

STATE OF
COLORADO

Hays - DNR, Peter <peter.hays@state.co.us>

CPW's comments on the Betz Borrow Pit (DRMS File No. M-2018-048)

Marette - DNR, Brandon <brandon.marette@state.co.us>
To: "peter.hays@state.co.us" <peter.hays@state.co.us>
Cc: Michael Grooms - DNR <michael.grooms@state.co.us>

Tue, Sep 25, 2018 at 12:48 PM

Good afternoon Peter,

Thank you for the opportunity to comment on SEMA Construction's proposed surface mine and reclamation operation, located at or near T4N, R66W, Section 18. Our goal in responding to land use proposals, such as this project, is to provide complete, consistent, and timely information to all entities who request comment on matters within our statutory authority.

Upon review of the proposed referral request and an internal review of this parcel, Colorado Parks and Wildlife has four (4) potential biological concerns regarding this project:

1. Active Bald Eagle nest,
2. Potential Bald Eagle winter night roost,
3. Preble's meadow jumping mouse (PMJM) occupied range, and
4. A sensitive river which contains some species of Eastern Plains native fish.

I have included some standard language below my signature block for these four biological concerns. If you have any further questions, or if this proposed development changes in timing or scope, please contact me or the local wildlife officer (Michael - cc'd).

Finally, please continue to reach out to us for comment on future applications, as we strive for responsible land development while protecting sensitive species and their habitats.

Cheers,

Brandon B. Marette
Northeast Region Energy Liaison and Land Use Coordinator



COLORADO
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1. **Bald Eagle Active Nest** - Colorado Parks & Wildlife (CPW) has mapped an active bald eagle nest located near this proposed development (NWNW 1/4 of Section 19, with a 1/2-mile buffer extending into the SW 1/4 of Section 18). Therefore, CPW recommends that the operator survey for nesting bald eagles if initial site disturbance will occur during their nesting season (October 15 to July 31). CPW recommends that the operator avoids the bald eagle nest buffers and timing stipulations, which can be found here: <https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/RaptorBufferGuidelines2008.pdf>.
2. **Potential Bald Eagle Winter Concentration Area** - CPW has mapped the South Platte River as potential bald eagle winter concentration areas. Therefore, if initial site disturbances are going to occur between November 15 and March 15, then CPW recommends that the developer perform bald eagle surveys within 0.25-mile of the site for potential habitat (e.g., mature trees and/or riparian areas) and occurrence. If eagles are confirmed, then please contact CPW to determine next steps.

3. **PMJM Occupied Range and a Postive Trap Location** - CPW has a mapped PMJM occupied range and a positive trap result downstream of this location and along the South Platte River (in Section 8). Therefore, CPW recommends the applicant work with USFWS to determine if trapping is required before initial site disturbance.
4. **Sensitive River** - CPW has a mapped Recovery and Conservation Water along the South Platte River, which contains some species of Eastern Plains native fish. Therefore, CPW recommends that the operator ensure that site development (and supporting features such as access roads) are located at least 100 meters from the bank edges (not the center of the creek).

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