

STATE OF
COLORADO

Zuber - DNR, Rob <rob.zuber@state.co.us>

Re: Notice of Application Consideration for Permit: M2022009

7 messages

Marette - DNR, Brandon <brandon.marette@state.co.us>
To: rob.zuber@state.co.us

Tue, May 3, 2022 at 5:12 PM

Hi Rob,

I just ran across this email, as it was buried in my inbox.

Could CPW send you comments in the coming weeks?

Regards,

Brandon B. Marette, CWB®
Northeast Region Liaison and Land Use Coordinator

Direct (303) 291-7327

6060 Broadway, Denver, CO 80216

brandon.marette@state.co.us[CPW's Energy Webpage](#)[CPW's Wildlife Movements Webpage](#)**THINK SAFETY FIRST!**

On Wed, Mar 16, 2022 at 5:07 PM Division of Reclamation, Mining and Safety <dnr_drms_permitadmin@state.co.us> wrote:

Please see attached correspondence from the Division of Reclamation, Mining and Safety.

DO NOT REPLY to this email message. This mailbox is not monitored for incoming messages. Please refer to the attached document to locate the email address of the sender.

Zuber - DNR, Rob <rob.zuber@state.co.us>
To: "Marette - DNR, Brandon" <brandon.marette@state.co.us>

Tue, May 3, 2022 at 5:30 PM

Hello, Brandon

Actually our comment period ends this Thursday, May 5th. If you cannot send detailed comments by then, can you at least send general comments? If that is not possible, please send a letter asking for additional time to comment. I can ask my supervisor if we can consider comments submitted at a later date.

Thanks,
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 | <http://drms.colorado.gov>

[Quoted text hidden]

Marette - DNR, Brandon <brandon.marette@state.co.us>

Tue, May 3, 2022 at 5:32 PM

To: "Zuber - DNR, Rob" <rob.zuber@state.co.us>

Thanks Rob, I'll work to get you at least e-mailed comments by Thursday COB.

Regards,

Brandon B. Marette, CWB®
Northeast Region Energy Liaison and Land Use Coordinator



**LIVE LIFE
OUTSIDE**

Direct (303) 291-7327

6060 Broadway, Denver, CO 80216

brandon.marette@state.co.us

[CPW's Energy Webpage](#)

[CPW's Wildlife Movements Webpage](#)



THINK SAFETY FIRST!



[Quoted text hidden]

Zuber - DNR, Rob <rob.zuber@state.co.us>

Tue, May 3, 2022 at 5:35 PM

To: "Marette - DNR, Brandon" <brandon.marette@state.co.us>

Ok, thanks, Brandon.

Sorry about the email issue.

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 | <http://drms.colorado.gov>

[Quoted text hidden]

Marette - DNR, Brandon <brandon.marette@state.co.us>
To: "Zuber - DNR, Rob" <rob.zuber@state.co.us>

Tue, May 3, 2022 at 5:48 PM

No worries, it's my fault for not screening my emails in a more timely manner.

Regards,

Brandon B. Marette, CWB®
Northeast Region Energy Liaison and Land Use Coordinator



LIVE LIFE
OUTSIDE

Direct (303) 291-7327
6060 Broadway, Denver, CO 80216
brandon.marette@state.co.us
[CPW's Energy Webpage](#)
[CPW's Wildlife Movements Webpage](#)



THINK SAFETY FIRST!



[Quoted text hidden]

Zuber - DNR, Rob <rob.zuber@state.co.us>
To: "Marette - DNR, Brandon" <brandon.marette@state.co.us>

Wed, May 4, 2022 at 7:05 AM

Right. A lesson to us all.

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 | <http://drms.colorado.gov>

[Quoted text hidden]

Marette - DNR, Brandon <brandon.marette@state.co.us>
To: "Zuber - DNR, Rob" <rob.zuber@state.co.us>

Thu, May 5, 2022 at 4:39 PM

Cc: Michael Grooms - DNR <michael.grooms@state.co.us>, Angelique Curtis - DNR <angelique.curtis@state.co.us>, Boyd Wright - DNR <boyd.wright@state.co.us>, Mike Sherman - DNR <mike.sherman@state.co.us>

Good afternoon Rob,

CPW appreciates this opportunity to provide DRMS with our following recommendations for the proposed Monarch DENM Mine development, which is located along the South Platte River between the Towns of Gilcrest & Milliken.

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. CPW has a statutory responsibility to manage all wildlife species in Colorado; as such we encourage protection for Colorado's wildlife species and habitats through responsible development and land use planning. Our goal in responding to land use proposals is to provide complete, consistent, and timely information to all entities who request comments on matters within our statutory authority. One way we accomplish our mission is by responding to land use requests, as is the case for this proposed gravel mine.

The protection of High Priority Habitats (HPHs) is of extreme importance to CPW. CPW recommends that all proposed projects be assessed to prevent the loss of habitat or fragmentation of habitat as well as to avoid, minimize, or mitigate impacts to wildlife species sensitive to development, which can include species of concern, big game winter concentration areas, raptor nests, and breeding and nesting habitats for ground-nesting birds.

Therefore, CPW recommends the following wildlife protection measures - based on the proposed work boundary that intercepts or is near the following HPHs:

- **Bald Eagle Active Nest Site (1/2 & 1/4-mile nesting buffer)**
 - An active Bald Eagle nest site is a specific location in which a pair of Bald Eagles has attempted to nest within the last five years. Any nest location that can be directly tied to courtship, breeding, or brooding behavior is considered active. CPW has two buffer recommendations to protect these sites: a) a year-round restricted surface occupancy (RSO) 0.25-mile buffer of any active Bald Eagle nest site, and b) a seasonal (December 1 to July 31) no new human encroachment or permitted/authorized human activities 0.5-mile buffer of any active bald eagle nest site. Note: The Bald Eagle is designated as an avian Priority Tier 2 Species of Greatest Conservation Need within CPW's 2015 Colorado State Wildlife Action Plan. This designation denotes that these species are in need of conservation attention in Colorado and are provided a relative degree of conservation management priority.
 - CPW read in the Permit Application that the mapped Bald Eagle nest just northwest of the project boundary may have shifted its specific location, but is still present and the 1/4-mile and 1/2-mile buffers extend into the project boundary. Therefore, CPW recommends that initial site construction occur outside the nesting season and does not occur within the 1/4-mile buffer.
- **Bald Eagle Roost Site**
 - Bald Eagle roost sites are defined as groups of (or individual) trees that provide diurnal and/or nocturnal perches for wintering bald eagles. These trees are usually the tallest available in the wintering area and are primarily located in riparian habitats. CPW has one recommendation to protect these sites: no permitted or authorized human activities within 0.5-mile of any active Bald Eagle winter night roost if there is a direct line of sight (or 0.25-mile if there is no direct line of sight) during the winter roost season (November 15 to March 15)
 - As mentioned in the permit application, there are roosts located just upstream and downstream of this project boundary, and CPW recommends surveys for the riparian area closest to the initial ground disturbance areas if initial construction is slated to occur from November 15 to March 15. If winter roosting Bald Eagles are present, please observe the above recommendations.
- **Mule Deer Severe Winter Range**
 - Mule Deer Severe Winter Ranges are defined as that part of the overall winter range where 90% of the individuals are located when the annual snowpack is at its maximum and/or temperatures are at a minimum in the two worst winters out of ten.
 - Therefore, CPW recommends no initial ground disturbances in these polygons from December 1 to April 30.
 - Furthermore, CPW recommends using wildlife-friendly fencing throughout the development, in particular, along the western project boundary that borders the South Platte River. Wildlife-friendly fencing may include four-strand smooth wire as further discussed in [CPW's "Fencing with Wildlife in Mind" brochure](#).
- **Aquatic Native Species**
 - There are sensitive aquatic native species (fish and amphibians) located within the South Platte River.
 - Therefore, CPW recommends No Surface Occupancy and No Ground Disturbances (year-round) within 500 feet of the Ordinary High Water Mark of the South Platte River, as well as appropriate stormwater BMPs.

Should you or anyone else have any questions about our wildlife recommendations, please contact me. Otherwise, we appreciate the DRMS and the Applicant working with CPW's recommendations toward a responsibly-completed project while protecting sensitive wildlife species, and their habitats and time frames.

Regards,

Brandon B. Marette, CWB®
Northeast Region Energy Liaison and Land Use Coordinator



Direct (303) 291-7327

6060 Broadway, Denver, CO 80216

brandon.marette@state.co.us

[CPW's Energy Webpage](#)

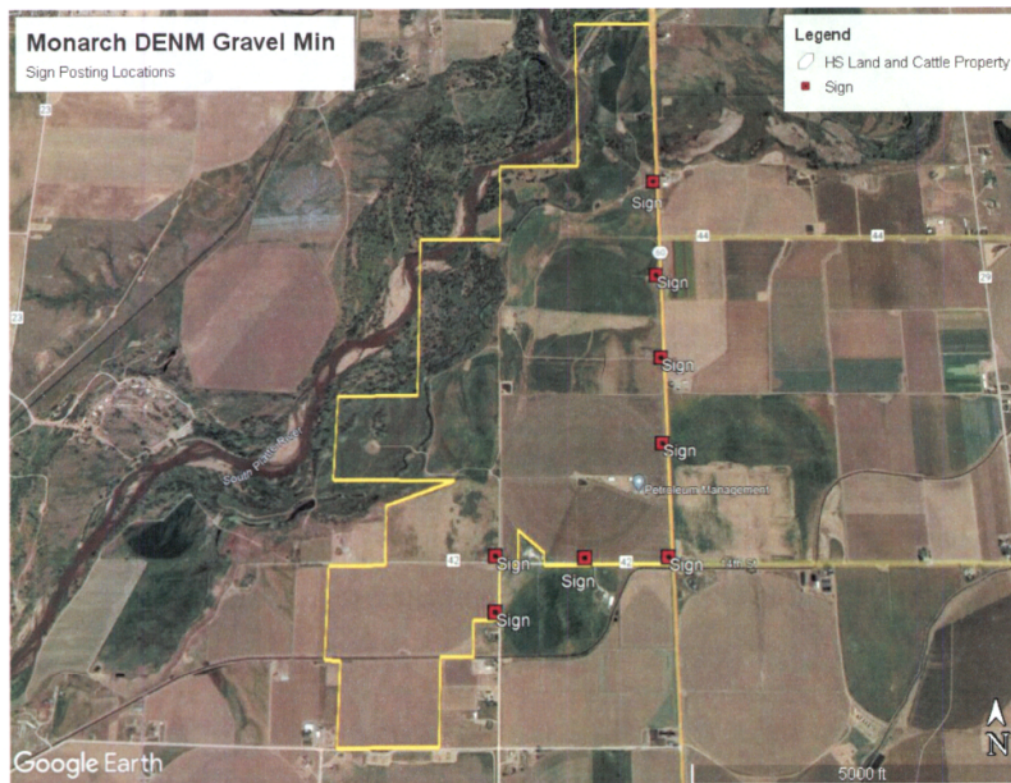
[CPW's Wildlife Movements Webpage](#)



THINK SAFETY FIRST!

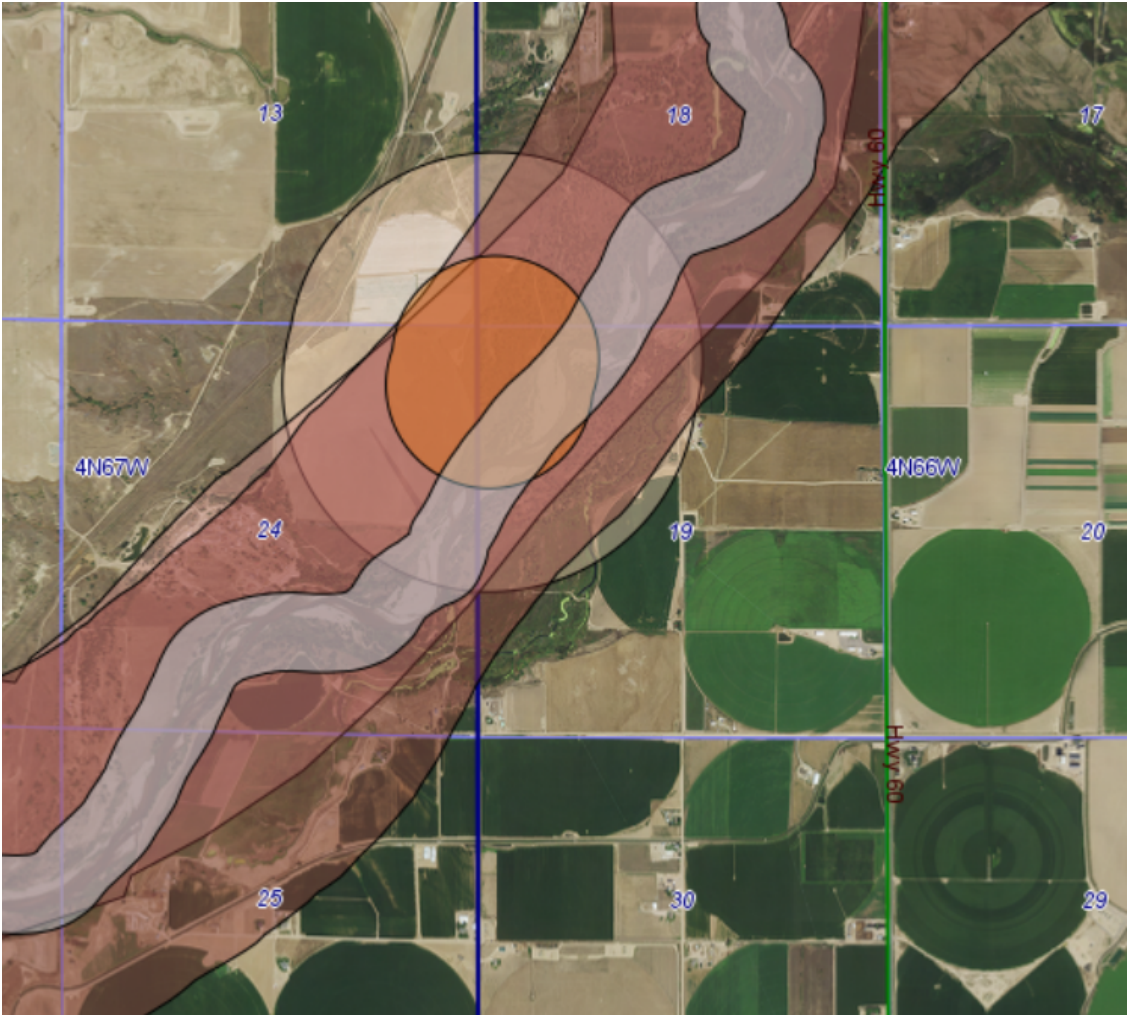


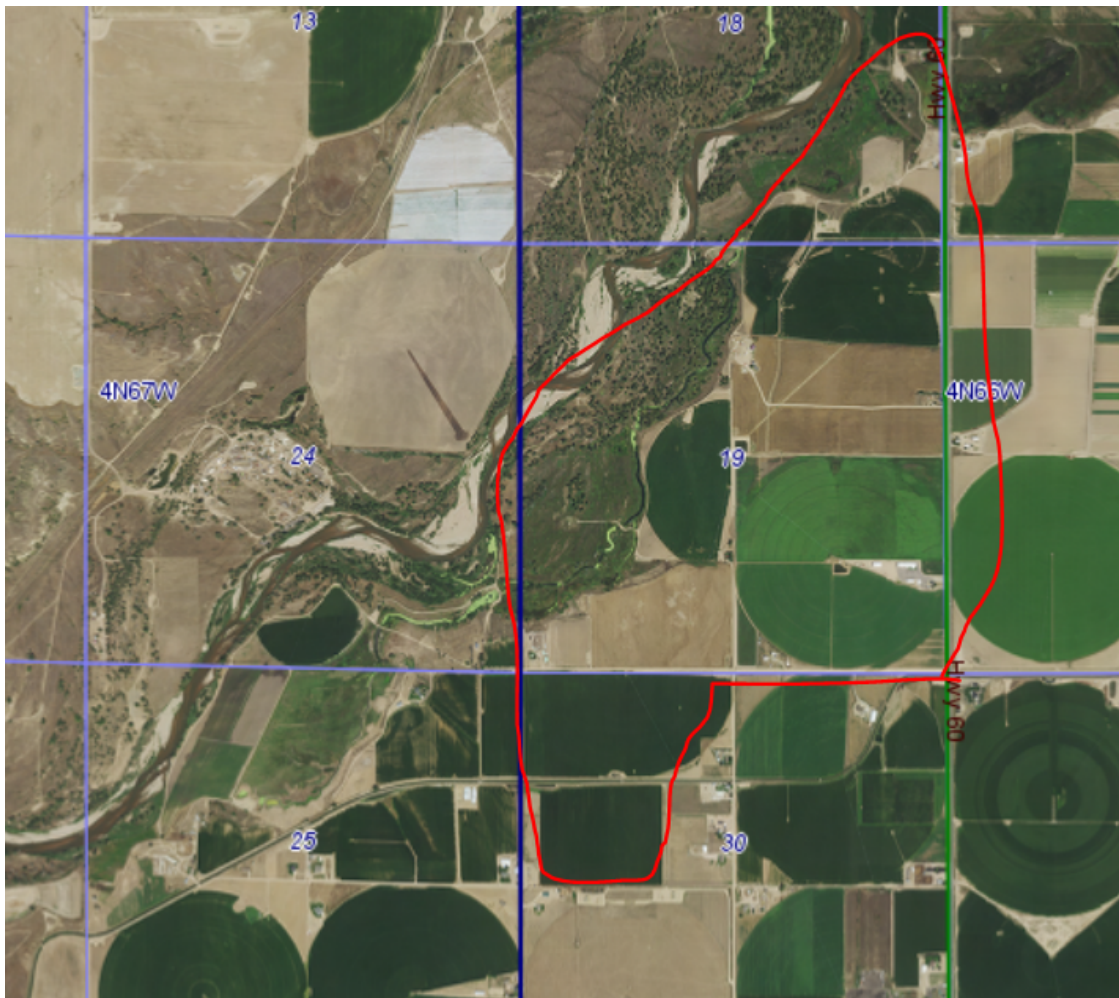
Sign Posting Affidavit



Screenshot from COGCC's webmapper showing these HPHs likely impacted...

- Bald Eagle (1/2 & 1/4-mile nesting buffer)
- Mule Deer Severe Winter Range
- Aquatic Native Species





----- Forwarded message -----

[Quoted text hidden]

2 attachments

 **d69985b2-4802-416e-b3f3-f63e3b43682a.pdf**
276K

 **2022-03-04_PERMIT FILE - M2022009.pdf**
7493K