



# COLORADO

## Parks and Wildlife

Department of Natural Resources

Area 2-Lon Hagler SWA  
4207 W. County Road 16E  
Loveland, CO 80537  
P 970.472-4460

9/16/2025

Town of Lyons  
Attn: Dolores Vasquez  
432 5th Avenue  
Lyons, CO 80540  
dvasquez@townoflyons.com

Re: CPW comments on Lyons People's House & Maker's Village

Dear Ms. Vasquez,

Thank you for the opportunity for Colorado Parks and Wildlife (CPW) to comment on the proposed 4651 & 4652 Ute Hwy Planned Unit Development (Project). It is our understanding that this proposed Project consists of a Planned Unit Development (PUD) located at 4651 and 4652 Ute Highway with the intent to develop the north parcel to serve small companies in maker's, artisan, and craftsman spaces while the south parcel is planned to feature community events, restaurant/retail uses, an extension of the Lyons multimodal path, and the improvement of the creek frontage.

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. CPW has a statutory responsibility to manage all wildlife species in Colorado and to promote a variety of recreational opportunities throughout Colorado. One way we achieve this goal is by responding to referral comment requests, as is the case for this project.

### The Importance Of High Priority Habitats

Developers and permitting agencies can help avoid, minimize, and mitigate impacts to wildlife from their projects by working with CPW. High priority habitats (HPH) are defined as sensitive habitats where CPW has recent data regarding sensitive wildlife use, plus scientifically backed best management

Jeff Davis, Director, Colorado Parks and Wildlife

Parks and Wildlife Commission: Dallas May, Chair • Richard Reading, Vice-Chair • Karen Bailey, Secretary • Jessica Beaulieu  
Marie Haskett • Jack Murphy • Gabriel Otero • Duke Phillips, IV • Gary T. Skiba • James Jay Tutchton • Eden Vardy



practice (BMP) recommendations. HPHs are a subset of CPW's species activity maps that we actively collect supporting data and update on a regular basis for a variety of species and their particular habitats; we provide these maps to the public and regulatory agencies to support environmental impact assessment and avoidance through land use comments and recommendations for proposed development on a given parcel, and general scientific research.

### **Aquatic Native Species Conservation Waters High Priority Habitat**

Aquatic Native Species Conservation Waters are identified within the State of Colorado's 2015 State Wildlife Action Plan (SWAP). This HPH layer is designated for the recovery, conservation, protection, or enhancement of native fish species, and to aid in the conservation of other native aquatic species, such as amphibians, crustaceans, or mollusks (includes CPW Tier 1 and 2 SWAP Species). These surface water features provide critical habitat for native aquatic wildlife, such as amphibians and fish, while also providing crucial habitat for mammals, birds, and reptiles that utilize the habitat. Within the proposed project area, there is a possibility of sensitive aquatic native species (fish, amphibians, invertebrates) presence within the St. Vrain Creek. CPW recommends no surface occupancy and no ground disturbance (year-round) within a minimum of 500 feet of the ordinary high water mark of all of these surface waters and the implementation of appropriate stormwater and sediment control BMPs.

In the application provided, there is mention of uplifting the habitat around the creek. If the applicant plans to do this, CPW asks that they provide their plans for restoration in greater detail for our review, if this Project is permitted and moves forward with construction.

### **Bald Eagle Roost Sites High Priority Habitat**

Bald eagle roost sites are defined as groups of (or individual) trees that provide diurnal and/or nocturnal perches for wintering bald eagles. These trees are usually the tallest available in the wintering area and are primarily located in riparian habitats. CPW has two recommendations to protect these sites: of a) no surface occupancy within 0.25 mile of any active bald eagle winter night roost year-round, and b) no human encroachment or disturbance within 0.5 mile any active bald eagle winter roost site from November 15 to March 15 of each year. In particular, there is a bald eagle roost site around the entirety of the project area.

CPW generally recommends starting and completing construction outside of this winter timing stipulation.

### **Mule Deer Winter Concentration Area High Priority Habitat**

Mule Deer Winter Concentration Areas are defined as the part of the winter range where densities are at least 200% greater than the surrounding winter range density during the same period used to define winter range in the average of five winters out of ten.

The entire project area is mapped as Mule Deer Winter Concentration Area HPH. For the identified portions of the proposed project area that traverse Mule Deer Winter Concentration Area HPH, CPW typically recommends that the following timing limitation be implemented for the construction phase:

- Complete construction in these areas outside of the winter season which falls between December 1st to April 30th. If this cannot be achieved, CPW recommends starting construction outside of the winter timing to reduce impacts to Mule deer during this crucial time of year.

Thank you again for the opportunity to comment on this Planned Unit Development Project. We appreciate your consideration of our recommendations to avoid and minimize impacts to wildlife and look forward to continuing engagement on this Project as it moves forward. If you have any additional questions regarding wildlife concerns for this project, please contact your local District Wildlife Manager, Payton Fellhoelter at [payton.fellhoelter@state.co.us](mailto:payton.fellhoelter@state.co.us), or by phone at (720) 830-7711.

Sincerely,



Chris Mettenbrink  
Area 2 Assistant Wildlife Manager

Cc: Mark Leslie, Jason Duetsch, Payton Fellhoelter, Lexi Hamous Miller, and file.