

**City and County of Broomfield 20-Day Wildlife and Environmental Clearance Letter
Template
December 16, 2024**

This template includes the recommended sections and information that should generally be included in a 20-day Wildlife and Environmental Clearance Letter (20-day letter). The template is intended to assist environmental consultants that are preparing the 20-day letter. The level of detail is always dependent on the site and the proposed project. This guidance document supplements but does not replace the most current “20-Day Environmental Clearance Letter Information and Checklist” on the City and County of Broomfield Open Space and Trails website. Please refer to that document for questions about the submittal and approval process.

1. Introduction

- Provide the name of the environmental consultant and personnel completing the assessment and the date of the site investigation. The start of the 20-day period begins with the site visit, not the date of the letter, so this is essential information. The environmental consultant should be a separate consultant from the project applicant/developer.
- Indicate if the project or study area has had any prior environmental reviews or investigations.

2. Location

- Provide enough information for the reader to locate the site. An address and cross streets, coordinates, and section/township/range are recommended. Show the location of the project on a location map.
- Define the “study area” for the purposes of the letter, and distinguish between that and the “project or work area” if necessary.
- Include a map with the study area (aka project or work area) clearly identified with adjacent streets. This location map and maps noted below may need to be at different scales so that the information is legible on the maps.
- Briefly describe the physical setting of the study area. The goal is to provide the reader with a general overview. This can be written in a separate section if desired but should include:
 - Description of existing land use (i.e., residential, commercial, agricultural, open space, parks)
 - Qualitative description of site topography
 - Presence of hydrologic features such as streams, drainage features, ditches, or ponds (natural or manmade)
 - Basic soil characteristics (ideally from Web Soil Survey; an independent soil survey is not necessary)

3. Proposed Project

- Describe the proposed action, including the anticipated start date, duration of work, and the nature of the activity. Including relevant plan sheets in the appendix

may be recommended. Please also explain where any construction staging will be located and what is involved with this work.

4. Vegetation

- Describe the vegetation within the study area, including any significant native vegetation, noxious weeds, trees, or shrubs.
- Describe the impacts to vegetation and if any mitigation is proposed. Include the number of trees and shrubs being removed and the quantities proposed for replacement, if applicable.
 - If you have questions regarding whether mitigation is required, consult Broomfield staff. For instance, a vacant parcel being converted to a residential development might preserve some trees or riparian features but will generally not preserve or restore existing vegetation. However, a temporary utility installation or geotechnical bore would be expected to restore impacts to a preexisting condition including native grasses.
 - Show on the project map existing trees/shrubs and any trees/shrubs proposed for removal in relation to the project work area.

5. Floodplain

- State whether the study area occurs within a floodplain (as mapped by FEMA) and if floodplain permitting was necessary. If within a floodplain, show this area on the project map in relation to the project work area.

6. Wetlands and Aquatic Features

- Describe any wetland or aquatic features that are mapped within the study area. Sources to check may include the National Wetland Inventory (NWI) or topographic and hydrologic mapping from the US Geologic Survey (USGS). State whether the mapped features are present, and if so, describe their condition.
- Describe any unmapped aquatic features, if present. This could include an excavated feature such as a detention basin.
- Include a map of all aquatic features with the study area (and project or work area) clearly delineated.
- Indicate whether the aquatic features are likely to be Waters of the United States protected under Section 404 of the Clean Water Act. If there is no jurisdictional determination or permit associated with the project, provide your best judgment as to the jurisdictional status of the features.
- Indicate if the aquatic features will be impacted. If impacts will be incurred, provide a copy of the relevant permit from the US Army Corps of Engineers or state why a permit is not necessary.
- Provide a summary of any protective measures or mitigation activities that will be implemented. For instance, work occurring near wetland areas may necessitate the use of construction fencing or silt fencing to prevent entry. Temporary impacts may require revegetation.

7. Threatened and Endangered Species

- Obtain a list of federally listed threatened and endangered species for the study area from the Information for Planning and Consultation (IPaC) website from the US Fish and Wildlife Service (USFWS). This list can be attached as an appendix, but it is not necessary.
 - Indicate whether habitat for any of the listed species occurs within the study area or if the proposed project will impact any of the listed species.
 - Most of Broomfield occurs within the block clearance for the Preble's meadow jumping mouse (*Zapus hudsonius preblei*). If your project occurs outside of the block clearance, be sure to address the mouse and indicate if any consultation with the USFWS has been completed.
8. Tier 1 Species of Greatest Conservation Need
- Obtain or develop a list of Colorado Tier 1 Species of Greatest Conservation Need that may occur within the study area. This may be done by having a qualified individual review the Colorado State Wildlife Action Plan (SWAP) or by generating a report from Colorado Conservation Data Explorer (CODEX) from the Colorado Natural Heritage Program (CNHP).
 - Indicate whether habitat for any of the identified species occurs within the study area and what impacts may occur.
 - Describe any surveys or protective measures that will be implemented.
 - The Burrowing Owl (*Athene cunicularia*) is the most common Tier 1 species that requires consideration in Broomfield. If the study area occurs within one-quarter mile of a prairie dog colony, surveys should be generally conducted for work occurring between March 15 and October 31. If owls are detected, consultation with CPW is recommended to determine if work can be safely completed with monitoring and protective measures or if it should be postponed. OST staff should also be consulted.
9. Wildlife
- General: Indicate what (if any) wildlife was observed on site. This could include sightings or signs of presence including scat, burrows, tracks, or dens. If no wildlife or signs are observed, describe what species likely use the site and whether the project will significantly impact wildlife use.
 - If dens for any species are present, include the location on a map, note whether it is being actively used, and propose protective measures. Consultation with CPW is recommended.
 - Migratory Birds (non-raptors): Determine if there is suitable habitat for nesting birds, and list any species that are observed. If the project will be conducted during the nesting season (approximately April through September), survey for active nests in the proposed work area and up to 50 feet away. State what methodology was used to look for nests.

- If active nests are located, include a map of the locations and any suggested protective buffers. State how long the buffers should remain in place and what criteria must be met for work to proceed.
- Raptors: Determine if there is suitable nesting habitat for raptors within one-half mile of the study area. Survey this buffer to the extent practicable to identify any raptor nests. Do not enter private property without authorization. Surveys can generally be conducted from public rights-of-way.
 - If a raptor nest is identified, determine if it is active and what species is utilizing the nest. Provide a map of the nest location with the CPW-recommended construction buffer.
 - State what protective measures are being implemented and what criteria must be met for work to proceed. If feasible, work should be postponed within the recommended buffer until the nest is no longer active. Alternative approaches, such as monitoring during construction or reduced buffer distances, may be appropriate, but CPW should be consulted on alternative approaches. Include documentation of any correspondence with CPW. OST staff should also be included in the discussion.
- Eagles: Determine if there are any eagle nests or roosting areas within one-half mile of the study area. Combine results of the raptor survey (described above) with a search of CPW Species Activity Mapping.
 - Per CPW, there are currently two known Bald Eagle nests east of I-25 and one at Stearns Lake in Boulder County. The half-mile buffers for these nests extend into parts of Broomfield.
 - If the proposed project will occur within one-half mile of a nest or roost site, consult with CPW to determine if the work can be safely implemented with protective measures or if postponement is recommended. For instance, potholing, which takes less than a day and typically occurs within or adjacent to roadways, may be acceptable during the nesting season (though biological monitoring may still be recommended). Construction projects which would entail longer term work in undeveloped areas may require a permit from the USFWS. If such a permit has already been obtained, please include it with the letter. Coordination with OST staff is also necessary.
- Black-tailed prairie dogs: Determine if there are prairie dogs or prairie dog burrows (active or inactive) within the study area or on adjacent properties. Provide a map showing the limits of the prairie dog colony in relation to the limits of the study area (and project or work area). Broomfield has the Policies for Prairie Dog Conservation and Management (Policy) that applies to both public and private property. The Policy is also on the Broomfield Open Space and Trails website.

- If prairie dogs on the site have already been managed per the Policy, please include the clearance letter or completion report stating that the site has been cleared.
- If prairie dogs occur on the site but have not been managed, determine whether and to what extent the proposed work will impact the colony. If a development is proposed within the colony area, do not submit a 20-day letter until the colony has been managed per the Policy.
- If prairie dogs occur on the site but impacts will be temporary, describe protective measures that will be implemented. For instance, if boring or potholing is proposed in the vicinity of active burrows, include a map of the specific burrow locations, proposed bore holes, construction access road, and staging area in relation to the proposed impacts. The installation of protective fencing during operations to avoid impacts from vehicles or equipment may be an option depending on the proximity of burrows. OST consultation is necessary once this map has been prepared to determine next steps.

10. Summary

- Summarize the key points from each section in a numbered or bulleted list. Highlight any special conditions that need to be incorporated (such as nest buffers, protective fencing, additional permits, and biological reviews).
- Provide contact information (phone and email) for the consultant if Broomfield has specific questions or comments.

Appendices

- Maps (if not incorporated into the body of the letter). Use a map scale that is suited for the information being displayed so that the data is easy to discern in relation to the project area.
 - Location Map
 - Study Area/Site for the Project—including construction staging and access roads
 - Specific maps related to the 20 day topics such as vegetation, nest buffers, etc.
- Recent site photos
- Project plan sheets (please extract pertinent sections and refrain from including full design sets)
- Previous environmental reports written for the property (as available)
- Floodplain map and permit (if applicable)
- Copies of pertinent agency correspondence (especially CPW)
- Copies of pertinent permits or clearances (especially for wetlands and prairie dog management)
- Copies of IPaC or CODEX reports

- ★ Please do not include lengthy reports that are not directly related to the scope of the 20-day letter. For example, boiler plate federal regulations that can greatly increase the number of pages of a report or a Phase 1 Environmental Site Assessment are generally not helpful.

Summary of Resources

- NRCS Web Soil Survey: <https://websoilsurvey.sc.egov.usda.gov/>
- USFWS National Wetlands Inventory: <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>
- USGS The National Map (topographic and hydrological data): <https://apps.nationalmap.gov/viewer/>
- FEMA National Flood Hazard Layer: <https://msc.fema.gov/nfhl>
- USFWS Information for Planning and Consultation (IPaC): <https://ipac.ecosphere.fws.gov/>
- CNHP CODEX: <https://codex.cnhp.colostate.edu/>
- CPW Wildlife Species Maps: <https://www.arcgis.com/apps/instant/interactivelegend/index.html?appid=b3e1f4c17e98481c85f9683b02e91250>
- CPW Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors: <https://cpw.widencollective.com/assets/share/asset/fqmg4ds76b>
- CPW Recommended Survey Protocol and Actions to Protect Nesting Burrowing Owls: <https://cpw.widencollective.com/assets/share/asset/hsamadtytq>
- Broomfield Policies for Prairie Dog Conservation and Management: <https://broomfield.org/DocumentCenter/View/1385/Prairie-Dog-Conservation-and-Management-Policy>