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**Date:** February 28, 2020

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

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

**Subject:** River Bend Residential Preliminary Plan SP187

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The El Paso County Environmental Division has completed its review of the River Bend Preliminary Plan SP187. Our review consisted of the following items: wetlands, federal and state listed threatened or endangered species, general wildlife resources and noxious weeds.

1. Recommendations made by JDS-Hydro Consultants, Inc. in the environmental report dated October 2019 regarding the timing of all clearing/grubbing activities must be followed in order to avoid potential violations of the Migratory Bird Treaty Act. The applicant is hereby on notice that the US 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.