**DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM[1]**
**U.S. Army Corps of Engineers**

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

## SECTION I: BACKGROUND INFORMATION

**A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD):**

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Albuquerque District, Falcon Commerce Center, Monument Colorado, SPA-2020-00202**

**C. PROJECT LOCATION AND BACKGROUND INFORMATION:**

State: CO County/parish/borough: El Paso County City: Monument
Center coordinates of site (lat/long in degree decimal format): Lat. 39.0457058961617 °, Long. -104.851617960449°
Universal Transverse Mercator: 512840.39 W, 4321859.11 N, Zone 13
Name of nearest waterbody: Jackson Creek
Name of watershed or Hydrologic Unit Code (HUC): Fountain 11020003

- ☑ Check if map/diagram of review area is available upon request.
- ☑ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc.) are associated with this action and are recorded on a different JD form.

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

- ☑ Office (Desk) Determination. Date: 30-Nov-20
- ☑ Field Determination. Date(s): 13-Oct-20

## SECTION II: SUMMARY OF FINDINGS

**A. RHA SECTION 10 DETERMINATION OF JURISDICTION.**

There **are no** "*navigable waters of the U.S.*" within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

**B. CWA SECTION 404 DETERMINATION OF JURISDICTION.**

There **are no** "*waters of the U.S.*" within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

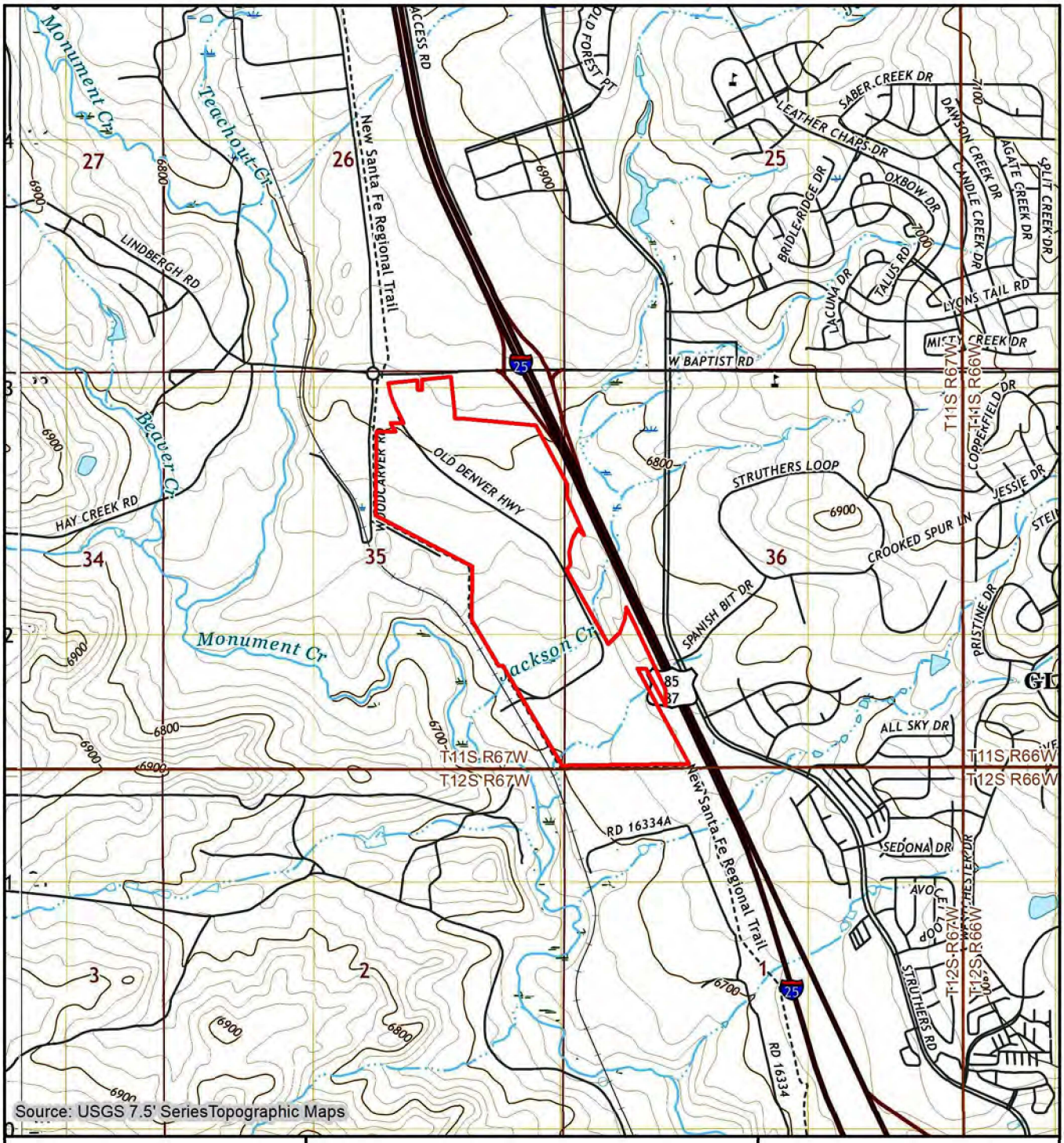
## SECTION III: DATA SOURCES.

**A. SUPPORTING DATA. Data reviewed for JD (check all that apply -** checked items shall 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:
- ☑ 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:
- ☑ U.S. Geological Survey Hydrologic Atlas: Arkansas-White-Red Region
  - ☐ USGS NHD data.
  - ☑ USGS 8 and 12 digit HUC maps.
- ☐ U.S. Geological Survey map(s). Cite scale & quad name: 1:24K; Monument
- ☐ USDA Natural Resources Conservation Service Soil Survey. Citation:
- ☑ National wetlands inventory map(s). Cite name: Monument
- ☐ State/Local wetland inventory map(s):
- ☑ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
- ☑ Photographs: ☑ Aerial (Name & Date): July 15, 2020
  - ☐ or ☐ Other (Name & Date):
- ☐ Previous determination(s). File no. and date of response letter:
- ☐ Applicable/supporting case law:
- ☐ Applicable/supporting scientific literature:
- ☑ Other information (please specify): Site visit on 13-Oct-20.

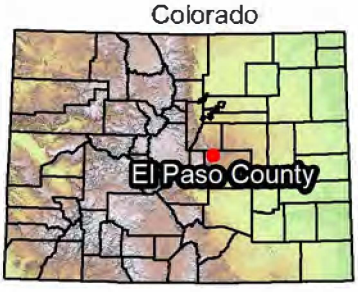
**B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:** The JD evaluated the three upland swale that contains four isolated wetlands referenced as Wetland 3 PEM1C is located on the north upland area of Jackson Creek and Wetland 1 PEM1C, Wetland 2 PEM1C, and Wetland 4 PABF are located on the south of adjacent upland areas of Jackson Creek. These areas were evaluated and determined to not connect hydrologically to other streams that are present and contain no waters of the United States. The riparian corridor associated with Jackson Creek has good plant diversity and healthy structure. The majority of the site is foothills grasslands and shows good plant diversity and moderate structure.

[1] This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.




Source: USGS 7.5' SeriesTopographic Maps

Colorado




Project Area

Miles
0
0.5
1

N

**Falcon Commerce Center**

Project Location Map

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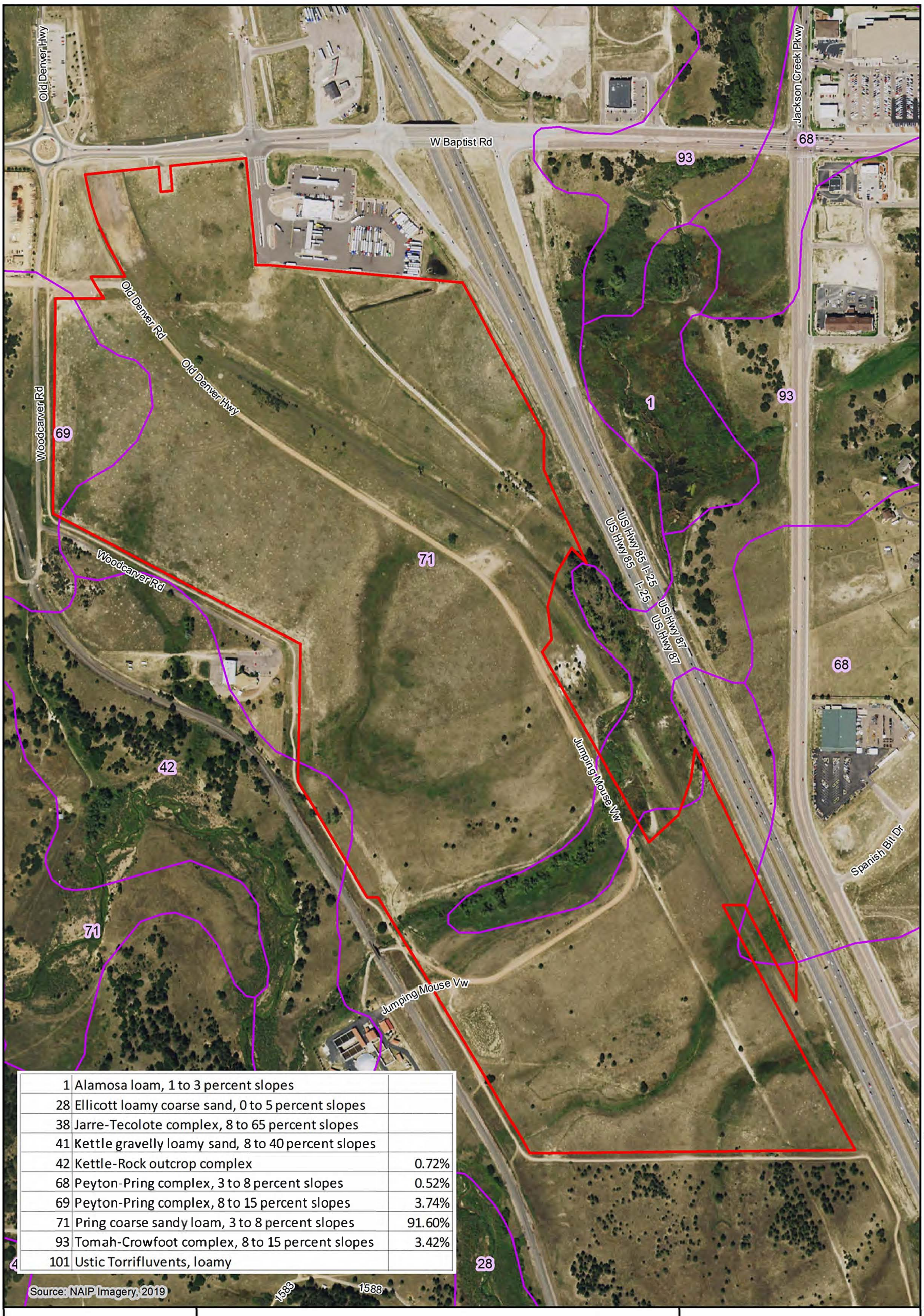
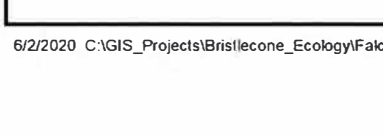
6/2/2020 C:\GIS_Projects\Bristlecone_Ecology\Falcon_Commerce_Center\Flood_Hazard.mxd




| | | |
|---|---|---|
| 1 | Alamosa loam, 1 to 3 percent slopes | |
| 28 | Ellicott loamy coarse sand, 0 to 5 percent slopes | |
| 38 | Jarre-Tecolote complex, 8 to 65 percent slopes | |
| 41 | Kettle gravelly loamy sand, 8 to 40 percent slopes | |
| 42 | Kettle-Rock outcrop complex | 0.72% |
| 68 | Peyton-Pring complex, 3 to 8 percent slopes | 0.52% |
| 69 | Peyton-Pring complex, 8 to 15 percent slopes | 3.74% |
| 71 | Pring coarse sandy loam, 3 to 8 percent slopes | 91.60% |
| 93 | Tomah-Crowfoot complex, 8 to 15 percent slopes | 3.42% |
| 101 | Ustic Torrifluvents, loamy | |




Project Area
Soils

Feet
0 250 500

N

**Falcon Commerce Center**

NRCS SSURGO Soils

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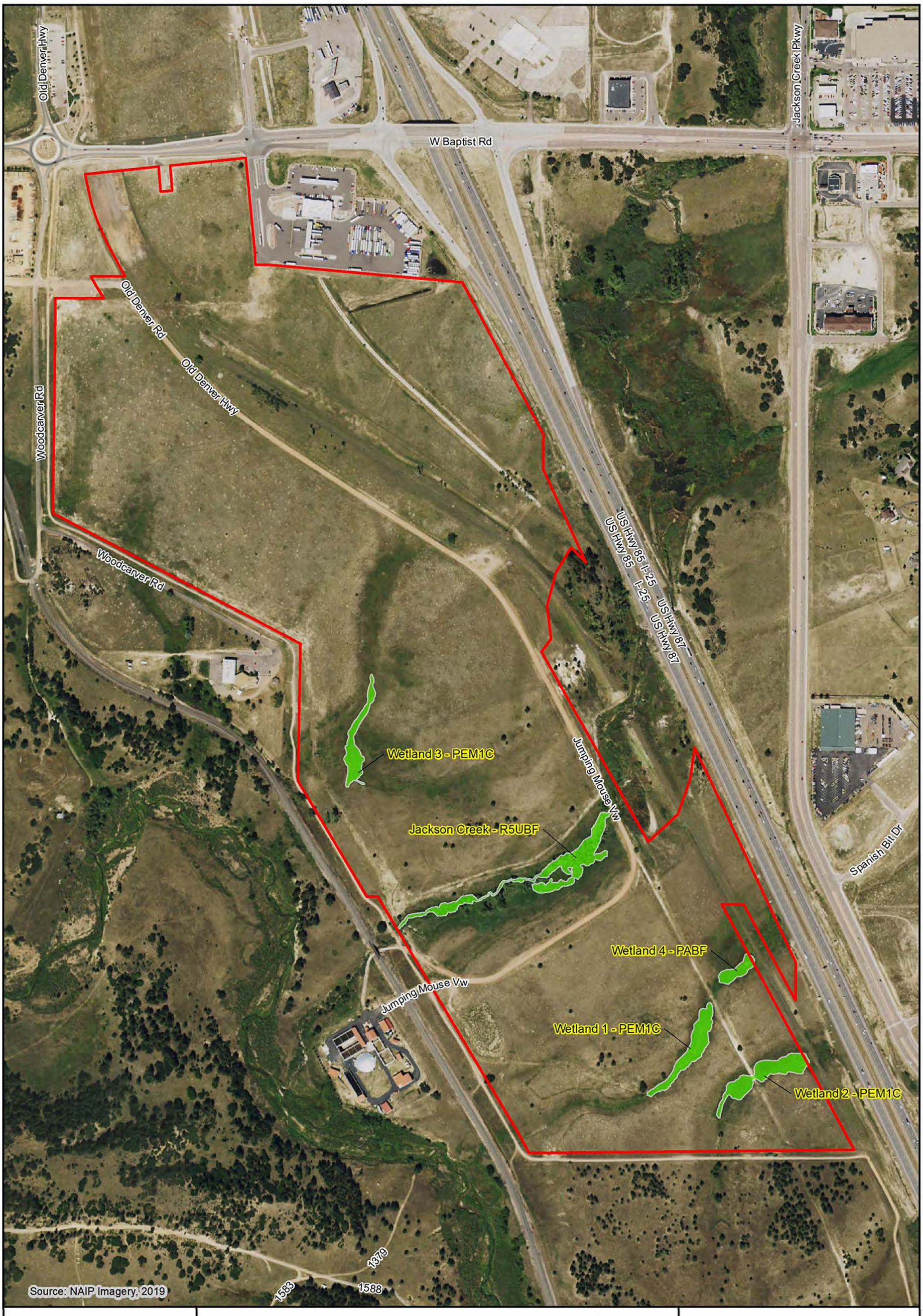


Colorado


Project Area

Field Identified Wetland

Feet
0 250 500

N

**Falcon Commerce Center**

Wetland Location Map

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Photo 1. Isolated wetland 3 located north of Jackson Creek north-northeast view, showing the well-developed isolated wetlands along the swale. Swale 1 is not hydrologically connected to North Monument Creek.

Photo 2. Jackson Creek near the Jumping Mouse Way crossing looking south-southwest, showing the well-developed riparian corridor and in-channel wetlands along the stream. Jackson Creek is hydrologically connected to North Monument Creek and is a Jurisdictional Waters of the U.S.

Photo 3. Jackson Creek near the Santa Fe Trail crossing, which can be seen in the background, facing south. The riparian corridor here forms a dense sapling and herbaceous under-story comprised mainly of sandbar willows and Nebraska sedges. Jackson Creek is hydrologically connected to North Monument Creek and is a Jurisdictional Waters of the U.S.

Photo 4. Isolated Wetland 4 looking south. A depression in an upland swale collects water seasonally and forms a small (~0.25 acre) isolated wetland, which presumably non-jurisdictional. The darker hydrophytic vegetation of Wetland 1 can just be seen in the distance within the same swale.

Photo 5. Isolated Wetland 1 looking back up at the lower limits of the swale to the east-northeast. A few willows mark the transition from wetlands to uplands. No hydrological connections observed that are characterized by indicators such as stream bed, side banks and/or the presence of ordinary high water mark.

Photo 6. Isolated Wetland 2 looking north, showing the prior growing season's broadleaf cattails and some matted arctic rushes. The wetland transitions to a broad upland swale approximately 300 feet to the southwest before transitioning again to scattered pine woodlands on the U.S. Air Force Academy property to the south.