

**Bighorn Sheep
Mountain Shadows Testimony
2021-01-07**

RE: 2424 Garden of the Gods Development Proposal 2020

Is it true “...there have been no observations of the sheep being on or using the proposed project area.” as reported by Colorado Parks and Wildlife (CPW)? (See Exhibit D)



Credit: KKTV – The facility at 2424 GOG Rd. with a bighorn next to Flying W. Rd.

<https://www.facebook.com/kktv11news/photos/a.81766448380/10152662968303381/?type=3>



Credit: KKTV – Bighorn sheep crossing Flying W. heading to the property at 2424 GOG Rd.

<https://www.facebook.com/44428318380/posts/10152665999148381/>

SUMMARY:

1. Contrary to the CPW claim, bighorn sheep are frequently seen at and around the 2424 GOG Rd. property.
2. The “Colorado Bighorn Sheep Management Plan” warns (among other things) that human disturbance and walking with dogs may be most detrimental to their welfare. **The proposed high-density residential housing will substantially increase human activity. Furthermore, the birthing area will be impacted.**
3. Governor Polis recognized the importance of our iconic wildlife, including bighorn sheep, and issued an Executive Order to protect their habitat.
4. This thriving Rampart Range herd is used to repopulate declining herds of bighorn sheep in other parts of Colorado. If this herd is threatened, they could be jeopardized.
5. The property at 2424 GOG Rd is currently Zoned appropriately for this herd of bighorn sheep.

THEREFORE: The application for a Master Plan Amendment, Zone Change, and Concept Plan should be denied in order to ensure the protection of the Rampart Range Bighorn Sheep herd at this location according to the Colorado Bighorn Sheep Management Plan and the Governor's Executive Order, and the City's desire to have a place for tourists to visit with the hopes of seeing bighorn sheep.

BACKGROUND:

A developer submitted a proposal to the City for an amendment to the Mountain Shadows Master Plan, Zone change, and Concept Plan to build 450, 45 foot tall multi-family residential units at 2424 Garden of the Gods Rd. Approximately 1,100 people will be added to this area.

TIMELINE:

October 7, 2020 During the WebEx meeting with the City and developer. The residents of Mountain Shadows brought to the attention of the City Planner and the developer their concerns about impacting the bighorn sheep that are commonly seen on the property at 2424 Garden of the Gods Rd.

Unknown to the residents of Mountain Shadows, a request from City Planning was made to CPW to evaluate the situation based on homeowner feedback from the first review of the development proposal, October 7, 2020.

November 22, 2020: Not knowing the status of CPW's position, a resident of Mountain Shadows sent an email (see Exhibit A) to CPW expressing concern; "We were told that this thriving herd of bighorn sheep are used to repopulate declining herds throughout Colorado. We are concerned that this high-density development, so close to the foothills, will encroach on the bighorn sheep and other wildlife – pushing them further into the mountains and threatening their populations. Page 50 of the {Bighorn Sheep }Management Plan {<https://cpw.state.co.us/Documents/WildlifeSpecies/Mammals/ColoradoBighornSheepManagementPlan2009-2019.pdf>} warns that human disturbance and walking with dogs may be most detrimental to their welfare." And, then asked; "Our community would like to know if the proposed development area at 2424 Garden of the Gods Rd is protected or will be protected under the Executive Order or any other directive."

December 9, 2020: CPW sent this response (see Exhibit B) back to the Mountain Shadows resident; "In your email you ask if the Governor's Executive Order or any other directives protected the proposed development area. There are no executive orders, directives, or any other instrument at a state level that I am aware of that would impact or supersede this local land use decision."

December 17, 2020: The Mountain Shadows resident replied with; "The Executive Order (D 2019 011 "Conserving Colorado's Big Game Winter Range and Migration Corridors") that I am referring to is attached {See Exhibit C} for your reference. On page 2, it states; "Coordination with government agencies, non-governmental organizations, and private landowners is critical to the safe migration of wildlife across numerous jurisdictions."."

December 28, 2020: The Department of Natural Resources (DNR) sent a copy to the Mountain Shadows resident of their response to City Planning. (See Exhibit D) In short, CPW indicated; "Through all the work that CPW has done with the Rampart Range Bighorn Sheep herd **there have been no observations of the sheep being on or using the proposed project area.**" And, further stated; "It is CPW's professional opinion that any new development at the proposed project site at 2424 W Garden of the God's Rd. will have little to no impact on the Rampart Range Bighorn Sheep herd."

December 28, 2020: A resident in Mountain Shadows replied (See Exhibit E) to CPW; “It is completely understandable that it is not particle for CPW to monitor this area 24x7 for bighorn sheep.” “However, my personal experience from working in this facility for 13 years (1990-2003) is the bighorn sheep are observed in this area” And further stated; “The bighorn sheep would range from the top of the hogback to nearly 50% down the hill.”. And, then asked; “For these aforementioned reasons, would you please reconsider your position to the City Planner?”.



Image provided to CPW. The area where bighorn sheep were observed for 13 years.

Rob, who also worked at the 2424 GOG Rd. facility saw bighorn sheep on a regular basis at the same locations. He shows, in his diagram, the area where the bighorn are seen jumping the fence to come in and out of the 2424 GOG Rd. property (see bottom right of the red lined area in the photo). People living in the proposed high-density multi-family housing will certainly climb the hill and enter the peaceful location where they can be seen “laying for hours” just above the ridgeline as Rob indicates in his photo.

“Colorado Bighorn Sheep Management Plan”:

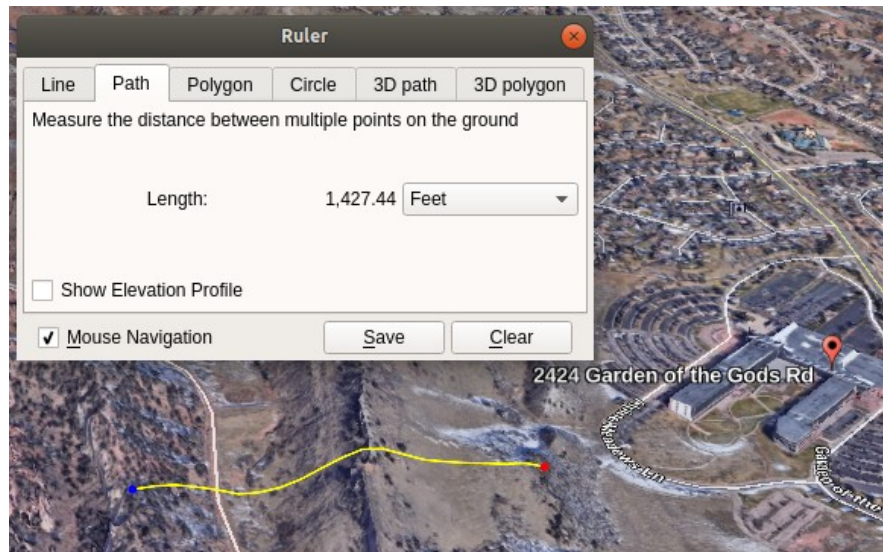
Management Goal: Within the scope of the Division’s authority to comment on or manage roads or trails, the design and development of new roads and trails, improvement of existing roads and trails, and use of all-terrain vehicles should not expose bighorns to excessive activity of people and domestic animals (e.g. dogs and pack goats). Often, bighorn sheep will move away from otherwise suitable habitat due to increased human use.

Human disturbance: Wild sheep have habituated to human activity in many areas where the activity is somewhat predictable temporally and spatially...walking with dogs, and activity near lambing areas may be most detrimental...

Habitat Management: The DOW will strive to protect all bighorn habitat ...

December 28, 2020: As a result of the CPW response to City Planning, another resident of Mountain Shadows posted on NextDoor to see if anyone else had seen any bighorn sheep on the property at 2424 Garden of the Gods Rd. The “Most Relevant Testimonies” from NextDoor postings and personal experiences are listed below (“Additional Testimony” is found in Exhibit F).

Most Compelling Personal Experience #1



The above map shows a **known area for bighorn sheep birthing**. The birthing area is located near the blue dot that is on the left end of the yellow line. This information was provided by one of the Mountain Shadows residents the has special permission to hike on the Flying W. property. The bighorn sheep are approximately 1,400 feet from the hogback on the 2424 Garden of the Gods Rd. property.

As noted earlier, From the “Colorado Bighorn Sheep Management Plan”: ...**walking with dogs, and activity near lambing areas may be most detrimental...** Based on the descriptions in the developer’s Concept Plan, approximately 1,100 people will occupy the proposed development site.

The Management Plan also states: “Holl and Bleich (1983) recognized that bighorn sheep **moved in response to the presence of sheep researchers**: At distances >645 m, bighorn were not concerned with their presence; however, at 440 m sheep fled the area.” **NOTE: 440 meters = 1,443 feet.** Not only will these bighorn sheep be threatened at the 2424 GOG Rd. property, **the birthing area will be threatened. NOTE: Sheep researchers are almost always in small teams and are cautious when performing their research. Untrained residents living in high-density housing will not observe these same practices.**

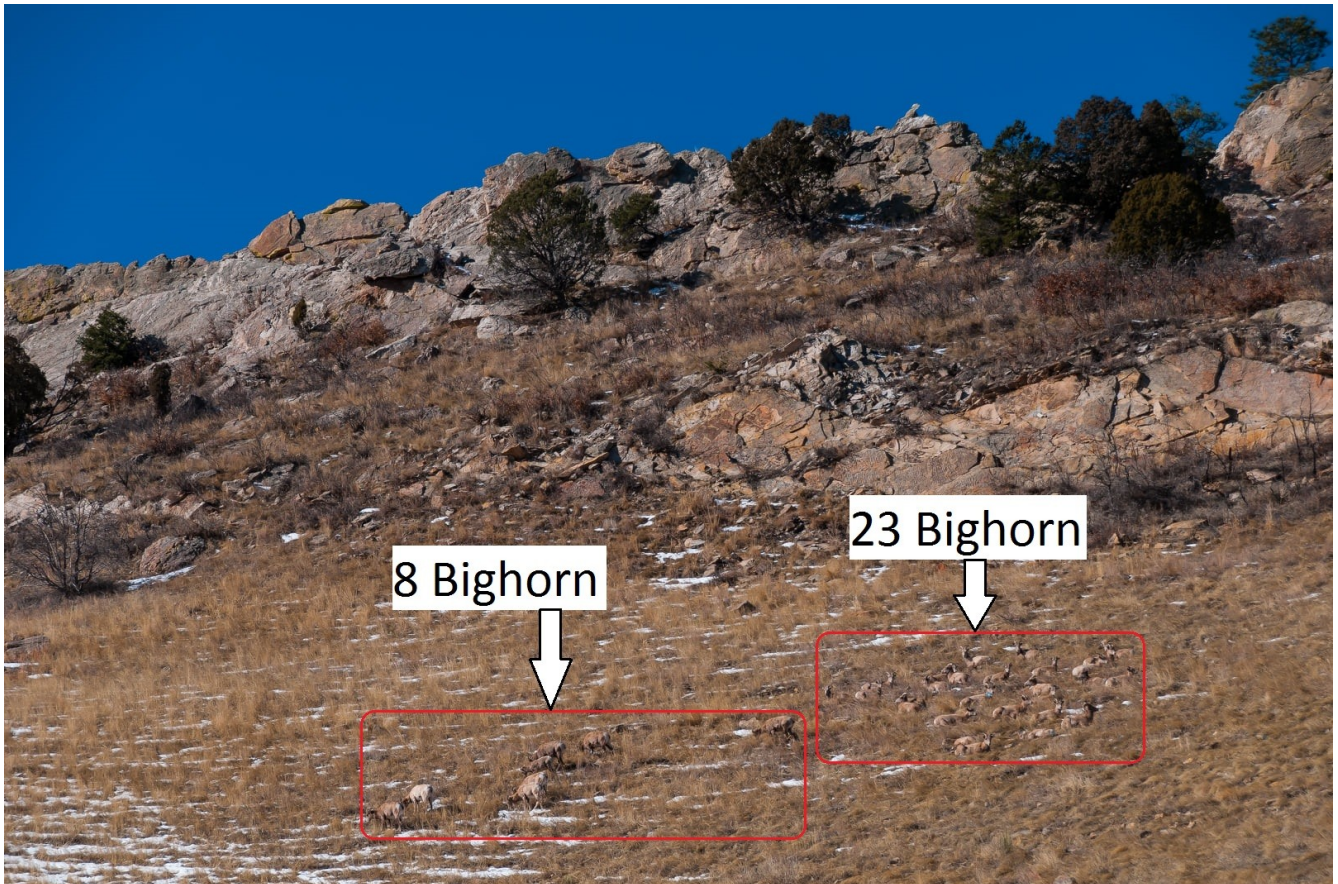
The Management Plan also states: **Often, bighorn sheep will move away from otherwise suitable habitat due to increased human use.**

And, **The DOW will strive to protect all bighorn habitat ...**

The neighborhood and the current configuration of the facility at 2424 Garden of the Gods Rd. is currently a suitable and predictable habitat for this, Rampart Range herd of bighorn sheep. To protect this bighorn birthing habitat, the City should not approve a request for a Master Plan amendment, Zone Change, or Concept Plan.

Most Compelling Personal Experience #2

Bighorn Sheep on and below the hogback inside the location of the proposed development site.





The Salida Colorado Disaster And History



<https://www.9news.com/article/news/bighorn-sheep-captured-in-net-near-garden-of-the-gods-relocated-to-salida/73-515773333>

“Due to disease, parasites and over hunting in the 1880s, bighorn sheep in Colorado were on the verge of extinction, Vogrin (Colorado Parks and Wildlife) said.”

Interaction with People (<https://coloradoencyclopedia.org/article/bighorn-sheep>)

In the late nineteenth century, during Colorado’s rapid industrial development, something unprecedented was happening deep in the Rocky Mountains. For the first time in Colorado’s history, the bighorn sheep population suffered from hunting, human encroachment on their habitat.... By 1950 there were only an estimated 2,200 bighorn remaining in Colorado. This was the lowest population level ever recorded.

The property at 2424 Garden of the Gods Rd. is inside the habitat for this Rampart Range herd. Encroaching on their habitat could cause stress that could lead to disease and jeopardize this herd. The City should not approve a request for a Master Plan amendment, Zone Change, or Concept Plan.

Governor Polis Executive Order, D 2019 011 (**SUMMARY**)

ORDER: “to conserve Colorado’s big game {bighorn sheep} winter range and migration corridors”.

BACKGROUND AND PURPOSE:

1. Identifies the importance of the iconic wildlife (bighorn sheep) to Colorado’s economy and quality of life.
2. That habitats are vital to ensuring that Colorado’s wildlife populations continue to thrive.
3. That {any} habitat loss and fragmentation affects wildlife populations.
4. Incentive-based conservation programs ... have a long track record of success in Colorado.
5. Coordination with government agencies ... and private landowners is critical to the safe migration of wildlife.
6. This Executive Order will ensure that future generations of Coloradans will enjoy a safe, prosperous relationship with the natural world and Colorado’s native wildlife species.

DIRECTIVES:

- A) DNR shall {“shall” must be done, opposed to “may” does not have to be done} compile a status report ... for the Governor by April 1, 2020. 1. Information regarding the location and known threats ...; {NOTE: Adding high-density housing in the identified Rampart Range herd area is a known threat according to the Colorado Bighorn Sheep Management Plan. Page 50 warns that human disturbance and walking with dogs may be most detrimental.} 2. Data gaps ... to identifying the location and known threats ...; and 3. A recommended time-frame ... how frequently CPW will need to update its list of high-priority big game ... habitats {NOTE: This is an opportunity to update the Governor.}
- B) DNR shall identify policy... to ensure the ongoing conservation of ... habitat DNR shall compile a report of such opportunities for the Governor by July 1, 2020 that includes: 1. Opportunities to include big game migration corridors in new or existing division policies ...; {NOTE: The Rampart Range herd is already identified in the Colorado Bighorn Sheep Management Plan.} 2. Opportunities to work with private landowners, local governments, public landholders, and tribes through existing or other voluntary, non-regulatory programs to sustain migration corridors; and 3. Opportunities to work with neighboring states
- C) DNR shall work with CPW to incorporate information concerning big game migration corridors into relevant public education ... and shall meet with stakeholders to discuss big game migration corridors to implement this Executive Order

MOST RELEVANT TESTIMONIES



[Angela May](#) • Mountain Shadows

Here they are right up behind our place, the last stretch of Verizon's land. I took this photo in August 2020. They come by regularly in the warmer months. We watch them migrate across Verizon's property all the way to the Alpine Autism Center (all down the mountain ridge just behind Braeburn Way). To the left of them in this photo is 2424 Garden of the God's. They are on their property, or rather Verizon and all of us are on their home land... and we human's... Whatever developer... are further taking their home from them.



Edited 28 Dec



[Angela May](#) •
Mountain Shadows



28 Dec



Credit: KKTV – The facility at 2424 GOG Rd. with a bighorn next to Flying W.
 Rd. <https://www.facebook.com/kktv11news/photos/a.81766448380/10152662968303381/?type=3>



Credit: KKTV – Bighorn sheep crossing Flying W. heading to the property at 2424 GOG Rd.
<https://www.facebook.com/44428318380/posts/10152665999148381/>

D

[Dorothy Macnak](#) • 28 Dec

[Looking for photos \(Bighorn sheep on or very near 2424 Garden of the Gods\)](#). Hi. Very often on this site, I see wonderful photos of area wildlife. This may be a long shot, but has anyone photographed big horn sheep on the old MCI property (2424 Garden of the Gods) or near enough to the property that the property is in view? The CPW has recently claimed that the big horn do not go near enough to that property to be affected by the development being proposed for that location. I've seen the sheep on the grounds of Glenn Eyrie, but I don't live close enough to know if they never set a hoof on 2424 Garden of the Gods. (And, please do not photoshop a sheep standing on top of the 2424 sign 😊).

Posted in [General](#) to 43 neighborhoods

91 Comments



Comment

Share

K

[Kara Giannangeli](#) •

Mountain Shadows

This is not my photo but I found this one online. <https://pin.it/5qdxuoA>

28 Dec



D

[Dorothy Macnak](#) •

Pinecliff

I can't quite make out that sign even with a magnifying glass. **Do you know where that is exactly?** Is it near 2424 GOGR? (And, I really really hope that sheep made it across that road without harm!)

28 Dec



[Amy Pedregon](#) •

Mountain Shadows

[Dorothy Macnak](#) **that picture would have been taken right here {see map}:**



28 Dec



[Kara Giannangeli](#) •

Mountain Shadows

[Amy Pedregon](#) , **that is exactly the location. Thank you.**

28 Dec



[Eileen Aire](#) •

Mountain Shadows

[Dorothy Macnak](#) The brick sign says Wilson's Run and this picture is over 5 years old. I guess KKTV would have the exact date. The green road sign right after the brick sign is Stoneridge Drive. I believe the current brick sign says something like "I ♥ COS". This is the best picture yet for our purposes.

29 Dec



[Eileen Aire](#) •

Mountain Shadows

The Big Horn Sheep is crossing Flying W. going toward 2424.

29 Dec



[Chris Volberding](#) • Mountain Shadows

Hello Dorothy, I live on Braeburn Way, Yes I have photos right by this area of concern.. the big horn visit our street almost every week.

29 Dec



[Angela May](#) • Mountain Shadows

[Eileen Aire](#) I have seen them coming to and from the Parking lot where the brush is, all the way down to the autism center. We see them from our backyard on Braeburn Way migrating up and down this mountain ridge from top to bottom eating the vegetation. Usually early morning and late afternoon hours (i.e., traffic time).

29 Dec



[Eileen Aire](#) • Mountain Shadows

I see that the FB group is also collecting photos. One interesting point that I saw there was the photo of females and lambs BEHIND Verizon, as posted by R. Lucas. I only see males on Lanagan. I'm wondering if their home for raising their young is closer to 2424, perhaps right behind that ridge. That makes a stronger case for us.

Edited 29 Dec



[Chris Volberding](#) • Mountain Shadows

Here is some of my photos from this year right on Braeburn Way





3

29 Dec 9 Reactions



[Chris Volberding](#) • Mountain Shadows

[More on Braeburn Way](#)





3
29 Dec



[Chris Volberding](#) • Mountain Shadows

My home sees the Verizon property across the street from our home.. the photos above are Bid Horn coming down from the Verizon property.

29 Dec

K

[Kara Giannangeli](#) • Mountain Shadows

Oooh. I found a very good pic from KKTV with the 2424 property very visible.



5 hr ago



<https://www.facebook.com/kktv11news/photos/a.81766448380/10152662968303381/?type=3>

K

[Kara Giannangeli](#) • Mountain Shadows

And here is the original photo I posted (plus one more) but this is from a KKTV news article instead of Pinterest. The article references the cross streets of Flying W and 30th.
<https://www.facebook.com/44428318380/posts/10152665999148381/>



This bighorn is across Flying W. Ranch Rd. from the 2424 GOG Rd building in the park area.
5 hr ago



[Amy Pedregon](#) •
Mountain Shadows

I have tons of pictures of them there, but not with a sign or building in picture :-(
28 Dec

D

[Dorothy Macnak](#) • Pinecliff

So they come down fairly near the MCI building? Not just staying up on the hillside behind that property?

28 Dec

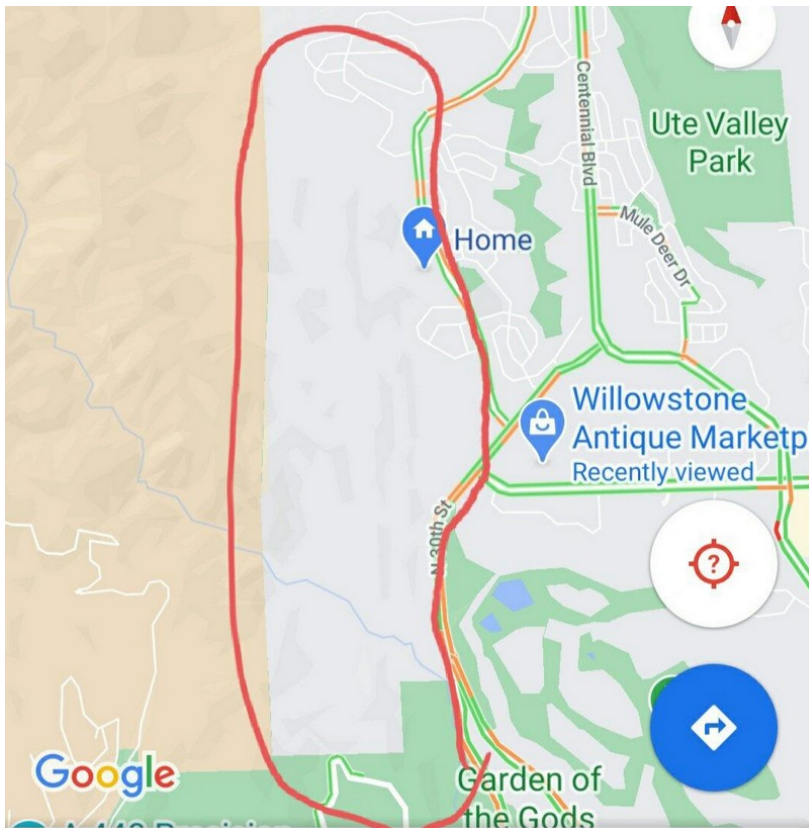


[Amy Pedregon](#) • Mountain Shadows

Mainly just behind, but they heavily traverse from Glen Eyrie through this encircled area:



28 Dec



D

[Dorothy Macnak](#) •

Pinecliff

That's really excellent/important information. Thanks!

28 Dec



[Laura Canini](#) •

Mountain Shadows

Exactly what I was just looking at on the map! They are so often seen in Mountain shadows, Even down as low as on flying W Ranch Road, and they travel back and forth to the Glen eyrie area. Of course they go right by that property



29 Dec



Exhibit A

From: **John M** <*****>
Date: Sun, Nov 22, 2020 at 1:51 PM
Subject: Development encroachment on bighorn sheep
To: <dnr.edoassist@state.co.us>

Dear Mr. Dan Prenzl, Director of Colorado Parks & Wildlife

I am writing to you on behalf of the Mountain Shadows neighborhood about a concern with a population of bighorn sheep that range from Garden of the Gods Park, northbound through the Navigator's property, and into our sparsely populated Mountain Shadows residential community. According to the "Colorado Bighorn Sheep Management Plan,"* (see link below) 2009-2019, pages 6 & 7, these bighorn sheep are in "Rampart Range Unit S34" which overlaps our community. The neighbors accept and respect this herd of bighorn sheep along with other foothill wildlife such as black bear, bobcat, coyote, deer, skunk, turkey, raccoon, and the occasional rattlesnake.

An out of state developer has filed a request with the City of Colorado Springs to rezone from commercial to high-density residential housing. The initial plans** (see link below) are for 30 units per acre with a final build-out of as many as 2,790 units on 93 acres. The existing office complex has significant setbacks. And, over the past 30+ years has had relatively minimal human activity.

We were told that this thriving herd of bighorn sheep are used to repopulate declining herds throughout Colorado. We are concerned that this high-density development, so close to the foothills, will encroach on the bighorn sheep and other wildlife – pushing them further into the mountains and threatening their populations. Page 50 of the Management Plan warns that human disturbance and walking with dogs may be most detrimental to their welfare.

This area is a natural extension of Garden of the Gods which is a destination site for 6 million tourists per year. According to the Governor Polis August 21, 2019, Executive Order, "Conserving Colorado Big Game Winter Range and Migration Corridors", he is concerned about protecting the iconic wildlife which contributes to the economy. "The mission of the CPW is to perpetuate the wildlife resources of the State and to provide enjoyable and sustainable outdoor recreation opportunities ...". "To achieve this mission, CPW works to conserve habitat essential to the survival of the State's wildlife. Intact seasonal habitats, and the migratory routes that connect these habitats, are vital to ensuring that Colorado's wildlife populations continue to thrive."

Our community would like to know if the proposed development area at 2424 Garden of the Gods Rd is protected or will be protected under the Executive Order or any other directive.

Thank you,
John M***

Reference:

*Colorado Bighorn Sheep Management Plan 2009-2019 <https://cpw.state.co.us/>

**Developers initial Application. Found on the City web site at: <https://web1.coloradosprings.>

Exhibit B

From: **McGee - DNR, Frank** <frank.mcgee@state.co.us>
Date: Wed, Dec 9, 2020 at 2:12 PM
Subject: Re: Development encroachment on bighorn sheep
To: <*****>
Cc: <dnr.edoassist@state.co.us>

Mr. M***,

Thank you for reaching out to Colorado Parks and Wildlife (CPW) with your concerns about impacts to rocky mountain bighorn sheep from development in Colorado Springs. In Colorado land use decisions like the one referenced in your email are made by local governments, not by CPW or other state agencies. CPW's role is to provide decision makers and project proponents with an evaluation about the possible impacts to wildlife of proposals, and recommendations for avoiding, minimizing, or mitigating those impacts. Planning staff with the City of Colorado Springs recently reached out to CPW and asked us to comment on this project based on concerns expressed by the public. CPW staff will be reviewing all project materials and generating a letter to city planning staff regarding potential impacts to wildlife and recommendations to avoid, minimize or mitigate them.

In your email you ask if the Governor's Executive Order or any other directives protected the proposed development area. There are no executive orders, directives, or any other instrument at a state level that I am aware of that would impact or supersede this local land use decision. CPW's comments on this proposal will of course be public, and I will be happy to share them with you when we have had time to fully evaluate the proposal and formulate our response.

Please let me know if you have any further questions,

Frank McGee
Area Wildlife Manager - Colorado Springs



**LIVE LIFE
OUTSIDE**

P 719.227.5218 | F 719.227.5264
4255 Sinton Rd., Colorado Springs, CO 80907
frank.mcgee@state.co.us | cpw.state.co.us

Exhibit C



D 2019 011

EXECUTIVE ORDER

Conserving Colorado's Big Game Winter Range and Migration Corridors

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2 of the Colorado Constitution, I, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order to conserve Colorado's big game winter range and migration corridors.

I. Background and Purpose

Colorado's natural environment and numerous native wildlife species contribute greatly to the economy and enhance Coloradans' quality of life. Sportsmen, outdoor enthusiasts, and tourists from across the world visit Colorado to experience our State's outdoor landscapes and abundant wildlife. Colorado boasts the largest Rocky Mountain elk herd in the world, which contains over 250,000 animals. The State is also home to significant populations of other iconic big game species like mule deer, bighorn sheep, pronghorn, moose, and numerous other endemic wildlife species. Simply put, wildlife is essential to Colorado's outdoor recreation economy and landscape heritage.

The conservation of big game migration corridors and seasonal habitat for big game has been a focus of the Department of Natural Resources (DNR) and Colorado Parks and Wildlife (CPW) for many years. The mission of CPW is to perpetuate the wildlife resources of the State, to provide a quality State parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources. To achieve this mission, CPW works to conserve habitat essential to the survival of the State's wildlife. Intact seasonal habitats, and the migratory routes that connect those habitats, are vital to ensuring that Colorado's wildlife populations continue to thrive. Habitats that support big game wildlife migration in Colorado also support many other migrating and non-migrating species.

Colorado's population continues to grow, placing pressure on the natural habitats that wildlife depends upon for survival. Habitat loss and fragmentation affects wildlife populations in general, and particularly species that migrate annually between seasonal habitats. Specifically, roadways disrupt annual big game migration, and vehicular collisions with wildlife pose risks to people, property, and the animals that contribute so much to Colorado's reputation as a place to



admire natural wonders. In Colorado, nearly 4,000 vehicle crashes involving wildlife are reported to law enforcement every year, resulting in injuries and fatalities to humans, and costing an estimated \$80 million annually. This figure does not include the value of wildlife killed in vehicular collisions, the impact on the health of wildlife populations, or the loss and fragmentation of the vibrant habitats wildlife call home.

In 2018, the Colorado Wildlife and Transportation Alliance (Alliance) was established to improve human safety while ensuring safe and successful migration of Colorado's big game wildlife each year. The Alliance includes CPW, Colorado Department of Transportation (CDOT), Tribal Governments, federal agencies, and non-governmental partners that represent academia, nonprofit organizations, and biological and engineering sciences. The Alliance has already successfully reduced wildlife-vehicle collisions and has helped maintain robust wildlife populations.

Further, incentive-based conservation programs for habitat management have a long track record of success in Colorado. Coordination with government agencies, non-governmental organizations, and private landowners is critical to the safe migration of wildlife across numerous jurisdictions. Many heavily used migration routes were created through voluntary, proactive, and on-the-ground conservation measures.

Through partnerships, technology, and collaborative funding efforts, there are emerging opportunities for Colorado to further support big game wildlife migration and protect wildlife habitat. Recent technological advancements allow wildlife managers to better understand big game wildlife migration patterns. In addition, big game corridor work in Colorado has recently been bolstered by new funding opportunities from the United States Department of the Interior Secretarial Order 2018-3362. As such, it is timely for the State to conserve our migrating big game populations and their habitats. This Executive Order will ensure that future generations of Coloradans will enjoy a safe, prosperous relationship with the natural world and Colorado's native wildlife species.

II. Directives

To conserve Colorado's big game winter range and wildlife migration corridors, I hereby issue the following directives:

- A. DNR shall compile a status report on Colorado's big game migration patterns and related scientific materials on seasonal habitats for the Governor by April 1, 2020. This report will include:

1. Information regarding the location and known threats to seasonal big game habitat and migration corridors in Colorado;
 2. Data gaps and barriers to identifying the location and known threats to Colorado seasonal big game habitat and migration corridors; and
 3. A recommended timeframe and action plan outlining how frequently CPW will need to update its list of high-priority big game migration corridors and seasonal habitats throughout Colorado.
- B. DNR shall identify policy, regulatory, and legislative opportunities to ensure the ongoing conservation of seasonal big game habitat and migration corridors. DNR shall compile a report of such opportunities for the Governor by July 1, 2020 that includes:
1. Opportunities to include big game migration corridors in new or existing division policies and regulatory permitting processes;
 2. Opportunities to work with private landowners, local governments, public landholders, and tribes through existing or other voluntary, non-regulatory programs to sustain migration corridors; and
 3. Opportunities to work with neighboring states on cross-boundary migration corridors.
- C. DNR shall work with CPW to incorporate information concerning big game migration corridors into relevant public education and outreach efforts and shall meet with stakeholders to discuss big game migration corridors to implement this Executive Order.
- D. CDOT shall enable safe wildlife passage and reduce wildlife-vehicle collisions, and incorporate consideration of big game migration into all levels of its planning process, to the greatest extent possible. In implementing this directive, CDOT should undertake the following:
1. Identify policy, regulatory, and legislative opportunities to ensure the ongoing conservation of seasonal big game habitat and migration corridors;
 2. Consider incorporating big game migration and associated conservation measures into planning processes in locations where regulatory processes do

not currently formally require wildlife mitigation measures; and

3. Seek outside funding partners if conservation measures require financial support.
- E. CDOT and DNR shall enter into a Memorandum of Understanding (MOU) by December 31, 2019. The MOU should outline expectations for collaboration on the following actions:
1. Identify priority areas for the implementation of big game crossings over and under roadways in Colorado. Priorities should be set using the best available science regarding wildlife migration patterns and vehicle collision data. CDOT and DNR shall identify priorities and opportunities that are cost-effective, and establish wise stewardship of State financial resources and natural resources; and
 2. Continue to support the Alliance, and utilize the Alliance to raise awareness, forge partnerships, and identify potential public and private funding opportunities to construct new wildlife crossing structures in priority areas.
- F. DNR and CDOT shall implement current fiscal year actions within existing budgets and authorities. If necessary, DNR and CDOT shall engage with the Office of State Planning and Budgeting to identify resource requirements and incorporate those requirements into the annual budget development process for any actions to be implemented in future fiscal years.

II. Duration

This appointment and this Executive Order shall remain in effect unless modified or rescinded by future Executive Order of the Governor.



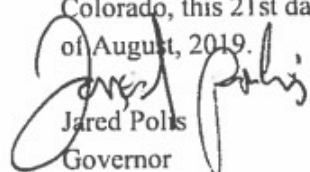
GIVEN under my hand and the
Executive Seal of the State of
Colorado, this 21st day
of August, 2019.

Jared Polis
Governor

Exhibit D



COLORADO

Parks and Wildlife

Department of Natural Resources

Southeast Regional Office
4255 Sinton Rd.
Colorado Springs, CO 80907
P 719.227.5200 | F 719.227.5223

December 17, 2020

Land Use Review Division
City of Colorado Springs
c/o Katelynn Wintz – Senior Planner
30 S Nevada Avenue, Suite 701
Colorado Springs, CO 80903

Re: Project Proposal for 2424 W Garden of the Gods Rd.

Dear Ms. Wintz,

Colorado Parks and Wildlife (CPW) has analyzed the project proposal for 2424 W Garden of the Gods Rd. which includes a review of a master plan amendment, zoning change and a concept plan for future site development. CPW is familiar with the project site that borders the intersection of W. Garden of the Gods Rd. and N. 30 th St. to its southeast and borders Flying W Ranch Rd. to its east. CPW staff has visited the site and offers the following comments for your consideration.

Fences can cause many problems for wildlife, including death, entanglements, and barriers to movements. CPW recommends the developers consult our publication “Fencing with Wildlife in mind.” (cpw.state.co.us. Hanophy 2009) when considering the design of fences within the development. The publication is available on our website and we would be happy to provide a link to the PDF specifically. 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 juvenile animals and pronghorn antelope. It is also recommended that the top and bottom wires be a twisted barbless 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.

Black bears are common along the Front Range, and this development will have bears coming into and around the development. CPW recommends several measures to reduce the potential for human bear conflicts. First, we strongly recommend that home owners are advised to purchase bear-resistant trash containers, and that potential home owners are advised that bears will be present in the area. Residents should also be advised that being located on the west side of I-25 the City of Colorado Springs has a new trash ordinance regarding trash containers and bears. The ordinance requires that all regular trash containers be kept inside a garage or shed and not be put out before 5:00 AM and brought back in by 7:00 PM on the day of trash pickup. If bear resistant trash containers are purchased and used the container may be left outside at any time. It is advised that residents routinely clean out their trash container to reduce bear/container interactions. Another possible alternative would be the use of a centralized and securely fenced trash collection site with the use of bear proof dumpsters that employees, customers, and the trash service provider would have access to. This would eliminate the need for individual trash cans.

Second, residents and food vendors should also keep their barbecues and any food locked away in the garage or a secure building. Finally, we would recommend that the use of bird feeders and hummingbird feeders be discouraged, since they also attract black bears. However, if feeders are used, they should be placed so they are inaccessible to black bears, raccoons, skunks, deer and other wildlife species that might cause damage or threaten human safety. A copy of a brochure entitled, "Living with wildlife in bear country" is available for reference upon request from CPW. Bears that become habituated to people and human foods ultimately have to be euthanized. Proper education and trash storage reduces the number of these "problem" bears.

Feeding of all wildlife should be prohibited, with the exception of songbirds and with the above paragraph in mind. It is illegal to feed big game including deer, elk, antelope, bear and mountain lion. CPW would recommend that home buyers are provided with educational material regarding wildlife either through the purchase process, or through the development itself. There is a sizeable resident herd of deer in the area. It is illegal to provide feed for deer because of health and safety concerns both for humans and the deer. Concentrations of deer will attract predators, including mountain lions. Dangerous conflicts with mountain lions are rare, however care should be used when living in mountain lion habitat.

CPW recommends that a Noxious Weed Management Plan be followed closely during the development of the neighborhood. All disturbed soils should be monitored for noxious weeds and noxious weeds should be actively controlled until native plant revegetation and reclamation is achieved. All areas disturbed by the development should be revegetated with native plant species.

The Rampart Range Bighorn Sheep herd lives near the proposed project area. CPW has worked with this herd intensively through counts, observations, trappings, and hunting activities. Work with these sheep mainly occurs on their primary habitat and favored location of the old mining scar and the steep hillsides nearby. These habitats lie roughly west and up the hill from the proposed project site.

Just southwest of the proposed project site are The Glen Eyrie and The Navigators properties. These properties are where the sheep from the Rampart Range Bighorn sheep herd graze, rest and move through. In addition to the before mentioned areas the Rampart Range sheep are also seen using and moving through the property of the Flying W Ranch. The sheep will move north through the Flying W

Ranch to areas along Lanagan St. and then farther north to the Castle Concrete rock quarry west of Allegheny Dr.

Through all the work that CPW has done with the Rampart Range Bighorn Sheep herd there have been no observations of the sheep being on or using the proposed project area. The Rampart Range Bighorn sheep's main habitat lies uphill on the old mining scar and in and around the precariously steep walls of Queen's Canyon and any of the other steep hillsides and rock faces of the Rampart Range.

Included with this proposed project is a 55.43 acre open space that will be west of any new development that takes place. This open space will also sit between the development and any possible sheep use or movement. This open space will buffer any impact into areas where the sheep may pass through to get to more suitable habitat.

It is CPW's professional opinion that any new development at the proposed project site at 2424 W Garden of the Gods Rd. will have little to no impact on the Rampart Range Bighorn Sheep herd.

We appreciate being given the opportunity to comment. Please feel free to contact District Wildlife Manager, Corey Adler, should you have any questions or require additional information at 719-439-9637 or via email at corey.adler@state.co.us.

Sincerely,

{digital signature}

Frank McGee
Area Wildlife Manager

Cc: Corey Adler, DWM
SE Regional File
Area 14 File

Dan Prenzlou, Director, Colorado Parks and Wildlife • Parks and Wildlife Commission: Michelle Zimmerman, Chair • Marvin McDaniel, Vice-Chair James Vigil, Secretary • Taishya Adams • Betsy Blecha • Robert W. Bray • Charles Garcia • Marie Haskett • Carrie Besnette Hauser • Luke B. Schafer • Eden Vardy

Exhibit E.

December 28, 2020

Dear Frank McGee, Area Wildlife Manager,

I appreciate receiving a copy of the DNR position letter that was sent to the Colorado Springs CityPlanner, Ms. Wintz dated December 17, 2020.

While I agree with all other aspects, I'd like to add my observations with the bighorn sheep in this area. **It is completely understandable that it is not particle for CPW to monitor this area 24x7 for bighorn sheep.** And, for that reason, it is justifiable to conclude "there have been no observations of the sheep being on or using the proposed project area."

However, my personal experience from working in this facility for 13 years (1990-2003) is the bighorn sheep are observed in this area with the same frequency as seen further north on the west side of FlyingW. Ranch Road in the large open field between Lanagan Street and Chuckwagon Road.

My office (depicted in the picture with a green box) was located in the southern most building , facing the hogback hills. The range of view from my desk was out the large wraparound windows with the green lines showing the angle of view. **The bighorn sheep would range from the top of the hogback to nearly 50% down the hill.** I also observed the bighorn sheep from meeting locations in the other building as depicted by the white box. The angle of view is depicted by the white lines. Once again, the bighorn were seen from the top of this hogback to nearly 50% down the hill.

At the location between Lanagan Street and Chuckwagon Road, the bighorn sheep can be seen 75% down the hill.

It was a pleasure to see the bighorn from inside the office buildings. People would pause their meetings for a few minutes and/or come out of their cubicles and approach the windows to catch a glimpse of the bighorn.

We almost never saw bighorn in the area marked "Rarely seen here". Most likely due the close proximity to N. 30th St.



The people that work in this facility rarely, if at all, walk outside the range of the parking areas, which minimized the threat to the bighorn. High-density housing will attract a large number of people with children, teenagers, and dogs that will be outside 7 days a week and easily drive these bighorn out of this area. I see children and teenagers in Mountain Shadows throwing rocks at the deer. I fully expect the same will happen with the bighorn at the 2424 Garden of the Gods location.

For these aforementioned reasons, would you please reconsider your position to the City Planner?

Respectfully,
John M*****

Additional Testimonies

←  Dorothy Macnak
Pinecliff · 19 hr ago

Looking for photos (Bighorn sheep on or very near 2424 Garden of the Gods). Hi. Very often on this site, I see wonderful photos of area wildlife. This may be a long shot, but has anyone photographed big horn sheep on the old MCI property (2424 Garden of the Gods) or near enough to the property that the property is in view? The CPW has recently claimed that the big horn do not go near enough to that property to be affected by the development being proposed for that location. I've seen the sheep on the grounds of Glenn Eyrie, but I don't live close enough to know if they never set a hoof on 2424 Garden of the Gods. (And, please do not photoshop a sheep standing on top of the 2424 sign 😊).



[Dorothy Macnak](#) · [28 Dec](#)

[Looking for photos \(Bighorn sheep on or very near 2424 Garden of the Gods\)](#). Hi. Very often on this site, I see wonderful photos of area wildlife. This may be a long shot, but has anyone photographed big horn sheep on the old MCI property (2424 Garden of the Gods) or near enough to the property that the property is in view? The CPW has recently claimed that the big horn do not go near enough to that property to be affected by the development being proposed for that location. I've seen the sheep on the grounds of Glenn Eyrie, but I don't live close enough to know if they never set a hoof on 2424 Garden of the Gods. (And, please do not photoshop a sheep standing on top of the 2424 sign 😊).

Posted in [General](#) to 43 neighborhoods

 91 Comments 14 Reactions

Share



[Eileen Aire](#) · Mountain Shadows

Perhaps we can snap some photos of the big horn sheep behind Verizon. I think residents on Braeburn Way and Cameo Way have the best view of that area. I'm on lower Stoneridge and have a partial view so I will get out my binoculars and camera and start watching! Maybe people at Navigators can do the same from their perspective. Thanks for starting this thread/approach, Dorothy!

29 Dec 3 Reactions



[Chris Volberding](#) • Mountain Shadows

Hello Dorothy, I live on Braeburn Way, Yes I have photos right by this area of concern.. the big horn visit our street almost every week.

29 Dec 5 Reactions



[Caitlin Alysse](#) • Mountain Shadows

Can you post them here?

29 Dec 1 Reaction



[Chris Volberding](#) • Mountain Shadows

I need your email address to post too.

29 Dec 1 Reaction



[Dorothy Macnak](#) • Pinecliff

[Chris Volberding](#) I PM'd you. What I'm looking for specifically are photos that show big horn movement in relation to the property. That's a tough criteria, I realize. The CPW could look at a photo of deer in and around the streets and open spaces of Mountain Shadows and say they got there by moving from above the 2424 GOTGR property far enough away from proposed development to not be affected by it (which in and of itself is nonsense because it is still encroachment on an important wildlife corridor, but that's another story for another post).

29 Dec



[Chris Volberding](#) • Mountain Shadows

Here is some of my photos from this year right on Braeburn Way





3

29 Dec 9 Reactions



[Chris Volberding](#) • Mountain Shadows

[More on Braeburn Way](#)



3 

29 Dec 8 Reactions



[Eileen Aire](#) • Mountain Shadows

Chris, do you ever observe them behind Verizon on that ridge? I'm wondering how far down they go, i.e., do they ever go into the parking lot?

29 Dec 1 Reaction



[Chris Volberding](#) • Mountain Shadows

yes, I live over here

29 Dec 1 Reaction



[Chris Volberding](#) • Mountain Shadows

Yes the Big Horn are in our street and out front of my home... also they are in the parking lot of the Autism Center

29 Dec



[Deb Anderson](#) • Mountain Shadows

I love the pictures

29 Dec 1 Reaction



[Angela May](#) • Mountain Shadows

[Eileen Aire](#) I have seen them coming to and from the Parking lot where the brush is, all the way down to the autism center. We see them from our backyard on Braeburn Way migrating up and down this mountain ridge from top to bottom eating the vegetation. Usually early morning and late afternoon hours (i.e., traffic time).

29 Dec 4 Reactions



[Eileen Aire](#) • Mountain Shadows

I see that the FB group is also collecting photos. One interesting point that I saw there was the photo of females and lambs BEHIND Verizon, as posted by R. Lucas. I only see males on Lanagan. I'm wondering if their home for raising their young is closer to 2424, perhaps right behind that ridge. That makes a stronger case for us.

Edited 29 Dec 4 Reactions



[Dorothy Macnak](#) • Pinecliff

Very important point! Thank you. I will go on FB and take a look at the photo you mention. I know Caitlyn was going to post a request on FB -- not everyone on FB is on ND and the other way around, so we are trying to cover all bases. Maybe we can prove not only is this an important wildlife corridor and closer to the development than CPW suggests but it is also important to the herd in other ways.

29 Dec 3 Reactions



[Chris Volberding](#) • Mountain Shadows

My home sees the Verizon property across the street from our home.. the photos above are Bid Horn coming down from the Verizon property.

29 Dec 1 Reaction



[Angela May](#) • Mountain Shadows

I was told from someone that lives in Manitou and regularly hikes around taking photos they live in Queens Canyon. Directly behind 2424. Maybe I can ask them if they have any photos of this?

29 Dec 2 Reactions



[Eileen Aire](#) • Mountain Shadows

[Angela May](#) That would be helpful if you asked them for photos. I'm curious about the distance and terrain between the sheep's home and the ridge directly behind 2424. If there is housing backed right up to that ridge would people be hiking there and into Queen's canyon, thus majorly disrupting the habitat? If your Manitou friend is willing to escort, I wouldn't mind checking out that whole setting and taking pictures if we need them. We could have a representative group going, e.g., member from MSCA task force, Dorothy for photos, Angela, Chris V... and other volunteers? An environmental group representative?

Edited 6 days ago



1 Reaction



[Deb Anderson](#) • Mountain Shadows

This is probably useless info BUT on the Gazette Christmas paper on the last page is a picture of 3 big horn sheep. It doesn't have any reference as to where it was actually taken though. No identifying landmarks. The photo was taken by the Gazette. I still have it if interested. Thank you for taking up this cause.

29 Dec 2 Reactions



[Chris Volberding](#) • Mountain Shadows

I wish you would call me.. I patrolled the area behind Verizon for years for Flying W

29 Dec 7 Reactions



[Dorothy Macnak](#) • Pinecliff

Thank you for talking to me today, Chris!! I am blown away by your extensive knowledge of that area in general and your specific knowledge of big horn patterns of movement through that area AND your knowledge of the cultural significance of that area to the Ute people. So glad you will be contacting the action team!

29 Dec 4 Reactions



[Rose Ost](#) • Holland Park

It flabbergasts me that CPW doesn't think big horn sheep would be impacted by the proposed development. Thank goodness folks have photographic proof of sheep near that area!

29 Dec 8 Reactions



[Deb Anderson](#) • Mountain Shadows

I too am flabbergasted and disappointed with CPW

6 days ago 2 Reactions



[Jan Kifer](#) • Golden Hills

How do I look up whatever the planning comm or you have? Please!

29 Dec



[Connie Sachse](#) • Holland Park

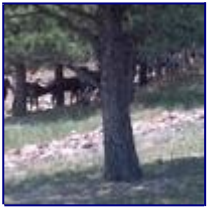
Can't see building, but in Min Shadows.



29 Dec 5 Reactions



[Liz Campbell](#) • Mountain Shadows
Here are three more, hope they help.



3 

6 days ago



[Caitlin Alysse](#) • Mountain Shadows

Where are these taken?

15 hr ago



[Julia Owens](#) • Mountain Shadows

CPW removed sheep 2 years ago from Garden of the Gods, and it was not publicized until after the fact: <https://www.9news.com/article/news/bighorn-sheep-captured-in-net-near-garden-of-the-gods-relocated-to-salida/73-515773333> Neighbors, keep your eyes open. We want the wildlife to remain here and not moved for some out-of-state developer and politicians.







Edited 6 days ago 5 Reactions



[Laura Canini](#) • Mountain Shadows

. Only some bighorn were not removed from the Garden of Gods; the herd is quite successful so each year SOME are move to other areas to establish herds. They didn't remove them all, only 24 in this article.



Colorado's population of bighorn sheep has swelled to 7,000 – thanks in part to efforts like these, Vogrin said.



There are still dozens of sheep in the herd near Colorado Springs – and they're getting their own holiday on Saturday.

Bighorn Sheep Day is slated for 10 a.m. to 3 p.m. at the Garden of the Gods Visitor and Nature Center in Colorado Springs. You can learn more about that here: <http://bit.ly/2BhukRb>



Edited 6 days ago 2 Reactions



[Julia Owens](#) • Mountain Shadows

Laura, I never said they removed all the sheep. Please read my entire above comment. This is not false information. Click the “more” on the right side of the comment and you can see the rest of the comment. My comment is in reference to having neighbors keep an eye out so they don’t remove more sheep. When they did this in 2018, they did not publicize that they were taking Garden of the Gods sheep until after the fact. Their excuse was that the herd was ill in Salida. It had nothing to do with overpopulation of sheep, to my knowledge there is no evidence of that.

Edited 6 days ago



[Dorothy Macnak](#) • Pinecliff

I agree and want to know what the CPW is doing and why (and not find out about it afterwards). More say and more notification is needed for rezoning as well. Just more transparency all the way around.

6 days ago 2 Reactions



[Laura Canini](#) • Mountain Shadows

Got it. Neighbors would never know if sheep were removed though. It’s probably done up in the foothills. A few week later ago someone posted about men on ATVs surrounding the sheep! I wonder what that was

6 days ago 3 Reactions



[Julia Owens](#) • Mountain Shadows

Laura, Thank you for correcting/editing your original comment to reflect that I did not report false information.

Edited 6 days ago 1 Reaction



[Laura Canini](#) • Mountain Shadows

[Julia Owens](#) I think the way it was written “CPW removed sheep” it originally sounded like they removed the herd. They aren’t seen much in the past two years at the Garden! At least I don’t see them there

17 hr ago



[Julia Owens](#) • Mountain Shadows

The article makes it clear that all sheep were not removed. My comment listed the article link and asked neighbors to keep a eye out for possible future incidents, Sorry if the wording confused you.

Thank you.

16 hr ago



[Danielle Ronner](#) • Rockrimmon / Hunters Point

I have a pic just south of Glen eyrie if needed later on. (I think the pic Is from sept)

6 days ago 1 Reaction



[Dave Baker](#) • Mountain Shadows

I have a few video clips (50 MB or less) of a large Bighorn Sheep herd above the 2424 GoG property and at the Autism School but I can't figure out how to post a video, only photos. These files are .mp4's and Nextdoor says they can take a .mp4. Does anyone know how to post a video. They say they can take up to 50 MB file sizes.

5 days ago 1 Reaction



[Dave Baker](#) • Mountain Shadows

OK, I figured it out. I posted 6 video clips in General.

5 days ago 1 Reaction



[Caitlin Alysse](#) • Mountain Shadows

Who posted the Pinterest photo of the bighorn sheep crossing 30th with the mountain shadows neighborhood sign in the background? I can't find it!

17 hr ago 1 Reaction



[Dorothy Macnak](#) • Pinecliff

[https://in.pinterest.com/pin/172473860704813068/?amp_client_id=CLIENT_ID\(\)&mweb_unauth_id={{default.session}}&simplified=true](https://in.pinterest.com/pin/172473860704813068/?amp_client_id=CLIENT_ID()&mweb_unauth_id={{default.session}}&simplified=true)



14 hr ago 1 Reaction

E

[Eileen Aire](#) • Mountain Shadows

Kara Giannangeli posted the original photo. The Ram is crossing Flying W toward Parcel 1.

15 hr ago 1 Reaction

K

[Kara Giannangeli](#) • Mountain Shadows

It was me who posted that photo but I got it off of Pinterest by doing a google search. It is not my photo but it is right near 2424.

5 hr ago

C

[Caitlin Alysse](#) • Mountain Shadows

All, sign the petition against the rezoning! <https://survey.zohopublic.com/zs/bObDsM?fbclid=IwAR3cTY0BmPWRIxDF0Q8Qe0-8SRbiqIULzz8GXaaHVGliNYLQQTDSXFjgW48>



6 hr ago



[Kara Giannangeli](#) • Mountain Shadows

Signed. Thank you for the info!

5 hr ago 1 Reaction



[Kara Giannangeli](#) • Mountain Shadows

Here is one with the 2424 property in the background. Not my photo but found on Facebook.

<https://www.facebook.com/photo.php?fbid=10215497803824237&set=a.2708809165436&type=3>



5 hr ago 2 Reactions



[Kara Giannangeli](#) • Mountain Shadows

Oooh. I found a very good pic from KKTV with the 2424 property very visible.



5 hr ago 5 Reactions



[Caitlin Alysse](#) • Mountain Shadows

Can you txt this photo to me 7193933728

5 hr ago



[Kara Giannangeli](#) • Mountain Shadows

[Caitlin Alysse](#) ...no problem. I just sent it via text.

4 hr ago



[Dorothy Macnak](#) • Pinecliff

Thank you. That's the kind of photographic evidence I was hoping for -- clearly shows that the sheep do come far closer to the existing buildings at 2424 than the CPW claims.

2 hr ago



K

[Kara Giannangeli](#) • Mountain Shadows

And here is the original photo I posted (plus one more) but this is from a KKTV news article instead of Pinterest. The article references the cross streets of Flying W and 30th.

<https://www.facebook.com/44428318380/posts/10152665999148381/>



This bighorn is across Flying W. Ranch Rd. from the 2424 GOG Rd building in the park area.

5 hr ago

B

[Barbara Buckley](#) • [29 Dec](#)

[Big horn sheep](#). This is a blurry photo taken from a long distance with an iPhone. The sheep is on the rock ledge above Braeburn.

Posted in [General](#) to Mountain Shadows

