PROSPECTUS

for

Stonewall Springs Wetland Mitigation Bank
Pueblo County, Colorado

BANK SPONSOR:

Stonewall Springs Quarry, LLC
20 Boulder Crescent, Suite 200
Colorado Springs, CO 80903
C/o Joy Caledonia

LANDOWNER:

Stonewall Springs Quarry, LLC
20 Boulder Crescent, Suite 200
Colorado Springs, CO 80903
C/o Joy Caledonia

PREPARED BY (AGENT):

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December 11, 2023

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LIST OF ACRONYMS AND ABBREVIATIONS

B.E. ..... Bristlecone Ecology, LLC
CPW ..... Colorado Parks and Wildlife
HGM ..... Hydrogeomorphic Wetland Classification System
HUC ..... Hydrologic Unit Code
IPaC ..... Information, Planning, and Conservation System
LTMP ..... Long-Term Management Plan
MBI ..... Mitigation Banking Instrument
NHD ..... National Hydrography Dataset
NWI ..... National Wetland Inventory
PCA ..... Potential Conservation Area
USACE ..... U.S. Army Corps of Engineers
USEPA ..... U.S. Environmental Protection Agency
USFWS ..... U.S. Fish and Wildlife Service
WOTUS ..... Waters of the U.S.

Wetland Indicator Codes

OBL – Obligate Wetland
FACW – Facultative Wetland
FAC – Facultative
FACU – Facultative Upland
UPL - Upland

1 GENERAL INFORMATION AND OBJECTIVES

Stonewall Springs Quarry, LLC ("Sponsor") is proposing to develop the Stonewall Springs Wetland Mitigation Bank ("Bank") to assist in mitigating impacts to Waters of the U.S. (WOTUS), including wetlands, and has retained Bristlecone Ecology, LLC ("B.E." or "Agent") to prepare this Prospectus and administer the Bank. The Sponsor is the owner of the property and will assume responsibility for the construction and ownership of the wetland mitigation site, while B.E. will assume responsibility for the overall operation and management of the Bank, once established. Wetland mitigation sites established under the Bank will be owned and operated by the Sponsor, but the Sponsor may relinquish ownership and operation of the site and transfer responsibility to a designated entity approved by the U.S. Army Corps of Engineers (USACE).

1.1 Location and Type of Bank

B.E. and the Sponsor propose to develop a commercial wetland mitigation bank at the Stonewall Springs quarry site in Pueblo County, Colorado. The quarry is located in portions of Sections 1 and 2 in Township 21S, Range 63W, and portions of Sections 35 and 36 in Township 20S, R63W along the Arkansas River, east of the City of Pueblo (**Figure 1:** *Site Location Map)*. Elevations at the site range from approximately 4,515 to 4,535 feet above mean seal level (**Figure 2:** *Site Topography*). Parcel numbers that comprise the site are 1301000027, 1302000053, 1302000002, 1302000035, and 335000019. The Stonewall Springs Bank will be a wetland mitigation bank only and will not include any stream mitigation. Wetland credits will be available for purchase to offset impacts to wetlands at other locations within the Bank's approved service area.

1.2 Objectives

The proposed Bank will consist primarily of wetland creation/establishment, with some restoration, enhancement, and preservation planned on up to 329.94 acres of land. Wetland creation areas will be located on land where active sand and gravel aggregate quarrying is occurring to harvest mineral resources from previously tilled soils. Restoration and enhancement will involve soil amendments, reseeding, and planting of additional wetland plants on areas of the site that will not be mined. The objectives of the Bank include increasing the availability of wetland credits in the service area, and the reclamation of the Stonewall Springs quarry to wetlands through the establishment of new wetlands, and the restoration, enhancement, and preservation of existing wetlands on the quarry site. Other goals set by Stonewall Springs Quarry, LLC include:

- Supporting the national goal of "no net loss" of wetlands by providing wetland mitigation sites in a region experiencing substantial wetland impacts due to development.
- Consolidating resources to increase the potential for the establishment and long-term management of successful mitigation that maximizes opportunities for contributing to biodiversity and/or watershed functions.
- Reducing permit processing times and providing more cost-effective compensatory mitigation opportunities for qualifying projects.
- Increasing review and compliance monitoring efficiency and, thus, improving the reliability of efforts to restore, create, or enhance wetland areas for mitigation purposes.

Figure 1: Site Location Map

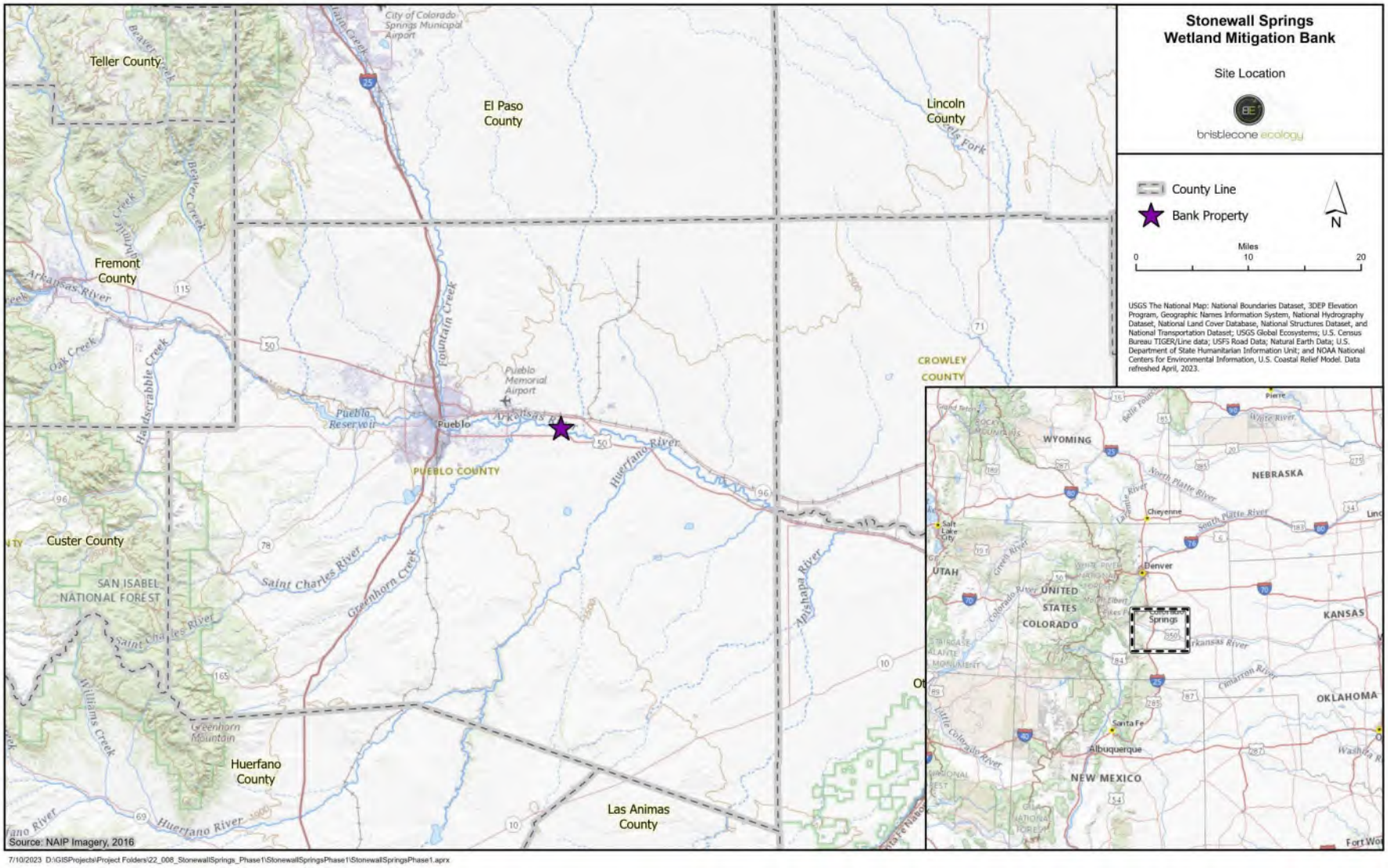


Figure 2: Site Topography

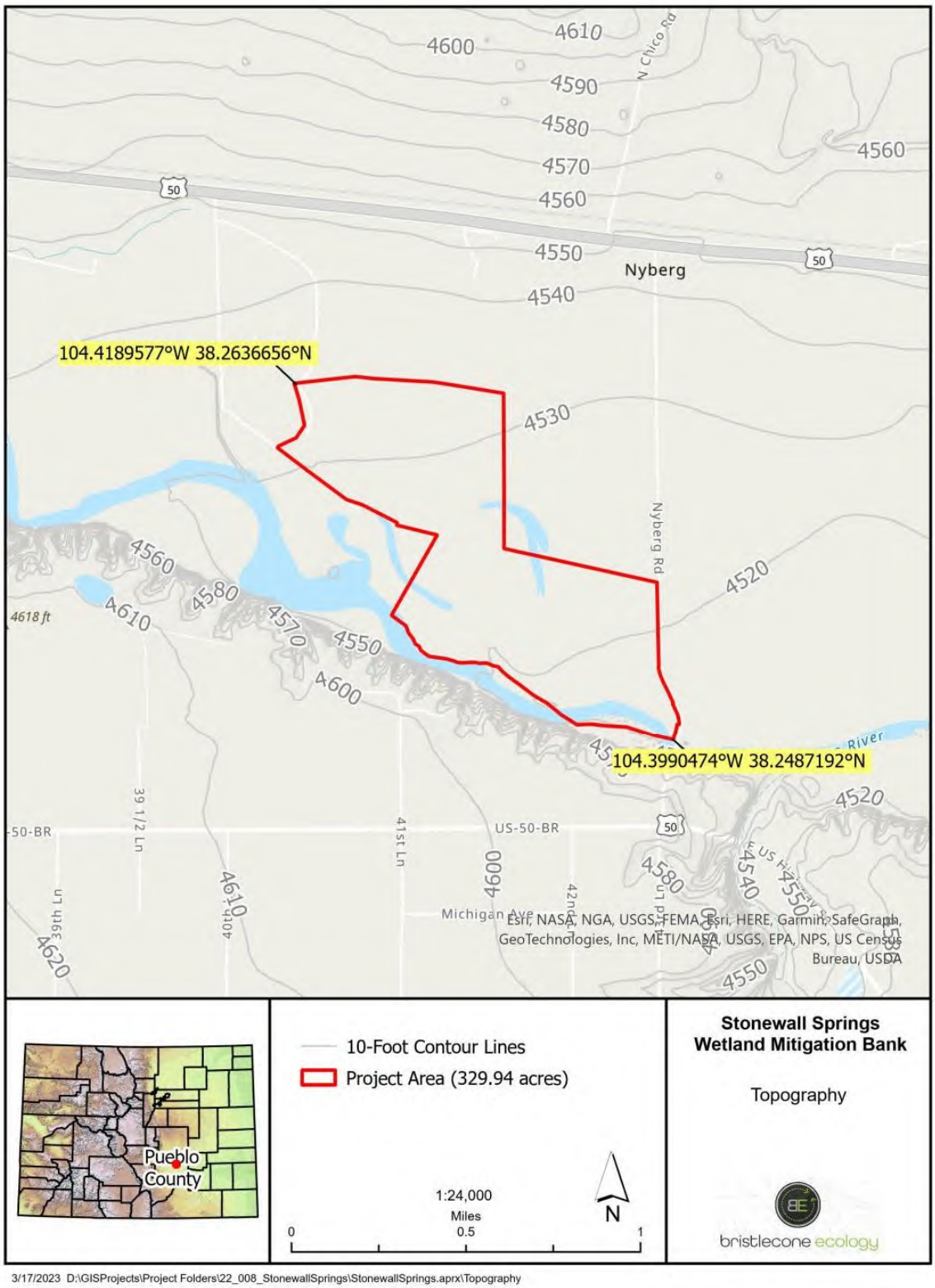


Table 1. Stonewall Springs Wetland Mitigation Bank Summary

Project Name	Stonewall Springs Wetland Mitigation Bank	
Project Sponsor	Stonewall Springs Quarry, LLC	
Project Landowner	Stonewall Springs Quarry, LLC	
Site Location	Portions of:	Section 35, T20S, R63W Section 36, T20S, R63W Section 01, T21S, R63W Section 02, T21S, R63W
Counties within HUC-8 watershed	Custer, El Paso, Fremont, Park, Pueblo, and Teller	
HGM Classification	SLOPE: groundwater discharge, inundated; herbaceous, shrub RIVERINE: freshwater, lower perennial (R5); herbaceous, shrub, forested	
NWI Classification	PEM1: Palustrine Persistent Freshwater Emergent PSS1: Palustrine Scrub-Shrub Broad-Leaved Deciduous PFO1: Palustrine Forested Broad-Leaved Deciduous	
Ecoregion	Region 26e	Southwestern Tablelands (26) Piedmont Plains and Tablelands (e)
6-digit HUC 8-digit HUC 10-digit HUC 12-digit HUC	Upper Arkansas Upper Arkansas Saint Charles River-Arkansas River 110200021204-Arkansas River	110200 11020002 1102000212 110200021204
Proposed Service Area	Colorado portions of the Southwestern Tablelands ecoregion within the Upper Arkansas HUC-6 watershed	Including portions of HUC-8 11020002 through HUC-8 11020013
Protection Mechanism(s)	Ownership of land, groundwater rights, mineral rights, Colorado Water Law, and various conservation easements and deed restrictions	
Monitoring frequency	Annually for 5 years or until Project is complete	
Anticipated date of final monitoring	2029 for Phase 1; unknown for future phases	
Size of Site Property	329.94 acres	
Size of Bank Property	Up to 329.94 acres	
Species of Concern	None	
Pre-Existing Wetlands in Bank	7.75 acres (including open water)	
Stream Length on Site	Approx. 1,910 feet (excludes Arkansas River)	

2 ESTABLISHMENT AND OPERATION

Stonewall Springs Quarry, LLC will be responsible for establishing, funding, and guaranteeing credits, while B.E. will be responsible for administrating and operating the Stonewall Springs Wetland Mitigation Bank. The Bank will be located in Pueblo County, Colorado, on the Stonewall Springs Quarry site, southwest of the intersection of State Highway (SH) 96/U.S. Highway 50 and Nyberg Road. The project site is proposed to be up to approximately 329.94 acres. Current land use on the site is as an active sand and gravel aggregate mining quarry operation; as such, there are several temporary structures and operations equipment in use for quarrying the site which will ultimately be removed once the site has been mined. A portion of the 329.94 acres available will include the future creation of a mosaic of wetland types that can be supported by the site's hydrologic, chemical, physical, and biological conditions. The site is predominantly dryland, and naturally occurring wetlands on the site are few; those that are present will be restored, enhanced, and/or preserved as feasible/appropriate. The majority of the site will involve wetland establishment where wetlands do not currently exist, and mining is occurring. The Bank will be in a service area with only one already established bank, Maria Lake Mitigation Bank, and will provide greater opportunities for the purchase of credits in this service area, which continues to see widespread and rapid development and lacks sufficient mitigation banking opportunities.

Credits will be provided at the Stonewall Springs Wetland Mitigation Bank through creation, restoration, enhancement, and/or preservation of wetland areas. To determine the number of credits available for sale by the Bank, annual mitigation monitoring site assessments will be conducted using the best available methodology to determine the acreages of the mitigation sites meeting success criteria as determined by the USACE, Sponsor, and Agent in a future Mitigation Banking Instrument (MBI). Site assessment methodologies are subject to change as the methodologies for assessing wetlands are refined by the USACE and U.S. Environmental Protection Agency (USEPA). Potential credit availability at the Bank will be identified in a Site Development Plan, to be finalized in the Bank's MBI. The MBI will also identify compensatory ratios, available pre-crediting, and credit ratios for portions of the mitigation banking site meeting the success criteria. Credit ratios will be based on the threshold ratios identified by USACE in the following regulations:

- The Colorado Mitigation Procedures (COMP) Version 2.0, (USACE 2020);
- the Final 2015 Regional Compensatory Mitigation and monitoring Guidelines for South Pacific Division USACE (USACE 2015);
- the Mitigation Ratio Setting Checklist (MRSC) – part of the SPD Regulatory Program Standard Operating Procedure for Determination of Mitigation Ratios (USACE N.D.);
- and the Code of Federal Regulations, 33 CFR § 332.8 – Mitigation banks and in-lieu fee programs.

The Sponsor will utilize the Regulatory In-lieu-fee and Bank Information Tracking System (RIBITS) for recording credit and debit transactions for the Stonewall Springs Wetland Mitigation Bank. Agent will be responsible for recording transactions of credits and debits and will submit Bank ledgers to USACE when requests are made for use of Bank credits.

B.E. (Agent) will be responsible for evaluating the success of the wetland mitigation on behalf of Sponsor at the Bank. The USACE will make the final determination on whether a site is meeting the performance measures. Specific performance criteria will be developed based on the best available methodologies for assessing site functions. A full list of performance measures based on the *SPD Uniform Performance Standards for Compensatory Mitigation Requirements* (USACE 2012) will be provided in the MBI. In general, the designated performance standards for the Stonewall Springs Wetland Mitigation Bank will be as follows:

- Vegetation
    - Mitigation areas will maintain a vegetative cover of at least 80%, and wetland vegetation must be composed of at least 50% wetlands species (i.e., species rated FAC, FACW, or OBL on the USACE's National Wetland Plant List for the Great Plains Region). The 50% requirement will satisfy the "dominance test" on a USACCE wetland determination data form.
    - Coverage in the Bank by noxious weeds will not exceed 10% of the total vegetative cover. Plants listed as noxious weeds by the State of Colorado that are found in Pueblo County as of 2023 are listed in **Table 2** below.
    - Noxious weed management and control will be implemented only if monitoring detects noxious weeds in excess of 10% aerial cover. Mechanical, chemical, and/or physical noxious weed control efforts would be implemented as needed until monitoring confirms noxious weeds do not exceed the 10% threshold. Weeds will be monitored annually by Agent.
    - The Sponsor will ensure 80% survivorship of transplanted saplings and shrubs. Surveys will be conducted annually for a minimum of two years to ensure survivorship.
    - The Sponsor will ensure dominance of hydrophytes at the Bank. Absolute cover of hydrophytes (species rated OBL, FACW, or FAC) shall exceed 50% cover (i.e., mitigation sites will pass a dominance test). Surveys will be performed annually for at least five years or until success criteria are met and will be based on a baseline survey conducted immediately following the construction of mitigation areas.
    - The Sponsor will ensure at least 70% dominance of native plants for all combined strata (herbs, shrubs, and trees). Surveys will be performed annually for at least five years or until success criteria are met.
    - The Agent will perform a vegetation sampling survey annually to ensure all the above criteria are met, and that there is no decline in species richness after the initial establishment of the bank.
- Hydrology – Minimum inundation/saturation durations will be determined to correlate to wetland types proposed for establishment.
- Upland Buffer – Vegetative ground cover of 70% by native upland species and less than 5% cover by noxious weeds will be considered success criteria for upland enhancement areas.

Success criteria at the site will be assessed using the 1987 Corps of Engineers Wetlands Delineation Manual (Environmental Laboratory 1987) and the Great Plains Regional Supplement to the Corps of Engineers Wetland Delineation Manual (Environmental Laboratory 2010). A general monitoring and

reporting protocol and subsequent monitoring plan will be established and current USACE guidance and methodologies will be used.

Table 2: Invasive Species of Pueblo County (2023)

Common Name	Scientific Name
List A	
Japanese knotweed	*Reynoutria japonica*
Myrtle spurge	*Euphorbia myrsinites*
Purple loosestrife	*Lythrum salicaria*
List B	
Bouncingbet	*Saponaria officinalis*
Bull thistle	*Cirsium vulgare*
Bull cottonthistle	*Onorpodum tauricum*
Canada thistle	*Cirsium arvense*
Common tansy	*Tanacetum vulgare*
Common & cutleaf teasel	*Dipsacus fullonum, Dipsacus laciniatus*
Dames rocket	*Hesperis matronalis*
Diffuse knapweed	*Centaurea diffusa*
Eurasian watermilfoil	*Myriophyllum spicatum*
Hoary cress	*Lepidium draba*
Houndstongue	*Cynoglossum officinale*
Jointed goatgrass	*Aegilops cylindrica*
Leafy spurge	*Euphorbia esula*
Moth mullein	*Verbascum blattaria*
Musk thistle	*Carduus nutans*
Oxeye daisy	*Leucanthemum vulgare*
Perennial pepperweed	*Lepidium latifolium*
Russian knapweed	*Rhaponticum repens*
Russian olive	*Elaeagnus angustifolia*
Salt cedars	*Tamarix chinensis, T. parviflora, and T. ramosissim*
Scentless chamomile	*Tripleurospermum inodorum*
Scotch thistle	*Onopordum acanthium*
Spiny plumeless thistle	*Carduus acanthoides*
Yellow toadflax	*Linaria vulgaris*

2.1 Determination of Credits

Wetlands will be created at the site in a phased approach. The first phase of wetland mitigation will include the preservation of existing wetlands on the site and the creation of approximately 67.58 acres of new wetlands on approximately 101.45 acres of land ("Phase 1"; see **Appendix A:** *Phase 1 Mitigation*

Areas). Additional areas or enhancement and preservation are also planned. The total mitigation estimated for Phase 1 is detailed in **Table 3** below, along with a preliminary estimate of a suitable credit ratio. No streams are present on the site and no stream mitigation is planned for Stonewall Springs Wetland Mitigation Bank. The estimates below are preliminary and are not based on a functions and conditions assessment methodology (FCAM) such as the Functional Assessment of Colorado Wetlands (FACWet). A FACWet assessment will be performed during the development of the Site Development Plan and MBI following acceptance of this Prospectus, and will be used to determine the final credit ratio.

Table 3: Phase 1 Wetland Mitigation and Credit Estimate

Area/Mitigation Type	Acres	Credit Ratio	Credit Estimate
Establishment			
Open Water Establishment	0.94	2:1	0.47
Palustrine Emergent Wetland Establishment	45.01	1.5:1	30.01
Scrub-Shrub Wetland Establishment	22.57	1:1	22.57
Riparian Buffer Establishment	3.10	3:1	1.03
Enhancement			
Scrub-Shrub Wetland Enhancement	2.97	4:1	0.74
Forested Wetland Enhancement	0.84	3:1	0.28
Riparian Buffer Enhancement	23.69	5:1	4.74
Preservation			
Riverine Wetland Preservation	2.03	5:1	0.41
Riparian Buffer Preservation	0.30	10:1	0.03
Totals	**101.45**	--	**60.28**

2.2 Mitigation Work Plan

Based on preliminary field data obtained in 2022, the following mitigation efforts are proposed. A comprehensive mitigation work plan will be presented in full in the Mitigation Banking Instrument and associated exhibits. The following mitigation will be applied to designated mitigation areas throughout the Bank property:

- Establishment – To be applied to upland areas (including areas excavated for mining) throughout the site which lack hydric soil indicators, hydrophytic vegetation, and/or wetland hydrology. Since the site is predominantly uplands, mitigation by establishment will apply to the vast majority of the site.
- Enhancement – To be applied to pre-existing wetlands, open water, and upland areas within the bank property to increase functionality. Minor enhancement of wetlands is planned, though most enhancement activities will focus on the functional uplift of riparian buffer zones.
- Preservation – To be applied to areas where no mitigation action is occurring but will ensure the current level of functionality is maintained. Primarily applied to riverine wetlands along the Arkansas River which will be preserved from any future disturbance.

2.2.1 Establishment

Wetland establishment in the bank property involves earth-moving to shape the planned wetland areas, seeding/planting desirable wetland species, vegetation management, accessing groundwater to create sufficient hydrologic support, noxious weed control, and the exclusion of humans, pets, and livestock using CPW-recommended wildlife friendly fencing. Major earthwork has already occurred through the quarrying of the site, and areas where mining has been completed have been backfilled to within a few feet of the static water table. Additional minor earthwork will be required to ensure consistent hydrodynamics in several areas throughout the site to ensure adequate access to groundwater, the ability to retain groundwater and precipitation in wetlands, and ensure consistent hydrodynamics.

2.2.2 Enhancement

Wetland and upland enhancement in the bank property will involve vegetation management, seeding/planting of desirable wetland and riparian species, noxious weed control, and the exclusion of humans, pets, and livestock using CPW-recommended wildlife friendly fencing. It is expected that existing willow (*Salix* spp.) and cattail (*Typha* spp.) patches will naturally expand as wetlands are created nearby in establishment areas; however, planting willow whips from different species or sourced from other locations in the area, and seeding with other desired wetland plants will improve genetic diversity and resilience.

Upland buffer enhancement in the bank property will involve prairie dog management, vegetation management, seeding/planting of native upland species, and the continued exclusion of livestock using CPW-recommended wildlife friendly fencing. Enhancing the native grasslands in the bank property will drastically improve this habitat.

2.2.3 Preservation

Preservation of the riverine wetlands along the Arkansas River will require no additional action beyond recording those areas in a conservation easement. Should it be considered beneficial to the bank, fencing may be used to further exclude access to portions of the site; CPW-recommended wildlife friendly fencing will be used. These measures will ensure the degradation of functionality is limited to naturally occurring events such as flooding.

2.3 Permitting Requirements

The proposed wetland creation/restoration activities at the bank property are likely to have little to no impact on the potential jurisdictional wetlands and waters located within the site. Existing wetlands will all be preserved in the Bank and therefore will not be impacted by the creation of new wetlands. Areas that hold water as a result of mining activities are not expected to be considered jurisdictional. Should any of the aquatic resources on the property be determined jurisdictional, and mitigation activities are determined to have an impact on these resources, a Section 404 Nationwide Permit (NWP), presumably NWP 27 for Aquatic Habitat Improvement and Restoration, issued through the USACE may be required. Other state or local permits may also be required for grading activities and will be obtained as necessary.

3 PROPOSED SERVICE AREA

In line with the USACE's watershed approach and service areas for previously established banks, the Service Area for the Stonewall Springs Wetland Mitigation Bank will be based on standard criteria for establishing service areas. Defining the Service Area will be based on the following two factors: the boundaries of the Southwest Tablelands Level III Ecoregion, and the 6-digit Hydrologic Unit Code (HUC) watershed in which the bank is located. Since the bank is located along the banks of the Arkansas River, one of the principal river systems in Colorado, using a 6-digit HUC boundary for a major river basin is appropriate to accommodate the many systems that flow into the Upper Arkansas River. In instances where the boundaries of an 8-digit HUC watershed that is partly within the Southwest Tablelands Ecoregion extend into another Level III ecoregion, the service area boundary will be drawn at the boundary for the Southwest Tablelands Ecoregion (excluding the portions of that HUC-8 watershed that lie within a different ecoregion). The only exception to this methodology will be for the major municipalities in the Service Area that have city/town boundaries that cross into the Southern Rockies Level III Ecoregion. The entirety of those municipalities, including the portions that lie in the Southern Rockies Level III Ecoregion, will be included in the Service Area. This will include the entirety of the City of Colorado Springs, the City of Cañon City, and the Town of Monument. Because the vast majority of each of these municipalities are within the Southwest Tablelands EcoregionThis method of defining the Service Area by both the watershed and Level III ecoregion is appropriate because the biological, climatic, and hydrologic conditions of the watersheds included will be similar across the broader Upper Arkansas River basin. A similar methodology was used to define the Service Area for the Maria Lake Mitigation Bank.

The Stonewall Springs Wetland Mitigation Bank will be located in the Upper Arkansas HUC-6 watershed (HUC-6 #110200) and the Upper Arkansas HUC-8 watershed (HUC-8 #11020002). Based on the methodology described above, the entire Upper Arkansas HUC-8 watershed is included in the Service Area, which includes portions of Custer, El Paso, Fremont, Park, Pueblo, and Teller Counties that are in the Southern Rockies Level III Ecoregion. By contrast, only about half of Huerfano County is included because the County straddles two Level III Ecoregions and is not the same HUC-8 watershed (HUC-8 #11020006) where the bank is located. Additional counties that are entirely included in the Service Area are Bent, Crowley, Otero, and Pueblo Counties. The vast majority of El Paso and Las Animas Counties are included. Portions of Baca, Cheyenne, Custer, Elbert, Fremont, Kiowa, Lincoln, Park, Prowers, and Teller Counties are also included. See **Figure 3**: *Stonewall Springs Wetland Mitigation Bank Service Area* and **Figure 4**: *Stonewall Springs Wetland Mitigation Bank Service Area by Counties.*

Figure 3: Stonewall Springs Wetland Mitigation Bank Service Area

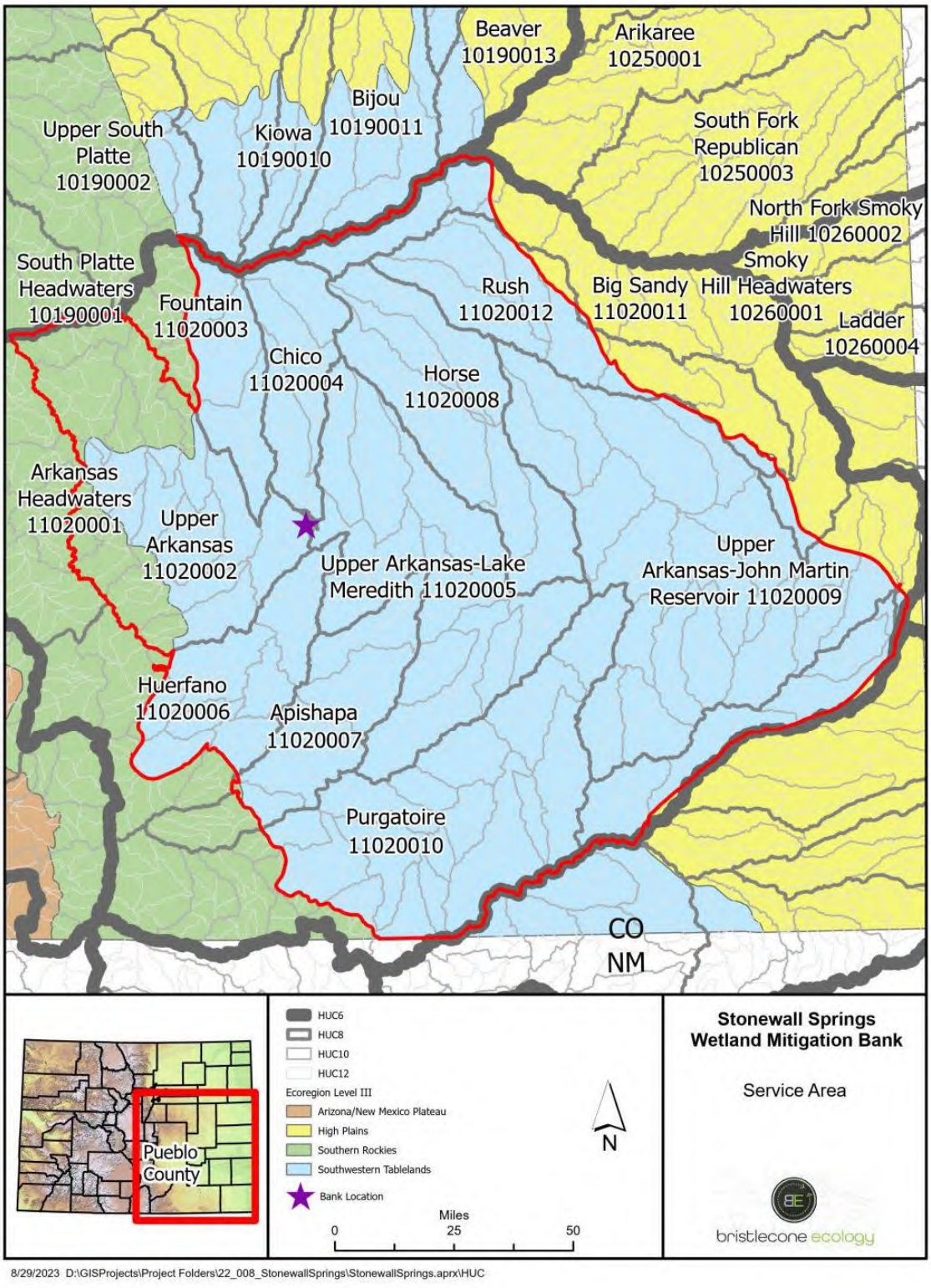
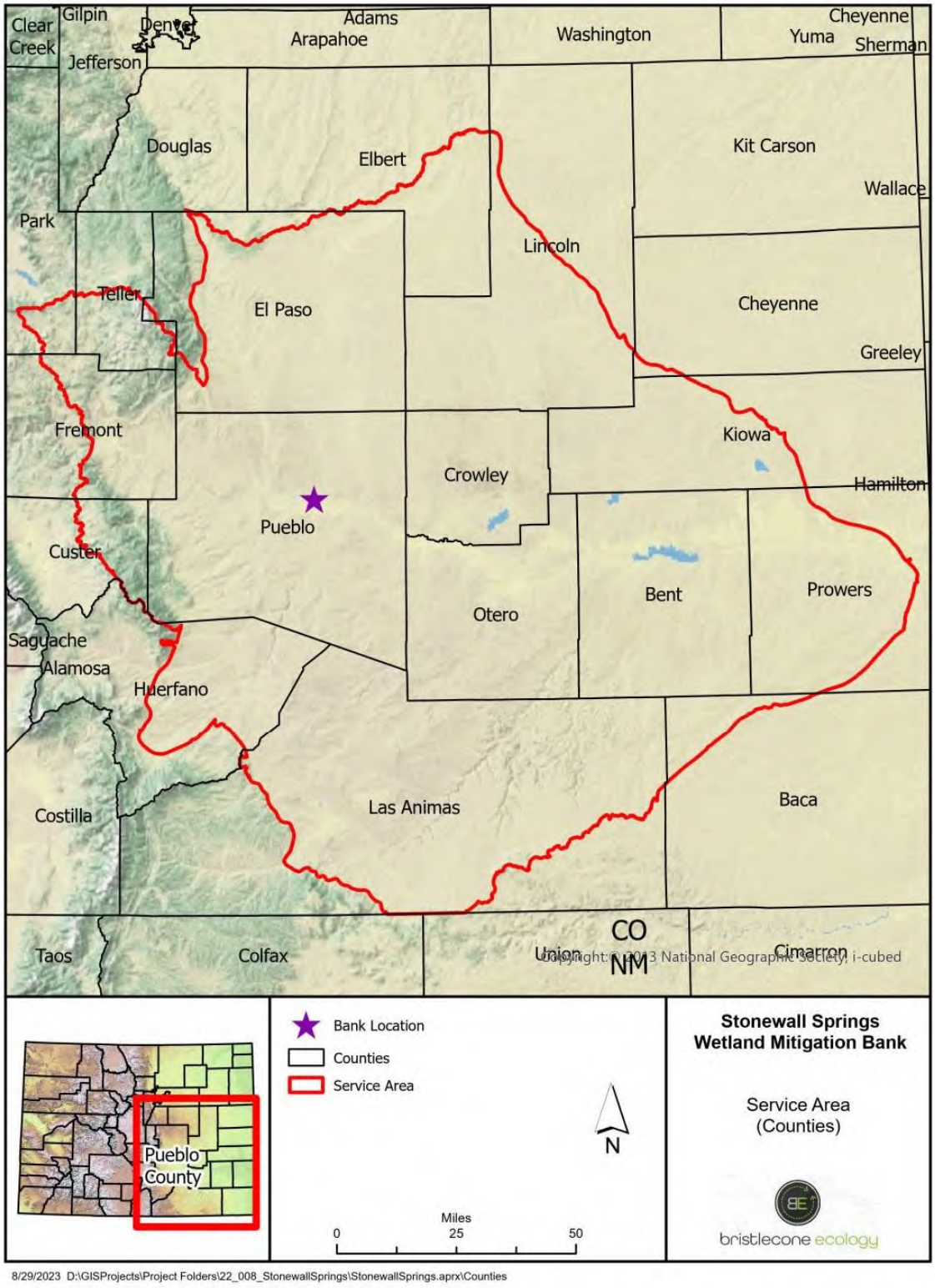


Figure 4: Stonewall Springs Wetland Mitigation Bank Service Area by Counties



4 NEED AND FEASIBILITY

4.1 Project Need

Project need for wetland mitigation banks is based largely upon the ongoing loss of wetlands in the bank's service area and market demands to replace lost wetlands with credits. Between 2010 and 2020, Colorado's population grew by nearly 15% (approximately 750,000 people), making it the 6th fastest growing state by population according to the 2020 census data. El Paso and Pueblo Counties in particular are experiencing ongoing growth and the demand on existing wetlands in these areas is higher than ever. Residential construction statewide grew by 8.8% in the last five years (2017-2022), increasing the pressure on existing wetlands in Colorado (IBISWorld 2022). El Paso County alone saw a growth of 17.4% between 2010 and 2020, with an estimated population of 730,395 people as of April 1, 2020. In 2022, El Paso County saw nearly 13% population growth, while Pueblo County, where the bank is located, grew by 3% (IBISWorld 2022). The demand for wetland mitigation in Southern Colorado, and especially wetland credits, has never been higher.

Although the proposed bank would be in a service area where a mitigation bank already exists, for years no mitigation banks were available in the Service Area, forcing developers to perform permittee-responsible mitigation (PRM) on all projects and increasing the rate of failure of mitigation efforts. There continues to be a shortage of credits available in the service area as of now with only one viable bank offering credits, and it would therefore be beneficial to the region to have another viable mitigation bank available. From an environmental standpoint, the addition of another mitigation bank would be highly beneficial to the ecology of the Service Area. From a site-specific perspective, reclaiming a quarrying operation as wetlands (which can support pollutant-filtering plants, provide wildlife habitat, and create a massive carbon sink) as opposed to simply filling in the quarried areas with mining spoils is a tremendous net benefit to the ecology of the region. The inclusion of extensive riparian buffer tracts will increase and enhance extremely high value riparian habit for wildlife along one of Colorado's principal river systems.

4.2 Project Feasibility

The proposed mitigation bank will be established in the location of an active sand and gravel aggregate mining operation. The mining operation is phased so that portions of the site will need to be reclaimed once materials are extracted and other parts of the site become active for quarrying. The history of the site makes it ideal for a wetland mitigation bank, as the site has been or will be quarried to a depth that can easily access groundwater (currently, groundwater is pumped out of active material extraction zones). The Sponsor has a water right available, currently applied toward the quarrying activity, that can be used to support the establishment of wetlands once quarrying is complete. The Applicant's water right is approximately 200 acre-feet, which will provide ample hydrology for establishing and maintaining wetlands on the reclaimed quarry site (see **Appendix B**: *Stonewall Springs Quarry Water Right*).

There are no encumbrances (mortgages, liens, rights-of-way, easements, covenants, or otherwise) on the site that would prevent reclamation of the site to wetlands. A title report is provided in **Appendix C**: *Title Report*. There are no existing land use plans other than the active quarrying operation. Regulations for reclaiming quarried lands in Colorado are determined by the Colorado Division of Reclamation, Mining and Safety (DRMS). According to DRMS, establishing wetlands is a viable means

of reclamation, and DRMS has no prescriptive measures for wetland creation and would default to the USACE's standards. Reclamation pursuant to DRMS requires only that the site be returned/reclaimed to it's prior land use (in this case, agriculture) and that all quarried areas be filled with topsoil in order to facilitate that future land use. Since restoring the land from mining usage to dryland farming usage would not create any aquatic resources above and beyond what previously existed onsite, all of the wetland mitigation created that would satisfy DRMS' reclamation requirements would be considered 'functional lift' to the aquatic resource baseline at the site.

The wetlands on the reclaimed quarry site are intended to be self-sustaining without operable control structures or long-term management techniques. By quarrying to access the available water table, the bank will apply the existing water right toward providing adequate hydrology to support wetlands in a self-sustaining manner without having to perform regular maintenance. The static water level is at approximately 4,521 feet elevation, on average, throughout the site. In areas that have been quarried, standing water pools naturally and wetland vegetation establishes on its own – mostly opportunistic hydrophytes such as common reed (*Phragmites australis*) and broadleaf cattail (*Typha latifolia*). The quarry operation has begun filling in the quarried portions of the site (as part of the required reclamation) to within 2-3 feet of the static water level. This will allow easy access to groundwater as the future wetland areas are established.

Soils at the site were generally mildly alkaline (7.8 pH), moderately saline (6% sodium cation exchange capacity), and slightly sandy (see Section 7). Any necessary soil hydrology and chemistry amendments will be made to ensure the successful establishment and continued survival of wetland species. Because the entire site will be quarried, high quality topsoil will be amended to fill in the upper 6-12" of soil before seeding for wetlands. The inclusion of mycorrhizal fungi in wetland restoration has been shown to increase success when tamarisk (*Tamarix chinensis*) and Russian olive (*Elaeagnus angustifolia*) are present (Beauchamp *et al* 2005 and Meinhardt & Gehring 2012). Mycorrhizal treatments will be applied to topsoil amendments during the establishment of wetlands where the native soil has been degraded by these species.

The Agent has taken the existing site hydrology and expected topography post-quarrying into consideration when deciding on locations and types of wetlands to be included in the Bank, and has opted for a design that utilizes the current (post-quarrying) conditions and will not require human influence after establishment. By using the chemical, biological, and hydrologic data collected to determine the ecological suitability of the site for the creation of wetlands (detailed in Section 7) and proven design and techniques, this site will be a self-sustaining wetland mosaic.

Stonewall Springs Quarry, LLC has the operational and financial capacity, and the proposed bank site has the ecological capacity for the creation of this bank as described in Section 7 of this document. The site is feasible for the creation of self-sustaining wetlands.

5 OWNERSHIP AND MANAGEMENT

5.1 Ownership Arrangements and Protection Instruments

The site and future mitigation bank will be under ownership of Stonewall Springs Quarry, LLC. The Agent will assume responsibility for the administration and operation of the mitigation bank, but the Bank and all lands within it will remain under sole ownership of Stonewall Spring Quarry, LLC.

The properties that comprise the Bank will have restrictive preservation mechanisms, such as deed restrictions, conservation easements, or other legal protections, placed on them. If Stonewall Springs Quarry, LLC relinquishes ownership of the Bank, these restrictive preservation mechanisms will provide for protection of the resources at the mitigation bank site in perpetuity.

Stonewall Springs Quarry, LLC will establish conservation easements and other protection instruments at the Stonewall Springs Wetland Mitigation Bank as areas that are being quarried are converted to wetlands. This will result in a phased approach to establishing site protections so that portions of the site can be actively mined, while other areas can be reclaimed as wetlands and placed into the appropriate protection arrangement. The Sponsor may elect to establish a blanket conservation easement over the entire site and reserves the right to do so.

Protection instruments will be recorded in the Pueblo County deed records and will not only prohibit activities such as cattle grazing and commercial development but also restrict any site activities and disturbance that do not support the functional objectives of the Project. Assuming a conservation easement is approved in favor of a land trust, the site will be monitored annually by the land trust to ensure that restrictions are followed. The conservation easement will include the USACE's right to enforce the easement and the right to comment on any modifications that could occur at the Bank.

Once each portion of the site is quarried, there will be no mineral/subsurface reservations to third parties or other similar site encumbrances that will interfere with bank establishment.

5.2 Interim Management

The interim management strategy for the bank will focus on construction of the mitigation bank and the establishment, enhancement, and preservation of aquatic resources. During this initial establishment period, the Sponsor and will conduct performance monitoring to measure success compared with clearly defined criteria and use adaptive management strategies to ensure that the ecological uplift goals of the bank are met.

The overall performance standards and success criteria for wetland mitigation will be based on demonstrable ecological lift within the bank property using guidelines set forth by the *SPD Uniform Performance Standards for Compensatory Mitigation Requirements* (USACE 2012). This lift will be measured using physical, hydrological, and biological metrics where applicable. Specific standards and a monitoring schedule will be outlined in the MBI following preliminary Prospectus approval from the USACE.

In the MBI, specific performance criteria for each type of wetland will be established based on the uniform performance standards developed by the SPD. The uniform performance standards provide measurable targets for ecological functions including hydrology, native vegetation cover, invasive vegetation cover, water quality, and species richness. Associated with each target is also an allowable

timeframe to achieve the stated target; if performance standard is not met by the established deadline, adaptive management actions will be undertaken, and credit releases may be delayed. Monitoring will be conducted by B.E. for five years or until the USACE determines the project is completed. The data will be collected and analyzed annually to ensure success criteria and performance standards are being met.

5.3 Long-Term Management

The long-term management strategy for the Bank will focus on monitoring, boundary maintenance, and site protection. Additionally, the Sponsor will ensure an adequate long-term funding mechanism for the management activities. The Sponsor will be the designated long-term steward unless the Sponsor designates an alternative third-party assignee ("Third-Party Steward") to be the bank's long-term steward. A Long-Term Management Plan (LTMP) will be included with the MBI, which will detail management needs, performance standards, costs, and funding mechanism(s) consistent with 33 CFR 332.7(d). The LTMP will also include a noxious weed management plan and will be developed to ensure perpetual maintenance of the Bank property after all success criteria have been met and all credits released. The Sponsor (or its heirs, assigns, or purchasers) shall be responsible for protecting the Bank in perpetuity. The LTMP will be recorded as an attachment to the conservation easement deed, and an escrow account will be established by the Sponsor to assure funding for the site's long-term management goals. The long-term management activities will initially be conducted by Sponsor, though at a later date, and with approval from the USACE, Sponsor may nominate a permanent long-term steward.

Minor issues such as trash, damage to fences or signage, or changes in species compositions (including the proliferation of invasive species) will be addressed by the Sponsor. More complex issues such as extensive plant mortality or a noticeable reduction in available water will be communicated to the USACE so corrective measures and a schedule for remediation can be agreed upon. If the USACE determines that performance standards have not been met or the area is not on track to meet the respective standards, then the standard monitoring period may be extended. The USACE may also revise monitoring requirements when additional remediation is required. If success criteria have not been met, the Sponsor will take remedial action within 90 days of USACE approval.

The operational life of the Bank will terminate when compensatory mitigation credits have been exhausted or banking activity is voluntarily terminated with written notice from Stonewall Springs Quarry, LLC, and it has been determined that the mitigation bank site is functionally mature and/or self-sustaining to the degree specified in the Development Plan.

5.4 Assurances

Financial assurances will be provided by Stonewall Springs Quarry, LLC, following the guidelines set forth in *Implementing Financial Assurances for Mitigation Project Success* (USACE 2016). As such, short-term financial assurances will be used to ensure completion of the Sponsor's obligations to meet specified ecological performance standards in the event that the Sponsor proves unable or unwilling to meet those obligations. Long-term protection will be provided through conservation easements and endowment funds to ensure protection of the mitigation site from encroachment or degradation. Since long-term management may include active management measures such as posting property boundaries, repair and replacement of fencing and signage, control of invasive species, and other

management activities, both long-term protection and long-term management of the mitigation project may necessitate the Sponsor to establish funding mechanisms that provide the Sponsor (or some other entity that is charged with maintaining the site) with the resources needed for these activities. The details of the proposed construction, performance, interim, and long-term management assurances will be presented in the Mitigation Banking Instrument, as necessary.

6 QUALIFICATIONS OF SPONSOR AND AGENT

The bank's Sponsor has an extensive history with sourcing minerals and contributing to residential and industrial construction in Colorado over several decades. The Stonewall Springs Quarry alone has operated in Colorado since the early 2000s, and the Sponsor has owned, leased, and reclaimed other quarry operations in the state through various companies. Throughout these companies' histories, the Sponsor has acquired significant tracts of key agricultural lands for numerous development purposes, including harvesting resources – primarily limestone, sand, and gravel – developing large-scale residential, commercial, and industrial projects, and conserving lands for wetland mitigation and large-scale water storage. The Sponsor is extremely well versed in the acquisition, sale, and use of water rights in Colorado. The Sponsor's companies have purchased thousands of acres of ranches and farmland, while accumulating hundreds of years of mineral reserves, constructing thousands of homes, and preserving hundreds of acres of aquatic resources.

B.E. has worked on numerous PRM projects, including the design, permitting, oversight, construction monitoring, and mitigation monitoring of such projects. Most recently, B.E. designed wetland mitigation to be permitted under a Nationwide Permit 27 for restoration projects, encompassing approximately 18 acres of Palustrine and Riverine wetlands. In addition, B.E. has recently designed approximately 43 acres of wetland establishment, enhancement, and preservation along Sand Creek in El Paso County for a multi-year large-scale residential project permitted under multiple Individual Permits. B.E. also has numerous active mitigation monitoring projects along the Front Range, consisting of wetland habitats and sensitive species conservation areas.

Neither the Sponsor nor the Agent has worked specifically on mitigation banks previously, in the Albuquerque District or other USACE Districts. Both Sponsor and Agent have years of experience working with the Albuquerque District in Colorado on wetland mitigation projects and have active relationships with USACE's Southern Colorado Regulatory staff. The Sponsor and Agent expect to spend more time working with the USACE through the establishment of the bank than on normal PRM wetland mitigation efforts.

7 ECOLOGICAL SUITABILITY BASELINE

The following section describes the baseline ecological conditions at the site based upon the surveys, assessments, and monitoring that has occurred thus far. It does not constitute a Site Development Plan, which will be developed following the acceptance of this Prospectus. Additional studies that will be conducted include additional details concerning groundwater monitoring, identification of target plant communities and methods for their establishment, detailed plans for controlling invasive species, and topographic surveys and grading plans detailing the physical construction of the mitigation areas.

7.1 Location and Ecoregion

The proposed service area for the Stonewall Springs Wetland Mitigation Bank includes the Upper Arkansas (11020002) HUC 8 watershed. Within this General Service Area (GSA), the Arkansas River is the receiving drainage feature for all watershed drainage. Land use within the Upper Arkansas River floodplain within the GSA is predominantly quarrying and agricultural fields and increasing amounts of commercial development. The bank site will create new wetlands within the potential service area where previous quarrying has occurred, which will benefit its ecological function and will provide greater opportunity for the purchase of credits within the service area.

The Project is located in the Southwestern Tablelands Level III ecoregion in Colorado. This ecoregion marks a transition between the High Plains and the Southern Rocky Mountains with red-hued canyons, mesas, badlands, and dissected river breaks (Chapman et al 2006). Much of this region is in subhumid grassland and semiarid range land, though a few areas (particularly along the Arkansas River where the Project is located) support agriculture. The Piedmont Plains and Tablelands Level IV ecoregion is a subregion of the Southwestern Tablelands Natural consisting of a vast area in Southeastern Colorado of irregular and dissected plains underlain by shale and sandstone. Vegetation is mostly blue grama (*Bouteloua gracilis*), buffalo grass (*Bouteloua dactyloides*), western wheatgrass (*Pascopyrum smithii*), green needlegrass (*Nassella viridula*), needle-and-thread (*Hesperostipa comata*), alkali sacaton (*Sporobolus airoides*), sand dropseed (*Sporobolus cryptandrus*), sideoats grama (*Bouteloua curtipendula*), and soapweed yucca (*Yucca glauca*) (Chapman et al. 2006). Precipitation varies from 10 to 16 inches, with the lowest amounts found along the Arkansas River between Pueblo and Las Animas (Chapman et al 2006), i.e., where the Project is located.

7.2 Current and Historical Land Use

Historically, the site was used for agriculture until the early 2000s and was graded and irrigated with crop circle pivots for this purpose. The site is currently an active sand and gravel aggregate quarry, and this land use will persist until the mineral resources of the site are exhausted. Areas that have been exhausted will be reclaimed and restored as wetlands for inclusion in the Bank using a phased mitigation approach, while active mining continues on other portions of the site. Along the Arkansas River corridor, there is a riparian easement which cannot be mined and is therefore preserved as riparian habitat by default by state mining statute. This corridor will be legally preserved in the Bank as buffer habitat for the to-be-created wetlands. Nearly the entire site lies within the 100-year floodplain (the site flooded in 2023 due to historic rains in May and June) – see **Figure 5:** *FEMA Flood Zone Map.*

7.3 Existing Wetlands and Ability of Site to Support Wetlands

The physical, chemical, and biological characteristics of the site are critical to supporting the desired aquatic resources and function of the Bank. In order to create self-sustaining wetlands, the site must fit the general conditions characteristic of wetlands, described in the Corps of Engineers' Wetland Delineation Manual as "areas 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" (Environmental Laboratory 1987). This includes supporting predominantly hydrophytic flora, having predominantly undrained hydric soils, and a saturation with water or cover by shallow water at some time during the growing season of each and every year (Cowardin, et. Al., 1979). Data on the current extent of wetlands and the hydrologic, biological, and chemical composition of the site are discussed in detail below.

B.E. conducted a wetland delineation of the site on October 4th, 2022. Watercourses and other aquatic resource features identified in a desktop review of the site were inspected in the field to assess their presence/absence and jurisdictional potential. The wetland delineation was performed in accordance with the Great Plains Regional Supplement (Version 2.0) (Environmental Laboratory 2010) to the 1987 USACE Wetland Delineation Manual (Environmental Laboratory 1987).

Wetlands and sample points were mapped using a Trimble Geo 7X mapping unit with sub-meter accuracy. Photographs were taken depicting field conditions at the time of the site visit (**Appendix D**: *Photographic Log*). General observations of all flora and fauna observed on the site are provided in **Appendix E**: *Stonewall Springs Flora and Fauna*. Results of the wetland assessment and descriptions of observed features are detailed below, and maps of the NWI and NHD data, locations of wetlands, and wetland determination data forms are provided in **Appendix F**: *Wetland Location Maps and Wetland Datasheets*. Wetland indicator status for vegetation comes from the National Wetland Plant List (Lichvar et al. 2020).

The NWI and NHD data generally depicted wetlands and watercourses over a greater area than what was observed onsite (**Appendix F**). The wetlands in the active quarry area shown in the NWI data were either nonexistent (e.g., the large crescent shaped PEM1C wetland near the center of the property) or had been created as part of the active mining operation (e.g., the PUBF and PEM1C wetlands shown along the western boundary of the site). Aquatic resources created unintentionally as part of an active mining operation are excluded from USACE/USEPA jurisdiction by definition; because of this and for safety reasons the active quarry was not surveyed for wetlands. The areas outside of the quarry were surveyed, and wetlands were generally also found to be less extensive than depicted in the NWI and NHD data. The forested wetlands (PFOA) in the southwest corner of the site were generally not present; where small wetlands were located in this area, they were more commonly Palustrine emergent (PEM) or Palustrine scrub-shrub (PSS) wetlands. The Riverine wetlands along the Arkansas River were similarly less extensive: the Arkansas River roughly forms the southern boundary of the Project area and does not encroach into the site as depicted in the data. The ditch running near the southwest corner of the site was depicted correctly in the data as a freshwater Palustrine emergent wetland. Refer to **Appendix F**.

Wetlands were delineated along the ditch in the southwest corner of the site and along the Arkansas River (see **Appendix F**). Riverine wetlands were less extensive than expected, extending only a few feet onto the site from the river's edge. At SP1, wetlands extended perhaps 15 feet onto the site from

the top of bank of the Arkansas, but were absent within 30-40 feet of the river at SP2 (see wetland maps and datasheets in **Appendix F**). At SP3 and SP7, wetland vegetation, hydrology, and hydric soils were obvious within the ditch running through the site. However, at SP4, SP5, and SP6, all within 50 feet of the ditch, no wetland indicators were present. The vast area labeled PFOA in the NWI data was a large, forested area with dense riparian vegetation, but not a forested wetland. Riverine wetlands depicted in the NWI/NHD data were also much more limited. As a general rule, wetlands were not found further than 30 feet laterally from a source of surface water hydrology. The exception to this rule was within the quarry itself, where the presence of the water table created the conditions for wetland formation wherever excavation had exposed it. See **Appendix F** for details, and **Appendix E** for photographs of the site.

Based on the wetland delineation and other data/observations collected at the site, soils, vegetation, and hydrology were further analyzed to determine their baseline potential to support wetlands and wetland creation on the site. The following sections further detail the result of these baseline studies.

7.3.1 Soils

Initial soil survey data and reports from NRCS indicate that the site is composed of primarily Las Animas fine sandy loam (0-2% slopes; approximately 34.6% of the site), Rocky Ford silty clay loam (approximately 22% of site), Bloom silty clay loam (0-2% slopes; approximately 13.8% of the site), Apishapa clay loam (0-2% slopes; approximately 10.1% of the site), and the Glenberg-Haversid soil complex (0-2% slopes; approximately 8.5% of the site). Other soil types found less predominantly at the site are Bankard sand, Cascajo very gravelly sandy loam, Limon silty clay loam, and Otero clay loam (**Figure 6:** *Stonewall Springs Soils Composition Map*). A preliminary survey of hydrologic soil groups shows a variation in hydrologic soil group types throughout the site **(Figure 7:** *Stonewall Springs Soils by Hydrologic Group*). Desktop surveys for hydric soils on the site also found variation in hydric soil rating throughout the site, with a majority (51.2% of the site area) in the 1-32% hydric soil range, 23.9% in the 66-99% hydric soil range, and the remaining 24.9% of the site containing non-hydric soils (**Figure 8:** *Stonewall Springs Hydric Rating by Soil Series*)

Soils were further analyzed by collecting samples from the site and sending them for laboratory analysis. Indications from the field sampling found that soils on the site generally do not have any major contraindications for the establishment of wetlands. The soils have a mildly high alkalinity (7.8 pH), which for wetlands is preferable to mild acidity. All chemical compounds tested showed soil chemistry to be within the acceptable range for most wetland plants. The moderately high sodium exchange capacity and mildly high alkalinity can be managed by selecting wetland plants with some tolerance to higher sodium content and mild alkalinity. Since the entire site will be quarried and the aggregate materials will be extracted, the remaining backfill material will be spoils from the parent soil series on the site. Because the resulting backfill materials will generally be lower quality substrates, soil amendments will also be used to correct for some of the less desirable soil qualities of the site such as higher alkalinity, salinity, and excess lime. In addition, Sponsor will spread quality topsoil (6-12") over the backfilled areas to promote the initial establishment of hydrophytes.

One minor concern at the site was in regard to the presence of invasive species that tend to degrade soils. The site currently supports many Russian olives and tamarisks/salt cedars, both of which thrive in soils with sodium cations and some alkalinity. Russian olives absorb significant

amounts of water and could reduce the available hydrology on the site for wetlands to form. Tamarisks (and to a lesser degree, Russian olives) have been shown to increase soil salinity, conductivity, and nitrate content, and decrease mycorrhizal inoculum potential, which may impact the soil's ability to support desirable native species such as cottonwoods (*Populus deltoides*) and potentially other desired wetland plants (Meinhardt & Gehring 2012). Studies have shown that tamarisk's impacts on the soil environment surrounding them will remain prominent for years even after their removal, and soil remediation may be necessary to prevent high mortality rates in planted trees and shrubs (Sher & Quigley 2013). Mycorrhizal treatments applied to soil amendments during the establishment of new vegetation may be effective at countering the effects of tamarisk degradation (Arnold 2012). The Sponsor and Agent will inoculate soil amendments with mycorrhizal fungi in areas of the site where soil has been degraded by tamarisks and Russian olives. Because the site already supports a robust riparian corridor of cottonwoods along the Arkansas River, soil degradation due to tamarisk is not a major concern for the site's ability to support healthy riparian and wetland ecosystems.

7.3.2 Flora

An abundance of naturally occurring hydrophytes and water-tolerant plants were observed in the existing flora documented in a preliminary survey of the site (**Appendix E:** *Stonewall Springs Flora and Fauna*). Wetland/water-tolerant species included sandbar willow (*Salix exigua*), peachleaf willow (*Salix amygdaloides*), cattails (*Typha* spp.), hardstem bulrush (*Schoenoplectus acutus*), baltic rush (*Juncus balticus*), Drummond's rush (*Juncus drummondii*) plains cottonwoods, curly dock (*Rumex crispus*), common reed, reed canary grass, and Canada wild rye (*Elymus canadensis*), all of which are FAC, FACW, or OBL wetland species in the Great Plains region. Since the site visit occurred in October after the growing season, other FAC/FACW/OBL plants likely occur. The presence of these species, all of which are naturally occurring or "volunteer" plants, is evidence that the site can support wetlands, provided adequate hydrology.

7.3.3 Hydrology

The Bank site is located within the Arkansas River floodplain and groundwater will be replenished by this and associated floodplains. There is an existing ditch through the southwest portion of the Phase 1 mitigation area that supplies water to the majority of the existing wetlands on the site. This ditch will be maintained as a source of hydrology and wetlands associated with it with be enhanced through noxious weed control and planting/seeding. The site has been excavated to the water table during mining operations and only backfilled to within 2-3 feet of the water table, so groundwater will be readily available for the establishment of wetland plants. A water right in the amount of 200 acre-feet is owned by the Sponsor and would be used as needed to maintain the requisite hydrology. Additional details regarding the sources and adequacy of hydrology on the site are covered below.

Figure 5: FEMA Flood Zone Map

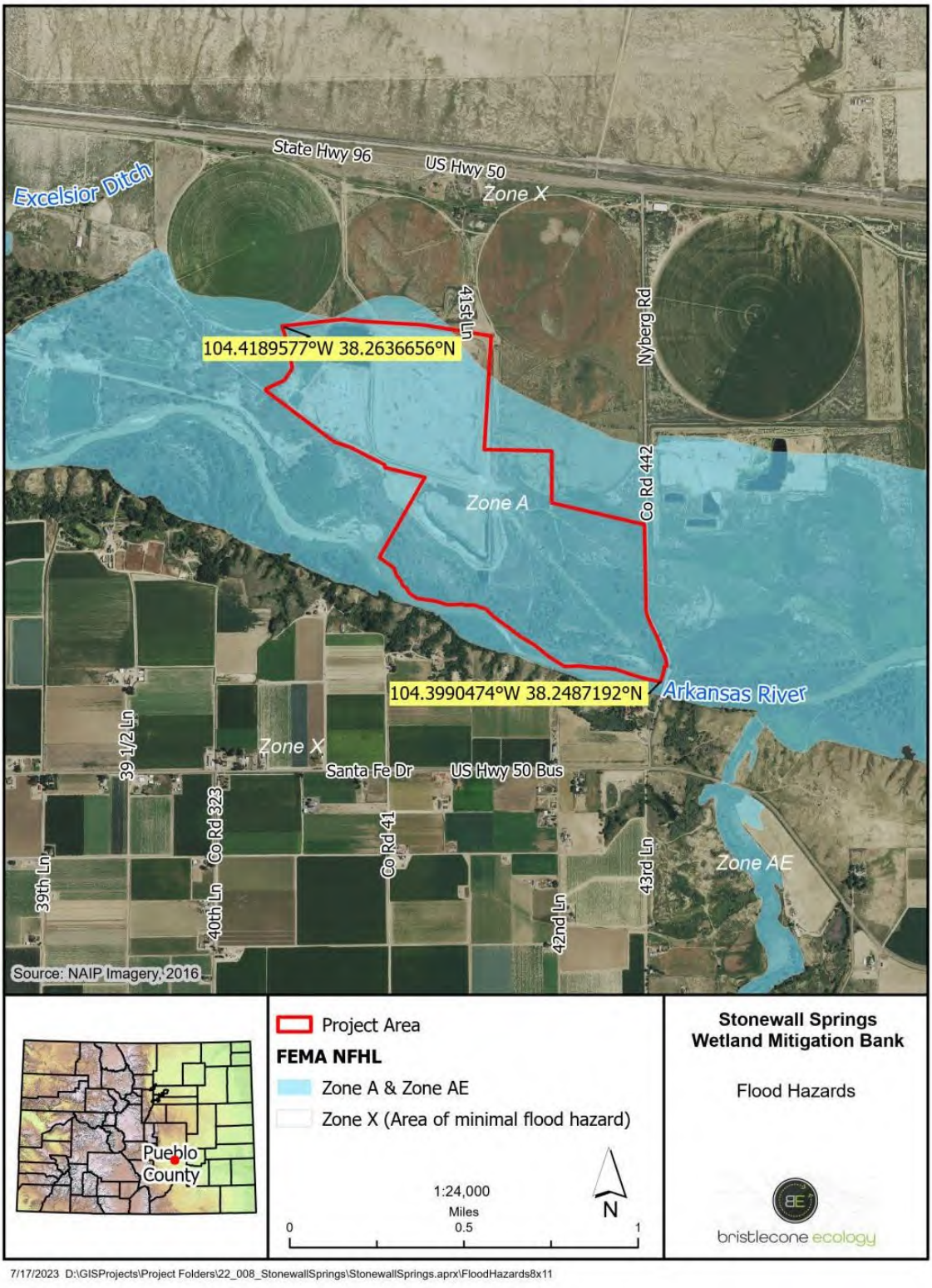


Figure 6: Stonewall Springs Soils Composition Map

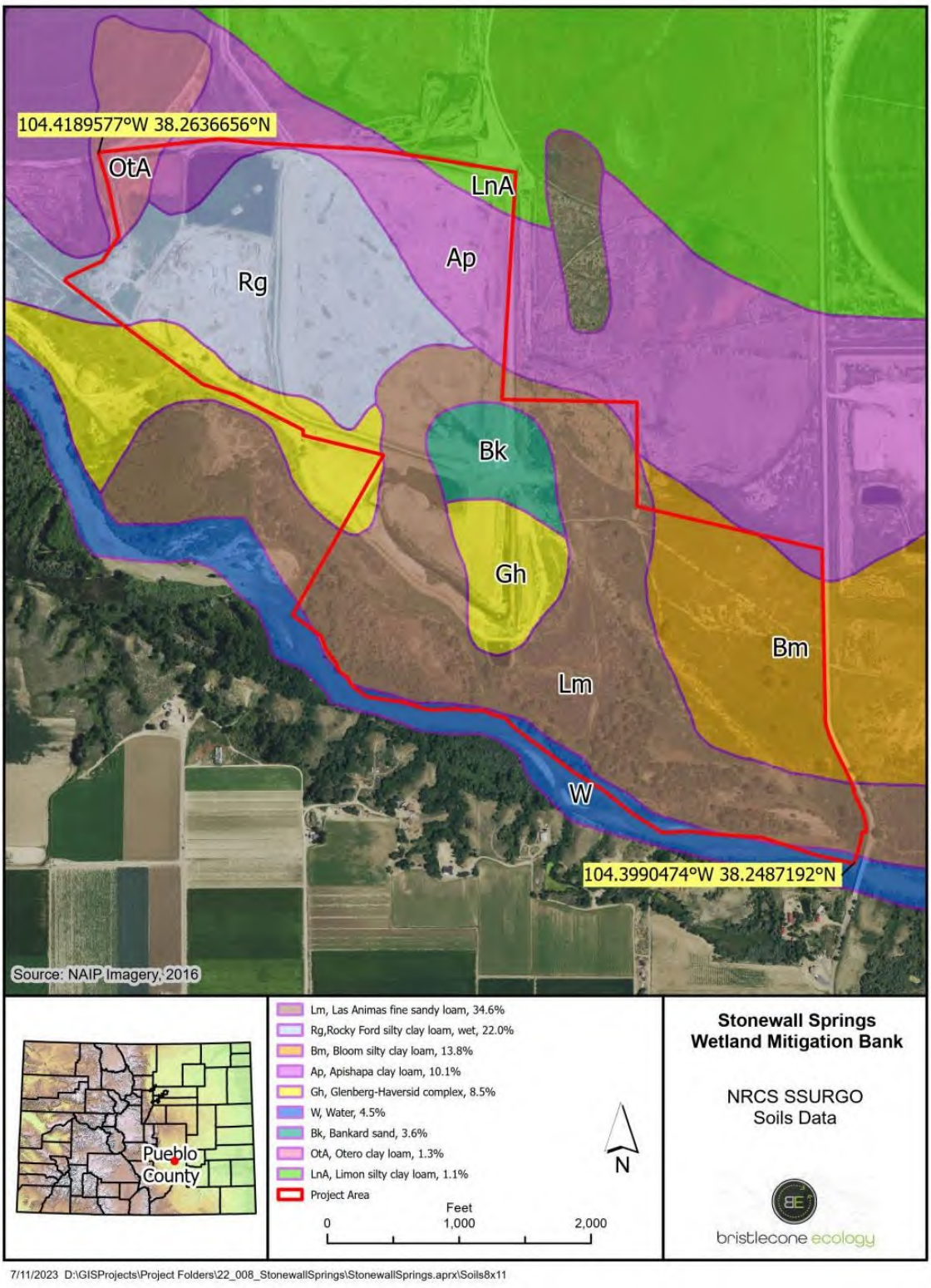


Figure 7: Stonewall Springs Soils by Hydrologic Group

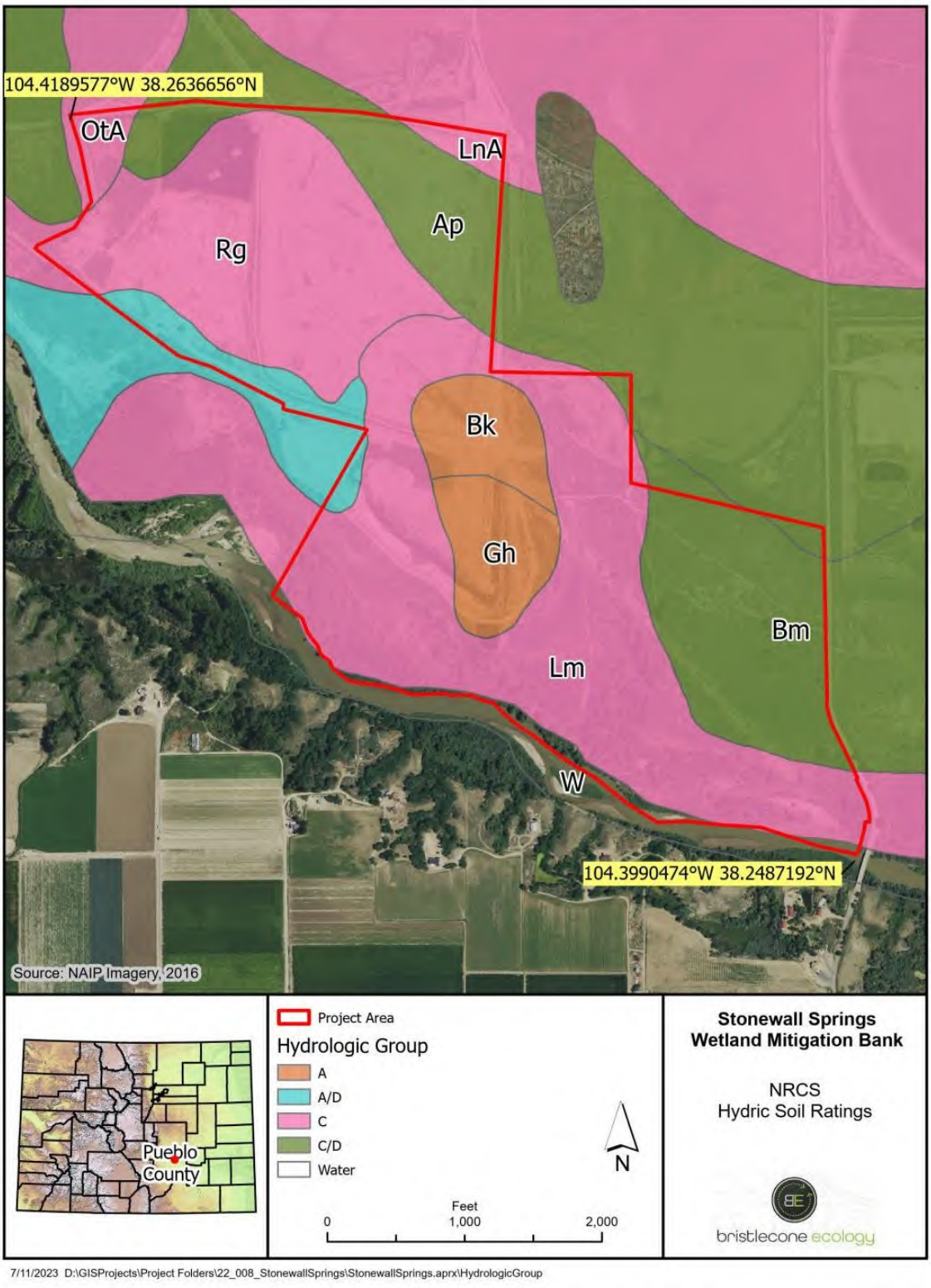
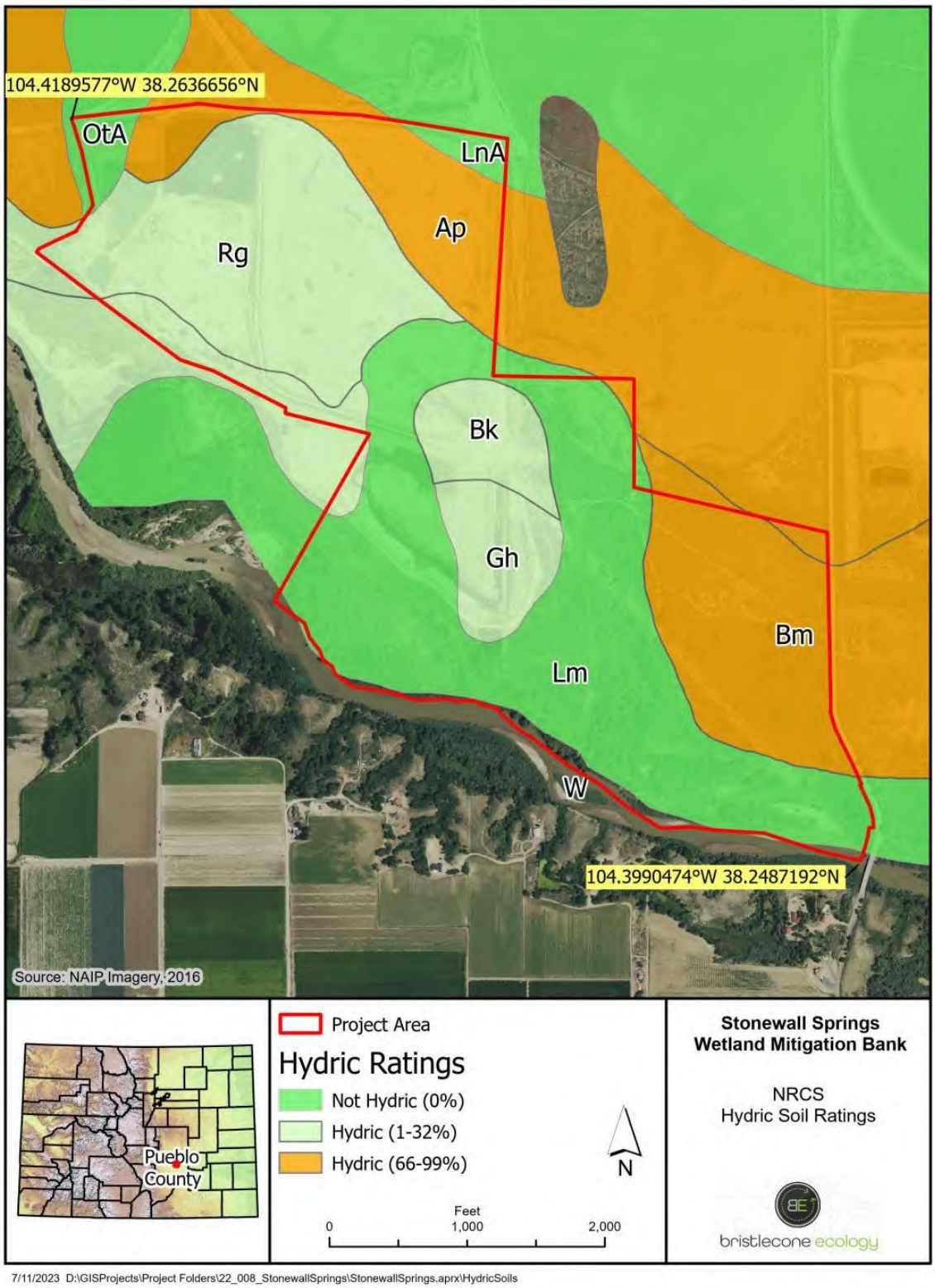


Figure 8: Stonewall Springs Hydric Rating by Soil Series



7.4 Sources and Adequacy of Hydrology

Hydrology at the Stonewall Springs Wetland Mitigation Bank would be supplied primarily by groundwater. Prior to quarrying, wells were dug to test the depth to groundwater throughout the site, with an average depth across the entire site around 15 feet as shown below (**Table 4**: *Average Depth to Water at Stonewall Springs Quarry Wells (ft)*). Since the site lies almost entirely within the 100-year floodplain, additional hydrology may be provided by regular flooding. In spring 2023, heavy rains confirmed the site does regularly flood, as floodwater had to be pumped almost continually from quarry pits between April and July. As quarrying has proceeded, a more accurate picture of the average depth to groundwater has developed, and it is expected that groundwater will be encountered at approximately 4,521 feet elevation throughout the site. The depth to the water table can be controlled through quarrying, which regularly stops within a few feet of encountering the water table, and backfilling accordingly to match the depth of fill to the water table. The Bank is expected to support a mosaic of wetlands with plants tolerating various water depths that can be created through backfilling to create specific water depths across the site. Water depth tolerances of wetland plants will be considered carefully when selecting species. Additionally, hydrologic conditions can be controlled using the existing water rights of Stonewall Springs Quarry, LLC.

Using the Antecedent Precipitation Tool (APT) developed by the USACE, B.E. researched the expected precipitation at the site based on the last 4 years of data. Precipitation should be considered a direct source of hydrology to the Bank, but one that is secondary to the available groundwater as the primary source of hydrology. ATP data from the last four years show varying but overall normal conditions in summer months (June 21st through September 20th), with summer conditions as follows:

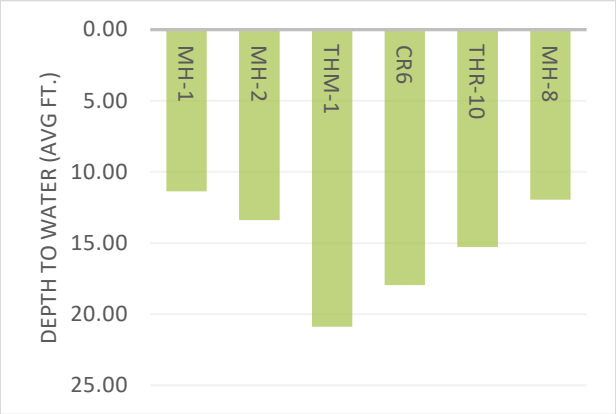
- 61% of days with wetter than normal conditions in 2019,
- 96% of days with drier than normal conditions in 2020,
- 73% of days with wetter than normal conditions in 2021,
- and 79% of days with normal conditions in 2022.

This variation each year is expected to be a trend that will continue in future years, as extremes in weather grow stronger as a result of climate change. Wetland development planning has taken into consideration several factors with regard to climate change over the coming years, including:

- the potential for extreme differences in the availability of hydrology provides as precipitation;
- designing wetland habitats that rely primarily on other sources of hydrology (i.e., groundwater);
- and planting wetland species that will be tolerant of variations between drought and severe inundation.

Overall, the 30-year normal range found in the APT shows an overall increase in precipitation during the summer months regardless of drought years; this dynamic creates a cycle that recharges the water table annually in the summer months, and supports the persistence of wetlands through droughts. The use of the 200 shares of water rights owned by the Sponsor can be used during the establishment period to ensure mature, health wetland develop prior to the onset of potential drought years.

Table 4: Average Depth to Water at Stonewall Springs Quarry Wells (ft)



Well	DTW (avg ft)
MH-1	11.36
MH-2	13.39
THM-1	20.89
CR6	17.95
THR-10	15.27
MH-8	11.96

7.5 Upland Buffer Zones

The site would actively pursue the creation of upland buffers in any areas of the site not used for the creation, restoration, enhancement, or preservation of wetlands. Existing riparian corridors found at the site are evidence that this area will be able to support buffer zones that will enhance and protect the functioning of future wetlands (**Appendix A**).

7.6 Compatibility with Adjacent Land Uses

The development of a mitigation bank on the property will not have an adverse impact on adjacent lands. Current adjacent land uses include mines and agriculture fields, which are generally compatible with and provide optimal conditions for the creation of wetlands. As seen in **Figure 9** below, the Bank property is located within a Colorado Natural Heritage Program (CNHP) PCA ranked as B3 with a high biodiversity significance. Historically, tilling and irrigation of the site and surrounding lands diminished the area's biodiversity; more recently, mining on the site and adjacent properties have further reduced the biodiversity to negligible levels. Thus, the CHNP rank of B3 is not applicable to the majority of the site or the surrounding areas in their current conditions. The exception is the Arkansas River and associated riparian corridor, which still support high biodiversity and are a significant area of potential conservation. Because the Arkansas River and its adjacent riparian corridor will be preserved or enhanced by the proposed mitigation activities, and the quarried portions of the site will be reclaimed as wetlands, the proposed project will greatly benefit the site's biodiversity.

7.7 Threatened and Endangered Species

A preliminary desktop survey of the site using the USFWS' Information for Planning and Consultation (IPaC) tool was performed to identify any potential threatened or endangered species (TES) that could be affected by Project development. The IPaC query listed four species, including one mammal, one bird, one fish, and one insect with the potential to occur within or be affected by activities in the Project Area (**Table 5:** *Summary of Likelihood of Impacts to Threatened or Endangered Species*). B.E. has provided our professional opinion regarding the probability of each species' occurrence at the Project site and their probability of being impacted by Project development.

Table 5: Summary of Likelihood of Impact to Threatened or Endangered Species

Common Name	Scientific Name	Listing Status	Habitat Requirements & Likelihood of Impacts
Gray wolf	*Canis lupus*	Federally Endangered	Extirpated from Colorado and not known to occur since 1945 when the last known wolf was killed in Conejos County. Further, there is no suitable habitat on the Project site. **Likelihood of impacts: None; extirpated.**
Eastern black rail	*Laterallus jamaicensis* ssp. *jamaicensis*	Federally Threatened	Eastern black rails are cryptic, ground-dwelling marsh specialists. They require dense and fairly tall marsh habitats with nearly 100% cover. There is no current habitat on the potential bank site, but the construction of cattail marsh in the bank may attract the species to the site, creating future habitat**. Likelihood of impacts: No habitat present, no adverse effects. Potential positive impact through creation of marshland in species' range.**
Greenback cutthroat trout	*Oncorhynchus clarkia stomias*	Federally Threatened	Cold, clear, gravely headwater streams and mountain lakes provide an abundant food supply of insects. Genetic sampling has confirmed that the only remaining native pure-strain population occurs in a four-mile stretch of creek outside of its native range in Bear Creek, a small tributary in the Arkansas River Basin (Metcalf et. Al., 202) **Likelihood of impacts: None, habitat not present.**
Monarch butterfly	*Danaus plexippus*	Candidate for Listing	Requires presence of its obligate host species in the milkweed genus (*Asclepias*). Milkweeds were not observed anywhere on the site during a preliminary biological survey but could occur, especially following wetland mitigation creation. No formal compliance or consultation is required for candidate species. **Likelihood of impacts: None, no obligate milkweed hosts observed. Potential positive impact through creation of wetland habitats with milkweed.**

Actions taken to develop wetlands at the site are not expected to influence any of the four TES listed in the IPaC query, as their habitat requirements are not fulfilled on this site. Since the site is already being actively quarried, any potential impacts to TES have already been thoroughly reviewed and a determination of 'No Impacts' has been issued by USFWS for those activities. It can reasonably be assumed that the creation of wetland habitats following the completion of quarrying would not have greater effects on TES than those currently occurring at the site. There are, however, potential positive effects to Eastern black rail (*Laterallus jamaicensis* ssp. *jamaicensis*) and monarch butterfly (*Danaus*

plexippus) through the creation of wetlands on the site. Both species would benefit from an increase in marshland and wet meadows, respectively, and the planned mitigation would almost certainly create potential habitat for these species on the site.

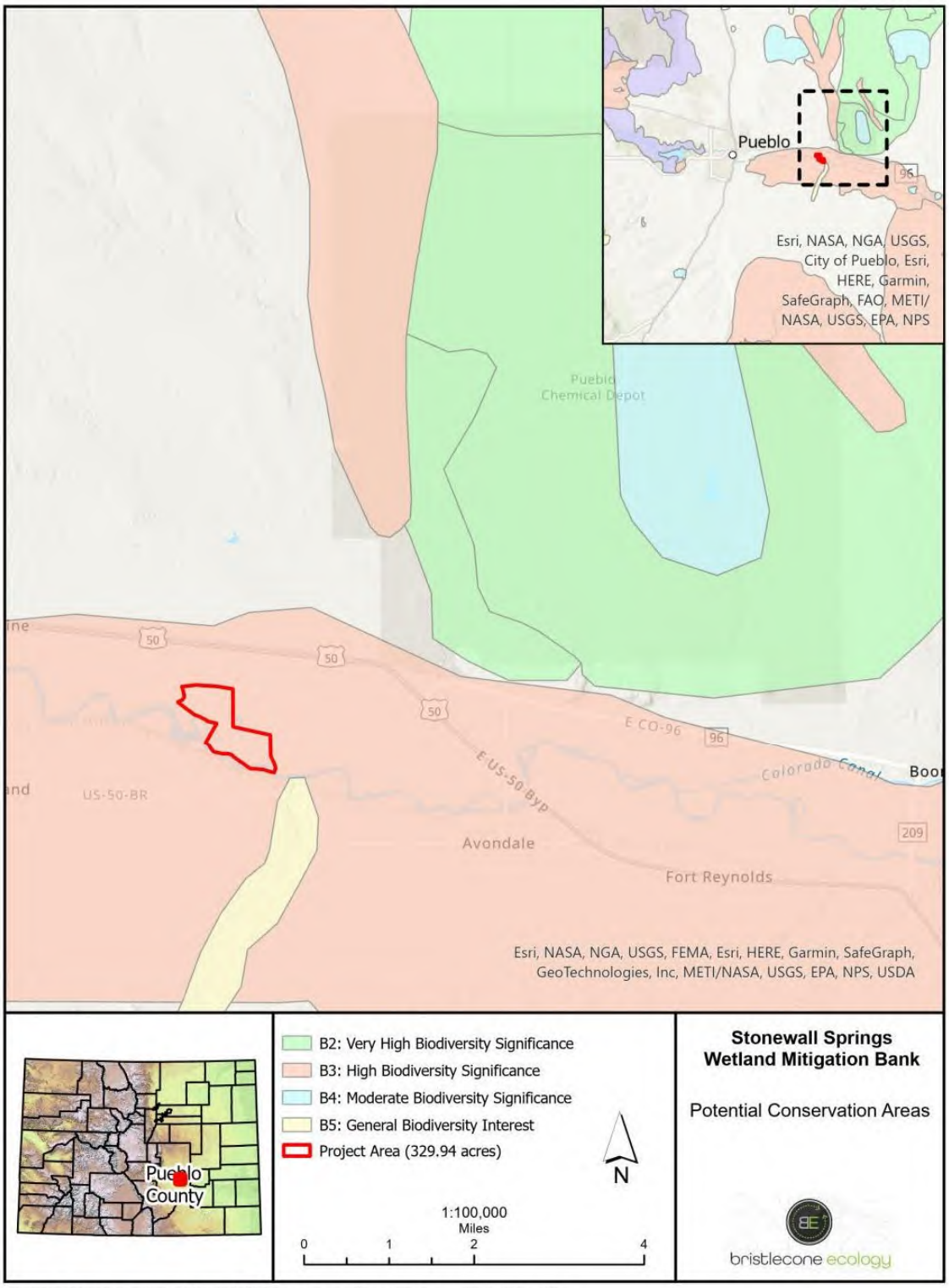
7.8 Migratory Birds

The site is an active quarry and thus is generally not occupied by birds protected under the Migratory Bird Treaty Act (MBTA) and Bald and Golden Eagle Protection Act (BGEPA). There is very little vegetation on the site and there are no trees on the portion of the site that is actively being quarried. However, there are tall cottonwoods and other trees along the riparian corridor which provides a buffer between the quarry and the Arkansas River. This corridor will be preserved as a part of the mining activities on the site as well as the future conversion of the quarry to wetlands. In order to comply with the MBTA and the BGEPA during construction of the mitigation areas, migratory bird surveys will be conducted along the riparian corridor to detect any nesting birds prior to the commencement of construction. If nesting migratory birds are detected that could be disturbed by construction of the mitigation areas, those nests will be buffered in accordance with CPW's recommended nest buffers until nesting is completed for the season.

7.9 Cultural Resources

Compliance with Section 106 of the National Historic Preservation Act (NHPA) is required for federal undertakings such as Section 404 permit applications to ensure historic and prehistoric resources are not disturbed during construction. A Class I File Search conducted by B.E. with the State Historic Preservation Office indicated that there have been two previous cultural resource surveys within the Project area (**Appendix G:** *Previous Cultural Resource Surveys*). These surveys did not detect any cultural resources, though it should be noted that the file search reflects only prior investigations of a portion of the site and is not comprehensive. However, the entirety of the Project site (including proposed wetland creation areas) has been previously excavated to the water table. Therefore, it is anticipated that if cultural resources did exist on the property, they would have been previously discovered, and that any further cultural resource surveys would not yield any results.

Figure 9: Potential Conservation Areas



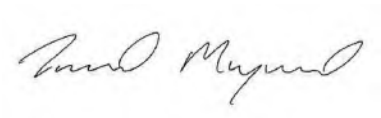
8 WATER RIGHTS

A water right in the amount of 200 acre-feet is held by Stonewall Springs Quarry, LLC allowing access to the groundwater underlying the site. The availability of a water right ensures that hydrology is protected and remains available to support wetlands within the Bank property. All applicable water rights documents are provided in **Appendix B.**

Should you have any questions regarding the information or recommendations provided in this report, please feel free to contact Bristlecone Ecology at dmaynard@bristleconeecology.com.

Sincerely,

Bristlecone Ecology, LLC



Daniel Maynard
Owner/Bank Administrator

9 LITERATURE CITED

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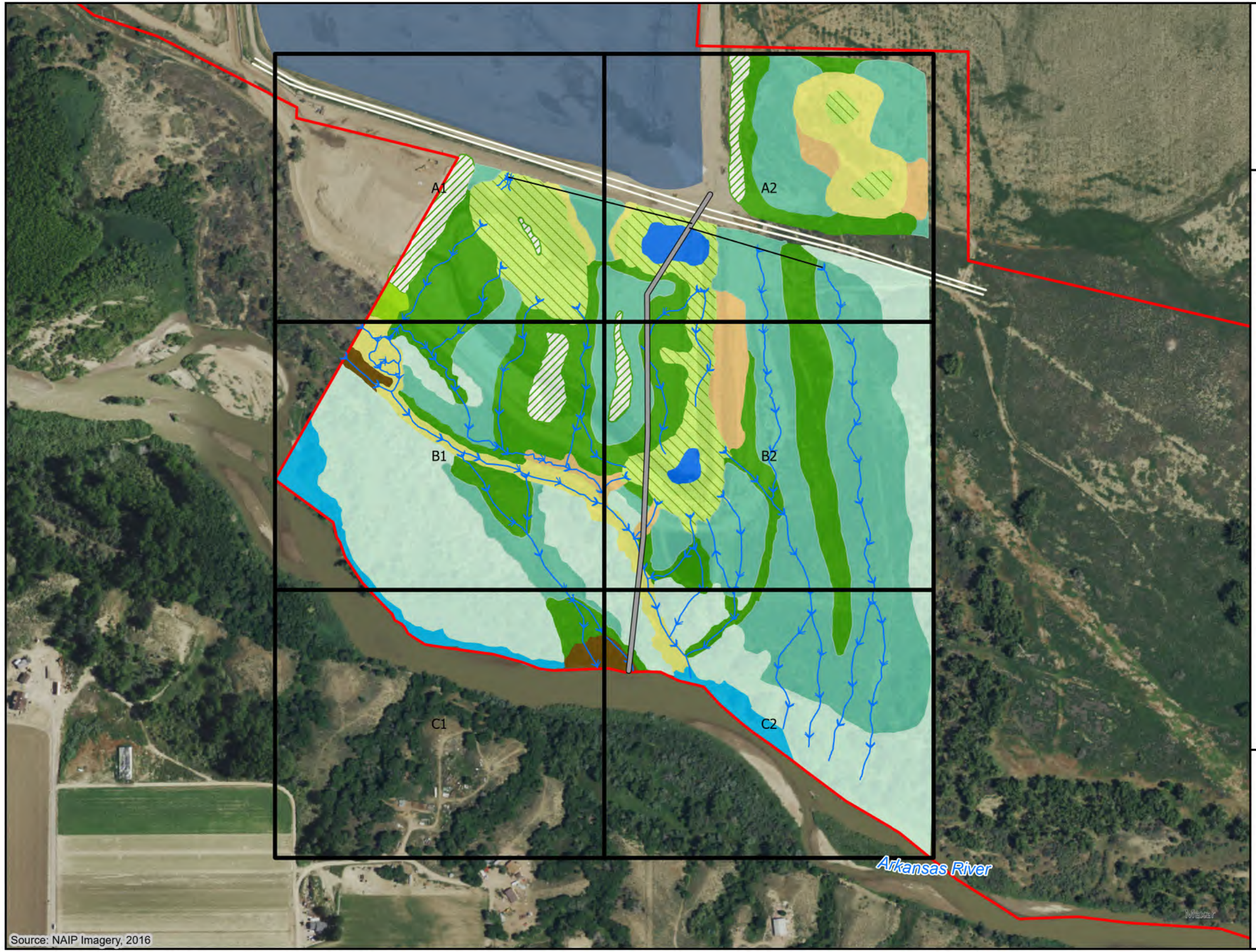
APPENDIX A

PHASE 1 MITIGATION AREAS

Stonewall Springs Wetland Mitigation Bank

Phase 1 Mitigation Areas

bristlecone ecology



- Project Area
- Reservoir
- Triview Water Line
- Proposed Split for Water Line
- Mining Roadway
- Wetland Drainage and Channels

Establishment Areas

Uplands
- Riparian Establishment (3.10 acres)

Wetlands
- Wet Meadows (32.75 acres)
- Scrub-Shrub Wetlands (19.68 acres)
- Mixed Cattail/Scrub-Shrub Marsh (2.89 acres)
- Mixed Cattail/Bulrush Marsh (3.17 acres)
- Cattail Marsh (9.09 acres)
- Aquatic Bed/Open Water (0.94 acres)

Preservation Areas

Uplands
- Riparian Preservation (0.30 acres)

Wetlands
- Preservation-Riverine Wetlands (2.03 acres)

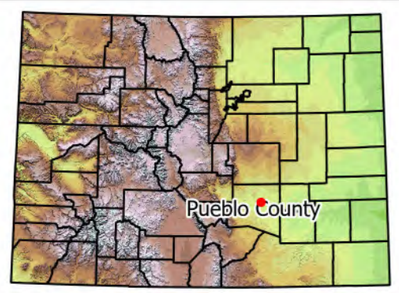
Enhancement Areas

Uplands
- Riparian Enhancement (23.69 acres)

Wetlands
- Mixed Cattail/Bulrush Marsh (2.97 acres)
- Forested Wetland (0.84 acres)

N

Feet
0 100 200



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Stonewall Springs Wetland Mitigation Bank

Phase 1 Mitigation Areas

bristlecone ecology

WetEstab 41
PEM1
UpEstab 1
WetEstab 4 UpEstab 3
PEM1
WetEstab 39
PEM1
WetEstab 7
PEM1
WetEstab 8
PEM1
WetEstab 3
PEM1
WetEstab 15
PSS
UpPreserve 1
WetEnhance 3
PEM1
WetEstab 26
PEM1
WetEstab 18
PSS
WetEstab 27
PEM1
UpEstab 4
Maxar, Vexcel
Source: NAIP Imagery, 2016

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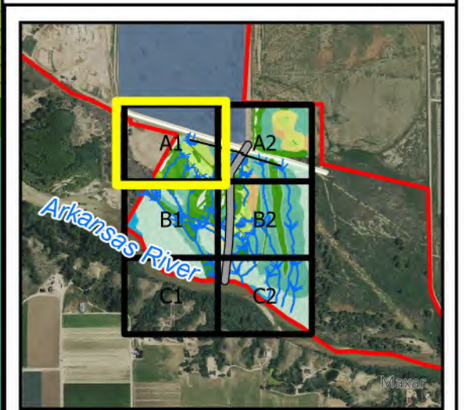
0 50 100

N



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Stonewall Springs Wetland Mitigation Bank

Phase 1 Mitigation Areas

bristlecone ecology

WetEstab 23
PSS

UpEstab 5

WetEstab 5
PEM1

WetEstab 43
PEM1

WetEstab 45
PEM1

WetEstab 14
PEM2

WetEstab 9
PEM1

WetEstab 6
PEM1

WetEstab 13
PEM1

WetEstab 8
PEM1

WetEstab 39
PEM1

WetEstab 24
PSS

WetEstab 44
PEM1

WetEstab 7
PEM1

WetEstab 1
PAB/Open Water

WetEstab 3
PEM1

WetEstab 42
PEM1

WetEstab 22
PSS

UpEnhance 8

WetEstab 27
PEM1

WetEstab 18
PSS

WetEstab 10
PEM1

UpEstab 4

Maxar, Microsoft

Source: NAIP Imagery, 2016

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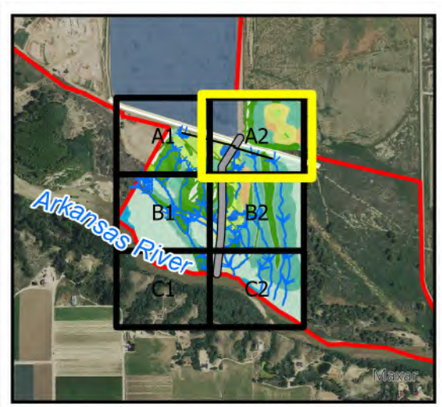
0 50 100

N



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Stonewall Springs
Wetland Mitigation Bank
Phase 1 Mitigation Areas

bristlecone ecology

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Stonewall Springs Wetland Mitigation Bank

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Feet
0 50 100

N

A1 A2 B1 B2 C1 C2 Arkansas River

Source: NAIP Imagery, 2016

Maxar, Microsoft

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Stonewall Springs
Wetland Mitigation Bank
Phase 1 Mitigation Areas

bristlecone ecology

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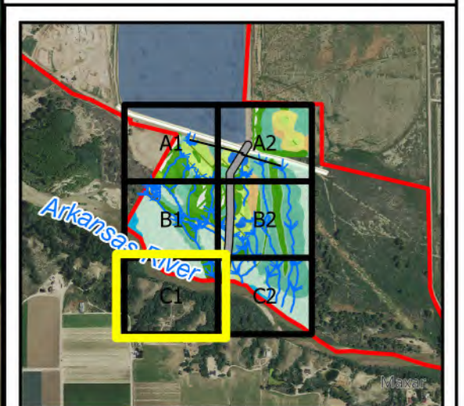
0 50 100

N



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Stonewall Springs Wetland Mitigation Bank

Phase 1 Mitigation Areas

bristlecone ecology

WetEstab 20
PSS

WetEstab 28
PEM1

UpEnhance 4

UpEnhance 5

WetEstab 25
PEM1

UpEnhance 6

WetEstab 19
PSS

WetEstab 22
PSS

WetEstab 16
PSS

WetEnhance 3
PEM1

WetEnhance 2
PFO

WetEstab 42
PEM1

WetPreserve 1
R2US

UpEnhance 8

Arkansas River

Source: NAIP Imagery, 2016

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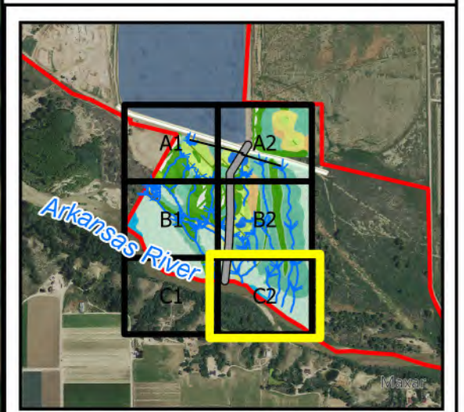

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APPENDIX B

STONEWALL SPRINGS QUARRY WATER RIGHT

APPENDIX C

TITLE REPORT

Customer Distribution

Prevent fraud - Please call a member of our closing team for wire transfer instructions or to initiate a wire transfer. Note that our wiring instructions will never change.

Order Number: **RND35065519** Date: **11/10/2023**

Property Address: **0 NYBERG ROAD (CR442), PUEBLO, CO 81006**

For Closing Assistance

For Title Assistance

Beth Schantz
5975 GREENWOOD PLAZA BLVD
GREENWOOD VILLAGE, CO 80111
(303) 850-4162 (Work)
(719) 634-3190 (Work Fax)
bschantz@ltgc.com

PROFORMA COMMERCIAL REALTY
Attention: JOY CALEDONIA
PO BOX 75568
COLORADO SPRINGS, CO 80970
(719) 650-6002 (Cell)
(719) 473-7763 (Work)
(719) 471-0300 (Work Fax)
joy@proformaland.com
Delivered via: Electronic Mail

Estimate of Title Fees

Order Number: RND35065519 **Date:** 11/10/2023

Property Address: 0 NYBERG ROAD (CR442), PUEBLO, CO 81006

Seller(s): MORLEY COMPANIES FAMILY INVESTMENTS, LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP AND SW QUARRY, LLC, A COLORADO LIMITED LIABILITY COMPANY AND ROCOLO VII, LLC, A COLORADO LIMITED LIABILITY COMPANY AND ASI WATER, LLC, A COLORADO LIMITED LIABILITY COMPANY AND STONEWALL SPRINGS QUARRY, LLC, A COLORADO LIMITED LIABILITY COMPANY AND MORLEY COMPANIES FAMILY INVESTMENTS, LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP AND C. R. EVANS AND ROCKY MOUNTAIN INNS, INC. AND THE TRAVELERS INSURANCE COMPANY, A CONNECTICUT CORPORATION, AS THEIR INTERESTS MAY APPEAR

Buyer(s): A BUYER TO BE DETERMINED

Thank you for putting your trust in Land Title. Below is the estimate of title fees for the transaction. The final fees will be collected at closing. Visit **ltgc.com** to learn more about Land Title.

Estimate of Title Insurance Fees	
"TBD" Commitment	$353.00
RESEARCH INCOME-COMML	$4,725.00
TOTAL	**$5,078.00**

Note: The documents linked in this commitment should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the documents on your property.

Chain of Title Documents:

Pueblo county recorded 06/22/2023 under reception no. 2316323

Pueblo county recorded 01/26/2021 under reception no. 2210157

Pueblo county recorded 12/01/2005 under reception no. 1650545

Pueblo county recorded 04/01/1993 under reception no. 1002429

Pueblo county recorded 12/31/1992 under reception no. 994750

Pueblo county recorded 11/03/1987 under reception no. 847668

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule A

Order Number: RND35065519

Property Address:

0 NYBERG ROAD (CR442), PUEBLO, CO 81006

1. **Effective Date:**

   10/31/2023 at 5:00 P.M.

2. **Policy to be Issued and Proposed Insured:**

   "TBD" Commitment $5,000.00
   Proposed Insured:
   A BUYER TO BE DETERMINED

3. **The estate or interest in the land described or referred to in this Commitment and covered herein is:**

   FEE SIMPLE

4. **Title to the estate or interest covered herein is at the effective date hereof vested in:**

   MORLEY COMPANIES FAMILY INVESTMENTS, LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP AND SW QUARRY, LLC, A COLORADO LIMITED LIABILITY COMPANY AND ROCOLO VII, LLC, A COLORADO LIMITED LIABILITY COMPANY AND ASI WATER, LLC, A COLORADO LIMITED LIABILITY COMPANY AND STONEWALL SPRINGS QUARRY, LLC, A COLORADO LIMITED LIABILITY COMPANY AND MORLEY COMPANIES FAMILY INVESTMENTS, LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP AND C. R. EVANS AND ROCKY MOUNTAIN INNS, INC. AND THE TRAVELERS INSURANCE COMPANY, A CONNECTICUT CORPORATION, AS THEIR INTERESTS MAY APPEAR

5. **The Land referred to in this Commitment is described as follows:**

   ****
   NOTE: THE FOLLOWING LEGAL DESCRIPTIONS ARE PRELIMINARY AND ARE SUBJECT TO CHANGE UPON COMPLIANCE WITH THE REQUIREMENTS UNDER SCHEDULE B-1, HEREIN.
   ****

   REMAINING PARCEL WEST OF NYBURG ROAD

   A PARCEL OF LAND BEING A PORTION OF THE S ½ OF SECTION 35, TOWNSHIP 20 SOUTH, RANGE 63 WEST AND A PORTION OF THE W ½ OF SECTION 1, AND A PORTION OF THE N ½ AND THE NE ¼ OF THE SE ¼ OF SECTION 2, TOWNSHIP 21 SOUTH, RANGE 63 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF PUEBLO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

   BEGINNING AT A POINT FROM WHICH THE SE CORNER OF SECTION 28 OF SAID TOWNSHIP 20 SOUTH, RANGE 63 WEST BEARS N 53°58'13"W, (BEARINGS BASED ON THE SOUTH LINE OF SAID SECTION 28 MONUMENTED AT THE SE CORNER WITH AN AXLE AND AT THE SW CORNER WITH A 2 ½" ALUMINUM MONUMENT PLS 16128, ASSUMED TO BEAR N 89°59'18"W), A DISTANCE OF 9588.10 FEET; THENCE S 64°42'54"E, A DISTANCE OF 498.16 FEET; THENCE S 72'52"E, A DISTANCE OF 615.50 FEET; THENCE S 76°43'53"E, A DISTANCE OF 904.14 FEET, THENCE CONTINUING S 76°43'53"E, A DISTANCE OF 2369.77 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF NYBURG ROAD, THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF NYBURG ROAD THE FOLLOWING NINE (9) COURSES:

   1. S 00°15'02"E, A DISTANCE OF 1202.97 FEET;
   2. ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 25°43'26" AND WHOSE RADIUS IS 700.00 FEET, A DISTANCE OF 314.28 FEET;
   3. S 25°58'28"E, A DISTANCE OF 354.66 FEET;
   4. S 65°06'40"W, A DISTANCE OF 13.41 FEET;
   5. S 24°53'20"E, A DISTANCE OF 135.7. FEET;
   6. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 27°16'48" AND WHOSE RADIUS IS 410.00 FEET, A DISTANCE OF 195.21 FEET;

7. N 87°36’32”W, A DISTANCE OF 30.00 FEET;
8. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 14°50’50” AND WHOSE RADIUS IS 380.00 FEET, A DISTANCE OF 98.47 FEET;
9. S 17°13’27”W, A DISTANCE OF 148.05 FEET TO A POINT ON THE NORTHERLY BANK OF THE ARKANSAS RIVER;

THENCE WESTERLY ALONG SAID NORTHERLY BANK, A DISTANCE OF 4753.00 FEET, MORE OR LESS TO A POINT FROM WHICH THE SE CORNER OF SECTION 28 OF SAID TOWNSHIP 20 SOUTH, RANGE 63 WEST, BEARS N 47°37’59”W, A DISTANCE OF 10772.82 FEET; THENCE N 30°03’21” E, A DISTANCE OF 1387.17 FEET, THENCE N 75°21’37”W, A DISTANCE OF 630.76 FEET; THENCE N 09°54’29”E, A DISTANCE OF 38.01 FEET; THENCE N 62°10’17”W, A DISTANCE OF 335.21 FEET; THENCE N 00°00’00”E, A DISTANCE OF 65.78 FEET TO THE POINT OF BEGINNING,

EXCEPTING ANY PORTION OF LAND LYING SOUTH OF THE ARKANSAS RIVER.

AND

RIPARIAN BUFFER

A PARCEL OF LAND BEING A PORTION OF THE W ½ OF SECTION 1, AND THE E ½ OF THE NW ¼ OF SECTION 2, TOWNSHIP 21 SOUTH, RANGE 63 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF PUEBLO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF NYBURG ROAD FROM WHICH THE SE CORNER OF SECTION 28 OF SAID TOWNSHIP 20 SOUTH, RANGE 63 WEST BEARS N 56°08’41”W (BEARINGS BASED ON THE SOUTH LINE OF SAID SECTION 28 MONUMENTED AT THE SE CORNER WITH AN AXLE AND AT THE SW CORNER WITH A 2 ½” ALUMINUM MONUMENT PLS 16128, ASSUMED TO BEAR N 89°59’18”W) A DISTANCE OF 14,431.98 FEET; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY THE FOLLOWING EIGHT (8) COURSES:

1. ALONG THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N 85°49’56”E AND HAVING A CENTRAL ANGLE OF 21°48’24” AND WHOSE RADIUS IS 700.00 FEET, AN ARC LENGTH OF 266.42 FEET;;
2. S 25°58’28”E, A DISTANCE OF 354.66 FEET;
3. S 65°06’40”W, A DISTANCE OF 13.41 FEET;
4. S 24°53’20”E, A DISTANCE OF 135.7. FEET;
5. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 27° 16’48” AND WHOSE RADIUS IS 410.00 FEET, A DISTANCE OF 195.21 FEET;
6. N 87°36’32”W, A DISTANCE OF 30.00 FEET;
7. ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT WHOSE CENTER BEARS N 87° 36’32”W AND HAVING A CENTRAL ANGLE OF 14°50’50” AND WHOSE RADIUS IS 380.00 FEET, A DISTANCE OF 98.47 FEET;
8. S 17°13’27”W, A DISTANCE OF 148.05 FEET TO A POINT ON THE NORTHERLY BANK OF THE ARKANSAS RIVER;

THENCE WESTERLY ALONG SAID NORTHERLY BANK A DISTANCE OF 4713 FEET, MORE OR LESS TO A POINT FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 28 BEARS
N 47°37’59”W, A DISTANCE OF 10772.82 FEET; THENCE N 30°03’21”E, A DISTANCE OF 782.89 FEET; THENCE S 49°09’49”E, A DISTANCE OF 590.92 FEET; THENCE S 37°32’38”E, A DISTANCE OF 140.14 FEET; THENCE S 64°32’52”E, A DISTANCE OF 306.65 FEET; THENCE S 30°46’27”E, A DISTANCE OF 588.64 FEET, THENCE S 57°06’22”E, A DISTANCE OF 514.14 FEET; THENCE S 57°26’19”E, A DISTANCE OF 503.02 FEET, THENCE S 63°28’42”E, A DISTANCE OF 247.76 FEET; THENCE N 78°52’02”E, A DISTANCE OF 285.00 FEET; THENCE N 85°08’15”E, A DISTANCE OF 275.97 FEET; THENCE N 75°39’51”E, A DISTANCE OF 394.45 FEET; THENCE N 70°16’58”E, A DISTANCE 326.53 FEET, THENCE N 75°42’30”E, A DISTANCE OF 207.85 FEET TO THE POINT OF BEGINNING.

AND

200’ BUFFER ALONG NYBURG ROAD

A PARCEL OF LAND BEING A PORTION OF THE W ½ OF SECTION 1 AND THE E ½ OF THE NW ¼ OF SECTION 2, TOWNSHIP 21 SOUTH, RANGE 63 WEST OF THE SIXTH PRINCIPAL MERICIAN, COUNTY OF PUEBLO, STATE OF COLORADO, BEING MORE PARTICULARLY DESSCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF NYBURG ROAD FROM WHICH THE SE CORNER OF SECTION 28 OF SAID TOWNSHIP 20 SOUTH, RANGE 63 WEST BEARS N 56°08’41”W (BEARINGS BASED ON THE SOUTH LINE OF SAID SECTION 28 MONUMENTED AT THE SE CORNER WITH AN AXLE AND AT THE SW CORNER WITH A 2 ½” ALUMINUM MONUMENT PLS 16128, ASSUMED TO BEAR N 89°59’18”W) A DISTANCE OF 14,431.98 FEET; THENCE S 75° 42’49”W, A DISTANCE OF 207.75 FEET; THENCE N 00°15’02”W, A DISTANCE OF 1349.30 FEET TO A POINT ON THE NORTH LIE OF THE ABOVE DESCRIBED PARCEL; THENCE S 76°43’53”E, ALONG SAID NORTH LINE A DISTANCE OF 205.70 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF NYBURG ROAD; THENCE SOUTHERLY ALONG SAID WESTERLY LINE THE FOLLOWING TWO (2) COURSES;

1. S 00°15’02”E, A DISTANCE OF 1200.97 FEET;
2. ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03°55’02” AND WHOSE RADIUS IS 700.00 FEET AN ARC LENGTH OF 47.86 FEET TO THE POINT OF BEGINNING.

AND

A PORTION OF LOT 8. LYING NORTH OF SAID LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 8 THENCE SOUTH 79° 00’00”E, 526.00 FEET; THENCE SOUTH 60° 45’00”E, 465.00 FEET THENCE SOUTH 38° 35’00”E, 300.00 FEET; THENCE SOUTH 58° 51’00”E 225.00 FEET ON THE EAST LINE OF LOT 8 IN THE W ½ OF THE SE ¼ OF SECTION 2, TOWNSHIP 21 SOUTH, RANGE 63 WEST OF THE 6TH P.M., COUNTY OF PUEBLO, STATE OF COLORADO.

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part I

(Requirements)

Order Number: RND35065519

All of the following Requirements must be met:

This proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

Pay the agreed amount for the estate or interest to be insured.

Pay the premiums, fees, and charges for the Policy to the Company.

Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

1. LAND TITLE GUARANTEE COMPANY REQUIRES AN ACCURATE LEGAL DESCRIPTION PREPARED BY A LICENSED SURVEYOR TO BE PROVIDED FOR REVIEW AND APPROVAL. UPON FURTHER REVIEW THE COMPANY HEREBY RESERVES THE RIGHT TO INSERT ADDITIONAL REQUIREMENTS AND/OR EXCEPTIONS AS MAY BE NECESSARY.

   NOTE: SCHEDULE A, ITEM NO. 5 MAY BE AMENDED PURSUANT TO RECEIPT AND REVIEW OF ACCEPTABLE LEGAL DESCRIPTION AND/OR ALTA/NSPS LAND TITLE SURVEY, IF PROVIDED.

2. A FULL COPY OF THE FULLY EXECUTED PARTNERSHIP AGREEMENT AND ANY AND ALL AMENDMENTS THERETO FOR MORLEY COMPANIES FAMILY INVESTMENTS, LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP MUST BE FURNISHED TO LAND TITLE GUARANTEE COMPANY. SAID AGREEMENT MUST DISCLOSE WHO MAY CONVEY, ACQUIRE, ENCUMBER, LEASE OR OTHERWISE DEAL WITH INTERESTS IN REAL PROPERTY FOR SAID ENTITY.

   NOTE: ADDITIONAL REQUIREMENTS MAY BE NECESSARY UPON REVIEW OF THIS DOCUMENTATION.

3. DULY EXECUTED AND ACKNOWLEDGED STATEMENT OF AUTHORITY SETTING FORTH THE NAME OF MORLEY COMPANIES FAMILY INVESTMENTS, LLLP AS A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP. THE STATEMENT OF AUTHORITY MUST STATE UNDER WHICH LAWS THE ENTITY WAS CREATED, THE MAILING ADDRESS OF THE ENTITY, AND THE NAME AND POSITION OF THE PERSON(S) AUTHORIZED TO EXECUTE INSTRUMENTS CONVEYING, ENCUMBERING, OR OTHERWISE AFFECTING TITLE TO REAL PROPERTY ON BEHALF OF THE ENTITY AND OTHERWISE COMPLYING WITH THE PROVISIONS OF SECTION 38-30-172, CRS.

   NOTE: THE STATEMENT OF AUTHORITY MUST BE RECORDED WITH THE CLERK AND RECORDER.

4. A FULL COPY OF THE FULLY EXECUTED OPERATING AGREEMENT AND ANY AND ALL AMENDMENTS THERETO FOR SW QUARRY, LLC, A COLORADO LIMITED LIABILITY COMPANY MUST BE FURNISHED TO LAND TITLE GUARANTEE COMPANY. SAID AGREEMENT MUST DISCLOSE WHO MAY CONVEY, ACQUIRE, ENCUMBER, LEASE OR OTHERWISE DEAL WITH INTERESTS IN REAL PROPERTY FOR SAID ENTITY.

   NOTE: ADDITIONAL REQUIREMENTS MAY BE NECESSARY UPON REVIEW OF THIS DOCUMENTATION.

5. DULY EXECUTED AND ACKNOWLEDGED STATEMENT OF AUTHORITY SETTING FORTH THE NAME OF SW QUARRY, LLC AS A COLORADO LIMITED LIABILITY COMPANY. THE STATEMENT OF AUTHORITY MUST STATE UNDER WHICH LAWS THE ENTITY WAS CREATED, THE MAILING ADDRESS OF THE ENTITY, AND THE NAME AND POSITION OF THE PERSON(S) AUTHORIZED TO EXECUTE INSTRUMENTS CONVEYING, ENCUMBERING, OR OTHERWISE AFFECTING TITLE TO REAL PROPERTY ON BEHALF OF THE ENTITY AND OTHERWISE COMPLYING WITH THE PROVISIONS OF SECTION 38-30-172, CRS.

   NOTE: THE STATEMENT OF AUTHORITY MUST BE RECORDED WITH THE CLERK AND RECORDER.

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part I

(Requirements)

Order Number: RND35065519

All of the following Requirements must be met:

6. A FULL COPY OF THE FULLY EXECUTED ROCOLO VII, LLC AGREEMENT AND ANY AND ALL AMENDMENTS THERETO FOR COLORADO LIMITED LIABILITY COMPANY MUST BE FURNISHED TO LAND TITLE GUARANTEE COMPANY. SAID AGREEMENT MUST DISCLOSE WHO MAY CONVEY, ACQUIRE, ENCUMBER, LEASE OR OTHERWISE DEAL WITH INTERESTS IN REAL PROPERTY FOR SAID ENTITY.

   NOTE: ADDITIONAL REQUIREMENTS MAY BE NECESSARY UPON REVIEW OF THIS DOCUMENTATION.

7. DULY EXECUTED AND ACKNOWLEDGED STATEMENT OF AUTHORITY SETTING FORTH THE NAME OF ROCOLO VII, LLC AS A COLORADO LIMITED LIABILITY COMPANY. THE STATEMENT OF AUTHORITY MUST STATE UNDER WHICH LAWS THE ENTITY WAS CREATED, THE MAILING ADDRESS OF THE ENTITY, AND THE NAME AND POSITION OF THE PERSON(S) AUTHORIZED TO EXECUTE INSTRUMENTS CONVEYING, ENCUMBERING, OR OTHERWISE AFFECTING TITLE TO REAL PROPERTY ON BEHALF OF THE ENTITY AND OTHERWISE COMPLYING WITH THE PROVISIONS OF SECTION 38-30-172, CRS.

   NOTE: THE STATEMENT OF AUTHORITY MUST BE RECORDED WITH THE CLERK AND RECORDER.

8. A FULL COPY OF THE FULLY EXECUTED OPERATING AGREEMENT AND ANY AND ALL AMENDMENTS THERETO FOR ASI WATER, LLC, A COLORADO LIMITED LIABILITY COMPANY MUST BE FURNISHED TO LAND TITLE GUARANTEE COMPANY. SAID AGREEMENT MUST DISCLOSE WHO MAY CONVEY, ACQUIRE, ENCUMBER, LEASE OR OTHERWISE DEAL WITH INTERESTS IN REAL PROPERTY FOR SAID ENTITY.

   NOTE: ADDITIONAL REQUIREMENTS MAY BE NECESSARY UPON REVIEW OF THIS DOCUMENTATION.

9. DULY EXECUTED AND ACKNOWLEDGED STATEMENT OF AUTHORITY SETTING FORTH THE NAME OF ASI WATER, LLC AS A COLORADO LIMITED LIABILITY COMPANY. THE STATEMENT OF AUTHORITY MUST STATE UNDER WHICH LAWS THE ENTITY WAS CREATED, THE MAILING ADDRESS OF THE ENTITY, AND THE NAME AND POSITION OF THE PERSON(S) AUTHORIZED TO EXECUTE INSTRUMENTS CONVEYING, ENCUMBERING, OR OTHERWISE AFFECTING TITLE TO REAL PROPERTY ON BEHALF OF THE ENTITY AND OTHERWISE COMPLYING WITH THE PROVISIONS OF SECTION 38-30-172, CRS.

   NOTE: THE STATEMENT OF AUTHORITY MUST BE RECORDED WITH THE CLERK AND RECORDER.

10. WARRANTY DEED FROM MORLEY COMPANIES FAMILY INVESTMENTS, LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP AND SW QUARRY, LLC, A COLORADO LIMITED LIABILITY COMPANY AND ROCOLO VII, LLC, A COLORADO LIMITED LIABILITY COMPANY AND ASI WATER, LLC, A COLORADO LIMITED LIABILITY COMPANY AND STONEWALL SPRINGS QUARRY, LLC, A COLORADO LIMITED LIABILITY COMPANY AND MORLEY COMPANIES FAMILY INVESTMENTS, LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP AND C. R. EVANS AND ROCKY MOUNTAIN INNS, INC. AND THE TRAVELERS INSURANCE COMPANY, A CONNECTICUT CORPORATION, TO A BUYER TO BE DETERMINED CONVEYING SUBJECT PROPERTY.

    NOTE: ALL PARTIES WILL BE REQUIRED TO SIGN A FINAL AFFIDAVIT AND AGREEMENT AT CLOSING.

    NOTE: ADDITIONAL REQUIREMENTS OR EXCEPTIONS MAY BE NECESSARY WHEN THE BUYERS NAMES ARE ADDED TO THIS COMMITMENT. COVERAGES AND/OR CHARGES REFLECTED HEREIN, IF ANY, ARE SUBJECT TO CHANGE UPON RECEIPT OF THE CONTRACT TO BUY AND SELL REAL ESTATE AND ANY AMENDMENTS THERETO.

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part II

(Exceptions)

Order Number: RND35065519

This commitment does not republish any covenants, condition, restriction, or limitation contained in any document referred to in this commitment to the extent that the specific covenant, conditions, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

1. **Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.**
2. **Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.**
3. **Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.**
4. **Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.**
5. **Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.**
6. **(a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.**
7. **(a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.**
8. EXISTING LEASES AND TENANCIES.
9. EASEMENT GRANTED TO SOUTHERN COLORADO POWER COMPANY, FOR ELECTRIC TRANSMISSION LINES, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED APRIL 07, 1932, IN BOOK 760 AT PAGE 539.
10. TERMS, CONDITIONS, PROVISIONS, BENEFITS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT RECORDED JANUARY 18, 1944 IN BOOK 960 AT PAGE 315.
11. AN UNDIVIDED ONE-HALF INTEREST IN THE LAND OIL AND GAS IN AND UNDER THE LAND AS RESERVED IN WARRANTY DEEDS RECORDED JANUARY 18, 1944, IN BOOK 961 AT PAGE 109, AND ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN.
12. UNDIVIDED ONE-HALF INTEREST IN ALL OIL AND GAS LYING IN, ON OR UNDER THE LAND PROPERTY AS CONVEYED IN QUIT CLAIM DEED RECORDED JANUARY 18, 1944 IN BOOK 961 AT PAGE 117, AND ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN.
13. TERMS, CONDITIONS, PROVISIONS, BENEFITS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN DECLARATION OF EASEMENT RECORDED OCTOBER 27, 1988 IN BOOK 2417 AT PAGE 965.
14. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND RESERVED IN SPECIAL WARRANTY DEED RECORDED OCTOBER 23, 1992 IN BOOK 2621 AT PAGE 69.

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part II

(Exceptions)

Order Number: RND35065519

15. WATER LEASE AGREEMENT AND RIGHT OF FIRST REFUSAL BETWEEN BOARD OF WATER WORKS OF PUEBLO, COLORADO, LESSOR, AND C.R. EVANS, LESSEE, RECORDED NOVEMBER 19, 2004, UNDER RECEPTION NO. 1595021. ASSIGNMENT OF LEASE FROM C.R. EVANS TO STONEWALL SPRINGS QUARRY, LLC IN CONNECTION THEREWITH RECORDED DECEMBER 1, 2005 UNDER RECEPTION NO. 1650542.
16. THE EFFECT OF INCLUSION OF THE SUBJECT PROPERTY IN THE PUEBLO CONSERVANCY DISTRICT AS EVIDENCED BY INSTRUMENT RECORDED AUGUST 01, 2007, UNDER RECEPTION NO. 1736292 AND RECORDED FEBRUARY 15, 2013 UNDER RECEPTION NO. 1934215 AND PUEBLO CONSERVANCY DISTRICT MAP RECORDED DECEMBER 11, 2009 UNDER RECEPTION NO. 1829096.
17. EASEMENT GRANTED TO COLORADO INTERSTATE GAS COMPANY, FOR OIL AND GAS PIPELINE, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED APRIL 08, 2009, UNDER RECEPTION NO. 1801466.
18. ANY RIGHTS, INTERESTS OR EASEMENTS IN FAVOR OF THE UNITED STATES OF AMERICA, THE STATE OF COLORADO, OR THE PUBLIC, WHICH EXIST OR ARE CLAIMED TO EXIST IN AND OVER THE PAST AND PRESENT BED, BANKS OR WATERS OF THE ARKANSAS RIVER.
19. ANY RIGHTS OR INTERESTS OF THIRD PARTIES WHICH EXIST OR ARE CLAIMED TO EXIST IN AND OVER THE PRESENT AND PAST BED, BANKS OR WATERS OF ARKANSAS RIVER.
20. RIGHTS AND EASEMENTS FOR NAVIGATION AND FISHERY IN FAVOR OF THE PUBLIC WHICH MAY EXIST OVER THAT PORTION OF SAID LAND LYING BENEATH THE WATER OF THE ARKANSAS RIVER.
21. ANY QUESTION, DISPUTE OR ADVERSE CLAIMS AS TO ANY LOSS OR GAIN OF LAND AS A RESULT OF ANY CHANGE IN THE RIVER BED LOCATION BY NATURAL OR OTHER THAN NATURAL CAUSES, OR ALTERATION THROUGH ANY CAUSE, NATURAL OR UNNATURAL, OF THE CENTER THREAD, BANK, CHANNEL OR FLOW OF WATERS IN THE ARKANSAS RIVER LYING WITHIN SUBJECT LAND; AND ANY QUESTION AS TO THE LOCATION OF SUCH CENTER THREAD, BED, BANK OR CHANNEL AS A LEGAL DESCRIPTION MONUMENT OR MARKER FOR PURPOSES OF DESCRIBING OR LOCATING SUBJECT LANDS.
22. ANY ADVERSE CLAIM BASED UPON THE ASSERTION THAT SAID LAND OR ANY PART THEREOF IS NOW OR AT ANY TIME HAS BEEN INCLUDED WITHIN A NAVIGABLE RIVER, SLOUGH OR OTHER NAVIGABLE BODY OF WATER.
23. NOTWITHSTANDING THE INSURING CLAUSES OF THE POLICY, THE COMPANY DOES NOT INSURE AGAINST LOSS OR DAMAGE BY REASON OF A LACK OF A RIGHT OF ACCESS TO AND FROM ANY PORTION OF THE LAND AS MAY BE FOUND TO LIE SOUTH OF THE NORTH BANK OF THE ARKANSAS RIVER.
24. ANY INCREASE OR DECREASE IN THE AREA OF THE LAND AND ANY ADVERSE CLAIM TO ANY PORTION OF THE LAND WHICH HAS BEEN CREATED BY OR CAUSED BY ACCRETION OR RELICTION, WHETHER NATURAL OR ARTIFICIAL; AND THE EFFECT OF THE GAIN OR LOSS OF AREA BY ACCRETION OR RELICTION UPON THE MARKETABILITY OF THE TITLE OF THE LAND.
25. SAND AND GRAVEL LEASE BETWEEN C.R. EVANS, LESSOR, AND FREMONT PAVING & REDI MIX, INC., LESSEE, RECORDED NOVEMBER 29, 2004, UNDER RECEPTION NO. 1595888. ASSIGNMENT OF LEASE FROM C.R. EVANS TO STONEWALL SPRINGS QUARRY, LLC IN CONNECTION THEREWITH RECORDED DECEMBER 1, 2005 UNDER RECEPTION NO. 1650543.
26. ALL WATER RIGHTS, WELLS, TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN QUITCLAIM DEED RECORDED MAY 04, 2017 UNDER RECEPTION NO. 2069382.

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part II

(Exceptions)

Order Number: RND35065519

27. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN MEMORANDUM OF EASEMENT RECORDED JANUARY 07, 2019 UNDER RECEPTION NO. **2127313**.

28. LEASE BETWEEN STONEWALL SPRINGS QUARRY, LLC, LESSOR, AND FREMONT PAVING AND REDI-MIX, INC., LESSEE, AS EVIDENCED BY MEMORANDUM OF LEASE RECORDED JANUARY 07, 2019, UNDER RECEPTION NO. **2127313** AT PAGE 2.

29. TERMS, CONDITIONS, AND PROVISIONS OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECREE RECORDED JANUARY 21, 2020, UNDER RECEPTION NO. **2166187**.

30. TERMS, CONDITIONS, AND PROVISIONS OF FINDINS OF FACT, CONCLUSIONS OF LAW AND DECREE RECORDED JANUARY 21, 2020, UNDER RECEPTION NO. **2166188**.

31. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RESERVATION OF FUTURE EASEMENT RECORDED JUNE 01, 2020 UNDER RECEPTION NO. **2179570** AND ASSIGNMENT OF RESERVATION OF FUTURE EASEMENT RECORDED JUNE 01, 2020 UNDER RECEPTION NO. **2179588**.

32. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN CONVEYOR BELT AND MAINTINANCE ACCESS EASEMENT RECORDED JUNE 01, 2020 UNDER RECEPTION NO. **2179589**, RECEPTION NO. **2179590** AND RECEPTION NO. **2179591**.

33. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF EASEMENT AGREEMENT RECORDED JUNE 22, 2021 UNDER RECEPTION NO. **2231779**.

34. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF EASEMENT AGREEMENT RECORDED AUGUST 31, 2021 UNDER RECEPTION NO. **2241648**.

35. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF FLOOD EASEMENT AGREEMENT RECORDED JANUARY 26, 2022 UNDER RECEPTION NO. **2262141**.

36. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF PIPELINE EASEMENT AGREEMENT RECORDED JANUARY 26, 2022 UNDER RECEPTION NO. **2262142**.

37. ANY DISCREPANCIES AS TO SAID PROPERTIES ON PUEBLO COUNTY ASSESSOR MAP 13-020 SAID DOCUMENT STORED AS OUR ESI **41547256** AND ESI **41547399**
(PUEBLO COUNTY PARCEL #1301000027, #1302000060, #130200002 & #1302000035)

    NOTE: THIS COMMITMENT IS NOT A REPORT OR REPRESENTATION AS TO MINERAL INTERESTS, AND SHOULD NOT BE USED, OR RELIED UPON, IN CONNECTION WITH THE NOTICE REQUIREMENTS THAT ARE SET FORTH IN CRS 24-65.5-103.

    NOTE: THE COMMITMENT DOES NOT REFLECT THE STATUS OF TITLE TO WATER RIGHTS OR REPRESENTATION OF SAID RIGHTS.

Land Title Guarantee Company
Disclosure Statements

Note: Pursuant to CRS 10-11-122, notice is hereby given that:

(A) The Subject real property may be located in a special taxing district.

(B) A certificate of taxes due listing each taxing jurisdiction will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property).

(C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

Note: Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

Note: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

Note: Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

(A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.

(B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.

(C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.

(D) The Company must receive payment of the appropriate premium.

(E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-2.

(A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and

(B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

Note: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

Note: Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.

Note: Pursuant to CRS 24-21-514.5, Colorado notaries may remotely notarize real estate deeds and other documents using real-time audio-video communication technology. You may choose not to use remote notarization for any document.

Joint Notice of Privacy Policy of
Land Title Guarantee Company
Land Title Guarantee Company of Summit County
Land Title Insurance Corporation and
Old Republic National Title Insurancy Company

This Statement is provided to you as a customer of Land Title Guarantee Company as agent for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to your non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
- your transactions with, or from the services being performed by us, our affiliates, or others;
- a consumer reporting agency, if such information is provided to us in connection with your transaction;

  and
- The public records maintained by governmental entities that we obtain either directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We may share your Personal Information with affiliated contractors or service providers who provide services in the course of our business, but only to the extent necessary for these providers to perform their services and to provide these services to you as may be required by your transaction.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly assess security standards and procedures to protect against unauthorized access to Personal Information.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT STATED ABOVE OR PERMITTED BY LAW.

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows: Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.

Commitment For Title Insurance
Issued by Old Republic National Title Insurance Company

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON. .

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Minnesota corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured. If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS
   (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
   (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
   (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
   (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
   (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
   (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
   (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
   (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:
   (a) the Notice;
   (b) the Commitment to Issue Policy;
   (c) the Commitment Conditions;
   (d) Schedule A;
   (e) Schedule B, Part I—Requirements; and
   (f) Schedule B, Part II—Exceptions; and
   (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. **COMPANY'S RIGHT TO AMEND**

   The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. **LIMITATIONS OF LIABILITY**
   (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
      i. comply with the Schedule B, Part I—Requirements;
      ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
      iii. acquire the Title or create the Mortgage covered by this Commitment.
   (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
   (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
   (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
   (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
   (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
   (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. **LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT**
   (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
   (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
   (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.

(d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
(e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
(f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. **IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT**

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. **PRO-FORMA POLICY**

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. **ARBITRATION**

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is $2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at http://www.alta.org/arbitration.

IN WITNESS WHEREOF, Land Title Insurance Corporation has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:
Land Title Guarantee Company
3033 East First Avenue Suite 600
Denver, Colorado 80206
303-321-1880

Craig B. Rants, Senior Vice President

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

By _____ President

Attest _____ Secretary

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

APPENDIX D

PHOTOGRAPHIC LOG

PHOTO 1 – Overview of typical riverine habitat, taken near the southeast corner of the site, facing east toward Nyberg Road. The Arkansas River is a broad, sometimes braided channel throughout the site, with fairly steep-sided banks. The observer is ~6-8' above the riverbed in the photo. Wetlands outside of the river channel are nonexistent on the north bank, and thick with willows, tamarisk, and Russian olives on the south bank.

PHOTO 2 – Another overview of habitat along the Arkansas River, looking southeast toward the river from the site. Thick stands of tamarisks guard access to the river in many locations, with dry, weedy fields just a few feet beyond the riparian corridor lining the riverbanks.

PHOTO 3 – View of the eastern part of the site facing northwest, with Nyberg Road just visible at right center parallel to the transmission line poles. Overall, much of the site is characterized by weedy fields such as this, with scattered plains cottonwoods forming extensive galleries along and extending out from the Arkansas. These are former agricultural fields and will be quarried down to the water table in future years.

PHOTO 4 – A portion of the site undergoing active quarrying, viewed from the southern half of the Phase 1 Mitigation Area, facing north. The water table has been exposed at this location and the excavated area ponds naturally. This area is being actively pumped, otherwise water would fill in to a much greater depth. Running water can be seen at right center flowing across the center of the photo to fill the ponded area.

PHOTO 5 – View facing west of groundwater being pumped/piped from the quarry pit in the previous photo into a pond at a higher elevation so it can drain via gravity back to the Arkansas River. Volunteer cattails and hardstem bulrushes can be seen in the foreground around the border of the pond, one of the handful of "preamble wetlands" or excluded wetlands that have formed incidental to the mining operation.

Photo 6 – A stand of common reeds (Phragmites australis) along the Arkansas River near where the ditch through the site empties to the river. Though nonnative and generally considered a low quality wetland plant, naturally occurring common reeds such as these are indicative of the site's potential to support wetlands under the right conditions.

Photo 7 – View of the ditch running through the southwest part of the site, facing southwest. The Arkansas River lies beyond the cottonwood gallery in the background. The area on the far bank is a sort of forested island separated from the rest of the site by the ditch. This area is labeled as a PFOA (Palustrine forested) wetland in the NWI data, but the wetland assessment confirmed very few areas that passed any of the three wetland indicators on this island further than 30 feet from the Arkansas River or the ditch in this photo.

Photo 8 – View of the upper reach of the same ditch from the prior photo, facing northwest. The ditch, which can faintly be seen running from upper left to lower right in the photo, was completely dry at the time of the site visit along this reach. Along the banks of the ditch was mostly weedy upland vegetation such as sunflowers, kochia, lambsquarters, and Russian thistle.

Photo 9 – Typical vegetation along the wetter portions of the ditch includes reed canary grass (Phalaris arundinacea), pictured here, along with sandbar willow, Russian olives, tamarisk, hardstem bulrushes, cattails, and a variety of other grasses.

Photo 10 – Another view of vegetation along the Arkansas River, shown at the southwest corner of the site, facing southeast. Common reed, reed canary grass, sandbar willow, Russian olive, tamarisk, cottonwood, and cattails can all be seen along the riverbed and adjacent floodplain. Vegetation quickly transitions to upland plants away from this area, just a few feet to the north. This photo highlights how critical elevation on is to accessing the available hydrology at the site – and how critical adequate hydrology will be to developing wetlands in a semi-arid ecosystem.

Photo 11 – A final view of the cottonwood gallery and riparian corridor along the Arkansas River, facing west from the south-middle of the site. Rabbitbrush, weeds, and upland grasses grow alongside cottonwoods, tamarisks, and willows in the rich and varied habitat along the river.

APPENDIX E

STONEWALL SPRINGS FLORA AND FAUNA

FLORA

Common Name	Scientific Name	Notes from "Native Plant Revegetation Guide for Colorado"	Wetland Indicator Status in Great Plains Region
Plants			
Common sunflower	*Helianthus annuus*		FACU
Five-stamen tamarisk	*Tamarix chinensis*	Noxious, damages soil	FACW
Russian olive	*Elaeagnus angustifolia*	Noxious, damages soil	FAC
Sandbar willow	*Salix exigua*	Wetland	FACW
Curlycup gumweed	*Grindelia squarrosa*		UPL
Needle-and-thread grass	*Hesperostipa comata*		UPL
Russian thistle	*Salsola tragus*	Noxious, increases in numbers after disturbance of soil	FACU
Kochia scoparia	*Kochia scoparia*	Nuisance, increases in numbers after disturbance of soil	FACU
Rubber rabbitbrush	*Ericameria nauseosa*		UPL
Cattails	*Typha* spp.	Wetland	OBL
Curly dock	*Rumex crispus*	CO noxious weed seed list	FAC
Desert tobacco	*Nicotiana obtusifolia*		FACU
Prickly pear	*Opuntia sp.*		FACU
Siberian elm	*Ulmus pumila*	Avoid planting	UPL
Knapweeds (diffuse and spotted)	*Centuarea diffusa and stoebe*	Noxious, List B	UPL
Plains cottonwood	*Populus deltoides*	Riparian keystone	FAC
Lambsquarters	*Chenopodium album*	Nuisance but native, increases in numbers after disturbance of soil	FACU
Aster sp.			FACU
Golden currant	*Ribes aureum*		FACU
Wild licorice	*Glycyrrhiza lepidota*		FACU
Slender wheatgrass	*Elymus trachycaulus*		FACU
Thistles	*Carduus* spp.	Some noxious and restricted seeds	FACU
Canada wild rye	*Elymus canadensis*		FACU
Smooth brome	*Bromus inermis*	Can be detrimental to establishment of native species	UPL
Common reed	*Phragmites australis*	Nonnative, nuisance	FACW
Teasel	*Dipsacus fullonum*	Noxious, avoid planting	FACU
Reed canary grass	*Phalaris arundinacea*	Avoid planting	FACW
Snowberry	*Symphoricarpos spp.*	Upland shrub	UPL
Fleabane	*Erigeron* spp.		FAC
Hardstem bulrush	*Schoenoplectus acutus*		OBL
Baltic rush	*Juncus balticus*	Wetland	FACW
Drummond's rush	*Juncus drumondii*	Wetland	FACW

FAUNA

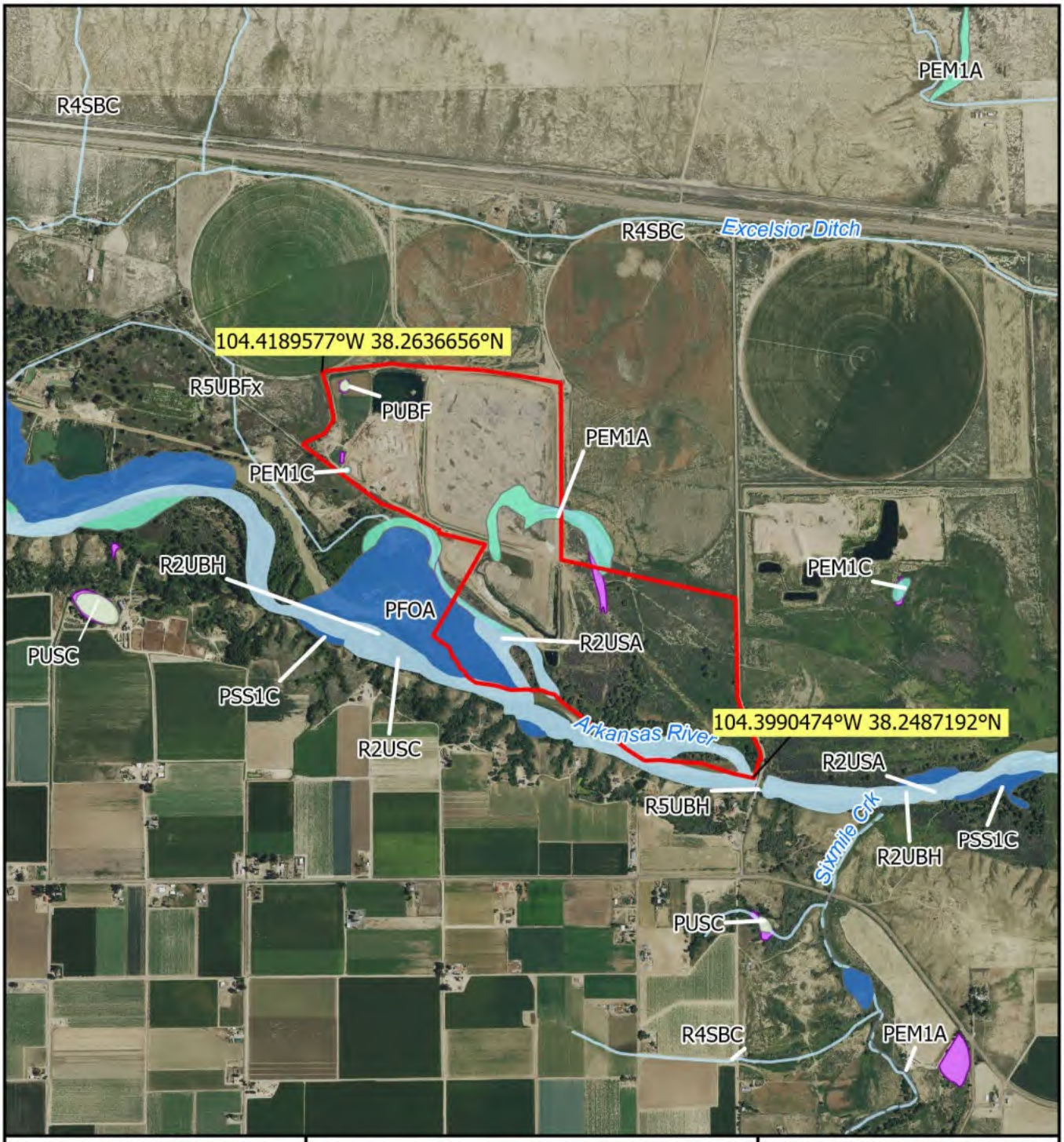
Common Name	Scientific Name
Mammals	
White-tailed deer	*Odocoileus virginianus*
Raccoon	*Procyon* sp.
Badger	*Mustelidae* family
Mule deer	*Odocoileus hemoinus*
Reptiles and Amphibians	
Chorus frog	*Pseudacris* sp.
Fence lizard	*Sceloperus undulatus*
Plains garter snake	*Thamnophis radix*
Birds	
Canada goose	*Branta canadensis*
Blue-winged teal	*Spatula discors*
Gadwall	*Mareca strepera*
Mallard	*Anas platyrhynchos*
Rock pigeon (Feral pigeon)	*Columba livia*
Eurasian collared-dove	*Streptopelia decaocto*
Mourning dove	*Zenaida macroura*
Killdeer	*Charadrius vociferus*
Double-crested cormorant	*Nannopterum auritum*
Great blue heron	*Ardea herodias*
Turkey vulture	*Cathartes aura*
Swainson's hawk	*Buteo swainsoni*
Red-tailed hawk	*Buteo jamaicensis*
Belted kingfisher	*Megaceryle alcyon*
Downy woodpecker	*Dryobates pubescens*
Ladder-backed woodpecker	*Dryobates scalaris*
Hairy woodpecker	*Dryobates villosus*
Northern flicker	*Colaptes auratus*
American kestrel	*Falco sparverius*
Merlin	*Falco columbarius*
Empidonax flycatcher	*Empidonax* sp.
Say's phoebe	*Sayornis saya*
Western kingbird	*Tyrannus verticalis*
Blue jay	*Cyanocitta cristata*
Black-billed magpie	*Pica hudsonia*
American crow	*Corvus brachyrhynchos*
Black capped chickadee	*Poecile atricapillus*
Horned lark	*Eremophila alpestris*
Barn swallow	*Hirundo rustica*
Bushtit	*Psaltriparus minimus*
Ruby-crowned kinglet	*Corthylio calendula*
White-breasted nuthatch	*Sitta carolinensis*

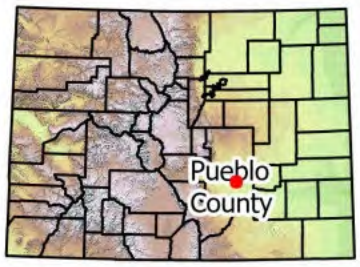
FAUNA CONTINUED

Common Name	Scientific Name
Birds	
Rock wren	*Salpinctes obsoletus*
House wren	*Troglodytes aedon*
Marsh wren	*Cistothorus palustris*
Bewick's wren	*Thryomanes bewickii*
European starling	*Sturnus vulgaris*
Brown thrasher	*Toxostoma rufum*
Northern mockingbird	*Mimus polyglottos*
Townsend's solitaire	*Myadestes townsendi*
American robin	*Turdus migratorius*
House sparrow	*Passer domesticus*
House finch	*Haemorhous mexicanus*
American goldfinch	*Spinus tristis*
Spizella sp.	*Spizella* sp.
Dark-eyed junco	*Junco hyemalis*
White-crowned sparrow	*Zonotrichia leucophrys*
Vesper sparrow	*Pooecetes gramineus*
Song sparrow	*Melospiza melodia*
Lincoln's sparrow	*Melospiza lincolnii*
Spotted towhee	*Pipilo maculatus*
Western meadowlark	*Sturnella neglecta*
Red-winged blackbird	*Agelaius phoeniceus*
Orange-crowned warbler	*Leiothlypis celata*
Common yellowthroat	*Geothlypis thrichas*
Yellow-rumped warbler	*Setophaga coronata*
Wilson's warbler	*Cardellina pusilla*

APPENDIX F

WETLAND LOCATION MAPS AND WETLAND DATASHEETS





National Wetlands Inventory
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Riverine

NHD Waterbodies
- Lake/Pond
- Project Area

N

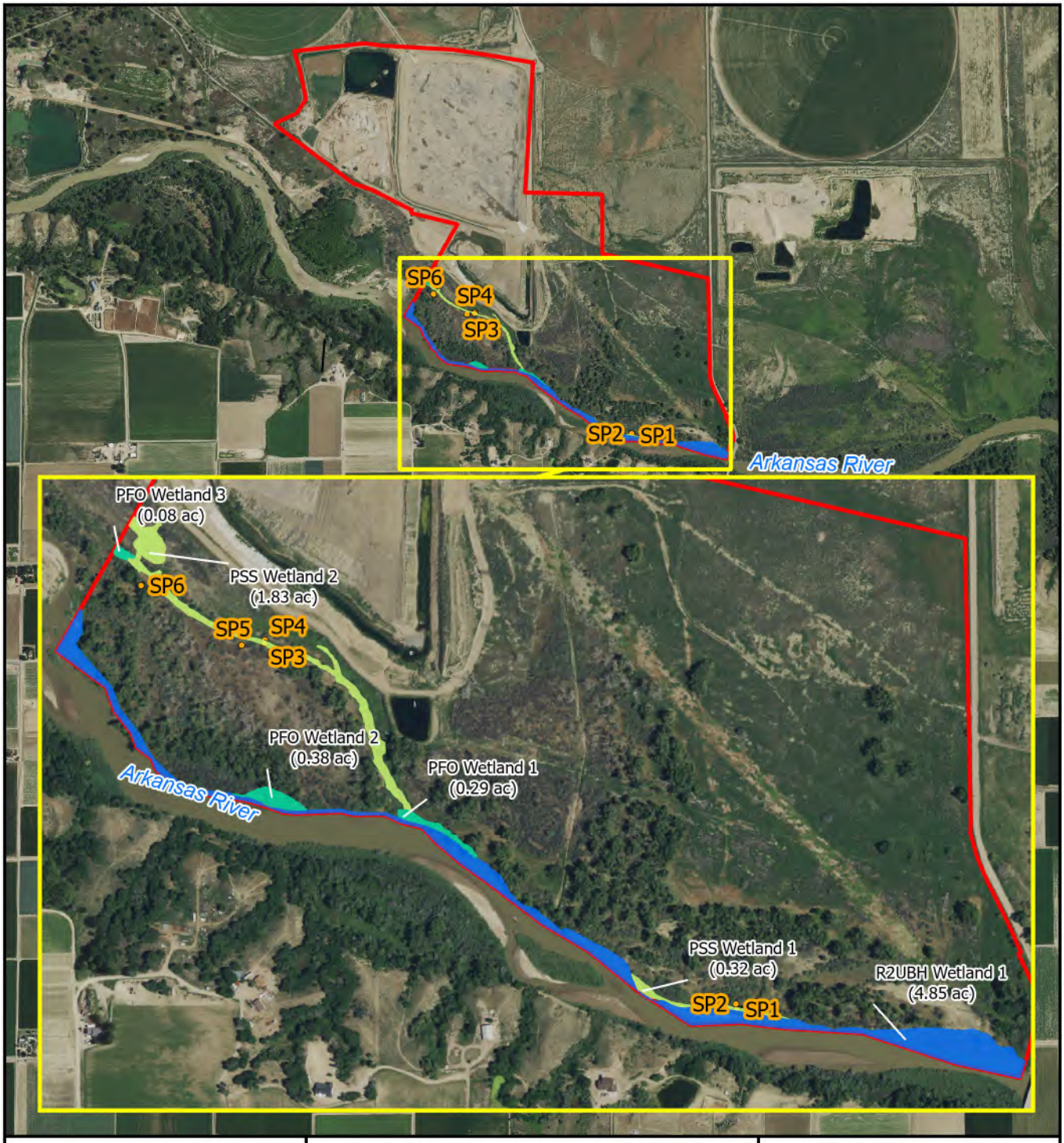
Feet
0 2,500 5,000

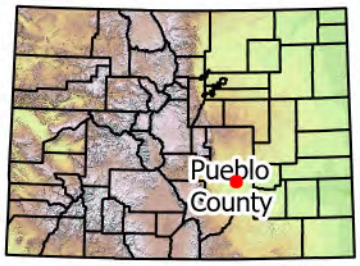
Stonewall Springs Wetland Mitigation Bank

NHD and NWI Overview

bristlecone ecology

3/17/2023 D:\GISProjects\Project Folders\22_008_StonewallSprings\StonewallSprings.aprx\WetlandsMap





Project Area

Sample Point

Wetlands

PFO (0.67 acres)

PSS (2.23 acres)

R2UBH (4.85 acres)

N

Feet

0 1,250 2,500

Stonewall Springs Wetland Mitigation Bank

Wetland Delineation Survey Results

bristlecone ecology

7/12/2023 D:\GISProjects\Project Folders\22_008_StonewallSprings\StonewallSprings.aprx\WetlandDelineation1

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Stonewall Springs Quarry City/County: Pueblo County Sampling Date: 10/4/2022

Applicant/Owner: Stonewall Springs Quarry, LLC State: CO Sampling Point: SP1

Investigator(s): Dan Maynard Section, Township, Range: Sec. 01, T21S, R63W

Landform (hillside, terrace, etc.): River bank Local relief (concave, convex, none): None Slope (%): 1

Subregion (LRR): LRR G Lat: 38.249582 Long: -104.403464 Datum: WGS84

Soil Map Unit Name: Las Animas fine sandy loam (Typic Fluvaquents) NWI classification: R2USA

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation No , Soil No , or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation No , Soil No , or Hydrology No naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** **Yes** X **No** ____
Hydric Soil Present?	Yes X	No ____	
Wetland Hydrology Present?	Yes X	No ____	

Remarks:
Sample point on the north bank of the Arkansas River, maybe 15 feet from top of bank

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30'x30')	Absolute % Cover	Dominant Species?	Indicator Status
1. *Salix amygdaloides*	5	Yes	FACW
2.			
3.			
4.			
	5	=Total Cover	
Sapling/Shrub Stratum (Plot size: 15'x15')			
1. *Salix exigua*	18	Yes	FACW
2. *Elaeagnus angustifolia*	10	Yes	FACU
3.			
4.			
5.			
	28	=Total Cover	
Herb Stratum (Plot size: 5'x5')			
1. *Phalaris arundinacea*	10	No	FACW
2. *Phragmites australis*	15	No	FACW
3. *Rumex crispus*	5	No	FAC
4. *Elymus canadensis*	30	Yes	FACU
5. *Juncus balticus*	20	Yes	FACW
6. *Poa sp*	5	No	FAC
7. *Other forbs*	3	No	FACU
8.			
9.			
10.			
	88	=Total Cover	
Woody Vine Stratum (Plot size: 30'x30')			
1. *Parthenocissus quinquefolia*	5	Yes	FACU
2.			
	5	=Total Cover	

% Bare Ground in Herb Stratum 12

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 50.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	68	x 2 =	136
FAC species	10	x 3 =	30
FACU species	48	x 4 =	192
UPL species	0	x 5 =	0
Column Totals:	126 (A)		358 (B)
Prevalence Index = B/A =			2.84

Hydrophytic Vegetation Indicators:

- ____ 1 - Rapid Test for Hydrophytic Vegetation
- ____ 2 - Dominance Test is >50%
- X 3 - Prevalence Index is ≤3.0[1]
- ____ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- ____ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** X **No** ____

Remarks:

SOIL

Sampling Point: SP1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6	2.5Y 4/2	100					Sandy	
6-14	2.5Y 3/2	95	10YR 5/8	5	C	M	Sandy	Prominent redox concentrations
14-24	2.5Y 5/1	95	10YR 5/4	5	C	M	Sandy	Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- X Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ Coast Prairie Redox (A16) **(LRR F, G, H)**
- ___ Dark Surface (S7) **(LRR G)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: N/A

Depth (inches): ___

Hydric Soil Present? **Yes** X **No** ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- x Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- x Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- X FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ___	No X	Depth (inches): ___
Water Table Present?	Yes ___	No X	Depth (inches): ___
Saturation Present? (includes capillary fringe)	Yes ___	No X	Depth (inches): ___

Wetland Hydrology Present? **Yes** X **No** ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Stonewall Springs Quarry | City/County: Pueblo County | Sampling Date: 10/4/2022
Applicant/Owner: Stonewall Springs Quarry, LLC | State: CO | Sampling Point: SP2
Investigator(s): Dan Maynard | Section, Township, Range: Sec. 01, T21S, R63W
Landform (hillside, terrace, etc.): River bank | Local relief (concave, convex, none): None | Slope (%): 1
Subregion (LRR): LRR G | Lat: 38.249649 | Long: -104.403475 | Datum: WGS84
Soil Map Unit Name: Las Animas fine sandy loam (Typic Fluvaquents) | NWI classification: R2USA

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation No , Soil No , or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation No , Soil No , or Hydrology No naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:
About 40 feet from the top of bank of the Arkansas; no wetland indicators

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30'x30')	Absolute % Cover	Dominant Species?	Indicator Status
1. *Populus deltoides*	20	Yes	FAC
2.			
3.			
4.			
	20 =Total Cover		
Sapling/Shrub Stratum (Plot size: 15'x15')			
1. *Elaeagnus angustifolia*	30	Yes	FACU
2.			
3.			
4.			
5.			
	30 =Total Cover		
Herb Stratum (Plot size: 5'x5')			
1. *Elymus canadensis*	30	Yes	FACU
2. *Juncus balticus*	15	Yes	FACW
3. *Poa sp.*	10	No	FACU
4. *Rumex crispus*	5	No	FAC
5. *Dipsacus fullonum*	15	Yes	FACU
6. *Chenopodium album*	5	No	FACU
7.			
8.			
9.			
10.			
	80 =Total Cover		
Woody Vine Stratum (Plot size: 30'x30')			
1. *Parthenocissus quinquefolia*	7	Yes	FACU
2.			
	7 =Total Cover		

% Bare Ground in Herb Stratum 20

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 33.3% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	15	x 2 =	30
FAC species	25	x 3 =	75
FACU species	97	x 4 =	388
UPL species	0	x 5 =	0
Column Totals:	137 (A)		493 (B)
Prevalence Index = B/A =			3.60

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation
___ 2 - Dominance Test is >50%
___ 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:

SOIL

Sampling Point: SP2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6	2.5Y 4/2	100					Sandy	
6-10	2.5Y 5/2	100					Sandy	
10-24	2.5Y 3/2	100					Sandy	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ Coast Prairie Redox (A16) **(LRR F, G, H)**
- ___ Dark Surface (S7) **(LRR G)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: N/A

Depth (inches): ___

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ___	No X	Depth (inches): ___
Water Table Present?	Yes ___	No X	Depth (inches): ___
Saturation Present? (includes capillary fringe)	Yes ___	No X	Depth (inches): ___

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Stonewall Springs Quarry City/County: Pueblo County Sampling Date: 10/4/2022

Applicant/Owner: Stonewall Springs Quarry, LLC State: CO Sampling Point: SP3

Investigator(s): Dan Maynard Section, Township, Range: Sec. 02, T21S, R63W

Landform (hillside, terrace, etc.): Ditch/streambed Local relief (concave, convex, none): Concave Slope (%): 2

Subregion (LRR): LRR G Lat: 38.254070 Long: -104.410704 Datum: WGS84

Soil Map Unit Name: Las Animas fine sandy loam (Typic Fluvaquents) NWI classification: PEM1C

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation No , Soil No , or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation No , Soil No , or Hydrology No naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc

Hydrophytic Vegetation Present? Yes X No ____
Hydric Soil Present? Yes X No ____
Wetland Hydrology Present? Yes X No ____

Is the Sampled Area within a Wetland? **Yes** X **No** ____

Remarks:
Sample point in a narrow ditch lined with cattails and rushes, with areas of completely bare ground showing soil cracks and other evidence of hydrology. Probably human constructed

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30'x30')	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15'x15')			
1. *Salix exigua*	15	Yes	FACW
2. *Elaeagnus angustifolia*	15	Yes	FACU
3.			
4.			
5.			
	30 =Total Cover		
Herb Stratum (Plot size: 5'x5')			
1. *Typha latifolia*	20	Yes	OBL
2. *Juncus balticus*	15	Yes	FACW
3. *Juncus drummondii*	5	No	FACW
4. *Phalaris arundinacea*	15	Yes	FACW
5. *Poa sp.*	10	No	FAC
6.			
7.			
8.			
9.			
10.			
	65 =Total Cover		
Woody Vine Stratum (Plot size: 30'x30')			
1.			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum 35

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 4 (A)

Total Number of Dominant Species Across All Strata: 5 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 80.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	20	x 1 =	20
FACW species	50	x 2 =	100
FAC species	10	x 3 =	30
FACU species	15	x 4 =	60
UPL species	0	x 5 =	0
Column Totals:	95 (A)		210 (B)

Prevalence Index = B/A = 2.21

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation
X 2 - Dominance Test is >50%
X 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** X **No** ____

Remarks:

SOIL

Sampling Point: SP3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-4	2.5Y 4/2	100					Loamy/Clayey	
4-12	2.5Y 3/1	97	10YR 5/8	3	C	M	Loamy/Clayey	Prominent redox concentrations
12-18	2.5Y 3/2	100					Sandy	Gravelly sand layer, wet

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ Coast Prairie Redox (A16) **(LRR F, G, H)**
- ___ Dark Surface (S7) **(LRR G)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: N/A

Depth (inches): ___

Hydric Soil Present? **Yes** X **No** ___

Remarks:
Clay underlain by a loose, gravelly sand layer

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- X Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- X Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- X Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- X Surface Soil Cracks (B6)
- X Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- X Geomorphic Position (D2)
- X FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ___	No X	Depth (inches): ___
Water Table Present?	Yes X	No ___	Depth (inches): 16
Saturation Present? (includes capillary fringe)	Yes ___	No X	Depth (inches): ___

Wetland Hydrology Present? **Yes** X **No** ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:
Abundant indicators

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Stonewall Springs Quarry City/County: Pueblo County Sampling Date: 10/4/2022

Applicant/Owner: Stonewall Springs Quarry, LLC State: CO Sampling Point: SP4

Investigator(s): Dan Maynard Section, Township, Range: Sec. 02, T21S, R63W

Landform (hillside, terrace, etc.): Stream bank Local relief (concave, convex, none): Convex Slope (%): 4

Subregion (LRR): LRR G Lat: 38.254110 Long: -104.410695 Datum: WGS84

Soil Map Unit Name: Las Animas fine sandy loam (Typic Fluvaquents) NWI classification: PEM1C

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation No , Soil No , or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation No , Soil No , or Hydrology No naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:
Top of bank above the ditch; a few remnant hydrophytes persist on the fringe, but this is dry land

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30'x30')	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15'x15')			
1. *Elaeagnus angustifolia*	30	Yes	FACU
2.			
3.			
4.			
5.			
	30 =Total Cover		
Herb Stratum (Plot size: 5'x5')			
1. *Helianthus annuus*	15	Yes	FACU
2. *Chenopodium album*	15	Yes	FACU
3. *Typha latifolia*	5	No	OBL
4. *Juncus balticus*	5	No	FACW
5. *Elymus trachycaulus*	10	No	FACU
6. *Elymus canadensis*	10	No	FACU
7. *Poa sp.*	10	No	FAC
8. *Salsola kali*	15	Yes	FACU
9.			
10.			
	85 =Total Cover		
Woody Vine Stratum (Plot size: 30'x30')			
1.			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum 15

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	5	x 1 =	5
FACW species	5	x 2 =	10
FAC species	10	x 3 =	30
FACU species	95	x 4 =	380
UPL species	0	x 5 =	0
Column Totals:	115 (A)		425 (B)

Prevalence Index = B/A = 3.70

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation
___ 2 - Dominance Test is >50%
___ 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:

SOIL

Sampling Point: SP4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6	2.5Y 5/1	100					Sandy	
6-11	2.5Y 4/2	100					Loamy/Clayey	
11-17	2.5Y 5/2	100					Loamy/Clayey	
17-24	2.5Y 5/2	100					Loamy/Clayey	Gravelly clay

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ Coast Prairie Redox (A16) **(LRR F, G, H)**
- ___ Dark Surface (S7) **(LRR G)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: Hardpan clay

Depth (inches): 17

Hydric Soil Present? **Yes** ___ **No** X

Remarks:
Very hard gravelly clay layer

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ___	No X	Depth (inches): ___
Water Table Present?	Yes ___	No X	Depth (inches): ___
Saturation Present? (includes capillary fringe)	Yes ___	No X	Depth (inches): ___

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Stonewall Springs Quarry City/County: Pueblo County Sampling Date: 10/4/2022

Applicant/Owner: Stonewall Springs Quarry, LLC State: CO Sampling Point: SP5

Investigator(s): Dan Maynard Section, Township, Range: Sec. 02, T21S, R63W

Landform (hillside, terrace, etc.): Floodplain Local relief (concave, convex, none): None Slope (%): 1

Subregion (LRR): LRR G Lat: 38.254049 Long: -104.411053 Datum: WGS84

Soil Map Unit Name: Las Animas fine sandy loam (Typic Fluvaquents) NWI classification: PFOA

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation No , Soil No , or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation No , Soil No , or Hydrology No naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:
On wide floodplain marked as wetland in NWI data. Tamarisk-dominated, with cottonwoods closer to river. No indicators

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30'x30')	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15'x15')			
1. *Tamarix chinensis*	25	Yes	FACW
2. *Elaeagnus angustifolia*	10	Yes	FACU
3.			
4.			
5.			
	35 =Total Cover		
Herb Stratum (Plot size: 5'x5')			
1. *Chenopodium album*	25	Yes	FACU
2. *Poa sp.*	10	No	FAC
3. *Helianthus annuus*	15	Yes	FACU
4. *Elymus trachycaulus*	10	No	FACU
5. *Other forbs*	5	No	
6.			
7.			
8.			
9.			
10.			
	65 =Total Cover		
Woody Vine Stratum (Plot size: 30'x30')			
1.			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum 35

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 25.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	25	x 2 =	50
FAC species	10	x 3 =	30
FACU species	60	x 4 =	240
UPL species	0	x 5 =	0
Column Totals:	95 (A)		320 (B)

Prevalence Index = B/A = 3.37

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation
___ 2 - Dominance Test is >50%
___ 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:

SOIL

Sampling Point: SP5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	2.5Y 5/2	100					Loamy/Clayey	
4-10	2.5Y 4/2	100					Loamy/Clayey	
10-17	2.5Y 5/3	100					Loamy/Clayey	
17-24	2.5Y 4/3	100					Loamy/Clayey	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ Coast Prairie Redox (A16) **(LRR F, G, H)**
- ___ Dark Surface (S7) **(LRR G)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: N/A

Depth (inches): ___

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ___	No X	Depth (inches): ___
Water Table Present?	Yes ___	No X	Depth (inches): ___
Saturation Present? (includes capillary fringe)	Yes ___	No X	Depth (inches): ___

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Stonewall Springs Quarry City/County: Pueblo County Sampling Date: 10/4/2022

Applicant/Owner: Stonewall Springs Quarry, LLC State: CO Sampling Point: SP6

Investigator(s): Dan Maynard Section, Township, Range: Sec. 02, T21S, R63W

Landform (hillside, terrace, etc.): Forest/Floodplain Local relief (concave, convex, none): None Slope (%): 3

Subregion (LRR): LRR G Lat: 38.254781 Long: -104.412596 Datum: WGS84

Soil Map Unit Name: Las Animas fine sandy loam (Typic Fluvaquents) NWI classification: PFOA

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation No , Soil No , or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation No , Soil No , or Hydrology No naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:
Forested area on a hillside above the ditch. Dominated by upland plants

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30'x30')	Absolute % Cover	Dominant Species?	Indicator Status
1. *Populus deltoides*	35	Yes	FAC
2.			
3.			
4.			
	35 =Total Cover		
Sapling/Shrub Stratum (Plot size: 15'x15')			
1. *Elaeagnus angustifolia*	15	Yes	FACU
2. *Tamarix chinensis*	10	Yes	FACW
3. *Ribes aureum*	15	Yes	FACU
4.			
5.			
	40 =Total Cover		
Herb Stratum (Plot size: 5'x5')			
1. *Bromus inermis*	25	Yes	UPL
2. *Elymus canadensis*	10	No	FACU
3. *Elymus trachycaulus*	5	No	FACU
4. *Poa sp.*	7	No	FAC
5. *Chenopodium album*	12	Yes	FACU
6. *Glycyrrhiza lepidota*	8	No	FACU
7. *Carduus nutans*	5	No	FACU
8.			
9.			
10.			
	72 =Total Cover		
Woody Vine Stratum (Plot size: 30'x30')			
1. *Parthenocissus quinquefolia*	10	Yes	FACU
2.			
	10 =Total Cover		

% Bare Ground in Herb Stratum 28

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 7 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 28.6% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	10	x 2 =	20
FAC species	42	x 3 =	126
FACU species	80	x 4 =	320
UPL species	25	x 5 =	125
Column Totals:	157 (A)		591 (B)
Prevalence Index = B/A =			3.76

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation
___ 2 - Dominance Test is >50%
___ 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:
Thick, healthy, riparian vegetation but no true hydrophytes

SOIL

Sampling Point: SP6

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-7	2.5Y 4/1	100					Sandy	
7-13	2.5Y 5/2	99	10YR 5/4	1	C	M	Sandy	
13-24	2.5Y 5/3	98	2.5Y 5/6	2	C	M	Sandy	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ Coast Prairie Redox (A16) **(LRR F, G, H)**
- ___ Dark Surface (S7) **(LRR G)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: N/A

Depth (inches): ___

Hydric Soil Present? **Yes** ___ **No** X

Remarks:
Some mottles present, but appear not to be indicative of hydric soil - just a common compnent of this soils series

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present? Yes ___ No X Depth (inches): ___

Water Table Present? Yes ___ No X Depth (inches): ___

Saturation Present? Yes ___ No X Depth (inches): ___

(includes capillary fringe)

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:
No indicators

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Stonewall Springs Quarry City/County: Pueblo County Sampling Date: 10/4/2022

Applicant/Owner: Stonewall Springs Quarry, LLC State: CO Sampling Point: SP7

Investigator(s): Dan Maynard Section, Township, Range: Sec. 02, T21S, R63W

Landform (hillside, terrace, etc.): Forest/Floodplain Local relief (concave, convex, none): None Slope (%): 3

Subregion (LRR): LRR G Lat: 38.255134 Long: -104.412854 Datum: WGS84

Soil Map Unit Name: Las Animas fine sandy loam (Typic Fluvaquents) NWI classification: PFOA

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation No , Soil No , or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation No , Soil No , or Hydrology No naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** **Yes** X **No** ____
Hydric Soil Present?	Yes X	No ____	
Wetland Hydrology Present?	Yes X	No ____	

Remarks:
Forested portion of the ditch, which is more of a shallow swale at this location. I have not seen true PFO wetlands on the plains in Colorado, but this is probably as close as it gets

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30'x30')	Absolute % Cover	Dominant Species?	Indicator Status
1. *Populus deltoides*	25	Yes	FAC
2.			
3.			
4.			
	25 =Total Cover		
Sapling/Shrub Stratum (Plot size: 15'x15')			
1. *Salix exigua*	5	No	FACW
2. *Elaeagnus angustifolia*	12	Yes	FACU
3. *Tamarix chinensis*	10	Yes	FACW
4.			
5.			
	27 =Total Cover		
Herb Stratum (Plot size: 5'x5')			
1. *Rumex crispus*	10	No	FAC
2. *Phalaris arundinacea*	15	Yes	FACW
3. *Juncus balticus*	15	Yes	FACW
4. *Elymus candensis*	10	No	FAC
5. *Glycyrrhiza lepidota*	12	No	FACU
6. *Poa sp.*	15	Yes	FAC
7. *Dipsacus fullonum*	5	No	FACU
8. *Schoenoplectus acutus*	5	No	OBL
9.			
10.			
	87 =Total Cover		
Woody Vine Stratum (Plot size: 30'x30')			
1.			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum 13

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 5 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 83.3% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	5	x 1 =	5
FACW species	45	x 2 =	90
FAC species	60	x 3 =	180
FACU species	29	x 4 =	116
UPL species	0	x 5 =	0
Column Totals:	139 (A)		391 (B)

Prevalence Index = B/A = 2.81

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation
X 2 - Dominance Test is >50%
X 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** X **No** ____

Remarks:

SOIL

Sampling Point: SP7

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6	2.5Y 4/2	100					Loamy/Clayey	
6-10	2.5Y 3/2	97	10YR 5/4	3	C	M	Loamy/Clayey	
10-20	2.5Y 5/2	98	2.5Y 5/6	2	C	M	Loamy/Clayey	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- X Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ Coast Prairie Redox (A16) **(LRR F, G, H)**
- ___ Dark Surface (S7) **(LRR G)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: N/A

Depth (inches): ___

Hydric Soil Present? **Yes** X **No** ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- X Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- X Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- X Geomorphic Position (D2)
- X FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ___	No X	Depth (inches): ___
Water Table Present?	Yes X	No ___	Depth (inches): 18
Saturation Present? (includes capillary fringe)	Yes ___	No X	Depth (inches): ___

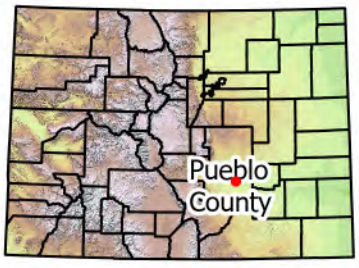
Wetland Hydrology Present? **Yes** X **No** ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

APPENDIX G

PREVIOUS CULTURAL RESOURCE SURVEYS



Previous Inventory

Project Area

N

1:3,015
Feet
0 250 500

Stonewall Springs Wetland Mitigation Bank

Cultural Resources
Previous Inventory
Search Results

bristlecone ecology

3/17/2023 D:\GISProjects\Project Folders\22_008_StonewallSprings\StonewallSprings.aprx\CulturalResources

History Colorado

Daniel Maynard
Bristlecone Ecology
2023 W Scott Place Denver CO 80211

March 14, 2023

Re: Stonewall Springs Wetland Mitigation Bank
File Search No. 25253

At your request, the Office of Archaeology and Historic Preservation has conducted a search of the Colorado Inventory of Cultural Resources based on your specified search criteria (the area shown in the provided kmz files), located in the following areas:

PM	T	R	S
6th	20S	63W	35
6th	21S	63W	1, 2

0 sites and 2 surveys were located in the search area(s).

If any site, district, building, structure, object, or survey area was identified within the search area, a spreadsheet of detailed information* accompanies this letter. Our records may not represent all cultural resources in Colorado, nor can they be considered comprehensive, as most of the state has not been surveyed for cultural resources. There is the possibility that as yet unidentified cultural resources exist within the proposed impact area.

This letter is not considered formal consultation under Section 106 of the National Historic Preservation Act (36 CFR 800) or the Colorado Register of Historic Places (CRS 24-80.1). In the event that there is federal or state agency involvement, please note that it is the responsibility of the agencies to meet the requirements of these regulations.

We look forward to consulting with you regarding the effect of the proposed project on significant cultural resources in accordance with the Advisory Council on Historic Preservation regulations titled “Protection of Historic Properties” or the Colorado Register of Historic Places, as applicable (http://www.historycolorado.org/consultation-guidance).

If you have any questions, please contact the Office of Archaeology and Historic Preservation at (303) 866-3392. Thank you for your interest in Colorado's cultural heritage.

Dawn DiPrince
State Historic Preservation Officer

*Information regarding significant archaeological resources is excluded from the Freedom of Information Act. As such, legal locations of these resources must not be included in documents for public distribution.