



## COLORADO

### Division of Reclamation, Mining and Safety

Department of Natural Resources  
1313 Sherman Street, Room 215  
Denver, CO 80203

October 12, 2020

Russ Larsen  
Elam Construction, Inc.  
556 Struthers Ave  
Grand Junction CO 81501

***RE: 23 ¼ West Pit, File No. M-2020-035, Comments Regarding 112c Regular Construction  
Materials Application***

Dear Mr. Larsen:

On October 7, 2020 the Division of Reclamation, Mining and Safety (Division) received comments regarding the above referenced application from Colorado Parks and Wildlife. Please inform the Division of how the Applicant will respond to the jurisdictional issues presented by Friday, October 30, 2020

If you require additional information, or have questions or concerns, please feel free to contact me. Amy Yeldell at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 303-866-3567 Ext 8183 or via email at amy.yeldell@state.co.us

Sincerely,

**Amy Yeldell**

Environmental Protection Specialist

Cc:

Travis Marshall, Senior EPS, Grand Junction DRMS  
Ben Langenfeld, Greg Lewicki and Associates





## COLORADO

### Parks and Wildlife

Department of Natural Resources

Northwest Region Office  
711 Independent Avenue  
Grand Junction, CO 81505  
P 970.255.6100 | F 970.25.6111

Received Via Email 10/07/2020  
GJFO DRMS

Colorado Division of Reclamation, Mining and Safety

10/07/2020

Attention: Ms. Amy Yeldell  
1313 Sherman Street, Room 215  
Denver, CO 80203

Dear Ms. Yeldell.

Thanks for opening up the 23.25 Road permit application (M 2020035) so I could access it. I have looked at the area from 23.25 Road. The habitat in its current state is a dry upland site. Cottonwood trees are perhaps the most significant wildlife habitat feature. A grove of trees is located in the southwest portion of the property near 39.09205, -108.62454. Three mature cottonwoods, one with a large raptor nest, occur near 39.09247, -108.62252. A group of young cottonwoods occur along 23.25 road near 39.09185, -108.62228. All of these treed areas were heavily utilized by mourning doves when I visited the site this week. The parcel also contains a very large grove of elm trees that surround the existing structures of the site. Although not native, the elm trees do provide foraging and nesting habitat for a variety of songbirds.

Protection of the existing cottonwood trees on site would limit the impact of this mining operation on wildlife. Especially important would be saving the grove of trees in the southwest corner and the group of trees containing the raptor nest. A ground survey of wildlife utilizing the property prior to a final decision on the proposal is recommended to identify the species of raptors utilizing the site and the status of the nest. This is especially important, as the property is within occupied range of the bald eagle. There are a number of local consultants that could do that work. Colorado Parks & Wildlife has recommended guidelines on raptor nest buffer zones and seasonal timing restrictions that I can provide.

The mining plan will incorporate dewatering, with groundwater being routed to the Colorado River via the Wilsea Drain. The CPW is concerned about the proliferation of non-native fishes in ponds near the Colorado River, and the potential for those fish to enter the river to the detriment of native species. We recommend screening of discharge structures to prevent movement of non-native fish to the river.

The reclamation plan would benefit greatly from incorporation of trees, shrubs, forbs, and native grasses into the revegetation mix. Cottonwood, skunkbush sumac, and 4-wing saltbush would be desirable trees and shrubs that are adapted to the site. Cicer milkvetch is a recommended forb. Inland salt grass, Indian ricegrass and needle-and-thread grass would do well at this location. Cottonwood trees on site should be inventoried, and any trees removed during the mining process should be replaced upon completion of mining activities.

Don't hesitate to contact me if you would like to discuss this project in further depth.



Sincerely,

A handwritten signature in black ink, appearing to read "Paul Creeden". The signature is fluid and cursive, with a large initial "P" and a long, sweeping underline.

Paul Creeden  
Fruita District Wildlife Manager Area7  
Northwest Region  
(970) 250-4501







