****

**Date:** October 29, 2019

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

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

**Subject:** Vollmer-Vollmer Tap 115Kv Transmission Substation and Transmission Project

AASI196

|  |
| --- |
|  |

The El Paso County Environmental Division has completed its review of the Vollmer-Vollmer Tap 115Kv Transmission Substation and Transmission Project AASI196. Our review consisted of the following items: wetlands, federal and state listed threatened or endangered species, general wildlife resources and noxious weeds.

1. The Environmental Division notes the project’s compliance with the general conditions of U.S. Army Corps of Engineers (USCOE) nationwide permit 12. Shall the project parameters change and become non-compliant with these conditions, documentation regarding consultation 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. The Biological Survey Technical Memorandum dated July 2018 makes recommendations regarding pre-construction surveys and minimization BMPs. These recommendations should be followed in order to avoid potential violations of the Migratory Bird Treaty Act. The applicant is hereby on notice that the U.S. Fish and Wildlife Service has regulatory jurisdiction over threatened and endangered species and migratory birds, respectively. 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.

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.