

## SOUTHERN COLORADO RAIL PARK

### SKETCH PLAN

### IMPACT IDENTIFICATION STATEMENT

**OWNER/APPLICANT:**

EDW C LEVY Co D/B/A SCHMIDT CONSTRUCTION INC  
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**CONSULTANT:**

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**TSN:** 6600000004, 6600000008, 6600000009, 6600000010, 6600000011, 6600000012, 6600000014,  
6600000040, 6600000041, 6600000046, 6600000047, 6600000048,

**ACREAGE:** APPROXIMATELY 3,100 ACRES

**CURRENT ZONING:** A-5 RR-5 CAD-O

**CURRENT USE:** VACANT LAND/AGGREGATE MINING

**REQUEST**

N.E.S. Inc., on behalf of EDW C Levy Co ("Levy"), requests approval of a Sketch Plan for the Southern Colorado Rail Park (SCRIP) project to include a new railroad spur through the property to service Fort Carson and associated railroad-oriented heavy and light industry and commercial uses.

The tax schedule numbers show 2 owners EDW C Levy and Schmidt Construction

There is only one owner - EDW C Levy DBA Schmidt Construction

This document provides the Impact Identification Statement required as part of the submittal requirements for a new Sketch Plan.

**LOCATION**

The tax schedule numbers show 2 owners EDW C Levy and Schmidt Construction, please clarify

The 3,100-acre property is located south of Charter Oak Ranch Road, south, east, and north of Fort Carson, West of I-25, and the City of Colorado Springs' Ray Nixon power plant. There are six out-parcels in the center of the property, totaling approximately 40 acres, which are not included in the subject property. The parcels are owned by four different owners, two property owners controlling two lots each.

There is only one owner of the SCRPP property - EDW C Levy **DBA** Schmidt Construction. The 4 owners refers to the excluded out parcels.



## BACKGROUND

Conversations about the viability, and the appropriateness, of a rail-served industrial complex in southern El Paso County began with the staff of El Paso County and the City of Fountain in 2014. Fountain had a vision for a rail project and El Paso County's Office of Economic Development funded a Proof-of-Concept Report<sup>1</sup>, which was completed in 2015. El Paso County has actively collaborated with and funded the effort over the past seven (7) years. The vision has expanded to include economic development specialists at each jurisdictional level, most recently in the form of a Technical Assistance grant by the U.S. Economic Development Administration ("EDA") offices in Denver.

The Proof-of-Concept Report identified a large tract of vacant land adjacent to the Colorado Springs Utilities' Ray Nixon coal-fired power generation plant. The property operates a gravel quarry on approximately 400 acres, leaving a 2,500 +/- tract of land available for rail development. Formation of a public-private partnership was envisioned as the vehicle to achieve the twofold ambition of a community initiative. Following a series of presentations to elected officials and community partners, a Memorandum of Understanding for Rail-Served Economic Development Initiative was fully approved May 3, 2018 (MOU). The Purposes are the first definition in the MOU:

**Purposes.** *The Parties seek to create opportunity for manufacturing jobs, which are typically high-wage jobs which generate 4-5 additional jobs in the community for each manufacturing job, and to simultaneously create the opportunity for a second railroad access to Fort Carson, which will improve readiness and resiliency at Fort Carson, improving the likelihood that Fort Carson will remain active through any future Base Realignment and Closure process, by pursuing the following tasks:*

- Establish a cooperative relationship with Levy for detailed investigation of the Levy Property, including defining access to the Levy Property for third-party due diligence;
- Negotiate an allocation of the costs of continuing the investigation, which is fair and equitable, considering the interests of each of the Parties;
- Pursue and seek to obtain, at the appropriate time, grant funding, including but not limited to the aforementioned grant from the USEDA, with the Greater Colorado Springs Chamber of Commerce and Economic Development Corporation as the grantee;
- Assess the anticipated fiscal impacts and distribution of benefits to each of the Parties and to Fort Carson;
- Identify or outline responsibilities for oversight and management of any third-party contractors by designated representatives of the Parties; and
- Interface with and provide regular updates to appropriate personnel at Fort Carson.






The Memorandum of Understanding was signed in May 2018, which initiated the project development phase.

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<sup>1</sup> Proof of Concept Report: A Rail-Served Industrial Park, Southern El Paso County, September 18, 2015, prepared for Ms. DeAnne McCann, Manager, El Paso County Office of Economic Development.

## PROJECT DESCRIPTION & CONTEXT

Following execution of the MOU, the project partners formed an Oversight Committee as contemplated. The signatories to the Memorandum of Understanding are:

 The Greater Colorado Springs Chamber of Commerce and Economic Development Corporation	 El Paso County	 City of Fountain	 Edw. C. Levy Co.	 City of Colorado Springs
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The four (4) partners in the public-private partnership each contributed funds for a preliminary investigation of the viability of the identified project location. The Chamber and EDC provides fiscal agency to the public-private partnership and agreed to generate an initial Fiscal Impact Analysis to estimate the potential for job creation at an industrial rail park.

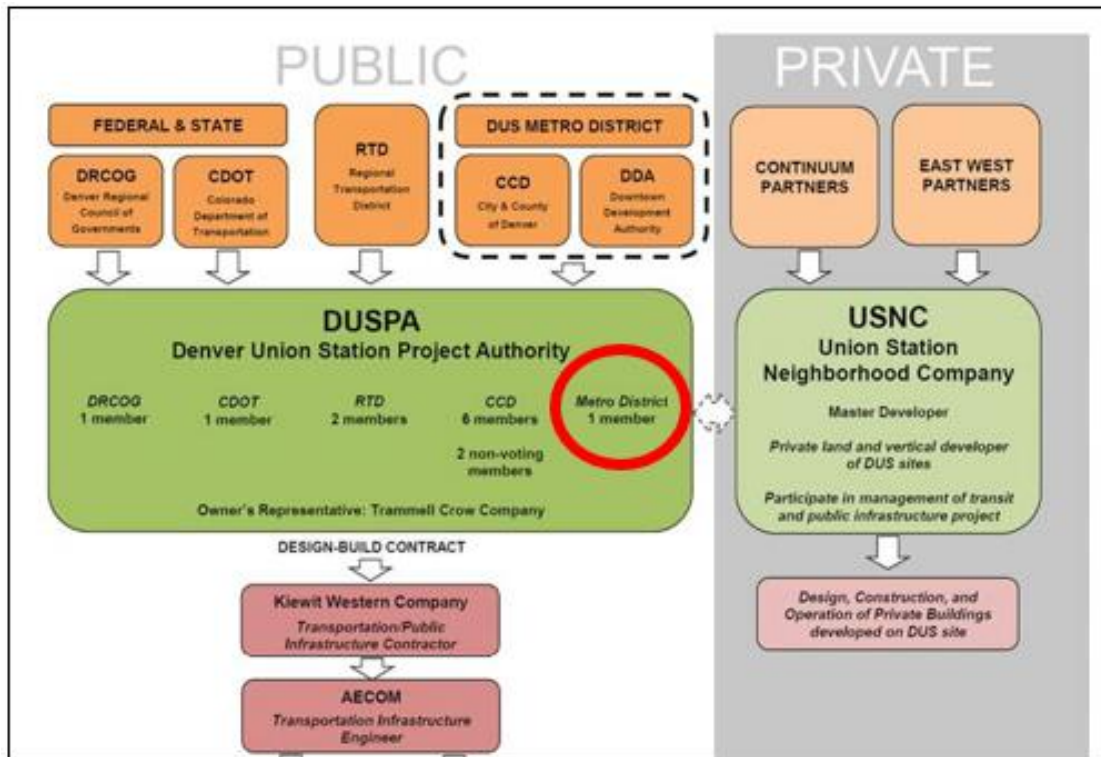
A feasibility study of the proposed “Front Range Dual-Service Rail Park of Southern Colorado” was completed by HDR Engineering and is dated June 26, 2019. The Study states: *“This feasibly study confirms the technical viability of a dual service industrial rail development in Fountain, Colorado.”* The Study also confirmed *“Providing a second, secure rail connection to Fort Carson is both a critical element and primary benefit of the project. This southerly route will enhance the Army’s rail-based rapid deployment capabilities by eliminating multiple points of vulnerability that exist on the current northerly route.”*

The present entitlement process seeks to establish a Title 32 entity for participation in a potential (to-be-formed) Title 29 Rail Authority. The 2015 Proof of Concept Report described this strategy as a working model for success based on legislation created to enable the Denver Union Station project public-private partnership. While Levy is proceeding with initial discussions to annex into the City of Fountain, the creation of a quasi-municipal entity will enable the project proponents to continue the MOU collaboration as conceived.

### **Lessons from Denver’s Union Station Public-Private Partnership**

The graphic below depicts the final configuration of the Union Station project in Denver, which has been a tremendous boon for that region’s economy. The final Public-Private Partnership for Union Station included multiple parties on both sides. However, the important lesson from the Union Station experience is that the project started as a simple working group. The initial dialogue included the private property owners in the vicinity. The municipal entities then entered into an Intergovernmental Agreement (“IGA”) with the purpose of moving the project forward. The IGA did not form a legal entity,

just defined roles, levels of support and became a platform to engage the private sector in development strategies. Over the next several years, as the elements of the project were defined, appropriate participants were included, until the final public-private partnership was successful in financing the \$500 Million endeavor, including \$155 million in low-interest federal loans from the Federal Rail Administration.

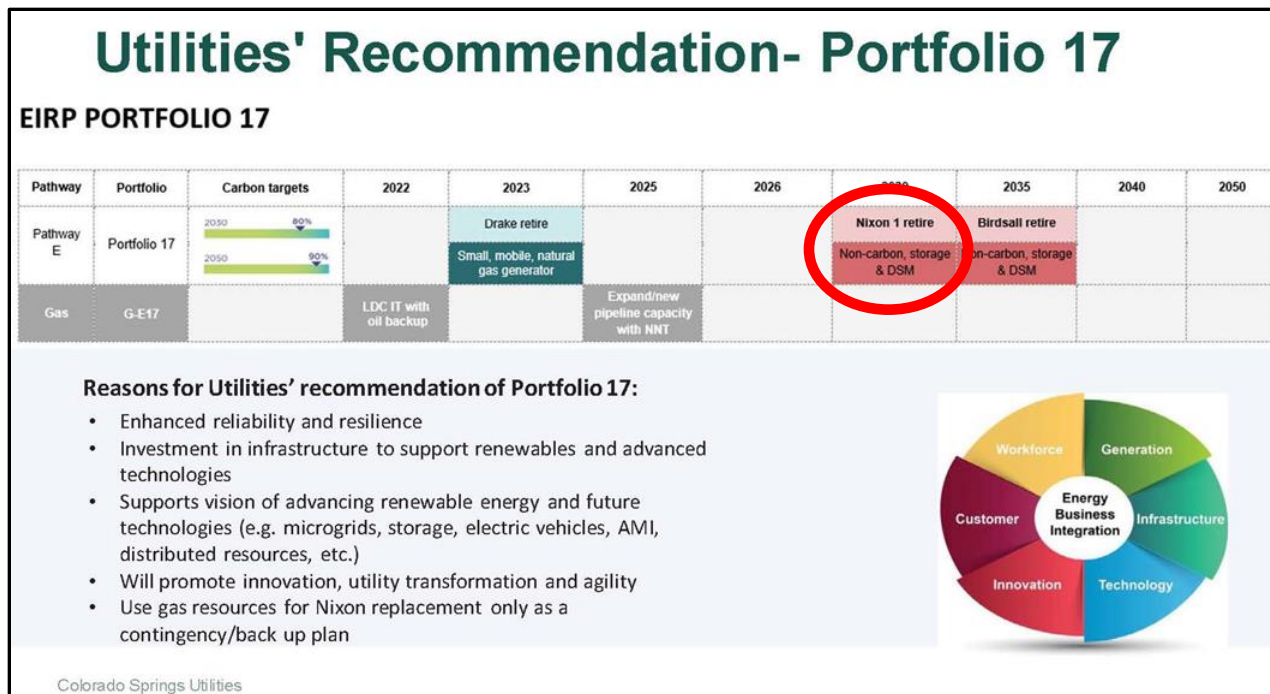


A further boost to this approach was provided by the Colorado General Assembly in its 2015 session, via legislation which provides a structure for public-private endeavors— House Bill 15-1262. Signed into law on May 20, 2015. This Act allows Counties, Municipalities, Special Districts, and other political subdivisions of the State of Colorado to establish an entity to provide public improvements. In other words, El Paso County, the City of Fountain, and the City of Colorado Springs can now form a project-specific entity (by contract) that could partner with the private landowner if and when appropriate. The creation of that public-private partnership, as circled on the graphic above, is established with the creation of a project specific Title 32 Metropolitan District for the private participant.

**Feasibility Study**

The project team, under the guidance of the Oversight Committee, meeting quarterly, applied the funds provided under the MOU to complete an initial Feasibility Study in 2019. The Feasibility Study showed there are no fatal flaws associated with the development of the Levy tract as an industrial rail park. The feasibility process also engaged and garnered support from leadership at Fort Carson, subject to ongoing review of design development.

Design development was an interactive process with staff at Colorado Springs Utilities (CSU), the owner and operator of the Nixon Power Plant. The Nixon plant is coal-fired and is serviced by a rail spur that enables delivery by either Burlington Northern Santa Fe railroad or Union Pacific Southern Pacific railroad. In 2020, CSU completed an Electric Integrated Resource Plan. The Colorado Springs City Council approved the selection of CSU’s recommended Portfolio 17, summarized in the box below. The approved Portfolio contemplates retirement of the Nixon plant’s coal-powered generation no later than the year 2030.



### Trackage Agreement

Completion of the design development phase, with tentative agreement on a design configuration in the Fall of 2019, generated the first draft of a Trackage Agreement. In this context, the negotiating party was the landowner Levy, with the contemplated agreement with the City of Colorado Springs providing a reciprocal grant with CSU to establish a right-of-way from the mainline tracks of the Class 1 railroads, BNSF and UPSP, through the City of Colorado Springs Clear Springs Ranch property using the existing railroad tracks, and continuing across the Levy property to the boundary of the Levy tract at Fort Carson border. The exact location of the connection between Levy and Fort Carson was an inclusive process in collaboration with the Fort Carson Garrison Commander’s staff. The final version of the Trackage Agreement was approved by the Colorado Springs City Council on February 14, 2023. Following that approval, the project team initiated the first element in creating a Title 29 entity, an application for El Paso County approval of a Title 32 Special District for the Levy tract.

## SKETCH PLAN PROPOSAL

The SCRP Sketch Plan includes the entire 3,100 acres of the Levy ownership in this location. As noted above, there are 6 out-parcels in the center of the property, totaling approximately 40 acres, that are not included in the subject property. The Sketch Plan includes the general alignment of the proposed railroad spur through the property to service Fort Carson, together with an internal rail loop to provide train storage and expand the area for rail access.

Approximately 650-acres of the property are currently subject to a mining permit, with approximately 400-acres being actively mined by Schmidt Construction Company. It is anticipated that the mining operation will continue until all aggregate has been extracted from the property, which will take about 15 years. Once the mining area is reclaimed it will be available for development as part of the SCRP.

### Land Uses

The Sketch Plan identifies parcels for heavy railroad-serviced industry in the southern half of the site that has direct access to the rail spur and rail loop. In the northern portion of the site there is a transition to light industrial and commercial service uses. A 10-acre parcel is identified adjacent to Charter Oak Road and next to Gate 19 into Fort Carson, which is expected to serve day-to-day commercial needs of Fort Carson military personnel, civilian employees, dependents, and visitors, as well as employees and visitors of the Rail Park.

### Phasing

The development will be phased as follows:

	START	ACRES	USE
PHASE 1	2025	36.8	Construction of Rail Spur through center of the park
PHASE 2	2030	906.4	Commercial development adjacent to Charter Oak Road and heavy/light industrial development adjacent to rail spur
PHASE 3	2035	949.3	Industrial development in the southern portion of the park
PHASE 4	2040	719.9	Closure of the mining operation in northeast portion of park/completion of commercial and light industrial development

### Floorspace and Employment Assumptions

Estimates of Floor Area Ratios (FARs) have been extrapolated by comparison with similar rail-oriented activities and other industrial and commercial uses in the region. Generally, the FARs for rail-oriented industrial uses are very low as the properties tend to be used primarily for external storage with limited need for buildings.

Estimates of the number of employees have also been extrapolated from data provided by the City of Fountain on business prospects that are seeking rail-serviced sites and an "IMPLAN" analysis undertaken by the Colorado Springs Chamber and EDC. The employment data has been used as the basis for the

Traffic Impact Analysis as a more accurate method of evaluating trips for this type of use, rather than the traditional use of building square footage.

DUAL-SERVICE RAIL PARK OF SOUTHERN COLORADO: LAND USE MATRIX								
	TIMELINE	PROPOSED LAND USES	ACREAGE	ADJUSTED ACREAGE <sup>1</sup>	APPROX. FAR	APPROX. SQ.FT.	SQ.FT./EMPLOYEE	# EMPLOYEES
PHASE 1	2025	Rail Spur and Easement	37	n/a	n/a	n/a	n/a	n/a
		<b>PHASE 1 TOTAL</b>	<b>37</b>					
PHASE 2	2030	Commercial	11	9	0.2	76,666	150	511
		Commercial Services	20	16	0.15	104,544	400	261
		Light Industrial	275	220	0.1	956,578	880	1087
		Heavy/Rail-Served Industrial	498	398	0.0388	672,941	880	765
		<b>PHASE 2 TOTAL</b>	<b>803</b>					
PHASE 3	2035	Heavy/Rail-Served Industrial	928	742	0.0388	1,254,210	880	1425
		<b>PHASE 3 TOTAL</b>	<b>928</b>					
PHASE 4	2040	Commercial Services	111	88	0.15	577,606	400	1444
		Light Industrial	575	460	0.1	2,003,063	880	2276
		<b>PHASE 4 TOTAL</b>	<b>685</b>					
		<b>TOTAL</b>	<b>2453</b>	<b>2208</b>		<b>5,645,607</b>		<b>7,770</b>
		Drainage/Open Space/Low Impact	335	n/a	n/a	n/a	n/a	n/a
		No-Build Steep Slopes	190	n/a	n/a	n/a	n/a	n/a
		Right-of-Way	119	n/a	n/a	n/a	n/a	n/a
		Misc.	12	n/a	n/a	n/a	n/a	n/a
		<b>TOTAL ACREAGE</b>	<b>3109</b>					
NOTES								
1. Reduced 20% for internal local roads and on-site detention								

### **Access and Traffic**

An arterial road connection through the property is proposed that will ultimately connect Fort Carson and Charter Oak Ranch Road to the north with a new intersection of Powers Boulevard to I-25 to the south. Internally there will be industrial collectors and local roads that will provide access to the proposed industrial and commercial areas of the site.

A Traffic Impact Analysis (TIA) prepared by Wilson & Company is included with the Sketch Plan submittal. The TIA assumes that initial access will be via Charter Oak Ranch Road to support the initial phases of development. The new I-25/Powers intersection is a long-term project and, while it is anticipated to be in place by the time of the full build out of the rail park, the analysis of the intersection is deferred to a future interstate access request.

The TIA concludes that the Charter Oak Ranch Road access can support the development of Phases 1 and 2 of the development. With the build-out of Phase 3, intersections in the study area will begin to exhibit poor levels of service and it is likely that the planned future connection to I-25 will be needed prior to the completion of Phase 3. In view of the high-level assumptions used at this initial Sketch Plan stage, the TIA recommends that the need for the I-25 connection should be evaluated as development



progresses. The TIA concludes that the proposed functional classification of the internal roadways is appropriate based upon projected build-out daily traffic volumes, connectivity and expected use.

### **Utilities/Fire Protection**

Water and Wastewater Feasibility Reports are included with the Sketch Plan submittal. These include commitment letters for service from City of Fountain Utilities Department (water) and Fountain Sanitation District (Wastewater). Both entities commit to serve the railroad park upon annexation to the City of Fountain and indicate that they have service capacity, subject to their current “first come, first served” policy.

The City of Fountain Utilities Department has also committed to provide the property with electricity service upon annexation. It is anticipated that Black Hills Energy will provide natural gas service.

The property is not currently within a fire protection district. The City of Fountain Fire Department has provided a commitment letter for fire protection service to the property upon annexation to the City.

### **Drainage**

A Conceptual Drainage Summary prepared by M&S Civil Engineers is included with the Sketch Plan submittal. The purpose of this summary is to provide general information, criteria, and concepts in support of the potential developed drainage improvements. The summary identifies the existing characteristics of the site, the proposed land uses, and provides background on the proposed methodologies for future drainage studies, while also identifying regulatory requirements and that will impact future development. The next step in the process will be to analyze the existing and future drainage conditions of the watershed, quantify surface runoff, define floodplains, identify drainage impacts, develop alternate solutions, and prepare a conceptual drainage master plan. A subsequent report will be provided that will serve as a technical addendum once the site planning is furthered and solidified.

There are two major natural drainageways on the project site that convey stormwater from the northwest to the southeast; the northern drainageway is known as Rock Creek and the southern is known as Little Fountain Creek. Rock Creek feeds a few old ponds for livestock watering and conveys 16.9 square miles of drainage. Little Fountain Creek is deep and circuitous and conveys 26.8 square miles of drainage downstream. There is a Zone A 100-year floodplain designation on the southern reaches of Little Fountain Creek. Neither drainageway currently contains any improvements for flood control or erosion protection. There is thick vegetation and trees along the drainageways.

The SCRIP is primarily located in the Little Fountain Drainage Basin, while a small portion of the northeast corner of the subject site lies within the Fort Carson Drainage Basin. No drainage basin planning study has been prepared for the two basins to date. Most of the drainage basin area exists within the Fort Carson Military Base, and the remainder of the property has had limited development. As such, there is little background information within the records of El Paso County to rely on.

It is intended that the creek and floodplain areas will be largely undisturbed by development on the site, other than for required rail and road crossings. The Sketch Plan identifies areas for flood control and detention. The proposed development as depicted on the Sketch Plan consists of heavy and light Industrial uses and some commercial property at the north end. These types of developments contain intense storm water runoff properties. A local drainage analysis that will conform with the El Paso County Land Development Code and the El Paso County Engineering Criteria Manual will be prepared with subsequent development plans, having regard to the layout, location, and size of each land use development. It is anticipated that each development will provide full-spectrum detention and water quality treatment on-site.



**IMPACT IDENTIFICATION**

The majority of this letter is posted to the LOI- please provide this as a focused letter on the impacts..No need to repeat the information here that is in the LOI.

Preamble reduced.  
Just enough for context retained.

**IDENTIFICATION OF POTENTIAL SOURCES AND ZONES OF AIR, WATER, AND NOISE POLLUTION.**

The Southern Colorado Rail Park is located between the live-fire gunnery ranges at Fort Carson and two electric generation power plants. Within the property is the Schmidt Construction quarry, which includes a mechanical rock crusher to generate aggregates both for sale and Schmidt's paving operations. The noise associated with live firing, combined with the Combat Air Brigade (helicopters), creates a baseline of noise that subsumes any new noise activities on the site. Fort Carson abuts the site on three sides. The fourth, eastern of the site, houses the two power plants. One of the plants is rail served, so impacts to noise and air will not measurably increase.

To protect air quality, Schmidt has a lease for raw well water with Colorado Springs Utilities. The water source is used for dust control to mitigate air pollution. When the rail property is active, exhaust will be generated by the movement of railroad locomotives into and out of the site. At full buildout, some types of manufacturing may have air quality impacts, and mitigating such impacts will be a condition for purchase and development of a site within the rail park.

Little Fountain Creek and Rock Creek are ephemeral streams. The project contemplates a "Closed Basin" approach to stormwater mitigation, since the upstream neighbor, the U.S. Army, is not regulated by local stormwater entities and would not participate in or be regulated by basin rules. Stormwater structures will provide appropriate mitigation for both surface water and protection against groundwater contamination. The Closed Basin system would require the project to accept existing flows, address all stormwater issues generated by the project at the project's expense, and release flows at rates equal to or less than the historic rates.

The four (4) property owners associated with the outparcels already experience the impacts on noise and air quality from Fort Carson and the mining operation. Development of the rail park will not impact groundwater and may provide the benefit of access to a potable water source in the future. The rail spur and its commensurate activities certainly will impact the properties with additional noise. At the same time, the development of stormwater structures and paved roads that accommodate the outparcel tracts will mitigate some of the adverse impacts to those unplatted properties.

### **IDENTIFICATION OF POTENTIAL HAZARD AREAS**

**FLOODPLAINS:** According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel No. 08041C0965G and Panel No. 08041C01155G, both revised December 7, 2018, the subject site contains a 100-year floodplain shown as “Zone A” for Little Fountain Creek. “Zone A” being defined as “No Base Flood Elevations Determined.” As such, there is no detailed drainage study for Little Fountain Creek. There is no floodplain shown by FEMA for Rock Creek within the project area. Approximately 679.39 acres located along the northern portion of the site are contained within map No. 0804110961; imagery for this panel is not currently available. This may be due to its relative proximity to Fort Carson.

### **SOILS & GEOLOGIC HAZARDS:**

A Soils and Geology Report was conducted by HDR in June 2023. The project area was evaluated for potential concerns associated with future development of the property. The report concluded that the property is suitable for the anticipated development. Through the use of typical engineering design and construction practices, any concerns can be mitigated. However, a subsurface evaluation should be performed to fully evaluate the potential geologic and engineering constraints with future development plans. Upon completion of the subsurface evaluation, a follow-up report summarizing the geologic conditions and engineering concerns should be prepared to support future development.

Soils on the property consist primarily of Geldt Clay Loam, Razor-Midway Complex, Shamber-Razor Complex, Fort Loam, and Mananzola Silt Clay Loam. These soils are poorly indurated, bedrock formations with high percentages of clay and silt and are easily eroded. Collapsibility is a result of both the composition and softness of the soils. Often located in arid to semiarid climates, these collapsible soils are often associated with alluvial fans, alluvium, colluvium and eolian depositions.

The project site is underlain by the Pierre Shale Middle Unit of Cretaceous Age and the Modern Alluvium of Quaternary Age. The Pierre Shale is characterized by expansive clays, swelling soils and bedrock exposures, which are common hazards for development. The formation includes moderately inclined slopes, such as mesa bluffs and riverbanks, and is prone to slope instability. The Alluvium Three formation can contain clean, medium-grained, well sorted sand layers and sporadic gravel lenses with clasts up to small cobbles. Gravels are generally from crystalline protoliths from conglomerates of the Dawson Formation.

The project site is located immediately east of mapped potentially dangerous debris flow regions. Debris flows are characterized by moving mass of loose mud, sand, soil, rock, vegetation, or water that travels down a slope under the influence of gravity.

The sand deposits along the Fountain Creek corridor contain known quantities of coarse-grained quartz sands used for the petroleum industry throughout the country and the site is known to have value for construction materials.

## **VEGETATION & WILDLIFE:**

### **Vegetation:**

The project area is located within the Southern Rocky Mountains and Central Shortgrass Prairie ecoregions. Vegetation in the project area consists of short grass prairie, disturbed vegetation around developed areas, and riparian habitat. The dominant plant species in the short grass prairie are smooth brome, crested wheatgrass, soapweed yucca, blue grama, galleta and western wheatgrass. Riparian habitat is located along Little Fountain Creek and other small drainages in the project area and included plains cottonwood, Siberian elm, green ash, reed canary grass, saltcedar, cattail, and bulrush. Vegetation in disturbed/developed areas consists of smooth brome, cheat grass, thistle species, common mullein, diffuse knapweed, and field bindweed.

### **Wildlife:**

Wildlife observed on the site include pronghorn antelope, red-tail hawk, black-capped chickadee, and black-tailed prairie dog. Several small active black-tailed prairie dog colonies are located on the north end of the project area. There are several areas with mature trees that provide nesting habitat for migratory birds and raptors within or immediately adjacent to the project area. Two inactive raptor nests (possibly red-tailed hawk) were observed in the project area. The project area is mapped as elk and pronghorn overall range by the Colorado Parks and Wildlife

### **Federal- and State-Listed Species:**

There are eight federally listed threatened or endangered species and one candidate species with the potential to occur in the project vicinity. Of these eight species, HDR concludes that only the monarch butterfly has potential to occur as a migrant in the project area. No critical habitat for any federally listed species occurs in the project area. State-listed species that could potentially occur in the project area include bald eagle, burrowing owl, ferruginous hawk, and American peregrine falcon.

The potential exists for ground-nesting migratory birds protected by the Migratory Birds Treaty Act (MBTA) to occur within the project area. However, the project site is disturbed because of heavy industrial activity adjacent to the area as well as grazing activity and, therefore, may only provide limited habitat for ground-nesting birds. In order to comply with the MBTA, HDR recommends that all vegetation removal should be conducted outside of the nesting season for migratory birds (February 1 to August 31). If vegetation removal occurs during the nesting season, surveys of the project area for nesting migratory birds should be conducted and appropriate buffers/mitigation measures initiated.

### **USE OF, OR CHANGES IN PREEXISTING WATERFORMS, WATERCOURSES OR BODIES OF WATER:**

Several jurisdictional streams were observed on the site. Little Fountain Creek is an intermittent creek that occurs on the southern end of the project area and drains into Fountain Creek. Fountain Creek is a stream that originates in Woodland Park and flows through El Paso County to its confluence with the Arkansas River near Pueblo. Rock Creek is an intermittent creek that crosses under Millbrose Road in a

culvert and drains into Little Fountain Creek. Several other small drainages occur in the project area but are not likely jurisdictional.

Several areas that are likely wetlands were observed on the site, including one cattail marsh located along Rock Creek near the old homestead and a dried-up freshwater pond west of Millbrose Road. National Wetlands Inventory data classifies the freshwater pond as wetland and shows a few small freshwater emergent wetlands in the vicinity. The Sketch Plan includes an area for potential wetland mitigation.

Based on the potential presence of wetlands and WOTUS observed on the site, HDR recommends the following actions to ensure compliance with the Clean Water Act:

- Conduct an official wetland and waters of the U.S. delineation in areas that would be impacted by project construction.
- Coordinate with the USACE, Southern Colorado Branch Office, if impacts to features identified as wetlands or WOUS would result from the proposed project to determine which Nationwide Permit may be applicable.

#### **IDENTIFICATION AND LOCATION OF SITES OF HISTORICAL OR ARCHEOLOGICAL INTEREST**

HDR conducted a file search and literature review of the Colorado Office of Archaeology and Historic Preservation (OAHP) in September 2018. The file search identified cultural resource surveys and previously recorded sites within one mile of the project area. These surveys documented 38 cultural resources within one mile of the project area. These resources include prehistoric camps and lithic scatters, homesteads, bridges, and ditches. There are no previously recorded resources within the project area.

A review of historical maps and the El Paso County Assessor records identified two historical building complexes, five historic reservoirs and a network of historic roads. At least five historic structures/complexes are no longer standing and likely manifest as archaeological sites. There is also potential for unmapped historical irrigation features associated with the reservoir network. Based on surrounding surveyed areas, there is a moderate potential for prehistoric archaeological sites within the project area.

#### **IDENTIFICATION AND LOCATION OF SITES OF NATURAL OR SCENIC IMPORTANCE**

There are no sites of natural or scenic importance. A Natural Landforms, Vegetation, Riparian and Wildlife analysis was conducted by HDR in May 2023. The project area topography slopes down in a southeast direction at approximately 2 percent slope to Little Fountain Creek. Little Fountain Creek flows in a southeast direction, with the southwest portion of the site sloping into the creek at approximately 5 percent slope in a northeast direction. Rock Creek is a smaller stream and crosses into the site from the northwest but does not have a published floodplain. There are steeply sloping areas adjacent to Little Fountain Creek and other dry bed areas to the east of the project site that would be too encumbered for development and would likely be utilized as open space.

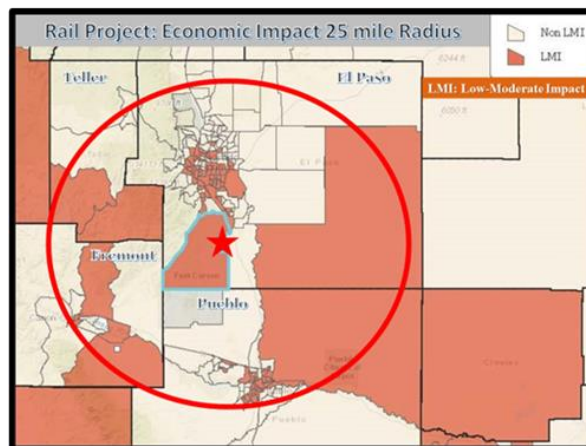
The Sketch Plan identifies parts of the property as “no-build areas” due to their steep slope. The Sketch Plan also identifies the Little Fountain Creek channel as open space and includes areas for flood control. The area at the confluence of Rock Creek and Little Fountain Creek is designated for lower intensity uses. This area requires further evaluation to establish appropriate uses with future development plans.

**SOCIAL IMPACTS**

As described above, the community initiative for the project included the stated goal of generating jobs. To that end, the Economic Development Administration Feasibility Study was founded on the demonstrated social impacts of the project in two ways. First, the defined “Region” for job creation, one within a 10-minute drivetime of the site, showed that census tracts closest to the future facility averaged below 65% of the national household income.



U.S. National Average	\$32,621	Threshold	PCMI	Threshold
Census Tract	Unemp. Rate	Calculation	2018 ACS	Calculation
Tract 0033.03 El Paso, CO	2.2	-3.7	\$25,928	79.5
Tract 0040.08 El Paso, CO	28.4	22.5	\$21,241	65.1
Tract 0040.09 El Paso, CO	6.8	0.9	\$18,657	57.2
Tract 0041.00 El Paso, CO	10	4.1	\$24,486	75.1
Tract 0042.00 El Paso, CO	9.4	3.5	\$28,378	87
Tract 0043.00 El Paso, CO	8.1	2.2	\$26,702	81.9
Tract 0044.01 El Paso, CO	13.1	7.2	\$14,392	44.1
Tract 0044.02 El Paso, CO	0	-5.9	\$23,807	73
Tract 0045.01 El Paso, CO	15.3	9.4	\$17,924	54.9
Tract 0045.06 El Paso, CO	13.5	7.6	\$19,810	60.7
Tract 0045.07 El Paso, CO	13.8	7.9	\$23,192	71.1
Tract 0045.08 El Paso, CO	2.7	-3.2	\$22,383	68.6
Tract 0045.11 El Paso, CO	10.7	4.8	\$24,635	75.5
Tract 0052.01 El Paso, CO	12.5	6.6	\$16,552	50.7
Tract 0052.02 El Paso, CO	4.5	-1.4	\$21,430	65.7
Tract 0053.00 El Paso, CO	8.2	2.3	\$18,694	57.3
Tract 0054.00 El Paso, CO	12.7	6.8	\$15,513	47.6
Tract 0063.01 El Paso, CO	3.8	-2.1	\$21,266	65.2
Tract 0063.02 El Paso, CO	9.7	3.8	\$19,164	58.7
Tract 0064.00 El Paso, CO	6.9	1	\$18,752	57.5
Tract 0065.01 El Paso, CO	11.9	6	\$18,489	56.7
Tract 0065.02 El Paso, CO	5.5	-0.4	\$21,771	66.7
			<b>Average</b>	<b>\$21,053</b>
			As a %	<b>64.54%</b>



When the drivetime radius was expanded to 30 minutes (25 miles), the potential for El Paso, Pueblo, Fremont and Teller Counties was impactful on Low to Moderate neighborhoods. Community support for the job-creation element of the project included a commitment by Pikes Peak State College to develop industry specific job training programs when the rail park is active. The project also anticipates providing quality jobs for active-duty military personnel who are honorably discharged from the service and desire to remain in the Pikes Peak region.

### JURISDICTIONAL IMPACTS

The following districts will serve the property:

- City of Fountain Utilities will provide water and electric services. A will serve letter is provided with this application.
- Fountain Sanitation District will provide wastewater service. A will serve letter is provided with this application.
- It is anticipated that Black Hills Energy will provide natural gas service.
- The City of Fountain Fire Department will provide fire protection and emergency services. A will serve letter is provided with this application.
- Upon approval of the Sketch Plan, a new Title 32 Metropolitan District will be formed, which in turn will allow the creation of public-private partnership via a Title 29 Rail Authority for the construction and operation of the proposed railroad spur.

### RELATIONSHIP TO THE ADOPTED COUNTY MASTER PLANS

#### Your El Paso County Master Plan

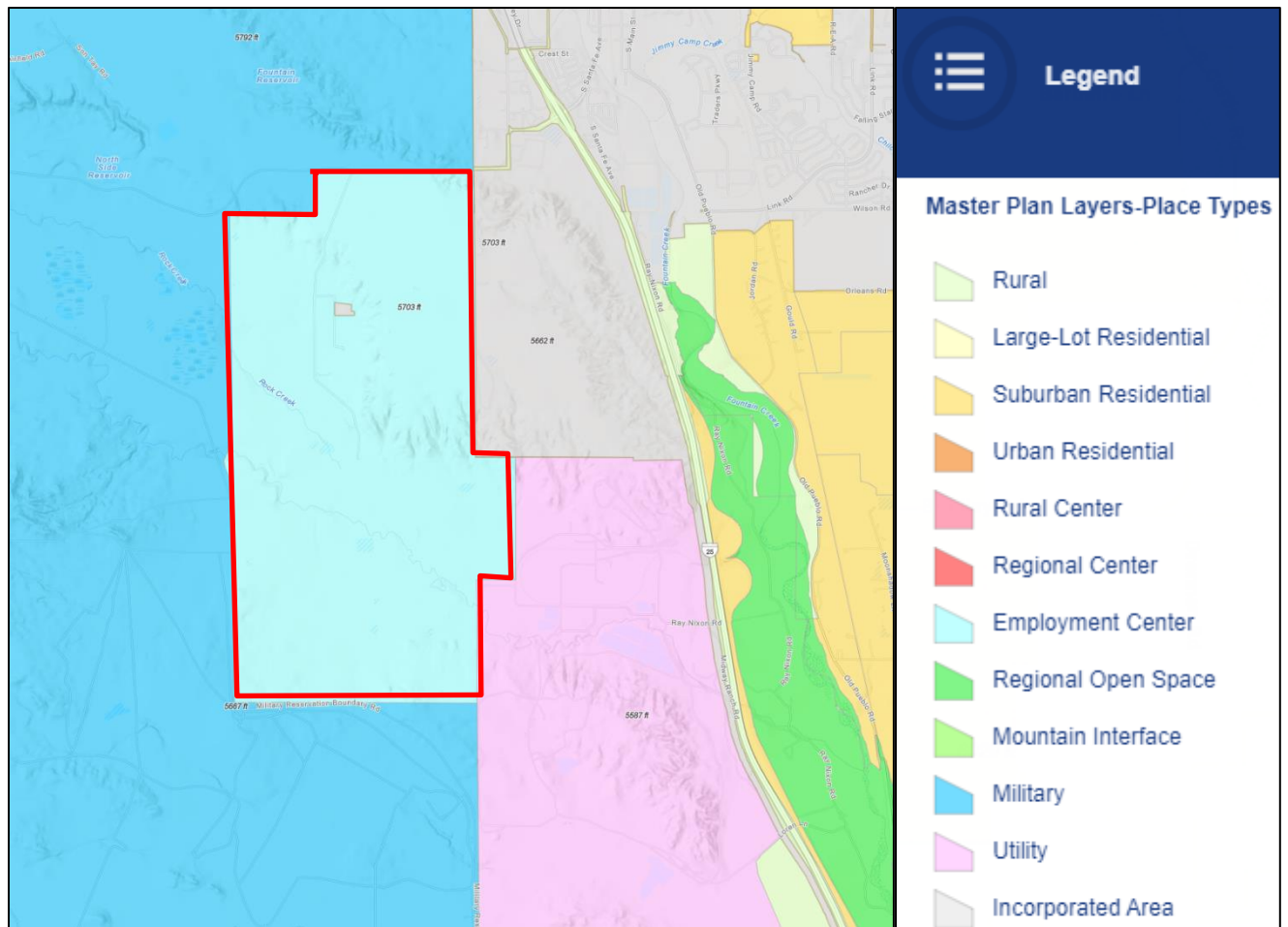
The SCRPs are identified as a Potential Area for Annexation on the County's Key Areas map, an area for New Development on the Areas of Change map and an Employment Center on the Placetypes map. The rail park is also an Employment Priority Development Area.

**Potential Areas for Annexation:** This Key Area outlines the portions of the County that are anticipated to be annexed as development occurs. The Master Plan acknowledges that the incorporated municipalities of Colorado Springs, Fountain and Monument will need to annex parts of the unincorporated County to accommodate new development and that the County should continue to coordinate with the individual cities and towns as they plan for growth. As noted above, it is the intent that the rail park property will be annexed into the City of Fountain once the Sketch Plan and Title 32 District are approved. This annexation is necessary so that the rail park can be served by City of Fountain utilities and fire service. A letter of support from the City of Fountain is included with the Sketch Plan submittal which recognizes the potential annexation of the property into the City

**New Development:** These are areas within the County where significant transformation is anticipated as new development occurs on land currently largely designated as undeveloped or agricultural areas. Undeveloped portions of the County that are adjacent to a built-out area will be developed to match the character of that adjacent development "or to a different supporting or otherwise complementary one such as an employment hub or business park adjacent to an urban neighborhood." The rail yard property lies between Fort Carson to the north, east and south, and the Nixon powerplant, a quarry and I-25 to the east. The proposed use of a rail-served industrial park is compatible with the adjacent uses and both the new rail spur and associated industrial uses will provide direct benefit to Fort Carson. A

letter of support from Fort Carson Garrison Commander is included with the Sketch Plan submittal, which emphasizes the importance of a secondary rail connection to Fort Carson.

**Employment Centers:** The priority function of this placetype is to provide space for large-scale employers to establish and expand in El Paso County. They are typically located on or directly adjacent to Interstate 25 and/or other regional corridors to ensure business and employee access. Uses in this placetype often require large swaths of land and opportunity to expand and grow to meet future needs and demands. Primary land uses include light industrial/business park, heavy industrial, and office, with supporting commercial retail, commercial service and restaurant uses. The rail park Sketch Plan is consistent with the objectives of this placetype as it identifies parcels for heavy railroad-oriented industry in the southern half of the site that has direct access to the rail spur and rail loop. In the northern portion of the site there is a transition to light industrial and commercial service uses, with a parcel for commercial uses next to Fort Carson Gate 19.





**Employment Priority Development Area:** The Master Plan identifies specific locations throughout the County that should be prioritized first for new employment development in order to maintain a diverse economy with significant employers in a wide range of sectors and no single industry accounting for a majority of its employment base. The proposed “Railyard by Fort Carson” is identified as an Employment Priority Development Area that would be the major distribution hub for the southern end of the County. The Master Plan notes that the proposed railyard could spur vertical integration with the creation of supporting businesses such as manufacturing, warehousing, and roadway distribution due to the proximity to Interstate 25. Depending on scale, these types of businesses could have consequential effects on new employment opportunities for County residents.

The following Implementation Policies are relevant to the SCRP Sketch Plan:

### Economic Development

Goal ED1. Recruit new businesses and spur the development of growing sectors.

- Objective ED1-6: Large employers should be located on major roadways to improve connectivity and minimize their impact on daily traffic.
- Identify areas with enough land to support companies that require a significant development footprint as development continues to occur.

Goal ED4. Utilize economic opportunity zones to support new business development.

- Support the development of the railyard by Fort Carson as a catalyst for the creation of a strong employment hub to serve the entire County.

### Transportation and Mobility

Goal TM1. Establish a transportation network that connects all areas to one another, emphasizing east-west routes, reducing traffic congestion, promoting safe and efficient travel.

- Help facilitate the development of the railyard located adjacent to the Fort Carson spur of the shared BSNF and UP line.

### Military

Goal M1. Support compatible land uses within and in close proximity to bases and associated facilities.

Goal M2. Ensure coordinated planning efforts for transportation impacts and access.

- Objective M2-1: Manage future transportation projects that could affect gate traffic and associated stormwater impacts.
- Objective M2-2: Continue to work with CDOT to prioritize transportation improvements along the routes that serve military bases.

- Objective M2-3: Cooperate with CDOT and the Pikes Peak Area Council of Governments (PPACG) to meet regional military transportation needs.
  - Improve Charter Oak Ranch Road outside Gate 19 at Fort Carson.
  - Develop an alternate rail connection to Fort Carson to support redundant and increased rail service.

The SCRP Sketch Plan will fulfill the above implementation goals and objectives of the Master Plan by creating a location large enough to support companies that require a significant development footprint in a location served by major roadways, which will help to recruit new businesses and spur the development of growing sectors. The location will serve as a major employment hub to serve the entire Colorado Springs area, supporting and compatible with existing and future development. The location will also support the creation of a strong employment base by including appropriate infrastructure and transportation connections to service Fort Carson, and creating a new and improved

Impact Identification:

- a. Identification of potential sources and zones of air, water, and noise pollution.

CHAPTER V - SECTION 48  
SUBMITTAL AND REVIEW REQUIREMENTS

A. SKETCH PLAN  
The following information shall be provided on the sketch plan map:

creation of a strong employment base by including appropriate infrastructure and transportation connections to service Fort Carson, and creating a new and improved

Here are the topics for the impact statement from the old combined code /procedures- we haven't adopted a procedure for impact statement so this should apply- its brief.

All topics were previously addressed but now restructured in this order.

V. 48 - 3

§48

18. Jurisdictional Impacts:

- b. Relationship of the sketch plan to preexisting wildlife habitats and migration routes.
- c. Identification of Potential Hazard Areas:
  - (1) Floodplains: Intermediate Regional (100 year) floodplain must be identified. In areas where floodplain mapping has not been completed, the subdivider must identify the floodplain to a detail of two (2) feet.
  - (2) Geologic and Soil Hazards identified in the El Paso County Environmental Inventory reports shall be noted. If the area to be developed is not addressed in these reports, the petitioner shall cause studies of an equivalent level of detail to be made for the sketch plan area.
  - (3) Vegetation and Wildfire: Areas of potential wildfire hazard or significant vegetation must be identified. El Paso County ecosystem and wildfire data shall be the minimum standard for such identification.
  - (4) Uses of, or changes in preexisting waterforms, watercourses, or bodies of water.
  - (5) Identification and location of sites of historical or archaeological interest as identified on the El Paso County Historical Site Inventory, State Archaeological Society Inventory, State Inventory of Historical Sites, National Register.
  - (6) Identification and location of sites of natural or scenic importance.

- a. Identification of school districts, special districts, local improvement districts, and other governmental, quasi-governmental, and private service entities included within the boundary of the sketch plan or proposed to be created to provide service.

A statement of the entities' ability, both financial and physical, to provide the proposed service shall be provided.

V. 48 - 4

§48

- b. Relationship of the sketch plan to adopted county, regional, and special district plans, to include:
  - (1) County Master Plan
  - (2) Master Plan for the Extraction of Mineral Resources
  - (3) Regional Air Quality Maintenance Plan and State Implementation Plan
  - (4) Regional Wastewater Plan
  - (5) Regional and County Transportation Plan
  - (6) Regional Health Services Plan, if applicable

17. Social Impacts: Percentage, location, and population of low-income housing, housing for the elderly, or other specialized housing, if applicable.

19. General Drainage Statement (See Section 31)

18. Jurisdictional Impacts:


- a. Identification of school districts, special districts, local improvement districts, and other governmental, quasi-governmental, and private service entities included within the boundary of the sketch plan or proposed to be created to provide service.

A statement of the entities' ability, both financial and physical, to provide the proposed service shall be provided.

# V1\_impact Identification comment.pdf Markup Summary


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The tax schedule numbers show 2 owners EDW C Levy and Schmidt Construction



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The tax schedule numbers show 2 owners EDW C Levy and Schmidt Construction, please clarify




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The majority of this letter is posted to the LOI- please provide this as a focused letter on the impacts..No need to repeat the information here that is in the LOI.



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