

STATE OF  
COLORADO

Zuber - DNR, Rob &lt;rob.zuber@state.co.us&gt;

---

## Section 7 Consultation for Colorado coal mine

2 messages

---

**Zuber - DNR, Rob** <rob.zuber@state.co.us>  
To: grandjunctionES@fws.gov

Tue, Mar 15, 2022 at 3:51 PM

Hello -

I am following up on a letter that I wrote in January (see attached) related to a Section 7 consultation for the Bowie No. 2 Mine near Paonia, Colorado. I would like someone from your office to respond to my letter via email or letter.

Thank you for your time.

Rob

**Rob Zuber, P.E.**  
Environmental Protection Specialist  
Active Mines Regulatory Program



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

*I am working remotely and can be reached by cell at 720.601.2276.*

**Physical Address:**

1313 Sherman Street, Room 215  
Denver, CO 80203

**Mailing Address:**

Division of Reclamation, Mining and Safety, Room 215  
1001 East 62nd Avenue  
Denver, CO 80216

[rob.zuber@state.co.us](mailto:rob.zuber@state.co.us) | <http://drms.colorado.gov>



**DRMS\_letter\_to\_USFWS\_re\_Section7.pdf**  
130K

---

**GrandJunctionES, FW6** <GrandJunctionES@fws.gov>  
To: "Zuber - DNR, Rob" <rob.zuber@state.co.us>

Wed, Mar 16, 2022 at 11:49 AM

Rob Zuber, I have searched our records and found a summary of a 2011 telephone conversation between our staff and a consultant with Rare Earth Science discussing the Bowie number 2 permit renewal. The only other entry in the record is a 2012 notation that the record was closed due to inactivity. Therefore, I have concluded that no Endangered Species Act section 7 consultation was completed in 2012 as indicated in your letter. Although we discussed the potential for no effect conclusion in 2012 regarding activity at the mine site, I cannot confirm that information.

Since the 2012 communication regarding Bowie #2, the U.S. Fish and Wildlife Service listed the Yellow-billed Cuckoo (*Coccyzus americanus*), and designated critical habitat. The species or its critical habitat may be present near the Bowie #2 mine. I recommend you utilize our Information for Planning and Consultation online system to assist you in determining if the

permitted activities at the mine may affect any federally listed species or designated critical habitat. It is the responsibility of the action agency to determine what effects may occur to federally listed species and designated critical habitat from its actions. If you believe that the activities occurring under the permitted action will not affect federally listed species, section 7 consultation is not required.

If you have additional questions or concerns, please contact me.

Regards,

*U.S. Fish & Wildlife Service*  
*Western Colorado Ecological Services Field Office*  
*445 W Gunnison Ave, Suite 240*  
*Grand Junction, CO 81501-5711*  
**Office email inbox address: [GrandJunctionES@fws.gov](mailto:GrandJunctionES@fws.gov)**

---

**From:** Zuber - DNR, Rob <[rob.zuber@state.co.us](mailto:rob.zuber@state.co.us)>  
**Sent:** Tuesday, March 15, 2022 3:51 PM  
**To:** GrandJunctionES, FW6 <[GrandJunctionES@fws.gov](mailto:GrandJunctionES@fws.gov)>  
**Subject:** [EXTERNAL] Section 7 Consultation for Colorado coal mine

<p><b>This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.</b></p>
--

[Quoted text hidden]