

Borrower's Environmental Report

Mountain View Electric Association, Inc. (CO37 Douglas), located in Limon, Colorado is a distribution electric cooperative which operates at both 12.47/7.2 kV and 24.94/14.4 kV.

Project Description

Mountain View Electric Association (MVEA) is proposing to construct a new one-acre Greenfield 115/12.5 kV distribution substation referred to hereafter as the Vollmer Substation (Project). The Project will be designed and constructed for 24.9/14.4 kV through 115 kV specifications. The Project area is a five-acre parcel of land within which the one-acre substation will be constructed. The Project area will include space for the staging of equipment during construction, and a 0.7-mile long by 150-foot-wide (12.7 acre) survey area for a 50-foot-wide access road (4.25 acres) to the proposed substation (see **Figure 1**). A high chain link fence will enclose the substation high voltage equipment. The Project is located 2 miles east of Vollmer Road and 1 mile north of Woodman Frontage Road, in a developing area of El Paso County, Colorado (Township 12 South, Range 65 West of the 6th P.M., Section 34) [Project area].

The Project will tap into a proposed Tri-State 115 kV transmission line that parallels the southern side of the one-acre substation. The Project is further described as a "115/12.5 kV distribution substation", which could include the following equipment:

- 1200A, 115kV Circuit Switcher
- 115/12.5kV Distribution Transformer (10/12.5 MVA rating)
- 1200A, 12.5kV distribution breakers.

The Project area is currently void of legal access, so it is proposed that a newly constructed access route will be constructed. The access route will originate from the northern terminus of Mohawk Road, travel approximately 0.04 mile further north onto undeveloped land, and then turn east and travel approximately 0.66 mile towards and enter the western side of the Project. Construction is scheduled for mid- to late 2019 and is anticipated to be complete by mid-2020.

Map

Figure 1, at the end of this report, provides an aerial imagery of the Project site boundaries, including the areas surveyed.

Connected Actions

The substation will be energized from a proposed Tri-State 115 kV transmission line that parallels the southern side of the one-acre substation (see **Figure 1**).

**Categorical Exclusions involving small-scale development
with an environmental report.**

| <i>RUS 740c Code No.</i> | <i>Substation</i> | <i>Existing Line Type (Phase & OH or URD)</i> | <i>No. of Miles</i> | <i>Type of New Construction (Phase & OH or URD, wire/cable; voltage etc. as applicable)</i> | <i>Carryover Project</i> | <i>7CFR.1970.54</i> | <i>Extraordinary Circumstances Present per 7CFR.1970.52 (Enter a "Yes" or "No")</i> |
|--------------------------|-------------------|---|---------------------|---|--------------------------|---------------------|---|
| 402 | Vollmer | | | | | (C) (1) | No |

Land Use

General Land Use

Land form features and land use observed during a May 17, 2018 site survey indicated that the Project area occurs within the Western Great Plains shortgrass prairie ecoregion. The elevation of the Project area occurs at approximately 7,025 feet with very limited (within 20 feet) topographic relief throughout the Project area. The land use in the Project area is primarily limited to livestock grazing and haying agricultural practices.

Important Farmland

Prime Farmland is defined by the U.S. Department of Agriculture (USDA) as land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is also available for these land uses. Based upon soils data from the Natural Resources Conservation Service (NRCS) for Colorado, the Project area does not contain prime farmland.

Prime Range Land

The Project area is located on private land currently zoned by the El Paso County Assessor’s Office for agricultural grazing. Evidence of livestock grazing was detected within the Project area indicating that the land is actively being used for grazing livestock. Based upon NRCS soils data, the Project area does not contain prime range land.

Formally Classified Lands

National Parks, National Monuments or Battlefields

Construction not contained within or in close proximity to any National Parks, National Monuments, or Battlefields per the National Natural Landmarks national registry (<http://www.nature.nps.gov/nnl/state/co/index.htm>) and the National Park Service website (<https://www.nps.gov/state/co/index.htm>).

Wild/Scenic Rivers, Wilderness Areas, recreational rivers, lake shores and trails

Construction will not occur in close proximity nor span any wild and scenic rivers per the National Park Service (<http://www.nps.gov/rivers>). There are no [wilderness areas](#) (US Forest

Service - USFS), [wild/scenic rivers](#) (National Wild and Scenic Rivers System – various federal agencies), [recreational rivers/lake shores](#) (National Parks Service), nor any [trails](#) (Colorado Parks and Wildlife) within close proximity to the Project area.

National refuges

Construction not contained within or in close proximity to any National Refuges per the USFWS National Wildlife Refuge Locator website (<http://www.fws.gov/refuges/refugeLocatorMaps/Colorado.html>).

State parks, Federal or State owned/operated lands

Construction not contained within or in close proximity to any State parks, Federal or State owned and operated lands per the National Natural Landmarks national registry website and the National Park Service website.

Floodplains

An examination of the Federal Emergency Management Agency (FEMA) maps were made and found that the Project will not be within any 100-year floodplains per the FEMA Map Service Center website (<http://www.eia.gov/special/floodhazard>). The Pikes Peak Regional Building Department is the floodplain authority for unincorporated El Paso County, CO. This authority only regulates FEMA floodplains, therefore floodplain permitting is not anticipated to be required.

Wetlands

MVEA is aware of Section 404 of the Clean Water Act (CWA), which established a federal-permitting program that regulates activities in wetlands and Waters of the U.S. (WOUS). Section 404 requires that anyone proposing to deposit dredged or fill material into wetland or WOUS, must obtain a permit from the United States Army Corps of Engineers (USACE), the federal agency responsible for administering Section 404 permitting process for such activities.

Desk-top review of USFWS National Wetland Inventory maps and survey data collected during the May 17, 2018 Project survey determined that the Project does not occur within or near an aquatic feature (indicative of designated wetlands or other WOUS); which have the potential to be under the jurisdictional control of the USACE. However, the proposed substation boundary and access road does cross a vegetation swale feature, but the feature terminates in uplands.(see **Figure 1**). Therefore, the Project will not temporarily or permanently impact aquatic features indicative of designated WOUS.

Cultural Resources

A Class III cultural resource survey was conducted of the Project's Area of Potential Effect (APE) May 17, 2018. No cultural resources were identified within the APE and a Limited Results Cultural Resource Survey Form was completed (attached). A file search of the Colorado Office of Archaeology & Historic Preservation database identified no previous sites or surveys within 0.5 miles of the APE. One structure to the south of the APE was identified in El Paso County assessor

records as constructed in 1900, but review of historical aerial photography indicates it actually post-dates 1969. All other structures within the cultural APE for indirect effects were built in the last 10 to 20 years.

If during the course of the Project any ground disturbance exposes any bones, artifacts, foundations, or other indications of past human occupation, the ground disturbance will be halted immediately and the State Historic Preservation Officer and RUS notified immediately.

Threatened, Endangered and Proposed Species and associated Critical Habitat

The Project associated with this Environmental Report submittal is normally not considered a “major construction activity” as defined in 50CFR 420.02. Under Title 50: Wildlife and Fisheries, Part 402-Interagency Cooperative-Endangered Species Act of 1973, a *Major construction activity* is a construction project (or other undertaking having similar physical impacts) which is a major Federal action significantly affecting the quality of the human environment as referred to in the National Environmental Policy Act [NEPA, 42 U.S.C. 4332(2)(C)].

Based upon an Information for Planning and Consultation (IPaC) report generated on May 29, 2018 (Event Code: 06E24000-2018-E-02854), there are nine federally listed species that could occur within the Project area or be indirectly affected by Project activities (see **Table 1**). The IPaC report found no critical habitat within the Project area for any of the nine species. The six federal species listed below have no potential to occur within the Project area.

- Least tern (*Sternula antillarum*)
- Piping plover (*Charadrius melodus*)
- Whooping crane (*Grus americana*)
- Greenback cutthroat trout (*Oncorhynchus clarkii stomias*)
- Pallid sturgeon (*Scaphirhynchus albus*)
- Western prairie fringed orchid (*Platanthera praeclara*)

The least tern and piping plover are known to nest downstream of the Project area in Bent and Kiowa Counties on sandy shores of reservoirs and gravel pits (CPW 2018). Because no water-related usage will occur, the Project will not affect downstream water quality or result in water depletions. Therefore, the least tern and piping plover will not be affected by Project activities.

Four species either occur upstream from the Project or entirely outside of the Project’s watershed. The Project occurs within the Arkansas River Basin and therefore has no potential to affect the pallid sturgeon, whooping crane, and western prairie fringed orchid, which all occur outside of the Arkansas River Basin (CPW 2018; USFWS 2018a, USFWS 2018b). The whooping crane crosses the Arkansas River Basin in Oklahoma and Kansas during migration but has not been seen in Colorado since 2010 (CPW 2018). The fourth species, the greenback cutthroat trout, is currently only known to occur within Bear Creek, a tributary of Fountain Creek in Colorado Springs, Colorado. Bear Creek is not hydrologically connected to the Project area and therefore the greenback cutthroat trout will not be affected by Project activities. The remaining three

species do occur within Colorado, but will not occur within the Project or be affected by Project activities due to a lack of suitable habitat, as discussed below.

The **North American wolverine** (*Gulo luscus*) occurs primarily in boreal forests, tundra, and western mountains throughout Alaska, Canada, and the northern United States of Oregon, Idaho, Montana, and Wyoming (USFWS 2016). There is evidence that a small number of non-breeding, transient individuals occur in Colorado (USFWS 2016). A remote sensing analysis of North American wolverine denning shows an obligate relationship between denning sites and areas with persisting snow cover into early spring (Copeland et al. 2010). Wolverines typically inhabit areas of sparse human habitation due largely to their high altitude and persistent snow habitat requirements (Copeland et al. 2010). No habitat exists within the Project area capable of supporting the wolverine and therefore, the species will not occur or be affected by Project activities.

Mexican spotted owl habitat in Colorado includes a combination of dense, mixed coniferous forests including Douglas-fir (*Pseudotsuga menziesii*), ponderosa pine (*Pinus ponderosa*), and white fir (*Abies concolor*); steep slopes (greater than 40 percent slope), often in canyons or rocky outcroppings; and elevations between 6,500 and 9,500 feet (averaging 7,500 feet amsl) (USFWS 2012). None of these habitat conditions occur within the Project area and therefore, the species will not occur or be affected by Project activities.

Ute ladies'-tresses (*Spiranthes diluvialis*) generally occur in early to mid-successional wet areas near springs, lakes, perennial or intermittent streams, riparian edges, gravel bars, old oxbows, and wet meadows up to 7,000 feet elevation (Fertig et al. 2005). The microhabitat often associated with this species is seasonally inundated small, sporadic areas characterized by wet-mesic, shallow wetlands (Fertig et al. 2005). No wetlands occur within the Project area and therefore, the orchid species will not occur or be affected as a result of the Project.

Table 1: Federal Species analyzed for potential Project effects

| Common Name | Scientific Name | Listing Status | Habitat | Suitable Habitat within Project Area | Potential to Affect Species |
|--------------------------|----------------------------------|---------------------|---|--------------------------------------|-----------------------------|
| BIRDS | | | | | |
| Mexican spotted owl | <i>Strix occidentalis lucida</i> | Threatened | Old growth forests of southern Utah, Colorado, Arizona, New Mexico, west Texas, and into the mountains of northern and central Mexico. Mature trees (18-inch diameter or greater), mainly Douglas-fir (USFWS 2012). | No | No |
| MAMMALS | | | | | |
| North American wolverine | <i>Gulo luscus</i> | Proposed Threatened | Boreal and alpine habitat containing persistent snow late into May (USFWS 2016). | No | No |

| Common Name | Scientific Name | Listing Status | Habitat | Suitable Habitat within Project Area | Potential to Affect Species |
|---------------------|------------------------------|----------------|---|--------------------------------------|-----------------------------|
| PLANTS | | | | | |
| Ute ladies'-tresses | <i>Spiranthes diluvialis</i> | Threatened | Endemic to moist soils near wet meadows, springs, lakes, and perennial streams on early successional sandy point bars or edges up to 7,000 feet amsl (NRCS 2009). | No | No |

State of Colorado Threatened and Endangered Species

Colorado’s threatened and endangered species law (Title 33. Parks and Wildlife. Article 2. Nongame and Endangered Species Conservation. § 33-2-105) identifies specific species for management and prohibits the take of these protected state wildlife. The Project area was evaluated for the potential presence of state listed “threatened or endangered” species protected under this State of Colorado statute.

Preliminary assessment of the Project area was based on publicly available data from the Colorado Natural Heritage Program (CNHP) element occurrence data, along with a review of USGS 7.5-minute topographic maps and aerial imagery. This preliminary assessment along with the Project survey results were used to identify the state listed species with potential to occur and be affected by the Project.

The burrowing owl (*Athene cunicularia*), a state listed threatened species, has the potential to occur in the Project area. The burrowing owl is a seasonal nesting bird on the eastern plains of Colorado and occurs within shortgrass prairie grasslands (CPW 2018). Suitable habitat includes dry, open areas with short grasses and limited trees (CPW 2018). Burrowing owls nest and live in underground burrows often created by prairie dogs, ground squirrels, and badgers (CPW 2018). The Project survey on May 17, 2018 did not detect any burrowing owl nesting activity or the presence of prairie dog colonies. Therefore the burrowing owl is not likely to occur in the Project area or be impacted by Project activities.

Fish and Wildlife Resources

The Migratory Bird Treaty Act (MBTA), 16 U.S.C. 703–712, protects native bird species from unlawful killing, capturing, or disturbance to nesting birds resulting in nesting failure. The Project area contains suitable habitat for various nesting migratory birds, particularly ground nesting songbirds and some raptors. The Project survey on May 17, 2018 detected a nesting pair of red-tailed hawks (*Buteo jamaicensis*) located about 500 feet east of the Vollmer substation in a lone ponderosa pine tree, at 38.955799 degrees latitude, -104.648972 degrees longitude (see **Figure 1**). Seasonal restrictions to human encroachment is 1/3 mile (1,750 feet) radius of active red-tailed hawk nests (CPW 2008). Should this or another nest location become active during the 2019 nesting season, the species occupying the nest will affect the specific avoidance

recommendations as mandated by Colorado Parks and Wildlife ([Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors](#)).

Because hawks will reuse the same nests from year-to-year, a pre-construction survey for raptor nesting activity is recommended if Project activities overlap with the nesting season (February 15 – July 15) for most raptor species which could nest in the area. In addition, the prime nesting season for most avian species within the Project area occurs between April 1 and July 31. If during Project activities, active migratory bird or raptor nests are observed during the collective nesting season (February 15 – July 31), it is recommended that the following be performed to avoid violating the MBTA:

1. Construction activities and human encroachment immediately cease in the nest(s) vicinity,
2. A temporary 100-foot-radius work exclusion zone is be established around songbird nests,
3. A temporary 1000-foot-radius work exclusion zone is be established around raptor nests,
4. A Project representative shall contact the U.S. Fish and Wildlife Service (USFWS) Lakewood, Colorado Field Office for technical and regulatory guidance.
5. Work exclusion zones may be modified based on direction from USFWS or other technical expert

Similar to the MBTA, The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c), prohibits the unlawful killing, capturing, or disturbance to bald and golden eagles, including their parts, nests, or eggs.

Bald eagles (*Haliaeetus leucocephalus*) are typically observed near rivers or large lakes but can be found in open dry country, particularly during migration. Bald eagles build nests in large trees typically near waterbodies or rivers due to their affinity to prey on fish (Wrigley et al. 2012; CPW 2018). The nearest recorded bald eagle nest occurs over 15 miles to the south of the Project area. Construction will not affect the bald eagle as no evidence of suitable nesting or roosting sites were identified during the site survey or are known to occur within a 15 mile radius of the Project.

Golden eagles (*Aquila chrysaetos*) can be found throughout grasslands in eastern Colorado. Golden eagles build nests on cliffs or in the largest trees of forested stands with an unobstructed view of the surrounding habitat (CPW 2018). The nearest recorded golden eagle nest is located over 15 miles northeast of the Project area. However, golden eagle could occasionally forage in the Project area due to a high abundance of black-tailed jackrabbits, one of their preferred prey species. Any disturbance of eagle foraging by Project activities is not expected to impact individuals beyond temporary displacement of eagles and therefore will not affect eagle population viability overall.

No suitable habitat occurs for bat species within the Project area. The project area is not near any known hibernacula or maternity roost trees for any bat species, and the project will not remove any trees or structures which could be used for roosting. Therefore, no bat species will be affected as a result of the project.

Vegetation

The Project area occurs entirely within western Great Plains short-grass prairie grasslands. Approximately one acre of vegetation will be cleared for the substation and an additional 4.25 acres of disturbance will occur for the construction of the access road to the substation.

The vegetation at the site was dominated by grasses, primarily blue grama (*Bouteloua gracilis*), western wheatgrass (*Pascopyrum smithii*), little bluestem (*Schizachyrium scoparium*), smooth brome (*Bromus inermis*), prairie threeawn (*Aristida oligantha*), and sand dropseed (*Sporobolus cryptandrus*). Forbs within the Project area included dragon wormwood (*Artemisia dracunculus*), pricklypear cactus (*Opuntia polyacantha*), fringed sage (*Artemisia frigida*), and patches of common rabbitbrush (*Ericameria nauseosus*) and soapweed yucca (*Yucca glauca*). Very limited invasive or noxious plants were identified during the site survey. However, Russian thistle (*Salsola tragus*) was identified within the Project area and could be spread and established in other Project areas during construction. MVEA will implement measures during construction to minimize the spread of non-native plants. No trees occur within the survey area, but some landscaped trees do occur on private property directly adjacent to the Project area.

Coastal Areas

(Not Applicable due to geographical location)

Air Quality

MVEA has no reason to believe construction activities of this sort will have any negative impact on air quality. The Project will not include the installation of permanent sources of air pollution to include but not limited to power generators. Construction activities associated with the Project are expected to be completed in less than 6 months. Therefore, any portable power generators used for construction purposes will not be used onsite for construction purposes for more than 12 months. A permit must be obtained in the event a portable generator will be onsite for more than 12 months.

The Project will disturb approximately 5.25 total acres for the access road and substation. Colorado Department of Public Health and Environment (CDPHE) requires the submittal of a Land Disturbance Air Pollution Emission Notice (APEN) if construction exceeds 6 months and/or the disturbed land is greater than 25 acres. As the Project construction is expected to be completed in less than 6 months and will disturb less than 25 acres of land, a Land Disturbance APEN is not required to be submitted to CDPHE prior to when construction can commence. If it is learned the construction will take longer than 6 months, an APEN with CDPE will be applied for and received in advance of commencing construction. As part of the APEN submittal, MVEA will review the terms of the General Permit 03 by which the construction activities would be regulated under. If any terms of General Permit 03 cannot be adhered to, MVEA will apply for a construction permit. Construction will not commence in advance of receipt of the individual permit.

Additionally, El Paso County Board of Health has codified air quality requirements for projects located in El Paso County to include the location of the Project (see El Paso County Board of Health Regulation Chapter 5; Section 5.6). A Construction Activity Permit application must be submitted to El Paso County Public Health if the activity will disturb more than one (1) acre but less than 25 acres and the duration of the project is less than 6 months. El Paso County Board of Health should be contacted to determine when construction can commence if this Project qualifies for an El Paso County Board of Health Construction Activity Permit. MVEA anticipates construction will be completed in less than 6 months. As such, a Construction Activity Permit application will be submitted to El Paso County and received in advance of commencing construction.

Water Quality

MVEA is aware of stormwater permitting that is required through the Colorado Department of Public Health and Environment (CDPHE) and El Paso County due to the anticipated construction disturbance of more than 1 acre. The CDPHE will likely require a General Permit for Stormwater Discharges Associated with Construction Activity. El Paso County will likely require an Erosion and Stormwater Quality Control Permit. Both permits will require the development of a stormwater management plan that aims to control sediment, erosion, and other potential water quality impacts associated with the construction activity. Permits will be applied for and received prior to the commencement of construction.

The Environmental Protection Agency (EPA) Spill Prevention, Control, and Countermeasure (SPCC) rule aims at preventing a discharge of oil into navigable waters. A facility is covered by the SPCC rule if it has an aggregate aboveground oil storage capacity greater than 1,320 gallons, or a completely buried storage capacity greater than 42,000 gallons and there is a reasonable expectation of an oil discharge into or upon navigable waters of the United States. Oils of any type are covered including, petroleum, fuel oil, oil mixed with wastes, synthetic oil, and mineral oil. A facility that meets this criteria must comply with the SPCC rule by developing and implementing an SPCC Plan that describes oil handling operations, spill control measures, and responsible facility personnel. An SPCC Plan may be required for the Project if oil storage capacity meets the above criteria. Oil storage capacity will be evaluated once the Project is designed, and in the event the aforementioned criteria is met, an SPCC Plan will be developed prior to oil storage containers being transported on-site. No action will be required if oil storage capacity does not meet the aforementioned criteria.

A CWA 401 water quality certification by the State of Colorado is required prior to a Federal agency issuing a certain set of permits or licenses that may result in a discharge to waters of the United States. An applicable Federal permit or license is not anticipated, therefore it is not expected that a 401 water quality certification will be required.

Aesthetics

The Project is not located in an area of high scenic beauty, or near scenic overlooks, scenic highways, wilderness areas, integral vistas, parks, national forests, or along wild and scenic, recreational, or national inventory rivers. The Project will have limited aesthetic impact.

Transportation

The Project area where the Project is scheduled to occur is not located near a municipal, commercial, and or Department of Defense designated airport and that construction activities or long-term operations associated with and or scheduled to occur at the Project area, will not affect airline traffic. Nor will the Project affect local area highway safety or local area navigable waterways.

Noise, Radio, and Television Interference; Human Health and Safety; Socioeconomic and Community Resources

Increased construction traffic within the local neighborhood (large private lots), along with construction noise will increase during Project activities. However, due to the low-density private property in the Project vicinity, construction activities are expected to result in limited and short-term impacts to the local community.

I have reviewed this Borrower's Environmental Report (BER) and, to the best of my knowledge, it accurately describes the Project and associated environmental impacts. Mountain View Electric Association intends to carry out the environmental commitments, mitigation measures and other impact minimization measures presented in the report. Our personnel and those of any involved independent contractor will be made aware of such environmental commitments before the initiation of construction. If any additional information relevant to the environmental effects of the Project arise before the submission of this BER, such material will be provided promptly to RUS.

(Signature - CEO)

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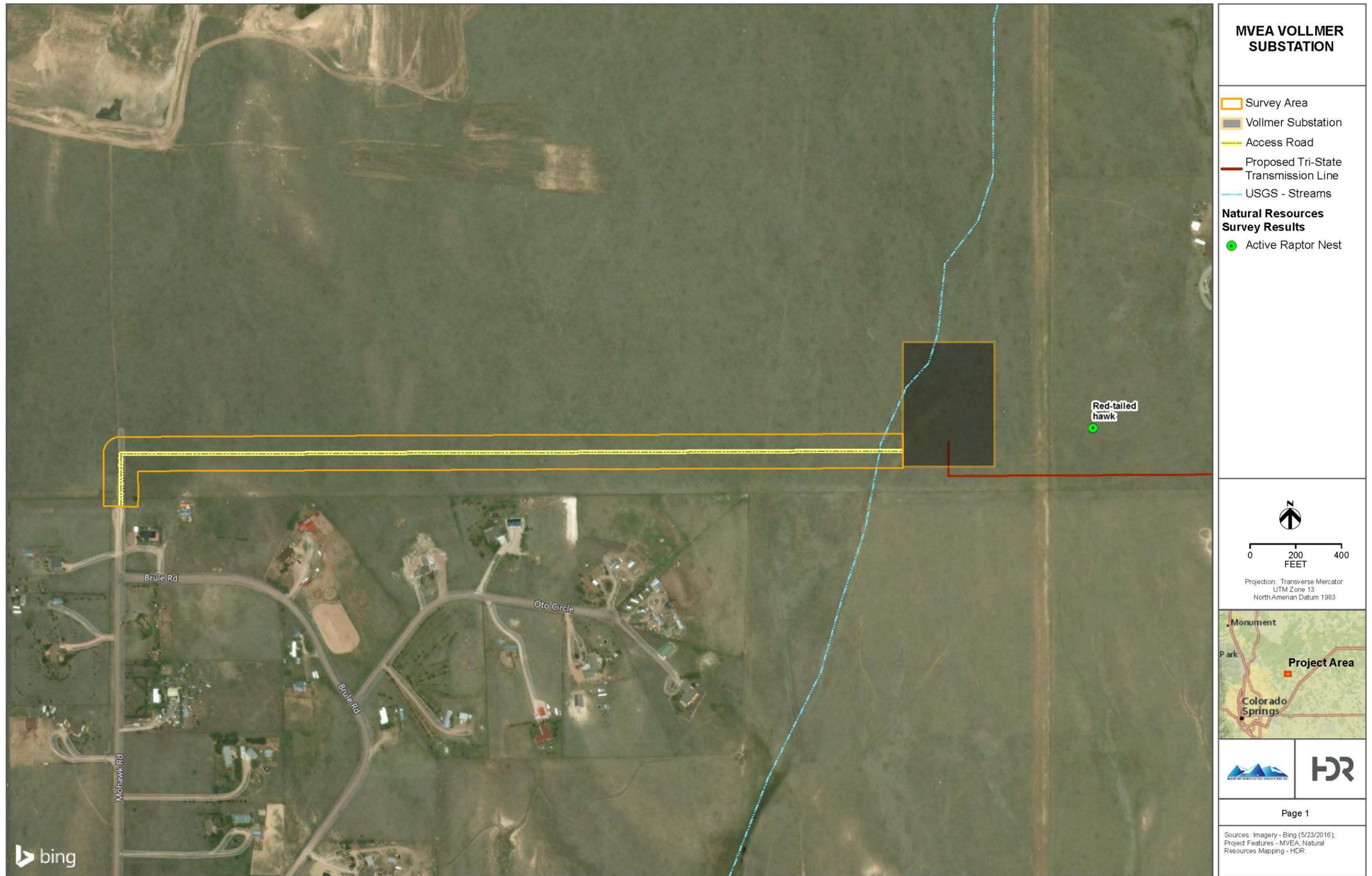


Figure 1: Project Area Map

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