

EL PASO  **COUNTY**
COLORADO

PARKS AND COMMUNITY SERVICES DEPARTMENT

Date: January 21, 2025
To: Kari Parsons, Planning and Community Development Department
From: Nancy Prieve, Environmental Division, Parks & Community Services Department
Subject: Colorado's Xcel Power Pathway 1041 – AASI231

The El Paso County Environmental Division has completed its review of Colorado's Xcel Power Pathway 1041 – AASI231. Our review consisted of the following items: wetlands, federally listed threatened or endangered species, migratory birds, general wildlife resources and noxious weeds.

1. A completed U.S. Army Corps of Engineers (USCOE) permit or concurrence of non-jurisdictional status from the USCOE shall be provided to the Planning and Community Development Department prior to project commencement if ground-disturbing activities will occur in wetland areas. The applicant is hereby on notice that the USCOE has regulatory jurisdiction over wetlands. 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 Clean Water Act.
2. The email dated June 3, 2024 from the U.S. Fish and Wildlife Service (USFWS) makes several recommendations related to endangered, threatened and candidate species as well as migratory birds including raptors and eagles. The applicant is advised to follow these recommendations in order to avoid possible violations of the Endangered Species Act, Migratory Bird Treaty Act or Bald & Golden Eagle Protection Act. The applicant is hereby on notice that the USFWS has regulatory jurisdiction over these acts. It is the applicant's responsibility, and not El Paso County's, to ensure compliance with all applicable laws and regulations.

The applicant must 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.

