

**EL PASO**  **COUNTY**  
**COLORADO**

**PARKS AND COMMUNITY SERVICES DEPARTMENT**

**Date:** January 21, 2025  
**To:** Kari Parsons, Planning and Community Development Department  
**From:** Nancy Prieve, Environmental Division, Parks & Community Services Department  
**Subject:** Ben Lomand Mountain Village Rezone RR2.5 P252

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The El Paso County Environmental Division has completed its review of the Ben Lomand Mountain Village Rezone RR2.5 P252. 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 if ground-disturbing activities will occur in wetland areas. 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 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.

