#### **Administrative Procedures and Policies for Prairie Dog Management**

The City and County of Broomfield has adopted the following measures as administrative procedural changes in managing prairie dog projects in Broomfield. The information below summarizes adjustments to the current City and County of Broomfield Policies for Prairie Dog Conservation and Management that were prompted by administrative updates in 2007 and 2008, and expanded restrictions and guidelines on the use of aluminum phosphide by the Environmental Protection Agency (EPA) in 2010. These procedures apply to both public and private projects, unless otherwise stated below.

These procedural changes were developed both to adjust to new regulations and to identify and utilize the best management practices that ensure safe, efficient, ecologically sound, and proactive techniques for avoiding prairie dogs conflicts. In developing these changes, input and advice has been taken into account from state and federal agencies, wildlife biologists, the Broomfield public, a regional prairie dog management working group, and Broomfield's Open Space and Trails Advisory Committee. These policies are an attempt to balance preferences from the public with professional expertise and the efficient use of Broomfield's resources.

# Lethal Control and Required Buffer Zones for both Aluminum Phosphide and Carbon Monoxide:

The 2010 EPA restrictions on the application of aluminum phosphide call for a 100-foot buffer zone from any enclosed structures that could be inhabited by people. Any application of aluminum phosphide must be beyond 100 feet from a building or enclosed structure. This buffer zone does not apply to trails or open structures, such as pavilions, picnic tables, benches, viewing decks, fishing docks, or similar structures.

Broomfield's prairie dog administrative procedural updates of 2007 prohibit the use of aluminum phosphide within 50 feet of high public use areas, such as parks, athletic fields, and picnic areas. These procedural updates also prohibit the use of aluminum phosphide within 20 feet of trails. Carbon monoxide cartridges are to be used for prairie dog management in any areas where aluminum phosphide use is prohibited, as described above.

In summary, the buffer zones for which aluminum phosphide use is prohibited are: 100 feet for enclosed structures, 50' for other high public use areas, and 20 feet on either side of trails.

## **Public Notice Signage Requirements for Lethal Control Applications:**

Public notice signs for the application of aluminum phosphide now must feature the following guidelines per the EPA:

"a sign at the application site containing the signal word DANGER/PELIGRO, skull and crossbones, the name and EPA registration number of the fumigant, and a 24-hour emergency response number. Signs may be removed 2 days after the final treatment."

Signage requirements for aluminum phosphide in Broomfield's prairie dog policies have been superseded by the EPA requirements above. Sign posting requirements mandate that the public notice signage for aluminum phosphide be placed at the entry points into the site before application and remain posted for 2 days after the treatment. Signage must be posted the day before the treatment for the use of aluminum phosphide on public land.

In the case of carbon monoxide applications, signage must be posted before an application in any public area and the signs must remain posted until the end of the day. This signage shall be located at the entrances or access points to the property. Additionally, a developer of private land shall be required to erect notice signage on the property when lethal control is occurring for a development project.

## **Burrowing Owl Surveys:**

The Broomfield time period for requiring burrowing owl studies shall be adjusted to run from March 15 to October 31. Broomfield staff shall also have the discretion to require burrowing owl studies beyond these time frames if site

conditions indicate that burrowing owls may be nesting on the site. This change reflects direction from the Colorado Parks and Wildlife ("COPW") on Burrowing Owl Study Protocol that was posted on the website on April 7, 2008.

It should also be noted that the COPW and a professional environmental consultant assisted Broomfield staff in the development of its Policies. However, as new information becomes available, the Policies should reflect this information.

### **Fumigant Management Plans:**

The 2010 EPA Restrictions for aluminum phosphide require that fumigant management plans must be written before all applications of aluminum phosphide. The plan shall be a written description of the steps designed to plan for a safe, legal and effective fumigation. The certified applicator and/or Broomfield staff must characterize the area to be treated and include all safety requirements in the plan before application. These plans must be written for all properties where aluminum phosphide is to be applied in Broomfield.

### **Modifications to Grading Permit Application Conditions:**

Permit Condition 10 was added to the Grading Permit and reads as follows:

"Developer or contractor requesting a Grading Permit for any project shall verify by submitting the permit that they have visited the site and there is no wildlife existing on the site. A field visit with Broomfield staff following the preconstruction meeting is required."

An additional condition (Condition 11) was added to the Grading Permit for any project that was identified as having prairie dogs or other wildlife that needed to be relocated/removed prior to construction. This wording states:

"The Developer or contractor shall provide a letter from the environmental consultant for the project no more than ten days prior to the commencement of construction stating that no prairie dogs or burrowing owls (if the construction work occurs between March 15 and October 31) are on the site. The environmental consultant's letter shall also confirm that there are no nesting birds or other wildlife issues that need to be addressed before construction begins given local, state, and federal regulations."

As part of the current Preconstruction Meeting process, a mandatory site visit with the contractor and Broomfield staff will be conducted to review all conditions of the permit. The developer's environmental consultant may be required to attend the meeting.