



COLORADO

Parks and Wildlife

Department of Natural Resources

Southeast Region
4255 Sinton Road
Colorado Springs, CO 80907
P 719.227.5200 | F 719.227.5264

November 22, 2023

El Paso County
ATTN: Ryan Howser
2880 International Circle,
Colorado Springs, CO 80132

Re: Flying Horse North Phase 2 PUDSP

Dear Ryan Howser,

Colorado Parks and Wildlife (CPW) has reviewed the plans for the Flying Horse North Phase 2 PUDSP in El Paso County. This area included within the Development boundaries will sustain numerous wildlife species including deer, elk, pronghorn, turkey, black bear, mountain lion, coyote, fox, raptors, songbirds, and numerous small mammals. CPW makes the following recommendations.

As for more general construction protocols, CPW recommends low speeds for construction vehicles to avoid wildlife collisions. Where new roads are required, CPW recommends that these single-purpose roads be gated to reduce traffic disruptions to wildlife. If any temporary (e.g., construction) or permanent fencing is proposed, CPW recommends that it is the wildlife-friendly fencing that allows young to cross and does not include high-tensile hogwire.

CPW recommends the development and implementation of a noxious weed control plan for the site. All disturbed soils should be monitored for noxious weeds and noxious weeds should be actively controlled until native plant revegetation and reclamation are achieved. Care should be taken to avoid the spread of noxious weeds, and all construction equipment should be cleaned before leaving the site. A noxious weed management plan should be developed before any disturbance of the site.

CPW recommends that all landscaping in the developed area should be comprised of native species. Using native species with high food and cover values in an open space area is beneficial to wildlife. This can encourage wildlife to concentrate in areas that minimize human conflicts and optimize wildlife-watching opportunities. Native plant species can also provide an aesthetically pleasing landscape that requires little maintenance and are frequently more drought-tolerant than non-native species

CPW recommends a 100-foot buffer zone be permanently placed around the creeks and ponds. If a trail is constructed near the creek or ponds, it should be a minimum of 100 feet

Jeff Davis, Director, Colorado Parks and Wildlife

Parks and Wildlife Commission: Dallas May, Chair • Richard Reading, Vice-Chair • Karen Bailey, Secretary • Jessica Beautieau Marie Haskett • Jack Murphy • Gabriel Otero • Duke Phillips, IV • Gary T. Skiba • James Jay Tutchton • Eden Vardy



from the edge. This buffer zone will offer wildlife utilizing the creek and ponds less disturbance by development and decrease the likelihood of human and wildlife encounters. The existing native riparian vegetation around the creeks, the ponds, and the drainage ways should be kept intact for wildlife habitat and to increase ground stabilization.

Trails would provide excellent opportunities for wildlife viewing. However, if trails are placed too close to areas utilized by wildlife it creates disturbances resulting in reduced wildlife viewing opportunities. CPW recommends constructing trails on the outer edges of open space areas. This minimizes wildlife disturbance and creates increased wildlife viewing opportunities. Trails near creeks and drainage areas should cross perpendicular rather than run parallel to these critical wildlife habitat areas. Crossings should occur in areas that have the least usage by wildlife to have minimal impacts on wildlife.

There is suitable habitat for nesting raptors and migratory birds in the development site. CPW recommends the use of preconstruction surveys to identify raptor nests within the project area and implement appropriate restrictions. CPW recommends adherence to the recommended buffer distances and timing stipulations identified in the attached document "Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors".

Care should be taken to avoid the destruction of active dens and nests while constructing structures, ponds, and trails. Possible dens or nests should be monitored for species activity. CPW would be concerned if trees and snags were removed for the development. The main concern with the removal of trees is that these trees may be currently occupied or historic nest sites. Please take care to avoid removal of trees with occupied nests. For raptors, an active nest is any nest that is frequented or occupied by a raptor during the breeding season or which has been active in any of the five previous breeding seasons. Many raptors use alternate nests in various years; therefore, a nest may be active even if it is not occupied in a given year. Removal or relocation of any active raptor or migratory bird nest will require consultation with CPW and US Fish and Wildlife Service before disturbance. Both active and potential nest sites, and winter night roosts should be considered when evaluating disturbance during construction.

US Fish and Wildlife Service should be consulted on any federally listed Endangered and Threatened Species that might be present at the location. CPW recommends consultation with the U.S. Fish and Wildlife Service when permitting any permanent or temporary activity within the known or potentially occupied habitat of Preble's meadow jumping mouse habitat.

Fences can cause many problems for wildlife, including death, entanglements, and barriers to movements. CPW recommends the developers consult our publication *Hanophy, Wendy* "Fencing with Wildlife in mind." *CPW.state.co.us. 2009* when considering the design of fences within the development. The publication is available on our website and we would be happy to provide a link to the PDF specifically. The use of privacy fencing, chain link fencing, and other exclusionary fencing should be at least 6 feet high and should be restricted to the immediate area surrounding the buildings or within the designated building envelope and

should not be used as a method to designate boundaries of larger lot sizes (> 1 acre). Fencing outside the immediate building envelope or area surrounding the buildings on larger lots within the known range of elk, deer, and pronghorn should be a maximum top height of 42” with at least 12” spacing between the top two wires or rails and a bottom wire or rail at least 16” above the ground to allow passage of juvenile animals and pronghorn antelope. It is also recommended that the top and bottom wires be a twisted barbless type or smooth wire or rail construction. Construction of ornamental wrought iron fencing with closely spaced vertical bars (<12”) and sharp projections extending beyond the top horizontal bar should be strongly discouraged in areas where deer, elk, and black bear are known to occur. This type of fencing typically ensnares deer and elk by the hips when trying to squeeze through and impales animals attempting to go over the top. It should be noted that it is very distressing to find wildlife in or impaled on fences.

Due to the potential presence of black bears in the Development, CPW recommends several measures to reduce the potential for human/bear conflicts. First, we recommend that the owners invest in bear-proof trash containers. Trash containers should be stored in the garage or in a solid-locked storage shed until the morning of trash collection during those months when bears are most active (April - November). Another possible alternative would be the use of a centralized and securely fenced trash collection site with the use of bear-proof dumpsters that employees, customers, and the trash service provider would have access to. This would eliminate the need for individual trash cans. Second, residents and food vendors should also keep their barbecues and any food locked away in the garage or a secure building. Finally, we would recommend that the use of bird feeders and hummingbird feeders be discouraged, during the months mentioned above, since they also attract black bears. However, if feeders are used, they should be placed so they are inaccessible to black bears, raccoons, skunks, deer, and other wildlife species that might cause damage or threaten human safety. A copy of a brochure titled, “Living with Wildlife in Bear Country” is available for reference upon request from CPW.

The following is a list of general recommendations the CPW would like to take into consideration with the residential side of this development to avoid nuisance conflicts with wildlife. Many times these conditions can be enforced through the local Homeowner’s Association or covenants.

Pets should not be allowed to roam free and fences should be installed to decrease or eliminate this problem. Dogs and cats chase or prey on various wildlife species. One benefit to keeping animals under control is that they are less likely to bother other people, be on roadways, or become prey for mountain lions, coyotes, foxes, or owls.

Trash should be kept indoors until the morning of trash pickup. The CPW recommends using bear-resistant trash containers. Bears, skunks, raccoons, and neighborhood dogs are attracted to garbage and become habituated.

Feeding of all wildlife should be prohibited, except for songbirds. The use of bird feeders, suet feeders, and hummingbird feeders is discouraged. However, if feeders are used, they

should be placed so they are inaccessible to bears, raccoons, skunks, and other wildlife species that might cause damage or threaten human safety. It is illegal to feed big game including deer, elk, antelope, moose, bear, and lion.

Pets should be fed inside or if pets are fed outside, feeding should occur only for a specified period, and food bowls returned afterward to a secure site for storage. Pet food left outside attracts various wildlife species which in turn attracts predators.

When landscaping lots, it is strongly recommended that native vegetation be used that wildlife is less likely to be attracted to. Planting trees and shrubs that are attractive to native ungulates should incorporate the use of materials that will prevent access and damage (fencing, tree guards, trunk guards, etc.).

It is strongly encouraged that dog kennels have a top enclosure, regardless of the height of the kennel.

Barbecue grills should be placed in a secure area when not in use.

CPW appreciates being allowed to comment. Please Feel free to contact District Wildlife Manager Aaron Berscheid at 719-227-5231 or aaron.berscheid@state.co.us should you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Kroening". The signature is stylized with a large initial "T" and a long, sweeping underline.

Tim Kroening
Area Wildlife Manager

Cc: SE regional files
Area 14 files
Aaron Berscheid, DWM