Walsh
Environmental Scientists and Engineers, LLC

an **ecology and environment** company

May 8, 2014

Mr. Joe Loidolt, President
Classic Communities
6385 Corporate Drive, Suite 200
Colorado Springs, CO 80919

RE: Update to a Preliminary Habitat Assessment of Wetlands, Threatened and Endangered Species, and Migratory Bird Species on the Baptist Church Parcel/Sanctuary Pointe Property

Dear Mr. Loidolt:

Walsh Environmental Scientists and Engineers, LLC (Walsh) repeated a preliminary habitat assessment for the Baptist Church Parcel/Sanctuary Pointe Property (Site) on May 5, 2014, first conducted by Walsh on May 31, 2005. The property boundary was provided by Classic Communities. The Site is located in the northeast quarter of Section 30, and portions of the north half of Section 29, and portions of southwest Section 29, Township 11 South, Range 66 West, in El Paso County, Colorado (Figure 1).

The southwest part of the Site contains a camp and conference center, which consists of lodge buildings and amenities, and a series of cabins that are accessed by interconnecting dirt roads. The property is otherwise undeveloped.

The habitat assessment included investigations for the presence of jurisdictional waters of the U.S. including wetlands, evidence of habitation by migratory bird species protected under the Migratory Bird Treaty Act (MBTA), and suitable habitat for Threatened and Endangered (T&E) species listed for EI Paso County.

Assessments for T&E species habitat were conducted for the following species: Preble's meadow jumping mouse (*Zapushudsonius preblei*); black-footed ferret (*Mustela nigripes*); north American wolverine (*Mustela nigripes*), Mexican spotted owl (*Strix occidentalis lucida*); least tern (*Sterna antillarum*); piping plover (*Charadrius melodus*); whooping crane (*Grus americana*); Arkansas darter (*Etheostoma cragini*), greenback cutthroat trout (*Onocorhynchus clarki stomias*), pallid sturgeon (*Scaphirhynchus albus*); Pawnee montane skipper (*Hesperia leonardus montana*), Ute ladies'-tresses (*Spiranthes diluvialis*); and western prairie fringed orchid (*Platanthera praeclara*).

The following sections summarize the methods employed and the results of the preliminary habitat assessment.

METHODOLOGY

Walsh performed a two-phased assessment of the Site. The first phase included a desktop-level review of pertinent data including: Natural Resource Conservation Service Web Soils Survey; the National Hydrography Data Set, U.S. Fish and Wildlife Service Preble's meadow jumping mouse critical habitat buffers and capture data set, U.S. Fish and Wildlife Service Information, Planning, and Conservation System, and aerial imagery.

The second task of the preliminary assessment consisted of an onsite inspection by two Walsh ecologists. Guidance for the inspection was provided in the 2010 U.S. Army Corps of Engineers Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plans Region (Version 2.0); the Interim Survey Guidelines for Preble's Meadow Jumping Mouse (USFWS 1999) and the Interim Survey Requirements for *Spiranthes diluvialis* (USFWS 1992). During the onsite inspection the following assessment actions were conducted:

- the presence and extent of water bodies and potential jurisdictional wetlands on the
- dominant vegetation communities were identified;
- potential habitat and the presence/absence of threatened and endangered species occurring in El Paso County were investigated; and
- potential nest sites and the presence/absence of migratory birds were investigated.

METHODS

Desktop Assessment

The El Paso County Soil Survey indicates that soils at the Site consist of Kettle gravelly loamy sand, 8 to 40 percent slopes, Kettle-Rock outcrop complex and Tomah-Crowfoot loamy sand, 8 to 15 percent slopes. Kettle-Rock loamy sands are deep, well-drained soils formed in sandy arkosic deposits on uplands, while Kettle-Rock outcrop is a gently rolling to very steep complex mostly occurring on the side slopes of uplands with slopes that can range from 8 to 60 percent. These soils are best suited to the production of ponderosa pines. Tomah-Crowfoot soils are moderately sloping to strongly sloping soils occurring on alluvial fans, hills, and ridges in upland habitat. These soils are best suited for use as rangeland, recreation, wildlife habitat and as home sites. These soil types do not appear on the Colorado Hydric Soils list and are therefore not recognized as hydric or wetland soils.

Onsite Assessment

The site assessment began on the eastern property boundary, on the east side of a water tank access road, and continued westward via Baptist Road and Kingswood Drive. Reconnaissance was conducted on foot to perform a thorough visual assessment of Site conditions. The types and conditions of vegetation communities, soils, and specifically drainages, ditches, or gulches, were documented.

RESULTS

Water Bodies and Potential Jurisdictional Waters of the U.S., Including Wetlands

Seeps and springs occur in the vicinity of the camp and cabins. There is a pond 700 feet southwest of the main conference center building. Spring water is collected in the 0.18-acre pond that was formed by construction of an embankment approximately 20 feet tall. Water trickles from a pipe at the base of the dam and continues in a straight channel for approximately 300 feet before ending in a 0.3-acre topographic low point/depression that has no outlet. It appears that water collects seasonally in the low point, but there was no ponded water at the time of the site assessment.

Small groupings of shrubs in the meadow northeast of the main conference center building were indicative of possible seeps or moist soil. Soil was not saturated in these areas. No other channels or ponds were observed on the Site.

The pond, depression, and connecting channel near the camp/conference center appear to be isolated and are likely not jurisdictional Waters of the U.S. regulated by the Clean Water Act. However, the rules for determining jurisdictional status changed in 2007. Because of this, Walsh recommends discussing this area with the U.S. Army Corps Southern Colorado Branch Office and requesting written confirmation of the non-jurisdictional status.

Vegetation

Ponderosa pine (*Pinus ponderosa*) woodlands is the predominant plant community (approximately 98 percent cover on the Site). Most stands are dense, with patches of kinnikinnick (*Arctostaphylos uva-ursi*) covering the ground. In some areas, such as at the eastern boundary of the Site, trees have been selectively cleared, and the pine regrowth occurs in multi-age stands with patches of native grasses and forbs in clearings. Plants observed in areas that received more sunlight include blue grama (*Chondrosum gracile*), penstemon (*Penstemon* spp.), goldenrod (*Solidago* spp.), and pussytoes (*Antennaria parvifolia*).

In the vicinity of the camp, Gambel oak (*Quercus gambelii*) chokecherry (*Prunus virginiana* subsp. *melanocarpa*), and aspen (*Populus tremuloides*) occur at the margins of the pine stands. Smooth brome (*Bromopsis inermis*) is the dominant ground cover in this area. Shrub clumps observed in the meadow contained chokecherry, Woods rose (*Rosa woodsii*), and shrubby cinquefoil (*Pentaphylloides floribunda*).

The pond is rimmed with common cattail (*Typha latifolia*) and occasional tall shrub willows (*Salix* spp.). Duckweed (*Lemna trisulca*) and watercress (*Nasturtium officinale*) occur in the spring as it enters the pond. Nebraska sedge (*Carex nebrascensis*) lines the connecting channel, and common cattail occurs in the depression.

Threatened and Endangered Species

As a result of the absence of water, wetland habitat, and lack of vegetation diversity, site conditions are unsuitable to support habitat for any of the listed T&E species on the Site.

Wildlife

General wildlife sightings during the site visit consisted of animals and birds commonly occurring in El Paso County. These include Steller's jays, robins, black-capped chickadees, and a hairy woodpecker. One feather of wild turkey was observed near the camp. Signs of habitation (i.e., nests, dens, burrows and scat) were limited to deer scat. No other active or inactive nests or other signs of wildlife habitation were observed on the Site.

Suitable habitat to fulfill the life requisites of the Preble's meadow jumping mouse, prairie dog, Mexican spotted and burrowing owls, and black-footed ferret is not present on the Site. Colonial nesting species (i.e., birds that nest in colonies), raptors, waterfowl, or other species of special concern that would necessitate seasonal avoidance under the Migratory Bird Treaty Act are not likely to be more than transient visitors due to limitations in suitable habitat. Specifically, habitat for the piping plover whooping crane, and least tern include mudflats and the bare, sandy shorelines of reservoirs and lakes, which are not present on the Site. Bald eagles and other raptors may use the property for resting, but are unlikely to nest due to a shortage of suitable prey, lack of variation in vegetative strata, and level of human activity associated with the camp.

Plants

Walsh confirmed the absence of western prairie fringed orchid due to unsuitable habitat. The site assessment for the Ute ladies'-tresses orchid took place outside the timeframe when that orchid is visible. The Ute ladies'-tresses orchid typically occurs in areas below 6,500 feet in elevation, and the elevation of the pond, connecting channel, and depression is above 7,200 feet. In addition, the dense grasses and sedges in these areas would likely preclude the orchid. Although there is a documented population of the slender moonwort in the pine forests on Pikes Peak, this species prefers sub-alpine elevations and is unlikely to occur on this Site.

Migratory Birds

Bird sightings were confined to single sightings of robins, chickadees, hairy woodpecker, and Steller's jays. Ground or tree nests were not encountered during the site assessment. The quantity and density of the stands of pine trees may provide habitat for certain migratory birds, although there was no evidence of active habitation in the pine forest. However, due to the overall size and undeveloped state of the property, it is highly likely that some wildlife and avian species are using the property on a transient basis (such as for hunting, resting, foraging, and as travel corridors) or as seasonal residents, while other species such as small mammals (i.e., ground squirrels, rabbits, etc.) are likely to be year-round residents.

CONCLUSIONS AND RECOMMENDATIONS

Walsh believes that there are no potential T&E or Migratory Bird issues on the property, and that Classic Homes will not be required to request a formal consultation with the U.S. Fish and Wildlife Service regarding T&E species (i.e., Endangered Species Act consultation), nor will a consultation be required under the Migratory Bird Treaty Act. However, it may be prudent to obtain written clearances from these agencies as a formal record of "no finding" for environmental issues protected by Federal regulations.

It would also be prudent to obtain written confirmation from the U.S. Army Corps of Engineers that the pond, channel, and depression are non-jurisdictional.

Please contact Walsh if we can provide further clarification regarding the information contained in this preliminary habitat assessment for the Baptist Church Parcel/Sanctuary Pointe property.

Sincerely,
Walsh Environmental Scientists and Engineers, LLC.

Susan Nordstrom

Attachment: Site Location Map

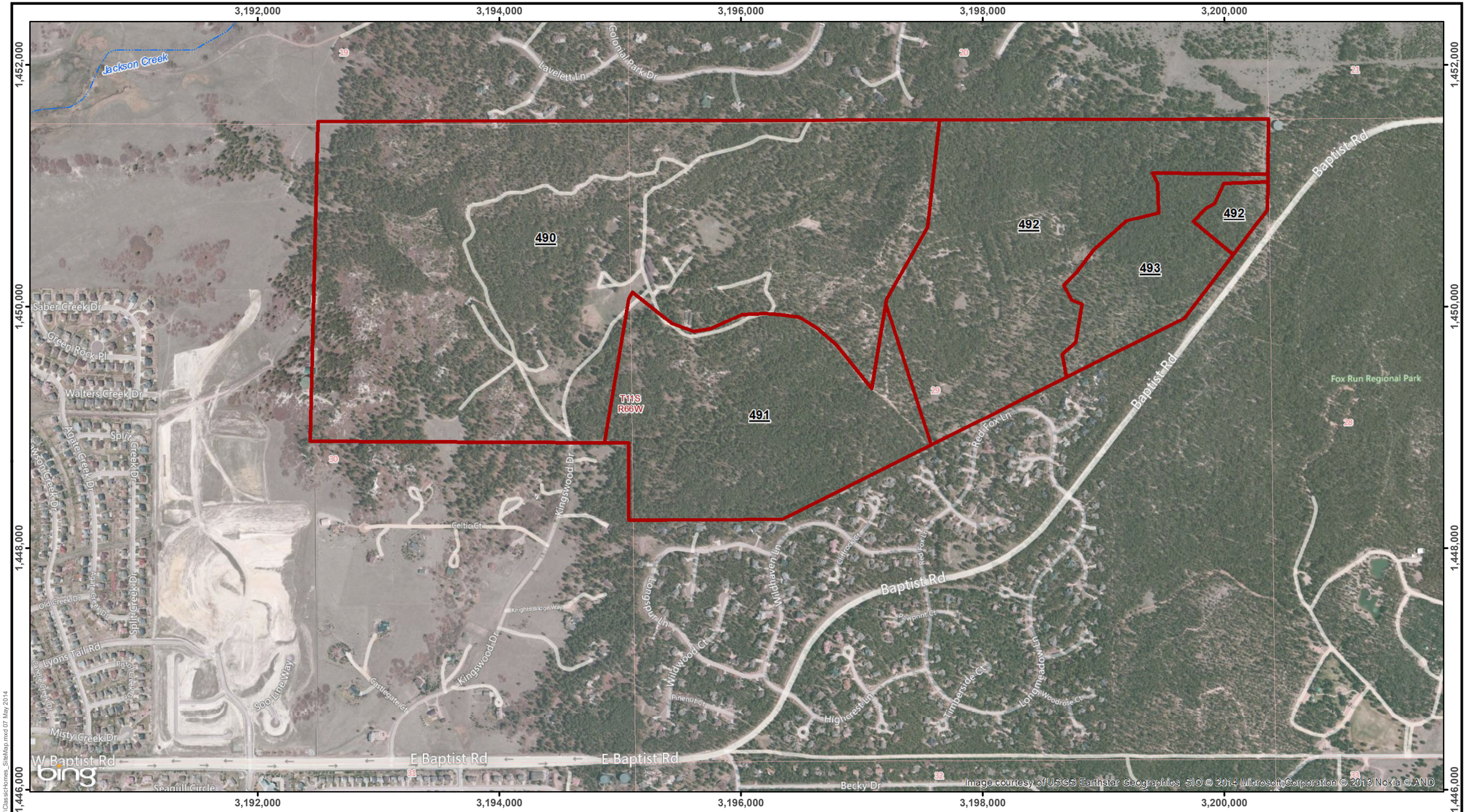
REFERENCES

United States Department of Agriculture. Natural Resources Conservation Service. Web Soil Survey. Available online at http://websoilsurvey.nrcs.usda.gov/. Accessed May, 2014.

U.S. Fish and Wildlife Service. Preble's Meadow Jumping Mouse Trapping Results. GIS database. October, 2009.

U.S. Fish and Wildlife Service. Preble's Meadow Jumping Mouse Critical Habitat Buffers Proposed. GIS database. December, 2010.

U.S. Fish and Wildlife Service, IPac – Information, Planning, and Conservation System Environmental Conservation Online System. Accessed May, 2014.



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Feet
1 inch = 750 feet

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Baptist Church Parcel/Sanctuary Pointe Property
Intermittent Stream

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Figure 1
Baptist Church Parcel/
Sanctuary Pointe Property
El Paso County, Colorado