



# Southern Ute Indian Tribe

## Tribal Historic Preservation Office

November 7, 2024

Matt Pollard  
Air and Radiation Division  
United States Environmental Protection Agency, Region 8  
1595 Wynkoop Street  
Denver, CO 80202

**Re: LP.IA.R909: Cultural Resource Survey, Red Cedar CO2 Sequestration Pipeline-Simpson Compressor Station Expansion, La Plata County, Colorado**

The Tribal Historic Preservation Officer (THPO) has received and reviewed the “Final Environmental Assessment for Red Cedar Gathering Company’s Proposed Simpson Plant Expansion” completed on July 27, 2022, as well as the “Cultural Resource Survey, Red Cedar CO2 Sequestration Pipeline—Simpson Compressor Station Expansion” completed on January 31, 2022, related to the proposed Red Cedar CO2 Sequestration Pipeline—Simpson Compressor Station Expansion located within the exterior boundary of the Southern Ute Indian Reservation. Red Cedar’s proposed surface lease expansion is to install equipment to capture and treat the carbon dioxide currently vented from the Arkansas Loop-Simpson Gas Treatment Facility sequestration and future uses by other parties long term.

Following review, I am providing the following stipulations:

1. All land-altering activities shall be confined to the area surveyed for cultural resources, and the project sponsor shall control the action of its agents at the job site to ensure that no archaeological sites are disturbed or damaged. Site disturbance or damage to sites on tribal land is a violation of the Archaeological Resources Protection Act (16 U.S.C. § 470ee) which prohibits the excavation, removal, damage, alteration or defacement, or attempt to excavate, remove, damage, alter or deface any archaeological resources [cultural resources] located on Federal or Indian Lands. Both criminal and civil penalties may be assessed (16 U.S.C. §§ 470ee and 470ff) for violations.
2. If subterranean cultural resources or human remains are encountered, all land-altering activities shall cease within 50 feet of the discovery and the Southern Ute Indian Tribe’s NAGPRA Coordinator, Xavier Watts, [xwatts@southernute-nsn.gov](mailto:xwatts@southernute-nsn.gov) | 970-563-2306 shall be notified immediately for consultation on the treatment of the discovery.

Sincerely,

Cassandra J. Atencio  
*Tribal Historic Preservation Officer*  
Southern Ute Indian Tribe