



# COLORADO

## Parks and Wildlife

Department of Natural Resources

Area 14  
4255 Sinton Road  
Colorado Springs, CO 80907  
P 719.227.5200 | F 719.227.5297

October 13, 2018

El Paso County  
ATTN: Nina Ruiz  
2880 International Circle, Suite 110,  
Colorado Springs, CO 80910

Re: Walden Preserve 2 Filing No. 4 Final Plat

Dear Nina Ruiz,

Colorado Parks and Wildlife (CPW) has reviewed the Final Plat for the Walden Preserve 2 Filing No. 4 located on the southeast corner of US State Highway 83 and US State Highway 105. This area included within the Development boundaries will sustain numerous wildlife species including deer, elk, black bear, pronghorn, coyote, mountain lion, fox, raptors, songbirds, and numerous small mammals. CPW makes the following recommendations.

In the Letter of Intent and the Natural Features Report, the plans for the wetlands were unclear. It was noted in the natural features report that the Army Corp of Engineers were contacted, but there was no mention of whether 404 permitting was required or if the wetlands were going to be left as a part of the open space. Clarification on this would be appreciated.

For general comments, CPW recommends the following Best Management Practices when working in or near aquatic habitats:

- Drainages should be crossed perpendicular to the flow of the stream
- Use existing road crossings and existing stream crossings for vehicles and other construction equipment instead of building new roads and stream crossings
- The width of construction should be minimized within the 100-year floodplain,
- Stream bank, wetland restoration/improvement should be performed, where necessary
- Vehicle and equipment crossing of creeks/streams should be made in locations that will cause the least erosion of banks and sedimentation.

We would request that all areas of disturbance near stream crossings and any exposed soils above the ordinary high water mark be re-vegetated with a native seed mix. This will contribute to the replacement of lost riparian vegetation values and minimize establishment of noxious weeds. The placement of willow sprigs or bare root stock should also be considered



along the banks, especially in those areas which have been disturbed. We recommend planting of vegetation along the bank to help reduce and control erosion and contribute to bank stability over the long term. The site should be monitored for a period of at least two growing seasons. Any stands of noxious weeds that become established should be controlled with appropriate mechanical and/or chemical methods suitable for the proposed location. CPW recommends using a clean fill material, if needed, that would be conducive to growing native vegetation that will help stabilize the banks. Non-native vegetation can overrun native vegetation and can become problematic. A seed mixture of native grasses is also recommended to provide a good support system in the soil.

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 are 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.

There was not much description of what the design for the open space was in Letter of Intent or in the Natural Features Report. A more detailed plan of the open space area would be appreciated. For general design recommendations for the open space areas in the project, 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 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 in the drainage ways should be kept intact for wildlife habitat and to increase ground stabilization.

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 in order to have minimal impacts on wildlife.

Suitable habitat for nesting raptors and migratory birds may also exist within the project area. CPW recommends the use of preconstruction surveys to identify raptor nests within the project area and implement appropriate restrictions. 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 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 prior to disturbance. Active and potential nest sites and winter night roosts should be considered when evaluating disturbance during construction.

Further along in the process, when fences are designed into the project, CPW recommends the developers consult our publication *Hanophy, Wendy* "Fencing with Wildlife in mind." (CPW.state.co.us. 2009). Fences can cause many problems for wildlife, including death, entanglements, and barriers to movements. 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 and pronghorn are known to occur. This type of fencing typically ensnares deer and pronghorn 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.

Other interactions with wildlife should be considered after the project is completed. The following is a list of general recommendations the CPW would like to be taken into consideration with the residential side of this development in order to avoid nuisance conflicts with wildlife. Many times these conditions can be enforced through the local Homeowner's Association or through covenants.

Pets should not be allowed to roam free and fences should be installed to decrease or eliminate this problem. It is strongly encouraged that dog kennels have a top enclosure, regardless of the height of the kennel. 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 in roadways or become prey for coyotes, foxes, eagles, hawks or owls.

Feeding of all wildlife should be prohibited, with the exception of songbirds. The use of bird feeders, suet feeders, and hummingbird feeders are discouraged. However, if feeders are used, they should be placed so they are inaccessible to black bears, raccoons or skunks and other wildlife species that might cause damage or threaten human safety. It is illegal to feed big game including black bear, deer, elk, and pronghorn.

Trash should be kept indoors until the morning of trash pickup. Black bears, skunks, raccoons, and other scavenging wildlife are attracted to garbage and do become habituated. Pet food is

also attractive to scavengers, so pets should be fed inside. If pets are fed outside, feeding should occur only for a specified period of time and food bowls returned afterwards to a secure site for storage. Pet food left outside attracts various wildlife species which in turn attracts predators. Barbecue grills should be placed in a secure area when not in use.

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

CPW appreciates being given the opportunity to comment. Please Feel free to contact District Wildlife Manager Aaron Berscheid at 719-439-9601 or [aaron.berscheid@state.co.us](mailto:aaron.berscheid@state.co.us) should you have any questions or require additional information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Frank McGee".

Frank McGee  
Area Wildlife Manager

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