

May 27, 2025

U.S. Fish and Wildlife Service
Colorado Ecological Services Field Office
134 Union Boulevard, Suite 670
Lakewood, CO 80228

**RE: Technical Assistance / Effects
Determination Concurrence Request
Hidden Creek Estates Subdivision
El Paso County, Colorado**

To Whom It May Concern:



Colorado Field Office
P.O. Box 25486, DFC
Denver, CO 80225

Project Code:
2024-0044344

The U.S. Fish and Wildlife Service concurs with your determinations that the described project is not likely to adversely affect listed species or critical habitat listed under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). Contact this office if the project changes, new information becomes available about effects to listed species, or if new species or critical habitat are listed.

Eastern Colorado Supervisor

This request for technical assistance from the U.S. Fish and Wildlife Service (USFWS) is being submitted in accordance with the requirements for informal consultation pursuant to 50 CFR § 402.13 regarding Endangered Species Act (ESA) due diligence. 3405 Hay Creek, LLC ("Proponent") is planning to develop the Hidden Creek Estates Subdivision ("Project") subdividing the existing lot located in El Paso County (EPC) Parcel No. 7133007025 into six (6) single-family residential lots. The Project is located at 3405 Hay Creek Road, approximately 1.75 miles west of the intersection with W Baptist Road (**Attachment A: Site Location Map**). The Project overlaps a portion of Hay Creek, an intermittent stream that flows west to east through the property and joins Beaver Creek, a tributary to Monument Creek, approximately one mile to the east. The Project will be developed on approximately 28.5 acres, and will include the creation of subdivided residential lots, open space tracts, a new access road, a clear span bridge across Hay Creek, and other associated infrastructure. The site is between 6,945 and 7,115 feet above mean seal level (AMSL). Hay Creek may support habitat for the federally threatened Preble's meadow jumping mouse (*Zapus hudsonius preblei* or Preble's) as determined by the U.S. Fish and Wildlife Service's (USFWS' or Service's) Information for Planning and Consultation (IPaC) tool, site reconnaissance, and by prior correspondence with USFWS representatives.

Pursuant to Section 7 of the ESA and 50 CFR § 402.13, Bristlecone Ecology, LLC ("B.E.") has prepared this request for informal consultation, and has proposed a determination of effects for listed species that could be affected by the Project. After reviewing the lists of threatened, endangered, proposed, and candidate species listed by IPaC and considering the effects of the proposed activity within the anticipated environmental impact area (EIA), B.E. has determined that species protected under the ESA may be impacted by the subject activity for the following reasons:

- A qualified ecologist with B.E. has determined that primary constituent elements (PCEs) for Preble's are present within Hay Creek, and that Project development may impact Preble's habitat within 300 feet of Hay Creek's 100-year floodplain.
- A qualified ecologist with B.E. has determined that there is no potential to impact any other federally protected species or Critical Habitat and has provided supporting documentation.

Listed Species Reviewed

B.E. reviewed the USFWS' IPaC database for information regarding the potential for threatened, endangered, and proposed species to occur at the Project site (see **Attachment B: IPaC Resource List**). The IPaC query identified seven species as having the potential to occur at, or be affected by

development of, the site (**Attachment B**). One of these species – piping plover (*Charadrius melodus*) – is listed under a conditional effects analysis, and only needs to be considered if a project will involve water depletions in the N. Platte, S. Platte, or Laramie River basins. The Project is located in the Arkansas River basin and thus will not affect this species. The six remaining species listed in the IPaC query are the federally endangered gray wolf (*Canis lupus*), the federally threatened Preble’s meadow jumping mouse, Eastern black rail (*Laterallus jamaicensis ssp. jamaicensis*), and Ute ladies’-tresses orchid (*Spiranthes diluvialis* or ULTO), and two Proposed Species: monarch butterfly (*Danaus plexippus*), and Suckley’s cuckoo bumble bee (*Bombus suckleyi*). Species are discussed individually in the table below (**Table 1: Federally Listed T&E Species Potentially Impacted by the Project**). Species that may be affected or those requiring additional information are discussed in detail in the sections below.

Table 1. Federally Listed T&E Species Potentially Impacted by the Project (USFWS 2022)

Common Name	Scientific Name	Habitat Requirements and Likelihood of Impacts	Federal Status ¹
Mammals			
Preble’s meadow jumping mouse	<i>Zapus hudsonius preblei</i>	Inhabits well-developed riparian corridors with a nearby water source and adjacent, relatively undisturbed grassland communities. Riparian habitat includes a dense combination of grasses, forbs, and shrubs; a taller shrub and tree canopy may be present. Has been found to regularly use uplands at least as far out as 300 feet beyond the 100-year floodplain. Individuals have previously been captured along Beaver Creek to the north, but it is unknown if mice inhabit this reach of Hay Creek in the Project area. Some of the PCE’s required by Preble’s are present on the site, but since Hay Creek is not a perennial stream, mice are unlikely to inhabit this reach. Likelihood of impacts: Possible, but unlikely; if mice are present and if development occurs within potential upland habitat boundaries (within 300 feet of the 100-year floodplain), mice could be affected.	FT
Gray wolf	<i>Canis lupus</i>	Previously extirpated from Colorado and not known to occur since 1945, several individuals were released in Colorado in December 2023. These wolves have been collared and their movements are being tracked (CPW 2025). As of April 22, 2025, a single transplanted female wolf has been recorded in neighboring Douglas and Teller Counties, but no wolves are known to be active in El Paso County (CPW 2025). Likelihood of impacts: None; individuals not found in El Paso County.	FE (EXPN)
Birds			
Piping plover	<i>Charadrius melodus</i>	Water-related activities/use in the N. Platte, S. Platte and Laramie River Basins may affect listed species in Nebraska. Likelihood of impacts: None. The Project is not within the river basins listed for a conditional effects analysis.	FT
Eastern black rail	<i>Laterallus jamaicensis ssp. jamaicensis</i>	Eastern black rail is a subspecies of black rail that occurs east of the Rocky Mountains in North America. Black rails are small, cryptic marsh/wetland specialists, and depend entirely upon these habitats to support their resource needs. Requires dense overhead cover (usually cattails [<i>Typha</i> spp.] or bulrushes [<i>Schoenoplectus / Scirpus</i> spp.]) and moist to saturated soils. Eastern black rails have been expanding their range in Colorado. Likelihood of impacts: None, suitable habitat is not available on the site.	FT

¹ FE = Federally Endangered; FT = Federally Threatened; P = Proposed for Listing; EXPN = Experimental, Non-essential Population

Table 1 (cont.). Federally Listed T&E Species Potentially Impacted by the Project (USFWS 2024)

Common Name	Scientific Name	Habitat Requirements and Likelihood of Impacts	Federal Status ¹
Flowering Plants			
Ute ladies'-tresses orchid	<i>Spiranthes diluvialis</i>	Primarily occurs along seasonally flooded river terraces, sub-irrigated or spring-fed abandoned stream channels, and lakeshores. May also occur along irrigation canals, berms, levees, irrigated meadows, gravel pits, borrow pits, and other human-modified wetlands. There are no known populations in EPC. Likelihood of impacts: Unlikely; the entire site is between 6,945 and 7,115 feet, which is above the elevation threshold where the species have been detected in Colorado (6,500 feet) and is mostly above the elevation threshold where ULTO have been detected anywhere (7,000 feet). In addition, there are no known extant populations in EPC. The site is generally not wet enough to support ULTO in the meadows on the property.	FT
Insects			
Monarch butterfly	<i>Danaus plexippus</i>	Monarch butterflies require milkweeds (<i>Asclepias</i> spp.) as a host plant. Caterpillars consume the plant, and adults lay their eggs on milkweed. Monarch butterfly is a Proposed Threatened species for listing under the ESA. While there are no requirements until a listing decision is made, a 4(d) Rule has been proposed and due diligence is encouraged. Likelihood of impacts: Unlikely; the midwinter site visit did not observe milkweeds, though milkweeds may be present. Impacts to milkweeds would be minimal, if any.	P
Suckley's cuckoo bumble bee	<i>Bombus suckleyi</i>	Suckley's cuckoo bumblebee is a social parasite that relies entirely on other species of bumblebees as hosts. The last confirmed sighting in the U.S. was in 2016 in Oregon (USFWS 2024). Could be found anywhere robust bumblebee colonies are present. While there are no requirements until a listing decision is made, due diligence is encouraged. Likelihood of impacts: Very Unlikely, site development is unlikely to affect bumblebee host colonies.	P

¹ FE = Federally Endangered; FT = Federally Threatened; P = Proposed for Listing; EXPN = Experimental, Non-essential Population

B.E. determined that the Project is unlikely to impact species identified in the IPaC query, though it is unknown if Preble's could occur onsite. No suitable habitat for Ute Ladies' Tresses was observed within the Project area, and most of the site is above the elevation threshold for the species. There is no habitat present for Eastern Black Rail. The presence of milkweeds, a critical resource for monarch butterflies, could not be confirmed during site reconnaissance in the winter, though milkweeds seed pods are generally visible even in winter and none were observed. Suckley's cuckoo bumble bee is unlikely to be impacted, as site development is unlikely to affect bumblebee host colonies.

The primary need for consultation stems from the potential of Preble's to occur in the reach of Hay Creek which falls within the property. The Project may impact Preble's meadow jumping mouse if mice are present, and if development occurs within a 300-foot buffer of the 100-year floodplain. **Most of the planned lot development will occur at least 250 feet from the 100-year floodplain, so encroachment into uplands that could be used by Preble's will be minimal. The primary impact to potential Preble's habitat will occur from the installation of a new roadway accessing the site, and a bridge over Hay Creek. The bridge will have minimal permanent disturbance to riparian habitat, as**

May 27, 2025

shown in the attached plans (**Attachment C: Hidden Creek Estates Final Plat and Mouse Disturbance**). Hay Creek is not perennial; flows are irregular, often flowing in response to precipitation, but sometimes no flows at all reach the site. Landowners upstream of the property have senior water rights and regularly use all available water, leaving Hay Creek dry through the Project site. Hay Creek was dry at the time of the site visit in January.

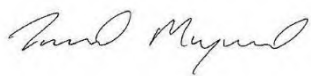
Because some but not all PCEs for Preble's are present, B.E. believes a determination of "May Affect, Not Likely to Adversely Affect" may be warranted. The floodplain provides suitable riparian habitat for Preble's, while the adjoining grasslands may provide suitable upland habitat for foraging and resting for any mice present (see **Attachment D: Photographic Log**). However, without a perennial stream, it is unlikely that Preble's occur on the site. Without confirmation via trapping studies that Preble's occur in this reach of Hay Creek, B.E. assumes that mice are more than likely not present.

Determination of Effects

B.E.'s desktop review and on-site Preble's habitat assessment concluded that the Project may affect, but is not likely to adversely affect, Preble's meadow jumping mouse. Preble's presence in this stretch of creek is unconfirmed and unlikely due to the absence of a perennial stream. B.E. and the Proponent have been in contact previously with the Service and received a preliminary determination of "not reasonably certain to affect" Preble's. Other species identified in the IPaC query are unlikely to be impacted by the Project. B.E. requests concurrence with this determination of "May Affect, Not Likely to Adversely Affect". In accordance with the informal ESA consultation process pursuant to 50 CFR § 402.13. If you should have any disagreement with this determination, please contact B.E. at dmaynard@bristleconeecology.com. Thank you for your attention to this matter.

Sincerely,

Bristlecone Ecology, LLC



Daniel Maynard
Owner/Ecologist

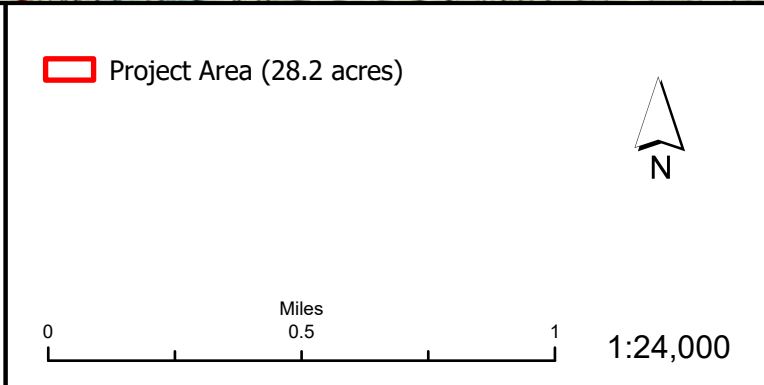
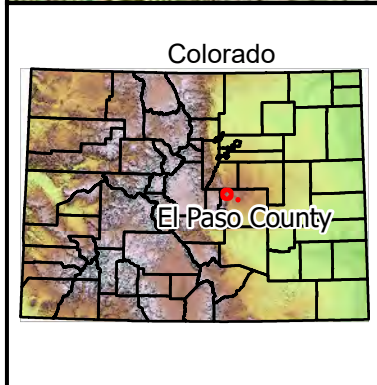
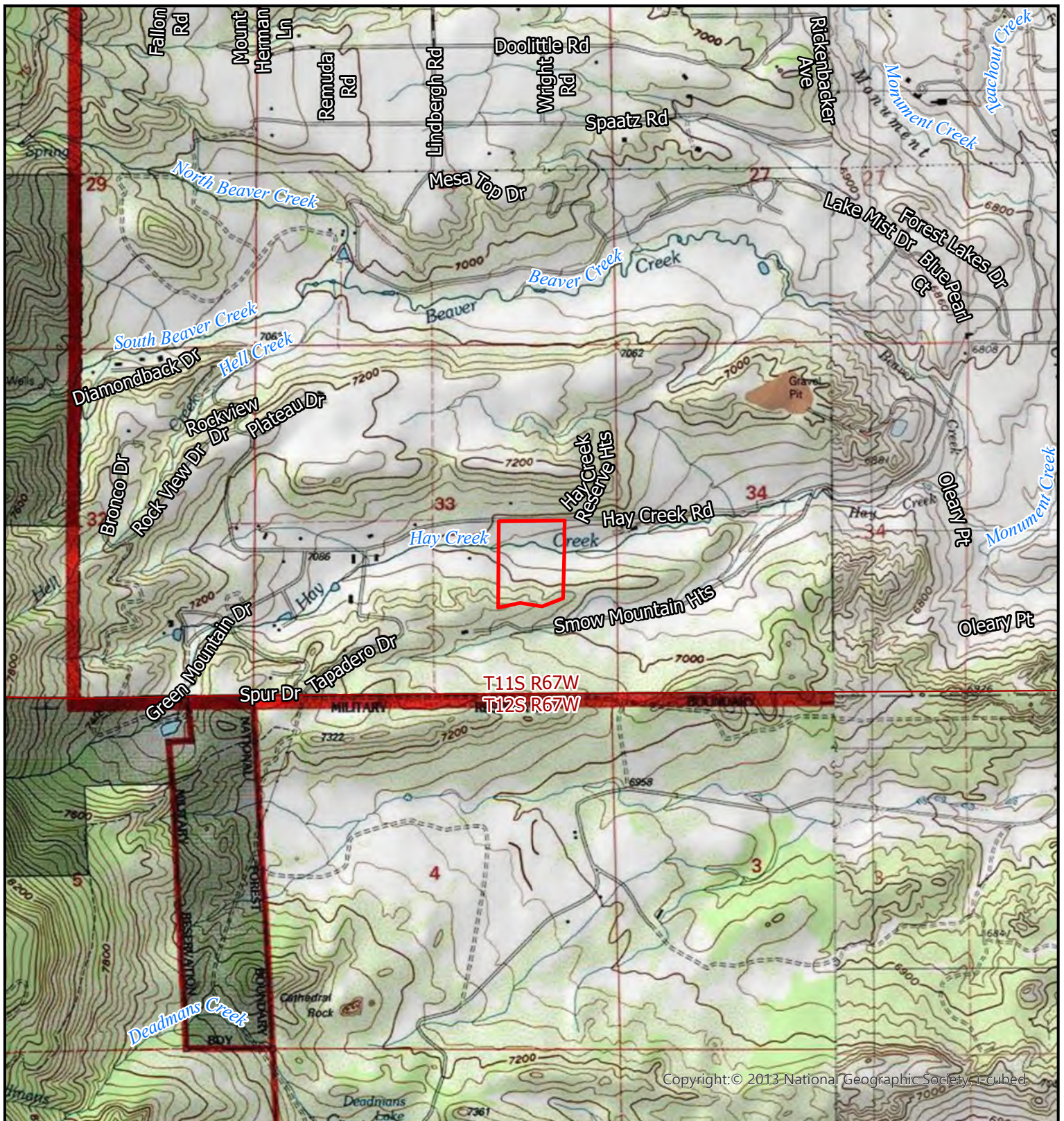
References

- CPW (Colorado Parks and Wildlife). 2025. Collared Gray Wolf Activity map. Online. Available at: <https://cpw.state.co.us/wolf-sightings>. Accessed May 2025.
- Fertig, Walter, Rick Black, and Paige Wolken. 2005. Rangewide Status Review of Ute Ladies'-Tresses (*Spiranthes diluvialis*).
- Ryon, T.R. 2001. Summer nests of Preble's meadow jumping mouse. The Southwestern Naturalist 46(3):376-378.
- Schorr, R. A. 2001. Meadow Jumping Mice (*Zapus hudsonius preblei*) on the U.S. Air Force Academy El Paso County, Colorado.
- Shenk, T.M., and M.M. Silvert. 1999. Movement patterns of Preble's meadow jumping mouse (*Zapus hudsonius preblei*) as they vary across time and space. Unpublished technical report, Colorado Parks and Wildlife.
- USFWS (United States Fish and Wildlife Service). 2025. Information for Planning and Conservation Online System. <https://ecos.fws.gov/ipac/>. Accessed May 2025.
- USFWS. 2004. Preble's Meadow Jumping Mouse Survey Guidelines. Available at <https://www.fws.gov/sites/default/files/documents/prebles-meadow-jumping-mouse-survey-guidelines-2004.pdf>.
- USFWS. 1992. Interim Survey Requirements for Ute Ladies-tresses' Orchid (*Spiranthes diluvialis*). https://www.fws.gov/utahfieldoffice/Documents/Plants/SPDI_interimSurveyRequirements_1992.pdf



May 27, 2025

ATTACHMENT A:
SITE LOCATION MAP



Hay Creek Ranch

Site Location Map

bristlecone ecology



May 27, 2025

ATTACHMENT B:
IPAC RESOURCE LIST

IPaC resource list

This
has
(US

Migratory bird information is currently unavailable. We are aware of the problem and working on a solution. In the meantime, you can obtain similar project-specific bird occurrence results using the [AKN RAIL tool](#). ✕

below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

El Paso County, Colorado



Local office

Colorado Ecological Services Field Office

☎ (303) 236-4773

📅 (303) 236-4005

MAILING ADDRESS

Denver Federal Center
P.O. Box 25486
Denver, CO 80225-0486

PHYSICAL ADDRESS

1 Denver Federal Center
Bldg 53 Room Fw100}
Denver, CO 80225-0001

NOT FOR CONSULTATION

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

-
1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
 2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
<p>Gray Wolf <i>Canis lupus</i></p> <p>No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/4488</p>	EXPN
<p>Preble's Meadow Jumping Mouse <i>Zapus hudsonius preblei</i></p> <p>Wherever found</p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/4090</p>	Threatened

Birds

NAME	STATUS
<p>Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i></p> <p>Wherever found</p> <p>No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/10477</p>	Threatened
<p>Piping Plover <i>Charadrius melodus</i></p> <p>This species only needs to be considered if the following condition applies:</p> <ul style="list-style-type: none"> Project includes water-related activities and/or use in the N. Platte, S. Platte, and Laramie River Basins which may affect listed species in Nebraska. <p>There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/6039</p>	Threatened

Insects

NAME	STATUS
<p>Monarch Butterfly <i>Danaus plexippus</i></p> <p>Wherever found</p> <p>There is proposed critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/9743</p>	Proposed Threatened

Suckley's Cuckoo Bumble Bee *Bombus suckleyi*

Proposed Endangered

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/10885>

Flowering Plants

NAME

STATUS

Ute Ladies'-tresses *Spiranthes diluvialis*

Threatened

Wherever found

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/2159>

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act ² and the Migratory Bird Treaty Act (MBTA) ¹. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their nests, should follow appropriate regulations and implement required avoidance and minimization measures, as described in the various links on this page.

The [data](#) in this location indicates that no eagles have been observed in this area. This does not mean eagles are not present in your project area, especially if the area is difficult to survey. Please review the 'Steps to Take When No Results Are Returned' section of the [Supplemental Information on Migratory Birds and Eagles document](#) to determine if your project is in a poorly surveyed area. If it is, you may need to rely on other resources to determine if eagles may be present (e.g. your local FWS field office, state surveys, your own surveys).

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide avoidance and minimization measures for birds
<https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC
<https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

Bald and Golden Eagle information is not available at this time

Bald & Golden Eagles FAQs

What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are an eagle ([Bald and Golden Eagle Protection Act](#) requirements may apply).

Proper interpretation and use of your eagle report

On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort line or no data line (red horizontal) means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide you in knowing when to implement avoidance and minimization measures to eliminate or reduce potential impacts from your project activities or get the appropriate permits should presence be confirmed.

How do I know if eagles are breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the [RAIL Tool](#) and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If an eagle on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:

The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Migratory birds

The Migratory Bird Treaty Act (MBTA) ¹ prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior [authorization](#) by the Department of Interior U.S. Fish and Wildlife Service (FWS). The incidental take of migratory birds is the injury or death of birds that results from, but is not the purpose, of an activity. The FWS interprets the MBTA to prohibit incidental take.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>

- Measures for avoiding and minimizing impacts to birds
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC
<https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

Migratory bird information is not available at this time

Migratory Bird FAQs

Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Avoidance & Minimization Measures for Birds](#) describes measures that can help avoid and minimize impacts to all birds at any location year-round. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is one of the most effective ways to minimize impacts. To see when birds are most likely to occur and breed in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location, such as those listed under the Endangered Species Act or the [Bald and Golden Eagle Protection Act](#) and those species marked as “Vulnerable”. See the FAQ “What are the levels of concern for migratory birds?” for more information on the levels of concern covered in the IPaC migratory bird species list.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) with which your project intersects. These species have been identified as warranting special attention because they are BCC species in that area, an eagle ([Bald and Golden Eagle Protection Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, and to verify survey effort when no results present, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

Why are subspecies showing up on my list?

Subspecies profiles are included on the list of species present in your project area because observations in the AKN for **the species** are being detected. If the species are present, that means that the subspecies may also be present. If a subspecies shows up on your list, you may need to rely on other resources to determine if that

subspecies may be present (e.g. your local FWS field office, state surveys, your own surveys).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the [RAIL Tool](#) and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Bald and Golden Eagle Protection Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially BCC species. For more information on avoidance and minimization measures you can implement to help avoid and minimize migratory bird impacts, please see the FAQ "Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Proper interpretation and use of your migratory bird report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list does not represent all birds present in your project area. It is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide implementation of avoidance and minimization measures to eliminate or reduce potential impacts from your project activities, should presence be confirmed. To learn more about avoidance and minimization measures, visit the FAQ "Tell me about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:

The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

FRESHWATER FORESTED/SHRUB WETLAND

[PSS1C](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.



ATTACHMENT C:
HIDDEN CREEK ESTATES FINAL PLAT AND MOUSE DISTURBANCE

HIDDEN CREEK ESTATES

A PORTION OF THE SOUTHEAST ¼ OF SECTION 33, TOWNSHIP 11 SOUTH, RANGE 67 WEST
OF THE 6th PRINCIPAL MERIDIAN,COUNTY OF EL PASO, STATE OF COLORADO.

PLAT NOTES

- UNLESS SHOWN OTHERWISE, ALL FRONT, REAR, AND SIDE LOT LINES ARE HEREBY PLATTED WITH A TEN (10') FEET WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT. THE SOUTHERLY SIDE OF HAY CREEK ROAD IS HEREBY PLATTED WITH A TWENTY (20') FEET WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT. THE SOLE RESPONSIBILITY FOR MAINTENANCE OF THESE EASEMENTS IS HEREBY VESTED WITH THE INDIVIDUAL PROPERTY OWNER.
- RECORDED EASEMENTS NOT SHOWN ON DRAWING:
 - THE LOCATION OF THE GRANT OF EASEMENT IN DEED TO MOUNTAIN VIEW ELECTRIC ASSOCIATION RECORDED IN BOOK 8021 AT PAGE 505 COULD NOT BE DETERMINED AND THEREFORE NOT SHOWN ON THIS PLAT.
 - THE LOCATION OF THE GRANT OF EASEMENT FOR A JOINT USE WATERLINE AND WELL RECORDED IN BOOK 5021 PAGE 450 AND ALSO RECORDED UNDER RECEPTION NO. 215089846 COULD NOT BE DETERMINED AND THEREFORE IS NOT SHOWN ON THIS PLAT.
 - OPEN SPACE AREA IS WITHIN A NO BUILD EASEMENT. NO FENCES OR PERMANENT STRUCTURES ARE PERMITTED IN THE NO BUILD EASEMENT.
 - SEWAGE TREATMENT IS THE RESPONSIBILITY OF EACH INDIVIDUAL PROPERTY OWNER. THE EL PASO COUNTY HEALTH DEPARTMENT MUST APPROVE EACH SYSTEM AND, IN SOME CASES THE DEPARTMENT MAY REQUIRE AN ENGINEER-DESIGNED SYSTEM PRIOR TO PERMIT APPROVAL.
 - SOME LOTS MAY REQUIRE SEPTIC SYSTEM COMPONENTS TO BE LOCATED WITHIN THE OPEN SPACE AREA. IF SEPTIC SYSTEM COMPONENTS ARE LOCATED WITHIN THE OPEN SPACE AREA THE COMPONENTS SHALL BE LOCATED AT LEAST TWENTY-THREE (23) FEET AWAY FROM THE ROAD EDGE AND NO MORE THAN SIXTY FT (60') FEET AWAY FROM THE ROAD EDGE. SEPTIC SYSTEMS CANNOT BE LOCATED IN ANY PART OF THE FLOODPLAIN AREA. (CHAZARDOUS ACTIVITIES PROHIBITED) ACTIVITIES IN A SPECIAL FLOOD HAZARD AREA THAT MAY BE HAZARDOUS TO PUBLIC HEALTH AND WATER QUALITY ARE PROHIBITED, INCLUDING BUT NOT LIMITED TO SEPTIC SYSTEMS, LANDFILLS, DISABLED VEHICLES, ETC. SEPTIC SYSTEM SHALL NOT BE PERMITTED WITHIN STEEP SLOPE, FLOODPLAIN, OR SEASONALLY HIGH GROUNDWATER AREAS.
 - INDIVIDUAL WELLS ARE THE RESPONSIBILITY OF EACH PROPERTY OWNER. PERMITS FOR INDIVIDUAL WELLS MUST BE OBTAINED FROM THE STATE ENGINEER WHO BY LAW HAS THE AUTHORITY TO SET CONDITIONS FOR THE ISSUANCE OF THESE PERMITS.
 - GEOLOGIC REPORT PREPARED BY RMG DATED NOVEMBER 2024, HAS IDENTIFIED AREAS WITH STEEP SLOPE THAT WILL REQUIRE SPECIAL FOUNDATION DESIGNS IF A STRUCTURE IS CONSTRUCTED IN THIS AREA. IN NO CASE WILL THERE BE ANY STRUCTURES BUILT IN A 30% SLOPE AREA AS DELINEATED. ENGINEERED SITE PLANS WILL BE PROVIDED FOR ALL STRUCTURES BUILT WITHIN THE STEEP SLOPE AREA. ALL LOTS MAY BE IMPACTED BY GEOLOGIC HAZARDS. MITIGATION MEASURES AND A MAP OF THE HAZARD AREA CAN BE FOUND IN THE REPORT (TITLE OF REPORT, GENERALLY FROM THE PRELIMINARY PLAN FILE) BY (AUTHOR OF THE REPORT) (DATE OF REPORT) IN FILE (NAME OF FILE AND FILE NUMBER) AVAILABLE AT THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT: HIGH GROUNDWATER FLOODPLAIN
 - THE FOLLOWING REPORTS HAVE BEEN SUBMITTED IN ASSOCIATION WITH THE FINAL PLAT FOR THIS SUBDIVISION AND ARE ON FILE AT THE COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT: DRAINAGE REPORT; WATER RESOURCES REPORT; WASTEWATER DISPOSAL REPORT; GEOLOGY AND SOILS REPORT; FIRE PROTECTION REPORT; WILDFIRE HAZARD REPORT; NATURAL FEATURES REPORT
 - A SITE PLAN PREPARED BY A PROFESSIONAL ENGINEER, CURRENTLY REGISTERED IN THE STATE OF COLORADO, SHALL BE REQUIRED FOR ANY STRUCTURE LOCATED IN OR WITHIN TWENTY (20') FEET OF THE STEEP SLOPE AREA.
 - BEARINGS ARE REFERRED TO THE WEST LINE OF HAY CREEK RANCH, A SUBDIVISION PLAT RECORDED AT RECEPTION NO. 20302506 OF THE RECORDS OF EL PASO COUNTY, COLORADO AS BEARING SOUTH 00°58'46" WEST.
 - ALL STRUCTURAL FOUNDATIONS SHALL BE LOCATED AND DESIGNED BY A PROFESSIONAL ENGINEER, CURRENTLY REGISTERED IN THE STATE OF COLORADO.
 - THE ADDRESSES EXHIBITED ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
 - MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY DEPARTMENT OF PUBLIC WORKS AND UNITED STATES POSTAL SERVICES REGULATIONS
 - NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
 - NOTICE: THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY POLARIS SURVEYING, INC TO DETERMINE THE COMPATIBILITY OF THIS DESCRIPTION WITH THAT OF ADJACENT TRACTS OF LAND, OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS OF WAY OR TITLE OF RECORD, POLARIS SURVEYING, INC. RELIED UPON TITLE POLICY NO. CO-FHAH-IMP-81306-1-21-H0646638 PREPARED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY, DATED JULY 16 2021.
 - THE 60 FOOT WIDE PUBLIC HIGHWAY BEING 30 FEET ON EACH SIDE OF THE WESTERN SECTION LINE OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH P.M. AS ORDERED BY THE BOARD OF COUNTY COMMISSIONERS FOR EL PASO COUNTY ON OCTOBER 3, 1987 AND RECORDED IN ROAD BOOK "A" AT PAGE 78 OF THE RECORDS OF EL PASO COUNTY, IS HEREBY VACATED UPON THE RECORDING OF THIS PLAT.
 - THIS PROPERTY MAY BE IMPACTED BY NOISE AND/OR SIMILAR SENSORY EFFECTS CAUSED BY, BUT NOT LIMITED TO, THE NORMAL DAILY ACTIVITIES FROM THE UNITED STATES AIR FORCE ACADEMY'S AIRMANSHIP PROGRAM, COMBAT TRAINING, AND SPECIAL EVENTS. THESE ACTIVITIES INCLUDE, BUT ARE NOT LIMITED TO, FIRED AND ROTARY WING AIRCRAFT, LIVE WEAPONS FIRE TRAINING AT THE FIRING RANGE, SIMULATED EXPLOSIVES, CONTROLLED HUNTING DURING HUNTING SEASONS, AND OTHER ACTIVITIES THAT MAY PRODUCE NOISE, VIBRATIONS, DUST, SMOKE AND ALL OTHER EFFECTS THAT MAY BE PRODUCED BY SUCH ACTIVITIES AND EXPERIENCED BEYOND THE INSTALLATION'S BOUNDARIES. THIS NOTICE SHALL REMAIN IN EFFECT UNTIL THE AIR FORCE ACADEMY SHALL CEASE TO BE USED FOR FLIGHT, AND MILITARY TRAINING PURPOSES AND SPECIAL EVENTS, OR UNTIL ALL AIRPORTS ON THE AIR FORCE ACADEMY SHALL CEASE TO BE ACTIVELY USED AND SPECIAL EVENTS ARE PERMANENTLY DISCONTINUED. THIS NOTICE SHALL RUN IN PERPETUITY WITH THE LAND.
 - THIS PROPERTY IS LOCATED WITHIN A DESIGNATED FEMA FLOODPLAIN ZONE A (WITHOUT BE) IDENTIFIED AS "EXISTING 100- YEAR FLOODPLAIN" ON THE PLAT AS DETERMINED BY THE FLOOD INSURANCE RATE MAP, COMMUNITY MAP NUMBER 08041C0267G, EFFECTIVE DATE DECEMBER 07, 2018. THE 100 YEAR FLOODPLAIN AS MAPPED AND AS PROPOSED IS CONTAINED WITHIN AN OPEN SPACE/NO BUILD EASEMENT.
 - ALL PROPERTY WITHIN THIS SUBDIVISION IS SUBJECT TO A DECLARATION OF COVENANTS AS RECORDED AT RECEPTION NUMBER _____ OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER.
 - DEVELOPER SHALL COMPLY WITH FEDERAL AND STATE LAWS, REGULATIONS, ORDINANCES, REVIEW AND PERMIT REQUIREMENTS, AND OTHER AGENCY REQUIREMENTS, IF ANY, OF APPLICABLE AGENCIES INCLUDING, BUT NOT LIMITED TO, THE COLORADO DEPARTMENT OF WILDLIFE, COLORADO DEPARTMENT OF TRANSPORTATION, U.S. ARMY CORP. OF ENGINEERS, THE U.S.FISH WILDLIFE SERVICE AND/OR COLORADO DEPARTMENT OF WILDLIFE REGARDING THE ENDANGERED SPECIES ACT, PARTICULARLY AS IT RELATES TO THE PREBLE'S MEADOW JUMPING MOUSE AS A LISTED THREATENED SPECIES.
 - HIDDEN CREEK ESTATES HOME OWNERS ASSOCIATION INC. AND EACH INDIVIDUAL LOT OWNER IS ADVISED OF ALL APPLICABLE REQUIREMENTS AS SET FORTH IN WATER DECREE CASE NO. 01 CW 21 (WATER DIVISION NO. 1) (INCORPORATED IN THE RESTRICTIVE COVENANTS) INCLUDING ANY CONTRACTS OR COST REQUIRED TO FULFILL THE PLAN FOR AUGMENTATION, TOGETHER WITH THE CONSTRUCTION AND PUMPING OF THE ARAPAHOE AND LARAMIE FOX HILLS AQUIFER WELLS REQUIRED TO REPLACE POST PUMPING DEPLETIONS. INDIVIDUAL WELLS SHALL BE METERED AND WITHDRAWAL DATA COLLECTED.
 - WATER SUPPLY: INDIVIDUAL WELLS ARE THE RESPONSIBILITY OF EACH PROPERTY OWNER. PERMITS FOR INDIVIDUAL WELLS MUST BE OBTAINED FROM THE STATE ENGINEER WHO BY LAW HAS THE AUTHORITY TO SET CONDITIONS FOR THE ISSUANCE OF THESE PERMITS. TWO (2) EXISTING WELL PERMITS NOS. _____ AND _____ WILL SERVE TWO (2) SINGLE FAMILY DWELLINGS EACH. WELL PERMIT NO. _____ WILL SERVE LOTS _____ AND _____ BLOCK _____ SUBJECT TO A JOINT USE WATER WELL AGREEMENT AS RECORDED UNDER RECEPTION NO. _____. WELL PERMIT NO. _____ WILL SERVE LOT _____ BLOCK _____ AND LOT _____ BLOCK _____. SUBJECT TO A JOINT USE WATER WELL AGREEMENT AS RECORDED UNDER RECEPTION NO. _____, WHICH LIMITS PRODUCTION TO THE _____ AQUIFER AT AN INTERVAL BETWEEN _____ AND _____ FEET BELOW GROUND SURFACE. LOT _____ AND _____ BLOCK _____ AND LOTS _____ THROUGH _____ BLOCK _____ WILL LIMIT PRODUCTION TO

PLAT NOTES CONT.

- THE _____ AQUIFER AT AN INTERVAL BETWEEN _____ AND _____ FEET BELOW GROUND SURFACE. OWNER, ITS SUCCESSORS AND ASSIGNS SHALL ADVISE THE PROPERTY OWNERS ASSOCIATION (OR HOMEOWNERS ASSOCIATION) AND ALL FUTURE OWNERS OF THESE LOTS OF ALL APPLICABLE REQUIREMENTS OF THE DECREE ENTERED IN CASE NO. _____ (DIVISION _____), AND THEIR COSTS OF OPERATING THE PLAN FOR AUGMENTATION AND RESPONSIBILITY FOR METERING AND COLLECTING DATA REGARDING WATER WITHDRAWALS FROM WELLS. OWNER SHALL RESERVE IN ANY DEEDS OF THE PROPERTY _____ ACRE FEET OF _____ AQUIFER AND _____ ACRE FEET TOTAL OF _____ AQUIFER WATER AS DECREED IN CASE NO. _____ (DIVISION _____) FOR USE IN THIS AUGMENTATION PLAN. WATER WITHDRAWAL AND WELL USE ARE SUBJECT TO LIMITATIONS, RESTRICTIONS AND AUGMENTATION REQUIREMENTS AND RESPONSIBILITIES AS FOUND WITHIN THE COVENANTS FOR THIS SUBDIVISION RECORDED IN RECEPTION NO. _____ OF THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER AND THE TERMS OF THE WATER COURT APPROVED WATER AUGMENTATION PLAN.
- WATER IN THE DENVER BASIN AQUIFERS IS ALLOCATED BASED ON A 100 YEAR AQUIFER LIFE; HOWEVER, FOR EL PASO COUNTY PLANNING PURPOSES, WATER IN THE DENVER BASIN AQUIFERS IS EVALUATED BASED ON A 300 YEAR AQUIFER LIFE. APPLICANTS, THE HOME OWNERS ASSOCIATION, AND ALL FUTURE OWNERS IN THE SUBDIVISION SHOULD BE AWARE THAT THE ECONOMIC LIFE OF A WATER SUPPLY BASED ON WELLS IN A GIVEN DENVER BASIN AQUIFER MAY BE LESS THAN EITHER THE 100 YEARS OR 300 YEARS INDICATED DUE TO THE ANTICIPATED WATER LEVEL DECLINES. FURTHERMORE, THE WATER SUPPLY PLAN SHOULD NOT RELY SOLELY UPON NON-RENEWABLE AQUIFERS. ALTERNATIVE RENEWABLE WATER RESOURCES SHOULD BE ACQUIRED AND INCORPORATED IN A PERMANENT WATER SUPPLY PLAN THAT PROVIDES A FUTURE GENERATIONS WITH A WATER SUPPLY.
 - THE DECLARANT AND THE ASSOCIATION AGREE FOR THEMSELVES, THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, INCLUDING INDIVIDUAL LOT OWNERS WITHIN HIDDEN CREEK ESTATES, THAT THEY WILL REGULARLY AND ROUTINELY INSPECT, CLEAN, MAINTAIN, REMOVE SNOW, GRAVEL AND PAVE THE PRIVATE STREET SYSTEM WITHIN HIDDEN CREEK ESTATES, AND OTHERWISE KEEP THE SAME IN GOOD REPAIR, ALL AT THEIR OWN COST AND EXPENSE. EL PASO COUNTY ABSOLUTELY SHALL HAVE NO RESPONSIBILITY WHATSOEVER TO CONSTRUCT, MAINTAIN, OR REPAIR ANY PORTION OF THE PRIVATE STREET SYSTEM IN HIDDEN CREEK ESTATES "MAINTENANCE" OR "REPAIR" INCLUDES, BUT IS NOT LIMITED TO, GRAVELING, ROAD CROSSING, PAVING, DRAINING, REMOVING SNOW, CLEARING, OR PROVIDING ANY OTHER MAINTENANCE OR REPAIR HOWEVER DEFINED.
 - NO DRIVEWAY SHALL BE ESTABLISHED UNLESS AN ACCESS PERMIT HAS BEEN GRANTED BY EL PASO COUNTY.
 - DEVELOPMENT CODE SECTION 6.3.3.C.2 AND 6.3.3.C.3. DUE TO THEIR LENGTH, SOME OF THE DRIVEWAYS WILL NEED TO BE SPECIFICALLY APPROVED BY THE TRI LAKES MONUMENT FIRE.
 - NO STRUCTURES OR FENCES ARE PERMITTED WITHIN DESIGNATED "FLOODPLAIN" OR "PARK AND OPEN SPACE" AREAS. MODIFICATION OF THIS NOTE MAY BE ALLOWED IF THE PLAN IS APPROVED BY THE FLOODPLAIN ADMINISTRATOR, PROVIDED THIS CREATES NO CONFLICT WITH APPROVED PLANS OR CONDITIONS.
 - ALL PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORM WATER DRAINAGE IN AND THROUGH THEIR PROPERTY. PUBLIC DRAINAGE EASEMENTS AS SPECIFICALLY NOTED ON THE PLAT SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS UNLESS OTHERWISE INDICATED. STRUCTURES, FENCES, MATERIALS OR LANDSCAPING THAT COULD IMPERE THE FLOW OF RUNOFF SHALL NOT BE PLACED IN DRAINAGE EASEMENTS.
 - THE SUBDIVIDERS AGREES ON BEHALF OF HIM/HERSELF AND ANY DEVELOPER OR BUILDER, SUCCESSORS AND ASSIGNEES THAT SUBDIVIDER AND/OR SAID SUCCESSORS AND ASSIGNS SHALL BE REQUIRED TO PAY TRAFFIC IMPACT FEES IN ACCORDANCE WITH THE EL PASO COUNTY ROAD IMPACT FEE PROGRAM RESOLUTION (RESOLUTION NO. 24-377), OR ANY AMENDMENTS THERETO, AT OR PRIOR TO THE TIME OF BUILDING PERMIT SUBMITTALS. THE FEE OBLIGATION, IF NOT PAID AT FINAL PLAT RECORDING, SHALL BE DOCUMENTED ON ALL SALES DOCUMENTS AND ON PLAT NOTES TO ENSURE THAT A TITLE SEARCH WOULD FIND THE FEE OBLIGATION BEFORE SALE OF THE PROPERTY.
 - THE INSTALLATION OF A WHOLE HOUSE REVERSE OSMOSIS UNIT IS REQUIRED IN EACH RESIDENCE TO REMOVE THE ELEVATED LEVELS OF RADIUM FROM THE SOURCE WATER. THE INSTALLATION AND MAINTENANCE OF SAID UNIT HAVE BEEN PROVEN TO BRING THE WATER WITH THIS CONTAMINATE INTO COMPLIANCE WITH THE COLORADO PRIMARY DRINKING WATER REGULATIONS.
 - THE HIDDEN CREEK SUBDIVISION IS SUBJECT TO A SHARED FIRE CISTERN AGREEMENT WITH HAY CREEK VALLEY SUBDIVISION RECORDED AT RECEPTION NUMBER _____.
 - THE ACCESS EASEMENT DEPICTED ON SHEET TWO OF THIS PLAT ARE FOR THE BENEFIT OF LOTS 3, 4, 5, AND 6. THE RIGHTS AND OBLIGATIONS SURROUNDING THE SHARED ACCESS EASEMENT ARE FURTHER DEFINED IN THE COVENANTS RECORDED AT RECEPTION NUMBER _____.

BE IT KNOWN BY THESE PRESENTS:

THAT 3405 HAY CREEK LLC, BEING THE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND:

A TRACT OF LAND LOCATED IN THE SOUTHEAST ¼ OF SECTION 33, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 9, HAY CREEK RANCH, A SUBDIVISION PLAT RECORDED AT RECEPTION NO. 20302506 OF THE RECORDS OF EL PASO COUNTY, COLORADO;

(THE BASIS OF BEARING FOR THIS PLAT IS 500°58'46"W AND FOLLOWS THE WESTERLY LINE OF SAID LOT 9)

THENCE 500°58'46"W, 1,156.41 FEET ALONG THE WEST LINE OF LOT 9 AND LOT 8 OF SAID HAY CREEK RANCH TO A POINT ON THE NORTH LINE OF A LAND TITLE SURVEY AS RECORDED UNDER DEPOSIT NO. 222900279 OF THE RECORDS OF EL PASO COUNTY, COLORADO;

(THE FOLLOWING FIVE(5) COURSES ARE ALONG SAID LAND TITLE SURVEY)

THENCE S70°56'24"W, 151.59 FEET;

THENCE S67°03'18"W, 197.42 FEET;

THENCE N81°13'31"W, 208.54 FEET;

THENCE S82°38'48"W, 300.98 FEET;

THENCE S89°42'29"W, 167.03 FEET TO A POINT ON THE EAST LINE OF TIMMINS SUBDIVISION EXEMPTION, A SUBDIVISION PLAT RECORDED UNDER RECEPTION NO. 216713715 OF THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE N01°08'21"E, 1,285.01 FEET ALONG THE EAST LINE OF SAID TIMMINS SUBDIVISION EXEMPTION TO A POINT ON THE SOUTH LINE OF HEY CREEK ROAD RIGHT-OF WAY;

THENCE N89°40'54"E, 990.95 FEET ALONG SAID SOUTH RIGHT-OF-WAY TO THE POINT OF BEGINNING.

AREA = 1,243,240.75 SQUARE FEET (28.54 ACRES), MORE OR LESS.

Owners Certificate

The undersigned, being all the owners, mortgages, beneficiaries of deeds of trust and holders of other interests in the land described herein, have laid out, subdivided, and platted said lands into lots, and easements as shown hereon under the name and subdivision of Hidden Creek Estates. The utility easements shown hereon are hereby dedicated for public utilities and communication systems and other purposes as shown hereon. The entities responsible for providing the services for which the easements are established are hereby granted the perpetual right of ingress and egress from and to adjacent properties for installation, maintenance, and replacement of utility lines and related facilities.

Owners/Mortgagee (Signature)

By:

Title:

State of Colorado

County of El Paso

Signed before me on _____, 20____

by _____ (name(s) of individual(s) making statement).

(Notary's official signature)

(Commission Expiration)

Board of County Commissioners Certificate

This plat for Hidden Creek Estates was approved for filing by the El Paso County, Colorado Board of County Commissioners on the _____ day of _____, 2025, subject to any notes specified hereon and any conditions included in the resolution of approval.

Chair, Board of County Commissioners Date

EL PASO COUNTY PLANNING DIRECTOR DATE

Surveyors Certificate

I Randall D Hency, a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a survey made on date of survey, by me or under my direct supervision and that all monuments exist as shown hereon; that mathematical closure errors are less than 1:10,000; and that said plat has been prepared in full compliance with all applicable laws of the State of Colorado dealing with monuments, subdivision, or surveying of land and all applicable provisions of the El Paso County Land Development Code.

I attest the above on this 12th day of March, 2025.

Surveyor's Name, (Signature) Date

Colorado registered PLS #27605

CLERK AND RECORDER

STATE OF COLORADO)
JSS
COUNTY OF EL PASO)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT _____ O' CLOCK ____ M. THIS _____ DAY OF _____ 2024 A.D., AND IS DULY RECORDED AT RECEPTION NO. _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO
STEVE SCHLEIKER, RECORDED.

BY: _____
DEPUTY

FEE: _____

SURCHARGE: _____

A TRACT OF LAND LOCATED IN THE SE¼ OF SECTION 33, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6th PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO.

REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, NO 27605 FOR AND ON BEHALF OF POLARIS SURVEYING, INC. NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

HIDDEN CREEK ESTATES

A PORTION OF THE SOUTHEAST ¼ OF SECTION 33, TOWNSHIP 11 SOUTH, RANGE 67 WEST
OF THE 6th PRINCIPAL MERIDIAN,COUNTY OF EL PASO, STATE OF COLORADO.



SCALE 1" = 1/4" N.T.S.

REVISIONS					
ZONE	REV	DESCRIPTION	DATE	APPROVED	
	1	REVIEW COUNTY COMMENTS, UPDATE ACCESS EASEMENT, ADJUST FLOODPLAIN BFE INFORMATION	03/20/25		

DRAWN BY:	RDH	DATE:	11/13/24
CHECKED BY:	rdh	DRAWING NO:	N/A
JOB NO:	240314	SHEET:	1 of 2

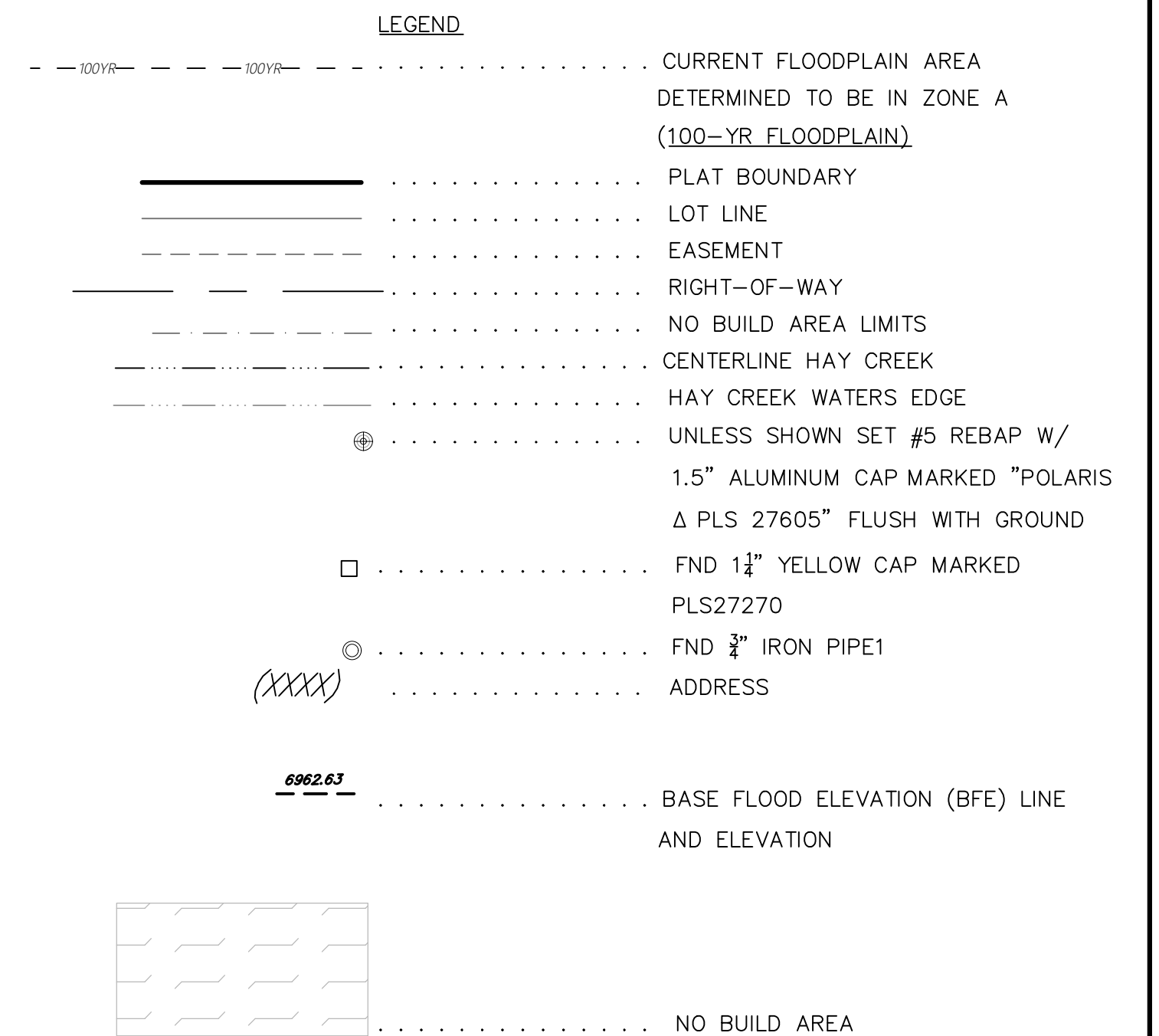
POLARIS SURVEYING, INC.
1903 Lelaray Street, Suite 102
COLORADO SPRINGS, CO 80909
(719)448-0844 FAX (719)448-9225

SE 1/4 SECTION 33
FINAL PLAT

For:
JAMES HULL

A PORTION OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 33, TOWNSHIP 11 SOUTH, RANGE 67 WEST
OF THE 6th PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO.

Access Easement Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	16.93'	25.098'	38°38'47"	S18°23'27"W	16.61'
C2	33.36'	63.129'	30°16'48"	S15°29'41"E	32.98'
C3	113.73'	87.000'	74°53'54"	S06°47'56"W	105.80'
C4	60.28'	188.000'	18°22'20"	S35°03'43"W	60.03'
C5	84.19'	188.000'	25°39'33"	S13°02'47"W	83.49'
C6	91.81'	212.046'	24°48'23"	S13°01'16"W	91.09'
C7	82.27'	188.043'	25°04'00"	N13°12'09"E	81.61'
C8	94.94'	212.000'	25°39'33"	N13°02'47"E	94.15'
C9	67.98'	212.000'	18°22'20"	N35°03'43"E	67.69'
C10	82.35'	63.000'	74°53'54"	N06°47'56"E	76.62'
C11	45.91'	87.000'	30°13'56"	N15°32'02"W	45.38'
C12	17.24'	25.000'	39°30'13"	N20°01'11"W	16.90'



A TRACT OF LAND LOCATED IN THE SE $\frac{1}{4}$ OF SECTION 33, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6th PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO.

REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, NO
27605 FOR AND ON BEHALF OF POLARIS SURVEYING, INC. NOTICE:
ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL
ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE
YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT,
MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE
COMMENCED MORE THAN TEN YEARS FROM THE DATE OF
CERTIFICATION SHOWN HEREON.

HIDDEN CREEK ESTATES
A PORTION OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 33, TOWNSHIP 11 SOUTH, RANGE 67 WEST
OF THE 6th PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO.



REVISIONS				
ZONE	REV	DESCRIPTION	DATE	APPROVED
	1	REVIEW COUNTY COMMENTS; UPDATE ACCESS EASEMENT, ADJUST FLOODPLAIN BFE INFORMATION	03/20/25	

DRAWN BY:	RDH
CHECKED BY:	rdh
JOB NO:	240314

DATE:	12/04/2024
DRAWING NO:	N/A
SHEET:	2 of 2

POLARIS SURVEYING, INC.
1903 Lelaray Street, Suite 102
COLORADO SPRINGS, CO 80909
(719)448-0844 FAX (719)448-9225

SE 1/4 SECTION 33
FINAL PLAT

For:
JAMES HULL

PLANOMETRICS

EXISTING

PROPOSED

SECTION LINE

RIGHT-OF-WAY

PARCEL LINE

EASEMENT LINE

BOUNDARY LINE

CENTER LINE

CONSTRUCTION

EXISTING

PROPOSED

C&G

EDGE OF ASPHALT

CONCRETE

SIDE WALK

CROSS PAN

PARKING LOT STRIPING

ROADWAY STRIPING - DHASED

ROADWAY STRIPING - DOTTED

GUARDRAIL

FENCE

SOUNDWALL

DEMO

GRAVEL

RIPRAP

DIRT

TRAIL/PATH

RAIL LINE

GRADING

EXISTING

PROPOSED

CONTOUR INTERMEDIATE

CONTOUR INDEX

TOP OF SLOPE

TOE OF SLOPE

CUT/FILL BOUNDARY

LIMITS OF GRADING

LIMITS OF DISTURBANCE

UTILITIES

EXISTING

PROPOSED

SANITARY SEWER

SANITARY SEWER SERVICE

POTABLE WATER MAIN

POTABLE WATER SERVICE

RAW WATER MAIN

IRRIGATION MAIN

SANITARY FORCE MAIN

UNDER-DRAIN

GAS PIPE

HIGH PRESSURE GAS

OIL/PETROLEUM LINE

UNDER-GROUND

OVER-HEAD ELECTRIC

FIBER OPTIC

COMMUNICATION LINES MISC.

STORM PIPE

HGL MINOR

HGL MAJOR

DRAINAGE

EXISTING

PROPOSED

BASE FLOOD ELEVATION

100-YR FLOOD PLAIN

500-YR FLOOD PLAIN

FLOODWAY

SWALE/DITCH

THALWEG (STREAM/CREEK)

LIMITS OF WETLANDS

EDGE OF WATER

SILT FENCE

CONSTRUCTION FENCE/MARKERS

UTILITY SYMBOLS

EXISTING

PROPOSED

STORM SEWER

MANHOLE

STORM INLET

AREA INLET - SQUARE

AREA INLET - ROUND

FLARED END SECTION

TRAFFIC

EXISTING

PROPOSED

TRAFFIC SIGNAL BOX

TRAFFIC SIGNAL POLE

SIGN

STREET LIGHT

STREET LIGHT - SINGLE

STREET LIGHT - DOUBLE

LUMINAIRE

LANDSCAPE

EXISTING

PROPOSED

TREE - CONIFEROUS

TREE - DECIDUOUS

SHRUB/BUSH

SHRUBS AND BUSHES

IRRIGATION BOX

IRRIGATION SPRINKLER

IRRIGATION VALVE

BOLLARD

FLAGPOLE

UTILITY SYMBOLS

EXISTING

PROPOSED

SANITARY

LINE MARKER

SERVICE MARKER

CLEAN-OUT

MANHOLE

WATER

LINE MARKER

SERVICE MARKER

FIRE HYDRANT

FIRE CONNECTION

MANHOLE

BEND

BLOW-OFF VALVE

WELL

METER

VALVE

REDUCER

THRUST BLOCK

CROSS

PLUG W/ THRUST BLOCK

TEE

REVERSE ANCHOR

ANODE

AIR & VACUUM VALVE ASSEMBLY

GAS

MARKER

SERVICE MARKER

METER

DRY UTILITIES

CABLE TV MARKER

CABLE TELEVISION PEDESTAL

ELECTRIC MARKER

ELECTRIC SERVICE MARKER

ELECTRICAL PEDESTAL

ELECTRICAL METER

ELECTRICAL MANHOLE

FIBER-OPTIC MARKER

IRRIGATION PEDESTAL

TELEPHONE MARKER

TELEPHONE PEDESTAL

TELEPHONE MANHOLE

UTILITY POLE

GUY ANCHOR

GUY POLE

MISC. UTILITIES

VENT PIPE

TEST HOLE DESIGNATOR

GRADING AND EROSION CONTROL STANDARD NOTES

1. STORMWATER DISCHARGES FROM CONSTRUCTION SITES SHALL NOT CAUSE OR THREATEN TO CAUSE POLLUTION, CONTAMINATION, OR DEGRADATION OF STATE WATERS. ALL WORK AND EARTH DISTURBANCE SHALL BE DONE IN A MANNER THAT MINIMIZES POLLUTION OF ANY ON-SITE OR OFF-SITE WATERS, INCLUDING WETLANDS.

2. NOTWITHSTANDING ANYTHING DEPICTED IN THESE PLANS IN WORDS OR GRAPHIC REPRESENTATION, ALL DESIGN AND CONSTRUCTION RELATED TO ROADS, STORM DRAINAGE AND EROSION CONTROL SHALL CONFORM TO THE STANDARDS AND REQUIREMENTS OF THE MOST RECENT VERSION OF THE RELEVANT ADOPTED EL PASO COUNTY STANDARDS, INCLUDING THE LAND DEVELOPMENT CODE, THE ENGINEERING CRITERIA MANUAL, THE DRAINAGE CRITERIA MANUAL, AND THE DRAINAGE CRITERIA MANUAL VOLUME 2. ANY DEVIATIONS FROM REGULATIONS AND STANDARDS MUST BE REQUESTED, AND APPROVED, IN WRITING.

3. A SEPARATE STORMWATER MANAGEMENT PLAN (SWMP) FOR THIS PROJECT SHALL BE COMPLETED AND AN EROSION AND STORMWATER QUALITY CONTROL PERMIT (ESQCP) ISSUED PRIOR TO COMMENCING CONSTRUCTION. MANAGEMENT OF THE SWMP DURING CONSTRUCTION IS THE RESPONSIBILITY OF THE DESIGNATED QUALIFIED STORMWATER MANAGER OR CERTIFIED EROSION CONTROL INSPECTOR. THE SWMP SHALL BE LOCATED ON SITE AT ALL TIMES DURING CONSTRUCTION AND SHALL BE KEPT UP TO DATE WITH WORK PROGRESS AND CHANGES IN THE FIELD.

4. ONCE THE ESQCP IS APPROVED AND A "NOTICE TO PROCEED" HAS BEEN ISSUED, THE CONTRACTOR MAY INSTALL THE INITIAL STAGE EROSION AND SEDIMENT CONTROL MEASURES AS INDICATED ON THE APPROVED GEC. A PRECONSTRUCTION MEETING BETWEEN THE CONTRACTOR, ENGINEER, AND EL PASO COUNTY WILL BE HELD PRIOR TO ANY CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE APPLICANT TO COORDINATE THE MEETING TIME AND PLACE WITH COUNTY STAFF.

5. CONTROL MEASURES MUST BE INSTALLED PRIOR TO COMMENCEMENT OF ACTIVITIES THAT COULD CONTRIBUTE POLLUTANTS TO STORMWATER. CONTROL MEASURES FOR ALL SLOPES, CHANNELS, DITCHES, AND DISTURBED LAND AREAS SHALL BE INSTALLED IMMEDIATELY UPON COMPLETION OF THE DISTURBANCE.

6. ALL TEMPORARY SEDIMENT AND EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REMAIN IN EFFECTIVE OPERATING CONDITION UNTIL PERMANENT SOIL EROSION CONTROL MEASURES ARE IMPLEMENTED AND FINAL STABILIZATION IS ESTABLISHED. ALL PERSONS ENGAGED IN LAND DISTURBANCE ACTIVITIES SHALL ASSESS THE ADEQUACY OF CONTROL MEASURES AT THE SITE AND IDENTIFY IF CHANGES TO THOSE CONTROL MEASURES ARE NEEDED TO ENSURE THE CONTINUED EFFECTIVE PERFORMANCE OF THE CONTROL MEASURES. ALL CHANGES TO TEMPORARY SEDIMENT AND EROSION CONTROL MEASURES MUST BE INCORPORATED INTO THE STORMWATER MANAGEMENT PLAN.

7. TEMPORARY STABILIZATION SHALL BE IMPLEMENTED ON DISTURBED AREAS AND STOCKPILES WHERE GROUND DISTURBING CONSTRUCTION ACTIVITY HAS PERMANENTLY CEASED OR TEMPORARILY CEASED FOR LONGER THAN 14 DAYS.

8. FINAL STABILIZATION MUST BE IMPLEMENTED AT ALL APPLICABLE CONSTRUCTION SITES. FINAL STABILIZATION IS ACHIEVED WHEN ALL GROUND DISTURBING ACTIVITIES ARE COMPLETE AND ALL DISTURBED AREAS EITHER HAVE A UNIFORM VEGETATIVE COVER WITH INDIVIDUAL PLANT DENSITY OF 70 PERCENT OF PRE-DISTURBANCE LEVELS ESTABLISHED OR EQUIVALENT PERMANENT ALTERNATIVE STABILIZATION METHOD IS IMPLEMENTED. ALL TEMPORARY SEDIMENT AND EROSION CONTROL MEASURES SHALL BE REMOVED UPON FINAL STABILIZATION AND BEFORE PERMIT CLOSURE.

9. ALL PERMANENT STORMWATER MANAGEMENT FACILITIES SHALL BE INSTALLED AS DESIGNED IN THE APPROVED PLANS. ANY PROPOSED CHANGES THAT AFFECT THE DESIGN OR FUNCTION OF PERMANENT STORMWATER MANAGEMENT STRUCTURES MUST BE APPROVED BY THE ECM ADMINISTRATOR PRIOR TO IMPLEMENTATION.

10. EARTH DISTURBANCES SHALL BE CONDUCTED IN SUCH A MANNER SO AS TO EFFECTIVELY MINIMIZE ACCELERATED SOIL EROSION AND RESULTING SEDIMENTATION. ALL DISTURBANCES SHALL BE DESIGNED, CONSTRUCTED, AND COMPLETED SO THAT THE EXPOSED AREA OF ANY DISTURBED LAND SHALL BE LIMITED TO THE SHORTEST PRACTICAL PERIOD OF TIME. PRE-EXISTING VEGETATION SHALL BE PROTECTED AND MAINTAINED WITHIN 50 HORIZONTAL FEET OF A WATERS OF THE STATE UNLESS SHOWN TO BE INFEASIBLE AND SPECIFICALLY REQUESTED AND APPROVED.

11. COMPACTION OF SOIL MUST BE PREVENTED IN AREAS DESIGNATED FOR INFILTRATION CONTROL MEASURES OR WHERE FINAL STABILIZATION WILL BE ACHIEVED BY VEGETATIVE COVER. AREAS DESIGNATED FOR INFILTRATION CONTROL MEASURES SHALL ALSO BE PROTECTED FROM SEDIMENTATION DURING CONSTRUCTION UNTIL FINAL STABILIZATION IS ACHIEVED. IF COMPACTION PREVENTION IS NOT FEASIBLE DUE TO SITE CONSTRAINTS, ALL AREAS DESIGNATED FOR INFILTRATION AND VEGETATION CONTROL MEASURES MUST BE LOOSENEED PRIOR TO INSTALLATION OF THE CONTROL MEASURE(S).

12. ANY TEMPORARY OR PERMANENT FACILITY DESIGNED AND CONSTRUCTED FOR THE CONVEYANCE OF STORMWATER AROUND, THROUGH, OR FROM THE EARTH DISTURBANCE AREA SHALL BE A STABILIZED CONVEYANCE DESIGNED TO MINIMIZE EROSION AND THE DISCHARGE OF SEDIMENT OFF SITE.

13. CONCRETE WASH WATER SHALL BE CONTAINED AND DISPOSED OF IN ACCORDANCE WITH THE SWMP. NO WASH WATER SHALL BE DISCHARGED TO OR ALLOWED TO ENTER STATE WATERS, INCLUDING ANY SURFACE OR SUBSURFACE STORM DRAINAGE SYSTEM OR FACILITIES. CONCRETE WASHOUTS SHALL NOT BE LOCATED IN AN AREA WHERE SHALLOW GROUNDWATER MAY BE PRESENT, OR WITHIN 50 FEET OF A SURFACE WATER BODY, CREEK OR STREAM.

14. DURING DEWATERING OPERATIONS OF UNCONTAMINATED GROUND WATER MAY BE DISCHARGED ON SITE, BUT SHALL NOT LEAVE THE SITE IN THE FORM OF SURFACE RUNOFF UNLESS AN APPROVED STATE DEWATERING PERMIT IS IN PLACE.

15. EROSION CONTROL BLANKETING OR OTHER PROTECTIVE COVERING SHALL BE USED ON SLOPES STEEPER THAN 3:1.

16. CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL WASTES FROM THE CONSTRUCTION SITE FOR DISPOSAL IN ACCORDANCE WITH LOCAL AND STATE REGULATORY REQUIREMENTS. NO CONSTRUCTION DEBRIS, TREE SLASH, BUILDING MATERIAL WASTES OR UNUSED BUILDING MATERIALS SHALL BE BURIED, DUMPED, OR DISCHARGED AT THE SITE.

17. WASTE MATERIALS SHALL NOT BE TEMPORARILY PLACED OR STORED IN THE STREET, ALLEY, OR OTHER PUBLIC WAY, UNLESS IN ACCORDANCE WITH AN APPROVED TRAFFIC CONTROL PLAN. CONTROL MEASURES MAY BE REQUIRED BY EL PASO COUNTY ENGINEERING IF DEEMED NECESSARY, BASED ON SPECIFIC CONDITIONS AND CIRCUMSTANCES.

18. TRACKING OF SOILS AND CONSTRUCTION DEBRIS OFF-SITE SHALL BE MINIMIZED. MATERIALS TRACKED OFF-SITE SHALL BE CLEANED UP AND PROPERLY DISPOSED OF IMMEDIATELY.

19. THE OWNER/DEVELOPER SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL CONSTRUCTION DEBRIS, DIRT, TRASH, ROCK, SEDIMENT, SOIL, AND SAND THAT MAY ACCUMULATE IN ROADS, STORM DRAINS AND OTHER DRAINAGE CONVEYANCE SYSTEMS AND STORMWATER APPURTENANCES AS A RESULT OF SITE DEVELOPMENT.

20. THE QUANTITY OF MATERIALS STORED ON THE PROJECT SITE SHALL BE LIMITED, AS MUCH AS PRACTICAL, TO THAT QUANTITY REQUIRED TO PERFORM THE WORK IN AN ORDERLY SEQUENCE. ALL MATERIALS STORED ON-SITE SHALL BE STORED IN A NEAT, ORDERLY MANNER, IN THEIR ORIGINAL CONTAINERS, WITH ORIGINAL MANUFACTURER'S LABELS.

21. NO CHEMICAL(S) HAVING THE POTENTIAL TO BE RELEASED IN STORMWATER ARE TO BE STORED OR USED ONSITE UNLESS PERMISSION FOR THE USE OF SUCH CHEMICAL(S) IS GRANTED IN WRITING BY THE ECM ADMINISTRATOR. IN GRANTING APPROVAL FOR THE USE OF SUCH CHEMICAL(S), SPECIAL CONDITIONS AND MONITORING MAY BE REQUIRED.

22. BULK STORAGE OF ALLOWED PETROLEUM PRODUCTS OR OTHER ALLOWED LIQUID CHEMICALS IN EXCESS OF 55 GALLONS SHALL REQUIRE ADEQUATE SECONDARY CONTAINMENT PROTECTION TO CONTAIN ALL SPILLS ONSITE AND TO PREVENT ANY SPILLED MATERIALS FROM ENTERING STATE WATERS, ANY SURFACE OR SUBSURFACE STORM DRAINAGE SYSTEM OR OTHER FACILITIES.

23. NO PERSON SHALL CAUSE THE IMPEDIMENT OF STORMWATER FLOW IN THE CURB AND GUTTER OR DITCH EXCEPT WITH APPROVED SEDIMENT CONTROL MEASURES.

24. OWNER/DEVELOPER AND THEIR AGENTS SHALL COMPLY WITH THE "COLORADO WATER QUALITY CONTROL ACT" (TITLE 25, ARTICLE 8, CRS), AND THE "CLEAN WATER ACT" (33 USC 1344), IN ADDITION TO THE REQUIREMENTS OF THE LAND DEVELOPMENT CODE, DCM VOLUME II AND THE ECM APPENDIX I. ALL APPROPRIATE PERMITS MUST BE OBTAINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION (1041, NPDES, FLOODPLAIN, 404, FUGITIVE DUST, ETC.). IN THE EVENT OF CONFLICTS BETWEEN THESE REQUIREMENTS AND OTHER LAWS, RULES, OR REGULATIONS OF OTHER FEDERAL, STATE, LOCAL, OR COUNTY AGENCIES, THE MOST RESTRICTIVE LAWS, RULES, OR REGULATIONS SHALL APPLY.

25. ALL CONSTRUCTION TRAFFIC MUST ENTER/EXIT THE SITE ONLY AT APPROVED CONSTRUCTION ACCESS POINTS.

26. PRIOR TO CONSTRUCTION THE PERMITTEE SHALL VERIFY THE LOCATION OF EXISTING UTILITIES.

27. A WATER SOURCE SHALL BE AVAILABLE ON SITE DURING EARTHWORK OPERATIONS AND SHALL BE UTILIZED AS REQUIRED TO MINIMIZE DUST FROM EARTHWORK EQUIPMENT AND WIND.

28. THE SOILS REPORT FOR THIS SITE HAS BEEN PREPARED BY ROCKY MOUNTAIN GROUP AND SHALL BE CONSIDERED A PART OF THESE PLANS.

29. AT LEAST TEN (10) DAYS PRIOR TO THE ANTICIPATED START OF CONSTRUCTION, FOR PROJECTS THAT WILL DISTURB ONE (1) ACRE OR MORE, THE OWNER OR OPERATOR OF CONSTRUCTION ACTIVITY SHALL SUBMIT A PERMIT APPLICATION FOR STORMWATER DISCHARGE TO THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, WATER QUALITY DIVISION. THE APPLICATION CONTAINS CERTIFICATION OF COMPLETION OF A STORMWATER MANAGEMENT PLAN (SWMP), OF WHICH THIS GRADING AND EROSION CONTROL PLAN MAY BE A PART. FOR INFORMATION OR APPLICATION MATERIALS CONTACT:

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
WATER QUALITY CONTROL DIVISION
WQCD - PERMITS
4300 CHERRY CREEK DRIVE SOUTH
DENVER, CO 80246-1530
ATTN: PERMITS UNIT

PREPARED FOR:

3405 HAY CREEK, LLC
3405 HAY CREEK
COLORADO SPRINGS, CO 80921
ATTN: JAMIE HULL
(719) 331-6121
JAMES.GOLDWEST@GMAIL.COM

UNTIL SUCH TIME AS THESE
DRAWINGS ARE APPROVED BY THE
APPROPRIATE REVIEWING
AGENCIES, ALL TERRAIN
ENGINEERING APPROVES THEIR
USE ONLY FOR THE PURPOSES
DESIGNATED BY WRITTEN
AUTHORIZATION.

JOB NO: 24008

LOCATION: EPC

REV

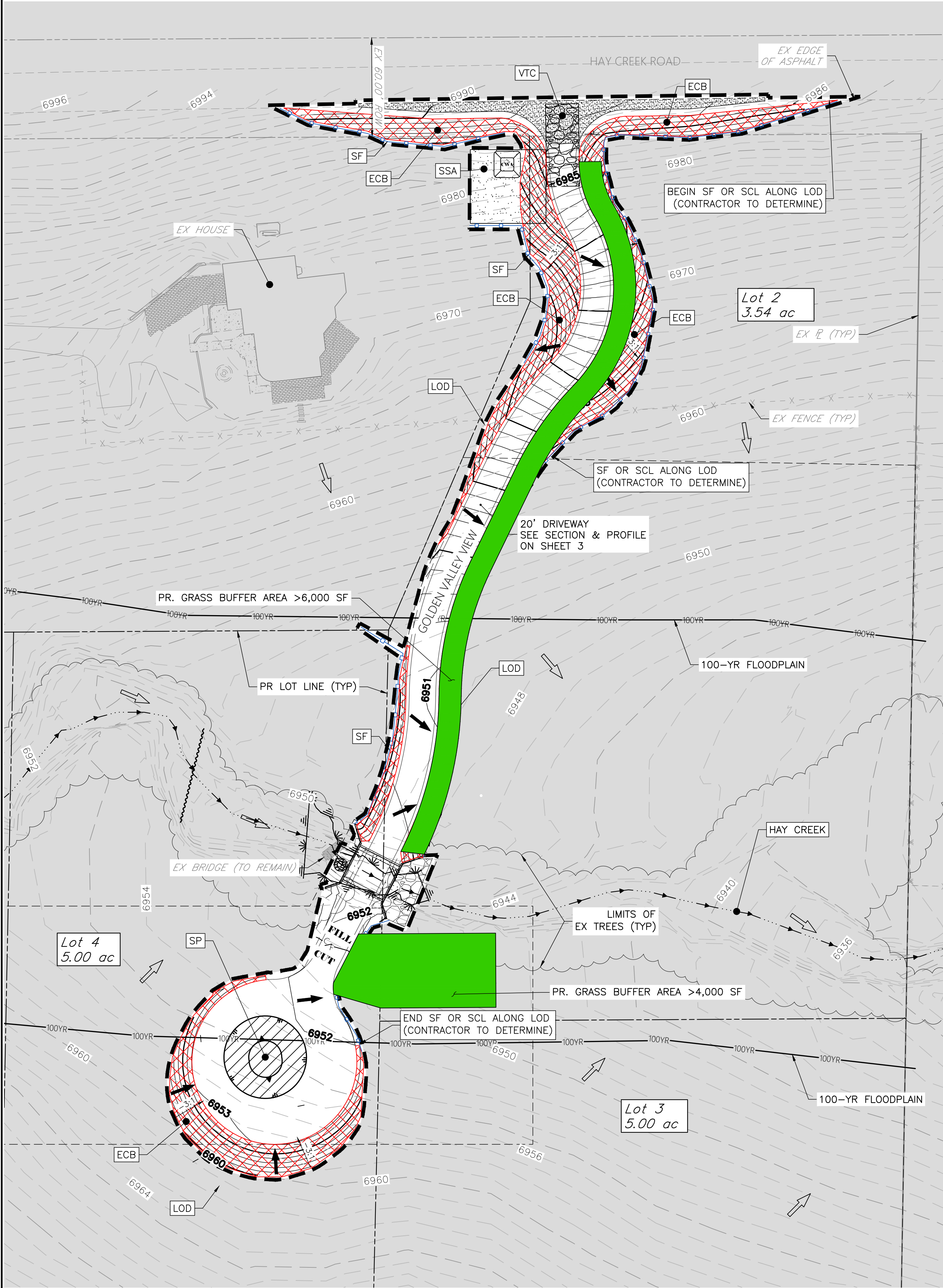
DESCRIPTION

DATE

HIDDEN CREEK ESTATES

LEGEND

DESIGN: NQJ
REVIEW: REB
DATE: 3/17/2025
H-SCALE: N/A
V-SCALE: N/A
SHEET
2 OF 8



THE LOCATIONS OF EXISTING ABOVE GROUND AND UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE CAUSED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL ABOVE GROUND AND UNDERGROUND UTILITIES.



GRADING AND EROSION CONTROL PLAN NOTES:

1. TOTAL DISTURBANCE AREA ~ 43,124 SQ. FT. (0.99 AC)
2. INITIAL & INTERIM TEMPORARY CONSTRUCTION CONTROL MEASURES (TCM) SHALL REMAIN THROUGH THE FINAL PHASE.
3. ALL AREAS DISTURBED DURING CONSTRUCTION, OUTSIDE OF THE PROPOSED ROADWAY, MUST BE SEEDED AND MULCHED.
4. ALL AREAS DISTURBED DURING CONSTRUCTION, OUTSIDE OF THE PROPOSED ROADWAY, MUST BE SEEDED AND MULCHED.
5. EXISTING VEGETATION CONSISTS OF NATIVE GRASSES W/ APPROXIMATELY 70% COVERAGE.

INITIAL PHASE TCM:

- VEHICLE TRACKING CONTROL
- STABILIZED STAGING AREA
- SILT FENCE/SEDIMENT CONTROL LOG

INTERIM PHASE TCM:

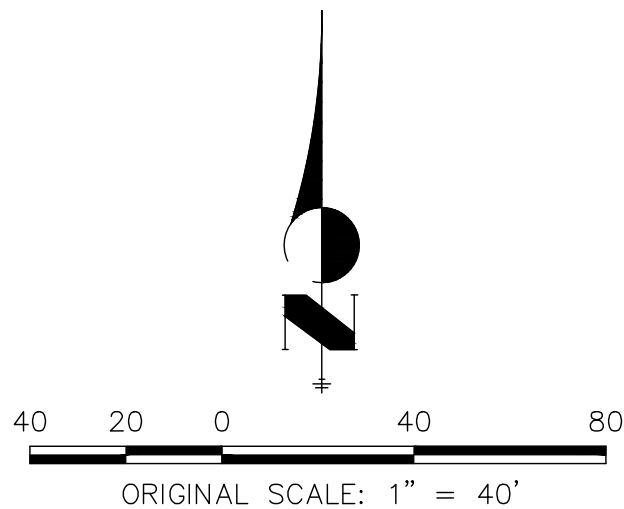
- EROSION CONTROL BLANKET
- CULVERT INLET PROTECTION

FINAL PHASE TCM:

- SEEDING AND MULCHING
- REMOVE ALL TEMPORARY BMP'S UPON FINAL STABILIZATION

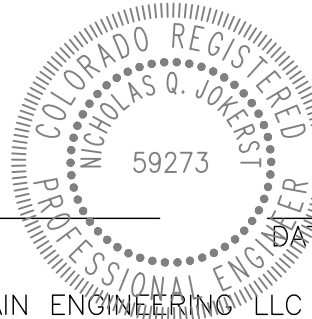
GEC LEGEND:

- CULVERT PROTECTION
- CONCRETE WASHOUT AREA
- INLET PROTECTION
- EX FLOW DIRECTION
- PR FLOW DIRECTION
- SEDIMENT CONTROL LOG
- DIVERSION DITCH
- SILT FENCE
- CUT/FILL BOUNDARY
- LIMITS OF DISTURBANCE
- STABILIZED STAGING AREA
- STOCKPILE PROTECTION
- VEHICLE TRACKING CONTROL
- SEEDING & MULCHING
- EROSION CONTROL BLANKET
- DO NOT DISTURB
- GRASS BUFFER



ENGINEER'S STATEMENT

THESE DETAILED PLANS AND SPECIFICATIONS WERE PREPARED UNDER MY DIRECT SUPERVISION. SAID PLANS AND SPECIFICATIONS HAVE BEEN PREPARED ACCORDING TO THE CRITERIA ESTABLISHED BY THE COUNTY FOR DETAILED ROADWAY, DRAINAGE, GRADING AND EROSION CONTROL PLANS AND SPECIFICATIONS, AND SAID PLANS AND SPECIFICATIONS ARE IN CONFORMITY WITH APPLICABLE MASTER DRAINAGE PLANS AND MASTER TRANSPORTATION PLANS. SAID PLAN AND SPECIFICATIONS MEET THE PURPOSES FOR WHICH THE PARTICULAR ROADWAY AND DRAINAGE FACILITIES ARE DESIGNED AND ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I ACCEPT RESPONSIBILITY FOR ANY LIABILITY CAUSED BY ANY NEGLIGENT ACTS, ERRORS OR OMISSIONS ON MY PART IN PREPARATION OF THESE DETAILED PLANS AND SPECIFICATIONS.



NICHOLAS Q. JOKERST, P.E.
COLORADO P.E. 59273
FOR AND ON BEHALF OF ALL TERRAIN ENGINEERING, LLC

PREPARED FOR:

3405 HAY CREEK, LLC
3405 HAY CREEK
COLORADO SPRINGS, CO 80921
ATTN: JAMIE HULL
(719) 331-6121
JAMES.GOLDWEST@GMAIL.COM

UNTIL SUCH TIME AS THESE
DRAWINGS ARE APPROVED BY THE
APPROPRIATE REVIEWING
AGENCIES, ALL TERRAIN
ENGINEERING APPROVES THEIR
USE ONLY FOR THE PURPOSES
DESIGNATED BY WRITTEN
AUTHORIZATION.

REV	DESCRIPTION	DATE

HIDDEN CREEK ESTATES

INITIAL-FINAL GEC PLAN

DESIGN: NQJ
REVIEW: REB
DATE: 3/17/2025

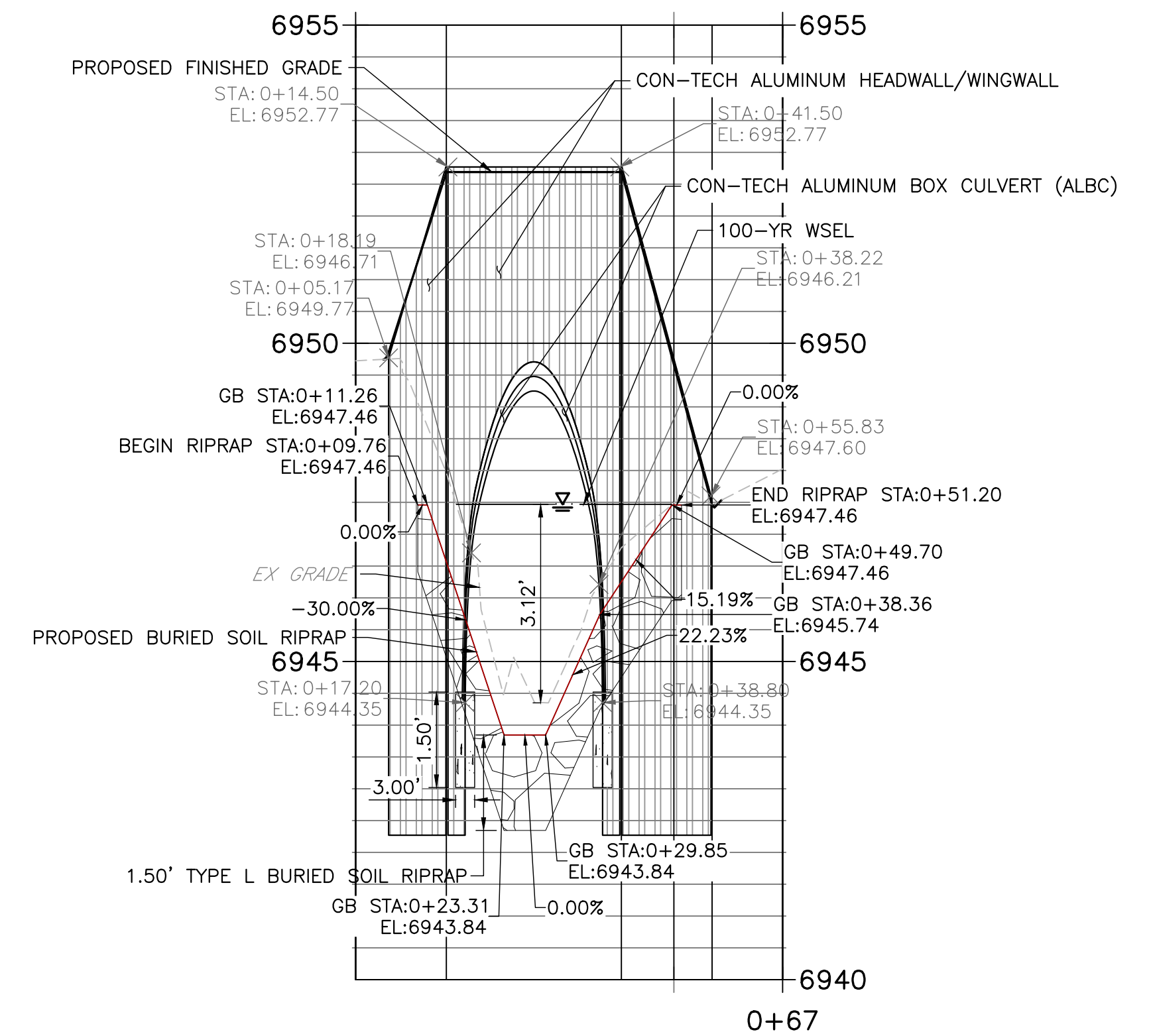
H-SCALE: 1" = 40'

V-SCALE: 1" = 4'

SHEET

5 OF 8

CHANNEL XSECTION - PROPOSED DOWNSTREAM XING STA 0+00.00 TO 0+67.07



6955

PR GRADE @ \mathbb{C}

20.00' GRAVEL DRIVE

CONTECH ALUMINUM HEADWALL/WINGWALL

CROWN OF CONTECH ALUMINUM 3-SIDED BOX CULVERT

6950

100-YR WSEL

6945

$\pm 0.9\%$

$\sim 1.3\%$

PR GRADE @ \mathbb{C}

EX GRADE @ \mathbb{C}

6940

1+92

1+00

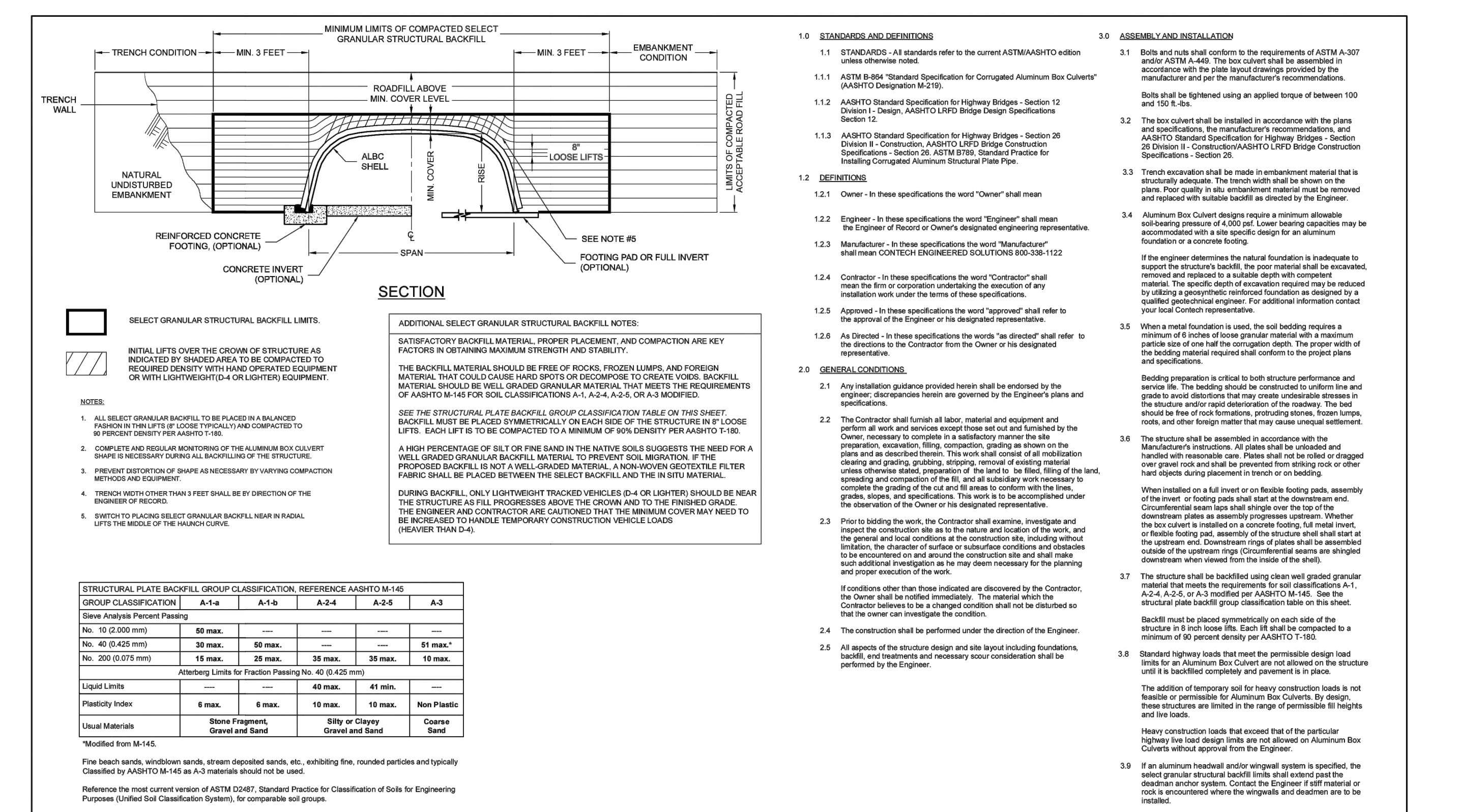
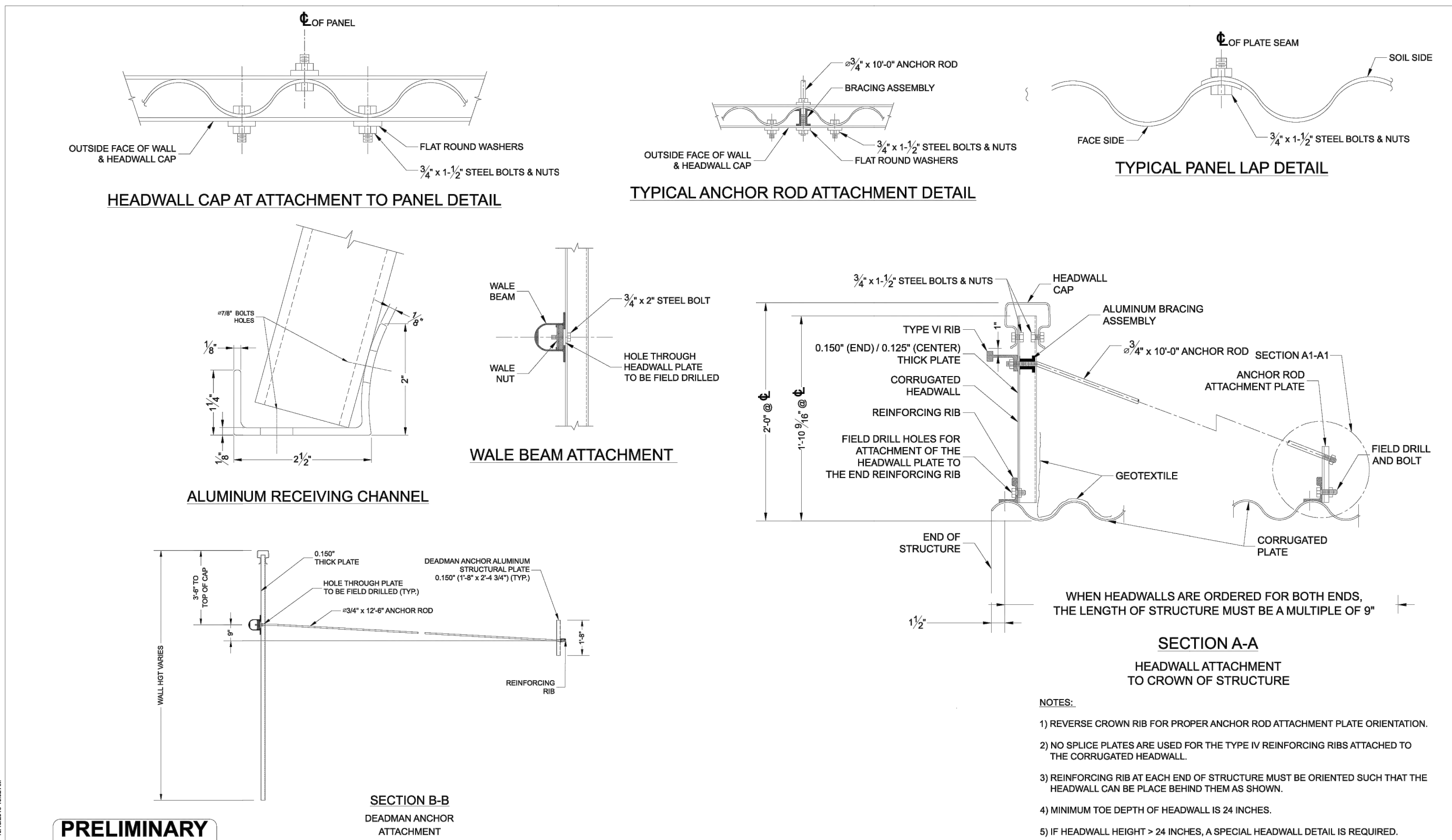
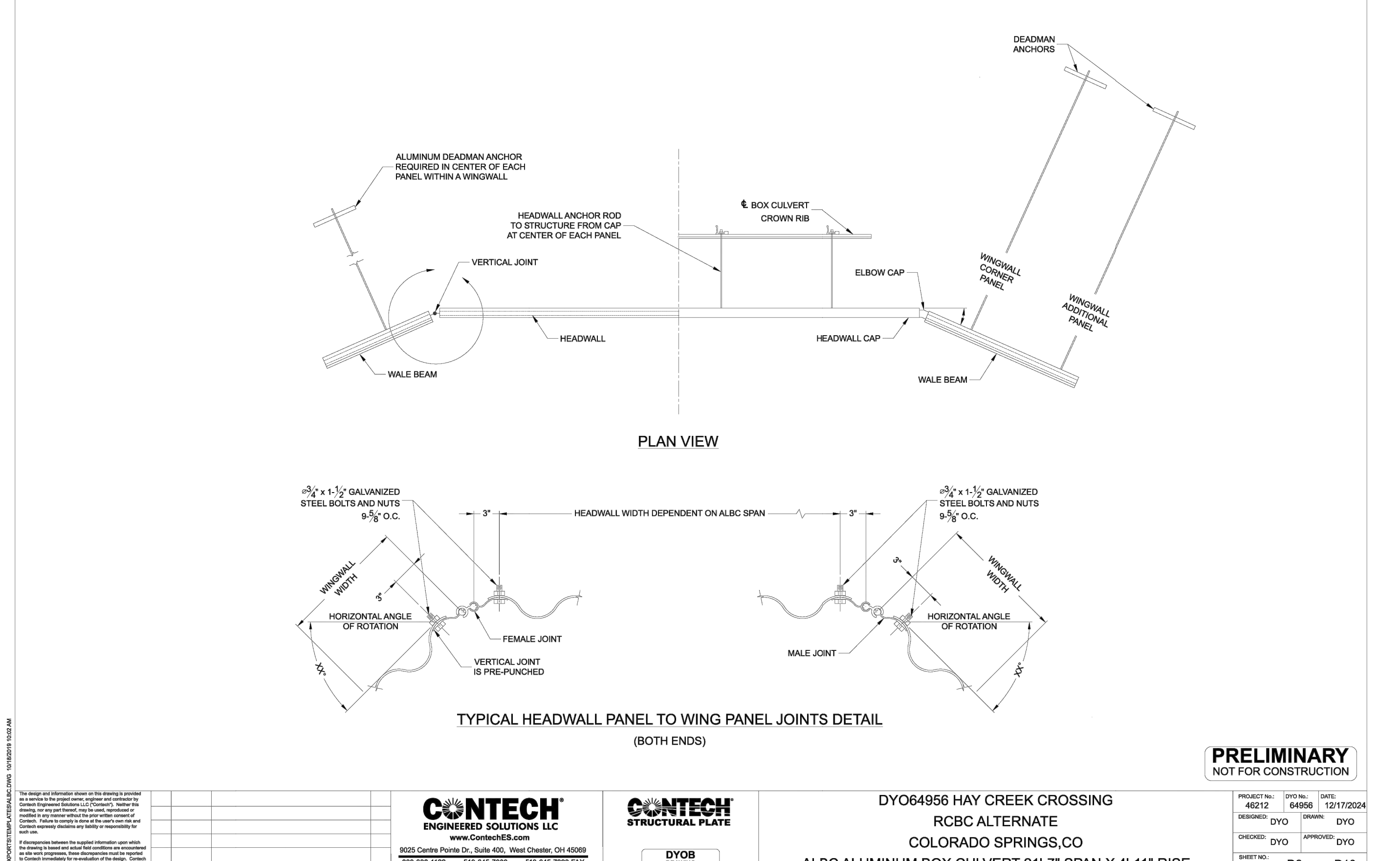
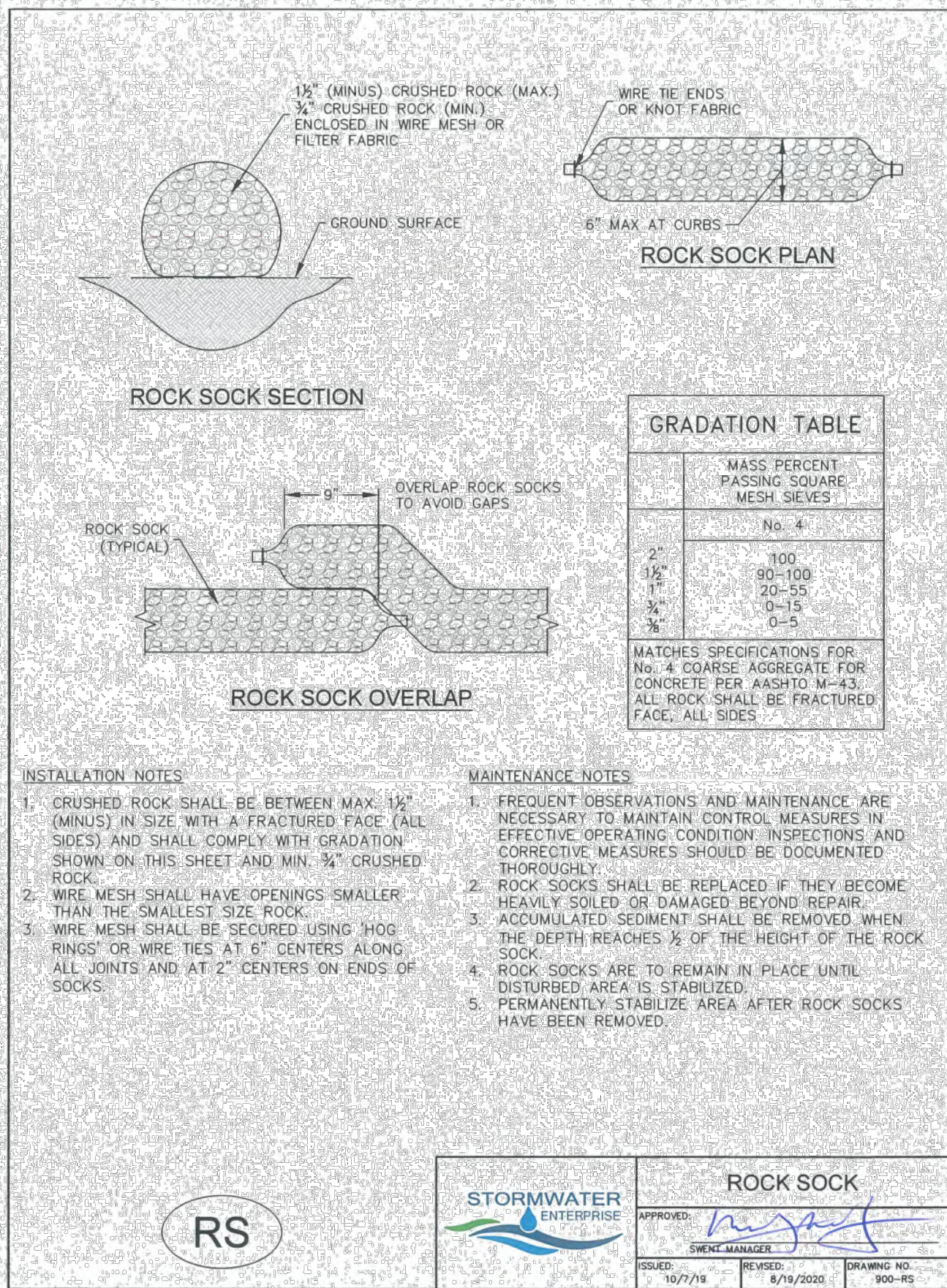
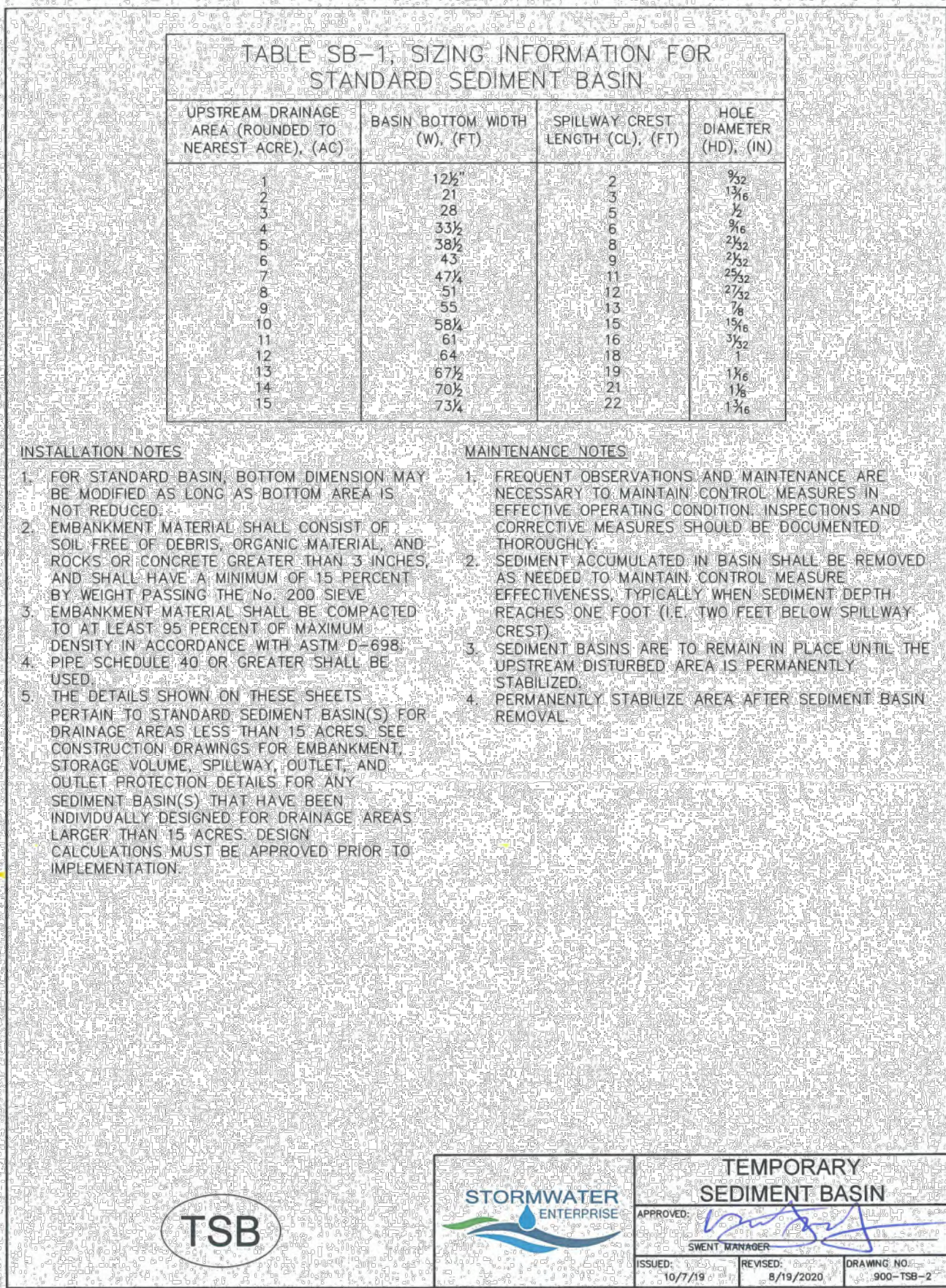
TYPE L SOIL RIPRAP
18" DEPTH
INSTALL 6"± BELOW
EXISTING CHANNEL BOTTOM

HORIZONTAL
ORIGINAL SCALE: 1" = 20'

VERTICAL
ORIGINAL SCALE: 1" = 2'

NICHOLAS Q. JOKERST, P.E.
 COLORADO P.E. 59273
 FOR AND ON BEHALF OF ALL TERRAIN ENGINEERING, LLC

Know what's **below**.
Call before you dig.



PREPARED FOR:

3405 HAY CREEK, LLC
3405 HAY CREEK
COLORADO SPRINGS, CO 80921
ATTN: JAMIE HULL
(719) 331-6121
JAMES.GOLDWEST@GMAIL.COM

UNLESS SUCH TIME AS THESE DRAWINGS ARE APPROVED BY THE APPROPRIATE REVIEWING AGENCIES, ALL TERRAIN ENGINEERING APPROVES THEIR USE ONLY FOR THE PURPOSES DESIGNATED BY WRITTEN AUTHORIZATION.

DESIGN: NQJ
REVIEW: REB
DATE: 3/17/2025
H-Scale: N/A
V-Scale: N/A
SHEET 8 OF 8

JOB NO: 24008

LOCATION: EPC

DATE

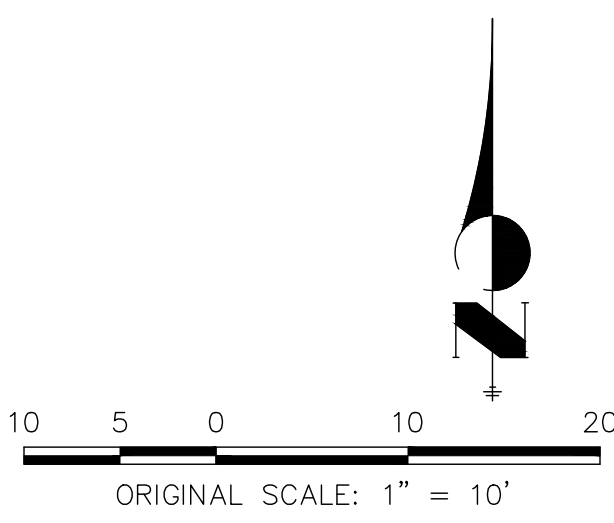
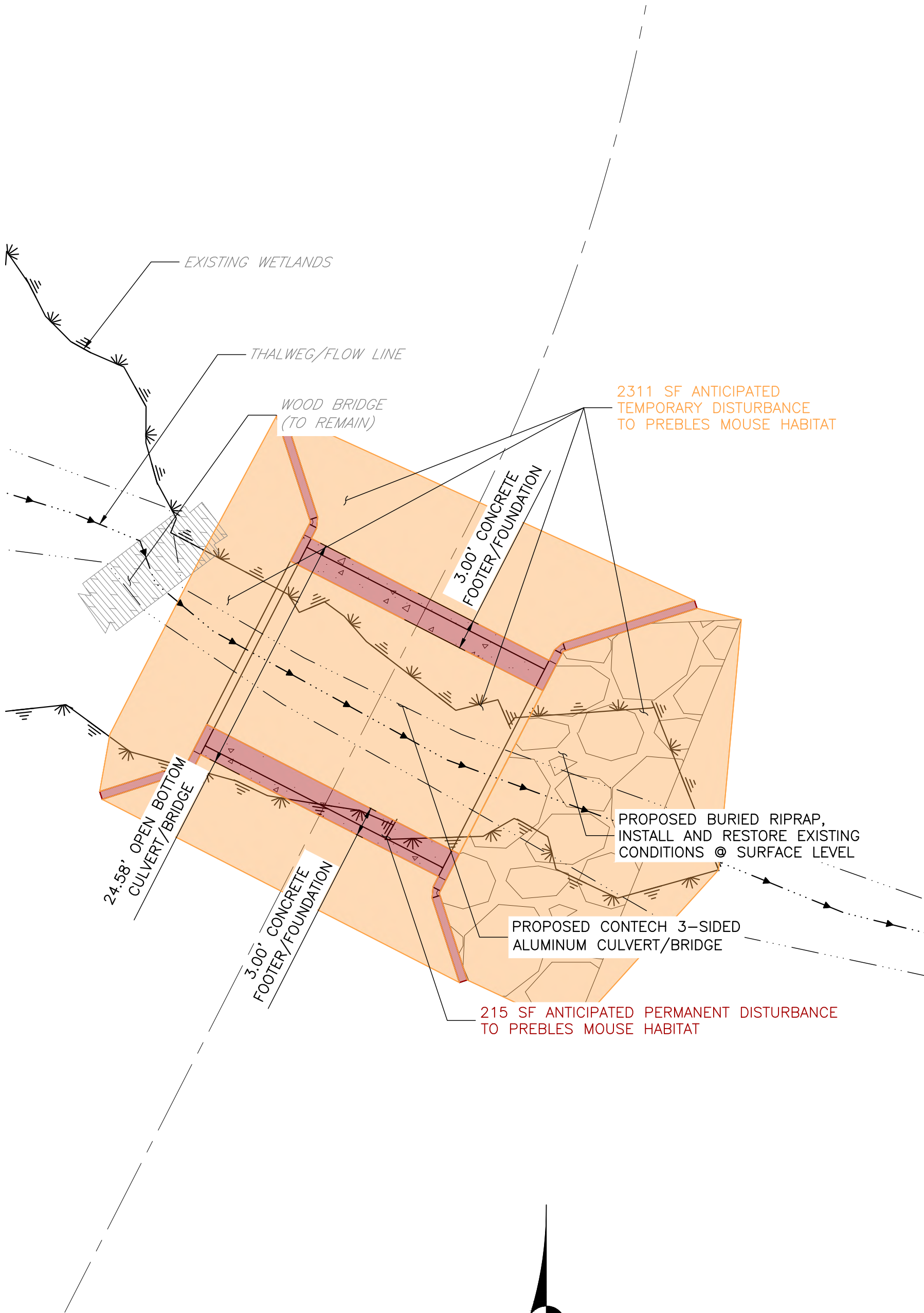
REV DESCRIPTION


HIDDEN CREEK ESTATES

DETAILS

DESIGN: NQJ
REVIEW: REB
DATE: 3/17/2025
H-Scale: N/A
V-Scale: N/A
SHEET 8 OF 8

HAY CREEK SUBDIVISION
MOUSE DISTURBANCE



HAY CREEK SUB		 1004 WEST VAN BUREN STREET COLORADO SPRINGS, CO 80907
MOUSE DISTURBANCE		
JOB NO. 24008		
LOCATION: EPC	SHEET	
2025-03-19		
SHEET: EXHIBIT		
	1	



ATTACHMENT D:
PHOTOGRAPHIC LOG



Photo 1: Overview facing south of the vegetation surrounding the existing Hay Creek footbridge crossing. The surrounding shrub-scrub wetland is dominated by sandbar willow, panicked bulrush, and clustered field sedge. Adjacent grasslands are grazed by cattle but are generally healthy and not overly disturbed; shrubs are scarce.



Photo 2: Another view of the existing Hay Creek crossing, facing east. Plant diversity is fairly low, with sandbar willow and panicled bulrush the dominant plants present along the stream channel and smooth brome (*Bromus inermis*) dominating the uplands.



Photo 3: Closeup view facing southeast of the existing Hay Creek crossing – no more than a footbridge as shown in the photo. This will be upgraded to allow vehicle traffic using the clear span Contech bridge described in the design plans. Hay Creek was dry at the time of the site visit, and the Proponent has described the flows as intermittent and irregular.



DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
1970 E 3RD AVE, STE. 109
DURANGO, CO 81301-5025

March 19, 2024

Regulatory Division

SUBJECT: Nationwide Permit Verification (SPA-2001-00552)

James D. Hull
3405 Hay Creek Road
Colorado Springs, CO 80921
James.goldwest@gmail.com

Dear Mr. Hull,

We are responding to your preconstruction notification (PCN), dated January 29, 2024, submitted to us for verification of authorization under Nationwide Permits (NWP) for the *3405 Hay Creek* project. The project site is located on Hay Creek, a perennial stream, centered at latitude 39.048095, longitude -104.891800, 3405 Hay Creek Road, Colorado Springs, in El Paso County, Colorado.

Based on the information provided, we have determined that the *3405 Hay Creek* project involves the discharge of dredged or fill material into waters of the United States, subject to Section 404 of the Clean Water Act. The specific activity that require Corps authorization is the expansion of an existing stream crossing over Hay Creek from 14' wide to 24' wide, which will improve vehicular safety. The project will result in the permanent impact of approximately 60 ft² (0.001 acres) of palustrine scrub-shrub wetlands, as well as the discharge of approximately 18.5 cubic yards of fill within a perennial stream and will be conducted as described in the referenced PCN.

We have determined that activities associated with the project are authorized by 2021 NWP 14. A summary of this NWP and the 2021 Colorado Regional Conditions are available on our website at www.spa.usace.army.mil/reg/nwp. Failure to comply with all terms and conditions of this NWP may result in the suspension or revocation of this authorization. As required by General Condition 30, you shall sign the enclosed Compliance Certification (Enclosure 1) and return it to this office within 30 days after completion of the authorized work. For specific information regarding compliance with water quality certification (WQC) requirements, please refer to our website at www.spa.usace.army.mil/reg/wqc.

Our review of this project also addressed its effects on threatened and endangered species and historic properties in accordance with General Conditions 18 and 20. Based on the information provided, we have determined that this project will have no effect to federally listed species or their critical habitat. Additionally, the project has no potential to cause effects to historic properties. However, these determinations may be

invalidated if the project is not completed as authorized or you did not provide accurate information in your PCN.

This permit verification is valid until March 14, 2026, unless the NWP is modified, suspended, reissued, or revoked prior to that date. Continued confirmation that an activity complies with the terms and conditions, and any changes to the NWP, is the responsibility of the permittee. Activities that have commenced, or are under contract to commence, in reliance on an NWP will remain authorized provided the activity is completed within 12 months of the date of the NWP's expiration, modification, or revocation.

This letter does not constitute approval of the project design features, nor does it imply that the construction is adequate for its intended purpose. This permit does not authorize any injury to property or invasion of rights or any infringement of federal, state, local, or tribal laws or regulations. The permittee and/or any contractors acting on behalf of the permittee must possess the authority and any other approvals required by law, including property rights, to undertake the proposed work.

The landowner must allow Corps representatives to inspect the authorized activity at any time deemed necessary to ensure that it is being, or has been, accomplished in accordance with the terms and conditions of the permit.

We would appreciate your feedback on this permit action including your interaction with our staff or suggestions for improving our program. For more information about our program or to complete our Regulatory Program national customer service survey, visit our website at <https://www.spa.usace.army.mil/Missions/Regulatory-Program-and-Permits/>.

Please refer to identification number SPA-2001-00552-SCO in any correspondence concerning this project. If you have any questions, please contact Morgan Liebmann by email at morgan.j.liebmann@usace.army.mil, or telephone at 970-259-1764 ext. 1754.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert W. Frank".

Robert Frank
Project Manager
NW Colorado Branch

Enclosure

COMPLIANCE CERTIFICATION

Action Number: SPA-2001-00552-SCO

Name of Permittee: James D. Hull

Nationwide Permit: NWP No. 14, Linear Transportation Projects

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

SPA-RD-CO@usace.army.mil

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

Please enclose photographs showing the completed project.

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

Date Work Started _____

Date Work Completed _____

Signature of Permittee

Date