Pursuant to the recommendations made in the Programmatic EA, six previously identified archaeological sites located within the Rolling Hills Ranch Site Option A were revisited and evaluated for changes in condition. The evaluation presented here identifies changes in the conditions of these sites from those recorded in state files and also considers the inventory report of the original survey. Sites 5EP5103, 5EP5104, 5EP5107, 5EP5108, 5EP5109, and 5EP5121 were visited October 20-22, 2015 by archaeologist Mark Durante from Marstel-Day. These sites were located using Colorado state site file information and spatial data, relying on a GPS unit.

The weather during this site visit ranged from partly cloudy with a slight breeze, with temperatures in the mid-60s to low 70s on Tuesday October 20, to cloudy with sporadic to heavy rainfall, and temperatures in the upper 40s to low 50s on Wednesday October 21 and Thursday October 22. The general topographic conditions of the project area include rolling hills with low ridges and gentle slopes and several deeply incised dry streambeds with associated terraces. Soil appeared very dry and extensively cracked. Ground visibility was poor due to ground cover vegetation. Common vegetation observed included grasses, small bushes, yucca, prickly-pear cactus, and cottonwood trees. Observed fauna comprised rabbits, prairie dogs, a rattlesnake, and cattle. Slight disturbance from aeolian erosion, slope wash, and cattle grazing was evident.

Site 5EP5103 is recorded as an isolated find consisting of three flakes at the bottom of a northwest facing slope. This site is classified as a prehistoric lithic reduction site of unknown cultural affiliation and ineligible for listing on the National Register of Historic Places. Present conditions include a moderate ground cover of grasses, small bushes, and some cactus; and evidence of cattle grazing. Evidence of slight disturbance from animal burrows is present. The site is in good condition. A large prehistoric ceramic sherd, two smaller sherds, and a flake were observed within 15 meters east of the site, in the backdirt piles of two animal burrows.

For site 5EP5103, we recommend that the site boundary be redrawn to include these artifacts, the designation as an isolated find reconsidered, the large ceramic sherd analyzed for its potential to provide a date range, and consideration be given to subsurface testing, as the observed artifacts were found in backdirt piles. We advise that subsurface testing take place according to a systematic grid and the soil matrix screened. If new data are recovered, reconsideration of NRHP eligibility would be warranted.

Site 5EP5104 is recorded as an isolated find consisting of two flakes and one biface on the northwest slope of a small ridge. This site is classified as a prehistoric lithic reduction site of unknown cultural affiliation and ineligible for listing on the National Register of Historic Places.
Current conditions include moderate ground cover of grasses, small bushes, and some cactus; and evidence of cattle grazing. A dirt two-track road passes through the site. Aside from the impact of the two-track road, the site is in good condition. No cultural material was observed in the vicinity of 5EP5104. No further work is recommended.

Site 5EP5107 is recorded as an open lithic scatter site consisting of 18 debitage, bone, and two biface fragments located on the western slope of a gentle ridge. This site is classified as a prehistoric lithic reduction and resource procurement/processing site of unknown cultural affiliation and ineligible for listing on the National Register of Historic Places. Current conditions include moderate ground cover of grasses, small bushes, and some cactus; and evidence of cattle grazing. The site is in good condition. No cultural material was observed in the vicinity of site 5EP5107. No further work is recommended.

Site 5EP5108 is recorded as an open lithic scatter consisting of 22 debitage, one tested cobble, one biface, and a single shard of glass on the west and northwest facing slope of a small bench. This site is classified as a lithic reduction and resource procurement site of unknown cultural affiliation and ineligible for listing on the National Register of Historic Places. Current conditions include moderate ground cover of grasses, small bushes, and some cactus and evidence of cattle grazing. Cattle have worn a thin trail across the site. Despite this impact, the site is in good condition. A single quartz flake was observed, photographed, and left in-situ at site 5EP5108. No further work is recommended.

Site 5EP5109 is recorded as an open lithic scatter consisting of 17 debitage and one core on the crest and western slope of a prominent low ridge. This site is classified as a prehistoric lithic reduction site of unknown cultural affiliation and ineligible for listing on the National Register of Historic Places. Current conditions include moderate ground cover of grasses, small bushes, and some cactus and evidence of cattle grazing. The site is in good condition. No cultural material was observed in the vicinity of site 5EP5109. No further work is recommended.

Site 5EP5121 is recorded as a historic ranch/farm or short-term habitation site consisting of five architectural features and an artifact collection containing historic ceramics, nails, cans, construction material, and farming/agricultural material located on a terrace adjacent to a significantly incised drainage. This site is classified as farming/ranching, or habitation in origin, dating to the late 1800s or early 1900s, and is ineligible for listing on the National Register of Historic Places. Current conditions include several cottonwood trees, dense ground cover of grasses, some small bushes and cactus and evidence of cattle grazing. As noted in the original report, the buildings are collapsed and in ruin, likely due to neglect. Each of the five features of the site was relocated and observed. Extant portions of foundations at features one and five were observed as well as large piles of milled lumber at features two and three. No distinct evidence of vandalism was observed. The site is immediately adjacent to a dirt two-track road allowing access to the property. Due to the conditions of the buildings this site was originally recorded as heavily disturbed. This assessment is still accurate; the site is in poor condition. However, it is
worth noting that there is little evidence of subsurface disturbance. No previously unrecorded features or cultural material were observed at site 5EP5121. No further work is recommended.

The archaeological sites relocated during this field evaluation all appear to be in similar condition to that which was originally recorded. No site appears to have endured severe disturbance since their original recordation. No further work is recommended for sites 5EP5104, 5EP5107, 5EP5108, 5EP5109, and 5EP5121. For site 5EP5103 we recommend that the site boundary be recalculated, the isolated find designation be reconsidered, analysis of the larger ceramic sherd be considered, and subsurface testing considered. We advise that subsurface testing take place according to a systematic grid and the soil matrix screened. If new data were recovered or the potential to recover additional significant data evident, we would recommend that eligibility for NRHP listing be reviewed.
Sample Inadvertent Discovery Plan for Cultural Resources
Construction of Phase 1 of a New National Cemetery in the Southern Colorado Area

1. Introduction
The Department of Veterans Affairs intends to construct Phase 1 of a New National Cemetery in the Southern Colorado Area, El Paso County, CO. The purpose of this project is to meet the current and projected burial needs of veterans and their families. The following Inadvertent Discovery Plan (IDP) outlines procedures to be followed, in accordance with state and federal laws, if cultural materials or human remains are encountered during construction.

Unanticipated discoveries typically occur when previously undetected cultural resources are exposed during construction or other permitted surface-disturbing activities, after the National Historic Preservation Act Section 106 process has been completed.

This plan provides clear procedures and lines of communication with appropriate authorities prior to the start of construction, so any discoveries can be addressed in a timely manner.

2. Recognizing Cultural Resources
A cultural resource discovery could be prehistoric or historic. The discovery can be an object (artifact), or a subtle or unusual change in soil color and texture (feature). People have lived in the Colorado region since approximately 14,000 years before the present and remains could date as far back as that time.

Examples include:
- Flaked stone tools (arrowheads, knives, scrapers, etc.);
- Waste flakes that resulted from the manufacture of flaked stone tools;
- Ground stone tools like mortars and pestles;
- Pottery or pottery fragments;
- Bottle/glass fragments;
- Ash, charcoal, ash-stained soils;
- Layers (strata) of discolored earth resulting from fire hearths. May be black, red or mottled brown and often contain discolored cracked rocks or dark soil with broken shell;
- Changes in soil color or texture that may be the remains of hearths, sub-surface storage pits, or wooden posts that have since deteriorated but have left darker soil in round, oblong, or irregular shapes. For example, a dark irregular round soil color in a lighter soil context can be the remains of a prehistoric hearth or storage pit;
- Bones or small pieces of bone;
- Clusters of tin cans or bottles, logging or agricultural equipment that appears to be older than 50 years;
- Buried railroad tracks, decking, or other industrial materials;
- Human remains;
- Structural remains- wooden beams, post holes, fish weirs.
3. Human Remains
- If human remains, funerary objects, sacred objects, or objects of cultural patrimony, or suspected human remains, funerary objects, sacred objects, or objects of cultural patrimony, are discovered during ground disturbing activities, the VA Project Manager will be notified immediately by telephone and notified of the discovery with written confirmation. All activity will be halted within a minimum of 30 meters of the discovery and a reasonable effort will be made to protect the discovery.
- If Native American human remains are discovered, consultation with Native American stakeholder tribes may be required. If discovered the VA will follow procedures in accordance with Federal regulations, including the Native American Graves Protection and Repatriation Act of 1990 and its implementing regulations 43 CFR § 10.

4. On-site Responsibilities
- Pre-construction brief. The construction contractor shall work with a professional archaeologist to develop a pre-construction brief regarding unanticipated discoveries and provide the brief to onsite construction crew. The brief shall be approved by the VA.
- The construction contractor shall retain a professional archaeologist on an on-call basis to assess potential discoveries and will consult with SHPO and appropriate Tribal entities to determine an appropriate course of action.
- In the event of an inadvertent discovery of possible cultural materials, including human remains, all work will stop immediately in the vicinity of the find. A 30-meter buffer will be placed around the discovery with work being able to proceed outside of this buffered area unless additional cultural materials are encountered. The area will be secured and protected. In the case of inclement weather, tarps or other material will be placed to protect the finds.
- The VA project manager/land manager and on-call professional archaeologist will be notified immediately. The professional archaeologist will assess the artifacts and/or features discovered and perform field analyses for a preliminary assessment of their affiliation. If potential cultural resources are identified, the VA project manager/land manager will notify the State Historic Preservation Office (SHPO) within 5 hours.
- No work may resume until consultation with the SHPO has occurred.
- If possible human remains are encountered, the El Paso County Office of the County Coroner, Colorado State Patrol, and appropriate Tribes will also be notified. If human remains are encountered, they will not be disturbed in any way. The location will be secured and work will not resume in the area of discovery until all parties involved agree upon a course of action.

5. Proceeding with Construction:
- Construction can proceed only after the proper archaeological inspections have occurred and environmental clearances are obtained. This requires close coordination with SHPO and the Tribes.
- After an inadvertent discovery, some areas may be specified for close monitoring or ‘no work zones.’ Any such areas will be identified by the professional archaeologist to the Project Manager, and appropriate Contractor personnel.
- In coordination with the SHPO, the Project Manager will verify these identified areas and be sure that the areas are clearly demarcated in the field, as needed.
CERTIFIED MAIL
RETURN RECEIPT REQUESTED
[Agency Name]
[Address]

[SAMPLE LETTER - SENT TO RECIPIENTS LISTED IN SECTION 10]

Dear [Agency Name]:

The U.S. Department of Veterans Affairs (VA) would like to invite the [Agency Name] to participate with VA in our evaluation of the construction and operation of the proposed new VA national cemetery in the Southern Colorado area, an important program activity that may be of continued interest to you. The [Agency Name] was contacted during the development of the Programmatic Environmental Assessment (PEA) for this project because your agency has either jurisdiction over the project or special expertise in respect to environmental issues related to the project. The PEA was finalized in July 2012, with a Finding of No Significant Impact (FONSI). The VA is entering the next stage of the project, which involves the preparation of a Draft Site-Specific Environmental Assessment (SEA) to evaluate the potential environmental consequences of construction and operation of the proposed new VA national cemetery in the Southern Colorado area, as described in the PEA.

As we begin to prepare the Draft SEA, please let us know if [Agency Name] has any new information available that would assist VA in the evaluation of the project, or if additional consultation is requested. Please review this request and respond within 30 days of receipt. Additionally, the VA will hold a public scoping meeting to discuss and inform the general public about the proposed project from 6:00-8:00 PM on October 21, 2015, at the Retired Enlisted Association, 834 Emory Circle, Colorado Springs, Colorado. Please consider this letter as an invitation to attend this public scoping meeting.

Once the Draft SEA is complete and becomes available for a 30-day public comment period, your organization will be informed and provided an opportunity to provide comments on that document. The VA will consider and incorporate those comments and responses in the subsequent Final SEA.

VA wishes to take every opportunity to work together in a relationship where a Federal, State or local agency has decision-making authority or special expertise that can enhance VA’s decision making efforts. Once again, if you would like to provide comments or request additional information, please contact Mr. Glenn Elliott, U.S. Department of Veterans Affairs, Office of Construction & Facilities Management, 425 I (eye) Street, NW, Room 6W417a, Washington, D.C., 20001, or send via email to glenn.elliott@va.gov, or by telephone at (202) 632-5879.

Sincerely,
Glenn Elliott
Environmental Engineer
U.S. Department of Veterans Affairs
Office of Construction & Facilities Management
CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
Noreen Walsh  
U.S. Fish and Wildlife Service (USFWS) -  
Mountain Prairie Region, Ecological Service, Colorado Field Office  
P.O. Box 25486  
Denver, CO 80225-0486  

Dear Noreen Walsh:

The U.S. Department of Veterans Affairs (VA) would like to invite the USFWS to participate with VA in our evaluation of the construction and operation of the proposed new VA national cemetery in the Southern Colorado area, an important program activity that may be of continued interest to you. The USFWS was contacted during the development of the Programmatic Environmental Assessment (PEA) for this project because your agency has either jurisdiction over the project or special expertise in respect to environmental issues related to the project. The PEA was finalized in July 2012, with a Finding of No Significant Impact (FONSI). The VA is entering the next stage of the project, which involves the preparation of a Draft Site-Specific Environmental Assessment (SEA) to evaluate the potential environmental consequences of construction and operation of the proposed new VA national cemetery in the Southern Colorado area, as described in the PEA.

As we begin to prepare the Draft SEA, please let us know if USFWS has any new information available that would assist VA in the evaluation of the project, or if additional consultation is requested. Please review this request and respond within 30 days of receipt. Additionally, the VA will hold a public scoping meeting to discuss and inform the general public about the proposed project from 6:00-8:00 PM on October 21, 2015, at the Retired Enlisted Association, 834 Emory Circle, Colorado Springs, Colorado. Please consider this letter an invitation to attend this public scoping meeting.

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Sincerely,
Glenn Elliott  
Environmental Engineer  
U.S. Department of Veterans Affairs  
Office of Construction & Facilities Management
Mr. Steve Turner  
State Historic Preservation Officer  
Colorado Office of Archaeology and Historic Preservation  
1200 Broadway  
Denver, CO 80203  

SUBJECT: National Historic Preservation Act Section 106 Consultation for Construction and Operation of a New Veterans Affairs Cemetery in Southern Colorado  

Dear Mr. Turner:  

The U.S. Department of Veterans Affairs (VA) is preparing an Environmental Assessment (EA) in compliance with the National Environmental Policy Act (NEPA) to evaluate the potential effects associated with the proposed construction of a new national cemetery at Rolling Hills Ranch, El Paso County, Colorado (Figures 1 and 2). The purpose of this letter is to consult with the State Historic Preservation Officer (SHPO) per Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended.  

The preparation of schematic documents for Phase 1 of the proposed cemetery is underway. Phase 1 will support 10-year burial projections at the site, including approximately 13,300 gravesites and several support facilities. The completed Phase I design will include a main entrance area, roadways, irrigation, utilities, landscaping, signage, committal service shelters, memorial walls, combined public information center and administration building, maintenance building complex, honor guard building, parking, public restrooms and temporary structures necessary to operationally support the cemetery. Eventual development of the cemetery over the next 100-plus years will total 374.3 acres, all of which is to be considered in the Area of Potential Effects (APE). Future development phases will include additional consultation as necessary.  

Project Location  

The cemetery is to be located on property at Rolling Hills Ranch, in El Paso County, Colorado. It is located approximately 12 miles east-southeast of the City of Colorado Springs and is generally east of Marksheffel Road, between Bradley and Drennan Road. It is 374.3 acres in size.  

Area of Potential Effect  

Per NHPA Sections 800.4(a)(1) and 800.16(d), the APE for the undertaking was determined for both the archaeological (below-ground) and above-ground historic properties. For these projects, the APE is considered to be the 374.3 acres on which the cemetery will be constructed and a ¼-acre viewshed area.
Historic Resources in the Area of Potential Effect

The entire Rolling Hills Ranch property, including the project area, was surveyed in 2006 by RMC Consultants, Inc. for the Rolling Hills Ranch developer. Additional surveys were also completed, including an access road survey, a block survey of private land along Jimmy Camp Creek, an oil and gas pipeline survey, and a water pipeline survey (Bugg, 2012). Findings from these surveys were an historic farm (5EP5121), the Franceville Spur of the Denver and New Orleans Railroad (5EP2174.1), both assessed as not eligible for listing on the National Register of Historic Places (NRHP); and one historic (5EP5114) and 12 prehistoric isolated finds (5EP2583, 5EP2584, 5EP5100-5EP5106, and 5EP5111-5EP5113), all assessed as not eligible for listing on the NRHP. Site 5EP5099 is a prehistoric open camp, and four prehistoric open lithic scatters (5EP5107 – 5EP5110) were recorded and assessed as not eligible (Bugg, 2012).


A Class III intensive inventory of the area was not recommended because surveys had already been completed. However, the consultant (Bugg, 2012) did recommend that the previously recorded archaeological sites be revisited and evaluated for changes in condition.

As a result of that recommendation, a follow-up pedestrian survey was conducted by Marstel-Day in 2015 (Appendix A). That survey re-located all six archaeological sites and confirmed the recommendation of not eligible for the NRHP for all of the finds, with the exception of Site 5EP5103, where additional work was recommended based on additional finds during that survey.

Archaeological Sites

Six archaeological sites were identified within the APE (Table 1).

<table>
<thead>
<tr>
<th>Site</th>
<th>Description</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>5EP5103</td>
<td>Isolated find, prehistoric scatter</td>
<td>Redraw site boundary and conduct subsurface test excavations</td>
</tr>
<tr>
<td>5EP5104</td>
<td>Isolated find, prehistoric scatter</td>
<td>Ineligible; No further work</td>
</tr>
<tr>
<td>5EP5107</td>
<td>Open lithic scatter</td>
<td>Ineligible; no further work</td>
</tr>
<tr>
<td>5EP5108</td>
<td>Open lithic scatter</td>
<td>Ineligible; no further work</td>
</tr>
<tr>
<td>5EP5109</td>
<td>Open lithic scatter</td>
<td>Ineligible; no further work</td>
</tr>
<tr>
<td>5EP5121</td>
<td>Historic ranch/farm</td>
<td>Ineligible; no further work</td>
</tr>
</tbody>
</table>

Site 5EP5103 is recorded as an isolated find consisting of three flakes at the bottom of a northwest facing slope. This site is classified as a prehistoric lithic reduction site of unknown cultural affiliation and ineligible for listing on the National Register of Historic Places. Present conditions include a moderate ground cover of grasses, small bushes, and some cactus; and evidence of cattle grazing. Evidence of slight disturbance from animal burrows is present. The site is in good condition. A large prehistoric ceramic sherd, two smaller sherds, and a flake were observed within 15 meters east of the site, in the backdirt piles of two animal burrows.
For Site 5EP5103, it is recommend that the site boundary be redrawn to include these artifacts, the designation as an isolated find be reconsidered, the large ceramic sherd analyzed for its potential to provide a date range, and consideration be given to subsurface testing, as the observed artifacts were found in backdirt piles. It was recommended that subsurface testing take place according to a systematic grid and the soil matrix screened. If new data are recovered, reconsideration of NRHP eligibility would be warranted.

**Above-Ground Resources**

Apart from the abandoned ranch (5EP5121), which is identified as not eligible for NRHP listing, no above-ground structures identified as eligible for the NRHP are within the cemetery property or the viewshed. As shown on the map in Figure 2, surrounding land is identified as ‘Undeveloped Land.’

Because the construction of the proposed cemetery could affect Site 5EP5103, the VA would like to initiate consultation in order to discuss the recommended fieldwork at Site 5EP5103.

We look forward to meeting with you regarding Site 5EP5103 and steps forward to complete the consultation process.

Please direct all written correspondence to me at:

Mr. Glenn Elliott  
Environmental Engineer, P P/M  
U.S. Department of Veterans Affairs  
Office of Construction & Facilities Management  
425 I Street, NW, Room 6W417a  
Washington, D.C. 20001

If you have any questions or require additional information during your review, please contact me by phone at 202-632-5879 or by email at Glenn.Elliott@VA.gov.

Sincerely,

Glenn Elliott
Figure 1. Approximate Project Location shown on the Elsmere USGS Topographic Quad
Sites not available for public review.

Figure 2. Project Area
Appendix A: Cultural Resources Survey Letter Report, Rolling Hills Ranch Project Area
October 21-22, 2015
Mark Durante, Marstel-Day, LLC

Pursuant to the recommendations made in the Programmatic EA, six previously identified archaeological sites located within the Rolling Hills Ranch Site Option A were revisited and evaluated for changes in condition. The evaluation presented here identifies changes in the conditions of these sites from those recorded in state files and also considers the inventory report of the original survey. Sites 5EP5103, 5EP5104, 5EP5107, 5EP5108, 5EP5109, and 5EP5121 were visited October 20-22, 2015 by archaeologist Mark Durante from Marstel-Day. These sites were located using Colorado state site file information and spatial data, relying on a GPS unit. The weather during this site visit ranged from partly cloudy with a slight breeze, with temperatures in the mid-60s to low 70s on Tuesday October 20, to cloudy with sporadic to heavy rainfall, and temperatures in the upper 40s to low 50s on Wednesday October 21 and Thursday October 22. The general topographic conditions of the project area include rolling hills with low ridges and gentle slopes and several deeply incised dry streambeds with associated terraces. Soil appeared very dry and extensively cracked. Ground visibility was poor due to ground cover vegetation. Common vegetation observed included grasses, small bushes, yucca, prickly-pear cactus, and cottonwood trees. Observed fauna comprised rabbits, prairie dogs, a rattlesnake, and cattle. Slight disturbance from aeolian erosion, slope wash, and cattle grazing was evident.

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Site 5EP5104 is recorded as an isolated find consisting of two flakes and one biface on the northwest slope of a small ridge. This site is classified as a prehistoric lithic reduction site of unknown cultural affiliation and ineligible for listing on the National Register of Historic Places. Current conditions include moderate ground cover of grasses, small bushes, and some cactus; and evidence of cattle grazing. A dirt two-track road passes through the site. Aside from the impact of the two-track road, the site is in good condition. No cultural material was observed in the vicinity of site 5EP5104. No further work is recommended.

Site 5EP5107 is recorded as an open lithic scatter site consisting of 18 debitage, bone, and two biface fragments located on the western slope of a gentle ridge. This site is classified as a prehistoric lithic reduction and resource procurement/processing site of unknown cultural affiliation and ineligible for listing on the National Register of Historic Places. Current conditions include moderate ground cover of grasses, small bushes, and some cactus; and evidence of cattle grazing. The site is in good condition. No cultural material was observed in the vicinity of site 5EP5107. No further work is recommended.
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The archaeological sites relocated during this field evaluation all appear to be in similar condition to that which was originally recorded. No site appears to have endured severe disturbance since their original recordation. No further work is recommended for sites 5EP5104, 5EP5107, 5EP5108, 5EP5109, and 5EP5121. For site 5EP5103 we recommend that the site boundary be recalculated, the isolated find designation be reconsidered, analysis of the larger ceramic sherd be considered, and subsurface testing considered. We advise that subsurface testing take place according to a systematic grid and the soil matrix screened. If new data were recovered or the potential to recover additional significant data evident, we would recommend that eligibility for NRHP listing be reviewed.
February 22, 2016

Glenn Elliott
Environmental Engineer, P P/M
U.S. Department of Veterans Affairs
Office of Construction & Facilities Management
425 I Street, NW, Room 6W417a
Washington, D.C. 20001

Re: National Historic Preservation Act Section 106 Consultation for Construction and Operation of a New Veterans Affairs Cemetery in Southern Colorado (HC #69603)

Dear Mr. Elliott:

Thank you for your correspondence dated February 3, 2016 that we received on February 5, 2016 initiating consultation with our office in accordance Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR part 800 for the above-referenced undertaking.

We have no objection at this time to the defined area of potential effects (APE), but we do request that you provide copies of prior correspondence and documentation as it relates to this project. Specifically we request that you provide to our office a copy of the 2012 Centennial Archaeology, Inc. report titled Initial Cultural Resource Impact Prediction for the New Southern Colorado National Cemetery in El Paso County, Colorado as we can find no record of this survey on file with our office. We request this information to ensure that we provide timely and appropriate comment as part of this consultation process.

Our second comment directly relates to our first and is intended to address your question of level of effort, pursuant to 36 CFR 800.4(b)(1), as it relates to site 5EP5103. As it would appear that subsurface archaeological deposits may be present at this site location—as evidenced by cultural material exposing in animal backdirt piles—we recommend that the VA consider phased subsurface identification and evaluation of this location as appears to be currently recommended by your letter. In our opinion, the initial phase should take the form of small-diameter shovel testing (measuring approximately 40-cm in diameter) spaced no more than 15-m apart in order to identify and define buried cultural deposits or horizons. Additional shovel test units and/or more formal excavation units (measuring 1-m on a side) should then be emplaced to clarify artifact concentrations or site stratigraphy as necessary. The intent of this testing is to gather sufficient information regarding the site’s National Register of Historic Places significance and integrity. Pending the results of this work, additional consultation may include additional avoidance, minimization or mitigation stipulations for this location.

Our third and final comment is a question that may be addressed following our review of the 2012 Centennial Report as requested above. As you know Section 106 requires that the agency officials consider “past planning, research and studies, the magnitude and nature of the undertaking and the degree of Federal involvement, the nature and extent of potential effects on historic properties, and the likely nature and location of historic properties within the area of potential effects” as part of its evaluation; see 36 CFR 800.4(b)(1). Consequently, considering the various terrains that are present within the 374.3-acre APE, most notably stream terraces and toe slopes, we wonder whether a geoarchaeological sensitivity model should be used to fully assess and identify soils and sediments likely to contain buried cultural deposits within the APE. We further request that the results of such a model be used as a basis for identifying portions of the APE that have the highest likelihood for containing buried late-Quaternary aged cultural deposits. Once identified, recommendations for testing—similar to that described in the preceding paragraph—should follow. Likewise, this information may be used during planning to avoid potential effects to heretofore undocumented resources and high probability landforms.
The consultation process does involve other consulting parties such as local governments and Tribes, which as stipulated in 36 CFR 800.3 are required to be notified of the undertaking. Additional information provided by the local government, Tribes or other consulting parties may cause our office to re-evaluate our comments and recommendations. Please note that our compliance letter does not end the 30-day review period provided to other consulting parties.

We look forward to continued consultation with BIA and other parties, as appropriate, regarding the subject undertaking. If we may be of further assistance please contact Mark Tobias, Section 106 Compliance Manager, at (303) 866-4674 or mark.tobias@state.co.us.

Sincerely,

[Signature]

Steve Turner, AIA
State Historic Preservation Officer
ST/mt
February 11, 2016

Gregory Langer
Natural Resources Conservation Service
Colorado Springs Field Office
5610 Industrial Pl., Suite 100
Colorado Springs, Colorado 80916-1722

Subject: Proposed Phase I Construction of a Veterans Affairs National Cemetery in Southern Colorado

Dear Mr. Langer,

Please find the attached Farmland Conversion Impact Rating form regarding the construction and operation of a new Veterans Affairs national cemetery in the southern Colorado area. Also attached is a scaled map indicating location of the project site near the intersection of Drennan Road and Marksheffel Boulevard, Colorado Springs, Colorado 80929. In accordance with the Farmland Protection Policy Act, the VA has completed sections I and III of the Farmland Conversion Impact Rating form. Upon receipt of sections II, IV, and V from NRCS, the VA will complete sections VI and VII and return the completed form and associated site assessment score to your office for further consideration, as necessary.

If you have any comments or require any additional information, please contact me at (202) 632 5879 or Glenn.Elliott@va.gov.

Sincerely,

Glenn Elliott
Environmental Engineer
U.S. Department of Veterans Affairs
Office of Construction & Facilities Management
U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)

Name of Project: Southern Colorado National Cemetery

Proposed Land Use: National Cemetery

Federal Agency Involved: U.S. Department of Veterans Affairs

County and State: El Paso County, Colorado

Date Of Land Evaluation Request: January 27, 2016

PART II (To be completed by NRCS)

Date Request Received By NRCS: 3/29/16

Person Completing Form: Greg Harger

Does the site contain Prime, Unique, Statewide or Local Important Farmland? YES

Acres Irrigated: [ ]

Average Farm Size: [ ]

Major Crop(s): Farmable Land In Govt. Jurisdiction

Acres: [%]

Amount of Farmland As Defined in FPPA

Acres: [%]

Name of Land Evaluation System Used: Name of State or Local Site Assessment System

Date Land Evaluation Returned by NRCS:

PART III (To be completed by Federal Agency)

A. Total Acres To Be Converted Directly

Site A: 65

Site B: 0

Site C: 0

Site D: 0

C. Total Acres In Site

Site A: 65

Site B: 0

Site C: 0

Site D: 0

PART IV (To be completed by NRCS) Land Evaluation Information

A. Total Acres Prime And Unique Farmland

Site A: 0

Site B: 0

Site C: 0

Site D: 0

PART V (To be completed by NRCS) Land Evaluation Criterion

Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)

1. Area In Non-urban Use

2. Perimeter In Non-urban Use

3. Percent Of Site Being Farmed

4. Protection Provided By State and Local Government

5. Distance From Urban Built-up Area

6. Distance To Urban Support Services

7. Size Of Present Farm Unit Compared To Average

8. Creation Of Non-farmable Farmland

9. Availability Of Farm Support Services

10. On-Farm Investments

11. Effects Of Conversion On Farm Support Services

12. Compatibility With Existing Agricultural Use

TOTAL SITE ASSESSMENT POINTS: 160

PART VI (To be completed by Federal Agency) Site Assessment Criteria

(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)

Maximum Points

1. Area In Non-urban Use

(15)

2. Perimeter In Non-urban Use

(10)

3. Percent Of Site Being Farmed

(20)

4. Protection Provided By State and Local Government

(20)

5. Distance From Urban Built-up Area

(15)

6. Distance To Urban Support Services

(15)

7. Size Of Present Farm Unit Compared To Average

(15)

8. Creation Of Non-farmable Farmland

(10)

9. Availability Of Farm Support Services

(5)

10. On-Farm Investments

(20)

11. Effects Of Conversion On Farm Support Services

(10)

12. Compatibility With Existing Agricultural Use

(10)

TOTAL SITE ASSESSMENT POINTS: 160

Was A Local Site Assessment Used?

YES [ ]

NO [ ]

Name of Federal agency representative completing this form: [Signature]

Date: 1/1/16

Form AD-1006 (03-02)
May 31, 2016

Subject: Site-Specific Environmental Assessment for Phase 1 of a New Veterans Affairs National Cemetery in Southern Colorado, El Paso County, Colorado

The U.S. Department of Veterans Affairs (VA) is conducting a Site-Specific Environmental Assessment (SEA) to evaluate the Phase 1 construction and management of a new VA national cemetery in the southern Colorado area. The SEA is being developed in the context of the findings of the previous Programmatic Environmental Assessment (PEA) for the proposed new cemetery and associated Finding of No Significant Impact (FONSI), prepared in 2012. Specifically, the SEA evaluates the potential effects associated with the potential master plan and site-specific design for Phase 1 construction and operation on 65 acres of the 374.3-acre cemetery site in El Paso County, Colorado. Phase 1 will provide 10 years of burial capacity (the Proposed Action). The SEA also evaluates the effects of a No Action Alternative as a baseline against which to evaluate the Proposed Action.

The VA would like to invite the your organization to review the Draft SEA, which can be found online at http://www.ccm.va.gov/EA.asp or at the Ruth Holley and Sand Creek branches of the Pikes Peak Library District. The Draft SEA is available for a 30-day public comment period beginning June 2, 2016. The VA will consider and incorporate responses and comments received in the subsequent Final SEA.

The VA wishes to take every opportunity to work together in a relationship where a federal, state or local agency has decision-making authority or special expertise that can enhance VA’s decision making efforts. Once again, if you would like to provide comments or request additional information, please contact Mr. Glenn Elliott, U.S. Department of Veterans Affairs, Office of Construction & Facilities Management, 425 I Street, NW, Room 6W417a, Washington, D.C., 20001, or send via email to glenn.elliott@va.gov, or by telephone at (202) 632-5879. Comments must be received by July 2, 2016.

Sincerely,

Glenn Elliott
Environmental Engineer
U.S. Department of Veterans Affairs
Office of Construction & Facilities Management
IN REPLY REFER TO
TAILS: 06E24000-2016-TA-0768

Mr. Glenn Elliott
Environmental Engineer
U.S. Department of Veterans Affairs
Washington, DC 20001

Dear Mr. Glenn Elliott:

Thank you for your letter of May 31, 2016, which we received on June 7, 2016, to the U.S. Fish and Wildlife Service (Service) regarding the New Veterans Affairs National Cemetery in Southern Colorado project located in El Paso County, Colorado.

Section 7(a)(2) of the Endangered Species Act as amended (16 U.S.C. 1531 et seq.) requires Federal agencies to insure that any action they authorize, fund, or carry-out is not likely to jeopardize the continued existence of any endangered or threatened species (“listed species”) or result in the destruction or adverse modification of critical habitat. In fulfilling these requirements (50 CFR §402), the action agency must use the best scientific and commercial data available to review their actions and determine whether the action may affect listed species or critical habitat.

When the action agency makes the determination of No Effect (the proposed project will not affect listed species or critical habitat), no consultation with the Service is required.

The Service acknowledges your no effect determination and appreciates you informing us of the determination. We encourage you to contact us again if the scope of the project changes or new information indicates that the project may have an effect to listed species or critical habitat. If you have questions, please contact our office at (303) 236-4005 or at coloradoes@fws.gov

Sincerely,

Drue L. DeBerry
ACTING FOR
Acting Colorado Field Supervisor
Dear Mr. Farren,

The National Park Service (NPS) would like to thank you for the opportunity to be involved in your project. The NPS has reviewed this project and has found no comments at this time.

Regards,

National Park Service
Intermountain Region External Review Team
Serving MT, UT, WY, CO, AZ, NM, OK, TX
imrextrev@nps.gov

On Tue, Jul 19, 2016 at 1:59 PM, Randall Farren <rfarren@marstel-day.com> wrote:

To Whom It May Concern,

Please find the attached correspondence and report on behalf of the Dept. of Veterans Affairs concerning a DRAFT Site-Specific Environmental Assessment for Phase 1 of a New Veterans Affairs National Cemetery in Southern Colorado, El Paso County, Colorado.

Although the public and agency review period was officially closed on July 2, any remaining comments and inputs would be greatly appreciated.

We look forward to your response,

Randall Farren

Randall Farren, AICP
Marstel-Day, LLC
Go green. Read it from the screen. Save paper, please consider not printing this email
Mr. Steve Turner  
State Historic Preservation Officer  
Colorado Office of Archaeology and Historic Preservation  
1200 Broadway  
Denver, CO 80203

SUBJECT: National Historic Preservation Act Section 106 Consultation for Construction and Operation of a New Veterans Affairs Cemetery in Southern Colorado

Dear Mr. Turner:

The U.S. Department of Veterans Affairs (VA) is preparing a Site-Specific Environmental Assessment (SEA) in compliance with the National Environmental Policy Act (NEPA) to evaluate the potential effects associated with the proposed construction of a new national cemetery at Rolling Hills Ranch, El Paso County, Colorado, approximately 10 miles southeast of Colorado Springs. A map of the project area is below (Figure 1). The project area, which is the construction area for Phase 1 of the proposed National Cemetery, consists of 126 acres within the larger 374-acre VA property.

Figure 1: Project Location.
VA consultants Marstel-Day conducted a preliminary field survey of the known archaeological sites in project area on October 20-22, 2015. The VA submitted the results of that survey to the Colorado State Historic Preservation Officer (SHPO) on February 3, 2016, initiating formal consultation for the VA’s proposed action.

Based on the preliminary report and subsequent discussion with the SHPO, the VA submitted a work plan to the SHPO for additional fieldwork on May 23, 2016. That plan for a Phase I archaeological survey, to comply with Section 106 of the National Historic Preservation Act, was approved by the SHPO on June 13, 2016. In accordance with the approved plan, Marstel-Day conducted archaeological shovel testing of the 126-acre construction phase 1 APE, and Phase I subsurface delineation of Site 5EP5103. This fieldwork began November 14, 2016 and was completed December 23, 2016.

The purpose of this letter is to inform the Colorado SHPO of the completion of the Phase I fieldwork and to transmit the enclosed letter report explaining the results of that work and the VA’s determinations based on those results. Based on the enclosed letter report we are requesting concurrence with our determinations. The VA will submit a more comprehensive Phase I report in the coming months.

The results and determinations of the Phase I archaeological survey are outlined below and discussed in the attached letter report.

**Site 5EP5103**

Subsurface delineation of Site 5EP5103 was accomplished through excavation of eight shovel test pits in a cruciform pattern covering the location of the previously recorded site, and the locations of the artifacts observed in animal burrow back dirt piles in 2015. All eight tests returned negative results, no further cultural material was recovered and no subsurface archaeological features encountered.

For Site 5EP5103, the VA has determined it remain classified as an Isolated Find, ineligible for listing on the National Register of Historic Places (NRHP) and no further work is required

**Phase I Subsurface Survey**

Phase I subsurface survey of the 126-acre construction phase 1 APE was accomplished through excavation of approximately 1,960 shovel tests. High and medium probabilities were assigned to areas of the APE based on an evaluation of the United States Department of Agriculture/Natural Resources Conservation Service (USDA/NRCS) El Paso County, CO Soil Survey, Soil Taxonomy, and Official Soil Series Descriptions. High probability was assigned to soils with characteristics indicating the likelihood of deep, stratified floodplain stratigraphy with potential for buried surfaces. Medium probability was assigned to soils with characteristics indicating they were too young to contain prehistoric cultural material. High probability shovel tests were spaced 15 meters apart, and medium probability shovel tests spaced 30 meters apart.

**High Probability Results**

A single piece of chert debitage was recovered from within 10 centimeters of the ground surface in one test, shovel test HI-15-54. Four radial tests were conducted at a five-meter interval in each cardinal direction. All were negative. This test is approximately 15 meters north of previously recorded Site
5EP5104, also classified as an Isolated Find. Both the positive test and Site 5EP5104 are downslope from a more substantial surface site, Site 5EP5108. It is possible that both Site 5EP5104 and the debitage recovered from the positive test have washed downslope from Site 5EP5108. The remainder of tests in the high probability area were negative.

For the positive test and Site 5EP5104 the VA has determined that Site 5EP5104 remain classified as an Isolated Find, ineligible for listing on the NRHP and that no further work is required for the high-probability area.

Medium Probability Results

No cultural materials were recovered and no cultural features were encountered during testing of the medium-probability area. The fieldwork and additional background research indicate though, that intact floodplain stratigraphy containing deeply buried surfaces exists in this location. This suggests that the soils in this part of the APE are much older than indicated by the USDA/NRCS data, and this conclusion is supported by soil analyses on terraces along Jimmy Camp Creek and other waterways in the vicinity.

A limitation of the current study is that the STPs excavated in the medium-probability area were excavated to approximately one meter below the surface, enough to reach the first buried surface, but the shovel testing was not designed to excavate to the levels of very deep soils. And, while the definitions presented in the model based on the soils analysis in the original work plan suggest this area may be classified as high, rather than medium probability, the likelihood of archaeological sites still appears to be medium-probability. This conclusion is based on the following: no archaeological remains were identified in any of the STPs excavated in the high-probability area with the exception of one piece of debitage, or in the medium-probability area in those instances where STPs were excavated to the first buried surface.

No further archaeological fieldwork in the medium-probability area is recommended. However, the VA intends to include an inadvertent discovery plan in the construction work plan (see Appendix A for a sample plan). This plan would state that upon discovery of cultural material at any point during construction, ground disturbance would be halted until the finds have been assessed by a professional archaeologist and if required, a treatment plan developed based on consultation between the VA and the Colorado SHPO and in accordance with the inadvertent discovery plan. The VA would require that the Construction Contractor have a professional archaeologist prepare and implement a pre-construction brief regarding unanticipated discoveries and provide the brief to onsite construction crews. The VA would further require that the Construction Contractor employ a professional archaeologist on an on-call basis to provide oversight to assess potential discoveries or evidence of cultural resources.

Please direct all written correspondence to me at:

Mr. Glenn Elliott
Environmental Engineer, P P/M
U.S. Department of Veterans Affairs
Office of Construction and Facilities Management
425 I Street, NW, Room 6W417a
Washington, D.C. 20001
If you should have any questions or require additional information during your review, please contact me by phone at 202-632-5879 or by email at Glenn.Elliott@VA.gov. We look forward to hearing from you.

Sincerely,

Glenn Elliott
Environmental Engineer, P P/M

Concurrence with Effect Determinations, El Paso County, Colorado

____________________________ Concur   _________________________ Do Not Concur

Date ______________________

________________________________

Steve Turner, Colorado State Historic Preservation Officer
Appendix A: Sample Inadvertent Discovery Plan
Sample Inadvertent Discovery Plan for Cultural Resources
Construction of Phase 1 of a New National Cemetery in the Southern Colorado Area

1. Introduction
   The Department of Veterans Affairs intends to construct Phase 1 of a New National Cemetery in the Southern Colorado Area, El Paso County, CO. The purpose of this project is to meet the current and projected burial needs of veterans and their families. The following Inadvertent Discovery Plan (IDP) outlines procedures to be followed, in accordance with state and federal laws, if cultural materials or human remains are encountered during construction.

   Unanticipated discoveries typically occur when previously undetected cultural resources are exposed during construction or other permitted surface-disturbing activities, after the National Historic Preservation Act Section 106 process has been completed.

   This plan provides clear procedures and lines of communication with appropriate authorities prior to the start of construction, so any discoveries can be addressed in a timely manner.

2. Recognizing Cultural Resources
   A cultural resource discovery could be prehistoric or historic. The discovery can be an object (artifact), or a subtle or unusual change in soil color and texture (feature). People have lived in the Colorado region since approximately 14,000 years before the present and remains could date as far back as that time.

   Examples include:
   - Flaked stone tools (arrowheads, knives scrapers etc.);
   - Waste flakes that resulted from the manufacture of flaked stone tools;
   - Ground stone tools like mortars and pestles;
   - Pottery or pottery fragments;
   - Bottle/glass fragments;
   - Ash, charcoal, ash-stained soils;
   - Layers (strata) of discolored earth resulting from fire hearths. May be black, red or mottled brown and often contain discolored cracked rocks or dark soil with broken shell;
   - Changes in soil color or texture that may be the remains of hearths, sub-surface storage pits, or wooden posts that have since deteriorated but have left darker soil in round, oblong, or irregular shapes. For example, a dark irregular round soil color in a lighter soil context can be the remains of a prehistoric hearth or storage pit.
   - Bones or small pieces of bone;
   - Clusters of tin cans or bottles, logging or agricultural equipment that appears to be older than 50 years;
   - Buried railroad tracks, decking, or other industrial materials;
   - Human remains;
   - Structural remains- wooden beams, post holes, fish weirs.

3. Human Remains
   - If human remains, funerary objects, sacred objects, or objects of cultural patrimony, or suspected human remains, funerary objects, sacred objects, or objects of cultural patrimony, are discovered during ground disturbing activities, the VA Project Manager will be notified.
immediately by telephone and notified of the discovery with written confirmation. All activity will be halted within a minimum of 30 meters of the discovery and a reasonable effort will be made to protect the discovery.

- If Native American human remains are discovered, consultation with Native American stakeholder tribes may be required. If discovered the VA will follow procedures in accordance with Federal regulations, including the Native American Graves Protection and Repatriation Act of 1990 and its implementing regulations 43 CFR § 10.

4. On-site Responsibilities
- Pre-construction brief. The construction contractor shall work with a professional archaeologist to develop a pre-construction brief regarding unanticipated discoveries and provide the brief to onsite construction crew. The brief shall be approved by the VA.
- The construction contractor shall retain a professional archaeologist on an on-call basis to assess potential discoveries and will consult with SHPO and appropriate Tribal entities to determine an appropriate course of action.
- In the event of an inadvertent discovery of possible cultural materials, including human remains, all work will stop immediately in the vicinity of the find. A 30-meter buffer will be placed around the discovery with work being able to proceed outside of this buffered area unless additional cultural materials are encountered. The area will be secured and protected. In the case of inclement weather, tarps or other material will be placed to protect the finds.
- The VA project manager/land manager and on-call professional archaeologist will be notified immediately. The professional archaeologist will assess the artifacts and/or features discovered and perform field analyses for a preliminary assessment of their affiliation. If potential cultural resources are identified, the VA project manager/land manager will notify the State Historic Preservation Office (SHPO) within 5 hours.
- No work within the immediate area may resume until consultation with the SHPO has occurred.
- If possible human remains are encountered, the El Paso County Office of the County Coroner, Colorado State Patrol, and appropriate Tribes will also be notified. If human remains are encountered, they will not be disturbed in any way. The location will be secured and work will not resume in the area of discovery until all parties involved agree upon a course of action.

5. Proceeding with Construction:
- Construction can proceed only after the proper archaeological inspections have occurred and environmental clearances are obtained. This requires close coordination with SHPO and the Tribes.
- After an inadvertent discovery, some areas may be specified for close monitoring or ‘no work zones.’ Any such areas will be identified by the professional archaeologist to the Project Manager, and appropriate Contractor personnel.
- In coordination with the SHPO, the Project Manager will verify these identified areas and be sure that the areas are clearly demarcated in the field, as needed.
CONTACT INFORMATION
VA PROJECT MANAGER/ LAND MANAGER
Name/Title: 
Phone: 
Email: 

COLORADO SHPO
Name/Title: 
Phone: 
Email: 

EL PASO COUNTY CORONER’S OFFICE
Name/Title: 
Phone: 
Email: 

COLORADO STATE PATROL
Name/Title: 
Phone: 
Email: 

From: Elliott, Glenn (CFM) <Glenn.Elliott@va.gov>
Sent: Tuesday, February 28, 2017 12:12 PM
To: Randall Farren; Tanya Perry
Subject: FW: [EXTERNAL] Section 106 Consult: VA Cemetery in S. CO

From: Elliott, Glenn (CFM)
Sent: Tuesday, February 28, 2017 10:30 AM
To: 'Jakaitis - HC, Edward'
Cc: Mark Tobias - HC
Subject: RE: [EXTERNAL] Section 106 Consult: VA Cemetery in S. CO

Edward,
Great to speak with you today. To follow up, based on current information the proposed Southern Colorado National Cemetery now to be known as Pikes Peak National Cemetery will receive a No Historic Properties Affected. Also the VA agrees to provide a final archeological field report with the SHPO’s office once available. The VA also commits to future consultation with the SHPO’s office for future phases of cemetery development.
Glenn

Glenn Elliott
Environmental Engineer, P P/M
U.S. Department of Veterans Affairs
Office of Construction & Facilities Management
425 I (eye) Street, NW, Room 6W417a
Washington, D.C. 20001
ph. (202) 632-5879
fx. (202) 632-5832
bb. (202) 360-1243

From: Jakaitis - HC, Edward [mailto:edward.jakaitis@state.co.us]
Sent: Monday, February 27, 2017 1:15 PM
To: Elliott, Glenn (CFM)
Cc: Mark Tobias - HC
Subject: [EXTERNAL] Section 106 Consult: VA Cemetery in S. CO

Dear Mr. Elliott

I wanted to contact your office to thank you for sending us the latest information regarding the Section 106 process for the proposed cemetery in El Paso County, Colorado. Following the identification and evaluation of historic properties within the defined "Phase I Construction Area" of the area of potential effect, we wanted to confirm the intent of this current activity. Based on the correspondence provided up to this date, we understand that the current reporting attached to the VA letter dated February 9, 2017 is a preliminary "letter report" that will be followed by a more comprehensive Phase I report in the coming months. In addition, we understand that this current survey is intended as an initial identification phase, of a multi-phased identification process for
compliance with Section 106 of the National Historic Preservation Act. Based on the proposed future reporting and phased identification, it is our understanding that if, and when, the VA determines that areas yet to be surveyed for historic properties are needed for the proposed cemetery, additional identification (archaeological surveys) and reporting will be completed and provided to our office for review under Section 106.

Prior to final review and response to the current phase of identification that has been sent to our office, I wanted to reach out and confirm that the VA intends to continue with its Section 106 reviews for future phases of the planned cemetery and will provide comprehensive reporting for each of these phases of identification. If you have any questions for our office, please feel free to contact me and thank you for your continued commitment to our veterans and our history.

Sincerely,
Ed Jakaitis

--
Edward Jakaitis, RPA
Section 106 Compliance Manager
Office of Archaeology and Historic Preservation
History Colorado
1200 Broadway
Denver, CO 80203
O:(303)866-4678
C:(815)291-7682
edward.jakaitis@state.co.us
February 28, 2017

Glenn Elliott
Environmental Engineer, P P/M
Department of Veterans Affairs
Office of Construction & Facilities Management
810 Vermont Avenue NM (003C)
Washington, DC 20420

Re: National Historic Preservation Act Section 106 Consultation for Construction and Operation of a New Veterans Affairs Cemetery in Southern Colorado – Phase 1 Construction (HIC# 69603)

Dear Mr. Elliott:

Thank you for your correspondence dated February 9, 2017 and received by our office on February 13, 2017 regarding our ongoing Section 106 review for the above referenced undertaking.

Following the February 27, 2017 phone conversation between yourself and Edward Jakaitis, our Section 106 Compliance Manager, we understand that the subject undertaking will be completed with phased identification and evaluation that may occur over a span of 10 years or more. This current reporting, provided in an initial “letter report” to be followed by a comprehensive Phase 1 report, is the first of the phased identification and evaluation projects to be completed.

After reviewing the provided documentation, our office recognizes that the area of potential effect (APE) for the current Section 106 consultation is limited to 126-acres of the overall 37+ acres project area. And we do not object to the definition of the APE for this initial development phase and we understand that additional consultation will occur in the future for areas outside of the 126-acre area. With regards to the preliminary identification results provided in the letter report, we find the completed scope of work acceptable, but request to receive the final documentation (as referenced above) in order to provide formal concurrence on your identification of historic properties and assessment of adverse effect pursuant to 36 CFR 800.4 and .5.

Please remember that the consultation process does involve other consulting parties such as local governments and Tribes, which as stipulated in 36 CFR 800.3 are required to be notified of the undertaking. Additional information provided by the local government, Tribes or other consulting parties may cause our office to re-evaluate our comments and recommendations.

Thank you for the opportunity to comment. If we may be of further assistance please contact Edward Jakaitis at (303) 866-4678 or edward.jakaitis@state.co.us.

Sincerely,

[Signature]

Steve Turner, AIA
State Historic Preservation Officer
This page intentionally left blank.
February 9, 2016

Ms. Lynnette Gray
Tribal Historic Preservation Officer
Cheyenne and Arapaho Tribes, Oklahoma
100 Red Moon Circle
Concho, OK 73022

SUBJECT: National Historic Preservation Act Section 106 Consultation for Construction and Operation of a New Veterans Affairs Cemetery in Southern Colorado

Dear Ms. Gray:

The U.S. Department of Veterans Affairs (VA) is preparing an Environmental Assessment (EA) in compliance with the National Environmental Policy Act (NEPA) to evaluate the potential effects associated with the proposed construction of a new national cemetery at Rolling Hills Ranch, El Paso County, Colorado (Figures 1 and 2). The purpose of this letter is to respectively request that the Cheyenne and Arapaho Tribes of Oklahoma consult, per Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended.

The preparation of schematic documents for Phase 1 of the proposed cemetery is underway. Phase 1 will support 10-year burial projections at the site, including approximately 13,300 gravesites and several support facilities. The completed Phase I design will include a main entrance area, roadways, irrigation, utilities, landscaping, signage, committal service shelters, memorial walls, combined public information center and administration building, maintenance building complex, honor guard building, parking, public restrooms and temporary structures necessary to operationally support the cemetery. Eventual development of the cemetery over the next 100-plus years will total 374.3 acres, all of which is to be considered in the Area of Potential Effects (APE). Future development phases will include additional consultation as necessary.

Project Location
The cemetery is to be located on property at Rolling Hills Ranch, in El Paso County, Colorado. The 374.3 acre project site is located approximately 12 miles east-southeast of the City of Colorado Springs and is generally east of Marksheffel Road, between Bradley and Drennan Road.

Area of Potential Effect
Per NHPA Sections 800.4(a)(1) and 800.16(d), the APE for the undertaking was determined for both the archaeological (below-ground) and above-ground historic properties. For these projects, the APE is considered to be the 374.3 acres on which the cemetery will be constructed and a ¼-acre viewshed area.
Historic Resources in the Area of Potential Effect
The entire Rolling Hills Ranch property, including the project area, was surveyed in 2006 by RMC Consultants, Inc. for the Rolling Hills Ranch developer. Additional surveys were also completed, including an access road survey, a block survey of private land along Jimmy Camp Creek, an oil and gas pipeline survey, and a water pipeline survey (Bugg, 2012). Findings from these surveys were an historic farm (5EP5121), the Franceville Spur of the Denver and New Orleans Railroad (5EP2174.1), both assessed as not eligible for listing on the National Register of Historic Places (NRHP); and one historic (5EP5114) and 12 prehistoric isolated finds (5EP2583, 5EP2584, 5EP5100-5EP5106, and 5EP5111-5EP5113), all assessed as not eligible for listing on the NRHP. Site 5EP5099 is a prehistoric open camp, and four prehistoric open lithic scatters (5EP5107 – 5EP5110) were recorded and assessed as not eligible (Bugg, 2012).

Two archaeological surveys were completed in the APE specifically for the proposed new cemetery. The first survey, reported in Initial Cultural Resource Impact Prediction for the New Southern Colorado National Cemetery in El Paso County Colorado (Travis R. Bugg, Centennial Archaeology, Inc., April 30, 2012) identified six archaeological sites within the APE. These are: 5EP5103, 5EP5104, 5EP5107, 5EP5108, 5EP5109, 5EP5121.

A Class III intensive inventory of the area was not recommended because surveys had already been completed. However, the consultant (Bugg, 2012) did recommend that the previously recorded archaeological sites be revisited and evaluated for changes in condition.

As a result of that recommendation, a follow-up pedestrian survey was conducted by Marstel-Day in 2015 (Appendix A). That survey re-located all six archaeological sites and confirmed the recommendation of not eligible for the NRHP for all of the finds, with the exception of Site 5EP5103, where additional work was recommended based on additional finds during that survey.

Archaeological Sites
Six archaeological sites were identified within the APE (Table 1).

Table 1. Archaeological Sites within the APE.

<table>
<thead>
<tr>
<th>Site</th>
<th>Description</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>5EP5103</td>
<td>Isolated find, prehistoric scatter</td>
<td>Redraw site boundary and conduct subsurface test excavations</td>
</tr>
<tr>
<td>5EP5104</td>
<td>Isolated find, prehistoric scatter</td>
<td>Ineligible; No further work</td>
</tr>
<tr>
<td>5EP5107</td>
<td>Open lithic scatter</td>
<td>Ineligible; no further work</td>
</tr>
<tr>
<td>5EP5108</td>
<td>Open lithic scatter</td>
<td>Ineligible; no further work</td>
</tr>
<tr>
<td>5EP5109</td>
<td>Open lithic scatter</td>
<td>Ineligible; no further work</td>
</tr>
<tr>
<td>5EP5121</td>
<td>Historic ranch/farm</td>
<td>Ineligible; no further work</td>
</tr>
</tbody>
</table>
For Site 5EP5103, it is recommended that the site boundary be redrawn to include these artifacts, the designation as an isolated find be reconsidered, the large ceramic sherd analyzed for its potential to provide a date range, and consideration be given to subsurface testing, as the observed artifacts were found in backdirt piles. It was recommended that subsurface testing take place according to a systematic grid and the soil matrix screened. If new data are recovered, reconsideration of NRHP eligibility would be warranted.

**Above-Ground Resources**
Apart from the abandoned ranch (5EP5121), which is identified as not eligible for NRHP listing, no above-ground structures identified as eligible for the NRHP are within the cemetery property or the viewshed. As shown on the map in Figure 2, surrounding land is identified as 'Undeveloped Land.'

The VA requests your input concerning any potential effects this action may have on traditional cultural properties or resources of significant to your tribe. The VA wishes to ensure that issues of concern are addressed and welcomes any comments you may have about the proposed action. If you have any questions or require additional information during your review, please contact me by phone at 202-632-5879 or by email at Glenn.Elliott@VA.gov.

Please direct all written correspondence to me at:

Mr. Glenn Elliott  
Environmental Engineer, P P/M  
U.S. Department of Veterans Affairs  
Office of Construction & Facilities Management  
425 1 Street, NW, Room 6W417a  
Washington, D.C. 20001

Sincerely,

Glenn Elliott  
Environmental Engineer  
U.S. Department of Veterans Affairs
Figure 1. Approximate Project Location shown on the Elsmere USGS Topographic Quad
Figure 2. Project Area

Sites not available for public review.
Appendix A: Cultural Resources Survey Letter Report, Rolling Hills Ranch Project Area
October 21-22, 2015

Mark Durante, Marstel-Day, LLC

Pursuant to the recommendations made in the Programmatic EA, six previously identified archaeological sites located within the Rolling Hills Ranch Site Option A were revisited and evaluated for changes in condition. The evaluation presented here identifies changes in the conditions of these sites from those recorded in state files and also considers the inventory report of the original survey. Sites 5EP5103, 5EP5104, 5EP5107, 5EP5108, 5EP5109, and 5EP5121 were visited October 20-22, 2015 by archaeologist Mark Durante from Marstel-Day. These sites were located using Colorado state site file information and spatial data, relying on a GPS unit.

The weather during this site visit ranged from partly cloudy with a slight breeze, with temperatures in the mid-60s to low 70s on Tuesday October 20, to cloudy with sporadic to heavy rainfall, and temperatures in the upper 40s to low 50s on Wednesday October 21 and Thursday October 22. The general topographic conditions of the project area include rolling hills with low ridges and gentle slopes and several deeply incised dry streambeds with associated terraces. Soil appeared very dry and extensively cracked. Ground visibility was poor due to ground cover vegetation. Common vegetation observed included grasses, small bushes, yucca, prickly-pear cactus, and cottonwood trees. Observed fauna comprised rabbits, prairie dogs, a rattlesnake, and cattle. Slight disturbance from aeolian erosion, slope wash, and cattle grazing was evident.

Site 5EP5103 is recorded as an isolated find consisting of three flakes at the bottom of a northwest facing slope. This site is classified as a prehistoric lithic reduction site of unknown cultural affiliation and ineligible for listing on the National Register of Historic Places. Present conditions include a moderate ground cover of grasses, small bushes, and some cactus; and evidence of cattle grazing. Evidence of slight disturbance from animal burrows is present. The site is in good condition. A large prehistoric ceramic sherd, two smaller sherds, and a flake were observed within 15 meters east of the site, in the backdirt piles of two animal burrows.

For site 5EP5103, we recommend that the site boundary be redrawn to include these artifacts, the designation as an isolated find reconsidered, the large ceramic sherd analyzed for its potential to provide a date range, and consideration be given to subsurface testing, as the observed artifacts were found in backdirt piles. We advise that subsurface testing take place according to a systematic grid and the soil matrix screened. If new data are recovered, reconsideration of NRHP eligibility would be warranted.

Site 5EP5104 is recorded as an isolated find consisting of two flakes and one biface on the northwest slope of a small ridge. This site is classified as a prehistoric lithic reduction site of unknown cultural affiliation and ineligible for listing on the National Register of Historic Places. Current conditions include moderate ground cover of grasses, small bushes, and some cactus; and evidence of cattle grazing. A dirt two-track road passes through the site. Aside from the...
impact of the two-track road, the site is in good condition. No cultural material was observed in the vicinity of 5EP5104. **No further work is recommended.**

Site 5EP5107 is recorded as an open lithic scatter site consisting of 18 debitage, bone, and two biface fragments located on the western slope of a gentle ridge. This site is classified as a prehistoric lithic reduction and resource procurement/processing site of unknown cultural affiliation and ineligible for listing on the National Register of Historic Places. Current conditions include moderate ground cover of grasses, small bushes, and some cactus; and evidence of cattle grazing. The site is in good condition. No cultural material was observed in the vicinity of site 5EP5107. **No further work is recommended.**

Site 5EP5108 is recorded as an open lithic scatter consisting of 22 debitage, one tested cobble, one biface, and a single shard of glass on the west and northwest facing slope of a small bench. This site is classified as a lithic reduction and resource procurement site of unknown cultural affiliation and ineligible for listing on the National Register of Historic Places. Current conditions include moderate ground cover of grasses, small bushes, and some cactus and evidence of cattle grazing. Cattle have worn a thin trail across the site. Despite this impact, the site is in good condition. A single quartz flake was observed, photographed, and left in-situ at site 5EP5108. **No further work is recommended.**

Site 5EP5109 is recorded as an open lithic scatter consisting of 17 debitage and one core on the crest and western slope of a prominent low ridge. This site is classified as a prehistoric lithic reduction site of unknown cultural affiliation and ineligible for listing on the National Register of Historic Places. Current conditions include moderate ground cover of grasses, small bushes, and some cactus and evidence of cattle grazing. The site is in good condition. No cultural material was observed in the vicinity of site 5EP5109. **No further work is recommended.**

Site 5EP5121 is recorded as a historic ranch/farm or short-term habitation site consisting of five architectural features and an artifact collection containing historic ceramics, nails, cans, construction material, and farming/agricultural material located on a terrace adjacent to a significantly incised drainage. This site is classified as farming/ranching, or habitation in origin, dating to the late 1800s or early 1900s, and is ineligible for listing on the National Register of Historic Places. Current conditions include several cottonwood trees, dense ground cover of grasses, some small bushes and cactus and evidence of cattle grazing. As noted in the original report, the buildings are collapsed and in ruin, likely due to neglect. Each of the five features of the site was relocated and observed. Extant portions of foundations at features one and five were observed as well as large piles of milled lumber at features two and three. No distinct evidence of vandalism was observed. The site is immediately adjacent to a dirt two-track road allowing access to the property. Due to the conditions of the buildings this site was originally recorded as heavily disturbed. This assessment is still accurate; the site is in poor condition. However, it is worth noting that there is little evidence of subsurface disturbance. No previously unrecorded features or cultural material were observed at site 5EP5121. **No further work is recommended.**
The archaeological sites relocated during this field evaluation all appear to be in similar condition to that which was originally recorded. No site appears to have endured severe disturbance since their original recordation. No further work is recommended for sites 5EP5104, 5EP5107, 5EP5108, 5EP5109, and 5EP5121. For site 5EP5103 we recommend that the site boundary be recalculated, the isolated find designation be reconsidered, analysis of the larger ceramic sherd be considered, and subsurface testing considered. We advise that subsurface testing take place according to a systematic grid and the soil matrix screened. If new data were recovered or the potential to recover additional significant data evident, we would recommend that eligibility for NRHP listing be reviewed.
04/06/16

Mr. Glen Elliott,
Environment Engineer, P P/M
U.S. Department of Veterans Affairs
425 I Street NW, Room 6W417a
Washington, DC 20001

Dear Mr. Elliott,

Re: National Historic Preservation Act Section 106 Consultation for Construction and Operation of a New Veterans Affairs Cemetery in Southern Colorado.

On behalf of the Cheyenne and Arapaho Tribes, thank you for the notice of the referenced project. I have reviewed your Consultation request under Section 106 of the National Historic Preservation Act regarding the project proposal and commented as follows:

At this time it is determined to be **No Properties**; however, if at any time during the project implementation inadvertent discoveries are made that reflect evidence of human remains, ceremonial or cultural objects, historical sites such as stone rings, burial mounds, village or battlefield artifacts, please discontinue work and notify the THPO Office immediately. If needed, we will contact the Tribes NAGPRA representatives.

Sincerely,

Margaret Sutton, Tribal Historic Preservation Officer
Cheyenne-Arapaho Tribes of Oklahoma
msutton@c-a-tribes.org
405-422-7484
Thursday, July 28, 2016

Glenn Elliot  
U.S. Department of Veteran Affairs  
Office of Construction & Facilities Management  
435 I Street, NW, Room 6W417a  
Washington, D.C., 20001

RE: Site-Specific Environmental Assessment for Phase 1 of a New Veterans Affairs National Cemetery in Southern Colorado, El Paso County, Colorado

Dear Consultant:

On behalf of the Cheyenne and Arapaho Tribes, thank you for the notice of the referenced project. I have reviewed your Consultation request under section 106 of the National Historic Preservation Act regarding the project proposal and commented as follows:

At this time it is determined to be No Properties; however, if at any time during the project implementation inadvertent discoveries are made that reflect evidence of human remains, ceremonial or cultural objects, historical sites such as stone rings, burial mounds, village or battlefield artifacts, please discontinue work and notify the THPO Office immediately. If needed, we will contact the Tribes NAGPRA representatives.

Best Regards,

[Signature]
Margaret Sutton  
Tribal Historic Preservation Officer

CC: Max Bear  
Culture and Heritage Director
June 30, 2016

Re: Site-Specific Environmental Assessment for Phase 1 of a New Veterans Affairs National Cemetery in Southern Colorado, El Paso County, Colorado

Dear Mr. Elliott:

In response to your request, the above reference project has been reviewed by staff of this office to identify areas that may potentially contain prehistoric or historic archeological materials. The location of your project has been cross referenced with the Comanche Nation site files, where an indication of “No Properties” have been identified. (IAW 36 CFR 800.4(d)(1)).

Please contact this office at (580) 595-9960/9618 if you require additional information on this project. Please send your Section-106 inquires to Theodore Villicana at theodorev@comanchenation.com

This review is performed in order to identify and preserve the Comanche Nation and State cultural heritage, in conjunction with the State Historic Preservation Office.

Regards

Comanche Nation Historic Preservation Office
Theodore E. Villicana, Technician
#6 SW “D” Avenue, Suite C
Lawton, OK. 73502
SUBJECT: National Historic Preservation Act (NHPA) Section 106 Consultation for Construction and Operation of a New Veterans Affairs Cemetery in Southern Colorado

Dear <NAME>:

The U.S. Department of Veterans Affairs (VA) is preparing a Site-Specific Environmental Assessment (SEA) in compliance with the National Environmental Policy Act (NEPA) to evaluate the potential effects associated with the proposed construction of a new national cemetery at Rolling Hills Ranch, El Paso County, Colorado, approximately 10 miles southeast of Colorado Springs. A map of the project area is below (Figure 1). The project area, which is the construction area for Phase 1 of the proposed National Cemetery, consists of 126 acres within the larger 374-acre VA property.
VA consultant Marstel-Day conducted a preliminary field survey of the known archaeological sites in project area on October 20-22, 2015. The VA submitted the results of that survey to the Colorado State Historic Preservation Officer (SHPO) on February 3, 2016, initiating formal consultation for the VA’s proposed action. Consultation with Native American tribes was initiated at this time as well. The tribes contacted were the Arapaho Tribe of the Wind River Reservation, Wyoming; Cheyenne and Arapaho Tribes, Oklahoma; Comanche Nation; Fort Peck Assiniboine and Sioux Tribes; and Northern Cheyenne Tribe of Northern Cheyenne Indian Reservation. Responses were received from the Comanche Nation and the Cheyenne and Arapaho indicating no concern with the undertaking other than requesting notification if any new discoveries were made.

Based on the preliminary report and subsequent discussion with the SHPO, the VA submitted a work plan to the SHPO for additional fieldwork on May 23, 2016. That plan for a Phase I archaeological survey, to comply with Section 106 of the National Historic Preservation Act, was approved by the SHPO on June 13, 2016. In accordance with the approved plan, Marstel-Day conducted archaeological shovel testing of the 126-acre construction phase 1 APE, and Phase I subsurface delineation of Site 5EP5103. This fieldwork began November 14, 2016 and was completed December 23, 2016.

The purpose of this letter is to inform you of the completion of the Phase I fieldwork and to transmit the enclosed letter report explaining the results of that work and the VA’s determinations based on those results. The VA will submit a more comprehensive Phase I report in the coming months. In accordance with Executive Order 13175 and Section 106 of the NHPA (36 CFR Sections 800.2, 800.3, and 800.4) we respectfully request any comments, concerns or suggestions you may have on the report.

The results and determinations of the Phase I archaeological survey are outlined below and discussed in the attached letter report.

**Site 5EP5103**

Subsurface delineation of Site 5EP5103 was accomplished through excavation of eight shovel test pits in a cruciform pattern covering the location of the previously recorded site, and the locations of the artifacts observed in animal burrow back dirt piles in 2015. All eight tests returned negative results, no further cultural material was recovered and no subsurface archaeological features encountered. For Site 5EP5103, the VA has determined it remain classified as an Isolated Find, ineligible for listing on the National Register of Historic Places (NRHP) and no further work is required.

**Phase I Subsurface Survey**

Phase I subsurface survey of the 126-acre construction phase 1 APE was accomplished through excavation of approximately 1,960 shovel tests. High and medium probabilities were assigned to areas of the APE based on an evaluation of the United States Department of Agriculture/Natural Resources Conservation Service (USDA/NRCS) El Paso County, CO Soil Survey, Soil Taxonomy, and Official Soil Series Descriptions. High probability was assigned to soils with characteristics indicating the likelihood of deep, stratified floodplain stratigraphy with potential for buried surfaces. Medium probability was assigned to soils with characteristics indicating they were too young to contain prehistoric cultural material. High probability shovel tests were spaced 15 meters apart, and medium probability shovel tests spaced 30 meters apart.
**High Probability Results**

A single piece of chert debitage was recovered from within 10 centimeters of the ground surface in one test, shovel test HI-15-54. Four radial tests were conducted at a five-meter interval in each cardinal direction. All were negative. This test is approximately 15 meters north of previously recorded Site 5EP5104, also classified as an Isolated Find. Both the positive test and Site 5EP5104 are downslope from a more substantial surface site, Site 5EP5108. It is possible that both Site 5EP5104 and the debitage recovered from the positive test have washed downslope from Site 5EP5108. The remainder of tests in the high probability area were negative.

For the positive test and Site 5EP5104 the VA has determined that Site 5EP5104 remain classified as an Isolated Find, ineligible for listing on the NRHP and that no further work is required for the high-probability area.

**Medium Probability Results**

No cultural materials were recovered and no cultural features were encountered during testing of the medium-probability area. The fieldwork and additional background research indicate though, that intact floodplain stratigraphy containing deeply buried surfaces exists in this location. This suggests that the soils in this part of the APE are much older than indicated by the USDA/NRCS data, and this conclusion is supported by soil analyses on terraces along Jimmy Camp Creek and other waterways in the vicinity.

A limitation of the current study is that the STPs excavated in the medium-probability area were excavated to approximately one meter below the surface, enough to reach the first buried surface, but the shovel testing was not designed to excavate to the levels of very deep soils. And, while the definitions presented in the model based on the soils analysis in the original work plan suggest this area may be classified as high, rather than medium probability, the likelihood of archaeological sites still appears to be medium-probability. This conclusion is based on the following: no archaeological remains were identified in any of the STPs excavated in the high-probability area with the exception of one piece of debitage, or in the medium-probability area in those instances where STPs were excavated to the first buried surface.

No further archaeological fieldwork in the medium-probability area is recommended. However, the VA intends to include an inadvertent discovery plan in the construction work plan (see Appendix A for a sample plan). This plan would state that upon discovery of cultural material at any point during construction, ground disturbance would be halted until the finds have been assessed by a professional archaeologist and if required, a treatment plan developed based on consultation between the VA and the Colorado SHPO and in accordance with the inadvertent discovery plan. The VA would require that the Construction Contractor have a professional archaeologist prepare and implement a pre-construction brief regarding unanticipated discoveries and provide the brief to onsite construction crews. The VA would further require that the Construction Contractor employ a professional archaeologist on an on-call basis to provide oversight to assess potential discoveries or evidence of cultural resources.

Please direct all written correspondence to me at:

Mr. Glenn Elliott  
Environmental Engineer, P P/M
If you should have any questions or require additional information during your review, please contact me by phone at 202-632-5879 or by email at Glenn.Elliott@VA.gov. We look forward to hearing from you.

Sincerely,

Glenn Elliott
Environmental Engineer, P P/M
Appendix A: Sample Inadvertent Discovery Plan
Sample Inadvertent Discovery Plan for Cultural Resources
Construction of Phase 1 of a New National Cemetery in the Southern Colorado Area

1. Introduction
The Department of Veterans Affairs intends to construct Phase 1 of a New National Cemetery in the Southern Colorado Area, El Paso County, CO. The purpose of this project is to meet the current and projected burial needs of veterans and their families. The following Inadvertent Discovery Plan (IDP) outlines procedures to be followed, in accordance with state and federal laws, if cultural materials or human remains are encountered during construction.

Unanticipated discoveries typically occur when previously undetected cultural resources are exposed during construction or other permitted surface-disturbing activities, after the National Historic Preservation Act Section 106 process has been completed.

This plan provides clear procedures and lines of communication with appropriate authorities prior to the start of construction, so any discoveries can be addressed in a timely manner.

2. Recognizing Cultural Resources
A cultural resource discovery could be prehistoric or historic. The discovery can be an object (artifact), or a subtle or unusual change in soil color and texture (feature). People have lived in the Colorado region since approximately 14,000 years before the present and remains could date as far back as that time.

Examples include:
- Flaked stone tools (arrowheads, knives scrapers etc.);
- Waste flakes that resulted from the manufacture of flaked stone tools;
- Ground stone tools like mortars and pestles;
- Pottery or pottery fragments;
- Bottle/glass fragments;
- Ash, charcoal, ash-stained soils;
- Layers (strata) of discolored earth resulting from fire hearths. May be black, red or mottled brown and often contain discolored cracked rocks or dark soil with broken shell;
- Changes in soil color or texture that may be the remains of hearths, sub-surface storage pits, or wooden posts that have since deteriorated but have left darker soil in round, oblong, or irregular shapes. For example, a dark irregular round soil color in a lighter soil context can be the remains of a prehistoric hearth or storage pit.
- Bones or small pieces of bone;
- Clusters of tin cans or bottles, logging or agricultural equipment that appears to be older than 50 years;
- Buried railroad tracks, decking, or other industrial materials;
- Human remains;
- Structural remains- wooden beams, post holes, fish weirs.
3. Human Remains
   - If human remains, funerary objects, sacred objects, or objects of cultural patrimony, or suspected human remains, funerary objects, sacred objects, or objects of cultural patrimony, are discovered during ground disturbing activities, the VA Project Manager will be notified immediately by telephone and notified of the discovery with written confirmation. All activity will be halted within a minimum of 30 meters of the discovery and a reasonable effort will be made to protect the discovery.
   - If Native American human remains are discovered, consultation with Native American stakeholder tribes may be required. If discovered the VA will follow procedures in accordance with Federal regulations, including the Native American Graves Protection and Repatriation Act of 1990 and its implementing regulations 43 CFR § 10.

4. On-site Responsibilities
   - Pre-construction brief. The construction contractor shall work with a professional archaeologist to develop a pre-construction brief regarding unanticipated discoveries and provide the brief to onsite construction crew. The brief shall be approved by the VA.
   - The construction contractor shall retain a professional archaeologist on an on-call basis to assess potential discoveries and will consult with SHPO and appropriate Tribal entities to determine an appropriate course of action.
   - In the event of an inadvertent discovery of possible cultural materials, including human remains, all work will stop immediately in the vicinity of the find. A 30-meter buffer will be placed around the discovery with work being able to proceed outside of this buffered area unless additional cultural materials are encountered. The area will be secured and protected. In the case of inclement weather, tarps or other material will be placed to protect the finds.
   - The VA project manager/land manager and on-call professional archaeologist will be notified immediately. The professional archaeologist will assess the artifacts and/or features discovered and perform field analyses for a preliminary assessment of their affiliation. If potential cultural resources are identified, the VA project manager/land manager will notify the State Historic Preservation Office (SHPO) within 5 hours.
   - No work may resume within the immediate area until consultation with the SHPO has occurred.
   - If possible human remains are encountered, the El Paso County Office of the County Coroner, Colorado State Patrol, and appropriate Tribes will also be notified. If human remains are encountered, they will not be disturbed in any way. The location will be secured and work will not resume in the area of discovery until all parties involved agree upon a course of action.

5. Proceeding with Construction:
   - Construction can proceed only after the proper archaeological inspections have occurred and environmental clearances are obtained. This requires close coordination with SHPO and the Tribes.
   - After an inadvertent discovery, some areas may be specified for close monitoring or ‘no work zones.’ Any such areas will be identified by the professional archaeologist to the Project Manager, and appropriate Contractor personnel.
   - In coordination with the SHPO, the Project Manager will verify these identified areas and be sure that the areas are clearly demarcated in the field, as needed.
CONTACT INFORMATION
VA PROJECT MANAGER/ LAND MANAGER
Name/Title:
Phone:
Email:

COLORADO SHPO
Name/Title:
Phone:
Email:

EL PASO COUNTY CORONER'S OFFICE
Name/Title:
Phone:
Email:

COLORADO STATE PATROL
Name/Title:
Phone:
Email:
Native American Tribes Distribution List

Native American Tribes

Arapaho Tribe of the Wind River Reservation, Wyoming
Honorable Roy B. Brown
P.O. Box 396
Fort Washakie, WY 82514

Arapaho Tribe of the Wind River Reservation, Wyoming
Yufna Soldier Wolf, THPO
P.O. Box 67
St. Stevens, WY 82524

Cheyenne and Arapaho Tribes, Oklahoma
Honorable Eddie Hamilton, Governor
100 Red Moon Circle
Concho, OK 73022

Cheyenne and Arapaho Tribes, Oklahoma
Lynnette Gray, THPO
100 Red Moon Circle
Concho, OK 73022

Comanche Nation
Honorable Willie Nelson, Chairman
HC-32, Box 1720
584 NW Bingo Road
Lawton, OK 73507

Comanche Nation
Jimmy Arterberry, THPO
584 NW Bingo Road
Lawton, OK 73507

Fort Peck Assiniboin and Sioux Tribes
Honorable Floyd Azure, Tribal Chairman
501 Medicine Bear Road
Poplar, MT 59255

Fort Peck Assiniboin and Sioux Tribes
Darrell Youpee, THPO
P.O. Box 1027
501 Medicine Bear Road
Poplar, MT 59255

Northern Cheyenne Tribe of Northern Cheyenne Indian Reservation
Honorable Lawrence Killsback, President
P.O. Box 128
Lame Deer, MT 59043
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Memo

To: AES Group
From: Michael Gloden
Email: michael.gloden@atkinsglobal.com
Phone: 
Date: May 4, 2015
Ref: Southern Colorado Veterans Cemetery
cc: 
Subject: Section 404 Jurisdictional Area Delineation

Atkins conducted a delineation of Section 404 jurisdictional wetlands and other waters of the U.S. (WOUS) along Corral Tributary and Franceville Tributary according to guidelines in the 1987 U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region. The delineation was performed to inventory jurisdictional areas of the USACE within a study area encompassing the Southern Colorado Veterans Cemetery Master Plan.

REGULATORY SETTING

For delineation purposes, wetlands are defined as:

Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions (33 CFR 328.3, 40 CFR 230.3).

The USACE and U.S. Environmental Protection Agency (EPA) are responsible for making all final jurisdictional determinations. Under Section 404 of the federal Clean Water Act (CWA), the USACE and the EPA reserve the right to determine jurisdiction on a case-by-case basis (CFR, Volume 41, Number 219).

According to 33 CFR 328.4(c), the limits of jurisdiction in non-tidal waters are as follows:

- In the absence of adjacent wetlands, the jurisdiction extends to the ordinary high water mark (OHWM).
- When adjacent wetlands are present, the jurisdiction extends beyond the OHWM to the limit of the adjacent wetlands.
- When the water of the United States consists only of wetlands, the jurisdiction extends to the limit of the wetlands.

On January 9, 2001, the U.S. Supreme Court issued a decision that the USACE lacks the authority to regulate isolated wetlands via the “Migratory Bird Rule.” The 1986 Migratory Bird Rule stated that Section 404 of the CWA extended to intrastate waters that provide habitat for:

- Birds protected by migratory treaties
- Other migratory birds that cross state lines
- Endangered species

Intrastate waters used to irrigate crops sold in interstate commerce also were included. As a result of the court decision, many isolated wetlands (not connected or adjacent to other jurisdictional waters of the U.S.), which previously fell under USACE authority, are now unregulated for Section 404 purposes.

On June 5, 2007, the EPA and USACE issued a joint guidance memorandum that further refined “jurisdiction over waters of the United States under the Clean Water Act” (33 U.S.C. § 1251 et seq) (EPA and USACE, 2007a). This memorandum implements the Supreme Court’s decision in the consolidated cases of Rapanos v. United States and Carabell v. United States (126 S. Ct. 2208-2006) (EPA and USACE, 2007a). In addition, the procedures included in this memorandum replace the coordination procedures contained in the January 2003 EPA/USACE guidance implementing the Solid Waste Agency of Northern Cook County (aka SWANCC) decision (but leaves the remainder of that guidance unaffected) (EPA and USACE, 2007b). Further, this memorandum does not nullify or supersede the 1990 Geographic Jurisdiction Memorandum of Agreement, including its special-case provisions (EPA and USACE, 2007b).
In April 2014, the EPA and USACE issued a proposed rule to further clarify protection of streams and wetlands under the CWA following *Rapanos* and SWANCC. If adopted as proposed, the rule would expand the agencies’ geographic scope of jurisdiction under Section 404 of the CWA compared to current regulation. Primary changes in the proposed rule include:

1. Designating most intermittent and ephemeral drainages as waters of the U.S.
2. Designating wetlands near tributaries as waters of the U.S.
3. Allowing subsurface connectivity to demonstrate jurisdiction
4. Establishing that lack of an OHWM is not sufficient to isolate upgradient wetlands
5. Proposing a case-specific approach to determining significant nexus of waters of the U.S.

The agencies accepted public comment on the proposed rule until November 14, 2014.

For delineation of other waters of the U.S. (non-wetland waters), the lateral extent of jurisdiction is determined by the OHWM. In Regulatory Guidance Letter (RGL) Number 05-05, the USACE defines the OHWM as:

*That line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.*

**METHODS**

A delineation of wetlands and other waters of the U.S. was performed by Atkins scientists on April 28 and 29, 2015. The wetland delineation was conducted in accordance with the 1987 USACE Wetlands Delineation Manual (Environmental Laboratory, 1987) and 2010 Regional Supplement to the Corps of Engineers Wetlands Delineation Manual: Great Plains Region (Version 2.0) (USACE, 2010). In the field, wetland boundaries were demarcated with sequentially numbered flagging, and wetland boundaries were mapped using a resource grade Trimble GeoXH global positioning system (GPS) unit. The GPS data were differentially corrected using GPS Pathfinder Office software and mapped using ESRI ArcGIS 10.2 software. Wetland and upland areas were investigated for the presence of wetland hydrology, hydrophytic vegetation, and hydric soils. Non-wetland waters were investigated for the presence of an OHWM.

Vegetation was assessed at each wetland and upland sample point. The wetland indicator status of vegetation was derived from the *Great Plains 2014 Regional Wetland Plant List* (Lichvar, 2014). Plants observed were identified using *Field Guide to Colorado’s Wetland Plants* (Culver, 2013), *Common Wetland Plants of Colorado’s Eastern Plains: A Pocket Guide* (Culver, 2014), *Flora of North America* (http://www.efloras.org), and the USDA PLANTS database (http://plants.usda.gov). Nomenclature follows that of the PLANTS Database (USDA-NRCS, 2014). Vegetation cover with greater than 50 percent of the dominant plant species that have an indicator status of obligate (OBL), facultative wet (FACW), and/or facultative (FAC), qualifies as hydrophytic. Vegetation cover with 50 percent or greater of the dominant plant species classified as upland (UPL) and/or facultative upland (FACU) is considered as upland.

At each upland and wetland sample point, soil pits were excavated to assess for hydric soil conditions. Wetlands must meet the qualifications of at least one hydric soil indicator, or meet the Natural Resources Conservation Service (NRCS) definition of a hydric soil. This definition states that a hydric soil formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper soil profile (Federal Register, 1994). The soils pits were evaluated by using a Munsell Soil Color Chart and by physical characteristics.

At each upland and wetland sample point, surface and subsurface hydrology observations were recorded in the field. There are 19 primary hydrology indicators and nine secondary hydrology indicators on the USACE Wetland Determination Form (USACE, 2010). Wetland hydrology is met when at least one primary or two secondary indicators are observed at the site. Vegetation, soils, and hydrology data at both upland and wetland sites were recorded onto USACE Wetland Determination Data Forms (attached). Representative photos of each wetland also were collected (available upon request).

In addition, each wetland was classified using the *Classification of Wetlands and Deepwater Habitats of the United States* (Cowardin et al., 1979). Cowardin classifications include herbaceous palustrine emergent (PEM), palustrine scrub-shrub (PSS), palustrine forested (PFO), unconsolidated bed (UB, typically a soil or...
unconsolidated rock channel bed), rock bed (RB, generally comprised of solid rock), and aquatic bed (AB, submerged or aquatic vegetation).

**WETLANDS**

The delineation resulted in the identification of two wetlands (GA and GB) totaling approximately 0.90 acre (39,383 square feet). Wetland GA is approximately 0.017 acre (7,485 square feet), while wetland GB is approximately 0.073 acre (31,898 square feet).

Both wetlands are located within Franceville Tributary. At Drennan Road, Franceville Tributary has been diverted from its historic path to drain into Corral Tributary. Any flow that is not diverted must pass south over Drennan Road (no culvert was identified) and across a broad, unconfined floodplain with no defined channel. Approximately 1,500 feet south of Drennan Road, surface flows may outfall into Franceville Tributary, which begins with moderately sloped banks and wide-reaching swales. As the drainage drops in elevation, the drainage narrows and the slopes become steeper, forming semi-eroded banks. A defined channel with OHWM was not observed within Franceville Tributary, but several groundwater seeps occur and are the water source for wetlands present within the drainage.

Wetland GA is located within Franceville Tributary near the southern site boundary where groundwater discharges from a headcut spanning the entire width of the drainage. The water collects in an unvegetated, open water basin, and overflows into Wetland GA. Wetland GA is a narrow, linear wetland composed of herbaceous species, including needle spikerush and narrowleaf cattail. Livestock footprints and trails were observed throughout Wetland GA and have reduced wetland vegetation recruitment in some areas. Upland vegetation surrounding the wetland included common cocklebur, wild rose, blue grama, and prickly pear. Narrowleaf cottonwoods and Russian olive grow along both banks of the drainage.

Wetland GB also is fed by a groundwater seep located at the northern end of the wetland boundary. Wetland GB is characterized by needle spikerush, Kentucky bluegrass, and common three-square. Sandbar willow grows along the edge of the wetland boundary and extends along the banks into more upland areas. Upland vegetation in the vicinity of the wetland is comprised primarily of snowberry, wild rose, smooth brome, and sandbar willow along the boundary of upland and wetland. Peachleaf willow and narrowleaf cottonwoods grow along the northern bank of the drainage.

The hydric soil indicator for wetlands GA and GB were loamy gleyed matrix (Indicator F2). Indicator F2 is described as comprising a gleyed matrix that makes up 60 percent or more of a layer within 12 inches of the surface. Surface water (Indicator A1) was present at both wetlands GA and GB. Additional secondary hydrological indicators were noted at one or both wetlands in the form of soil saturation, salt crust, and algal mat or crust. Wetlands GA and GB are both classified as PEM wetlands by Cowardin due to the dominance of erect, rooted, herbaceous vegetation.

**OTHER WATERS OF THE U.S.**

In addition to wetlands, other waters of the U.S. were identified on the site, including Corral Tributary and two non-vegetated surface waters located in the Franceville Tributary.

Corral Tributary is an ephemeral, non-relatively permanent water (RPW) that flows southwest through the site for approximately 4,160 feet. Corral Tributary exhibits a low-flow channel that meanders within a broader active floodplain. Corral Tributary is characterized by a low slope, with bed and floodplain composed entirely of sand. No water was observed within the channel during the site visit, but evidence of episodic flows were observed in the form of debris deposits and eroding banks. The east bank of Corral Tributary showed signs of significant stability issues. In some areas, vertical cut banks exceed 30 feet in height. The thawleg of this tributary was not well defined. Currently, the thawleg flows along the base of some of the vertical cut banks. Continued bank erosion is expected along the east channel bank if stabilization actions are not taken.

An OHWM was identified within Corral Tributary, generally following the outer limits of the active channel. In some areas, the OHWM was extended beyond the active channel because physical indicators such as destruction of terrestrial vegetation, debris/wrack lines, scour/deposition, and split flows suggest that the active channel has a tendency to laterally migrate within the floodplain. At these locations, the limits of both
the OHWM and active channel were delineated. Floodplain modeling in Corral Tributary may be used to further refine the OHWM in subsequent phases of the project.

Two open-water features were identified in association with wetlands within the Franceville Tributary. Both of the open-water features are formed from groundwater that seeps from headcuts, but neither exhibits wetland characteristics (i.e., lacked wetland vegetation). At the time of field investigations, water was approximately two to three feet deep, and measured approximately 0.015 acre and 0.009 acre each at the outside edge of water.

FUTURE ACTIONS

The delineation resulted in the identification of 0.90 acre (39,383 square feet) of wetlands, 0.024 acre (1,083 square feet) of open water, and 4,160 linear feet of Corral Tributary in the study area. During development of the Southern Colorado Veterans Cemetery Master Plan, direct impacts to wetlands and other waters of the U.S. would be avoided and/or minimized to the greatest extent practicable per the requirements of Section 404 of the CWA. Any impacts to jurisdictional areas that cannot be avoided and are greater than 0.1 acre but less than 0.5 acre may be permitted by the USACE under a Nationwide Permit (NWP). Compensatory mitigation may be required for unavoidable impacts to wetlands and other waters of the U.S. deemed jurisdictional by the USACE.

Bank stabilization along Corral Tributary is proposed for inclusion within the Southern Colorado Veterans Cemetery Master Plan. Conceptual alternatives to stabilize Corral Tributary may include a variety of treatments, some of which may require cuts or fills within the limits of CWA jurisdiction. Coordination with the USACE is required during development of bank stabilization treatments to determine jurisdictional status and subsequent permitting requirements. Bank stabilization may be authorized under both NWP 13 and NWP 27, and will be dependent on the extent and design of the selected treatments, as well as the limitations and general conditions of each permit. The Albuquerque District of the USACE holds regulatory permitting authority for this project from the Southern Colorado Branch Office (719-543-9459) in Pueblo, Colorado.

REFERENCES


### WETLAND DETERMINATION DATA FORM – Great Plains Region

**Project/Site:** VA Southern Colorado Cemetery  
**City/County:** Colorado Springs, El Paso County  
**Sampling Date:** 4/28/2015

**Applicant/Owner:** Veterans Affairs  
**State:** CO  
**Sampling Point:** GA (wetland)

**Investigator(s):** M. Gloden and H. Darrow  
**Section, Township, Range:** S2, T15S, R65W

**Landform (hillslope, terrace, etc.):**  
**Local relief (concave, convex, none):** concave

**Subregion (LRR):** G  
**Lat:** 3846.219  
**Long:** -10438.582  
**Datum:** Nad 83

**Soil Map Unit Name:** Manzanola clay loam, 1-3% slopes

**NWI classification:** N/A

**Are climatic / hydrologic conditions on the site typical for this time of year?** Yes [ ] No [X]  
(If no, explain in Remarks.)

**Are Vegetation Normal, Soil Normal, or Hydrology Normal significantly disturbed?** Are “Normal Circumstances” present? Yes [ ] No [X]  
(If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

<table>
<thead>
<tr>
<th>Hydrophytic Vegetation Present?</th>
<th>Yes [X] No [ ]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydric Soil Present?</td>
<td>Yes [X] No [ ]</td>
</tr>
<tr>
<td>Wetland Hydrology Present?</td>
<td>Yes [X] No [ ]</td>
</tr>
</tbody>
</table>

**Remarks:**

### VEGETATION – Use scientific names of plants.

<table>
<thead>
<tr>
<th>Tree Stratum</th>
<th>(Plot size: )</th>
<th>Absolute % Cover</th>
<th>Dominant Indicator Species?</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. None</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
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<tr>
<td>3.</td>
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<tr>
<td>4.</td>
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<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sapling/Shrub Stratum</th>
<th>(Plot size: )</th>
<th>= Total Cover</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
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<tr>
<td>4.</td>
<td></td>
<td></td>
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<tr>
<td>5.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Herb Stratum</th>
<th>(Plot size: 10x10 ft)</th>
<th>= Total Cover</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Narrowleaf cattail (Typha angustifolia)</td>
<td>15</td>
<td>N</td>
</tr>
<tr>
<td>2. Broadleaved pepperweed (Lepidium latifolium)</td>
<td>10</td>
<td>N</td>
</tr>
<tr>
<td>3. Common threesquare (Scirpus pungens)</td>
<td>25</td>
<td>N</td>
</tr>
<tr>
<td>4. Needle spikerush (Eleocharis acicularis)</td>
<td>5</td>
<td>N</td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
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<tr>
<td>6.</td>
<td></td>
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<td>7.</td>
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<tr>
<td>8.</td>
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<tr>
<td>9.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Woody Vine Stratum</th>
<th>(Plot size: )</th>
<th>= Total Cover</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| % Bare Ground in Herb Stratum | 45 | 95 | = Total Cover |

**Remarks:** (Include photo numbers here or on a separate sheet.)

**Dominance Test worksheet:**

| Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): | 2 (A) |
|----------------------------------------------------------------------------|
| Total Number of Dominant Species Across All Strata: | 1 (B) |
| Percent of Dominant Species That Are OBL, FACW, or FAC: | 100 (A/B) |

**Prevalence Index worksheet:**

<table>
<thead>
<tr>
<th>Total % Cover of:</th>
<th>Multiply by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>OBL species</td>
<td>45 x 1 = 45</td>
</tr>
<tr>
<td>FACW species</td>
<td>10 x 2 = 20</td>
</tr>
<tr>
<td>FAC species</td>
<td>x 3 =</td>
</tr>
<tr>
<td>FACU species</td>
<td>x 4 =</td>
</tr>
<tr>
<td>UPL species</td>
<td>x 5 =</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column Totals:</th>
<th>55 (A) 65 (B)</th>
</tr>
</thead>
</table>

| Prevalence Index = B/A = | 1.18 |

**Hydrophytic Vegetation Indicators:**

- x Dominance Test is >50%
- x Prevalence Index is ≤3.0

1Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Matrix</th>
<th>Redox Features</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-3</td>
<td>10YR 4/2</td>
<td>100%</td>
<td></td>
<td>sandy clay</td>
</tr>
<tr>
<td>3-8</td>
<td>Gley 1 2.5 N</td>
<td>70%</td>
<td>10YR 4/2</td>
<td>C</td>
</tr>
<tr>
<td>8-12</td>
<td>Gley 1 2.5 N</td>
<td>100%</td>
<td></td>
<td>sandy clay</td>
</tr>
</tbody>
</table>

1Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. 2Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5)
- 1 cm Muck (A9)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- 2.5 cm Mucky Peat or Peat (S2)
- 5 cm Mucky Peat or Peat (S3)

Indicators for Problematic Hydric Soils:

- 1 cm Muck (A9) (LRRI, J)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)
- High Plains Depressions (F16)
- (LRRIH outside of MLRA 72 & 73)

Restrictive Layer (if observed):

Type: ________________ Depth (inches): ________________ Hydric Soil Present? Yes ___ No ___

Remarks:

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Inundation Visible on Aerial Imagery (B7)
- Water-Stained Leaves (B9)

Secondary Indicators (minimum of two required)

- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Dry-Season Water Table (C2)
- Oxidized Rhizospheres on Living Roots (C3)
- Presence of Reduced Iron (C4)
- Thin Muck Surface (C7)
- Other (Explain in Remarks)
- Other (Explain in Remarks)
- Frost-Heave Hummocks (D7)

Field Observations:

<table>
<thead>
<tr>
<th>Surface Water Present?</th>
<th>Yes ___ No ___ Depth (inches): ___</th>
<th>Wetland Hydrology Present?</th>
<th>Yes ___ No ___</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Table Present?</td>
<td>Yes ___ No ___ Depth (inches): ___</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Saturation Present?</td>
<td>Yes ___ No ___ Depth (inches): ___</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Wetland Hydrology Present? Yes ___ No ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:
Project/Site: VA Southern Colorado Cemetery City/County: Colorado Springs, El Paso County Sampling Date: 4/28/2015
Applicant/Owner: Veterans Affairs State: CO Sampling Point: GA (upland)
Investigator(s): M. Gloden and H. Darrow Section, Township, Range: S2, T15S, R65W
Landform (hillslope, terrace, etc.): ___________ Local relief (concave, convex, none): concave Slope (%): 3%
Subregion (LRR): G Lat: 3846.22 Long: -10438.592 Datum: Nad 83
Soil Map Unit Name: Manzanola clay loam, 1-3% slopes NWI classification: N/A
Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No (If no, explain in Remarks.)
Are Vegetation N Soil N, or Hydrology N significantly disturbed? Are “Normal Circumstances” present? Yes x No
Are Vegetation N Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

<table>
<thead>
<tr>
<th>Hydrophytic Vegetation Present?</th>
<th>Yes</th>
<th>No x</th>
<th>Is the Sampled Area within a Wetland?</th>
<th>Yes</th>
<th>No x</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydric Soil Present?</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wetland Hydrology Present?</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Remarks: (Include photo numbers here or on a separate sheet.)

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____________ ) Absolute % Cover Dominant Indicator Species? Status
1. None
2.
3.
4.
5.

Sapling/Shrub Stratum (Plot size: ____________ ) = Total Cover
1. None
2.
3.
4.
5.

Herb Stratum (Plot size: 10x10 ft ____________ ) = Total Cover
1. Prickly pear spp. (Opuntia spp.) 15 N UPL
2. Nootka rose (Rosa nutkana) 30 Y FACU
3. Blue grama (Bouteloua gracilis) 45 Y UPL
4. Common cocklebur (Xanthium pennsylvanicum) 5 N UPL
5.
6.
7.
8.
9.
10.

Woody Vine Stratum (Plot size: ____________ ) = Total Cover
1. None
2.

% Bare Ground in Herb Stratum 20 = Total Cover

Remarks: (Include photo numbers here or on a separate sheet.)

Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): 0 (A)
Total Number of Dominant Species Across All Strata: 0 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)

Prevalence Index worksheet:

<table>
<thead>
<tr>
<th>Total % Cover of:</th>
<th>Multiply by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>OBL species</td>
<td>x 1 =</td>
</tr>
<tr>
<td>FACW species</td>
<td>x 2 =</td>
</tr>
<tr>
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</tr>
<tr>
<td>FACU species</td>
<td>x 4 =</td>
</tr>
<tr>
<td>UPL species</td>
<td>x 5 =</td>
</tr>
</tbody>
</table>

Column Totals: (A) (B)
Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

- Dominance Test is >50%
- Prevalence Index is ≤3.01
- Morphological Adaptations1 (Provide supporting data in Remarks or on a separate sheet)
- Problematic Hydrophytic Vegetation1 (Explain)

Hydrophytic Vegetation Present? Yes No x
### SOIL

**Profile Description:** (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Matrix Color (moist)</th>
<th>%</th>
<th>Redox Features Color (moist)</th>
<th>%</th>
<th>Type</th>
<th>Loc</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-12&quot;</td>
<td>10YR 4/4</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>sandy loam</td>
<td></td>
</tr>
<tr>
<td></td>
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</tr>
</tbody>
</table>

1Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.

- **Hydric Soil Indicators:**
  - Histosol (A1)
  - Histic Epipedon (A2)
  - Black Histic (A3)
  - Hydrogen Sulfide (A4)
  - Stratified Layers (A5) (LRR F)
  - 1 cm Muck (A9) (LRR F, G, H)
  - Depleted Below Dark Surface (A11)
  - Thick Dark Surface (A12)
  - Sandy Mucky Mineral (S1)
  - 2.5 cm Mucky Peat or Peat (S2) (LRR G, H)
  - 5 cm Mucky Peat or Peat (S3) (LRR F)

- **Indicators for Problematic Hydric Soils:**
  - 1 cm Muck (A9) (LRRI, J)
  - Sandy Redox (S5)
  - Stripped Matrix (S6)
  - Loamy Mucky Mineral (F1)
  - Loamy Gleyed Matrix (F2)
  - Depleted Matrix (F3)
  - Redox Dark Surface (F6)
  - Depleted Dark Surface (F7)
  - Redox Depressions (F8)
  - High Plains Depressions (F16)
  - Other (Explain in Remarks)

- **Hydric Soil Present?** Yes ___ No ___

---

### HYDROLOGY

**Wetland Hydrology Indicators:**

- **Primary Indicators (minimum of one is required; check all that apply):**
  - Surface Water (A1)
  - High Water Table (A2)
  - Saturation (A3)
  - Water Marks (B1)
  - Sediment Deposits (B2)
  - Drift Deposits (B3)
  - Algal Mat or Crust (B4)
  - Iron Deposits (B5)
  - Inundation Visible on Aerial Imagery (B7)
  - Water-Stained Leaves (B9)

- **Secondary Indicators (minimum of two required):**
  - Salt Crust (B11)
  - Aquatic Invertebrates (B13)
  - Hydrogen Sulfide Odor (C1)
  - Dry-Season Water Table (C2)
  - Oxidized Rhizospheres on Living Roots (C3) (where not titled)
  - Presence of Reduced Iron (C4)
  - Thin Muck Surface (C7)
  - Other (Explain in Remarks)
  - Frost-Heave Hummocks (D7) (LRR F)

**Field Observations:**

- **Surface Water Present?** Yes ___ No ___ Depth (inches): __________
- **Water Table Present?** Yes ___ No ___ Depth (inches): __________
- **Saturation Present?** Yes ___ No ___ Depth (inches): __________

**Wetland Hydrology Present?** Yes ___ No ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:
WETLAND DETERMINATION DATA FORM – Great Plains Region

Project/Site: VA Southern Colorado Cemetery          City/County: Colorado Springs, El Paso County  Sampling Date: 4/29/2015
Applicant/Owner: Veterans Affairs  State: CO  Sampling Point: GB (wetland)
Investigator(s): M. Gloden and H. Darrow  Section, Township, Range: S2, T15S, R65W
Landform (hillslope, terrace, etc.):         Local relief (concave, convex, none): concave  Slope (%): 3%
Soil Map Unit Name: Manzanola clay loam, 1-3% slopes  NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No (If no, explain in Remarks.)
Are Vegetation N Soil N, or Hydrology N significantly disturbed? Are “Normal Circumstances” present? Yes x No
Are Vegetation N Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

<table>
<thead>
<tr>
<th>Hydrophytic Vegetation Present?</th>
<th>Yes x No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydric Soil Present?</td>
<td>Yes x No</td>
</tr>
<tr>
<td>Wetland Hydrology Present?</td>
<td>Yes x No</td>
</tr>
</tbody>
</table>

Remarks: (Include photo numbers here or on a separate sheet.)

VEGETATION – Use scientific names of plants.

**Tree Stratum** (Plot size: ____________ )

<table>
<thead>
<tr>
<th>Absolute % Cover</th>
<th>Dominant Indicator Species?</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. None
2.
3.
4.
5.

**Sapling/Shrub Stratum** (Plot size: 10 x 10 ft) = Total Cover

1. Sandbar willow (*Salix exigua*) 15 N FACW
2.
3.
4.
5.

**Herb Stratum** (Plot size: 10 x 10 ft)

<table>
<thead>
<tr>
<th>Absolute % Cover</th>
<th>Dominant Indicator Species?</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

1. Kentucky bluegrass (*Poa pratensis*) 10 N FACU
2. Common threesquare (*Shoenoplectus pungens*) 15 N OBL
3. Needle spikerush (*Eleocharis acicularis*) 60 Y OBL
4.
5.
6.
7.
8.
9.
10.

85 = Total Cover

**Woody Vine Stratum** (Plot size: ____________ )

<table>
<thead>
<tr>
<th>Absolute % Cover</th>
<th>Dominant Indicator Species?</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

1. None
2.
3.

% Bare Ground in Herb Stratum 30 = Total Cover

Remarks: (Include photo numbers here or on a separate sheet.)

**Dominance Test worksheet:**

Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): 2 (A)
Total Number of Dominant Species Across All Strata: 2 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

**Prevalence Index worksheet:**

Total % Cover of: Multiply by:

| OBL species x 1 = |
| FACW species x 2 = |
| FAC species x 3 = |
| FACU species x 4 = |
| UPL species x 5 = |

Column Totals: (A) (B)

Prevalence Index = B/A =

**Hydrophytic Vegetation Indicators:**

x Dominance Test is >50%
__ Prevalence Index is ≤3.01
__ Morphological Adaptations^1 (Provide supporting data in Remarks or on a separate sheet)
__ Problematic Hydrophytic Vegetation^1 (Explain)

^1Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes x No
SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Matrix</th>
<th>Color (moist)</th>
<th>%</th>
<th>Redox Features</th>
<th>Color (moist)</th>
<th>%</th>
<th>Type</th>
<th>Loc</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-3&quot;</td>
<td>10YR</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Silty clay</td>
<td></td>
</tr>
<tr>
<td>3-12</td>
<td>Gley</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Silty clay</td>
<td></td>
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</tr>
</tbody>
</table>

1Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. 2Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:
- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5) (LRR F)
- 1 cm Muck (A9) (LRR F, G, H)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- 2.5 cm Mucky Peat (S2) (LRR G, H)
- 5 cm Mucky Peat (S3) (LRR F)

Indicators for Problematic Hydric Soils3:
- 1 cm Muck (A9) (LRRI, J)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)
- High Plains Depressions (F16)

Restrictive Layer (if observed):
- Type: 
- Depth (inches): 

Hydric Soil Present? Yes x No 

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:
- Primary Indicators (minimum of one is required; check all that apply)
  - Surface Water (A1)
  - High Water Table (A2)
  - Saturation (A3)
  - Water Marks (B1)
  - Sediment Deposits (B2)
  - Drift Deposits (B3)
  - Algal Mat or Crust (B4)
  - Iron Deposits (B5)
  - Inundation Visible on Aerial Imagery (B7)
  - Water-Stained Leaves (B9)
- Secondary Indicators (minimum of two required)
  - Salt Crust (B11)
  - Aquatic Invertebrates (B13)
  - Hydrogen Sulfide Odor (C1)
  - Dry-Season Water Table (C2)
  - Oxidized Rhizospheres on Living Roots (C3)
  - Presence of Reduced Iron (C4)
  - Thin Muck Surface (C7)
  - Other (Explain in Remarks)
  - Thin Muck Surface (C7)

Field Observations:
- Surface Water Present? Yes x No Depth (inches): 3"
- Water Table Present? Yes No Depth (inches): 
- Saturation Present? Yes x No Depth (inches): surface

Wetland Hydrology Present? Yes x No

Remarks:

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:
WETLAND DETERMINATION DATA FORM – Great Plains Region

Project/Site: VA Southern Colorado Cemetery City/County: Colorado Springs, El Paso County Sampling Date: 4/29/2015
Applicant/Owner: Veterans Affairs State: CO Sampling Point: GB (upland)

Investigator(s): M. Gloden and H. Darrow Section, Township, Range: S2, T15S, R65W Landform (hillslope, terrace, etc.): Local relief (concave, convex, none): concave Slope (%): 3%

Soil Map Unit Name: Manzanola clay loam, 1-3% slopes NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No (If no, explain in Remarks.)
Are Vegetation N Soil N, or Hydrology N significantly disturbed? Are “Normal Circumstances” present? Yes x No
Are Vegetation N Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

<table>
<thead>
<tr>
<th>Hydrophytic Vegetation Present?</th>
<th>Yes</th>
<th>No</th>
<th>x</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydric Soil Present?</td>
<td>Yes</td>
<td>No</td>
<td>x</td>
</tr>
<tr>
<td>Wetland Hydrology Present?</td>
<td>Yes</td>
<td>No</td>
<td>x</td>
</tr>
</tbody>
</table>

Is the Sampled Area within a Wetland? Yes | No | x |

Remarks: (Include photo numbers here or on a separate sheet.)

VEGETATION – Use scientific names of plants.

<table>
<thead>
<tr>
<th>Tree Stratum (Plot size: )</th>
<th>Absolute % Cover</th>
<th>Dominant Indicator Species?</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. None</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>3.</td>
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<tr>
<td>4.</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sapling/Shrub Stratum (Plot size: 10x10 ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Sandbar willow (Salix exigua) 10 N FACW</td>
</tr>
<tr>
<td>2.</td>
</tr>
<tr>
<td>3.</td>
</tr>
<tr>
<td>4.</td>
</tr>
<tr>
<td>5.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Herb Stratum (Plot size: 10x10 ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Western snowberry (Symphoricarpus occidentalis) 50 Y UPL</td>
</tr>
<tr>
<td>2. Nootka rose (Rosa nutkana) 15 N FACU</td>
</tr>
<tr>
<td>3. Smooth brome (Bromus inermis) 10 N UPL</td>
</tr>
<tr>
<td>4.</td>
</tr>
<tr>
<td>5.</td>
</tr>
<tr>
<td>6.</td>
</tr>
<tr>
<td>7.</td>
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<tr>
<td>8.</td>
</tr>
<tr>
<td>9.</td>
</tr>
<tr>
<td>10.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Woody Vine Stratum (Plot size: )</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. None</td>
</tr>
<tr>
<td>2.</td>
</tr>
</tbody>
</table>

% Bare Ground in Herb Stratum 20 105 = Total Cover

Remarks: (Include photo numbers here or on a separate sheet.)
**SOIL**

**Profile Description:** (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Matrix</th>
<th>Color (moist)</th>
<th>%</th>
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<th>Type</th>
<th>Loc</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-12&quot;</td>
<td>7.5YR 3/4</td>
<td>90</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>sandy-clay-loam</td>
<td></td>
</tr>
<tr>
<td>0-12&quot;</td>
<td>7.5YR 3/4</td>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>sandy-clay-loam</td>
<td></td>
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</table>

1Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. 2Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators:**

- Histosol (A1)
- Histic Epipedon (A2)
- Black Hist (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5) (LRR F)
- 1 cm Muck (A9) (LRR F, G, H)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- 2.5 cm Mucky Peat or Peat (S2) (LRR G, H)
- 5 cm Mucky Peat or Peat (S3) (LRR F)

**Indicators for Problematic Hydric Soils:**

- 1 cm Muck (A9) (LRRI, J)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)
- High Plains Depressions (F16)
- (LRRH outside of MLRA 72 & 73)

**Hydric Soil Present?** Yes ______ No ______ x

**Remarks:**

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<table>
<thead>
<tr>
<th>Primary Indicators (minimum of one is required; check all that apply)</th>
<th>Secondary Indicators (minimum of two required)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface Water (A1)</td>
<td>Surface Soil Cracks (B6)</td>
</tr>
<tr>
<td>High Water Table (A2)</td>
<td>Sparsely Vegetated Concave Surface (B8)</td>
</tr>
<tr>
<td>Saturation (A3)</td>
<td>Drainage Patterns (B10)</td>
</tr>
<tr>
<td>Water Marks (B1)</td>
<td>Oxidized Rhizospheres on Living Roots (C3) (where tilled)</td>
</tr>
<tr>
<td>Sediment Deposits (B2)</td>
<td>Clayfish Burrows (C8)</td>
</tr>
<tr>
<td>Drift Deposits (B3)</td>
<td>Presence of Reduced Iron (C4)</td>
</tr>
<tr>
<td>Algal Mat or Crust (B4)</td>
<td>Saturation Visible on Aerial Imagery (C9)</td>
</tr>
<tr>
<td>Iron Deposits (B5)</td>
<td>Geomorphic Position (D2)</td>
</tr>
<tr>
<td>Inundation Visible on Aerial Imagery (B7)</td>
<td>FAC-Neutral Test (D5)</td>
</tr>
<tr>
<td>Water-Stained Leaves (B9)</td>
<td>Frost-Heap Hummocks (D7) (LRR F)</td>
</tr>
</tbody>
</table>

**Field Observations:**

<table>
<thead>
<tr>
<th>Surface Water Present?</th>
<th>Yes _____ No _____ Depth (inches): __________</th>
<th>Wetland Hydrology Present?</th>
<th>Yes _____ No _____</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Table Present?</td>
<td>Yes _____ No _____ Depth (inches): __________</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Saturation Present?</td>
<td>Yes _____ No _____ Depth (inches): __________</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

**Remarks:**
PRELIMINARY JURISDICTIONAL DETERMINATION FORM

BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR PRELIMINARY JURISDICTIONAL DETERMINATION (JD): September 24, 2015

B. NAME AND ADDRESS OF PERSON REQUESTING PRELIMINARY JD:

Nate Norman
Balance Environmental
4720 Hollow Road
Nibley, UT 84321


D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION: (USE THE ATTACHED TABLE TO DOCUMENT MULTIPLE WATERBODIES AT DIFFERENT SITES)

State: CO County/parish/borough: El Paso County City: Colorado Springs
Center coordinates of site (lat/long in degree decimal format): Lat. 38.775164° N, Long. -104.636064° W.
Name of nearest waterbody: Jimmy Camp Creek

Identify (estimate) amount of waters in the review area:

- Non-wetland waters: linear feet: 4,160 width (ft): and/or Acres
  Cowardin Class: Riverine
  Stream Flow: Ephemeral

- Wetlands: .9 acres
  Cowardin Class: Palustrine Emergent (PEM)

Name of any water bodies on the site that have been identified as Section 10 waters:

- Tidal:
- Non-Tidal:

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

- Office (Desk) Determination. Date: September 24, 2015.
- Field Determination. Date(s):

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to
request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring “pre-construction notification” (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant’s acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable. This preliminary JD finds that there “may be” waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:
SUPPORTING DATA. Data reviewed for preliminary JD (check all that apply)
- checked items should be included in case file and, where checked and
requested, appropriately reference sources below):
☒ Maps, plans, plots or plat submitted by or on behalf of the
applicant/consultant: Balance Environmental provided on September 10,
2015.
☒ Data sheets prepared/submitted by or on behalf of the
applicant/consultant.
☐ Office concurs with data sheets/delineation report.
☒ Office does not concur with data sheets/delineation report.
☐ Data sheets prepared by the Corps: .
☑ Corps navigable waters’ study: .
NAME - Jimmy Camp Creek.
☐ USGS NHD data.
☒ USGS 8 and 12 digit HUC maps.
☒ U.S. Geological Survey map(s). Cite scale & quad name: 1:24k; CO-
ELSMERE.
☒ USDA Natural Resources Conservation Service Soil Survey. Citation:
SSURGO Soil Map Unit No. 52.
☒ National wetlands inventory map(s). Cite name: 1:24k; CO-ELSMERE.
☐ State/Local wetland inventory map(s): .
☐ FEMA/FIRM maps: .
☐ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum
of 1929)
☒ Photographs: ☒ Aerial (Name & Date): Google Earth Pro 2014, ESRI
Aerial 2014.
☐ Previous determination(s). File no. and date of response letter: .
☒ Other information (please specify): USFWS Critical Habitat Mapper 2014.

IMPORTANT NOTE: The information recorded on this form has not
necessarily been verified by the Corps and should not be relied upon for
later jurisdictional determinations.

Signature and date of
Regulatory Project Manager
(REQUIRED)

Signature and date of
person requesting preliminary JD
(REQUIRED, unless obtaining
the signature is impracticable)
<table>
<thead>
<tr>
<th>Site Name</th>
<th>Latitude</th>
<th>Longitude</th>
<th>Cowardin Class</th>
<th>Estimated amount of aquatic resource in review area</th>
<th>Jurisdictional Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPA-2015-00356-SCO-Site-1</td>
<td>38.775164°</td>
<td>-104.636064°</td>
<td>Palustrine Emergent</td>
<td>.9 Acres</td>
<td>404</td>
</tr>
<tr>
<td>SPA-2015-00356-SCO-Site-2</td>
<td>38.775164°</td>
<td>-104.636064°</td>
<td>Riverine Ephemeral</td>
<td>4,160 Feet</td>
<td>404</td>
</tr>
</tbody>
</table>