



COLORADO
Parks and Wildlife
Department of Natural Resources

Southeast Region
4255 Sinton Road
Colorado Springs, CO 80907
P 719.227.5200

06 September 2026

Andrea Barlow
N.E.S Inc.
abarlow@nescolorado.com

RE: CPW Comments on the Schmidt PUD Preliminary Plan, El Paso County

Dear Andrea Barlow,

Colorado Parks and Wildlife (CPW) received your request for comment on the Schmidt PUD Preliminary Plan Project (the Project), to be developed in El Paso County. CPW staff are familiar with the location of the Project as well as the area surrounding the site. This letter includes a summary of CPW's statutory responsibility, general recommendations, understanding of the project, potential impacts to wildlife, and recommendations for impact avoidance, minimization, and/or mitigation.

CPW'S STATUTORY RESPONSIBILITY

CPW has a statutory responsibility to manage all wildlife species in Colorado; as such we encourage protection for Colorado's wildlife species and habitats through responsible land use planning. Protection of core wildlife areas, quality fisheries and habitat, big game winter range and seasonal migration corridors, and raptor nesting locations are of extreme importance. CPW recommends that all proposed projects be assessed to avoid, minimize, or mitigate impacts to sensitive wildlife habitats and species. That includes species of concern as well as Federal and/or



State listed species, big game wildlife (migration corridors, winter range, and parturition areas), breeding and nesting habitats for sensitive ground-nesting birds, and nests of raptors sensitive to development in order to prevent loss of habitat or fragmentation of habitat. US Fish and Wildlife Service should be consulted on any Federally-listed Endangered and Threatened Species that might be present at the location.

GENERAL RECOMMENDATIONS

CPW recommends that, when selecting sites for development, the developer focuses on options that avoid critical wildlife habitats over the use of mitigation strategies. If developers can consolidate facilities and roads to the extent possible, this will minimize the amount of land that is disturbed and fragmented. New transmission lines should follow existing transmission corridors and pre-disturbed areas, such as roads, whenever feasible, to minimize additional impacts on wildlife and habitat fragmentation. If there are multiple developments planned for an area, CPW recommends consideration of wildlife movements at a larger scale. Early consultation between CPW and developers is critical for avoiding impacts to sensitive species, and we appreciate the continuing coordination.

UNDERSTANDING OF THE PROJECT

The proposed Project will be located in El Paso County, located east of Black Forest Road and just south of the proposed extension of Research/Marksheffel Rd. A portion of Cottonwood Creek runs through the northwest corner of the property. The project site is adjacent to a large lot of rural residential to the north, urban detached single-family to the south, a future multi-family site to the east and a vacant parcel to the west across Black Forest Rd.

The proposed project includes a PUD Preliminary and Development Plan comprising 72.979 acres and PUD rezone comprising 60.763 acres. The PUD



Preliminary and Development Plan includes 270 lots including 48 attached single-family lots and 222 detached single-family lots of varying size. Multiple tracts are proposed and intended for various uses including future development, utilities, parks, open-space, private roads, and stormwater detention.

POTENTIAL IMPACTS TO WILDLIFE RESOURCES

High Priority Habitats (HPH) are sensitive areas identified using CPW's Species Activity Mapping (SAM) database, which incorporates scientific data and wildlife observations. These publicly available maps inform environmental assessments and planning. CPW review and GIS analysis showed that the proposed project area does not overlap with any HPH.

CPW also considers Species of Greatest Conservation Need (SGCN) and Species of Concern (SC) identified in the State Wildlife Action Plan (SWAP). SGCN and SC are species experiencing population declines, habitat threats, or ecological vulnerabilities requiring proactive conservation. These may include federally or state-listed threatened, endangered, or special-concern species.

IMPACT AVOIDANCE, MINIMIZATION AND/OR MITIGATION RECOMMENDATIONS

The development boundaries will sustain numerous wildlife species including deer, pronghorn, coyote, fox, raptors, songbirds, and numerous small mammals. The following is a list of general recommendations the CPW would like to be taken into consideration with the residential side of this development in order to avoid nuisance conflicts with wildlife. Many times these conditions can be enforced through the local Homeowner's Association or through covenants.

Pets

Pets should not be allowed to roam free and fences should be installed to decrease or eliminate this problem. It is strongly encouraged that dog kennels have a top



enclosure, regardless of the height of the kennel to deter conflicts with mountain lions. Dogs and cats chase or prey on various wildlife species. One benefit to keeping animals under control is that they are less likely to bother other people, be in roadways or become prey for mountain lions, coyotes, foxes, eagles, hawks or owls. Feeding of all wildlife should be prohibited, with the exception of songbirds. The use of bird feeders, suet feeders, and hummingbird feeders are discouraged. However, if feeders are used, they should be placed so they are inaccessible to raccoons or skunks and other wildlife species that might cause damage or threaten human safety. It is illegal to feed big game including deer and pronghorn.

Attractants

Trash should be kept indoors until the morning of trash pickup. Skunks, raccoons, and other scavenging wildlife are attracted to garbage and do become habituated. Pet food is also attractive to scavengers, so pets should be fed inside. If pets are fed outside, feeding should occur only for a specified period of time and food bowls returned afterwards to a secure site.

Landscaping

When landscaping lots, it is strongly recommended that native vegetation be used, as wildlife can be attracted to ornamental and floral landscaping features. Planting of trees and shrubs that are attractive to native ungulates (deer and pronghorn) should incorporate the use of materials that will prevent access and damage (fencing, tree guards, trunk guards, etc.).

Raptors and Migratory Birds

The Project area contains suitable habitat for nesting raptors and migratory birds. To ensure compliance with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act, CPW recommends consultation with USFWS. All migratory birds are protected under the Migratory Bird Treaty Act, and any removal or



Laura Clellan, Director, Colorado Parks and Wildlife

Parks and Wildlife Commission: Richard Reading, Chair · James 'Jay' Tutchton, Vice-Chair · Eden Vardy, Secretary · Jessica Beaulieu · Frances Silva Blayney · Tai Jacober · Dallas May · Jack Murphy · Gabriel Otero

disturbance of an active migratory bird nest requires prior consultation with CPW and USFWS. Both active and potential nest sites, as well as winter night roosts, should be considered when evaluating potential disturbance during ground-disturbing activities.

CPW mapping data includes the presence of an inactive stick nest in the area, and results from field surveys conducted for the Project indicate that some nesting habitat for raptors is present. CPW appreciates the commitment to conducting preconstruction surveys and adhering to seasonal buffers and time restrictions to mitigate impacts on nesting migratory birds to the greatest extent feasible.

To minimize impacts on nesting migratory birds, CPW recommends the following:

- Conduct ground disturbance and vegetation clearing activities outside of the breeding season (March 15th - August 31st). If construction must occur during the breeding season, surveys for active nests of ground-nesting species as well as tree-nesting raptors should be conducted prior to groundbreaking.
- Since prairie dog colonies occur within the Project area, the colonies should be surveyed for Burrowing owls. If development in prairie dog colonies occurs during the spring through late summer months (Feb 1 to Oct 31), the presence of Burrowing owls and whether they are actively nesting should first be determined. If nesting Burrowing owls are present, no human encroachment or surface disturbance should occur within 100 meters of nesting burrows during March 1-August 15. If Burrowing owls merely occupy the site, it is recommended that earthmoving and other disturbance activities be delayed until late fall after they have migrated.
- Preconstruction surveys should be conducted 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 CPW document "Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors," available on the CPW website.

Burrowing Owl Active and Potential Nest Sites

Burrowing owls are listed as State Threatened, and nest in active or inactive prairie dog (black-tailed or white-tailed) burrows.

To minimize potential impacts to Burrowing Owl, CPW recommends the following:

- If development is proposed to occur in a prairie dog colony that has been active within the past 10 years, CPW recommends the adherence to CPW's Burrowing Owl survey protocol if development occurs from March 15 through August 31.
- If nesting burrowing owls are present, no human encroachment or surface disturbance should occur within a 660 ft buffer of nesting burrows from March 15 to August 31.
- If burrowing owls occupy the site, CPW recommends that earthmoving and other disturbance activities be delayed until after they have migrated away from the site.

OTHER CPW RECOMMENDATIONS

Fencing

The CPW document "Fencing with Wildlife in Mind" provides general suggestions for wildlife-friendly fencing. In addition to the measures outlined in the report, CPW recommends the following:

- For security fencing, CPW requests that the security fence be tall enough to discourage deer from jumping, at least 8 feet in height, and have a smooth top with no protrusions or wire that can risk entanglement or impalement.



- Security fencing should allow for movement of small and medium sized wildlife by providing a 6-inch gap at the bottom of the fence, or using woven wire fencing as described in the Colorado Department of Transportation Standard Plan No. M-607-4. CPW is happy to discuss this recommendation in more detail with the developer as site plans progress.
- Anywhere that security fencing is not required on the site, CPW recommends the use of wildlife permeable fencing (wildlife-friendly) to allow movement of wildlife to the extent possible.
- Project design should continue to consider wildlife movement through the Project to avoid potential impacts to big game and other wildlife moving through the area.

We appreciate your consideration of our comments and recommendations. As always, CPW staff are available to work with developers on how best to minimize development impacts to both wildlife and their habitats. If you have questions or would like clarification about any of our comments, please contact District Wildlife Manager Demetria Wright at 719-439-9601 or demetria.wright@state.co.us

Sincerely,

Tim Kroening

Area Wildlife Manager - Area 14

P 719.227.5218 | C 719.439.9639

4255 Sinton Rd.

Colorado Springs, CO 80907

tim.kroening@state.co.us

Cc: Travis Sauder-Assistant Area Wildlife Manager-travis.sauder@state.co.us



Laura Clellan, Director, Colorado Parks and Wildlife

Parks and Wildlife Commission: Richard Reading, Chair · James 'Jay' Tutchton, Vice-Chair · Eden Vardy, Secretary · Jessica Beaulieu · Frances Silva Blayney · Tai Jacober · Dallas May · Jack Murphy · Gabriel Otero

Demetria Wright - District Wildlife Manager - demetria.wright@state.co.us



Laura Clellan, Director, Colorado Parks and Wildlife
Parks and Wildlife Commission: Richard Reading, Chair · James 'Jay' Tutchton, Vice-Chair · Eden Vardy, Secretary · Jessica Beaulieu
· Frances Silva Blayney · Tai Jacober · Dallas May · Jack Murphy · Gabriel Otero