

EL PASO  **COUNTY**
COLORADO

PARKS AND COMMUNITY SERVICES DEPARTMENT

Date: January 9, 2025
To: Ryan Howser, Planning and Community Development Department
From: Nancy Prieve, Environmental Division, Parks & Community Services Department
Subject: Flying Horse East Phase 1 Sketch Plan SKP242

The El Paso County Environmental Division has completed its review of the Flying Horse East Phase 1 Sketch Plan SKP242. Our review consisted of the following items: wetlands, federally listed threatened or endangered species, general wildlife resources and noxious weeds.

1. A completed U.S. Army Corps of Engineers (USCOE) permit or concurrence of non-jurisdictional status from the USCOE shall be provided to the Planning and Community Development Department prior to project commencement. The applicant is hereby on notice that the USCOE has regulatory jurisdiction over wetlands. It is the applicant's responsibility, and not El Paso County's, to ensure compliance with all applicable laws and regulations, including, but not limited to, the Clean Water Act.
2. Be advised that migratory birds and the nests and eggs of these species are protected under the Migratory Bird Treaty Act (MBTA). The applicant is advised to follow the recommendations in the Natural Features and Wetlands Report dated December 19, 2024 in order to avoid possible violations of the MBTA. The presence of prairie dog colonies makes it possible for burrowing owls to be present. A formal burrowing owl survey should be conducted during breeding season prior to project commencement. The applicant is hereby on notice that the USFWS has regulatory jurisdiction over migratory bird species. It is the applicant's responsibility, and not El Paso County's, to ensure compliance with all applicable laws and regulations, including but not limited to the MBTA.
3. The project may interfere with wildlife habitat. Information regarding wildlife protection measures such as fencing requirements, garbage containment, and protection/buffer zones shall be provided as appropriate. Information can be obtained from Colorado Parks and Wildlife.
4. A Noxious Weed Management Plan shall be provided to the Planning and Community Development Department. It is the applicant's responsibility, and not El Paso County's, to ensure compliance with all applicable laws and regulations, including but not limited to the Colorado Noxious Weed Act and the El Paso County Weed Management Plan.



The applicant must obtain the necessary approvals from all federal, state and county agencies as a part of their planning process.

We appreciate the opportunity to comment on this project. If you have any questions or concerns, please contact me at (719) 520-7845.