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**Date:** November 4, 2021

**To:** Kari Parsons, Planning and Community Development Department

**From:** Mike Bonar, Environmental Division, Community Services Department

**Subject:** Caliber at Constitution Rezone P218

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The El Paso County Environmental Division has completed its review of the Caliber at Constitution Rezone. Our review consisted of the following items: wetlands, federal and state listed threatened or endangered species, general wildlife resources and noxious weeds.

1. Based on a preliminary assessment of the site, a small drainage appears to bisect the western edge of the parcel. Based on assessment, 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 wetland areas. Alternatively, a letter from a qualified wetland scientist indicating why such a permit is not required for this project will be acceptable. 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. Documentation from the U.S. Fish and Wildlife Service (USFWS) regarding threatened and endangered species shall be provided to the Planning and Community Development Department prior to project commencement. The applicant is hereby on notice that the USFWS has regulatory jurisdiction over threatened and endangered species and migratory birds. 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 Endangered Species Act and the Migratory Bird Treaty Act.
3. The project may interfere with wildlife habitat. Information regarding wildlife protection measures shall be provided including fencing requirements, garbage containment, and riparian/wetland protection/buffer zones, as appropriate. Information can be obtained from Colorado Parks and Wildlife.
4. 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.

It is strongly recommended that the applicant 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) 520-7846.