



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Colorado Ecological Services Field Office
P.O. BOX 25486, Denver Federal Center, Mail Stop 65412
Denver, Colorado 80225-0486

IN REPLY REFER TO
TAILS: 06E24000-2016-TA-0770

Mr. and Mrs. Grant
Private Landowner
1315 Walsen Road
Colorado Springs, CO 80921

JUN 22 2016

Dear Mr. and Mrs. Grant:

Thank you for your email of June 2, 2016 requesting comments and review from the U.S. Fish and Wildlife Service (Service) regarding the second driveway project located in El Paso County, Colorado.

We appreciate the inclusion of an assessment of the proposed project and we interpret your letter to be for technical assistance regarding the likelihood of the described project resulting in effects to threatened or endangered species ("listed species"). Section 9 of the Endangered Species Act as amended (16 USC 1531 et seq.) prohibits any action that would likely result in "take" of a listed species (take is defined by the Act as to harass, harm, pursue, hunt, shoot, wound kill, trap, capture, or collect or attempt to engage in any such conduct of listed species). Based on the information presented in your assessment, and the Service's understanding of the nature of the project, local conditions, and current information of listed species and their habitat, it seems unlikely that the project will result in take of listed species, but the project may have minor adverse impacts to listed species that may occur in or near the project area.

While we would like to provide you site-specific technical assistance on developing conservation recommendations that will avoid or minimize potential impacts, we're not able to provide that level of assistance at this time. The Service appreciates your request for assistance, so to provide you information at the earliest planning stages as possible, we have attached a list of locally developed recommendations for the species that may occur in or near the project area. The Service recommends that wherever possible, these measures be incorporated into project planning and implementation. The intent of these recommendations is to increase compatibility between species' conservation and the proposed project.

The Service appreciates your request and encourages you to contact us again if the scope of the project changes or new information indicates that the project may result in take of listed species.

Sincerely,

Drue L. DeBerry
Acting Colorado Field Supervisor

Enclosures: Conservation Recommendations



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Attachment – Conservation Recommendations

Preble's Meadow Jumping Mouse (*Zapus hudsonius preblei*), Ute Ladies'-tresses Orchid (*Spiranthes diluvialis*), Colorado butterfly plant (*Oenothera coloradensis*)

PRE-CONSTRUCTION DESIGN:

1. Design the project to avoid and minimize the permanent and temporary impacts to riparian and adjacent upland habitats.

- a. Before construction, identify and prioritize riparian and adjacent upland habitats within the project area. Design the project so that it avoids these habitats whenever possible.
- b. Minimize the amount of concrete, riprap, bridge footings, and other "hard," impermeable engineering features within the stream channel and riparian or adjacent upland habitats.
- c. Use bioengineering techniques to stabilize stream banks.
- d. Minimize the number and footprint of access routes, staging areas, and work areas.
- e. Locate access routes, staging areas, and work areas within previously disturbed or modified non-habitat areas.
- f. Maintain habitat connectivity under bridges or through culverts by installing ledges or dry culverts adjacent to the culverts with water flow.
- g. Avoid fragmenting linear riparian corridors.

2. Install limits of work fencing (e.g., orange barrier netting or silt fencing), signage, or other visible markers to delineate access routes and the project area from habitats. Use this fencing to enforce no-entry zones.

3. Hold a preconstruction briefing for onsite personnel to explain the limits of work and other conservation measures.

4. Follow regional storm water guidelines and design best management practices (BMPs) to control contamination, erosion, and sedimentation, such as silt fences, silt basins, gravel bags, and other controls needed to stabilize soils in denuded or graded areas, during and after construction.

5. Locate utilities along existing road corridors, and if possible, within the roadway or road shoulder.

a. Bury overhead utilities whenever possible.

b. Directionally bore utilities and pipes underneath habitats.

6. Develop and implement a habitat restoration plan that addresses site preparation, planting techniques, control of non-native weeds, native seed mixtures, and post-construction monitoring.

PROJECT IMPLEMENTATION:

7. Contact the Service immediately by telephone at (303) 236-4773 if a Preble's is found alive, dead, injured, or hibernating within the project area. Please also contact the Service if any other listed species are found within the project area.

8. To the maximum extent practicable, limit disturbing (e.g., crushing, trampling) or removing (e.g., cutting, clearing) all vegetation, such as willows, trees, shrubs, and grasses within riparian and adjacent upland habitats.

a. Restrict the temporary or permanent removal of vegetation to the footprint of the project area.

b. Minimize the use of heavy machinery and use smaller equipment when possible.

c. Soil compaction: Temporarily line access routes with geotextiles or other materials, especially in wet, unstable soils to protect roots and the seed bank.

9. Use the attached table to track the acres or square feet of riparian and upland habitats temporarily or permanently affected by the response activities.

a. Temporary Impacts: Native vegetation and habitats will reestablish following rehabilitation (e.g., access route that is rehabilitated with native, weed-free seeds and plants).

b. Permanent Impacts: Riparian or upland habitats will not return as a result of project activities (e.g., road surface, concrete footings)

10. Track the volumes of any water from onsite sources stored or used for dust abatement, soil compaction, concrete mixing, or other activities.

11. Locate, store, stage, operate, and refuel equipment outside of riparian or adjacent upland habitats.

a. Operate equipment from previously disturbed or modified roadbeds or road shoulders above the riparian habitats.

b. Limit the number of entrance and exit points leading into the project area.

- c. Stockpile topsoil and debris outside the riparian corridor and protect from stream flows or runoff.
- 12. During the Preble's active season (May 1 through November 1), work only during daylight hours to avoid disrupting Preble's nocturnal activities.
- 13. Promptly remove waste to minimize site disturbance and avoid attracting predators.
- 14. Cover exposed holes or piles of loose dirt with boards, tarps, or other materials to prevent entrapment.
- 15. Use best management practices (BMPs) to limit construction-related disturbance, such as soil compaction, erosion, and sedimentation, and to prevent the spread of invasive weeds;
 - a. Soil compaction: Establish one access route for workers, vehicles, and machinery, preferably along a previously disturbed surface or route.
 - b. Soil compaction: Temporarily line access routes with geotextiles or other materials, especially in wet, unstable soils.
 - c. Weed control: Wash and inspect vehicles and equipment before entering or leaving the project area so that they are free of noxious weed seeds and plant parts.
 - d. Weed control: Use only weed free certified materials, including gravel, sand, top soil, seed, and mulch.
- 16. Complete construction before beginning restoration or enhancement activities.

POST-CONSTRUCTION:

- 17. Upon project completion, revegetate all disturbed areas with native shrubs, trees, and grasses.
 - a. Rip compacted access routes prior to replanting with native vegetation.
 - b. Fill and reseed with weed free material and native seed mixtures.
 - c. Consult the Service before finalizing a seed and plant list.
- 18. Bury riprap, then plant with native riparian vegetation.
- 19. Rehabilitate adjacent habitats impacted by floodwaters to restore connectivity and prevent future impacts from erosion or sedimentation.
- 20. Consider monitoring the revegetated areas for success. The Service can help establish success criteria during the consultation process.