

Eagle Forest Planned Unit Development Natural Features Report July 2020

I. Project Description

The Eagle Forest PUD (EFPUD) is a 9 lot residential subdivision with a large open space tract that has been through various El Paso County (EPC) approval processes beginning in 2005. The applicant, Eagle Forest Development, LLC is requesting a PUDSP (PUD + Preliminary Plan) followed by an Administrative Final Plat.

The 44.2 acre property is located in Black Forest on Shoup Road approximately ½ mile east of the commercial center of Black Forest at the intersection of Black Forest Road and Shoup Road, as shown in the aerial photo below. The Parcel Number is 5208000071.



II. Natural Features Description

The site is divided by Burgess Creek running east/west in the center of the property. Tetra Tech performed a “*Preble’s Meadow Jumping Mouse Habitat Assessment*” for the site in November 2013 and stated that:

“Burgess Creek runs through the property. This creek is ephemeral and is dry most of the year. It generally only runs after storm events.”

Ephemeral streams are now officially not “Waters of the United States” (e.g. wetlands) as stated in the April 2020 EPA publication as follows:

**The Navigable Waters Protection Rule:
Definition of “Waters of the United
States”**

AGENCY: Department of the Army, Corps of Engineers, Department of Defense; and Environmental Protection Agency (EPA).

ACTION: Final rule.

The final rule excludes from the definition of “waters of the United States” all waters or features not mentioned above. In addition to this general exclusion, the final rule specifically clarifies that waters of the United States do not include the following:

- Groundwater, including groundwater drained through subsurface drainage systems;
- ephemeral features that flow only in direct response to precipitation, including ephemeral streams, swales, gullies, rills, and pools;

Below are: 1) a current aerial photo of the site; and 2) a photo of the site looking north from just south of Burgess Creek, north of Lot 1.





There is no 100 year floodplain on the site. South of the creek is gently sloping terrain. North of the creek are steeper slopes (up to 25%) with a prominent ridge at the top of the slope. The lowest elevation is near 7380' with the highest elevation at 7486'. The site is relatively flat on the north portion, above the ridge. There are no rock outcroppings or other outstanding features on the site.

The Black Forest Fire of 2013 burned the entire site except for the southernmost, lower portion of the site adjacent to Shoup Road. Trees that were burned were removed and the result is the ponderosa pine forest has been replaced with post-fire grasses and forbs, with the exception of the most southerly area within Lot 1 that did not burn.

Wildlife and Vegetation

Tetra Tech performed Preble's Mouse Assessments on the site in 2005 and 2013. Their November 2013 Habitat Assessment report found:

“...there is no suitable habitat on the site or upstream of the site. The property does not contain suitable habitat for Preble's for the following reasons:

- Creek is dry most of the time;
- Vegetation lacks structural diversity;
- Vegetation does not offer significant cover;
- Most of the vegetation is upland in nature; and
- Narrow riparian area with steep slopes.”

Additionally, according to this same Tetra Tech report, the US Fish and Wildlife Service “previously determined on 11 May 2005 that a very similar proposed project on the same property would not have direct adverse effect on Preble's.”

There are no known impacts to other wildlife species as a result of the proposed project.

Soils and Geology

A Preliminary Geology and Surface Soils Evaluation was completed by John Himmelreich & Associates for the project in 2005. Also, in 2005, Front Range Geotechnical, Inc. produced a Performance Report/Sewage Disposal Evaluation. These reports were reviewed by Cornell Engineering in June 2020. Cornell Engineering concluded that these reports are “still valid and provide sufficient findings”. Cornell Engineering’s letters of review have been submitted to EPC.