



STATE OF
COLORADO

Ebert - DNR, Jared <jared.ebert@state.co.us>

CPW Comments: AFS - Bennett Pit, M-2001-038, AM01 Application

Chick - DNR, Crystal <crystal.chick@state.co.us>

Tue, Apr 16, 2019 at 6:35 PM

To: Jared Ebert - DNR <jared.ebert@state.co.us>

Cc: "Federico - DNR, Margo" <margo.federico@state.co.us>, Tom Kroening - DNR <tom.kroening@state.co.us>, Rocksund - DNR Serena <serena.rocksund@state.co.us>

Mr. Ebert,

Please find the attached Colorado Parks and Wildlife comments for the application proposing the expansion of the Bennett Pit.

Crystal Chick
Area Wildlife Manager



COLORADO
Parks and Wildlife

Department of Natural Resources

P 303.291.7122 | F 303.291.7114

6060 Broadway, Denver, CO 80216

crystal.chick@state.co.us | cpw.state.co.us



542_DNR_BennettPit.pdf
228K



COLORADO

Parks and Wildlife

Department of Natural Resources

Northeast Regional Office
6060 Broadway
Denver, CO 80216
P 303.291.7227 | F 303.291.7114

April 14, 2019

Jared Ebert
Environmental Protection Specialist III
Division of Reclamation, Mining and Safety
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203

RE: AFS- Bennett Pit, Permit No. M-2001-038-AM01

Dear Mr. Ebert:

Thank you for the opportunity to comment on the application to expand the Bennett Sand Gravel and Borrow Pit from 47.57-acres to 107.88-acres. The mission of Colorado Parks and Wildlife (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. Our goal in responding to land use proposals such as this is to provide complete, consistent, and timely information to all entities who request comment on matters within our statutory authority.

The proposed sand gravel and borrow mining expansion from 47.57-acres to 107.88-acres is located at Section 2, Township 3S, Range 63W, 6 Principal Meridian, 3.8 miles north of Bennett, in Adams County, Colorado. Along the affected lands/permit line, the mining setback will be 25-feet. The excavation will be both north and south of the current Bennett Pit, a dry alluvial operation. A portion of the southern end of the existing mine and proposed south area has sand and gravel below the alluvial aquifer associated with Kiowa Creek. CPW understands that until feasible for obtaining replacement water of that area, mining will only take place above the groundwater table.

District Wildlife Manager Serena Rocksund recently analyzed this site. The main impacts to wildlife from this development include fragmentation and loss of habitat. Fragmentation of wildlife habitat has been shown to impede the movement of big game species across the landscape. Open space areas are more beneficial to wildlife if they connect to other natural areas. The areas of wildlife habitat that most closely border human development show heavier impact than do areas on the interior of the open space. However, when open space areas are smaller in size, the overall impact of the fragmentation is greater (Odell and Knight, 2001). By keeping open space areas contiguous and of larger size the overall benefit to wildlife increases dramatically.

CPW would expect a variety of wildlife species to utilize this site on a regular basis, most



notably, small to mid-sized mammals, songbirds, and raptors. The potential also exists for large mammals such as deer and pronghorn to frequent this site, due to the proximity to Kiowa Creek and its function as a wildlife movement corridor. Raptors and other migratory birds are protected from take, harassment, and nest disruption at both the state and federal levels. If an active nest is discovered within the development area, CPW recommends that buffer zones around nest sites be implemented during any period of activity that may interfere with nesting season. This will prevent the intentional or unintentional destruction of an active nest.

For further information on this topic, a copy of the document “Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors,” is available from your local District Wildlife Manager or located at <https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/RaptorBufferGuidelines2008.pdf>.

Following the recommendations outlined in this document will decrease the likelihood of unintentional take through disturbance.

During mining, there will be less impact to wildlife if any and all mature trees and shrubs are left standing, maintaining the valuable habitat they provide to wildlife, bank stabilization and many other functions. This area currently provides habitat to many wildlife species and wildlife usage may decrease with increased disturbance. However, by minimize nighttime activity, wildlife may continue to use the area as a movement corridor. CPW recommends all site lights be motion-activated and downward-directed to minimize light pollution for active nocturnal or resting diurnal wildlife species.

If a prairie dog colony is discovered within the project area, the potential may also exist for the presence of burrowing owls. Burrowing owls live on flat, treeless land with short vegetation, and nest underground in burrows dug by prairie dogs, badgers, and foxes. These raptors are classified as a state threatened species and are protected by both state and federal laws, including the Migratory Bird Treaty Act. These laws prohibit the killing of burrowing owls or disturbance of their nests. Therefore, if any earth-moving will begin between March 15th and October 31st, a burrowing owl survey should be performed. Guidelines for performing a burrowing owl survey can also be obtained from your local District Wildlife Manager or found at <https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/RecommendedSurveyOwls.pdf>.

If prairie dog colonies are present, CPW would recommend they either be captured alive and moved to another location or humanely euthanized before any earth-moving occurs. The possibility of live-trapping and donating to a raptor rehabilitation facility or the black-footed ferret recovery program may also exist. If interested, please contact the local District Wildlife Manager. Be aware that a permit and approval from county commissioners may be required for live relocation.

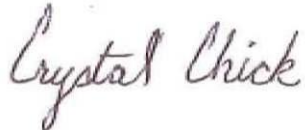
If reclamation includes a pond, CPW recommends ponds be constructed to have irregular shorelines and contain one or two islands of at least 15' x 25' in size per 2 surface acres. Shoreline and island slopes should be 4H:1V, with some area having slopes no steeper than 8H:1V. Such shallow areas will allow for establishment of a variety of types of aquatic vegetation and invertebrate prey for waterfowl. Such a shoreline, coupled with a planting of a variety of wetland plant species, will allow for a variation in wetlands to be established

which would have long-term benefits to wildlife.

CPW recommends consideration be made for using principles of an integrated weed management plan, which Adams County may already have in place, to control and eliminate the spread of any noxious weeds in and around the site. CPW recommends that the planting of any species listed as noxious weeds be avoided throughout the development site and surrounding area. The spread and control of noxious weeds on the sites is a concern for wildlife in the immediate and surrounding area. Weeds are defined as “a plant that interferes with management objectives for a given area of land at a given point in time” (Whitson, 1999). Invasive plants endanger the ecosystem by disturbing natural processes and jeopardizing the survival of native plants and the wildlife that depend on them. The threat is so severe in the United States that scientist now agree that the spread of invasive species is one of the greatest risks to biodiversity (Nature Conservancy, 2003).

Thank you again for opportunity to comment on the application to expand the Bennett Sand Gravel and Borrow Pit. Please do not hesitate to contact us again about ways to continue managing the facility in order to maximize wildlife value while minimizing potential conflicts. If you have any further questions, please contact District Wildlife Manager Serena Rocksund at (303) 291-7132 or serena.rocksund@state.co.us.

Sincerely,

A handwritten signature in dark ink that reads "Crystal Chick". The script is cursive and fluid, with the first name "Crystal" and last name "Chick" clearly legible.

Crystal Chick
Area 5 Wildlife Manager

Cc: M. Leslie, T. Kroening, S. Rocksund