

January 27, 2026

Arapahoe County Public Works & Development
Planning Division
6924 S Lima St.
Centennial, CO 80112

Re: Box Elder Diversion Dam, LE25-005, CPW Referral Comments

Dear Ms. Hammer,

Rangeview Metropolitan District is planning to construct the Box Elder Creek Diversion Dam and as part of the Location and Extent permit, the application was sent to various Referral Agencies for review. This letter addresses comments received from Colorado Parks and Wildlife (CPW). Comments from other referral agencies are listed in an Excel File provided separately. Only CPW comment titles are displayed below in bold for brevity, with the associated responses shown in plain text.

Aquatic Native Species Conservation Waters High Priority Habitat:

While Applicant supports aquatic habitat and native fish passage, this comment is more applicable to downstream sections of Box Elder Creek where perennial surface water flows exist closer to the confluence with the South Platte River due to irrigation canal return flows. The location of this project is located more than 40 miles upstream where Box Elder Creek is characteristically dry the majority of the year, typically only having surface flows four months of the year (March-June). While the fish species noted may have habitat near the confluence with the South Platte River, multiple man made and natural obstructions already exist upstream that limit hydrologic connectivity to major historical flood events. Applicants have not encountered fish species in this section of stream over a decade of hydrologic studies, likely because of these existing downstream obstructions and the long periods when the stream bed is completely dry, sometimes for more than a year at a time.

Northern Leopard Frog Habitat:

Previous environmental studies have not identified Northern Leopard Frogs in the vicinity of the project. Work is also not anticipated during the breeding season (March-May).

Mule Deer Winter Concentration Area High Priority Habitat:

The majority of this project will be constructed in the late summer and fall when surface flows are typically absent from the creek. This will eliminate conflicts with the Mule Deer Winter Concentration Area.

Mule Deer Severe Winter Range High Priority Habitat:

This habitat type is defined as “when the annual snowpack is at its maximum and/or temperatures are at a minimum in the two worst winters out of ten”. Construction activities also do not occur during these times as it is impractical and/or unsafe to do so because of severe weather.

Mule Deer Migration Corridor High Priority Habitat:

Construction activities and ground disturbance will be minimized to the smallest extent possible which will minimize disturbance to this corridor.

Pronghorn Winter Concentration Area High Priority Habitat:

It is anticipated that this construction project will fall outside the Pronghorn Winter Concentration period as surface flows are typically present at this location in the winter and spring.

Wetlands:

A wetland delineation has been performed within the project area and disturbance associated with the project will be minimized to the greatest extent possible. All work will be limited to times when Box Elder Creek is not flowing to further limit disturbances to wetlands. A Nationwide Permit has already been granted by the Army Corps of Engineers for work within the floodplain for this project.

Raptors and Migratory Birds:

A nest survey will be completed and work is anticipated to occur in the fall outside of the typical raptor nesting/breeding season.

Noxious Weed Management and Native Vegetation Re-seeding:

Any disturbed areas within the limits of construction for the project will be reseeded using native seed mixes designated for use by the Colorado State Land Board. Typical re-establishment practices will be employed following Arapahoe County GESC standards and best practices to prevent the spread of noxious weeds.

If there are further comments from Referral Agencies or County Staff regarding this project, please do not hesitate to contact me.

For Rangeview Metropolitan District,

Taylor Rohde, PE
Pure Cycle Corporation
TRohde@purecyclewater.com