May 26, 2022

Southern Ute Indian Tribe
Environmental Programs Division
PO Box 737 MS #81
Ignacio, CO 81137

RE: CWA Section 401 Water Quality Certification
Southern Ute #01-01 1 Pipeline Project
La Plata County, Colorado

Mr. Seebach,

Cottonwood Consulting LLC (Cottonwood) on behalf of Red Cedar Gathering Company (Red Cedar) is pleased to provide the Southern Ute Indian Tribe (SUIT) with a certification request for Clean Water Act (CWA) Section 401 Water Quality Certification for the installation of a natural gas flowline from the Southern Ute #01-01 1 (API #: 05-067-06633) well pad south along an access road, then west along another access road. The proposed project is located on SUIT land located in the southeast quarter of the southeast quarter of Section 1, Township (T) 33 North (N) Range (R) 7 West (W) in La Plata County, Colorado. Per CWA Section 401 Water Quality Certification general requirements, Cottonwood is providing the following information.

Project Proponents and Point of Contact

Table 1. Permittee and point of contact information.

<table>
<thead>
<tr>
<th>Project Proponent</th>
<th>Company</th>
<th>Red Cedar Gathering Company</th>
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<tbody>
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<td>Edward Mora</td>
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<td>125 Mercado Street, Suite 201 Durango, CO 81301</td>
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<thead>
<tr>
<th>Point of Contact</th>
<th>Company</th>
<th>Cottonwood Consulting LLC</th>
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<tbody>
<tr>
<td>Name</td>
<td>Kyle Siesser</td>
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<td><a href="mailto:ksiesser@cottonwoodconsulting.com">ksiesser@cottonwoodconsulting.com</a></td>
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</tbody>
</table>
Proposed Project

The proposed project is located on SUIT land located in the southeast quarter of the southeast quarter of Section 1, T33N R7W in La Plata County, Colorado. The proposed project includes the installation of approximately 0.29 miles of steel natural gas pipeline in an existing pipeline right-of-way (ROW) (Figure 1). The pipeline installation would utilize traditional trenching techniques. Following construction, the ROW would be recontoured and revegetated to match pre-construction conditions.

A portion of the project ROW crosses two unnamed, irrigation-influenced drainages. Based on field reconnaissance, a review of aerial imagery, and US Fish and Wildlife Service National Wetlands Inventory data, the proposed project would result in approximately 0.03 acres of temporary disturbance within the northern unnamed drainage and 0.01 acres of temporary disturbance in the southern unnamed drainage.

Following construction, Red Cedar would restore the areas within the drainages to their pre-construction contours and elevations, resulting in no permanent losses of Waters of the United States (US).

Applicable Federal License or Permit

Red Cedar will operate under a non-notifying Nationwide Permit (NWP) 12 (Oil or Natural Gas Pipeline Activities). Red Cedar will complete the NWP information and retain a copy of the general conditions on site during construction activities.

Location and Nature of Potential Discharge

Surface water runoff from the project area would flow into various unnamed drainages and ultimately into Spring Creek, to the south and west of the project area, which flows into the Los Piños River. The Los Piños River flows south into Navajo Reservoir and eventually the San Juan River.

Project activities would result in soil disturbance that could impact surface water quality in the unnamed drainages if sediment is discharged offsite. Stored soils from trenching activities as well as exposed soils cleared for staging and temporary use areas are also potential pollution sources if discharged offsite.

Discharge Treatment, Control, and Management

Installation of the proposed pipelines would utilize appropriate soil erosion and sediment best management practices (BMPs) to reduce the potential for discharge of sediment off site. The pipeline would be installed using traditional excavation methods.
Red Cedar would utilize the following techniques within the drainage areas to protect surface water quality and would comply with applicable NWP General Conditions and SUIT EPD 401 Water Quality Certification requirements:

1. Installation of sediment and erosion BMPs, including sediment control logs and other BMPs, prior to disturbance;
2. Topsoil would be stockpiled on-site;
3. Excavated areas would be returned to pre-construction contours and topsoil would be replaced;
4. Trenches would be backfilled in such a way so as to not drain Waters of the US;
5. Following project completion, all debris would be removed from the area; and
6. Seeding of disturbed areas within the drainages may occur if necessary.

All BMPs would be maintained in effective operating condition and in accordance with good engineering, hydrologic, and pollution control practices. Red Cedar would regularly inspect the BMPs to ensure BMPs are maintained. Red Cedar may add or remove BMPs as needed to protect surface water quality.

Other Agency Authorizations

Red Cedar is currently working the SUIT to obtain the required authorization. A copy of the proposed project notification (PPN) is included as Attachment 2.

The project will also follow SUIT stormwater recommendations for oil & gas operators on tribal lands.

Pre-Filing Meeting Request

Cottonwood, on behalf of Red Cedar, submitted a pre-filing meeting request by email to the SUIT EPD on May 25, 2022. A copy of the pre-filing meeting request is included as Attachment 1.

Statements

Per Code of Federal Regulations (CFR) §121.5(b), this certification request includes the following statements:

‘The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief’; and

‘The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.’
Conclusion

Cottonwood on behalf of Red Cedar respectfully requests Section 401 Water Quality Certification from the SUIT EPD for the installation of Red Cedar’s Southern Ute #01-01 1 gas pipeline.

Please do not hesitate to contact me at 970-764-7356 should you have any additional questions or if more information is required.

Sincerely,

Kyle Siesser, P.G.
Cottonwood Consulting LLC

Attachments: Figure 1 – Project Area Map
Attachment 1 – Pre-Filing Meeting Request
Attachment 2 – Proposed Project Notification
Legend
- Oil & Gas Well
- Irrigation-Influenced Drainage
- Existing ROW
- Proposed Pipeline
- Proposed ROW
- TUA
- Culvert
- Permitted Area/Fence

Figure 1
Southern Ute #01-01 1 Pipeline Project Area Map
Red Cedar Gathering Company

Mapping by: E. Millar, 5/26/2022
Coordinate System:
NAD 1983 UTM Zone 13 N

Location: SESE Sec 1 T33N R7W NMPM