon pine greater than 4 inches in diameter would be hauled to the Forestry fuels yard. The environmental consequences of oil and gas development on land use and ownership, including forest resources, have been analyzed in the 2002 FEIS, pages 4-154 to 4-184.
Agriculture (livestock, crops, prime and unique farmland)	Yes. The project area is located within an active grazing unit. No agricultural leases or prime farmland are located in the vicinity of the project area. See Section 3.7 below.
Mineral Extraction	No. No surface mining operations occur within the project area. The purpose of the proposed project is to facilitate the extraction of natural gas from the Tribal mineral estate by supporting development with a long-term storage area for equipment. The production of oil and gas on the SUIR has been analyzed in the 2002 FEIS.
Recreation	No. While there are no designated recreation areas within the project area, Tribal lands may be used for dispersed recreational activity such as driving, wildlife viewing, and general use. The proposed project would result in a limited, localized disturbance and would not restrict access to surrounding areas. The environmental consequences of oil and gas development on land use and ownership, including recreation areas, have been analyzed in the 2002 FEIS, pages 4-154 to 4-184.
Transportation Networks	Yes. See Section 3.8 below.
Other Values	

Wilderness	No. There are no designated wilderness areas in or near the project area.
Noise and Light	No. The proposed action would not result in an increase in light pollution as all activities would occur during daylight hours. An increase in daytime noise is anticipated during construction, but will be short-term. The environmental consequences of oil and gas development on noise have been analyzed in the 2002 FEIS, pages 4-261 to 4-267.
Visual	No. The storage area would be constructed adjacent to an existing facility. The fence around the storage area would be consistent with the existing fenceline. In addition, the project is not located within a prominent viewshed or in the vicinity of residential development. The environmental consequences of oil and gas development on visual resources have been analyzed in the 2002 FEIS, pages 4-206 to 4-218.
Public Health and Safety	No. Red Cedar would implement standard industry practices to minimize effects on health and safety. The environmental consequences of oil and gas development on health and safety have been analyzed in the 2002 FEIS, pages 4-267 to 4-272.

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 Air Quality

3.3.1 Affected Environment

Air quality within the Reservation meets all federal air quality standards, as measured by the Southern Ute Air Quality Division's (AQD's) Ambient Monitoring Program (SUIT 2026) and the Colorado Air Quality Control Commission Report to the Public 2024-2025 (CDPHE 2025). The Tribe's AQD measures four criteria pollutants at three monitoring stations across the Reservation. Two monitoring stations, the Ute 1 and Ute 3, operate as State and Local Air Monitoring Stations (SLAMS), collecting regulatory grade nitrogen dioxide and ozone data for assessing compliance with the Environmental Protection Agency's (EPA's) National Ambient Air Quality Standards (NAAQS). The third station, the Lake Capote Mobile Monitoring Station, operates as a Special Purpose Monitor for collecting non-regulatory nitrogen dioxide and ozone data. The Ute 1 and Ute 3 stations also collect non-regulatory particulate matter (PM): PM 10 and PM 2.5 data. Of the pollutants measured by the Tribe, ozone is the only pollutant close to a NAAQS threshold. The current 2015 NAAQS threshold for ozone is 70 parts per billion (ppb), and compliance with the standard is determined by calculating a design value for each SLAMS station (the fourth highest 8-hour maximum ozone concentration for each year averaged across three consecutive years). The 2025 ozone design values for the Ute 1 and Ute 3 stations on the Reservation are 66 ppb and design values for the previous five years (2020 through 2024) ranged from 64 to 67 ppb — below the EPA's threshold of 70 ppb (SUIT 2026).

According to the Colorado Department of Public Health and Environment Air Quality Control Commission, primary sources of air pollution in southwestern Colorado include motor vehicles;

natural gas development, processing and transportation; two coal-fired power plants in New Mexico; and wildfires (CDPHE 2025). According to AQD's most recent 2023 Comprehensive Emissions Inventory, the oil and gas sector was the largest contributor of ozone precursor emissions (over 65% of emissions) in 2023 (SUIT 2023).

The Tribe has authority to regulate air quality within the exterior boundaries of the Reservation as a result of the Intergovernmental Agreement (IGA) between the Southern Ute Indian Tribe and the State of Colorado concerning air quality control on the Southern Ute Indian Reservation and Federal law (Act of October 18, 2004, Pub. L. No. 108-336, 118 Stat.1354). Currently, the Tribe has delegated authority from the EPA to administer and enforce the Tribal Minor New Source Review Program at 40 CFR Part 49, the Title V operating permit program at 40 CFR Part 70, the New Source Performance Standards at 40 CFR Part 60, and the National Emissions Standards for Hazardous Air Pollutants at 40 CFR Part 63. Due to the IGA, the State of Colorado does not regulate air quality within the exterior boundaries of the Reservation and State of Colorado Air Quality Regulations do not apply.

3.3.2 Environmental Effects

The proposed action may impact air quality by the creation of dust from soil disturbing activities and engine emissions. The project would result in approximately 0.88 acres of surface disturbance during the construction phase of the project. Fugitive dust from construction activities could increase the PM (both PM 10 and PM 2.5) in the vicinity of the project area. These effects would be moderate and short-term and would decrease after construction is complete, and the site has been stabilized. Fugitive dust may also have short-term impacts on visibility in the project area. Red Cedar would mitigate dust concerns by using water for dust suppression as needed during construction.

Air quality may also be affected by emissions from construction-related equipment (i.e., graders, bulldozers, excavators) and truck traffic (i.e., light and heavy-duty trucks). Potential engine emissions include the EPA regulated criteria pollutants of carbon monoxide, nitrogen dioxide, sulfur dioxide, and PM, as well as carbon dioxide, nitric oxide, and hydrocarbons. These emissions can also contribute to the formation of ozone and carbon dioxide is a greenhouse gas. Emissions associated with construction activities would be short-term and intermittent and are not expected to raise the level of any criteria pollutant beyond the NAAQS.

The overall direct and indirect effects of emissions on localized air quality as a result of the proposed action would be low. The environmental consequences of oil and gas development on air quality have been analyzed in greater detail in the 2002 FEIS, pages 4-6 to 4-22.

3.4 Wildlife

3.4.1 Affected Environment

The proposed project would be located in the Mesa Mountains Management Unit, Unit 3, of the NRMP (SUIT 2012). The project area is situated in the Mesa Mountains, which provide

important habitat for resident wildlife populations. This includes wildlife that range throughout the larger region, such as big game and raptors. However, the project area is located adjacent to an existing facility and existing road, and in proximity to additional natural gas development, such as roads and well pads (See Appendix A, Figure 3).

Raptors and Other Migratory Birds

Migratory birds are protected under the Migratory Bird Treaty Act (16 USC 703-712). Eagles are also protected under the Bald and Golden Eagle Protection Act (16 USC 668a-d). The project area supports extensive piñon-juniper woodlands with some scattered sagebrush shrublands and mixed mountain shrublands. Therefore, a number of non-game resident and migratory bird species may occur in the project area. The project area contains marginal nesting habitat for migratory bird species given the nearby roads and well pads.

No raptors were observed during the on-site visit on July 28, 2026. No raptor nests were observed in or near the project area. According to Colorado Parks and Wildlife and the Tribe's Division of Wildlife Resource Management, no historically active raptor nest sites have been identified within 0.5 mile of the project area (CPW 2026; SUIT 2012). Potential foraging habitat for golden eagles also occurs in the vicinity of the project area.

Big Game Species

Mule deer (*Odocoileus hemionus*) and elk (*Cervus canadensis nelsoni*) are known to occupy and utilize the project area and surrounding landscape year-round, as it provides residential and wintering habitat. They rely on a mosaic of habitats that provide forage, cover, and movement opportunities across all seasons, rather than discrete seasonal use.

3.4.2 Environmental Effects

Potential impacts to wildlife from natural gas development include habitat fragmentation, habitat loss, temporary displacement of animals, and the short-term introduction of hazards posed by construction activities, including increases in traffic, noise, fugitive dust, and emissions. The 2002 FEIS further describes general impacts to wildlife from oil and gas development on the Reservation on pages 4-38 to 4-102.

Raptors and Other Migratory Birds

The primary impact to raptors and migratory birds is expected to be short-term avoidance of the project area during construction due to increased human presence and activity the long-term loss of habitat. Based on the short duration of construction, the relatively small footprint of the project area, and the availability of high-quality foraging habitat outside of the project area, impacts on foraging birds would be negligible.

The proposed storage area would cause approximately 1.26 acres of habitat removal. If project activities are completed outside of the typical migratory bird breeding/nesting season, direct impacts as a result of habitat loss would be minimized. However, project activities occurring

from April 1 to August 31 (DWRM, personal communication 2026) have the potential to negatively impact nesting migratory birds that inhabit piñon-juniper woodland, sagebrush shrubland, and mixed mountain shrubland habitats. If construction activities are scheduled during the breeding/nesting season, nest surveys would be conducted within the project area by a qualified biologist. In addition, the area surrounding the project area within a 0.5-mile radius would be surveyed for raptor nests. If active nest sites are found on Tribal lands at any time of year, DWRM staff would be consulted for appropriate conservation measures. Additionally, the site-specific stipulations in the Southern Ute Indian Tribe (SUIT) Range Report state that: open ended exhaust and pressure safety valve vent piping greater than 1.5 inches in diameter shall be fitted with avian covering or caps. Avian covering or caps shall also be installed on open-topped drip catchments for day tanks, etc. Avian covering shall not have holes larger than 1.5 inches. (See Appendix B).

Big Game Species

During construction of the storage area, there would be a localized increase in disturbance levels due to construction activity, human intrusion, and additional traffic. This increase in disturbance could displace elk and deer from the area. As explained in the 2002 FEIS on pages 4-40 to 4-41, physiological responses to disturbance can include elevated heart and respiration rates, increased disease frequency, reduced reproduction rates and smaller body size. Elk are generally more sensitive to disturbance than mule deer and may have a more notable aversion to the project area during the construction period.

Direct impacts to big game species could include temporary displacement during construction, as well as the loss of approximately 1.26 acres of potential grazing habitat. However, this represents a small proportion of available habitat in the surrounding landscape and is not expected to measurably affect local or regional populations. Reclamation and revegetation of disturbed areas will restore vegetative cover over time and may improve forage conditions relative to pre-disturbance conditions.

Indirect impacts could include the introduction or spread of noxious weeds, potentially reducing forage quality. Red Cedar's implementation of vegetation management BMPs, including re-seeding disturbed areas and managing noxious weeds, would help to minimize these effects. While the project will contribute incrementally to cumulative disturbance in the region, the limited footprint, continued habitat availability, and application of standard mitigation measures are expected to reduce the intensity and extent of these effects. As a result, impacts to elk and mule deer are anticipated to be localized, moderate in the short term, and not significant at the population level.

3.5 Vegetation

3.5.1 Affected Environment

Vegetation within the project area is predominantly classified as Inter-Mountain Basins Big Sagebrush Shrubland and Rocky Mountain Gambel Oak-Mixed Montane Shrubland (Lowry 2005). Vegetation within the project area is dominated by mature stands of big sagebrush (*Artemisia tridentata*) and Gambel oak (*Quercus gambelii*) and also includes mature piñon pine (*Pinus edulis*), Utah juniper (*Juniperus osteosperma*), mountain mahogany (*Cercocarpus montana*), and wild crab apple (*Peraphyllum ramosissimum*). No wetland-associated vegetation is present within the project area.

Culturally Important Plants

According to the 2002 FEIS, culturally important plants have been identified for their significance to the Tribe based on historic or current uses for food, medicine, crafts, or Tribal ceremonies. The project area includes piñon pine, Utah juniper, and banana yucca. These species are very common in the landscape surrounding the project area.

Noxious Weeds

Currently, the Tribe uses the Colorado Department of Agriculture's noxious weed list (CDA 2026) as a guide to determine what qualifies as a noxious weed and what level of control is desirable. State-listed noxious weed species identified during the site visit July 28, 2026 included musk thistle (*Carduus nutans*), which is a Class B species, and cheatgrass (*Bromus tectorum*) and field bindweed (*Convolvulus arvensis*), which are Class C species.

3.5.2 Environmental Effects

Long-term vegetation impacts would include clearing the proposed project area, impacting 0.88 acres of vegetation on Tribal trust land. A BIA timber cutting permit would be required for the removal of any trees in the project area. Any piñon pine, juniper, or oak trees 4 inches in diameter or greater would be hauled to the Southern Ute Forestry Division fuels yard.

The final level pad area would be 0.69 acre. The disturbed areas outside of the pad's graveled surface within the permitted area, including the temporary topsoil storage and cut-and-fill slopes would be reseeded and mulched following construction.

Reclaimed areas would be monitored for reclamation success. 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. Vegetation could include the planted and seeded species, as well as local native plants that colonize the reclamation area. No erosional downcutting or side cutting related to rilling, greater than 6 inches, would be allowed.

Culturally Important Plants

The project area includes piñon pine, Utah juniper, and banana yucca, which would be removed from the project area during construction. These species are very common in the greater area and project construction is not expected to impact the local population. No other culturally important plants would be impacted by the proposed action.

Noxious Weeds

Direct and indirect impacts from the proposed action may include introducing or spreading noxious weed seeds in the project area as soils are disturbed or exposed during construction, operation, and maintenance. These impacts would be reduced by prompt reclamation of disturbed areas using weed free seed and mulch and long-term noxious weed management. Red Cedar would be required to manage and treat any noxious weed infestations within the project area.

3.6 Historic and Archeological Resources

3.6.1 Affected Environment

The Reservation has a relatively high density of 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. 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)/THPO is provided all draft EAs for review to assess potential impacts to traditional cultural places (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 July 2026 and submitted a report of the findings on September 30, 2026. In accordance with the TERP code (SUITC 31-6-103), the Southern Ute Department of Natural Resources (DNR) and the CPD issued joint concurrence with the findings of the report on October 7, 2026. The letter is included in Appendix D. No TCPs were identified in the project area by the CPD/THPO.

3.6.2 Environmental Effects

The proposed project area would avoid all cultural resources. 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, the proposed project would be subject to all applicable Tribal and/or federal regulations, including the Southern Ute Indian Tribe 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 NHPA; Archaeological Resources Protection Act; American Indian Religious Freedom Act; and Native American Graves Protection and Repatriation Act.

3.7 Agriculture

3.7.1 Affected Environment

The project area is within an established Tribal grazing unit, Trail Canyon Range Unit (Unit #7). Low-density cattle grazing may occur in the project area. There are limited range improvements near the project area, including stock ponds, fencing, and cattleguards. Pasture grasses and rangeland vegetation are dominant in the previously disturbed areas within the project area and are more dominant in nearby meadow systems.

3.7.2 Environmental Effects

Under the proposed action, direct impacts to range resources include the loss of 1.26 acres of potential livestock grazing area. Indirect impacts to vegetative range resources may include introducing or spreading noxious weeds, thereby reducing the forage value for range use. Implementing vegetation BMPs, including re-seeding disturbed areas and managing noxious weeds, would minimize these impacts.

The storage area would be fenced using a chain-link fence that would exclude livestock and wildlife, consistent with what is currently installed around the Arkansas Loop/Simpson Treating Facility. If the facility fence will bisect the adjacent Range boundary fence, the Range fence would be tied back into the chain-link fence.

If the storage area is constructed during the grazing season (June 1st through September 30th), Red Cedar would use BMPs to minimize effects to grazing cattle. During construction, any bell holes left open overnight shall be barricaded with safety fence if not located within a permanently fenced area. Bell holes and open trenches shall be equipped with ramps or other means of egress if wildlife or livestock access the excavation. If a portion of the existing range fence needs to be downed for construction during the grazing season, temporary fencing shall be installed along the boundary fenceline to isolate grazing livestock.

3.8 Transportation Networks

3.8.1 Affected Environment

The proposed project is accessed from Aztec Freeway (a.k.a. Indian Route 150) and a lease access road for an existing natural gas well. The project area would be accessed from Arkansas Loop Road off of La Plata County Road (CR) 310 or Pump Canyon Road (a.k.a. Indian Route 151) off of CR 318. These roads both connect to Aztec Freeway. All of the access roads off of the county roads are gravel or dirt roads. The county roads are maintained by La Plata County. The lease access roads are maintained by oil and gas operators.

3.8.2 Environmental Effects

Construction activities would necessitate a short-term increase in traffic to the project area, including heavy trucks transporting equipment and materials. 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 could also experience a temporary increase in dust and noise from large truck traffic. Once the facility has been constructed, occasional truck traffic associated with storing and retrieving equipment would access the storage area.

Red Cedar would implement traffic control measures where vehicle traffic would be impaired by construction activity across the existing access roads. They would be required to coordinate with the applicable parties, such as other operators, to ensure that construction efforts would not significantly impede access to operational sites, grazing areas, or Tribal land in general. Short-term effects on traffic networks could be moderate but would reduce to existing levels in the long-term.

4. Mitigation and Monitoring

The proposed project is subject to the mitigation measures and stipulations found in the following documents:

- The applicable design features for oil and gas development on the Reservation from the 2002 FEIS.
- The Southern Ute Range Division On-Site Report (Appendix B)
- DWRM BA Concurrence Letter (Appendix C)
- DNR/CPD Cultural Concurrence Letter (Appendix D)

The site-specific mitigation measures developed for this project under these documents are listed below. These measures were considered when determining the potential effects associated with development of the proposed project.

Southern Ute Range Division On-Site Report - Site Specific Stipulations

1. Red Cedar Gathering Company (RCGC) shall notify DOE Environmental Compliance Specialists (Contact_DOE_EP@sudoe.us) when topsoil is scheduled to be salvage and again once final recontouring efforts have been completed & structural stormwater controls have been installed throughout the project area. **DOE will conduct both an active construction inspection and a post-construction inspection at this site.
2. Isolated finds were marked within the expanded arch survey buffer along the southwestern portion of the storage facility pad. Construction efforts shall avoid this area. RCGC shall work with their arch contractor, DNR Lands, and TPHO in implementing any required protection measures during construction.
3. The site is located within an active grazing unit. During construction, any bell holes left open overnight shall be barricaded with safety fence if not located within a permanently fenced area. Bell holes and open trenches shall be equipped with ramps or other means of egress if wildlife or livestock access the excavation.
4. If the project will disturb greater than 1 acre of land RCGC shall abide by the SUIIT Stormwater Recommendations. If less than 1 acre is disturbed, please provide DOE with stormwater maps that detail stormwater controls to be implemented during the active construction phase and during the operational phase.
5. Prior to ground disturbing activity, temporary perimeter sedimentation controls shall be installed along the toe of all fill slopes. Stormwater maps shall detail these measures.

6. The facility is proposed to be located within/adjacent to vegetated topsoil stockpiles salvaged for the existing Arkansas Loop/Simpson Treating Facility. If to be impacted, the topsoil stockpiles for Arkansas Loop shall be salvaged and stockpiled in/around the new storage facility or repositioned within the Arkansas Loop/Simpson Treating Facility interim rec area. Native topsoil from the areas subject to the pad construction shall also be salvaged.
7. Cut-fill slopes built for the facility pad shall be no steeper than 3:1, unless approved of prior by SUIT DOE and a plan is provided detailing the appropriate stabilization measures to be installed along the steep slopes.
8. The southern portion of the pad is situated within a vegetated swale that appears to convey stormwater; the swale is fully armored in the adjacent Arkansas Loop/Simpson Treating Facility. Upon completing pad construction, the toe of the fill slope along the southern edge of the pad shall be armored. Armoring shall tie-in to the existing armoring installation currently in place at the Arkansas Loop/Simpson Treating Facility. Stormwater maps shall detail these measures.
9. To limit erosion along the cut slopes during the operations phase and as allowable by any off-sets required for the adjacent RCGC high pressure CO₂ pipeline ROW traversing the top of the cut - stormwater controls shall be utilized, as practicable, along the top of the cut slopes to control stormwater run on to the pad. Stormwater accumulated by the run on controls shall be discharged to locations that will best reduce erosion/sedimentation. Structural stormwater controls, such as rock rundowns, silt traps, etc., should be utilized at the locations where stormwater is discharged. Stormwater maps shall detail these measures.
10. To limit erosion along the fill slopes during the operations phase, structural stormwater controls shall be utilized along the edges of the pad's graveled working surface. Stormwater accumulated by the pad surface shall be discharged where most appropriate to structural stormwater controls, such as rock rundowns, silt traps, etc. Stormwater maps shall detail these measures.
11. A new access road will be routed down the cut-slope of the pad. Appropriate stormwater controls shall be implemented within the road's borrow ditches to adequately mitigate erosion and to protect the adjacent CO₂ pipeline from erosion. If culverts are installed for the access road, all culvert inlets and outlets shall be protected with rock armoring. Stormwater maps shall detail these measures.

12. Upon completing pad construction, topsoil shall be placed onto the cut-fill slopes and prepared for seeding. Any excess topsoil needing to be stockpiled long-term during the operations phase shall be situated in areas that will not be impacted by diverted stormwater. Topsoil and all disturbed areas outside of the pad's graveled working surface shall be seeded and mulched per Stipulation #13 below.
13. RCGC shall use Seed Mix #1/applicable rates as detailed in SUIT General Well Pad/Facility Stipulations. If a custom seed mix will be used at the site, the proposed mix shall be approved by SUIT Range & DOE prior to seeding taking place. All seeded areas shall be mulched at a minimum rate of two (2) tons per acre. If hydromulching, apply using 3500 pounds/acre of Bonded Fiber Matrix (BFM) mixed to the manufacturer's specs.
14. The storage site will be fenced using a chain-link fence that will exclude livestock and wildlife – consistent with what is currently installed around the Arkansas Loop/Simpson Treating Facility. If the facility fence will bisect the adjacent Range boundary fence, the Range fence shall be tied back into the chain-link fence. If a portion of the Range fence needs to be downed for construction during the grazing season (June 1st through October 31st), temporary fencing shall be installed along the boundary fenceline to isolate grazing livestock. RCGC is responsible for all damage to livestock from unprotected equipment, and RCGC is responsible for any damage to facilities caused by livestock.
15. The entrance to the site shall be equipped with a gate – consistent with what is installed for the adjacent Arkansas Loop/Simpson Treating Facility - to ensure livestock or wildlife cannot access the facility.
16. The site shall be equipped with signage placed in a conspicuous location, citing:
 - Operator name
 - Site name
 - Lease Information
 - Location Info/Legal Description
 - Emergency Contact Information
17. Any equipment to be stored at the storage facility shall be fully drained and locked-out/tagged-out.

Arkansas Loop Expansion

18. The area to be used for the facility expansion is currently being used for equipment/materials storage. Upon removing equipment/materials from the site, any

visible residual soil contamination left from the equipment shall be excavated and disposed of properly off Tribal land.

19. Skids for compressors shall be equipped with environmental rails/drip catchments or other means that will drain liquids accumulated by the compressor skid to an adequately sized tank.
20. Any below grade or partially buried tanks shall be:
 - constructed of steel,
 - have double walled construction,
 - be equipped with overfill protection, and
 - installed within adequately sized containment.
21. Above grade storage tanks shall be:
 - Installed within an adequately sized (will hold at a minimum of 110% largest tank) & lined (no less than 24-mil thick) containment structure, and
 - be equipped with overfill protection.
22. If applicable, RCGC shall develop and maintain a Spill Prevention Control and Countermeasures (SPCC) plan for this facility.
23. Open ended exhaust and pressure safety valve vent piping greater than 1.5 inches in diameter shall be fitted with avian covering or caps. Avian covering or caps shall also be installed on open topped drip catchments for day tanks, etc. Avian covering shall not have holes larger than 1.5in.
24. RCGC shall coordinate with the Environmental Programs Department Air Quality Division on any applicable air quality permitting requirements for the facility expansion/equipment operation.

DWRM BA Concurrence Letter

1. Red Cedar will implement BMPs and control measures to minimize erosion or sediment discharge outside of the project area and to protect Tribal water resources. A SWPPP will be created for the project in accordance with the Tribe's *Storm Water Recommendations for Operations on Tribal Lands within the Southern Ute Indian Reservation*.
2. If construction activities are scheduled during the migratory bird breeding/nesting season (April 1 to August 31), nest surveys shall be conducted in the project area by a qualified biologist within 7 days of the begin of construction activities. If active nest sites are

found on Tribal lands, the Tribe's DWRM shall be consulted for appropriate conservation measures.

DNR/CPD Cultural Concurrence Letter

If previously unidentified cultural resources, human remains, funerary objects, or historic properties are encountered, or if unanticipated effects to cultural resources occur, all work shall cease immediately. The Cultural Preservation Department shall be notified immediately, and work shall not resume until appropriate consultation, and treatment measures have been completed.

5. Consultation, Coordination, and Document Preparation

If requested, a copy of the final EA will be made available at the DOE office in Ignacio, Colorado, along with associated Finding of No Significant Impact.

Table 2 lists the agencies, organizations, and individuals consulted while preparing this EA document. Table 3 below lists all persons who contributed to the development of this EA.

Table 2. List of All Persons, Agencies, and Organizations Consulted

Name & Organization	Purpose & Authorities for Consultation or Coordination
Southern Ute Resource Specialists: • Department of Energy • Wildlife Division • Range Division • Environmental Programs Department • Forestry Division • Agricultural Division • Water Resources Division • Lands Division	Reviewed and commented on the draft EA.
Ryan Terry, SUIT Department of Energy	Reviewed and finalized the EA.
Aran Johnson, SUIT Division of Wildlife Resources Management	ESA Section 7 compliance
SUIT Cultural Preservation Department/THPO	NHPA Section 106 compliance

Table 3. List of Contributors

Name	Title	Area of Expertise/Discipline
Doug Krueger	Environmental Manager, SECMG, Southern Ute Growth Fund	NEPA, Environmental Biology
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

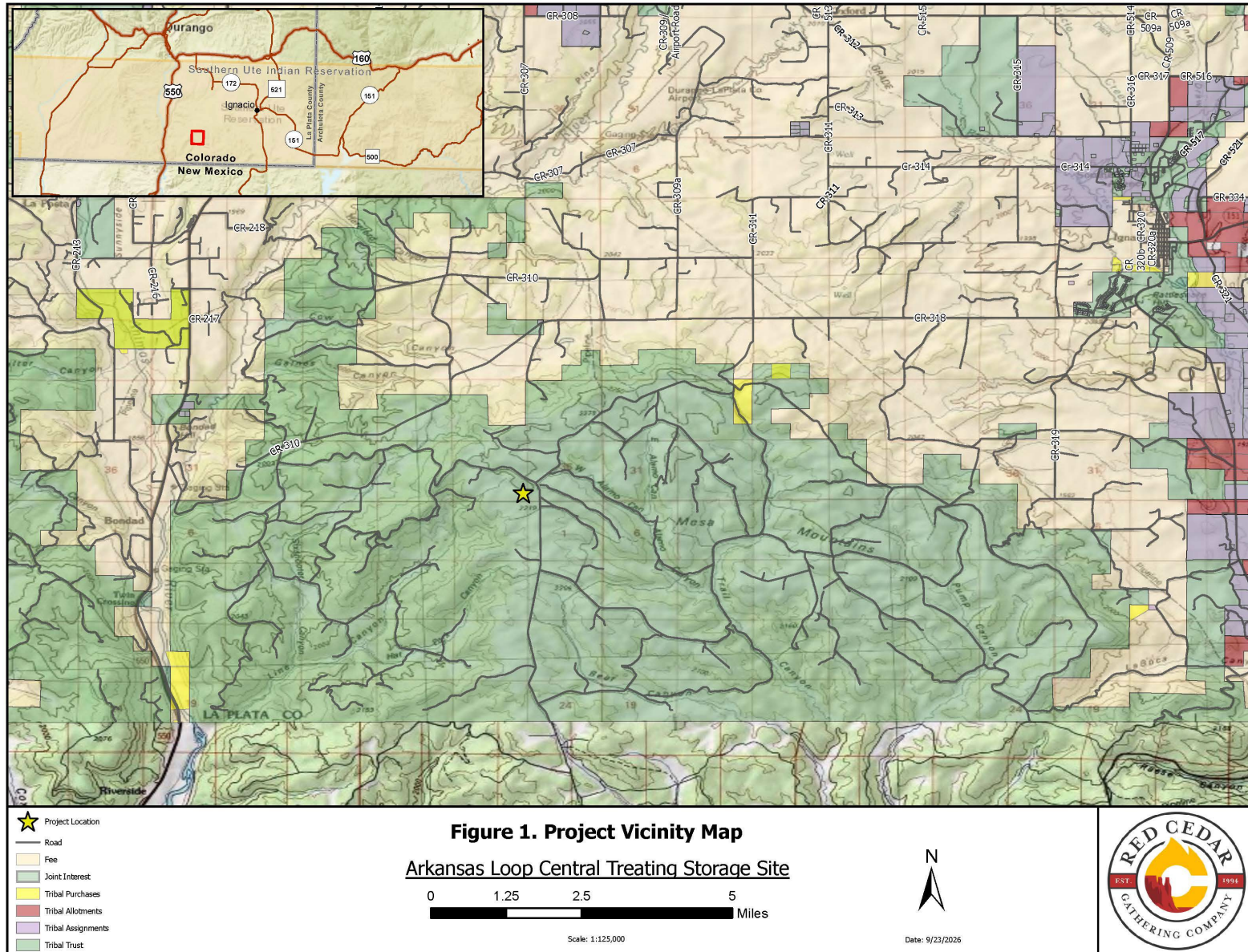
6. References

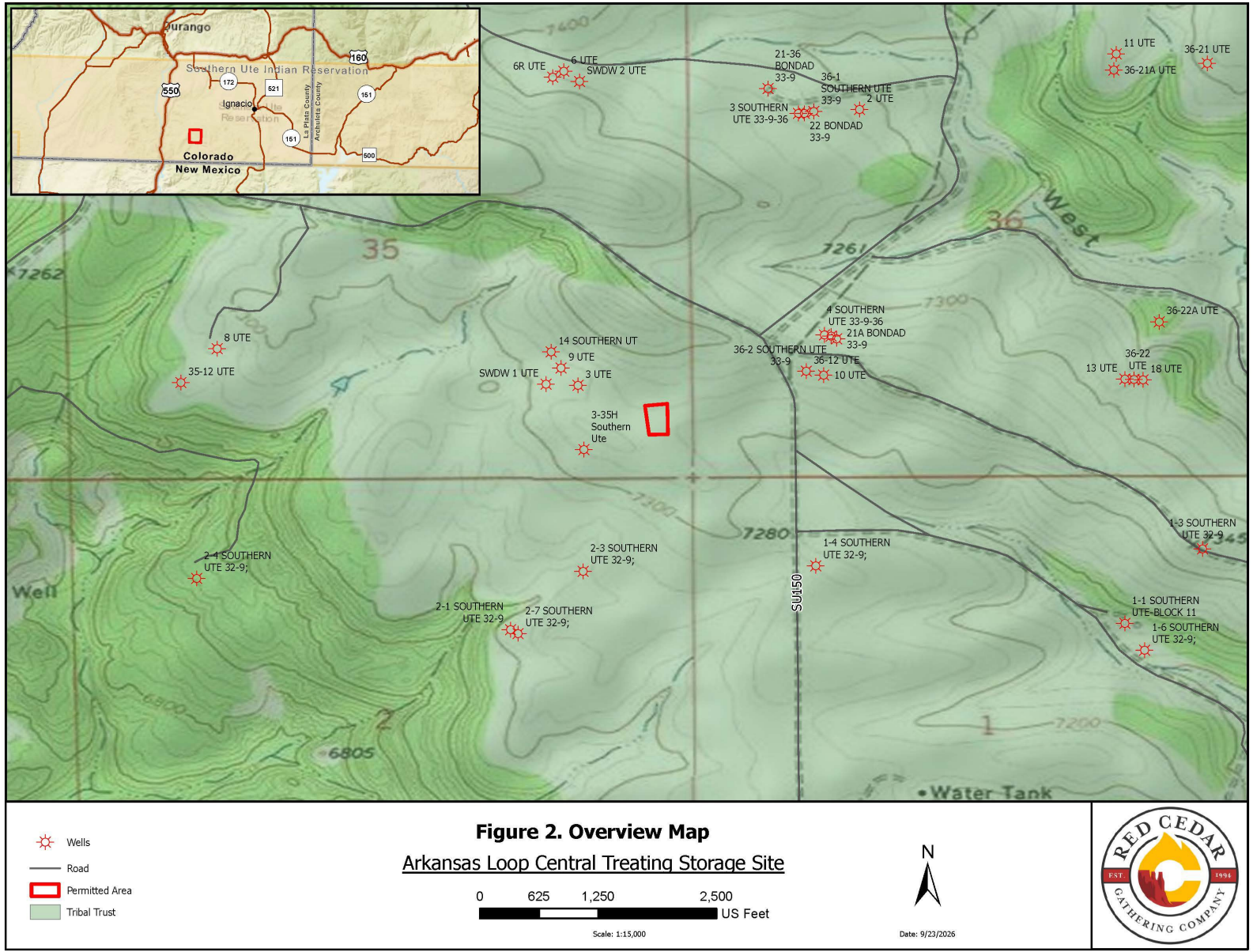
- Bureau of Indian Affairs (BIA). 2012. Indian Affairs National Environmental Policy Act (NEPA) Guidebook: 59 IAM 3-H. Division of Environmental and Cultural Resources Management. Reston, VA.
- Colorado Department of Agriculture (CDA). 2026. Noxious weed list. Available online at: <https://ag.colorado.gov/conservation/noxious-weeds>.
- Colorado Department of Public Health and Environment (CDPHE). 2025. Colorado Air Quality Control Commission, Report to the Public. 2024-2025. Available online at: <https://cdphe.colorado.gov/aqcc-annual-report-to-the-public>.
- Colorado Parks and Wildlife (CPW). 2026. Colorado Parks and Wildlife – Wildlife Species Map Application. Available at <https://cpw.maps.arcgis.com/apps/instant/interactivelegend/index.html?appid=b3e1f4c17e98481c85f9683b02e91250>.
- Lowry, J.H., Jr., R.D. Ramsey, K. Boykin, D. Bradford, P. Comer, S. Falzarano, W. Kepner, J. Kirby, L. Langs, J. Prior-Magee, G. Manis, L. O'Brien, T. Sajwaj, K.A. Thomas, W. Rieth, S. Schrader, D. Schrupp, K. Schulz, B. Thompson, C. Velasquez, C. Wallace, E. Waller and B. Wolk. 2005. Southwest Regional Gap Analysis Project: Final Report on Land Cover Mapping Methods. RS/GIS Laboratory, Utah State University, Logan, Utah. Available at <https://swregap.org/data/landcover/>.
- Southern Ute Indian Tribe (SUIT). 2012. Natural Resources Management Plan: Planning Period 2012 to 2032. Department of Natural Resources. Ignacio, Colorado.
- SUIT. 2023. Southern Ute Indian Tribe Air Quality Division Tri-Annual Comprehensive Emissions Inventory. Southern Ute Indian Tribe Environmental Programs Department, Air Quality Division, Ignacio, CO. Available online at <https://www.southernute-nsn.gov/government/departments/epd/air-quality/emissions-inventory/>.
- SUIT. 2026. Southern Ute Indian Tribe Air Quality Division Annual Network Review CY2026. Southern Ute Indian Tribe Environmental Programs Department, Air Quality Division, Ignacio, CO. Available online at <https://www.southernute-nsn.gov/wp-content/uploads/sites/15/2026/07/2026-SUIT-Annual-Network-Review.pdf>.
- United States Department of the Interior (USDI). 2002. Final Environmental Impact Statement for Oil and Gas Development on the Southern Ute Indian Reservation. Bureau of Land Management, San Juan Public Lands Center: Durango, Colorado; Bureau of Indian Affairs, Southwest Regional Office: Albuquerque, New Mexico; and the Southern Ute Indian Tribe.

USDI. 2020. Managing the NEPA Process - Bureau of Indian Affairs. Departmental Manual Series 31, Part 516, Chapter 10. Effective 7/28/20.

U.S. Fish and Wildlife Service (USFWS). 2026. List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project. Project Code: 2026-0143962. Western Colorado Ecological Services Field Office, Grand Junction, Colorado. September 9, 2026.

Appendix A. Project Maps and Plats







**RED CEDAR GATHERING CO.: CENTRAL TREATING STORAGE SITE
LOCATED IN THE SE/4 SE/4 OF SECTION 35,
T33N, R9W, N.M.P.M., LA PLATA COUNTY, COLORADO
PAD DRAWING**

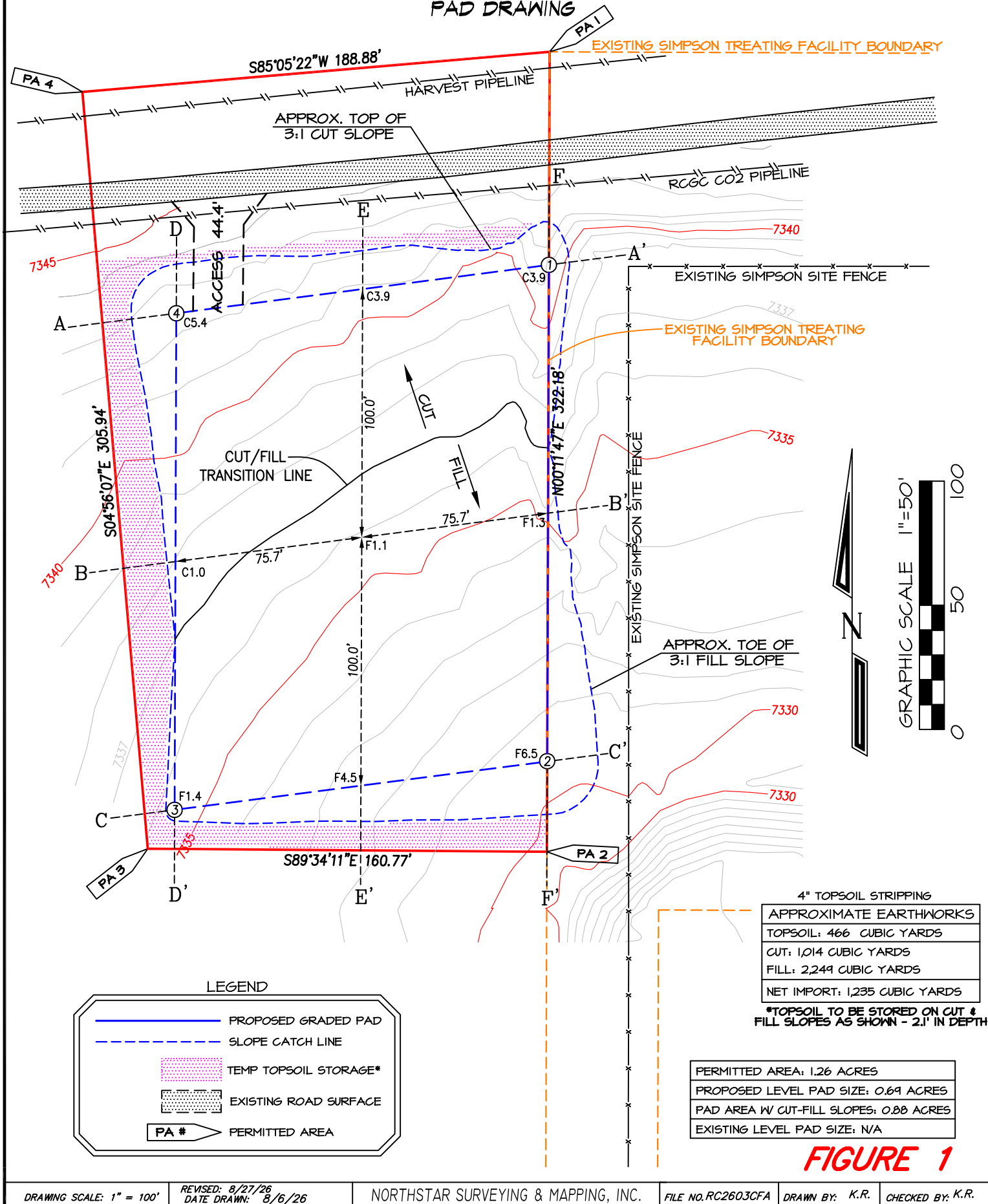
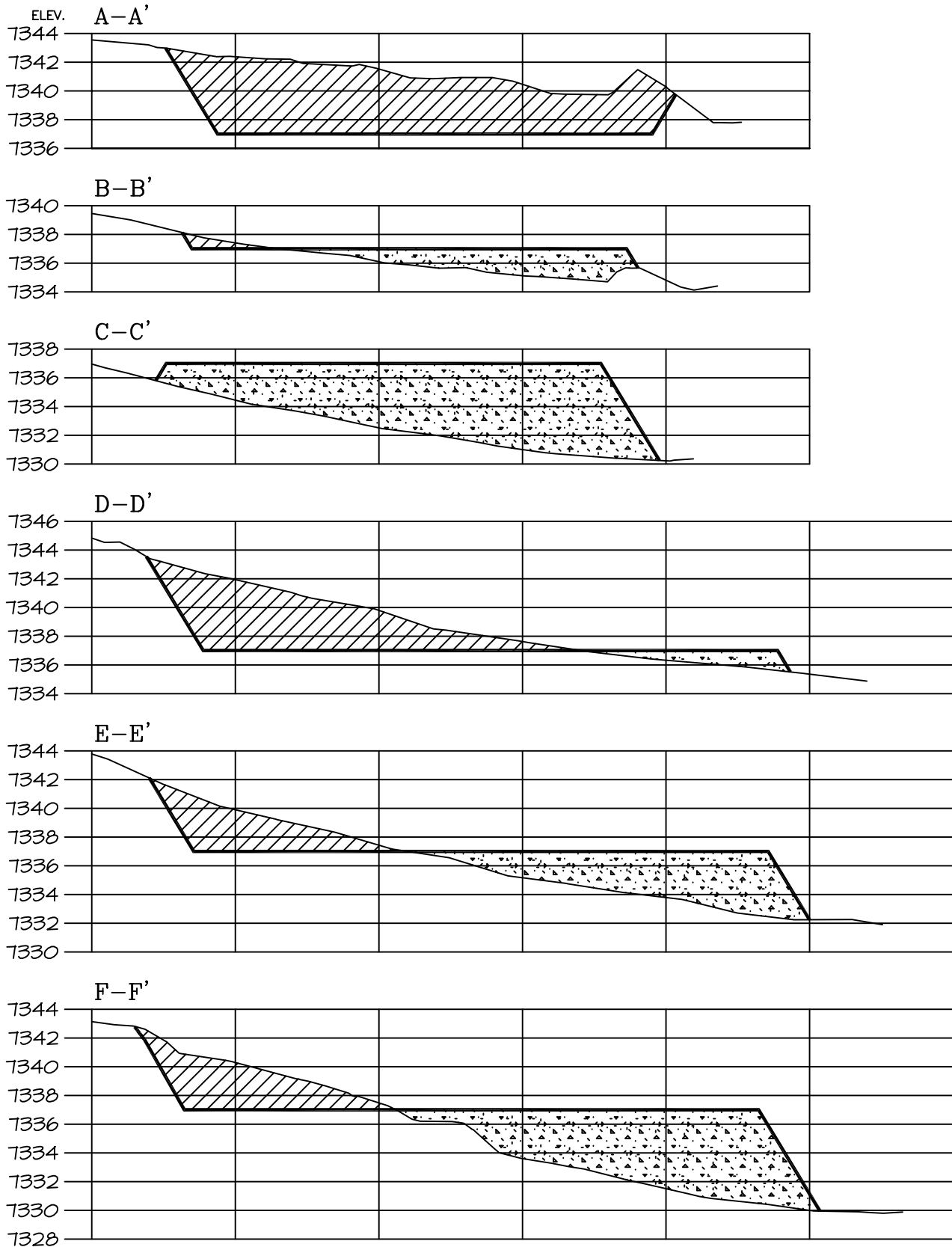


FIGURE 1

**RED CEDAR GATHERING CO.: CENTRAL TREATING STORAGE SITE
LOCATED IN THE SE/4 SE/4 OF SECTION 35, T33N, R9W, N.M.P.M.,
LA PLATA COUNTY, COLORADO PAD ELEVATION: 7337'**

PAD CROSS SECTION DETAIL



VERTICAL SCALE: 1" = 10' / HORIZONTAL SCALE: 1" = 50'

FIGURE 2

DATE DRAWN: 8/7/26

NORTHSTAR SURVEYING & MAPPING, INC.

FILE NO. RC2603CFB

DRAWN BY: K.R.

CHECKED BY: K.R.

**RED CEDAR GATHERING CO.: CENTRAL TREATING STORAGE SITE
LOCATED IN THE SE/4 SE/4 OF SECTION 35,
T33N, R9W, N.M.P.M., LA PLATA COUNTY, COLORADO
CONSTRUCTION LAYOUT**

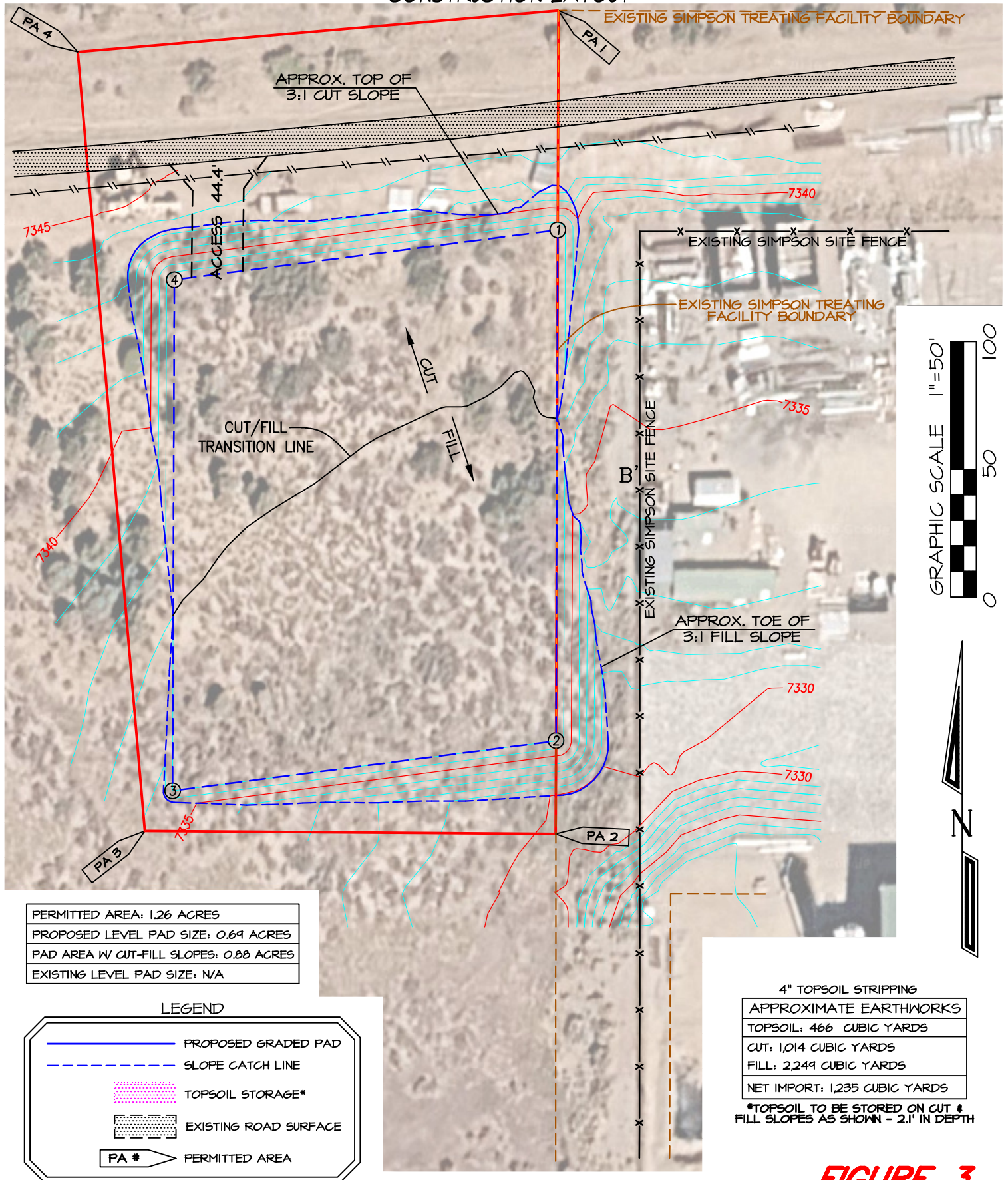


FIGURE 3

Red Cedar Gathering Company
CENTRAL TREATING STORAGE SITE

Located in the SE/4 SE/4 of Section 35, T33N, R9W, N.M.P.M., LaPlata County, Co.

PERMITTED AREA LEGAL DESCRIPTION

Beginning at a point whence the South 1/4 Corner of Section 36, T33N R9W, being a 2" dia. aluminum cap L.S. # 33648, bears S74°54'25"E a distance of 2970.80 feet.

Thence S85°05'22"W a distance of 188.88 feet,

Thence S04°56'07"E a distance of 305.94 feet,

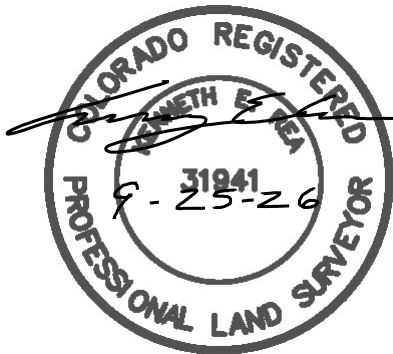
Thence S89°34'11"E a distance of 60.77 feet,

Thence N00°11'47"E a distance of 322.18 feet, to the point of beginning.

Containing 1.26 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 B. Southern Ute Range Division On-Site Report



Southern Ute Indian Tribe Range Report

14929 Hwy 172 Ignacio, CO 81137

This report has been drafted by the Southern Ute Indian Tribe's (SUIT) Department of Energy subsequent to the field onsite related to the project outlined below and submitted to the SUIT Department of Natural Resources Range Division for review and approval. The project proponent must adhere to all site specific mitigation measures that are attached to this document as well as all tribal general stipulations that are applicable to this project.

Company Name: Red Cedar gathering Company

Project Name: Arkansas Loop Central Treating Storage Site

Township and Range T33N R9W Section 35 Qtr/Qtr SESE

Latitude: 37.05467446 Longitude: -107.78702616

Onsite Date: 7/28/26

New Development ☒

Facility Decommissioning ☐

Land Status:

Unassigned Tribal Trust ☒

Assigned Tribal Trust ☐

Tribal Purchase ☐

Active Range Unit ☒

Agriculture Lease ☐

Irrigated Lands ☐

Date Submitted to DNR 08/21/2026

Land Use Narrative

As consideration during the Simpson treating expansion project (to be located within the existing Simpson Expansion SUA area), which will utilize the area where we currently store equipment, Red Cedar is needing to create a new area where operations can store equipment long term. Red Cedar would also use the area for construction project staging as well.

Issues or Concerns Provided by Range

None

I hereby certify that I have reviewed the site specific stipulations in this plan and that they properly address the concerns identified at the onsite for this project.

Reviewed and Approved by:

Attached Site Specific Stipulations Reviewed by Range Representative:

Signature Bill Gwinn
Digitally signed by Bill Gwinn
Date: 2026.08.24 09:32:44
+0000

Comments

Title: Range Specialist

Date: 8/24/2026

None

Sign In Sheet

Project: Central Treating Storage Site

Company: RCGC

On-Site Date: July 28, 2026

1. Name (Print): Bill Gwinn Company: Suit. Range

Signature: [Signature]

2. Name (Print): José Romero Company: RCG

Signature: _____

3. Name (Print): Gunnar Westerman Company: DOE

Signature: [Signature]

4. Name (Print): Chris Jones Company: DOE

Signature: [Signature]

5. Name (Print): Ed Mora Company: RCGC

Signature: [Signature]

6. Name (Print): Matt Ammerman Company: RCGC

Signature: [Signature]

7. Name (Print): Raymond Valdez Company: Lands-DNR

Signature: _____

8. Name (Print): BACH FROST Company: NORTHSTAR SURVEYING

Signature: [Signature]

9. Name (Print): Connor Rea Company: Northstar Surveying

Signature: [Signature]

10. Name (Print): LINDSAY REA Company: NORTHSTAR SURVEYING

Signature: [Signature]

11. Name (Print): Doug Krueger Company: SECMG

Signature: [Signature]

12. Name (Print); Sabre Beebe Company: SECMG
Signature: [Signature]

13. Name (Print); Amanda Kuntz Company: SECMG
Signature: [Signature]

14. Name (Print); TIM RUIZ BROWN Company: FRD
Signature: [Signature]

15. Name (Print); William Farmer Company: EPD
Signature: _____

16. Name (Print); _____ Company: _____
Signature: _____

17. Name (Print); _____ Company: _____
Signature: _____

18. Name (Print); _____ Company: _____
Signature: _____

19. Name (Print); _____ Company: _____
Signature: _____

20. Name (Print); _____ Company: _____
Signature: _____

21. Name (Print); _____ Company: _____
Signature: _____

22. Name (Print); _____ Company: _____
Signature: _____

23. Name (Print); _____ Company: _____
Signature: _____

24. Name (Print); _____ Company: _____
Signature: _____

SITE SPECIFIC STIPULATIONS:

1. Red Cedar Gathering Company (RCGC) shall notify DOE Environmental Compliance Specialists ([Contact DOE EP@sudoe.us](mailto:Contact_DOE_EP@sudoe.us)) when topsoil is scheduled to be salvage and again once final recontouring efforts have been completed & structural stormwater controls have been installed throughout the project area. **DOE will conduct both an active construction inspection and a post-construction inspection at this site.
2. Isolated finds were marked within the expanded arch survey buffer along the southwestern portion of the storage facility pad. Construction efforts shall avoid this area. RCGC shall work with their arch contractor, DNR Lands, and TPHO in implementing any required protection measures during construction.
3. The site is located within an active grazing unit. During construction, any bell holes left open overnight shall be barricaded with safety fence if not located within a permanently fenced area. Bell holes and open trenches shall be equipped with ramps or other means of egress if wildlife or livestock access the excavation.
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stormwater controls, such as rock rundowns, silt traps, etc., should be utilized at the locations where stormwater is discharged. Stormwater maps shall detail these measures.

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11. A new access road will be routed down the cut-slope of the pad. Appropriate stormwater controls shall be implemented within the road's borrow ditches to adequately mitigate erosion and to protect the adjacent CO2 pipeline from erosion. If culverts are installed for the access road, all culvert inlets and outlets shall be protected with rock armoring. Stormwater maps shall detail these measures.
12. Upon completing pad construction, topsoil shall be placed onto the cut-fill slopes and prepared for seeding. Any excess topsoil needing to be stockpiled long-term during the operations phase shall be situated in areas that will not be impacted by diverted stormwater. Topsoil and all disturbed areas outside of the pad's graveled working surface shall be seeded and mulched per Stipulation #13 below.
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16. The site shall be equipped with signage placed in a conspicuous location, citing:
 - Operator name
 - Site name
 - Lease Information
 - Location Info/Legal Description
 - Emergency Contact Information

17. Any equipment to be stored at the storage facility shall be fully drained and locked-out/tagged-out.

Ark Loop Expansion

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 - have double walled construction,
 - be equipped with overfill protection, and
 - installed within adequately sized containment.
21. Above grade storage tanks shall be:
- Installed within an adequately sized (will hold at a minimum of 110% largest tank) & lined (no less than 24-mil thick) containment structure, and
 - be equipped with overfill protection.
22. If applicable, RCGC shall develop and maintain a Spill Prevention Control and Countermeasures (SPCC) plan for this facility.
23. Open ended exhaust and pressure safety valve vent piping greater than 1.5 inches in diameter shall be fitted with avian covering or caps. Avian covering or caps shall also be installed on open topped drip catchments for day tanks, etc. Avian covering shall not have holes larger than 1.5in.
24. RCGC shall coordinate with the Environmental Programs Department Air Quality Division on any applicable air quality permitting requirements for the facility expansion/equipment operation.

Appendix C. Biological Assessment for the Arkansas Loop Central Treating Storage Project

Biological Assessment

Red Cedar Gathering Company

Arkansas Loop Central Treating Storage Project



Prepared for:

Southern Ute Indian Tribe
Ignacio, Colorado

Prepared by:

Southern Ute Indian Tribe Growth Fund
Safety and Environmental Compliance Management Group
65 Mercado Street, Suite 260
Durango, Colorado 81301

September 2026

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1 Introduction

Red Cedar Gathering Company (Red Cedar) has applied for a business lease with Southern Ute Indian Tribe (Tribe) to construct the Arkansas Loop Central Treating Storage Project (storage area) on Tribal trust land. The proposed action would include constructing the new storage area adjacent to and connecting with the existing Simpson Treating Facility boundary, in order to create a long-term equipment storage area. The storage area would be within a 1.26-acre permitted area. With cut-and-fill slopes, the total pad area would be 0.88 acre, and the final level pad size would be 0.69 acres. A 44.4-foot access road would be constructed to connect the storage area to the existing road, within the permitted area. A chain link fence would be installed around the perimeter of the storage area. See Figures 1 and 2 in Appendix A for an overview of the proposed project area.

Red Cedar contracted the Southern Ute Indian Tribe Growth Fund's Safety and Environmental Compliance Management Group (SECMG) to prepare this Biological Assessment (BA) for the Southern Ute Indian Tribe (Tribe). Per Section 31-5-101 of the Tribal Environmental Review Policy, a Biological Assessment (BA) is required if determined necessary by the Tribe's Division of Wildlife Resources Management (DWRM). DWRM has indicated that a BA is necessary for construction projects (or other undertakings having similar physical impacts) on Tribal lands that are major actions significantly affecting the quality of the human environment as referred in the National Environmental Policy Act (NEPA) (42 U.S.C. 4332(2)(c)). If a federal agency determines, based on a BA, that a species listed for protection under the Endangered Species Act (ESA) and/or designated critical habitat may be affected by a proposed project, the agency is required to consult with the U.S. Fish and Wildlife Service (USFWS) pursuant to 50 CFR 402. Once finalized, this BA will provide documentation for ESA compliance for the proposed project.

1.1 Purpose of the BA

The purpose of this BA is to review the proposed project in enough detail to determine whether implementation of the project would affect threatened and endangered species and/or their designated critical habitat, as designated by the USFWS. This BA was prepared following the legal requirements set forth under the ESA of 1973, 16 United States Code (U.S.C.) 1531 *et seq.*

In addition, this BA contemplates potential effects to migratory birds and eagles from the proposed project, as directed by the 1918 Migratory Bird Treaty Act (MBTA) (16 U.S.C. § 703-712, Title 10 Part 13 updated in 2020), the 2001 Executive Order 13186, "Responsibilities of Federal Agencies to Protect Migratory Birds," and in accordance with the 1940 Bald and Golden Eagle Protection Act (16 U.S.C. § 668-668d).

1.2 Consultation & Coordination History

SECMG requested a species list from the USFWS using the Information for Planning and Consultation (IPaC) web portal on September 24, 2026. The list identifies threatened, endangered, and proposed species, as well as proposed and final designated critical habitat, that may occur within the boundary of the proposed project area and/or may be affected by the proposed project. The official list is included in Appendix C.

Consultation with the Tribe's Division of Wildlife Resource Management (DWRM) specific to the proposed project was originally initiated on May 20, 2026 regarding the potential for impacts to threatened and endangered species and otherwise culturally sensitive wildlife on the Reservation. An ESA determination concurrence letter from DWRM for the project area on Tribal trust lands is included in Appendix D.

2 Proposed Project

2.1 Project Overview

Red Cedar has applied for a business lease with the Tribe to construct the Arkansas Loop Central Treating Storage Project (storage area) on Tribal trust land. The proposed action would include constructing the new storage area adjacent to and connecting with the existing Simpson Treating Facility boundary, in order to create a long-term equipment storage area. The storage area would be within a 1.26-acre permitted area. With cut-and-fill slopes, the total pad area would be 0.88 acre, and the final level pad size would be 0.69 acres. No additional designated staging areas or temporary use areas are being contemplated at this time. A 44.4-foot access road would be constructed to connect the storage area to the existing road, within the permitted area. A chain link fence would be installed around the perimeter of the storage area, consistent with what is currently installed around the Arkansas Loop Facility. Cut-and-fill slopes would be reclaimed after construction. The project is located in La Plata County, Colorado, approximately 9 miles southwest of the Town of Ignacio. The legal description for the project area is SE/4 SE/4 of Section 35, Township 33 North, Range 9 West, New Mexico Principal Meridian (NMPM). See Appendix A for a project vicinity map, an overview map, and a project area map for reference.

2.2 Construction

Construction is expected to occur in the fall of 2026. Construction disturbances within the permitted area would include vegetation clearing and the excavation of topsoil and subsoils as described below. Construction disturbances would be temporary, lasting approximately 3-6 months. All work would be restricted to the approved permitted area. Overall, construction of the project would be sequenced as follows:

- The construction area would be clearly marked and/or staked.
- The permitted area would be cleared of vegetation and roughly graded.
 - Vegetation material and topsoil removed during this initial stage of the project would be stockpiled for later use during reclamation.
 - Any piñon pine, juniper, or oak trees 4 inches in diameter or greater would be hauled to the Southern Ute Forestry Division fuels yard.
 - The top 4 inches of topsoil, if available, would be stockpiled along the perimeter to be used during reclamation (see Plats in Appendix A). Refer to the stormwater plan for reclamation details.
 - Topsoil would be stockpiled separately from subsoils along the perimeter of the project area.
- The level pad would be constructed.
- An access road would be constructed to connect the storage area to the existing road.
- A chain link fence would be installed around the perimeter of the storage area, consistent with what is currently installed around the Arkansas Loop Facility.
- Reclamation of the cut-and-fill slopes would follow the construction phase.

2.3 Water Resource Considerations

The proposed pipeline would not cross any perennial drainages. No irrigated lands would be affected by the project. A Stormwater Pollution Prevention Plan (SWPPP) will not be developed for this project because the disturbed area is less than 1 acre. A stormwater plan with a map of the project area will be created by Red Cedar that outlines specific Best Management Practices (BMPs) to aid in stormwater control.

Red Cedar would obtain fresh water from a metered water sales station near Ignacio, Colorado for dust abatement. The project is not expected to have any adverse impacts to groundwater resources and there would be no additional water depletions associated with this project.

2.4 Reclamation

All cut and fill slopes would be reclaimed upon completion of construction. This would include re-contouring the disturbed areas to match pre-construction conditions, as much as practicable; disking to reduce compaction; re-distributing topsoil; and seeding. The seed mixture to be used for reclamation has been approved by Tribal range staff (refer to Range Division On-Site Report in Appendix B) and would be specified in the site specific stormwater plan. 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. Slopes steeper than 3:1 would have a hydromulch applied. No trees would be replaced. Reclamation on Tribal land would be monitored in conjunction with the site-specific

stormwater plan to be developed by Red Cedar. Red Cedar would monitor for invasive species or noxious weeds for the life of the project, as described in the stormwater plan. All site-specific stipulations from the Tribe's Range Division On-Site Report would be implemented as well.

3 Summary of the Analysis

For analysis purposes in this BA, an action area was defined as the proposed project area and a 0.3-mile buffer. The action area includes all areas to be affected directly or indirectly by the proposed action and the immediate area involved in the action. The action area was determined by several factors, including line of site from the project area and the distance that noise, fugitive dust, and exhaust from construction activities could reasonably travel. Light pollution would not be an issue as construction activities would occur during daylight hours. Figure 1. Overview Map in Appendix A shows the action area for the proposed project on a topographical base map.

A desktop review was performed using available geographic information system (GIS) data in Google Earth and ESRI ArcGIS Pro software. The desktop review evaluated the action area for potential impacts to threatened, endangered, and otherwise sensitive wildlife and their habitats, in addition to a review of natural resources found in the action area.

An on-site, pedestrian biological survey of the project area was conducted on July 28, 2026. Identifiable plants and animals observed, or signs thereof, are recorded in Appendix E. Digital photos of the project area were taken and selected photos are included in Appendix F.

4 Existing Habitat Conditions

4.1 Vegetation Communities

Land cover (vegetation communities) is predominantly classified as Inter-Mountain Basins Big Sagebrush Shrubland and Rocky Mountain Gambel Oak-Mixed Montane Shrubland within the project area. In the action area, additional vegetation communities include Colorado Plateau Piñon-Juniper Woodland, Inter-Mountain Basins Semi-Desert Shrub Steppe, Inter-Mountain Basins Shale Badland, Rocky Mountain Ponderosa Pine Woodland, and Southern Rocky Mountain Montane-Subalpine Grassland (Lowry et al. 2005) (See Figure 4, Appendix A).

The project area is adjacent to the existing Arkansas Loop facility and is in proximity to existing often-traveled roads. Vegetation within the project area is dominated by mature stands of big sagebrush (*Artemisia tridentata*) and Gambel oak (*Quercus gambelii*) and also includes mature piñon pine (*Pinus edulis*), Utah juniper (*Juniperus osteosperma*), mountain mahogany (*Cercocarpus montana*), and wild crab apple (*Peraphyllum ramosissimum*). As displayed in Figure 3. Action Area Map in Appendix A, the project and action areas contain previously

disturbed areas. Approximately 0.88 acre of vegetation disturbance would occur. Numerous trees would be removed, as well as large, mature shrubs that offer habitat.

4.2 Geology and Soils

According to the U.S. Geological Survey, the action area overlies the San Jose Formation (USGS 2022). As displayed in Figure 5 (Appendix A), a variety of soils are found in the action area. Dominant soil types within the action area include Dulce-Travessilla-Rock outcrop complex, 6 to 50 percent slopes, Durango cobbly loam, 3 to 20 percent slopes, Witt loam, 3 to 8 percent slopes, and Zyme-Rock outcrop complex, 12 to 65 percent slopes. Project construction would disturb soils classified as Durango cobbly loam, 3 to 20 percent slopes, which has slight erosion potential (NRCS 2026).

5 Threatened and Endangered Species Evaluation

Table 1 contains the ten listed or proposed listed species on the USFWS’s species list for the proposed project. The table provides an evaluation of the potential for these species to occur in the action area.

5.1 Federally Listed Species Considered

Table 1. Threatened, Endangered, and Proposed species that may occur in the action area or may be affected by the proposed project.

Species Name	Conservation Status	Habitat	Detailed Evaluation Warranted?
MAMMALS			
Gray Wolf (<i>Canis lupus</i>)	Experimental Population, Non-Essential ¹	Formerly occurring in most of the conterminous U.S. and Mexico. Dispersing wolves have been documented in Colorado, and the State began reintroducing gray wolves in 2023; however no wolves have been released, or are known to be present within, the Southern Ute Indian Reservation .	NO: Based on the best available data, no wolves are known to be present within the SUIR (CPW 2026 and DWRM communication).
New Mexico Meadow Jumping Mouse (<i>Zapus hudsonius luteus</i>)	Endangered	Herbaceous wetlands dominated by dense sedges adjacent to permanent water. Designated critical habitat for the New Mexico meadow jumping mouse is located along Sambrito Creek near Navajo Reservoir ~15 miles southeast of the action area (USFWS 2016).	NO: There are no herbaceous wetlands dominated by dense sedges adjacent to permanent water within the project area. The entirety of surface impacts would be to upland habitat.
BIRDS			

Species Name	Conservation Status	Habitat	Detailed Evaluation Warranted?
Mexican Spotted Owl (<i>Strix occidentalis lucida</i>)	Threatened	Frequently associated with mature mixed-conifer, pine-oak, and riparian forests. Also found in canyon habitat. Designated critical habitat is located ~29 miles from the action area on the Carson National Forest in New Mexico (USFWS 2004).	NO: There are no mature, complex forests or rocky canyons in the action area.
FISH			
Colorado Pikeminnow (<i>Ptychocheilus lucius</i>)	Endangered	Large rivers with strong currents, deep pools, eddies, and quiet backwaters. Designated critical habitat for this species is located ~32.5 miles to the southwest in the San Juan River (USFWS 1994).	NO: No surface water resources will be affected by the project.
Razorback Sucker (<i>Xyrauchen texanus</i>)	Threatened	Swift currents, eddies, and backwaters in the San Juan, Colorado, Green, and Yampa Rivers. Designated critical habitat for this species is located ~47 miles to the southwest in the San Juan River (USFWS 1994).	NO: No surface water resources will be affected by the project.
INSECTS			
Monarch Butterfly (<i>Danaus plexippus</i>)	Proposed Threatened	Found throughout eastern and western North America in the spring and summer, laying their eggs on obligate milkweed host plant (primarily <i>Asclepias</i> spp.). This species is typically found in riparian areas where milkweed species are often found in arid regions of the western U.S (USFWS 2024a). There is no critical habitat designated for this species.	NO: The project and action areas do not contain riparian areas that support milkweed species. No suitable habitat was identified in the project area.

Species Name	Conservation Status	Habitat	Detailed Evaluation Warranted?
Silverspot Butterfly (<i>Speyeria nokomis nokomis</i>)	Threatened	The silverspot butterfly requires moist habitats in mostly open meadows with a variety of herbaceous and woody vegetation. Larvae feed exclusively on bog violet (<i>Viola nephrophylla</i> / <i>V. sororia</i> var. <i>affinis</i>). Known to occur between 5,200 feet and 8,300 feet in elevation. Distribution limited to east-central Utah through western and south-central Colorado and into north-central New Mexico (USFWS 2024b).	NO: The project and action areas do not contain riparian areas that support open, wet meadows with bog violet. No suitable habitat occurs within the action area.
Suckley's Cuckoo Bumble Bee (<i>Bombus suckleyi</i>)	Proposed Endangered	Suckley's cuckoo bumble bees require diverse native floral resources (pollen and nectar) for nutrition. It is an obligate social parasite and they are entirely dependent on social bumble bee hosts to collect pollen to rear their young (USFWS 2024c).	NO: This species is considered to be extirpated from Colorado by the USFWS (pers. comm. T. Ireland, 2025)

¹For purposes of ESA section 7 consultation, experimental populations are treated as if they are proposed for listing.

5.2 Summary of Impacts to Threatened and Endangered Species

None of the eight identified species would be affected by the proposed action. Table 2 summarizes the effects determinations for these species.

**Table 2. Effects Determination Summary of Federally Listed Species
with Potential to Occur in the Action Area.**

Species	Status	Determination of Effect
Gray Wolf	Experimental Population	No Effect
New Mexico Meadow Jumping Mouse	Endangered	No Effect
Mexican Spotted Owl	Threatened	No Effect
Colorado Pikeminnow	Endangered	No Effect
Razorback Sucker	Threatened	No Effect
Monarch Butterfly	Proposed Threatened	No Effect
Silverspot Butterfly	Threatened	No Effect
Suckley's Cuckoo Bumble Bee	Proposed Endangered	No Effect

6 Bald and Golden Eagles

The Bald and Golden Eagle Protection Act was enacted in 1940 and prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" bald or golden eagles, including their parts (including feathers), nests, or eggs.

The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." Regulations further define "disturb" as "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior" (50 CFR 22.6).

Bald eagles are commonly seen during the winter months along perennial rivers within the Reservation and elsewhere in southwestern Colorado. Golden eagles are known to inhabit and nest in canyons and arid habitats throughout the region and the Reservation. According to Colorado Parks and Wildlife (CPW) and the Tribe's DWRM data, there are no golden eagle or bald eagle nest sites in proximity to the project or action areas.

7 Migratory Birds

Most birds, except those species listed by the Secretary of the Interior as exempted, are protected by the MBTA of 1918. The USFWS administers the MBTA, which prohibits the "take" (death, removal or capture) of migratory birds, their eggs, or their active nests. The implications of the proposed action have been assessed in combination with the site visit to evaluate potential impacts to migratory birds.

As previously mentioned, the proposed project would cause approximately 1.26 acres of new disturbance in sagebrush shrubland and mixed mountain shrubland. Potential migratory bird habitat will be impacted by the project.

SECMG consulted the USFWS's Western Colorado Ecological Services Field Office IPaC web portal on September 24, 2026, which identifies Birds of Conservation Concern. No migratory birds of concern were identified as likely to occur in the project area.

If project activities are completed outside of the typical migratory bird breeding/nesting season, direct impacts would likely be avoided. However, project activities occurring from April 1 to August 31 (DWRM, personal communication 2026) have the potential to negatively impact migratory birds that inhabit piñon-juniper woodland, sagebrush shrubland, and mixed mountain shrubland habitats. If construction is scheduled during the breeding/nesting season, nest surveys would be conducted in the project area by a qualified biologist within 7 days of the

vegetation removal. If active nest sites are found on Tribal lands, DWRM staff would be consulted for appropriate conservation measures.

8 Conservation Measures

The proposed pipeline project would be implemented using the applicable mitigation measures identified under the 2002 Final Environmental Impact Statement for Oil and Gas Development on the Southern Ute Indian Reservation (USDI 2002) and the Programmatic Environmental Assessment for 80 Acre Infill Oil and Gas Development on the Southern Ute Indian Reservation (USDI 2009). These documents are readily available online on the Tribes's Department of Energy National Environmental Policy Act webpage (<https://www.suitdoe.com/nepa/>). The design features for oil and gas development on the SUIR under these documents include measures to protect air quality, vegetation, wildlife, and waterways. In addition, project specific mitigation measures to further avoid, minimize, or reduce potential impacts from implementation of the proposed project on sensitive environmental resources are listed below.

Project Specific Biological Resource Mitigation Measures

- ❖ Red Cedar would implement best management practices and control measures to minimize erosion or sediment discharge outside of the project area and to protect Tribal water resources. A stormwater plan will be created for the project in accordance with the Tribe's *Storm Water Recommendations for Operations on Tribal Lands within the Southern Ute Indian Reservation*.
- ❖ If construction activities are scheduled during the migratory bird breeding/nesting season (April 1 to August 31), nest surveys shall be conducted within the project area by a qualified biologist within 7 days of clearing and grubbing. If active nest sites are found on Tribal lands, the Tribe's Division of Wildlife Resource Management shall be consulted for appropriate conservation measures.

9 Document Preparation

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Southern Ute Indian Tribe Growth Fund, SECMG
65 Mercado Street, Suite 260
Durango, Colorado 81301

10 Literature Cited, Reviewed and Data Sources

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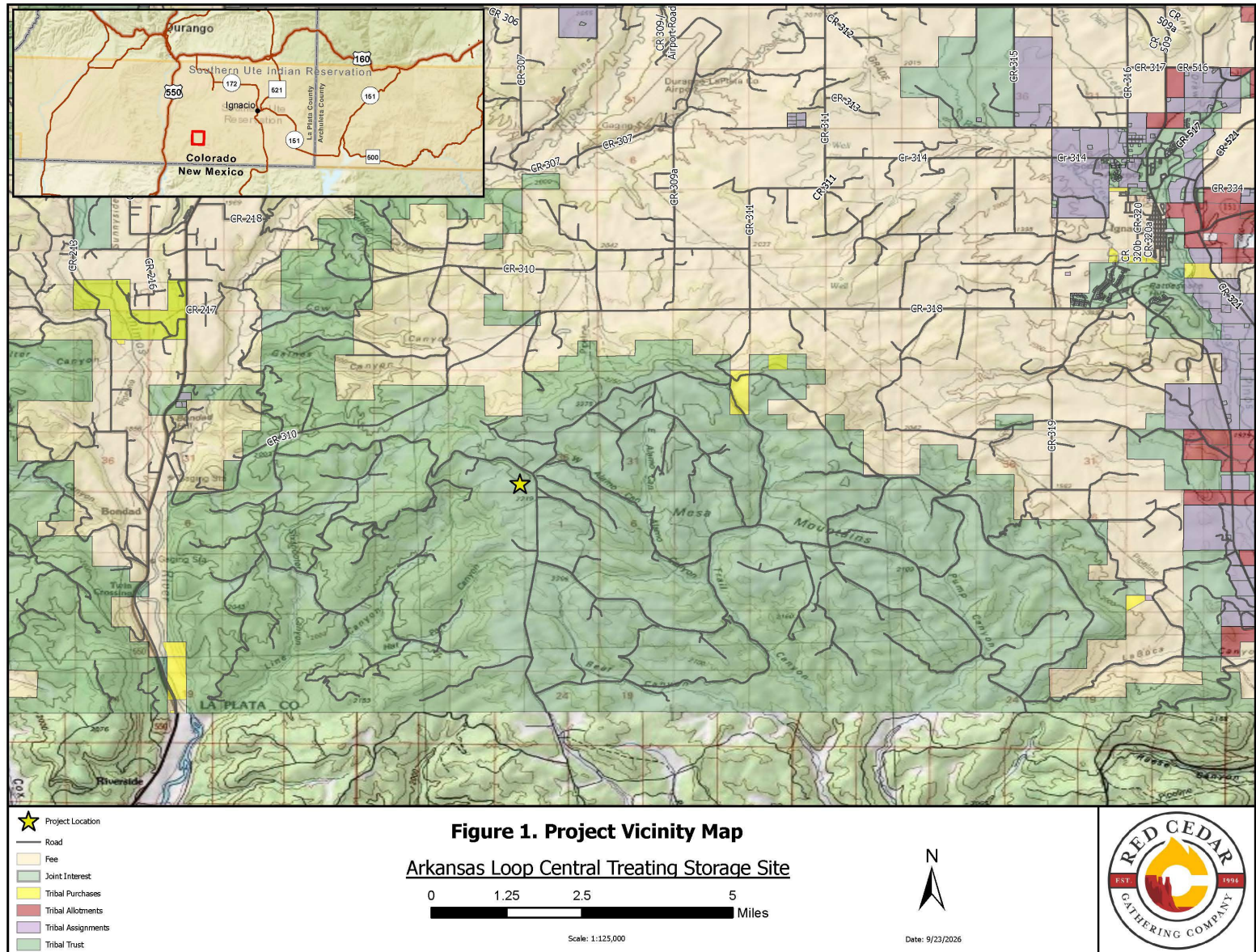
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<https://www.usgs.gov/tools/national-map-viewer>.

Appendix A. Project Maps and Plats



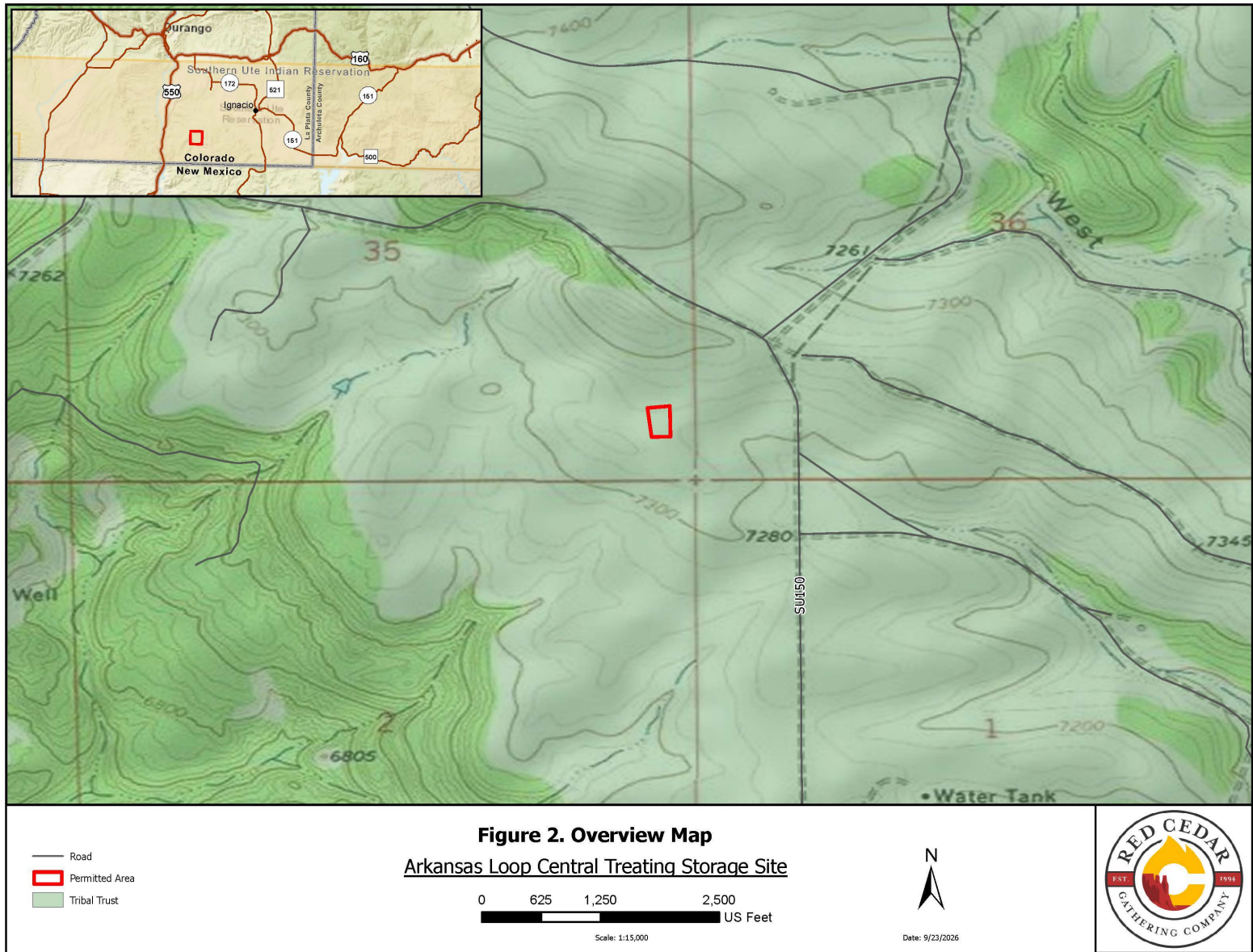




Figure 3. Action Area Map

Arkansas Loop Central Treating Storage Site

- National Hydrography Dataset
- Road
- Action Area
- Permitted Area

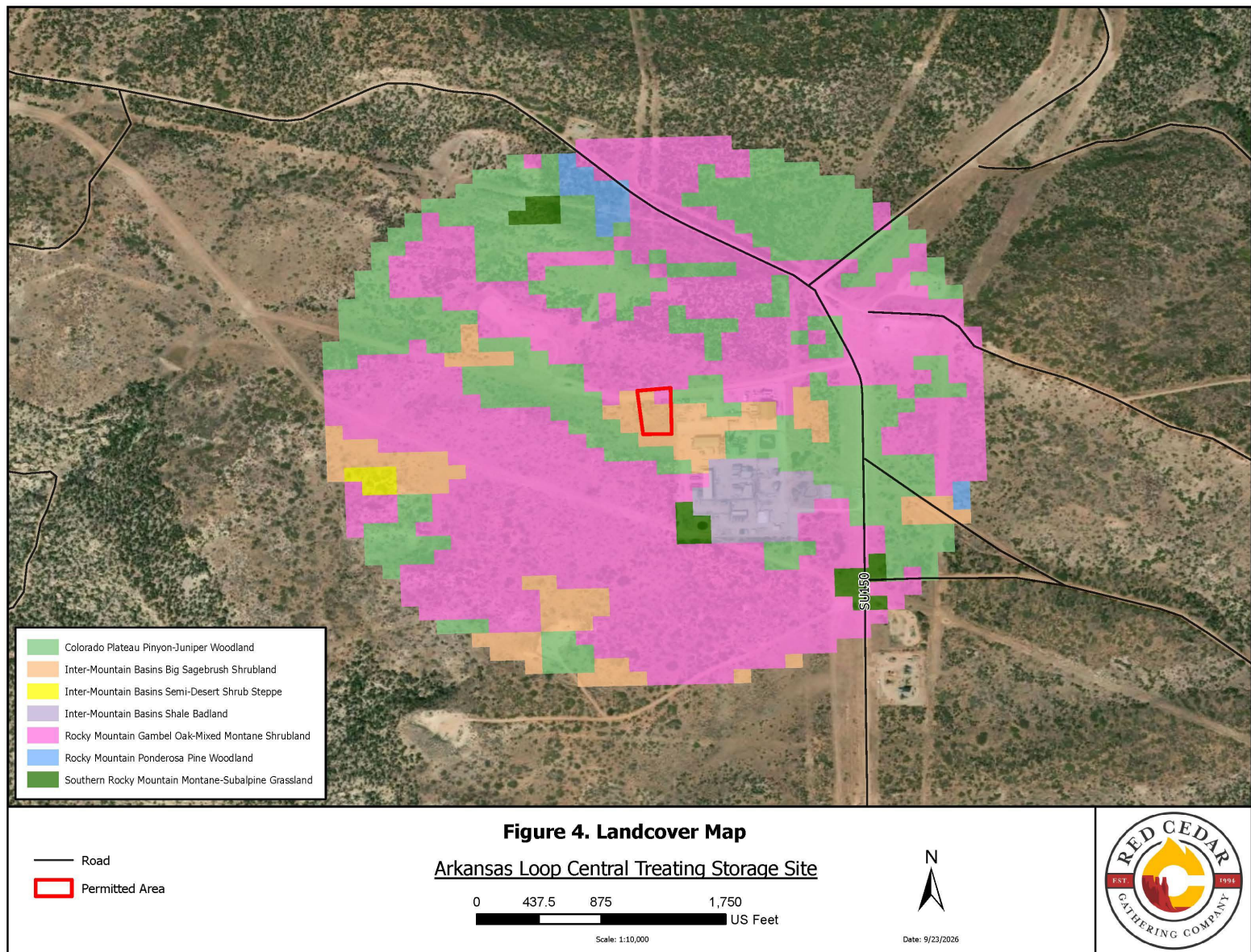
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 US Feet

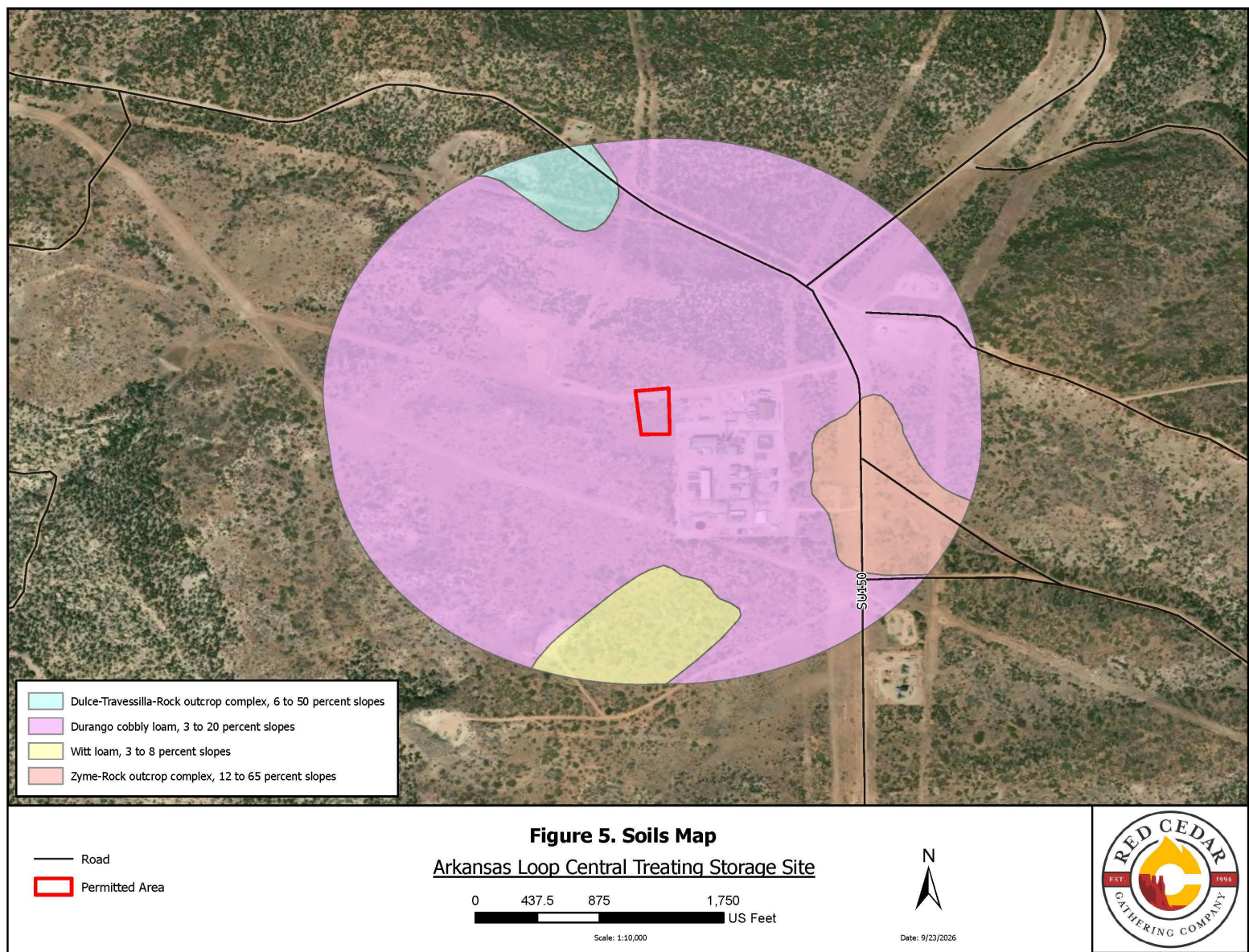
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Date: 9/23/2026







**RED CEDAR GATHERING CO.: CENTRAL TREATING STORAGE SITE
LOCATED IN THE SE/4 SE/4 OF SECTION 35,
T33N, R9W, N.M.P.M., LA PLATA COUNTY, COLORADO
PAD DRAWING**

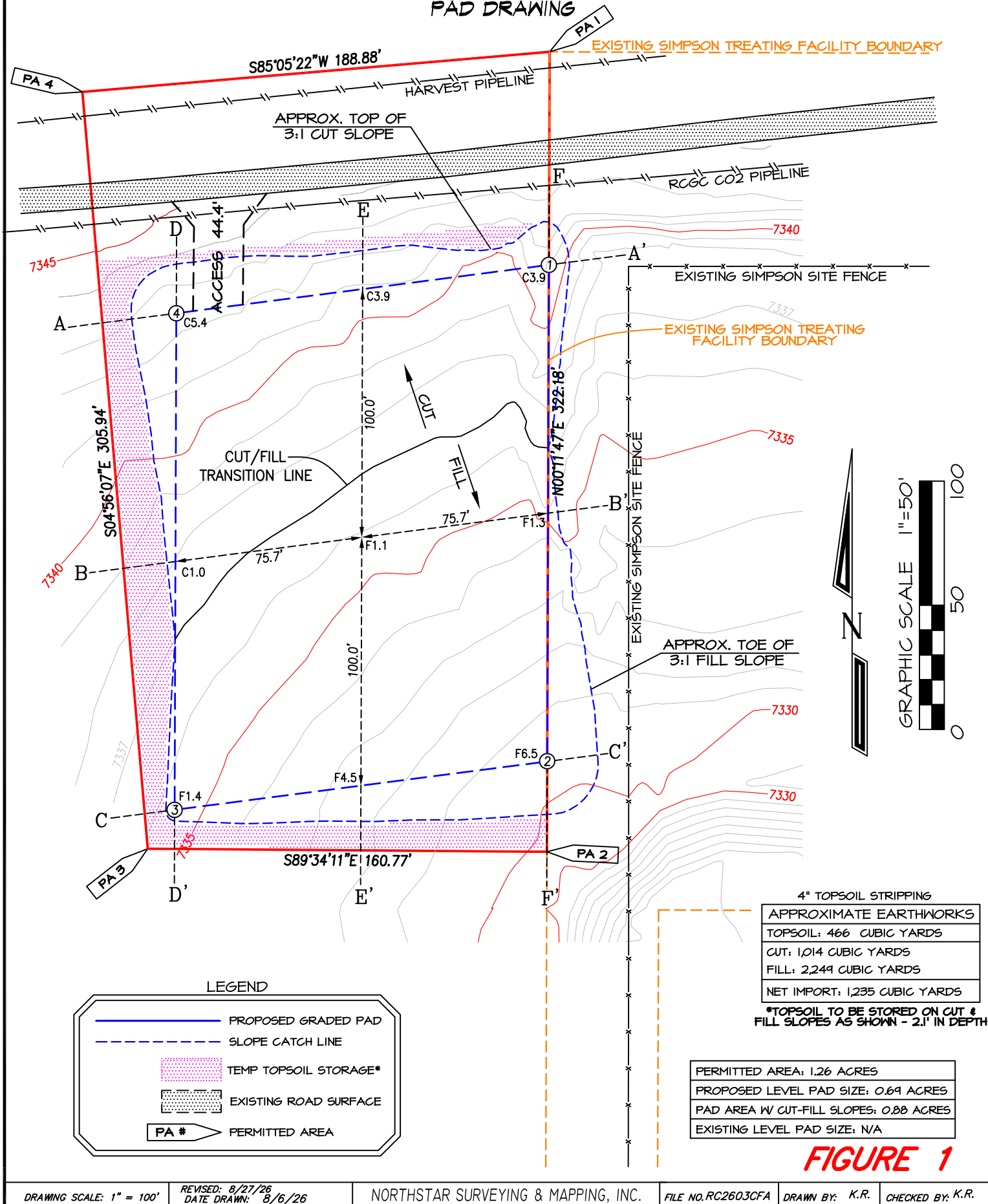
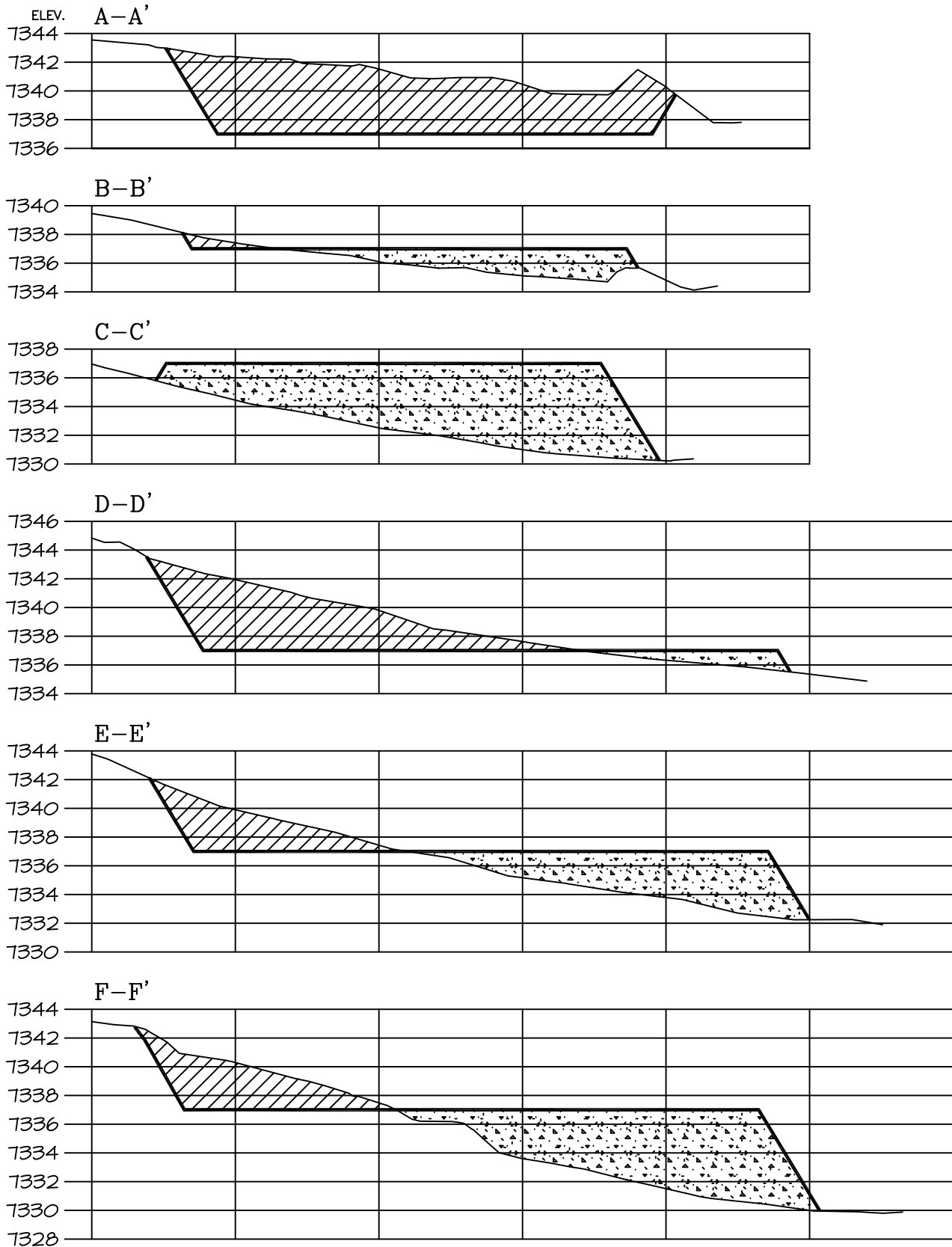


FIGURE 1

**RED CEDAR GATHERING CO.: CENTRAL TREATING STORAGE SITE
LOCATED IN THE SE/4 SE/4 OF SECTION 35, T33N, R9W, N.M.P.M.,
LA PLATA COUNTY, COLORADO PAD ELEVATION: 7337'**

PAD CROSS SECTION DETAIL



VERTICAL SCALE: 1" = 10' / HORIZONTAL SCALE: 1" = 50'

FIGURE 2

**RED CEDAR GATHERING CO.: CENTRAL TREATING STORAGE SITE
LOCATED IN THE SE/4 SE/4 OF SECTION 35,
T33N, R9W, N.M.P.M., LA PLATA COUNTY, COLORADO
CONSTRUCTION LAYOUT**

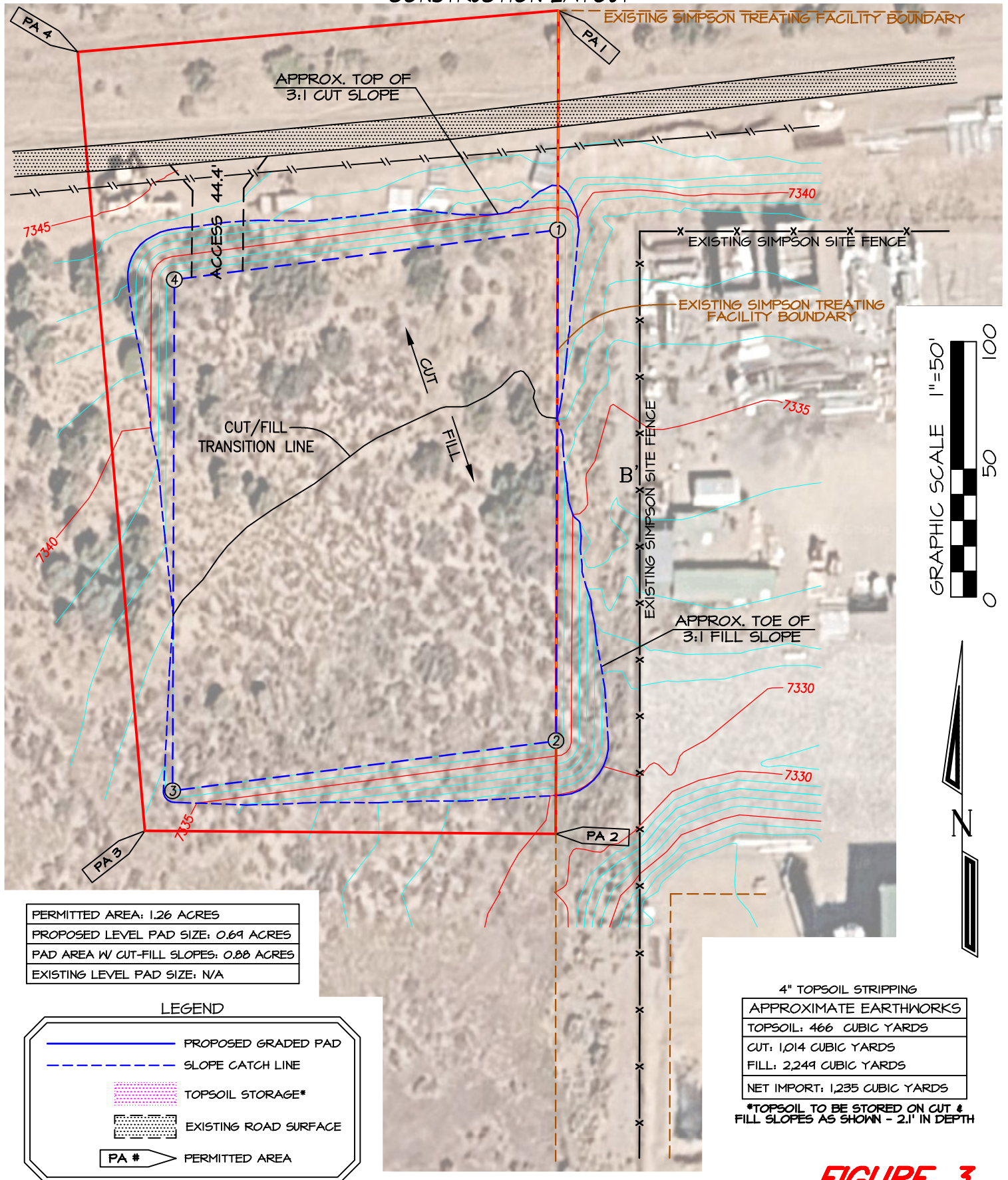


FIGURE 3

Red Cedar Gathering Company
CENTRAL TREATING STORAGE SITE

Located in the SE/4 SE/4 of Section 35, T33N, R9W, N.M.P.M., LaPlata County, Co.

PERMITTED AREA LEGAL DESCRIPTION

Beginning at a point whence the South 1/4 Corner of Section 36, T33N R9W, being a 2" dia. aluminum cap L.S. # 33648, bears S74°54'25"E a distance of 2970.80 feet.

Thence S85°05'22"W a distance of 188.88 feet,

Thence S04°56'07"E a distance of 305.94 feet,

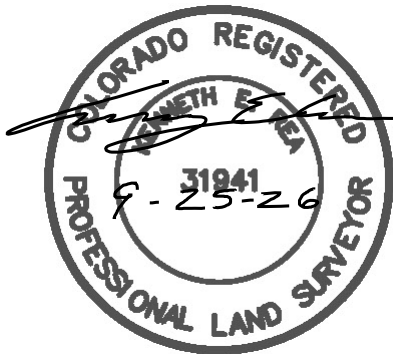
Thence S89°34'11"E a distance of 60.77 feet,

Thence N00°11'47"E a distance of 322.18 feet, to the point of beginning.

Containing 1.26 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 B. Southern Ute Indian Tribe Range Division On-Site Report



Southern Ute Indian Tribe Range Report

14929 Hwy 172 Ignacio, CO 81137

This report has been drafted by the Southern Ute Indian Tribe's (SUIT) Department of Energy subsequent to the field onsite related to the project outlined below and submitted to the SUIT Department of Natural Resources Range Division for review and approval. The project proponent must adhere to all site specific mitigation measures that are attached to this document as well as all tribal general stipulations that are applicable to this project.

Company Name: Red Cedar gathering Company

Project Name: Arkansas Loop Central Treating Storage Site

Township and Range T33N R9W Section 35 Qtr/Qtr SESE

Latitude: 37.05467446 Longitude: -107.78702616

Onsite Date: 7/28/26

New Development ☒

Facility Decommissioning ☐

Land Status:

Unassigned Tribal Trust ☒

Assigned Tribal Trust ☐

Tribal Purchase ☐

Active Range Unit ☒

Agriculture Lease ☐

Irrigated Lands ☐

Date Submitted to DNR 08/21/2026

Land Use Narrative

As consideration during the Simpson treating expansion project (to be located within the existing Simpson Expansion SUA area), which will utilize the area where we currently store equipment, Red Cedar is needing to create a new area where operations can store equipment long term. Red Cedar would also use the area for construction project staging as well.

Issues or Concerns Provided by Range

None

I hereby certify that I have reviewed the site specific stipulations in this plan and that they properly address the concerns identified at the onsite for this project.

Reviewed and Approved by:

Attached Site Specific Stipulations Reviewed by Range Representative:

Signature Bill Gwinn Digitally signed by Bill Gwinn
Date: 2026.08.24 09:32:44
+0000

Comments

Title: Range Specialist

Date: 8/24/2026

None

Sign In Sheet

Project: Central Treating Storage Site

Company: RCGC

On-Site Date: July 28, 2026

1. Name (Print): Bill Gwinn Company: Suit. Range

Signature: [Signature]

2. Name (Print): José Romero Company: RCG

Signature: _____

3. Name (Print): Gunnar Westerman Company: DOE

Signature: [Signature]

4. Name (Print): Chris Jones Company: DOE

Signature: [Signature]

5. Name (Print): Ed Mora Company: RCGC

Signature: [Signature]

6. Name (Print): Matt Ammerman Company: RCGC

Signature: [Signature]

7. Name (Print): Raymond Valdez Company: Lands-DNR

Signature: _____

8. Name (Print): BACH FROST Company: NORTHSTAR SURVEYING

Signature: [Signature]

9. Name (Print): Connor Rea Company: Northstar Surveying

Signature: [Signature]

10. Name (Print): LINDSAY REA Company: NORTHSTAR SURVEYING

Signature: [Signature]

11. Name (Print): Doug Krueger Company: SECMG

Signature: [Signature]

12. Name (Print); Sabre Beebe Company: SECMG
Signature: [Signature]

13. Name (Print); Amanda Kuntz Company: SECMG
Signature: [Signature]

14. Name (Print); TIM RUIZ BROWN Company: FRD
Signature: [Signature]

15. Name (Print); William Farmer Company: EPD
Signature: _____

16. Name (Print); _____ Company: _____
Signature: _____

17. Name (Print); _____ Company: _____
Signature: _____

18. Name (Print); _____ Company: _____
Signature: _____

19. Name (Print); _____ Company: _____
Signature: _____

20. Name (Print); _____ Company: _____
Signature: _____

21. Name (Print); _____ Company: _____
Signature: _____

22. Name (Print); _____ Company: _____
Signature: _____

23. Name (Print); _____ Company: _____
Signature: _____

24. Name (Print); _____ Company: _____
Signature: _____

SITE SPECIFIC STIPULATIONS:

1. Red Cedar Gathering Company (RCGC) shall notify DOE Environmental Compliance Specialists ([Contact DOE EP@sudoe.us](mailto:Contact_DOE_EP@sudoe.us)) when topsoil is scheduled to be salvage and again once final recontouring efforts have been completed & structural stormwater controls have been installed throughout the project area. **DOE will conduct both an active construction inspection and a post-construction inspection at this site.
2. Isolated finds were marked within the expanded arch survey buffer along the southwestern portion of the storage facility pad. Construction efforts shall avoid this area. RCGC shall work with their arch contractor, DNR Lands, and TPHO in implementing any required protection measures during construction.
3. The site is located within an active grazing unit. During construction, any bell holes left open overnight shall be barricaded with safety fence if not located within a permanently fenced area. Bell holes and open trenches shall be equipped with ramps or other means of egress if wildlife or livestock access the excavation.
4. If the project will disturb greater than 1 acre of land RCGC shall abide by the SUIT Stormwater Recommendations. If less than 1 acre is disturbed, please provide DOE with stormwater maps that detail stormwater controls to be implemented during the active construction phase and during the operational phase.
5. Prior to ground disturbing activity, temporary perimeter sedimentation controls shall be installed along the toe of all fill slopes. Stormwater maps shall detail these measures.
6. The facility is proposed to be located within/adjacent to vegetated topsoil stockpiles salvaged for the existing Ark Loop/Simpson Treating Facility. If to be impacted, the topsoil stockpiles for Ark loop shall be salvaged and stockpiled in/around the new storage facility or repositioned within the Ark Loop/Simpson Treating Facility interim rec area. Native topsoil from the areas subject to the pad construction shall also be salvaged.
7. Cut-fill slopes built for the facility pad shall be no steeper than 3:1. unless approved of prior by SUIT DOE and a plan is provided detailing the appropriate stabilization measures to be installed along the steep slopes.
8. The southern portion of the pad is situated within a vegetated swale that appears to convey stormwater; the swale is fully armored in the adjacent Ark Loop/Simpson Treating Facility. Upon completing pad construction, the toe of the fill slope along the southern edge of the pad shall be armored. Armoring shall tie-in to the existing armoring installation currently in place at the Ark Loop/Simpson Treating Facility. Stormwater maps shall detail these measures.
9. To limit erosion along the cut slopes during the operations phase and as allowable by any off-sets required for the adjacent RCGC high pressure CO² pipeline ROW traversing the top of the cut - stormwater controls shall be utilized, as practicable, along the top of the cut slopes to control stormwater run on to the pad. Stormwater accumulated by the run on controls shall be discharged to locations that will best reduce erosion/sedimentation. Structural

stormwater controls, such as rock rundowns, silt traps, etc., should be utilized at the locations where stormwater is discharged. Stormwater maps shall detail these measures.

10. To limit erosion along the fill slopes during the operations phase, structural stormwater controls shall be utilized along the edges of the pad's graveled working surface. Stormwater accumulated by the pad surface shall be discharged where most appropriate to structural stormwater controls, such as rock rundowns, silt traps, etc. Stormwater maps shall detail these measures.
11. A new access road will be routed down the cut-slope of the pad. Appropriate stormwater controls shall be implemented within the road's borrow ditches to adequately mitigate erosion and to protect the adjacent CO2 pipeline from erosion. If culverts are installed for the access road, all culvert inlets and outlets shall be protected with rock armoring. Stormwater maps shall detail these measures.
12. Upon completing pad construction, topsoil shall be placed onto the cut-fill slopes and prepared for seeding. Any excess topsoil needing to be stockpiled long-term during the operations phase shall be situated in areas that will not be impacted by diverted stormwater. Topsoil and all disturbed areas outside of the pad's graveled working surface shall be seeded and mulched per Stipulation #13 below.
13. RCGC shall use Seed Mix #1/applicable rates as detailed in SUIT General Well Pad/Facility Stipulations. If a custom seed mix will be used at the site, the proposed mix shall be approved by SUIT Range & DOE prior to seeding taking place. All seeded areas shall be mulched at a minimum rate of two (2) tons per acre. If hydromulching, apply using 3500 pounds/acre of Bonded Fiber Matrix (BFM) mixed to the manufacturer's specs.
14. The storage site will be fenced using a chain-link fence that will exclude livestock and wildlife – consistent with what is currently installed around the Ark Loop/Simpson Treating Facility. If the facility fence will bisect the adjacent Range boundary fence, the Range fence shall be tied back into the chain-link fence. If a portion of the Range fence needs to be downed for construction during the grazing season (June 1st through October 31st), temporary fencing shall be installed along the boundary fenceline to isolate grazing livestock. RCGC is responsible for all damage to livestock from unprotected equipment, and RCGC is responsible for any damage to facilities caused by livestock.
15. The entrance to the site shall be equipped with a gate – consistent with what is installed for the adjacent Ark Loop/Simpson Treating Facility - to ensure livestock or wildlife cannot access the facility.
16. The site shall be equipped with signage placed in a conspicuous location, citing:
 - Operator name
 - Site name
 - Lease Information
 - Location Info/Legal Description
 - Emergency Contact Information

17. Any equipment to be stored at the storage facility shall be fully drained and locked-out/tagged-out.

Ark Loop Expansion

18. The area to be used for the facility expansion is currently being used for equipment/materials storage. Upon removing equipment/materials from the site, any visible residual soil contamination left from the equipment shall be excavated and disposed of properly off Tribal land.
19. Skids for compressors shall be equipped with environmental rails/drip catchments or other means that will drain liquids accumulated by the compressor skid to an adequately sized tank.
20. Any below grade or partially buried tanks shall be:
- constructed of steel,
 - have double walled construction,
 - be equipped with overfill protection, and
 - installed within adequately sized containment.
21. Above grade storage tanks shall be:
- Installed within an adequately sized (will hold at a minimum of 110% largest tank) & lined (no less than 24-mil thick) containment structure, and
 - be equipped with overfill protection.
22. If applicable, RCGC shall develop and maintain a Spill Prevention Control and Countermeasures (SPCC) plan for this facility.
23. Open ended exhaust and pressure safety valve vent piping greater than 1.5 inches in diameter shall be fitted with avian covering or caps. Avian covering or caps shall also be installed on open topped drip catchments for day tanks, etc. Avian covering shall not have holes larger than 1.5in.
24. RCGC shall coordinate with the Environmental Programs Department Air Quality Division on any applicable air quality permitting requirements for the facility expansion/equipment operation.

Appendix C. Threatened and Endangered Species List



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Western Colorado Ecological Services Field Office
445 West Gunnison Avenue, Suite 240
Grand Junction, CO 81501-5711
Phone: (970) 628-7180 Fax: (970) 245-6933



In Reply Refer To:
Project Code: 2026-0149472
Project Name: RC Central Treating Storage Site

09/24/2026 13:22:34 UTC

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 (ESA) 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 these species or critical habitats ([Colorado Ecological Services Field Office](#)). Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. We recommend 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 ESA 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 ESA and its implementing regulations ([50 CFR 402](#)), Federal agencies are required to use 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 like a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines 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 Federal agencies also address proposed species and proposed critical habitat within the consultation (see Conferencing below) and consider candidate species. 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>.

Projects and activities without a Federal nexus (e.g., without Federal funding, permit, or authorization) should be evaluated for the potential to "take" listed wildlife. Take does not apply to listed plants and to designated critical habitat. The term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct ([ESA Section 3, Definitions](#)). Harm in the definition of "take" in the ESA means an act which actually kills or injures wildlife. Such act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering ([50 CFR 17.3](#)).

Conferencing: Conferencing for species proposed for Federal listing or for proposed critical habitat is only required if a proposed action is likely to jeopardize the continued existence of a species or will result in the destruction or adverse modification of proposed critical habitat (50 CFR 402.10). If an action agency determines that their action would not jeopardize the continued existence of the proposed species and/or would not result in the destruction or adverse modification of proposed critical habitat, the determination should be saved in the agency's project record. Agencies may request a voluntary conference to address adverse effects; however, at this time the Colorado Field Office intends to not conduct voluntary conferences for the species discussed in this cover letter.

For purposes of ESA section 7 consultation, we treat experimental populations (e.g., gray wolf in Colorado) as if they are proposed for listing, except on National Park Service and National Wildlife Refuge system lands, where they are treated as threatened. Evaluations for proposed species are completed under the regulations for conferencing ([50 CFR 402.10](#)).

Gray Wolf: On November 8, 2023, the Service promulgated an ESA section 10(j) (i.e., nonessential experimental population or NEP) rule (10(j) rule) for gray wolf (*Canis lupus*) within the State of Colorado ([88 FR 77014](#)). In the 10(j) rule, the Service determined that the loss of the Colorado NEP would not be likely to appreciably reduce the likelihood of survival of the species in the wild and that the establishment of the NEP would benefit recovery by increasing redundancy and representation. Furthermore, it is unlikely that typical agency actions in Colorado, especially those with temporary impacts to habitat, will result in any adverse effects to the gray wolf. Agencies may consider implementing voluntary conservation measures near active dens and rendezvous sites. See Conferencing above.

Colorado River Fish/Depletions: Formal interagency consultation under section 7 of the ESA is required for projects that may lead to depletions of water from any system that is a tributary to the Colorado River. Federal agency actions resulting in water depletions to the Colorado River system may affect the endangered bonytail (*Gila elegans*) and Colorado pikeminnow (*Ptychocheilus lucius*), and the threatened humpback chub (*Gila cypha*), and razorback sucker (*Xyrauchen texanus*), and their designated critical habitats.

Water depletions include evaporative losses and consumptive use of surface or groundwater within the affected basin, often characterized as diversions minus return flows. Project elements that could be associated with depletions include, but are not limited to: ponds, lakes, and reservoirs (e.g., detention, recreation, irrigation, storage, stock watering, municipal storage, and power generation); drilling, hydraulic fracturing and completion of oil and gas wells; hydrostatic testing of pipelines; water wells; dust abatement; diversion structures; and water treatment facilities. Any actions that may result in water depletions should be identified. An analysis of the water depletion should include: an estimate of the amount and timing of the average annual water use (both historic and new uses) and methods of arriving at such estimates; location of water use or where diversion occurs, as specifically as possible; if and when the water will be returned to the system; and the intended use of the water. Depending on Project details, the Service may have more specific questions regarding the potential consumptive use of the water.

The Service, in accordance with the Upper Colorado River Endangered Fish Recovery Program (<https://coloradoriverrecovery.org/uc/>), adopted a [de minimis policy](#), which states that water-related activities in the Upper Colorado River Basin that result in less than 10 acre-foot per year of depletions in flow have no effect on the Colorado River endangered fish species and their critical habitat, and thus do not require consultation for potential effects on those species and critical habitat. While no section 7 consultation is needed, the Service requests Federal agencies notify the Upper Colorado Fishes Coordinator of depletions between 0.1 and 10 acre-feet per year with the approximate location of the project (e.g., reference to the most proximate surface water or tributary), the water use (e.g., agricultural, oil and gas, energy), and the timing of and depletion amount. Similarly, detention basins designed to detain runoff for less than 72 hours, and temporary withdrawals of water outside of critical habitat (e.g., for hydrostatic pipeline testing) that return all the water to the same drainage basin within 30 days, are considered to have no effect and do not require consultation.

Suckley's Cuckoo Bumble Bee: On December 17, 2024, Suckley's cuckoo bumble bee (*Bombus suckleyi*) (Suckley's) was proposed for listing as an endangered species (89 FR 102074). Suckley's is an obligate social parasite of social bumble bees in the genus *Bombus*. Suckley's cannot successfully reproduce without the availability of suitable host colonies. It is a semi-specialist parasite and confirmed to usurp nests of Western bumble bee (*Bombus occidentalis*) and Nevada bumble bees (*Bombus nevadensis*) (Service 2024). Based on the best available information, no Suckley's have been observed in Colorado since 2014 despite ongoing surveys. The Species Status Assessment (SSA) shows observations since 2018 occur only in northern latitudes, primarily in Canada ([Service 2024](#)), but the species may persist in high quality upper elevation habitats in western States.

While Suckley's is proposed for listing, there is no prohibition of "take" under Section 9 of the ESA; therefore, projects without a federal nexus, do not need to engage with the Service to exempt take under the ESA. However, we encourage everyone to incorporate conservation measures benefiting pollinators and pollinator habitat into projects. Examples include retaining suitable foraging (diversity and abundance of native floral resources), nesting (suitable host colony above or below ground), and overwintering habitat (loose substrates such as leaf litter, duff, rotting logs); maintaining habitat for host bumble bees by avoiding impacts to abandoned underground holes (rodent burrows); and revegetation efforts that include native seed mixes with a diversity of nectar plants (<https://www.xerces.org/monarchs/monarch-nectar-plant-guides>) to promote an abundance and diversity of native floral resources. Additionally, we recommend supporting and conducting general bumble bee and pollinator surveys. You may also consider tools that offer regulatory assurances should Suckley's become a listed species. For example, on January 22, 2026, the Service [Proposed a Nationwide Conservation Benefit Agreement for Bumble Bees](#).

At this time, the Colorado Field Office will not be participating in voluntary conferences for the species. Nationally, the Service is developing range-wide consultation guidance and streamlining tools for the Suckley's, and we will share these as they become available.

Monarch Butterfly: The monarch butterfly (*Danaus plexippus*) was proposed threatened under the Endangered Species Act (ESA) on December 12, 2024 (89 FR 100662). The proposed listing rule, including a special 4(d) rule, and proposed critical habitat in the California winter range, are available on the species webpage: <https://ecos.fws.gov/ecp/species/9743> and at <https://www.fws.gov/species/monarch-danaus-plexippus>. Two monarch butterfly populations occupy North America – the eastern population which is east of the Rocky Mountains, and the western population which is west of the Rocky Mountains. The eastern population supports well over 90% of the monarchs in North America. Colorado supports both populations. In Colorado, monarch butterfly habitat consists of grasslands, prairies, riparian areas, and urban gardens that support milkweed and a variety of nectar plants. We recommend agencies include proactive conservation measures into their projects such as restoring disturbed areas with local seed mixes with a diversity of nectar plants (<http://www.xerces.org/monarch-nectar-plants/>) and evaluating the full impact of their action (including conservation measures) when considering whether their project will jeopardize the species.

While the monarch butterfly is proposed for listing, there is no prohibition of “take” under Section 9 of the ESA; therefore, projects without a federal nexus, do not need to engage with the Service to exempt take under the ESA. However, we encourage everyone to include conservation measures to benefit monarch butterflies and other pollinators into projects. You may also consider tools that offer regulatory assurances should the monarch become a listed species such as Conservation Benefit Agreements (CBAs), or you may qualify to enroll into the [Candidate Conservation Agreement with Assurances for the Monarch Butterfly](#).

At this time, the Colorado Field Office will not be participating in voluntary conferences for the species. It is unlikely that typical localized actions in Colorado, especially those with temporary impacts in migratory or breeding habitat, will jeopardize the species. . Nationally, the Service continues to develop range-wide consultation guidance and streamlining tools for the Monarch butterfly and other pollinators.

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the 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 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>.

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 ESA. Please include the Consultation Code found in the header of this letter with any request for consultation or correspondence about your project that you submit to our office at GrandJunctionES@fws.gov.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

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:

Western Colorado Ecological Services Field Office

445 West Gunnison Avenue, Suite 240

Grand Junction, CO 81501-5711

(970) 628-7180

PROJECT SUMMARY

Project Code: 2026-0149472
Project Name: RC Central Treating Storage Site
Project Type: Oil&Gas Exploration - Onshore
Project Description: Expansion of storage yard
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@37.054810200000006,-107.7869981050764,14z>



Counties: La Plata County, Colorado

ENDANGERED SPECIES ACT SPECIES

There is a total of 8 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
Gray wolf <i>Canis lupus</i> Population: CO No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4488	Experimental Population, Non-Essential
New Mexico meadow jumping mouse <i>Zapus hudsonius luteus</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7965	Endangered

BIRDS

NAME	STATUS
Mexican spotted owl <i>Strix occidentalis lucida</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8196	Threatened

FISHES

NAME	STATUS
Colorado pikeminnow <i>Ptychocheilus lucius</i> Population: Wherever found, except where listed as an experimental population There is final critical habitat for this species. Your location does not overlap the critical habitat. This species only needs to be considered under the following conditions: Water depletions in the upper Colorado River basin adversely affect this species and its critical habitat. Effects of water depletions must be considered even outside of occupied range. Species profile: https://ecos.fws.gov/ecp/species/3531 General project design guidelines: https://ipac.ecosphere.fws.gov/project/NZ2MHMLNXBCZXJHVI6EMCSAZ4U/documents/generated/10418.pdf	Endangered
Razorback sucker <i>Xyrauchen texanus</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. This species only needs to be considered under the following conditions: Water depletions in the upper Colorado River basin adversely affect this species and its critical habitat. Effects of water depletions must be considered even outside of occupied range. Species profile: https://ecos.fws.gov/ecp/species/530 General project design guidelines: https://ipac.ecosphere.fws.gov/project/NZ2MHMLNXBCZXJHVI6EMCSAZ4U/documents/generated/10420.pdf	Threatened

INSECTS

NAME	STATUS
Monarch butterfly <i>Danaus plexippus</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743 General project design guidelines: https://ipac.ecosphere.fws.gov/project/NZ2MHMLNXBCZXJHVI6EMCSAZ4U/documents/generated/11011.pdf	Proposed Threatened
Silverspot <i>Speyeria nokomis nokomis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2813 General project design guidelines: https://ipac.ecosphere.fws.gov/project/NZ2MHMLNXBCZXJHVI6EMCSAZ4U/documents/generated/11107.pdf	Threatened
Suckley's cuckoo bumble bee <i>Bombus suckleyi</i> Population: No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10885	Proposed Endangered

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.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act ² and the Migratory Bird Treaty Act (MBTA) ¹. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

1. The [Bald and Golden Eagle Protection Act](#) of 1940.

2. The [Migratory Birds Treaty Act](#) of 1918.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act (MBTA). Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their nests, should follow appropriate regulations and implement required avoidance and minimization measures, as described in the various links on this page.

The data in this location indicates that no eagles have been observed in this area. This does not mean eagles are not present in your project area, especially if the area is difficult to survey. Please review the 'Steps to Take When No Results Are Returned' section of the Supplemental Information on Migratory Birds and Eagles document to determine if your project is in a poorly surveyed area. If it is, you may need to rely on other resources to determine if eagles may be present (e.g. your local FWS field office, state surveys, your own surveys).

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles".

MIGRATORY BIRDS

The Migratory Bird Treaty Act (MBTA) ¹ prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO FWS MIGRATORY BIRDS OF CONCERN WITHIN THE VICINITY OF YOUR PROJECT AREA.

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

IPAC USER CONTACT INFORMATION

Agency: Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado
Name: Amanda Kuenzi
Address: 65 Mercado Street
Address Line 2: Suite 260
City: Durango
State: CO
Zip: 81301
Email: akuenzi@sugf.com
Phone: 9705530504

Appendix D. DWRM Concurrence Letter

**Department of Natural Resources
Division of Wildlife Resource Management
Interoffice Memorandum**

To: Amanda Kuenzi Kampf, Senior Environmental Compliance Specialist, SECMG
From: Aran Johnson, Wildlife Division Head
Subject: Biological Assessment Concurrence
Date: October 8, 2026
CC: Priscilla Bancroft, BIA Southern Ute Agency
Adrian Abeyta, SU Dept of Energy
Wildlife Division files

The following biological assessment (BA) prepared by the SU Growth Fund's Safety and Environmental Compliance management Group has been received and reviewed by the Southern Ute Division of Wildlife Resource Management (DWRM):

Revised_Red Cedar Gathering Company –Arkansas Loop Central Treating Storage Project

In reviewing BA, I have found it to be complete and accurate and concur with the *no effect* determinations for the eight federally listed or proposed listed species analyzed.

If you have any questions or need additional information, please feel free to contact me directly at 970-563-0130.

Aran
Johnson

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Aran Johnson, Division Head
Division of Wildlife Resource Management
Southern Ute Indian Tribe

Appendix E. Fauna and Flora Observed in the Project Area

Scientific Name	Common Name
Plants	
<i>Agropyron cristatum</i>	Crested wheatgrass
<i>Artemisia nova</i>	Black sagebrush
<i>Artemisia tridentata</i>	Big sagebrush
<i>Bromus inermis</i>	Smooth brome
<i>Bromus tectorum</i>	Cheatgrass ^C
<i>Carduus nutans</i>	Musk thistle ^B
<i>Cercocarpus montana</i>	Mountain mahogany
<i>Convolvulus arvensis</i>	Field bindweed ^C
<i>Descurainia pinnata</i>	Western tansymustard
<i>Ericameria nauseosa</i>	Rubber rabbitbrush
<i>Erigeron divergens</i>	Spreading fleabane
<i>Eriogonum microthecum</i>	Slender buckwheat
<i>Eriogonum racemosum</i>	Redroot buckwheat
<i>Gutierrezia sarothrae</i>	Broom snakeweed
<i>Heterotheca villosa</i>	Hairy false goldenaster
<i>Juniperus osteosperma</i>	Utah juniper
<i>Melilotus officinalis</i>	Yellow sweet clover
<i>Pascopyrum smithii</i>	Western wheatgrass
<i>Peraphyllum ramosissimum</i>	Wild crab apple
<i>Pinus edulis</i>	Piñon pine
<i>Quercus gambelii</i>	Gambel oak
<i>Sphaeralcea coccinea</i>	Scarlet globemallow
<i>Triticum aestivum</i>	Common wheat
<i>Yucca baccata</i>	Banana yucca
Wildlife – Sign or Detection	
<i>Canis latrans</i>	Coyote
<i>Cervus elaphus</i>	Elk
<i>Corvus corax</i>	Common Raven
<i>Falco sparverius</i>	American kestrel
<i>Odocoileus hemionus</i>	Mule Deer
<i>Thomomys bottae</i>	Botta's pocket gopher
	Various passerine bird species

^BClass B Noxious Weed

^CClass C Noxious Weed

Source: Colorado Department of Agriculture. 2026. Noxious Weed Species in Colorado.

<https://ag.colorado.gov/conservation/noxious-weeds/colorado-noxious-weed-list>. Accessed July 16, 2026.

Appendix F. Selected Photos of the Project Area



Photo 1. Looking south-southwest at proposed storage area.



Photo 2. Looking southwest at proposed storage area.



Photo 3. Looking east at adjacent existing facility and storage area.

Appendix D. DNR/CPD Cultural Concurrence Letter



Southern Ute Indian Tribe

Cultural Preservation Department | Department of Natural Resources

Date: 10/07/2026

To: Department of Energy, Southern Ute Indian Tribe

Project: Red Cedar-Arkansas Loop Expansion Storage Yard

Project No.: N/A

Subject: Joint Cultural Resource Clearance Determination

Pursuant to TERP §§ 31-6-102 and 31-6-103, the Department of Natural Resources and the Cultural Preservation Department have jointly reviewed the cultural resource inventory report, supporting documentation, and associated cultural resource information for the above-referenced project. The review included consideration of the Area of Potential Effects (APE), archaeological inventory findings, known cultural resources, and Traditional Cultural Properties (TCPs), where applicable.

Inventory Report Reviewed:

Report Name: Cultural Resource Survey, Arkansas Loop Expansion Storage Yard, La Plata County, Colorado (ERO 26-172)

Prepared by: Tim Ruiz Brown, ERO Resources Corporation

Report Date: 09/31/2026

Based on our review, the Department of Natural Resources and Cultural Preservation Department jointly determine that the inventory report's findings and recommendations should be:

- ☒ **Accept** the report's findings and recommendations
- ☐ **Accept the report's findings and recommendations with modifications** (listed below)
- ☐ **Reject** the report's findings and recommendations (reasons listed below)

Comments/Modifications/Conditions/Reasons for Rejection:

If previously unidentified cultural resources, human remains, funerary objects, or historic properties are encountered, or if unanticipated effects to cultural resources occur, all work shall cease immediately. The Cultural Preservation Department shall be notified immediately, and work shall not resume until appropriate consultation, and treatment measures have been completed.

TCP Addendum Attached: ☐ Yes ☒ No ☐ Not applicable

This determination should be incorporated into the project's TERP review and any final approval conditions.

Andrew C
Frost

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Andrew Frost, Director
Natural Resources Department

Crystal E.
Rizzo

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Crystal E. Rizzo, Director
Cultural Preservation Department



Southern Ute Indian Tribe

Cultural Preservation Department | Department of Natural Resources

Attachments (if applicable):

- ☐ TCP Addendum
- ☐ Mitigation Measures
- ☐ Supplemental Cultural Resource Documentation
- ☐ Other: _____