



COLORADO

Parks and Wildlife

Department of Natural Resources

Northeast Regional Office
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Denver, CO 80216
P 303.291.7227

August 4, 2019

Elliot Russell
Division of Reclamation, Mining and Safety
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203

RE: LGPD2 Mine, File No. M-2019-026

Dear Elliot,

Thank you for the opportunity to comment on the proposed surface mining and reclamation operation at or near Section 17, Township 12S, Range 71W, 10th Principle Meridian in Park County. The proposed site is located on the Pike National Forest approximately 1.25 miles NNE of the town of Lake George.

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. One of the ways we achieve our mission is to comment on land use proposals such as the request we received from your agency. Our goal is to provide complete, consistent and timely information to all entities who request comment on matters within our statutory authority and our mission.

Ian Petkash, District Wildlife Manager for the Lake George district visited the site of the proposed operation on July 17th, 2019. During his site visit, Petkash observed the following:

- That the site existed of classic montane habitat dominated by a mature Ponderosa Pine (*Pinus ponderosa*) overstory. Aspen (*Populus tremuloides*) occurs within the two adjacent drainages to the site.
- A mature Golden Eagle (*Aquila chrysaetos*) soaring directly over the site for approximately five minutes. The eagle circled above Petkash several times. Petkash was aware that raptors commonly exhibit this behavior when a human is close to a nest location. Petkash observed white raptor fecal matter staining



on a cliff face within approximately 300 yards of the proposed mine location. Petkash did not observe a nest above the staining and it appeared to be an eagle or other raptor hunting perch.

- Elk and deer tracks and feces in the surrounding conifer stand.
- A transmission line running through the site.

Petkash requested information on known eagle nests from Kristen Meyer, Wildlife Biologist, U.S. Forest Service and was advised that a historical nest was located in close proximity to the proposed operation. On July 18th, 2019, Meyer visited the site and advised Petkash that she had located an active Golden Eagle nest approximately 0.5 miles west of the proposed operation. Meyer also advised that she had observed one of the mature eagles soaring above the location of the proposed mine.

On July 19th, Petkash visited the site and observed that the nest was approximately 0.5 miles from the proposed operation. As well, the road being proposed to access the mine location (FSR-215 - administrative use only) runs within 0.3 miles of the nest. A mature Golden Eagle was observed soaring between the proposed mine site and the nest location.

Due to the operation and its equipment access route being within 0.5 miles of the nest location, Colorado Parks and Wildlife recommends a seasonal restriction to any human encroachment and activity from December 15th through July 15th annually.

Sincerely,

Mark Lamb

Mark Lamb
Area Wildlife Manager
Colorado Parks and Wildlife

cc: Leslie, Petkash, Meyer (USFS), file