



# COLORADO

## Parks and Wildlife

Department of Natural Resources

Southeast Region, Area 14  
4255 Sinton Road  
Colorado Springs, CO 80907  
P 719.227.5200 | F 719.227.5264

December 29, 2021

El Paso County  
ATTN: Ryan Howser

2880 International Circle,  
Colorado Springs, CO 80910

Re: Eagleview Preliminary Plan Reconsideration

Dear Mr. Howser,

Colorado Parks and Wildlife (CPW) has reviewed the plans for the Eagleview Preliminary Plan Reconsideration in El Paso County. This area included within the Development boundaries will sustain numerous wildlife species including deer, pronghorn, coyote, fox, raptors, songbirds, and numerous small mammals.

CPW recommends consultation with the Army Corp of Engineers to ensure compliance with the Clean Water Act due to the identification of possible jurisdictional wetlands on the site. CPW will comment on specific plans for wetland-related issues as part of that 404 permitting process, but there are some general recommendations to be considered during the development of the wetland mitigation plan prepared as part of Section 404 permitting.

It is clear that the project has a road (continuation of South Arroya Lane) constructed over the wetland identified as a main tributary of the Black Squirrel Creek drainage. As a general statement, CPW recommends no disturbance of a naturally occurring drainages and wetlands. Many wildlife species utilize such drainages as habitat and traveling corridors, and disturbances to these drainages can drastically degrade wildlife value and habitat on site, as well as downstream.

If construction does occur near wetlands, CPW further recommends crossing riparian corridors and streams at a perpendicular angle, in order to reduce impacts to natural resources, as well as spanning the corridors with structures located outside the riparian and stream zone. CPW recommends avoiding treed areas of cottonwood and willow, as these areas provide bird and wildlife habitat. During construction, stream crossing by construction vehicles should be avoided. CPW requests that any new service roads that are proposed for construction in conjunction with the project avoid crossing creeks or stream beds to avoid impacts to wildlife and habitat. If any new access or maintenance roads will be constructed that cross stream habitat, CPW would like to be consulted on best management practices and options for



construction to minimize impacts. A construction design for any new or reconstructed riparian crossing that actively minimizes barriers to fish passage at all water levels and mitigates any existing barriers where possible would minimize the negative impact of the project on native fish species.

Also, CPW recommends these following Best Management Practices when working in or near aquatic habitats.

- Drainages should be crossed perpendicular to the flow of the stream
- Use existing road crossings and existing stream crossings for vehicles and other construction equipment instead of building new roads and stream crossings
- The width of construction should be minimized within the 100-year floodplain,
- Stream bank, wetland restoration/improvement should be performed, where necessary
- Vehicle and equipment crossing of creeks/streams should be made in locations that will cause the least erosion of banks and sedimentation.

We would request that all areas of disturbance and exposed soils above the ordinary high water mark be re-vegetated with a native seed mix. This will contribute to the replacement of lost riparian vegetation values and minimize establishment of noxious weeds. The placement of willow sprigs or bare root stock should also be considered along the banks, especially in those areas which have been disturbed. We recommend planting of vegetation along the bank to help reduce and control erosion and contribute to bank stability over the long term. The site should be monitored for a period of at least two growing seasons. Any stands of noxious weeds that become established should be controlled with appropriate mechanical and/or chemical methods suitable for the proposed location. CPW recommends using a clean fill material, if needed, that would be conducive to growing native vegetation that will help stabilize the banks. Non-native vegetation can overrun native vegetation and can become problematic. A seed mixture of native grasses is also recommended to provide a good support system in the soil.

CPW recommends a 100 foot buffer zone be permanently placed around the creeks and ponds. If a trail is constructed near the creek or ponds, it should be a minimum of 100 feet from the edge. This buffer zone will offer wildlife utilizing the creek and ponds less disturbance by development and decrease the likelihood of human and wildlife encounters. The existing native riparian vegetation around the creeks, the ponds and in the drainage ways should be kept intact for wildlife habitat and to increase ground stabilization.

There is suitable habitat on the site for nesting raptors and migratory birds. CPW recommends the use of preconstruction surveys to identify raptor nests within the project area and implement appropriate restrictions. CPW recommends adherence to the recommended buffer distances and timing stipulations identified in the attached document "Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors".

Care should also be taken to avoid the destruction of any active dens and nests while constructing structures and trails. Possible dens or nests should be monitored for species activity. CPW would be concerned if trees and snags were removed for the development. The main concern with removal of trees is that these trees may be currently occupied or historic nest sites. Please take care to avoid removal of trees with occupied nests.

For raptors, an active nest is any nest that is frequented or occupied by a raptor during the breeding season or which has been active in any of the five previous breeding seasons. Many raptors use alternate nests in various years; therefore, a nest may be active even if it is not occupied in a given year. Removal or relocation of any active raptor or migratory bird nest will require consultation with CPW and US Fish and Wildlife Service prior to disturbance. Both active and potential nest sites, winter night roosts should be considered when evaluating disturbance during construction.

We appreciate being given the opportunity to comment. Please feel free to contact District Wildlife Manager, Aaron Berscheid, should you have any questions or require additional information at 719-439-9601 or via email at [aaron.berscheid@state.co.us](mailto:aaron.berscheid@state.co.us)

Sincerely,



Travis Sauder  
Acting Area Wildlife Manager

Cc: SE regional files  
Area 14 files  
Aaron Berscheid, DWM

