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**Date:** May 30, 2019

**To:** Nina Ruiz, Planning and Community Development Department

**From:** Nancy Prieve, Environmental Division, Community Services Department

**Subject:** Grandwood Rezone – P191

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The El Paso County Environmental Division has completed its review of the Grandwood Rezone – P191. Our review consisted of the following items: wetlands, federal and state listed threatened or endangered species, general wildlife resources and noxious weeds.

1. Based upon the preliminary plan drawings, it appears that wetlands are encompassed in the open space/drainage easement areas. 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 plans change and 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. Within El Paso County, the potential for Preble’s meadow jumping mouse habitat (PMJM) must be addressed for any ground disturbing activities occurring within 300 feet of the centerline of a stream or from the edge of the 100 year floodplain, whichever is greater. Although Preble’s meadow jumping mouse (PMJM) habitat appears to be included in the open space/drainage easement areas, it does not extend 300 feet from the stream centerline. Therefore, documentation from the U.S. Fish and Wildlife Service (USFWS) regarding the PMJM 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. 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.
3. The Natural Resources Assessment prepared by ERO Resources dated January 10, 2019 makes recommendations regarding the completion of nest surveys prior to undertaking construction activities. These recommendations should be followed in order to avoid any potential violations of the Migratory Bird Treaty Act. The applicant is hereby on notice that the USFWS has regulatory jurisdiction over 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 Migratory Bird Treaty Act.
4. 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.
5. The project lies within or adjacent to an area with documented noxious weeds including spotted knapweed, Canada thistle, yellow toadflax and downy brome. 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.

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) 520-7845.