


EL PASO COUNTY
COLORADO

PARKS AND COMMUNITY SERVICES DEPARTMENT

Date: October 11, 2024
To: Ryan Howser, Planning and Community Development Department
From: Nancy Prieve, Environmental Division, Community Services Department
Subject: Waterbury Filing No. 1 SF237

The El Paso County Environmental Division has completed its review of the Waterbury Filing No. 1 SF237. 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 shall be provided to the Planning and Community Development Department prior to project commencement if ground-disturbing activities will occur in the jurisdictional wetland areas identified in the Natural Landforms, Vegetation and Riparian Analysis Report, dated February 2, 2021. 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. **Noted we have a nationwide PERMIT (spa-2005-00801)**
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 hereby on notice that the U.S. Fish and Wildlife Service 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. **Noted**
3. As identified in the Natural Landforms, Vegetation and Riparian Analysis Report, 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. **Noted**

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.

