



COLORADO

Parks and Wildlife

Department of Natural Resources

Area 14, Southeast Region
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November 28, 2017

El Paso County: Development Services Department
ATTN: Nina Ruiz, Project Manager
2880 International Circle Suite 110
Colorado Springs, CO 80910

Re: File Number: SP-17-010

Dear Ms. Ruiz:

Thank you for the opportunity to comment on the Springs East at Waterview preliminary plan. District Wildlife Manager Adam Gerstenberger reviewed your materials and is familiar with the site. Colorado Parks and Wildlife (CPW) has the following concerns and suggestions regarding the proposed development.

There is suitable habitat at the project location for nesting raptors and migratory birds and at least one raptor nest site was identified in survey results. CPW recommends the use of preconstruction surveys to identify raptor nests within the project area and the implementation of appropriate restrictions near active nests as proposed in the report. 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". 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.

CPW recommends that the development plan retain existing mature trees on the site as much as possible and that all landscaping plans utilize native trees and avoid non-native vegetation. CPW recommends the development and implementation of a noxious weed control plan for the site. There are several noxious weed species identified on site and the construction plans should include measures to prevent the spread of those weeds to adjacent areas. All disturbed soils should be monitored for noxious weeds and noxious weeds should be actively controlled until native plant revegetation and reclamation is achieved.

Prairie dog colony locations have been indicated within the project area and surveys to determine the presence/absence of *burrowing owls (Athene cunicularia)*, a state threatened bird, are recommended. If development in prairie dog towns occurs during the spring or 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 should occur within 150 ft. of nesting burrows from March 15 to October 31. 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.



Swift fox is a species of state and federal concern that lives in and around the proposed project area. The potential overlap with Swift Fox should be considered in survey protocols and timing of construction activities to identify and avoid all maternal swift fox den sites. Swift fox live here year-round, breed during December, and raise their young into the next fall. It is recommended that swift fox surveys include daylight searches for den areas and nighttime spotlight searches during August and September. Destruction of dens from December 15th through August 15th should be avoided and CPW recommends steps be taken to minimize disturbance near active dens during this time period to the extent possible.

The use of privacy fencing, chain link fencing, and other exclusionary fencing should be at least 6 feet high and should be restricted to the immediate area surrounding the buildings or within the designated building envelope and should not be used as a method to designate boundaries of larger lot sizes (> 1 acre). Fencing outside the immediate building envelope or area surrounding the buildings on larger lots within the known range of elk, deer, and pronghorn should be a maximum top height of 42" with at least 12" spacing between the top two wires or rails and a bottom wire or rail at least 16" above the ground to allow passage of young animals and pronghorn antelope. It is also recommended that the top and bottom wires be a twisted barbless type or smooth wire or rail construction. Construction of ornamental wrought iron fencing with closely spaced vertical bars (< 12") and sharp projections extending beyond the top horizontal bar should be strongly discouraged in areas where deer, elk, and black bear are known to occur. This type of fencing typically ensnares deer and elk by the hips when trying to squeeze through and impales animals attempting to go over the top.

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 bears, raccoons or skunks and other wildlife species that might cause damage or threaten human safety. It is illegal to feed big game including deer, elk, antelope, moose, bear and lion.

Trash should be kept indoors until the morning of trash pickup. The CPW recommends using bear resistant trash containers. Bears, skunks, raccoons, and neighborhood dogs are attracted to garbage and do become habituated.

We appreciate being given the opportunity to comment. Please feel free to contact District Wildlife Manager Adam Gerstenberger, should you have any questions or require additional information at 719-227-5282 or via email at adam.gerstenberger@state.co.us.

Sincerely,



Frank McGee
Area Wildlife Manager

Cc: Adam Gerstenberger, DWM
SE Regional File
Area 14 File