

From: [Alan Goldich](#)
To: [Alan Goldich](#)
Subject: FW: Trapper Solar Project - CPW Comments
Date: Monday, November 4, 2024 4:11:17 PM

From: Taylor Elm - DNR <taylor.elm@state.co.us>
Sent: Monday, October 28, 2024 10:57 AM
To: Alan Goldich <agoldich@co.routt.co.us>
Cc: Kris Middledorf - DNR <kris.middledorf@state.co.us>; Libbie Miller - DNR <libbie.miller@state.co.us>; Justin Pollock - DNR <justin.pollock@state.co.us>; Eric Vannatta - DNR <eric.vannatta@state.co.us>; Molly West - DNR <molly.west@state.co.us>
Subject: Re: Trapper Solar Project - CPW Comments

Thanks, Alan. My responses are in red below in your email. I'll also let others from CPW chime in with additional thoughts.

On Thu, Oct 24, 2024 at 4:48 PM Alan Goldich <agoldich@co.routt.co.us> wrote:

Taylor,

Thank you for this information. It is extremely helpful. I've got some follow up questions.

1. In your response to #8, you mention a migratory bird survey, whereas the plan mentions ground-nesting birds. Are these the same?

Thanks for flagging this. They are essentially the same thing, but prior to vegetation clearing within the migratory bird nesting season (April 1 to August 31) we recommend that surveys be conducted to locate any active nest sites (within the immediate area of disturbance) and avoid disturbance of the nest until the young have fledged. This differs slightly from the raptor nest surveys that they have conducted, which are more for planning purposes (i.e., establishing avoidance buffers around active eagle, hawk, etc. nests). This also ensures compliance with the Migratory Bird Treaty Act (MBTA). If they clear vegetation and destroy active nest sites of [migratory birds](#), it would technically be considered "take" by US Fish and Wildlife Service. Give me a shout if more details on this would be helpful.

2. In Section 5.3 of the Wildlife Plan, it mentions seeding requirements *"RWE will seed up to 25 feet and no less than 15 feet within the 50-foot buffer surrounding the CPW-mapped Aquatic Native Species Conservation Waters crossing through the Project area in locations where the buffer is within 500 feet of Project infrastructure."* Please confirm that this is what you are requesting.

Since disturbance/development will occur much closer than CPW's recommended 500' buffer, this seeding BMP was recommended by CPW to enhance the vegetated buffer between the development and the drainages. In theory, these vegetated areas will help dissipate runoff from the panels and filter sediment before it enters the waterways. CPW is amenable to these distances that have been included and assumes

that they will be measured from the edge of the disturbance instead of the edge of the waterway (increased vegetation likely already present within 15-25 feet of the drainages).

3. We have standard that addresses dust control measures that occur within 500' of mapped waterways. They did not mention this in the plan so I've asked them to address this. I don't need anything from you in relation to this but wanted to give you a heads up that they should be addressing this with you.

Copy that, and good catch. We typically recommend the use of potable or locally sourced water for dust suppression within aquatic HPH layers. This is to preclude the use of magnesium chloride and water sources that could be contaminated with aquatic diseases/nuisance species.

4. In relation to the perimeter fencing, the detail that they provided shows a min 4" and max 8" gap at the bottom of the fence. They did not indicate that this was only going to happen in certain location so we will be expecting this for all the fencing. Is this size adequate for small mammals and birds?

The larger the better. CPW is still not clear how large of wildlife openings are allowed under the National Electric Code fencing requirements, but 6-8 inches would be better than 4-8 in my opinion. We did recommend the 6" woven wire mesh that CDOT uses on highway fencing to allow passage by small ground-dwelling animals throughout the project area.

5. How long should the wildlife corridor cameras effort and information reporting be for? Also, what time of the year should this information be submitted? We need to be clear on this in the condition of approval.

This is a great question and we never got a request from RWE or SWCA to discuss these details. I'd look to Eric and Justin for their thoughts on this, but can offer up some ideas to start with after a discussion just now with our statewide migration coordinator. Regarding the timeline of corridor monitoring, I think it would be good to collect at least 4 years of post construction data. It will likely take a couple of years for animals to adapt to this new infrastructure on the landscape. 1-2 years may not be a good indication of how animals will use the corridors. Also, regarding time of year, we think the cameras should be collecting data year-round over the course of the monitoring efforts. Spring and fall migrations are of particular interest, but gathering data on resident animals (e.g., pronghorn) and their daily use of the corridors is valuable as well. CPW anticipates that we'd need several discussions with SWCA to determine where and how cameras should be placed to gather the most useful data. Just confirming use by one animal will not show whether they are effective. The study needs to show how many animals approach and do not use the openings as well. We have a lot of knowledge on this related to monitoring the effectiveness of highway crossing structures and can relay our lessons learned to SWCA or whoever is responsible for setting up these monitoring efforts.

Thanks,

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