



**COLORADO**

**Parks and Wildlife**

Department of Natural Resources

Southeast Region  
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August 7, 2024

Kari Parsons- Project Manager  
El Paso County Public Works  
2880 International Circle Suite 110  
Colorado Springs, CO. 80910

Re: Colorado's Xcel Power Pathway 1041

Dear Kari Parsons:

Colorado Parks and Wildlife (CPW) would like to thank El Paso County for the opportunity to review and provide recommendations on the Colorado's Xcel Power Pathway 1041 application. The Pathway involves the installation of approximately 550 miles of new 345kV double circuit transmission line in 12 counties and included upgrades to existing substations. This project will be constructed in five segments and this 1041 permit application focuses on Segment 5 (Sandstone- Harvest Mile). Segment 5 Pathway facilities proposed in El Paso County include 45 miles of 345-kV transmission line. This route is generally oriented in a north to south direction in the area south of the town of Simla in eastern El Paso County. Early consultation offers the greatest opportunity for our review to assist in avoiding areas where wildlife impacts are likely to be high and difficult to remedy at a later stage. By consulting early, project developers can also incorporate wildlife conservation measures and monitoring into their decisions about project siting, design, and operation to minimize potential impacts to wildlife. CPW and Xcel first met in January 2022 to discuss an overview of the entire Power Pathway Project. Segment 5, containing the transmission line sections proposed in El Paso County, was presented as a preliminary route at that time and changes were made by Xcel prior to notice of the final route. The comments here reflect only the final route as presented by Xcel to El Paso County in the 1041 application.

CPW's preference is for new transmission or distribution lines to be co-located with existing lines or infrastructure corridors whenever possible to minimize additional impacts on wildlife and habitat fragmentation. The project appears to follow existing or planned roads or travel corridors and as planned that should help minimize impacts.



Jeff Davis, Director, Colorado Parks and Wildlife

Parks and Wildlife Commission: Dallas May, Chair • Richard Reading, Vice-Chair • Karen Bailey, Secretary • Jessica Beaulieu  
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### **Construction practices near waterways:**

The project area includes some riparian habitat and small drainage crossings. CPW recommends there be minimal impact to any riparian areas or stream bed, both during construction and after, and any stream bed should be handled as a stream crossing whether or not water is present at the time of construction. Minimizing impacts to streams in the project area is a priority for CPW and avoidance is best whenever possible.

Xcel states in the Wetland Impact Letter that the spacing between the poles can be up to 1,400 feet and thus can be sited to avoid pole placement within the wetlands. CPW appreciates this since our recommendation for a buffer around streams is 500 feet from the Ordinary High Water Mark.

All trucks or heavy equipment should be restricted from crossing streams and if required, we recommend placement of culverts in streams in such a way that they do not preclude upstream movement of fish. Finally, CPW recommends that native riparian canopy or stream bank vegetation not be removed where possible.

CPW recommends the following Best Management Practices when working in or near aquatic habitats.

- Drainages should be crossed perpendicular to the flow of the stream
- Use existing road crossings and existing stream crossings for vehicles and other construction equipment instead of building new roads and stream crossings
- The width of construction should be minimized within the 100-year floodplain,
- Stream bank, wetland restoration/improvement should be performed, where
- necessary
- Vehicle and equipment crossing of creeks/streams should be made in locations that will cause the least erosion of banks and sedimentation.

If any new access or maintenance roads will be constructed that cross stream habitat, CPW would like to be consulted on best management practices and options for construction to minimize impacts.

### **Other Threatened, Endangered and State Species of Concern:**

Xcel has indicated that prior to construction they will conduct surveys for raptor and migratory bird nests along the preferred alignment to locate active nests and identify the species utilizing the nest location. CPW supports the stated plan to avoid construction during the nesting season to the extent possible and to consult with CPW and USFWS to identify any potential impacts and mitigation measures if avoidance during the nesting season is not feasible.



### **Protection of Raptors:**

Of high concern regarding electrical transmission lines is the potential for raptor electrocution and CPW is pleased to see that raptor protection measures have been included in the wildlife report. Through the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act, the U.S. Fish and Wildlife Service, in cooperation with the Edison Electric Institute, developed Best Management Practices to minimize impacts to avian species. CPW recommends that both the “Suggested Practices for Avian Protection on Power Lines, the State of the Art in 2006” and the “Reducing Avian Collisions with Power Lines: The State of the Art in 2012” documents be consulted for the most current recommended design considerations to minimize raptor electrocution. These documents can be ordered at the Edison Electric Institute website ([www.eei.org](http://www.eei.org)) or can be downloaded at the Avian Power Line Interaction Committee website ([www.aplic.org](http://www.aplic.org)).

CPW also recommends the use of preconstruction surveys, as well as continuation of those surveys during construction, 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](#)". Removal or relocation of any active raptor nests will require consultation with CPW and US Fish and Wildlife Service prior to moving. Both active and potential nest sites, winter night roosts should be considered when evaluating disturbance during construction.

### **Migratory Birds:**

To avoid impacts to the nesting efforts of migratory birds CPW recommends any proposed plan focus vegetation clearing activities outside of the breeding season (March 15th - August 31st). If construction must occur during the breeding season, surveys for active nests should be conducted prior to groundbreaking. All migratory birds are protected under the Migratory Bird Treaty Act and removal or disturbance of any active migratory bird nest would require consultation with CPW and USFWS prior to disturbance.

### **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. 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 200-meter 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.

**Swift Fox Potential Denning Habitat:**

Swift fox is listed as a species of State Special Concern and some projects sites in Lincoln and Elbert contain potential swift fox denning habitat. To minimize the impact of construction on occupied, high quality swift fox habitat, CPW recommends pre-construction surveys for active den sites. CPW also recommends no human encroachment, surface disturbance, or construction activity within 0.25-mile of an active maternal den site from March 15 through June 15.

**Invasive and Nuisance Species:**

CPW recommends the development of a Noxious Weed Management Plan. CPW prefers that native vegetation be retained on site during the operational lifespan of the project, both as habitat for wildlife and to ensure successful reclamation of the project area. Proper reclamation, from a wildlife perspective, involves not only stabilizing the soil and establishing ground cover, but fostering plant communities with a diversity of species and plant types -grasses, woody plants, and broadleaf forbs- which will fully serve the nutritional needs of wildlife. Strict adherence to the Natural Resources Conservation Service's (NRCS) recommendations is advised. CPW would appreciate the opportunity to review the project's Noxious Weed Management Plan prior to the start of construction.

CPW appreciates the opportunity to review this project. If you have any questions regarding this letter, please contact Southeast Land Use Coordinator Cassidy English at [cassidy.english@state.co.us](mailto:cassidy.english@state.co.us) or (719) 227-5224.

Sincerely,

Tim Kroening

Area Wildlife Manager  
Area 14- Colorado Springs

Cc: Cassidy English- Land Use Specialist  
SE Regional File  
Area 14 File

