



STATE OF  
COLORADO

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

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## M2001038-USFWS final.pdf - Adobe Acrobat Professional

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**Environment-Inc** <Environment-inc@outdrs.net>

Mon, Jul 29, 2019 at 5:10 PM

To: Jared Ebert <Jared.Ebert@state.co.us>

Cc: Ben Frei <BFrei@albertfreiansons.com>

Jared,

Ben Frei received a confirmation document from ERO Resources that the USFWS had accepted and agree with the Habitat Assessment filed on July 4, 2019. Attached is a cover letter and copy of the e-mail for the Division's file.

I will mail a hard copy today.

Regards,

Steve

Steve O'Brian  
Environment, Inc.  
[7985 Vance Dr., #205A](#)  
[Arvada, CO 80003](#)  
(303) 423-7297  
(303) 423-7599 Fax  
[Environment-inc@outdrs.net](mailto:Environment-inc@outdrs.net)

This e-mail is covered by the Electronic Communications Privacy Act. If you have received this communication in error, please delete this message from all media and notify me immediately. Thank you for your cooperation.



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# Environment, Inc.

LARRY E. O'BRIAN  
FOUNDER

STEVAN L. O'BRIAN  
PRESIDENT

July 29, 2019

7985 VANCE DRIVE, SUITE 205A  
ARVADA, COLORADO 80003  
303-423-7297  
FAX 303-423-7599

Mr. Jared Ebert  
Division of Reclamation, Mining & Safety  
1313 Sherman St., Suite 215  
Denver, CO 80203

Dear Jared;

RE: Albert Frei and Sons, Inc. -  
AFS-Bennett Pit - M-2001-038

Attached is a copy of an e-mail, from Steve Butler of ERO Resources stamped and signed by the U.S. Fish and Wildlife Service confirming that they have accepted the *ERO Resources - Natural Resources Assessment* report and have "no concerns". A copy of this report was provided to the Division with the June 17, 2019 - Adequacy Review 01 response packet. The USFWS concur that there are no threatened or endangered species in the permit area. This should be the final wildlife information submitted for the permit.

If you have any questions or need more information please call me at (303) 423-7297.

Sincerely,



Stevan L. O'Brian  
Environment, Inc.

cc Albert Frei and Sons, Inc.  
Jared Ebert - via e-mail  
file



ColoradoES, FW6 &lt;coloradoes@fws.gov&gt;

**[EXTERNAL] Habitat Assessment for Bennet Pit project**

**Steve Butler** <sbutler@erresources.com>  
To: "coloradoes@fws.gov" <coloradoes@fws.gov>  
Cc: Ben Frei <BFrei@albertfreiandsons.com>

Wed, Jun 5, 2019 at 9:29 AM

Hello,

Please find the attached habitat assessment for threatened and endangered species for the Albert Frei and Sons Bennett Pit project. Based on this habitat assessment, ERO, on behalf of Albert Frei and Sons, requests that the Service confirm that it has no concerns related to threatened and endangered species and that no further consultation under the ESA is required for the Bennett Pit. If you have any questions or would like additional information, please call me.

Thanks,

**Steve Butler**  
Biologist/Associate Principal

**ERO** Resources Corporation  
Consultants in Natural Resources and the Environment  
1842 Clarkson Street | Denver, CO 80218  
303.830.1188 O | 303.902.7647 C | sbutler@erresources.com | www.erresources.com

2019-TA-0938

U.S. FISH AND WILDLIFE SERVICE	
<input checked="" type="checkbox"/> NO CONCERNS	
<input type="checkbox"/> CONCUR NOT LIKELY TO ADVERSELY AFFECT	
<input type="checkbox"/> NO COMMENT	
<i>Drue DeBerry</i>	<i>7-25-19</i>
Drue DeBerry	DATE
Colorado and Nebraska Field Supervisor	

**AFS Bennett Pit\_HA FWS Letter.pdf**  
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