

Miranda Benson2

From: Amanda Campbell <akcampbell.07@gmail.com>
Sent: Sunday, June 4, 2023 9:54 PM
To: PCD Hearings
Subject: SF2136
Attachments: Objections to Latigo Public Hearing.docx

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Hi there,

I would like to submit this document for the final plat latigo trails filing no 9. SF2136 please.

My name is Amanda Campbell

Phone Number: 719-651-9064

File name: Latigo Trailing Filing No. 9

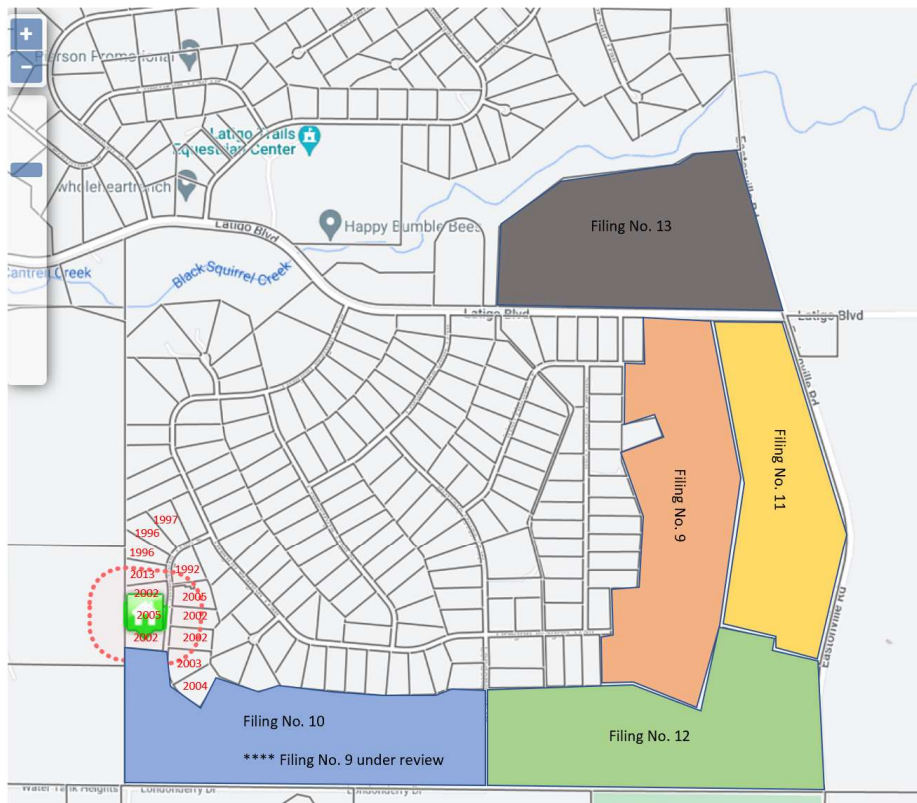
I am planning on attending in person; if possible, I would like to speak.

Thank you,
Amanda

Traffic – Our portion of the community has been a dead-end road since 1992 when the first home on the street was built (Find A Property, n.d.). We know our neighbors and have a tight knit community who look out for one another. Our children play on the street and our neighbors walk the street daily as we do not have sidewalks in our “country” community.

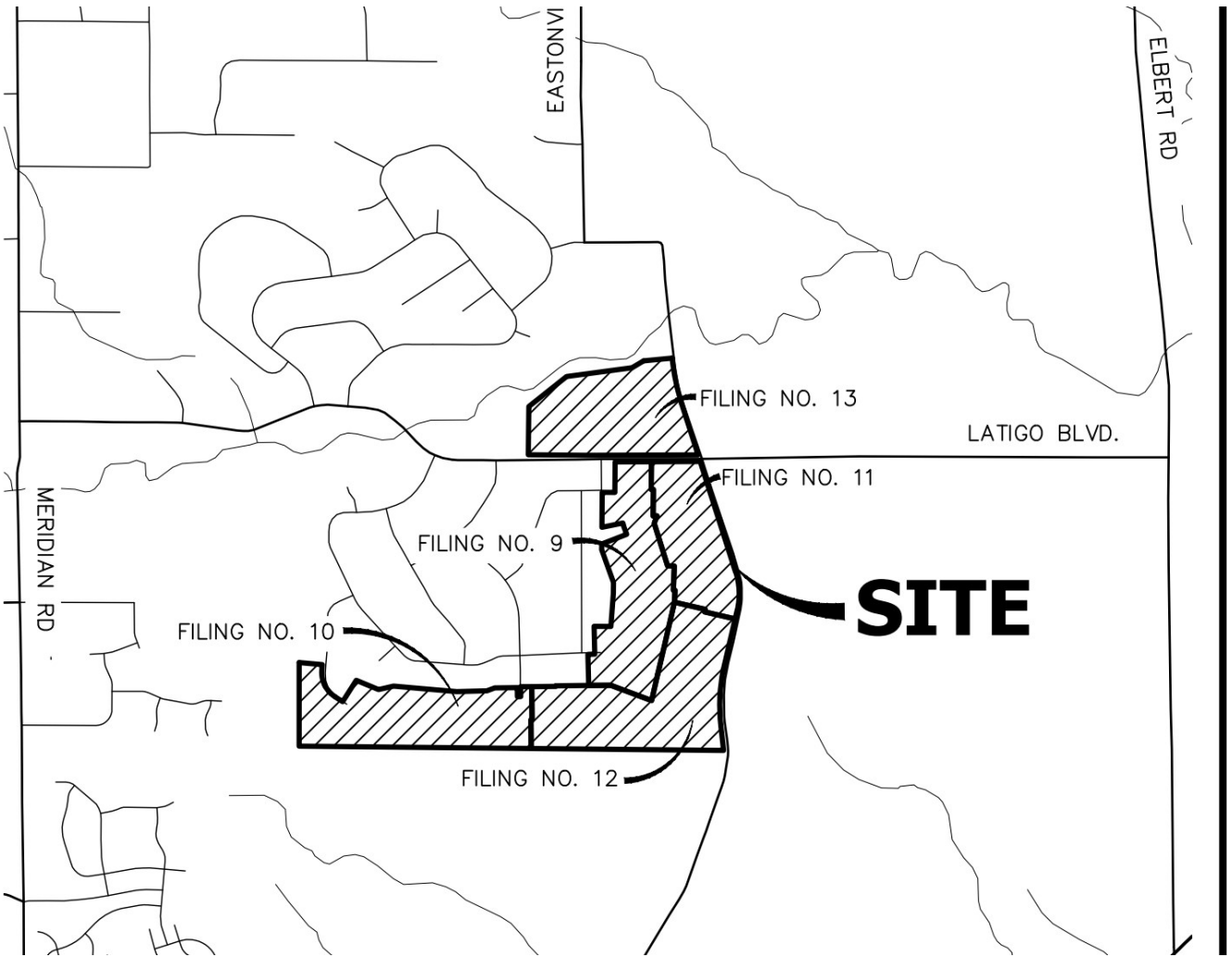
By taking this road from a “temporary” 31-year-old dead-end-road to a thoroughfare, the developers will alter the nature of this portion of the neighborhood significantly. Three decades is a long time for homes to be established on a dead-end road to all of a sudden being altered into one of two main north-south roads in Falcon. If you are going to approve this development, would you please take into consideration, having the developer leave Conestoga Trail South a cul-du-sac, like it has been for three decades. The developer can still continue with their development without completely altering the nature of this part of the neighborhood.

Additionally, the Traffic Impact study states that “the 2041 background traffic volumes assume buildout of the Latigo Preserve, Meridian Ranch, Grandview Reserve, and Waterbury developments,” however, it fails to incorporate proposed future buildout in Latigo Trails (Kirstin D. Ferrin, 2022). The impact study is only taking into effect filing No. 9 and 39 homes, while filing Nos. 10, 11, 12, and 13 have already been applied for. These combined filings total approximately 200 plus homes. All of these filings will impact our roads, especially Eastonville. Eastonville is currently a dirt road. As we have seen in the last couple of weeks, it washes out during heavy rains, it is heavily rutted and needs more regular, attentive maintenance throughout the year OR needs to be paved. The developer has pushed back, via a lawyer in a letter to Mr. Hodges at El Paso County (Kirstin D. Ferrin, 2022), to stop improvement on existing Eastonville and to only have to pay the traffic impact fee (instead of paving, adding side-walks, ect.). While these infrastructure improvements may seem unreasonable for only 39 homes, the additional impact from 200 new homes is not trivial. As someone who drives this road daily to take my child to school, the road already needs substantial improvement. The impact from these additional vehicles is harmful to the current infrastructure and is a significant safety concern moving forward.



Year built taken from County Assessor

Filing numbers taken from submitted Latigo Trails Vicinity Location Map (provided on next page)





Wildlife – Although pronghorns are not currently threatened or endangered, their homes are being destroyed. Pronghorns currently run free on the plains including the land wanting to be developed but are constantly being pushed out of their homes by these new developments. Eventually, humans will leave them no place to go.

Pronghorns aren't the only wildlife being pushed from their homes as you are already aware of the Preble's meadow jumping mouse, but are you aware there is another animal on the State of Colorado Threatened and Endangered List that resides in the area under consideration for development and is federally protected?

A bald eagle resides in the area of developmental consideration. Although, Bald eagles are no longer protected under the Endangered Species Act, they are protected under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act (BGEPA). Additionally, they are part of the State of Colorado Threatened and Endangered List (Protect Bald Eagle Nests & Habitats, 2021) (Eagle Management , n.d.).

Originally passed in 1940, the BGEPA law provides for the protection of the bald eagle by prohibiting the TAKE, possession, sale, purchase, barter, offer to sell, transport, export, or import, of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit (Eagle Management , n.d.) (Wisch, 2002).

The definition of take according to this law includes: pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or DISTURB. Activities that directly or indirectly lead to taking are prohibited without a permit. To further break down this law, “Disturb” is defined by regulation 50 CFR§ 22.3 as “to agitate or bother a bald eagle to a degree that causes, or is likely to cause, based on the best scientific information available:

- Injury to an eagle,
- Decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or
- Nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior

“Disturb” includes immediate impacts such as loud noises around the nest that may cause eagles to abandon their eggs or young chicks. A disturbance may also happen if humans change the landscape around the eagle nest. Even if these changes happen outside of the eagle nesting season, the eagle may have future decreased nest success or may abandon the nest if these changes are significant. Eagles are unlikely to be disturbed by routine use of roads, homes, or other facilities where such use was present before an eagle pair nested in a given area. For instance, if eagles were to build a nest near an existing home, cabin, or place of business, it would not likely affect the nest or eaglets. However, intentional development where bald eagles are already nesting, roosting, wintering, or foraging can negatively affect the bald eagle population and bald eagles’ safety/health in that area. This is when action should be taken according to eagles.org (Protect Bald Eagle Nests & Habitats, 2021) (Eagle Management , n.d.).

The Impact Identification Report (Impact Identification Report Summary of Impacts Latigo Trails Filling No. 9 Development) submitted by the developers does not address the negative impacts or any mitigation attempts taken to protect the animals on the Colorado State Threatened and Endangered Act, the Endangered Species Act, or the BGEPA. These include the bald eagle and the Preble’s meadow jumping mouse. Further development could cause irreparable harm to the local eagle population and could cause displacement of these federally protected birds.

According to the US Fish and Wildlife, a Habitat Conservation Plan is needed to assess the impact of federally protected species on development (Eagle Conservation Plan Guidance, n.d.). If the Habitat Conservation Plan is accepted, a permit is issued to authorize incidental taking of these animals. Additionally, Project Manager Kari Parsons, via the EA Number EA20184 EA audio, said that a Block Clearance letter, or similar documentation, is needed addressing the Preble’s meadow jumping mouse (Preble's Meadow Jumping Mouse, n.d.) (Protect Bald Eagle Nests & Habitats, 2021) (Parsons, 2021). However, the developer has failed to provide a Habitat Conservation Plan regarding the impact on protected, threatened, and endangered species, or permit information authorizing the incidental taking of these animals. In fact, the Impact Identification Report submitted by the developer states that “the overall project impact to wildlife communities would be positive” (Impact Identification Report Summary of Impacts Latigo Trails Filling No. 9 Development). This boilerplate language is negligent in addressing the true impacts on wildlife, especially to those that are federally protected.



Conservation & Management

Colorado's Outdoor Principles

Our Guiding Conservation Principles

Threatened and Endangered List

Threatened and Endangered List

COMMON NAME	SCIENTIFIC NAME	STATUS*
AMPHIBIANS		
Boreal Toad	Bufo boreas boreas	SE
Couch's Spadefoot	Scaphiopus couchii	SC
Great Plains Narrowmouth Toad	Gastrophryne olivacea	SC
Northern Cricket Frog	Acris crepitans	SC
Northern Leopard Frog	Rana pipiens	SC
Plains Leopard Frog	Rana blairi	SC
Wood Frog	Rana sylvatica	SC
BIRDS		
American Peregrine Falcon	Falco peregrinus anatum	SC
Bald Eagle	Haliaeetus leucocephalus	SC

*Status Codes

- FE = Federally Endangered
- FT = Federally Threatened
- SE = State Endangered
- ST = State Threatened
- SC = State Special Concern (not a statutory category)

Resources

- [Species Profiles](#)

Colorado's State Wildlife Action Plan (SWAP)



The approved [State Wildlife Action Plan](#) identifies priority species & habitats that need conservation efforts in the state, & potential conservation actions that can









Plan sub-area:

Plan goals and policies:

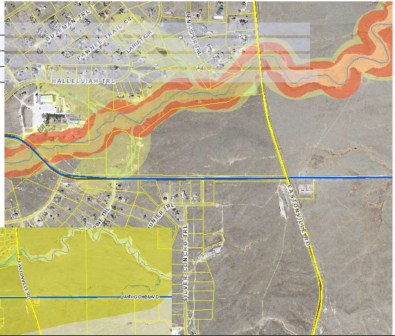
Recommendations:

Wildlife impact

Wildlife habitat descriptors level:
mod-low

Wildlife plan name:
County

Notes:



Prebel Mouse map
(Parsons, 2021)

References

- Eagle Conservation Plan Guidance*. (n.d.). Retrieved from U.S. Fish and Wildlife Service :
<https://www.fws.gov/sites/default/files/documents/eagle-conservation-plan-guidance.pdf>
- Eagle Management* . (n.d.). Retrieved from US Fish and Wildlife : [https://www.fws.gov/program/eagle-management#:~:text=Both%20bald%20eagles%20and%20golden,eagles%20\(50%20CFR%20222\).](https://www.fws.gov/program/eagle-management#:~:text=Both%20bald%20eagles%20and%20golden,eagles%20(50%20CFR%20222).)
- Find A Property*. (n.d.). Retrieved from El Paso County Assosor:
<https://property.spatalest.com/co/elpaso/#/>
- (n.d.). *Impact Identification Report Summary of Impacts Latigo Trails Filling No. 9 Development* .
- Kirstin D. Ferrin, P. (2022). *Latigo Preserve Filing No. 9 Traffic Impact Analysis* . Transportation Corporation Inc. .
- Parsons, K. (2021). *EA20-184*.
- Preble's Meadow Jumping Mouse*. (n.d.). Retrieved from US Fish and Wildlife Services :
<https://www.fws.gov/species/prebles-meadow-jumping-mouse-zapus-hudsonius-preblei>
- Protect Bald Eagle Nests & Habitats*. (2021). Retrieved from American Eagle Foundation :
<https://www.eagles.org/take-action/habitat-protection/>
- Wisch, R. F. (2002). *Bald & Golden Eagle Protection Act (BGEPA)*. Retrieved from Animal Legal and Historical Center : <https://www.animallaw.info/intro/bald-golden-eagle-protection-act-bgepa>