October 20, 2022

Classic Communities
6385 Corporate Dr., Suite 200
Colorado Springs, CO 80919

Re: Ecological Features Memo
Jayne's Parcel Project
El Paso County, Colorado

CORE Consultants, Inc. (CORE) presents this memo summarizing a site visit of the proposed Jayne's Parcel Project (Project) in El Paso County, Colorado, to specifically assess unique ecological and topographical features. The Project spans 141 acres (Project Area) in northern El Paso County, southwest of the intersection of Vollmer Road and Poco Road. The Project Area is situated on portions of Sections 28 and 33, Township 12 South, Range 65 West (Attachment I). The Project would include the development of approximately 440 residential lots, small park spaces, commercial space, and a stormwater detention basin.

CORE completed the site visit on October 12, 2022, to assess the potential value to wildlife of the following features:

- A northwest-southeast oriented ridge in the northern portion of the Project Area;
- An isolated, non-USACE jurisdictional palustrine emergent wetland area to the south of an earthen berm and adjacent to Vollmer Road;
- A row of ponderosa pines (*Pinus ponderosa*) containing raptor nests, adjacent to Vollmer Road;
- Other known raptor nests in the Project Area.

The U.S. Fish and Wildlife Service (USFWS) and Colorado Parks and Wildlife (CPW) have reviewed the habitat assessment report for the Project, and both agencies indicated that they have no concerns about the Project resulting in impacts to listed or other sensitive wildlife species. Further, the United States Army Corps of Engineers (USACE) has issued an Approved Jurisdictional Determination (AJD) for all wetlands within the project area and has verified that the site does not contain waters of the United States that are subject to regulation under Section 404 of the Clean Water Act.

SITE VISIT RESULTS

Northern Ridge

A northwest-southeast oriented ridgeline crosses the northern portion, spanning most of the width of the Project Area. The ridge hosts two small areas of ponderosa pines, each of which sparsely covers approximately three acres. Between the pine groves, the remainder of the ridge is covered by native and non-native grasses and forbs with scattered shrubs. The ridge is relatively gently sloped on all sides, and lacks any bluffs or rock outcroppings. The pines may provide potential roosting and nesting habitat for raptors, especially red-tailed hawks (*Buteo jamaicensis*) and great horned owls (*Bubo virginianus*). A large, fallen nest, first found in the eastern pine grove during the

January 2022 habitat assessment, suggests historic raptor nesting in these trees, though this nest would not be re-used in its current state on the ground.

The pines on the ridge are currently points of concentration for resident, breeding, and migratory birds. Although these trees are not unique within the greater region, with Black Forest 0.5 mile (800 meters) to the north, they are relatively unique among the existing residential developments and remaining grasslands to the east, south, and west of the Project. Many of the local raptor species prefer isolated trees or stands for nesting compared to large, dense forests (e.g. Black Forest).

Emergent Non-Jurisdictional Wetland Area

Similar to the ponderosa pine groves, the wetland area adjacent to Vollmer Road is relatively unique within the Project Area and surrounding landscape. No surface water was present in October 2022, and the existing willows and cottonwoods are in fair to poor condition. The surface of the wetland is heavily vegetated with cattails (*Typha* sp.) and kochia (*Bassia scoparia*), the latter of which is a common weed. Retaining this area has potential to be valuable for wildlife, and perhaps residents also, but its future ecological value would likely be dependent upon whether the wetland receives water, naturally or otherwise, to be able to persist. This wetland may provide habitat for potential mammalian prey species of raptor species which use the Project Area for nesting and hunting. This wetland area may also provide foraging habitat for bats, especially when surface water is present.

An AJD(SPA-2022-00123) was issued by the USACE for all wetlands in this project area on June 30, 2022. All wetlands were determined to be intrastate isolated aquatic resources and not waters of the United States subject to Clean Water Act Section 404 regulations. There is not currently regulatory protection from discharge of fill material for isolated aquatic features at the state level in Colorado.

Pines Along Vollmer Road

A planted row of pines along the eastern boundary of the Project Area, adjacent to Vollmer Road, currently hosts two raptor nests (Nests 1 and 2). The row is approximately 820 feet (250 meters) long, and both raptor nests are in the southern half. A raptor nest survey for this Project has not been conducted during the raptor breeding season; however, based on the good condition of both raptor nests and the presence of a clump of mammalian fur at the base of the Nest 2 tree, one or both nests may have been active in 2022. If possible, it would be beneficial to maintain the row of pines along the eastern Project boundary for continued use by raptors. However, similar to the isolated wetland area, it is unknown whether raptors would still be attracted to these trees for nesting once the remainder of the Project Area has been developed.

Other Existing Nests

In addition to the two raptor nests along Vollmer Road, two other nests (Nests 3 and 4) were identified during the January 2022 habitat assessment. These nests were assessed again during the October 12, 2022 site visit. As suspected in January, Nests 3 and 4 were likely built by and are best-suited for black-billed magpies (*Pica hudsonia*). Nest 3, near the northern edge of the eastern grove of ponderosa pines, is in fair condition, and Nest 4, on the west side of the western grove of pines, is in poor condition. Neither nest is in a condition that would suggest it was used this year. Black-billed magpies and their nests are protected under the Migratory Bird Treaty Act, but this species is not otherwise protected or considered sensitive at this time. One additional nest (Nest 5) was found during the October 12 site visit, near the northern end of the row of pines along

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Vollmer Road. This nest was apparently built this year and is in good condition. Based on structure and position in the pine, the nest was likely built and used by common ravens (*Corvus corax*).

CONCLUSIONS

The ridge through the northern part of the Project Area does not provide any significant topographic features such as rock outcroppings or bluffs. The existing ponderosa pines on the ridge may provide nesting and roosting habitat for raptors, other bird species, and bats. The wetland and pines adjacent to Vollmer Road also provide ecological benefits to raptors, small mammals, and potentially other wildlife. These features are not unique within the greater Project region.

The USFWS and CPW have reviewed the habitat assessment report for the Project. Through comments to El Paso County, both agencies indicated that they have no concerns about the Project resulting in impacts to listed or other sensitive wildlife species. Additionally, the USACE has determined that the site does not contain waters of the United States that are subject to regulation under Section 404 of the Clean Water Act.

If you have any questions, concerns or require additional information, please feel free to contact us at (303) 703-4444, or by email at ngraves@liveyourcore.com.

Sincerely,
CORE Consultants, Inc.

Natalie Graves
Project Manager

LIST OF ATTACHMENTS

ATTACHMENT I: *PHOTOGRAPHIC LOG*

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ATTACHMENT I

PHOTOGRAPHIC LOG

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Photo ID	Date	Latitude	Longitude	Subject	Direction Taken
JP_001	10/12/2022	38.974026	-104.674047	Western Pine Grove	West
Description: Looking toward the western grove of ponderosa pines from the top of the ridge.					

Photo ID	Date	Latitude	Longitude	Subject	Direction Taken
JP_002	10/12/2022	38.974737	-104.673065	Eastern Pine Grove	Southeast
Description: Looking toward the eastern grove of ponderosa pines from the top of the ridge.					

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Photo ID	Date	Latitude	Longitude	Subject	Direction Taken
JP_003	10/12/2022	38.971805	-104.671006	Wetland near Vollmer Road	North
Description: Emergent wetland near Vollmer Road. The willows and cottonwoods present along the edges are in fair to poor condition. No surface water was present during the October 12, 2022 site visit.					

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Photo ID	Date	Latitude	Longitude	Subject	Direction Taken
JP_004	10/12/2022	38.972127	-104.67067	Wetland near Vollmer Road	Southwest
Description: Emergent wetland near Vollmer Road. The willows and cottonwoods present along the edges are in fair to poor condition. No surface water was present during the October 12, 2022 site visit.					

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Photo ID	Date	Latitude	Longitude	Subject	Direction Taken
JP_005	10/12/2022	38.973078	-104.671547	Nest on Ground	Northwest
Description: Fallen nest on the ground in the eastern ponderosa pine grove. This nest is large enough to previously host large raptors, but would no longer function for nesting raptors.					

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Photo ID	Date	Latitude	Longitude	Subject	Direction Taken
JP_006	1/26/2022	38.972267	-104.670839	Ponderosa Pines	East
Description: A row of ponderosa pines along the west side of Vollmer Road.					

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Photo ID	Date	Latitude	Longitude	Subject	Direction Taken
Nest 1	10/12/2022	38.971887	-104.670638	Inactive Raptor Nest	Northeast
Description: Inactive raptor nest in a small ponderosa pine. This nest is in good condition and may have been used for nesting in 2022.					

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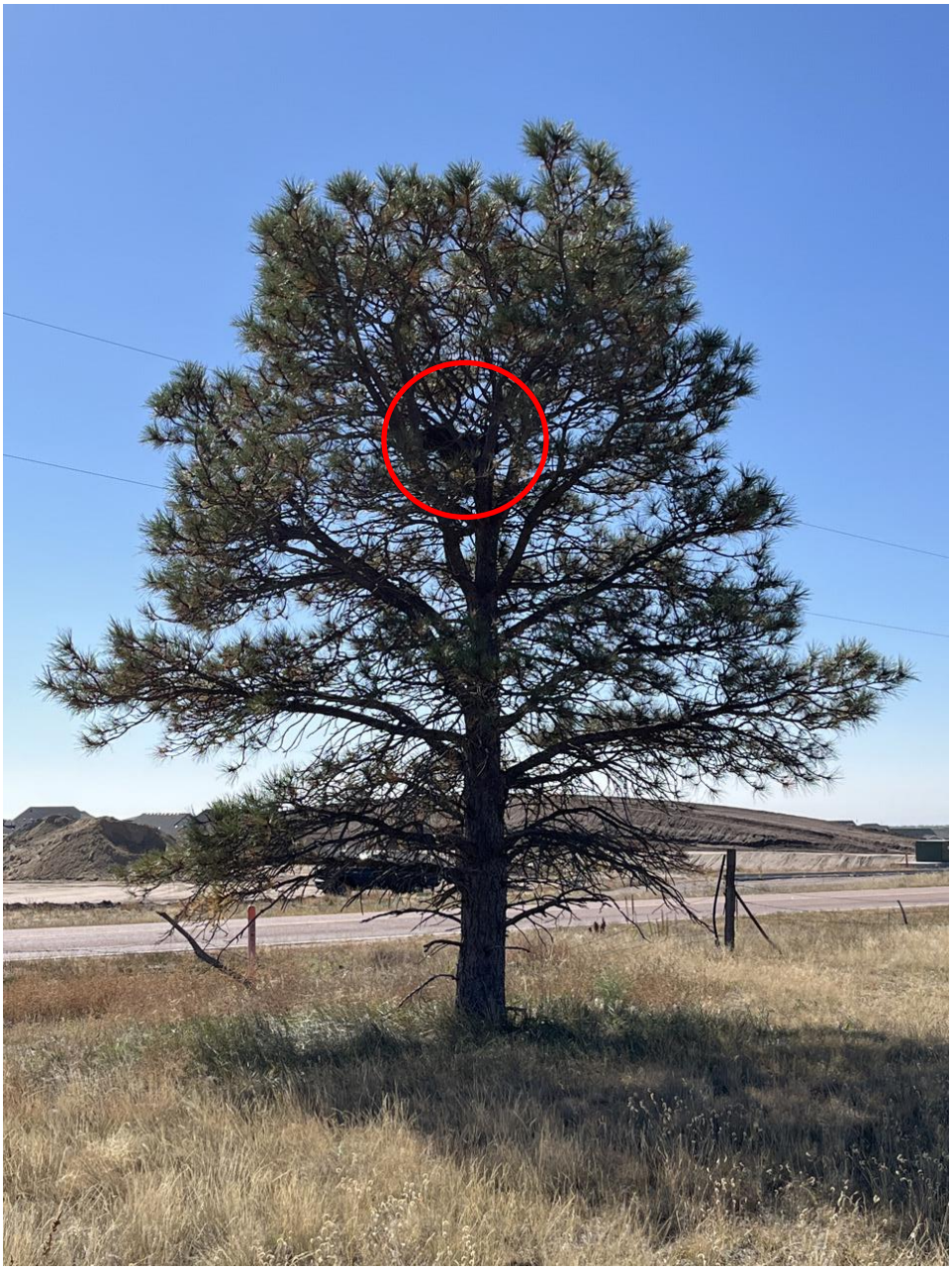

Photo ID	Date	Latitude	Longitude	Subject	Direction Taken
Nest 2	10/12/2022	38.971009	-104.671577	Inactive Raptor Nest	Southeast
Description: Inactive raptor nest in a small ponderosa pine. This nest is in good condition and may have been used for nesting in 2022.					

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Photo ID	Date	Latitude	Longitude	Subject	Direction Taken
Nest 2b	10/12/2022	38.971009	-104.671577	Mammal Fur	N/A
Description: Tuft of mammal fur at base of Nest 2 tree, which may suggest this nest was active this year.					

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Photo ID	Date	Latitude	Longitude	Subject	Direction Taken
Nest 5	10/12/2022	38.972444	-104.670029	Inactive Corvid Nest	South
Description: Inactive nest, likely belonging to common ravens, in a ponderosa pine along Vollmer Road.					

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