ERO

Consultants in Natural Resources and the Environment

Natural Resources Assessment
Cherokee Metropolitan District PFAS Water Treatment Facility
Northeast of North Ellicott Highway and State Highway 94
El Paso County, Colorado

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July 10, 2026

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Executive Summary

Advanced Engineering and Environmental Services (AE2S) retained ERO Resources Corporation (ERO) to provide a natural resources assessment for the Cherokee Metropolitan District Per- and Polyfluoroalkyl Substances (PFAS) Water Treatment Facility (project) northeast of North Ellicott Highway and State Highway 94 in El Paso County, Colorado (project area). ERO assessed the project area for wetlands and other waters (i.e., streams, ponds, and other waterbodies); federally listed threatened, endangered, proposed, and candidate (T&E) species habitat; state-listed T&E species and species of special concern (SSC) habitat; raptor and migratory bird nests; natural resources; and general wildlife use. Below is a summary of the resources found in the project area and recommendations or future actions necessary based on the current site conditions and federal, state, and local regulations.

The natural resources and associated regulations described in this report are valid as of the date of this report and may be relied upon for the specific use for which it was prepared by ERO under contract to AE2S. Because of their dynamic nature, site conditions and regulations shall be reconfirmed by a qualified consultant before relying on this report for a use other than that for which ERO was contracted.

Wetlands and Other Waters – No wetlands or other waters occur in the project area; therefore, no federal or state action regarding wetlands and other waters is necessary.

Federally Listed T&E Species – No habitat for federally listed T&E species occurs in the project area; therefore, no further action is necessary.

State-Listed T&E Species and SSC – Active black-tailed prairie dog (*Cynomys ludovicianus*; prairie dog) colonies occur adjacent to, and extend into, the project area and contain habitat for western burrowing owls (*Athene cunicularia*; burrowing owl*)*. ***If prairie dog removal becomes necessary, Colorado Parks and Wildlife (CPW) recommends attempting to remove or exterminate prairie dogs prior to earthwork or construction.*** Burrowing owls, a state-listed threatened species, could be impacted by the project if work occurs within the CPW-recommended 0.125-mile (660-foot) to 0.25-mile (1,320-foot) buffer of prairie dog burrows (CPW 2021). ***If work occurs within the recommended buffer of burrows from March 15 through October 31, burrowing owl surveys are recommended***.

Wildlife – ERO reviewed data from CPW map databases, and no High Priority Habitat areas overlap the project area (CPW 2026b); therefore, no further action is necessary.

Migratory Birds and Raptors – ERO observed an inactive CPW-mapped great horned owl (*Bubo virginianus*) nest approximately 0.10 mile northeast of the project area. No other nests, including songbird nests, were observed in or near the project area during the 2026 site visit. ***Habitat-disturbing activities shall be conducted from September 1 to March 31, outside of the nesting season, and ERO recommends that a nest survey be conducted within one week prior to construction***. Activities that directly impact an in-use nest, or that encroach close enough to cause adult birds to abandon the nest, shall be restricted.

Natural Resources Assessment
Cherokee Metropolitan District PFAS Water Treatment Facility
Northeast of North Ellicott Highway and State Highway 94
El Paso County, Colorado

July 10, 2026

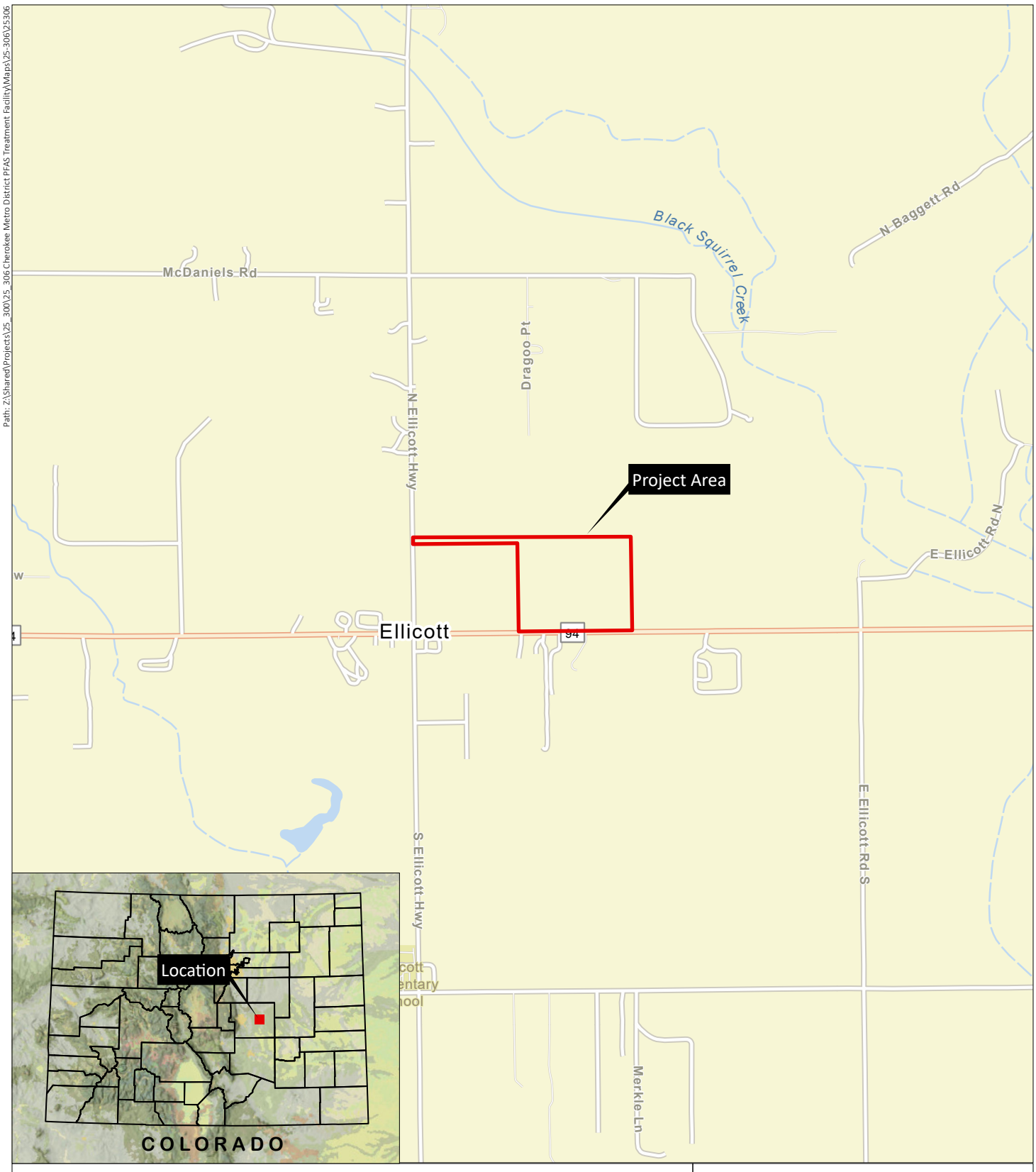
Introduction

Advanced Engineering and Environmental Services (AE2S) retained ERO Resources Corporation (ERO) to provide a natural resources assessment for the Cherokee Metropolitan District Per- and Polyfluoroalkyl Substances (PFAS) Water Treatment Facility (project) northeast of North Ellicott Highway and State Highway 94 in El Paso County, Colorado (project area; Figure 1). This report provides an overview of existing site conditions and resources, as well as current regulatory guidelines pertaining to those resources. It is understood that the Cherokee Metropolitan District is responsible for obtaining all federal, state, and local permits required for construction of the project.

The natural resources and associated regulatory information presented in this report are valid as of the date of this report. These details may be relied upon solely for the specific use for which it was prepared by ERO under contract to AE2S. Due to the dynamic nature of environmental conditions and regulatory frameworks, site conditions and regulations shall be reconfirmed by a qualified consultant before relying on this report for a use other than that for which ERO was contracted.

Project Area Location

The project area is in Section 7, Township 14 South, Range 62 West of the 6th Principal Meridian in El Paso County, Colorado (Figure 1). The UTM coordinates for the approximate center of the project area is 553727mE, 4299250mN, Zone 13 North. The longitude/latitude of the project area is 104.380929°W/38.840428°N. The project area is shown on the U.S. Geological Survey (USGS) Ellicott, Colorado topographic quadrangle map. The elevation of the project area ranges from 6,010 to 6,035 feet above sea level. Photo points of the project area are shown on Figure 2, and the photo log is in Appendix A.



Cherokee Metropolitan District PFAS Water Treatment Facility

Section 7, T14S, R62W; 6th PM

UTM NAD 83: Zone 13N; 553727mE, 4299250mN

Longitude 104.380929°W, Latitude 38.840428°N

USGS Ellicott, CO Quadrangle (1:24,000; 1978)

El Paso County, Colorado

0 1,000 2,000 Feet

N

Figure 1
Vicinity Map

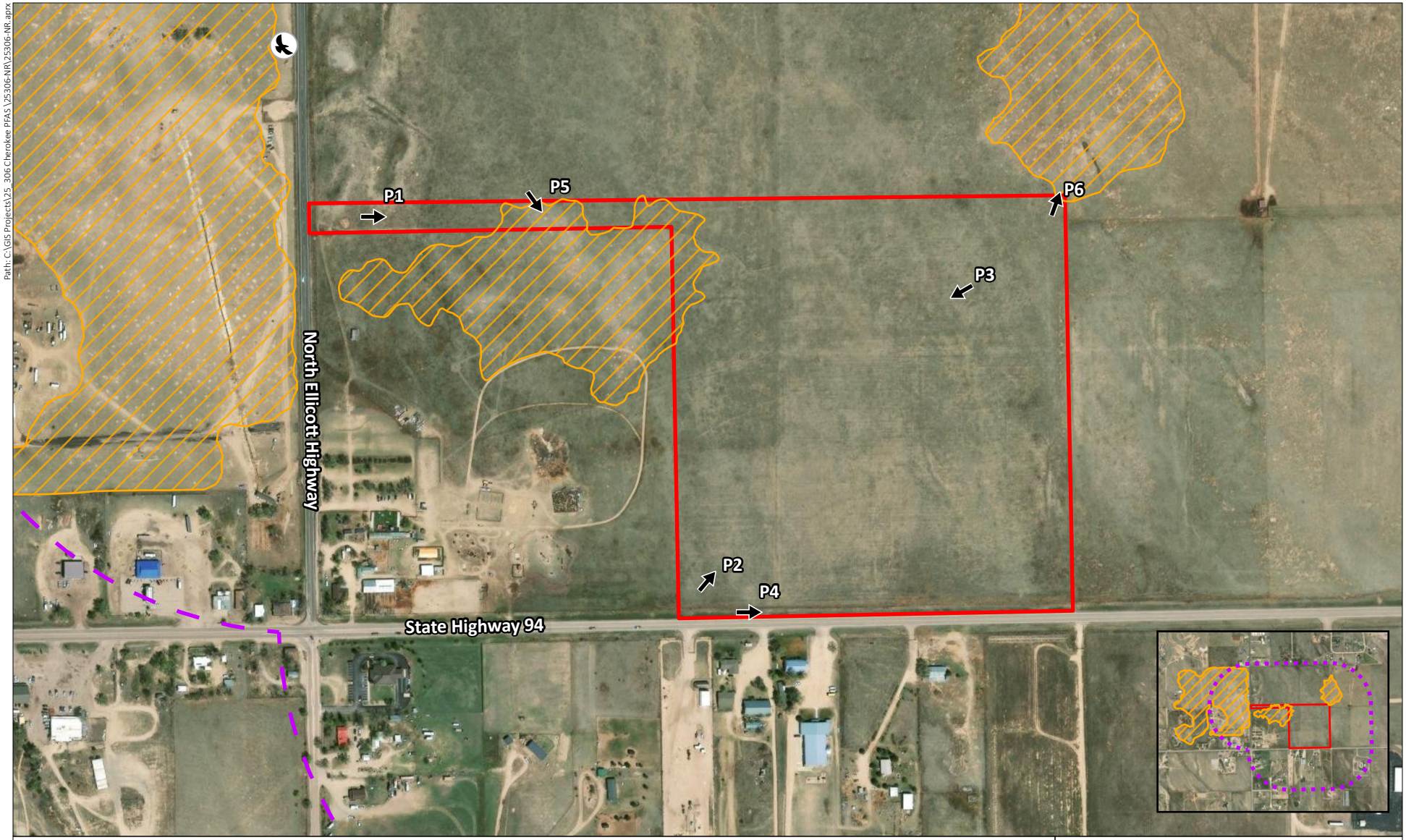
Prepared for: Advanced Engineering and Environmental Services

File: 25-306 Figure 1 (HF)

July 10, 2026

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Cherokee Metropolitan District PFAS Water Treatment Facility

- Project Area
- Black-Tailed Prairie Dog Colony
- Project Area 1,320-Ft Buffer
- Photo Point
- Great Horned Owl Nest

Image Source: Vantor© May 2, 2024

0 250 500 feet

N

Figure 2
Existing Conditions

Prepared for: Advanced Engineering and Environmental Services
File: 25-306 Figure 2 (HF)
July 10, 2026

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Methods

On April 8, 2026, Joshua Dresen, a biologist with ERO, assessed the project area for natural resources (2026 site visit). Notable natural resources observed during the 2026 site visit were recorded on aerial photographs of the project area using a Trimble R1 Global Positioning System (GPS) unit. Data were captured with ESRI® Field Maps using Satellite-Base Augmentation System real-time corrections that are accurate to submeter. GPS data were incorporated using ESRI® ArcGIS Desktop software. The scope of the 2026 site visit assessment included:

- Evaluation of general vegetation.
- Evaluation of potential state or federally regulated wetlands and other waters (i.e., streams, ponds, and other waterbodies).
- Evaluation of potential state or federally regulated threatened, endangered, proposed, and candidate (T&E) species habitat.
- Identification of in-use or potential migratory bird and raptor nests.
- Identification of active prairie dog colonies and suitable western burrowing owl (*Athene cunicularia*; burrowing owl*)* habitat.
- Evaluation of other potential wildlife conflicts such as Colorado Parks and Wildlife (CPW) designated High Priority Habitat (HPH).
- Identification of other natural resources in the project area.

In addition to the information gathered during the 2026 site visit, natural resource information was obtained from existing databases and sources such as aerial photography (Google Earth 2026), the National Hydrography Dataset (NHD) (USGS 2026), the National Wetlands Inventory (NWI) (U.S. Fish and Wildlife Service [Service] 2026b), the Service's Information for Planning and Consultation (IPaC) (Service 2026a), CPW map databases (CPW 2026b, 2026c), and the Colorado Natural Heritage Program (CNHP) (CNHP 2026).

Regulatory Framework

Development in the project area may be affected by federal, state, or local environmental regulations. One of the goals of this report is to provide information to assist identifying regulatory compliance items. The environmental regulations pertinent to the project are described below.

Federal, State, and Local Regulations

Clean Water Act

The Clean Water Act (CWA) protects the chemical, physical, and biological quality of waters of the U.S. (WOTUS), including wetlands. The U.S. Army Corps of Engineers' (Corps) Regulatory Program administers and enforces Section 404 of the CWA. Under Section 404, a Corps permit is required for the discharge of dredged or fill material into wetlands and other WOTUS (streams, ponds, and other waterbodies). Findings regarding WOTUS are described in the *Wetlands and Waters* section of this report.

State Dredge and Fill Program

On May 6, 2024, the Colorado Legislature passed House Bill 24-1379, which directed the Water Quality Control Division under the Colorado Department of Public Health and Environment to develop the Dredge and Fill Program (Program) for the State of Colorado. The Program applies to state waters, including wetlands, that are not protected under federal CWA Section 404. If a CWA Section 404 Permit is obtained from the Corps, or the project has a valid approved Jurisdictional Determination from the Corps that was issued prior to May 25, 2023, then authorization from the state is not required. Findings regarding state waters are described in the *Wetlands and Waters* section of this report.

Endangered Species Act

Federally listed T&E species are protected under the Endangered Species Act of 1973, as amended (ESA; 16 United States Code [U.S.C.] 1531 et seq.). Significant adverse effects on a federally listed species or its habitat require consultation with the Service under Section 7 or 10 of the ESA. No regulations require consultations for effects on proposed or candidate species; however, if a species were to become listed during project planning or construction, consultation with the Service is required. Findings regarding federally listed T&E species are addressed in the *T&E Species* section of this report.

Colorado State Statute 33

As directed by Colorado State Statute 33 (State Statute 33; Colorado Revised Statutes Ann. §§33-2 to 102-106) and in conjunction with the Colorado State Wildlife Action Plan, the Colorado Parks and Wildlife Commission issues regulations and develops management programs implemented by CPW for wildlife species in Colorado. Although State Statute 33 prohibits the take, possession, and sale of state-listed T&E species, it does not include protection of their habitat or for species of special concern (SSC). Findings regarding state-listed T&E species and SSC are described in the *State-Listed T&E Species and SSC* section of this report.

Migratory Bird Treaty Act

Migratory birds, including raptors, and in-use nests are protected under the Migratory Bird Treaty Act (MBTA). Removal of in-use nests that results in the loss of eggs or young is prohibited under the MBTA. In Colorado, birds (except grouse species and nonnative species) are protected under the MBTA (§§ 703-712). Nests are protected, including cavity, ground, and subterranean nests. The MBTA does not contain prohibition that applies to the destruction of an inactive bird nest alone (without birds or eggs), provided that no possession occurs during the destruction. Findings regarding migratory birds are described in the *Migratory Birds and Raptors* section of this report.

Project Area Description

Project Area Current Conditions

The project area is located in a rural environment and is characterized predominantly by shortgrass prairie that is largely undisturbed. The project area includes an undeveloped parcel, with the southern

portion consisting of disturbed road right-of-way (ROW) (Photo 1 through Photo 4). Surrounding land use bordering the project area consists of undeveloped land to the north and east, State Highway 94 to the south, and North Ellicott Highway and Wishing Star Farm to the west (Figure 2). The vegetative structure of the shortgrass prairie in the project area is dominated by native graminoid species including blue grama (*Bouteloua gracilis*) and sand dropseed (*Sporobolus cryptandrus*) (Photo 1 through Photo 3). Other notably prevalent species include prickly pear (*Opuntia* sp.), needle-and-thread (*Hesperostipa comata*), and greenthread (*Thelesperma* sp.). In the southern portion of the project area, the disturbed right-of-way (ROW) is dominated by smooth brome (*Bromus inermis*) and western wheatgrass (*Pascopyrum smithii*) (Photo 4). Two black-tailed prairie dog (*Cynomys ludovicianus*; prairie dog) colonies occur adjacent to, and extend into, the project area (Figure 2; Photo 5 and Photo 6); an additional prairie dog colony occurs west of the project area across North Ellicott Highway (Figure 2).

Wetlands and Waters

Methods

Wetland Delineation

Prior to the 2026 site visit, ERO reviewed the NHD (USGS 2026), NWI (Service 2026b), and aerial photography (Google Earth 2026) to identify mapped streams and areas of open water that indicate wetlands or other waters in the project area. ERO conducted the wetland delineation following the methods for routine on-site wetland determinations in areas of less than 5 acres as described in the 1987 *Corps of Engineers Wetlands Delineation Manual* and incorporated methods in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region (Version 2.0)* (Environmental Laboratory 1987; Corps 2010). The Corps defines wetlands as "areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas" (33 Code of Federal Regulations 328.2[c]). Characteristics of a defined streambed, streambank, ordinary high water mark, and other erosional features also were identified.

The wetland indicator status of plant species was identified using the *National Wetland Plant List* (Corps 2023), taxonomy was determined using *Flora of Colorado* (Ackerfield 2022), and nomenclature was determined using the *PLANTS Database* (U.S. Department of Agriculture, Natural Resources Conservation Service 2026).

Project Area Conditions

During the 2026 site visit, ERO surveyed the project area for potential isolated wetlands, jurisdictional wetlands, and other state waters and WOTUS. ERO did not observe streams, open water, or wetlands in the project area; the project area is dominated by the upland species blue grama and sand dropseed. Additionally, no wetlands or other waters are shown on the NHD or NWI as occurring in the project area (USGS 2026; Service 2026b).

Recommendations

ERO determined that no streams, open water, or wetlands occur in the project area; therefore, no further action regarding wetland and water regulations is required.

T&E Species

Federally Listed T&E Species

During the 2026 site visit, ERO assessed the project area for habitat for T&E species federally listed under the ESA. Federally listed T&E species are protected under the ESA of 1973, as amended (16 U.S.C. 1531 et seq.). Significant adverse effects on a federally listed species or its habitat require consultation with the Service under Section 7 or 10 of the ESA. The Service's IPaC tool lists several federally listed T&E species with habitat in the project area or that would be potentially affected by activities in the project area (Table 1) (Service 2026a).

Table 1. Federally listed T&E species potentially found in the project area or potentially affected by activities in the project area.

Common Name	Scientific Name	Status*	Habitat	Habitat Present or Potential to Be Affected by Project Activities?
Birds				
Eastern black rail	*Laterallus jamaicensis*	T	Dense, heavily vegetated wetlands greater than 3 acres with moist soils or shallow water and access to adjacent uplands	No
Piping plover	*Charadrius melodus*	T	Sandy lakeshore beaches and river sandbars	No
Invertebrates				
Monarch butterfly	*Danaus plexippus plexippus*	PT	Dependent on milkweeds (Asclepiadoideae) as host plants and forage on blooming flowers; a summer resident	No
Suckley's cuckoo bumble bee	*Bombus suckleyi*	PE	Various habitats including prairies, grasslands, meadows, and woodlands between 6,000 and 10,500 feet in elevation where host species are present	No
Plants				
Ute ladies'-tresses orchid (ULTO)	*Spiranthes diluvialis*	T	Moist to wet alluvial meadows, floodplains of perennial streams, and around springs and lakes below 7,000 feet in elevation	No

*T = Federally Threatened Species; PT = Proposed Federally Threatened Species; PE = Proposed Federally Endangered Species.
Source: Service 2026a.

The project area lacks wetlands and the hydrologic conditions necessary to support populations of eastern black rail or ULTO (Service 2019; Fertig et al. 2005). Additionally, the project area lacks sparsely vegetated, open sandy conditions associated with piping plover nesting habitat in Colorado (CPW 2026d). Suitable nectar and host plants (milkweed) are not present in the project area to support viable

monarch butterfly populations (Service 2024), and Suckley's cuckoo bumble bee is considered extirpated from Colorado (Gissing and Salamack 2025). Therefore, the project will have no effect on species identified by the Service's IPaC tool for the project area.

Recommendations

Because of the reasons listed, ERO determined that the project area does not support habitat for federally listed T&E species; therefore, no consultation with the Service is required for the project.

State-Listed T&E Species and SSC

During the 2026 site visit, ERO assessed the project area for potential habitat for state-listed T&E species and SSC protected under State Statute 33. Although State Statute 33 prohibits the take, possession, and sale of state-listed T&E species, it does not include protection of their habitat or protection of SSC. The state lists three T&E species and SSC that could occur in the project area (Table 2) (CNHP 2026).

Table 2. State-listed T&E species and SSC potentially occurring in the project area.

Common Name*	Scientific Name	State Status**	Habitat Description Summary	Habitat Present or Potential to Be Affected by Project Activities?
Mammals				
Black-tailed prairie dog (prairie dog)	*Cynomys ludovicianus*	SSC	Rangeland; shortgrass prairie; dry, flat, sparsely vegetated grasslands; prefer fine- or medium-textured soils	Yes
Birds				
Mountain plover	*Anarhynchus montanus*	SSC	Open, flat tablelands and short, intensively grazed grasslands	No
Western burrowing owl (burrowing owl)	*Athene cunicularia*	ST	Open fields, plains, and grassland areas with prairie dogs	Yes

*Species also listed as federally T&E have been excluded from this list.
**ST = State Threatened Species, SSC = State Species of Special Concern.
Sources: CNHP 2026; CPW 2026a.

Species Eliminated from Further Consideration

Mountain plovers nest in areas that maintain approximately 30 percent bare ground and are often found in disturbed habitats, burned prairie, fallow agricultural fields, and prairie dog colonies (Schneider et al. 2006). Mountain plovers avoid vegetation greater than 6 inches high. In the project area, the shortgrass prairie is largely undisturbed, with vegetative cover generally denser than that typically preferred by mountain plovers, vegetation greater than 6 inches high, and minimal bare ground (Photo 1 through Photo 4). Therefore, it is unlikely for mountain plovers to occur or nest in the project area, and it is ERO's opinion that the project will likely have no effect on this species.

Species Potentially Affected

During the 2026 site visit, ERO documented active prairie dog colonies adjacent to and extending into the project area (Figure 2; Photo 5 and Photo 6). Burrowing owls depend on prairie dog colonies, using burrows for nesting and shelter (Andrews and Righter 1992). Additional efforts regarding prairie dogs

and burrowing owls may be necessary for the project, as discussed in more detail in the *Prairie Dogs* and *Burrowing Owls* sections.

Prairie Dogs

Species Background

The prairie dog is a Colorado state-listed SSC, a non-statutory designation indicating conservation importance (CPW 2026a). Prairie dogs are important components of the short and mesic grasslands systems. Threats to this species include habitat loss and degradation, habitat fragmentation, disease (sylvatic plague), and lethal control activities. Prairie dogs are commonly considered a "keystone" species because their activities (burrowing and intense grazing) provide food and shelter for many other grassland species and have a large effect on community structure and ecosystem function (Power et al. 1996).

Suitable Habitat and Effects

During the 2026 site visit, active prairie dog colonies were identified primarily adjacent to the project area, with portions of these colonies extending into the project area (Figure 2; Photo 5 and Photo 6). During the 2026 site visit, ERO observed multiple individual prairie dogs occupying the prairie dog colony overlapping the western portion of the project area, as well as the colony west of North Ellicott Highway. No prairie dogs were observed in the colony that is predominantly outside of, with a small portion extending into, the northeastern portion of the project area during the 2026 site visit.

Recommendations

Prairie dogs are not protected under the ESA or State Statute 33, and El Paso County does not have policies pertaining to prairie dogs. ***If prairie dog removal becomes necessary, CPW recommends attempting to remove or exterminate prairie dogs prior to earthwork or construction in an active prairie dog colony for humane reasons.*** Private companies can be hired to relocate prairie dogs, although relocation sites are difficult to secure, and CPW requires permits to relocate prairie dogs. If extermination of prairie dogs is the only option, several independent companies provide treatments for prairie dog control.

Burrowing Owls

Species Background

The burrowing owl is a small migrant owl listed by the State of Colorado as a threatened species and is federally protected under the MBTA. Primary threats to the burrowing owl include habitat loss and fragmentation, anthropogenic sources of mortality such as vehicular collisions, and loss of wintering grounds, largely in Mexico (McDonald et al. 2004).

In general, burrowing owls are found in grasslands with vegetation less than 4 inches high and a relatively large proportion of bare ground (Gillihan and Hutchings 2000). In Colorado, burrowing owls are usually associated with prairie dog colonies (Andrews and Righter 1992). More than 70 percent of

sightings reported in Colorado Breeding Bird Atlases were in prairie dog colonies (Colorado Bird Atlas Partnership 2016).

Burrowing owls usually arrive on their breeding grounds from mid-March to early April and remain until September (Haug and Oliphant 1990). Burrowing owls are typically present in Colorado from March 15 through October 31, with breeding from mid-April through early to mid-August (Andrews and Righter 1992); (Colorado Bird Atlas Partnership 2016). CPW suggests conducting burrowing owl clearance surveys in prairie dog colonies that are subject to poisoning or construction projects from March 15 through October 31, with a recommended buffer of 0.125 mile (660 feet) to 0.25 mile (1,320 feet) surrounding active nests, depending on the type of disturbance proposed (CPW 2021).

Suitable Habitat and Effects

The prairie dog burrows in and adjacent to the project area are potential habitat for burrowing owls (Figure 2). Inadvertent killing of burrowing owls could occur during prairie dog management, construction, or earthmoving projects during the nesting season, as well as up to a month before egg laying and several months after young have fledged (March 15 through October 31). Burrowing owls could be impacted by the project if work occur within the CPW-recommended 0.125-mile (660-foot) to 0.25-mile (1,320-foot) buffer of burrows.

Recommendations

ERO recommends that burrowing owl surveys be conducted if work occurs within the CPW-recommended buffer of burrows from March 15 through October 31. If burrowing owls are present within the recommended buffer of the project area, activities shall be restricted until the burrowing owls have migrated from the site, which can be verified through monitoring. Construction or prairie dog removal occurring from November 1 through March 14 do not require clearance surveys.

Wildlife

Development surrounding the project area has reduced the overall wildlife habitat value for big game and other wildlife species in the area; however, it is likely that wildlife travel through the area. During the 2026 site visit, ERO observed one pronghorn (*Antilocapra americana*) in the project area. Wildlife in the area are likely accustomed to anthropogenic disturbance given the existing level of development, including North Ellicott Highway and State Highway 97. While wildlife could be temporarily disturbed by construction activities in the project area, it is unlikely activities in the project area will permanently impede wildlife movement or result in significant adverse effects on native wildlife.

As with any human activity, wildlife species sensitive to human disturbances are likely to decline in abundance or abandon the area while other wildlife species adapted to development are likely to increase in abundance. Overall, surrounding and continuing development contributes to a decline in the number and diversity of wildlife species nearby and to a change in species composition to favor species that adapt better to human disturbance.

High Priority Habitat

In 2023, CPW released an updated HPH table that identifies species and habitats, as well as recommendations to avoid and minimize impacts on wildlife from land use development (CPW 2023). ERO reviewed data from CPW map databases, and no HPH areas overlap the project area (CPW 2026b). Because no HPH occurs in the project area, no action is necessary.

Migratory Birds and Raptors

ERO assessed the project area to identify migratory bird nests in and adjacent to the project area, as well as raptor nests in the project area and on publicly accessible lands within a 0.5-mile buffer of the project area. Prior to the 2026 site visit, ERO reviewed the CPW raptor database to determine known locations of raptor nests (CPW 2026c). During the 2026 site visit, ERO field verified CPW-mapped raptor nests within a 0.5-mile buffer of the project area and observed a great horned owl (*Bubo virginianus*) nest approximately 0.10 mile (527 feet) northeast of the project area. The nest was unoccupied during the 2026 site visit, and no great horned owls were observed. No other nests, including songbird nests, were observed in or near the project area during the 2026 site visit. A wide variety of bird species may use the upland grassland in and adjacent to the project area for shelter, breeding, wintering, and foraging at various times during the year.

Recommendations

Numerous songbirds and other birds, including raptors, protected by the MBTA could potentially build new nests or occupy the existing great horned owl nest near the project area. The Eastern Colorado Field Office of the Service (Service 2022) and Colorado Department of Transportation (CDOT) (CDOT 2011) have identified the primary nesting season for migratory birds in eastern Colorado as occurring from April 1 through August 31; however, a few species such as bald eagles (*Haliaeetus leucocephalus*), great horned owls, and red-tailed hawks (*Buteo jamaicensis*) can nest as early as December (bald eagles) or late February (great horned owls and red-tailed hawks).

The way to avoid violation of the MBTA is to conduct habitat-disturbing activities (e.g., vegetation removal, grading, scraping, and grubbing) outside of the April 1 through August 31 nesting season. ***ERO recommends that a nest survey be conducted within one week prior to construction to determine the occupancy status of the existing nest and identify newly established in-use nests in or near the project area so that they can be avoided***. Raptors may be sensitive to human disturbance near their nests, resulting in abandonment of their eggs or fledglings. Raptor species and individual raptors vary in their tolerance limits to disturbance. Although inactive during the 2026 site visit, great horned owls or other raptor species could potentially occupy the existing nest. CPW maintains a leadership role with respect to raptor management in Colorado and has developed recommended buffer zones and seasonal restrictions to avoid causing raptors to abandon their nests (CPW 2020). CPW has not established a species-specific buffer for great horned owl nests; however, if another species of raptor were to occupy this nest, as determined during the nest survey, CPW-recommended buffer zones typically range from

0.25 mile (1,320 feet) to 0.5 mile (2,640 feet) around in-use nest sites, depending on the species (CPW 2020). If removal of the existing nest is warranted, ERO recommends contacting the local CPW district wildlife manager prior to nest removal. Additional nest surveys during the nesting season may also be warranted to identify active nesting species that may present additional development timing restrictions (e.g., bald eagles or red-tailed hawks).

If in-use nests are identified in or near the project area, activities that directly affect the nests shall be restricted until the birds have vacated the nests, which can be verified through monitoring.

Conclusions

The project area contains a limited number of regulated or sensitive biological resources that require mitigation during project design and construction. The impacts for each biological resource and recommended actions, including mitigation commitments, are described in Table 3.

Table 3. Impacts, recommended actions, and mitigation commitments for each biological resource in the project area.

Biological Resource	Impact	Recommended Actions/Mitigation Commitments
Wetlands and waters	No wetlands or other waters occur in the project area.	No further federal or state action regarding wetlands and other waters is required.
Federally listed T&E species	No habitat for federally listed T&E species occurs in the project area.	No further action regarding federally listed T&E species is required due to the lack of suitable habitat in the project area.
State-listed T&E species and SSC	Active prairie dog colonies occur adjacent to, and extend into, the project area and contain habitat for burrowing owls.	If prairie dog removal becomes necessary, CPW recommends attempting to remove or exterminate prairie dogs prior to earthwork or construction in an active prairie dog colony for humane reasons. ERO recommends that burrowing owl surveys be conducted if work occurs within the recommended buffer of burrows from March 15 through October 31.
Wildlife	No CPW-mapped HPH areas overlap the project area. It is unlikely the project will permanently impede wildlife movement in the project area.	No further action is required.
Migratory birds and raptors	During the 2026 site visit, ERO observed an inactive CPW-mapped great horned owl nest approximately 0.10 mile northeast of the project area. No other nests, including songbird nests, were observed in or near the project area.	Habitat-disturbing activities shall be conducted outside of the April 1 through August 31 nesting season, and ERO recommends that a nest survey be conducted within one week prior to construction activities. Activities that directly impact an in-use nest, or that encroach close enough to cause adult birds to abandon the nest, shall be restricted.

References

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Appendix A Photo Log

Photo Log
Cherokee Metropolitan District PFAS Water Treatment Facility
El Paso County, Colorado
April 8, 2026



Photo 1 - Existing conditions in the project area. View is east.



Photo 2 - Existing conditions in the project area. View is northeast.



Photo 3 - Existing conditions in the project area. View is southwest.



Photo 4 - Existing conditions along the road right-of-way in the southern portion of the project area. View is east.



Photo 5 - Black-tailed prairie dog colony extending into, and just outside of, the western portion of the project area. View is southeast.



Photo 6 - Black-tailed prairie dog colony just outside the northeastern portion of the project area, with a few burrows extending into the project area. View is northeast.

LIMITED-RESULTS CULTURAL RESOURCE SURVEY FORM

This form (#1420) is for small scale limited results projects - block surveys less than 160 acres with linear surveys under four miles. Additionally, there should be no sites and a maximum of four Isolated Finds. This form must be typed.

I. IDENTIFICATION

1. Report Title (include County): Limited Results Cultural Resource Survey for the Cherokee Metropolitan District PFAS Water Treatment Facility, El Paso County, Colorado

2. Date of Field Work: April 28, 2026

3. Form completed by: Tristan Newberry-Cushman Date: 5/28/2026

4. Survey Organization/Agency: ERO Resources Corporation (ERO)

   Principal Investigator: Jonathan Hedlund

   Principal Investigator's Signature: 

   Other Crew: Marie Matsuda

   Address: 1626 Cole Boulevard, Suite 100, Lakewood, CO 80401

5. Lead Agency / Land Owner: Colorado Department of Public Health and Environment (CDPHE) / Arete Commons, LLC

   Contact: N/A

   Address: 4300 Cherry Creek Drive South, Denver, CO 80246

6. Client: Advanced Engineering and Environmental Services, LLC (AE2S)

7. Permit Type and Number: State Permit No. 87242

8. Report / Contract Number: EP.PH.NR1

9. Comments: N/A

II. DESCRIPTION OF UNDERTAKING / PROJECT

10. Type of Undertaking: Cherokee Metropolitan District is proposing to construct a per- and polyfluoroalkyl substances (PFAS) water treatment facility (project) in Ellicott, El Paso County, Colorado (APE; Figure 1).

    Cherokee Metropolitan District will apply for Colorado Water Resources and Power Development Authority State Revolving Funds for the project; and the project requires compliance with Section 106 (54 United States Code [U.S.C.] § 306108) of the National Historic Preservation Act (NHPA, 1966, as amended; 54

U.S.C. § 300101 et seq.). Although the project is in the initial design phase, the area of potential effects (APE) is defined as the limits of construction for the proposed water treatment facility, as well as staging and access areas and accounts for potential design changes (Figure 2).

11. Size of Undertaking (acres): 43.7 Size of Project (if different): N/A

12. Nature of the Anticipated Disturbance: The purpose of the project is to remove PFAS from municipal water in rural El Paso County. The project will include the construction of a raw water storage tank, two potable water storage tanks, a pump station, an operations building, raw and potable water connection points, and PFAS treatment (Cherokee Metropolitan District 2025). Anticipated disturbances include grading and construction.

13. Comments: N/A

III. PROJECT LOCATION

Please attach a photocopy of USGS Quad. clearly showing the project location. The Quad. should be clearly labeled with the Prime Meridian, Township, Range, Section(s), Quad. map name, size, and date. Please do not reduce or enlarge the photocopy.

14. Description: The APE is north of State Highway 94 and east of North Ellicott Highway in Ellicott, El Paso County, Colorado.

15. Legal Location: Quad. Map: Ellicott, Colorado Date(s): 1978

Principal Meridian: 6th X NM Ute

NOTE: Only generalized subdivision ("quarter quarters") within each section is needed

Township: 14S	Range: 62W	Sec.: 7	1/4s SE SW	
Township: 14S	Range: 62W	Sec.: 7	1/4s L3	
Township: 14S	Range: 62W	Sec.: 7	1/4s L4	
Township: 14S	Range: 62W	Sec.: 7	1/4s NE SW	

If section(s) is irregular, explain alignment method: N/A

16. Total number of acres surveyed: 43.7

17. Comments: N/A

IV. ENVIRONMENT

18. General Topographic Setting: The APE is contained in the Foothill Grasslands ecoregion of the Southwestern Table Lands in the Great Plains region of Colorado

(Chapman et al. 2006). The APE is generally flat with very slight rolling hills and is surrounded by rural agricultural and private residences.

Current Land Use: Land use is limited to agriculture.

19. Flora: The vegetation in the APE consists of various low-lying grasses, with some mahogany growing along the southern fenceline.

20. Soils/Geology: Based on the Web Soil Survey data compiled by the Natural Resources Conservation Service, soil series represented in the APE are Bresser sandy loam, Columbine gravelly sandy loam, Truckton loamy sand, and Truckton sandy loam (Natural Resources Conservation Service 2026). Sediments in the APE are mapped as late-middle Pleistocene alluvium (Moore et al. 2002).

21. Ground Visibility: Ground visibility is 5 to 10 percent due to limited vegetation.

22. Comments: N/A

V. LITERATURE REVIEW

23. Location of File Search: Office of Archaeology and Historic Preservation (OAHP)

(File Search No. S-1750)

Date: April 21, 2026

24. Previous Survey Activity – In the project area: No previous surveys overlap the APE.

In the general region: N/A

25. Known Cultural Resources - In the project area: No previously recorded cultural resources overlap the APE.

In the general region (summarize): Sparse rural historical resources, including a farm and a bridge, are in the general region.

26. Expected Results: Based on the absence of previously recorded resources and the presence of Pleistocene-era sediments, few to no cultural resources are expected.

VI. STATEMENT OF OBJECTIVES

27. ERO conducted a systematic pedestrian survey of the APE in 15-meter or less transects to identify unknown cultural resources.

VII. FIELD METHODS

28. Definitions – Site: A site is a locus of human activity (older than 50 years) with evidence to suggest interpretable one-time use or repeated use or multiple activities; one-time use sites include an isolated human burial or a concentration of cultural material representing flaked stone and ground stone artifacts in spatial association.

    IF: An isolated find (IF) is a single artifact, or small collection of artifacts of a similar typology, that reflects a single event, loci, or activity.

29. Describe Survey Method: ERO archaeologists Marie Matsuda and Tristan Newberry-Cushman surveyed the APE in 15-meter transects (or less).

VIII. RESULTS

30. List IFs if applicable. Indicate IF locations on the map completed for Part III.

None

31. Using your professional knowledge of the region, why are there none or very limited cultural remains in the project area? Is there subsurface potential?

ERO conducted a desktop review of the APE prior to conducting fieldwork to determine if historical buildings or structures were mapped in the APE and to evaluate the extent of previous ground disturbance. The OAHP file search (File Search No. S-1750) indicated that no previously documented cultural resources are in the APE. ERO reviewed historical topographic maps, Colorado Division of Water Resources records, General Land Office (GLO) records, and historical aerial images.

GLO records indicate that the APE was homesteaded in 1910 (Document Nr: 02570) (Bureau of Land Management 2026). U.S. Geological Survey maps and historical aerial imagery do not depict buildings or other development in the APE (Nationwide Environmental Title Research 2026; U.S. Geological Survey 1893, 1954, 1981).

During the Class III survey, ERO observed signs of agricultural use (Figure 3 and Figure 4) and a buried utility corridor (Figure 5). No remains of homestead or homesteading activities were present in the APE.

No cultural resources are present in the APE, and the Pleistocene-aged sediments precludes the potential for buried cultural resources. ERO recommends no historic properties affected pursuant to 36 Code of Federal Regulations 800.4(d)(1) of the NHPA.

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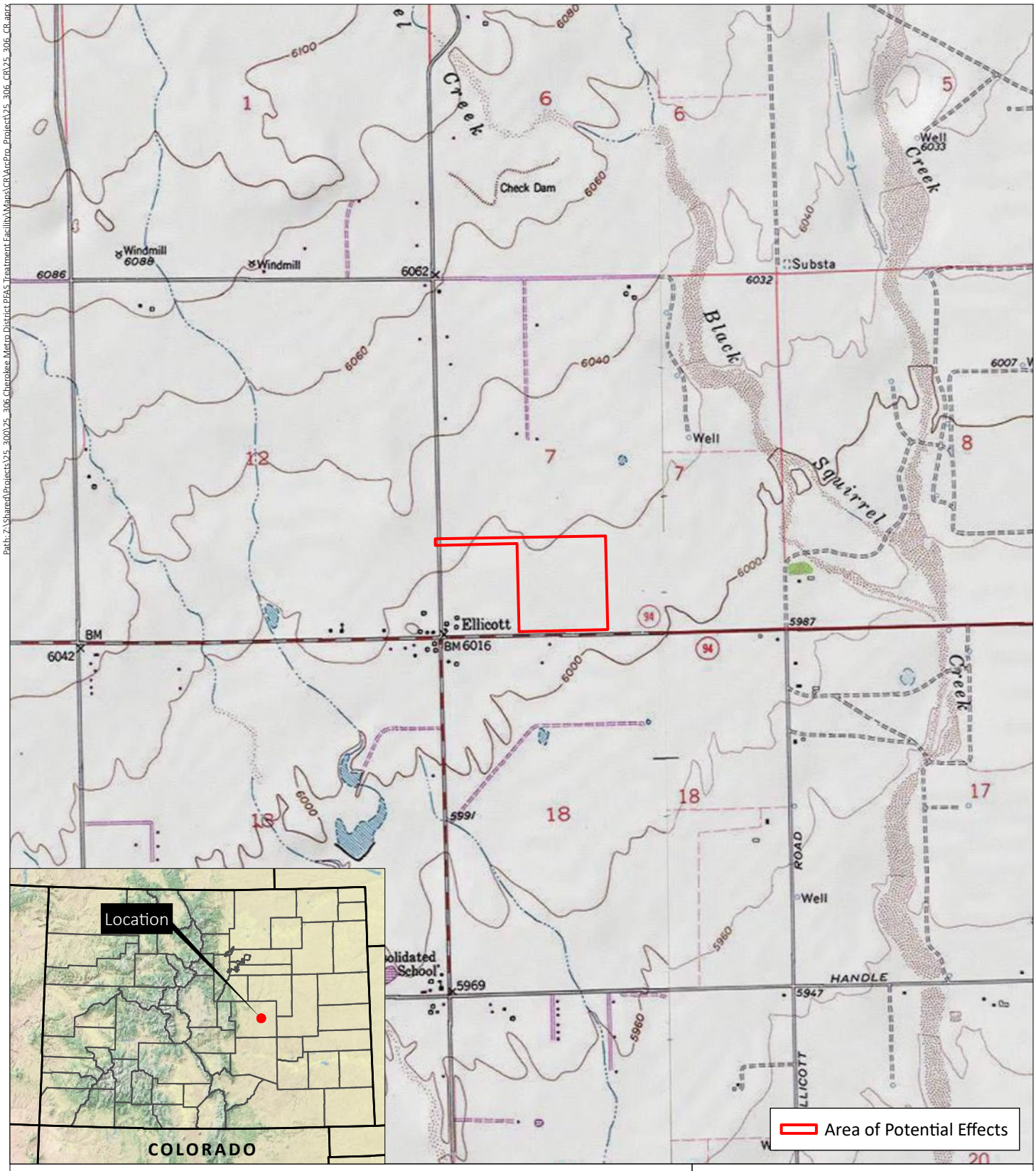
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Limited Results Cultural Resource Survey
Cherokee Metropolitan District PFAS Water Treatment Facility
El Paso County, Colorado

Section 7, T14S, R62W; 6th PM
USGS Ellicott, CO Quadrangle (1:24,000; 1978)
El Paso County, Colorado

0 1,000 2,000 Feet
1:24,000

Figure 1
Project Location

Prepared for: AE2S
File: 25_306_Figure1 (CB)
May 4, 2026

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Limited Results Cultural Resource Survey Cherokee Metropolitan District PFAS Water Treatment Facility
El Paso County, Colorado

Area of Potential Effects

N

0 200 400 Feet

1:4,800

Figure 2
Project Location

Prepared for: AE2S
File: 25_306_Figure2 (CB)
May 4, 2026

ERO Resources Corp.

Image Source: Vantor© May 2, 2024

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Figure 3. APE overview. View to the east.



Figure 4. APE overview. View to the northeast.



Figure 5. Utility line corridor along the southern border of the APE. View to the east.