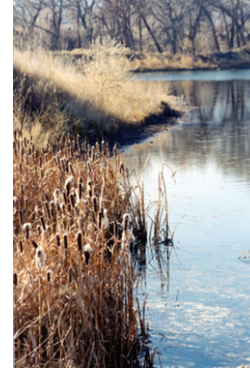


# **Savage and Savage** *Environmental*

*practical solutions for environmental issues*

**4610 Haystack Drive  
Windsor, Colorado 80550**

**970 674 8080 telephone  
970 674 8088 facsimile  
savageandsavage@earthlink.net**



April 7, 2022

Kristin Salamack  
Department of the Interior  
U.S. Fish and Wildlife Service  
ESA134 Union Blvd.  
Lakewood, CO 80228

Re: HS Land and Cattle Gilcrest Project: Request for Service Recommendations on Bald Eagle Nest Distance Restrictions

Kristin:

Savage and Savage conducted a web and on-site wildlife assessment for Civil Resources in advance of development planning for an aggregate extraction operation at the HS Land and Cattle project site in Weld County, Colorado.

A review of wildlife species for which the Colorado Division of Parks and Wildlife has distribution maps on the Colorado Oil and Gas Conservation Commission (COGCC) web site (<http://cogcc.state.co.us/infosys/Maps/wildlifemap.cfm>) was undertaken in January 2022. This mapping indicated the presence of a bald eagle nest to the west of the project site along the South Platte River.

The on-site investigation on January 19, 2022 did not locate this nest but did identify another nest along the South Platte River at the northwest boundary of the project site. The bald eagle nest was observed January 19, February 15, and March 22, 2022 and on February 15 and March 22 it was determined that the nest is active this season, with the observation of a pair of bald eagles actively attending the nest.

The proponent has asked Savage and Savage to consult with the U.S. Fish and Wildlife Service (the Service) to determine appropriate mitigation distance buffers from the active bald eagle nest for the operation.

I am providing the following background information to aid in our discussions.

### ***Project Site Location***

The project site is comprised of an approximately 790 acre site within portions of Sections 18 and 19, Township 4 North, Range 66 West, and portions of Sections 24, 25 and 26, Township 4 North, Range 67 West, all within the 6<sup>th</sup> PM, Weld County, Colorado. The center of the project site is located at 40.297290°N latitude and 104.820142°W longitude. The project site is located west of Gilcrest, Colorado, immediately west of Colorado Highway 60, south and east of the South Platte River, and north of Weld County Road 40. The project site is accessed from any of the above roads (Exhibit A.).

### ***Current and Past Site Activities***

The overall project site currently has several ongoing active land uses, including agriculture (irrigated and non-irrigated hay production), irrigation ditch maintenance and irrigation water field distribution and pivot servicing, a minor amount of oil and gas production (product removal from storage tanks and maintenance), and residential housing. Past land uses included oil and gas well drilling and maintenance and a light industrial supply business.

Close-by human activities visible from the nest include agricultural activities within the crop and hay fields, limited use of recreational facilities (shooting range, hunting), and private and public roads and highways (Colorado Highway 60 borders the project site on the east). Currently, a non-irrigated hay field is active underneath the bald eagle nest. The locations and distances of these activities from the nest are depicted in the attached exhibits. All of these activities are within ¼ to ½ mile of the active nest.

### ***Nature of the Project and Location Relative to the Bald Eagle Nest***

The proposed project will be an aggregate extraction, processing, and shipping operation with an anticipated life-of-mine of 25 years. The proposed mining plan (and attendant infrastructure facilities) is depicted in Sheet C-5 Mining Plan Map.

The majority of the operations will be located outside the ¼ mile buffer commonly applied by the Service. Currently, a portion of the Cell 4 Phase 5 pit (the last area to be mined) and the operations plant area are located within ½ mile of the existing nest.

The operations plant area will be a long-term facility and will consist of an area containing a product sorting and screening area, product stockpiles, a loading area for delivery trucks, a scale, and attendant buildings. Significantly, no asphalt or concrete plants are proposed for this operation.

The active bald eagle nest is located immediately adjacent to the South Platte River within an open stand of mature cottonwood trees to the north of the future operation. The cottonwood woodland stand is discontinuous, with hayfields winding between the groups of trees. When the trees are in full foliage, there exists a partial to full visual barrier between the nest and the proposed operations.

Mining and plant operations are topographically removed from the active nest in that the nest is located on the primary alluvial terrace of the South Platte River and the operations are entirely on the secondary alluvial terrace approximately thirty feet higher in elevation.

When mining excavation equipment will be working the mine face in the final phase pit, the operations and potential noise and visual impacts will be below the existing ground elevation, providing a visual and sound buffer from mining operations.

***Existing Activities Contributing Baseline Disturbance, Visual, and Noise Effects***

Existing activities at the proposed project site include agricultural production of hay for cattle feed (with attendant activities for irrigation maintenance, planting, and harvesting) oil and gas production, including servicing, monitoring, and product delivery, a light industrial supply business, residences for farm owners and workers, recreation activities, and significant traffic along Colorado Highways 60 and 394 that service existing agricultural operations, cattle ranches and feedlots, adjacent aggregate operations, and truck traffic accessing U.S. Highway 287 to the south. The activities are all within ¼ to ½ mile of the nest.

***Bald Eagle Nest Observations***

The bald eagle nest was observed January 19, February 15, and March 22, 2022 during on-site reconnaissance. On February 15, 2022 bald eagles were observed in the area adjacent to the nest, and on March 22, 2022 a pair of bald eagles was observed actively attending the nest (Exhibits C. and D.).

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael S. Savage", with a long horizontal flourish extending to the right.

Michael S. Savage  
Principal



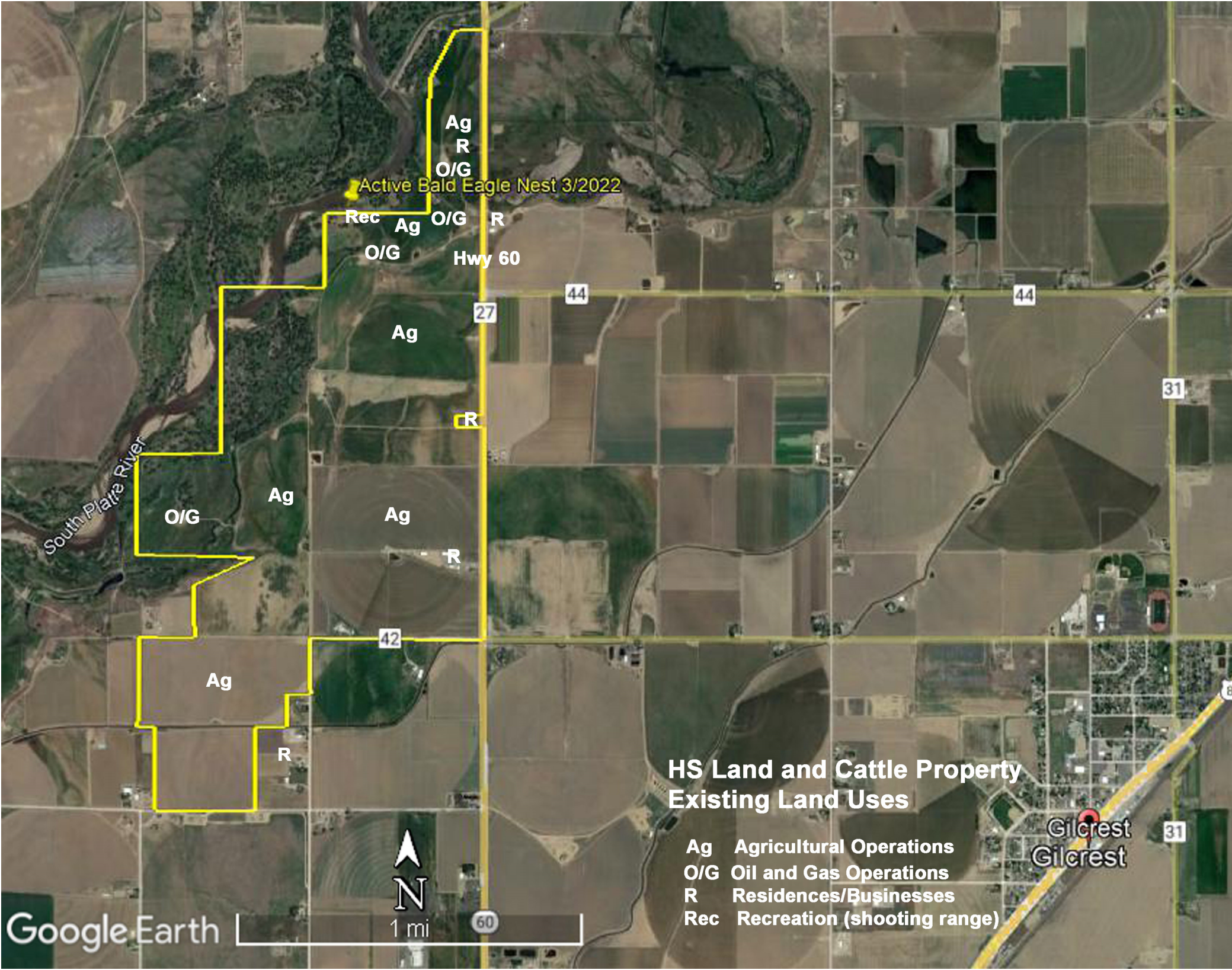
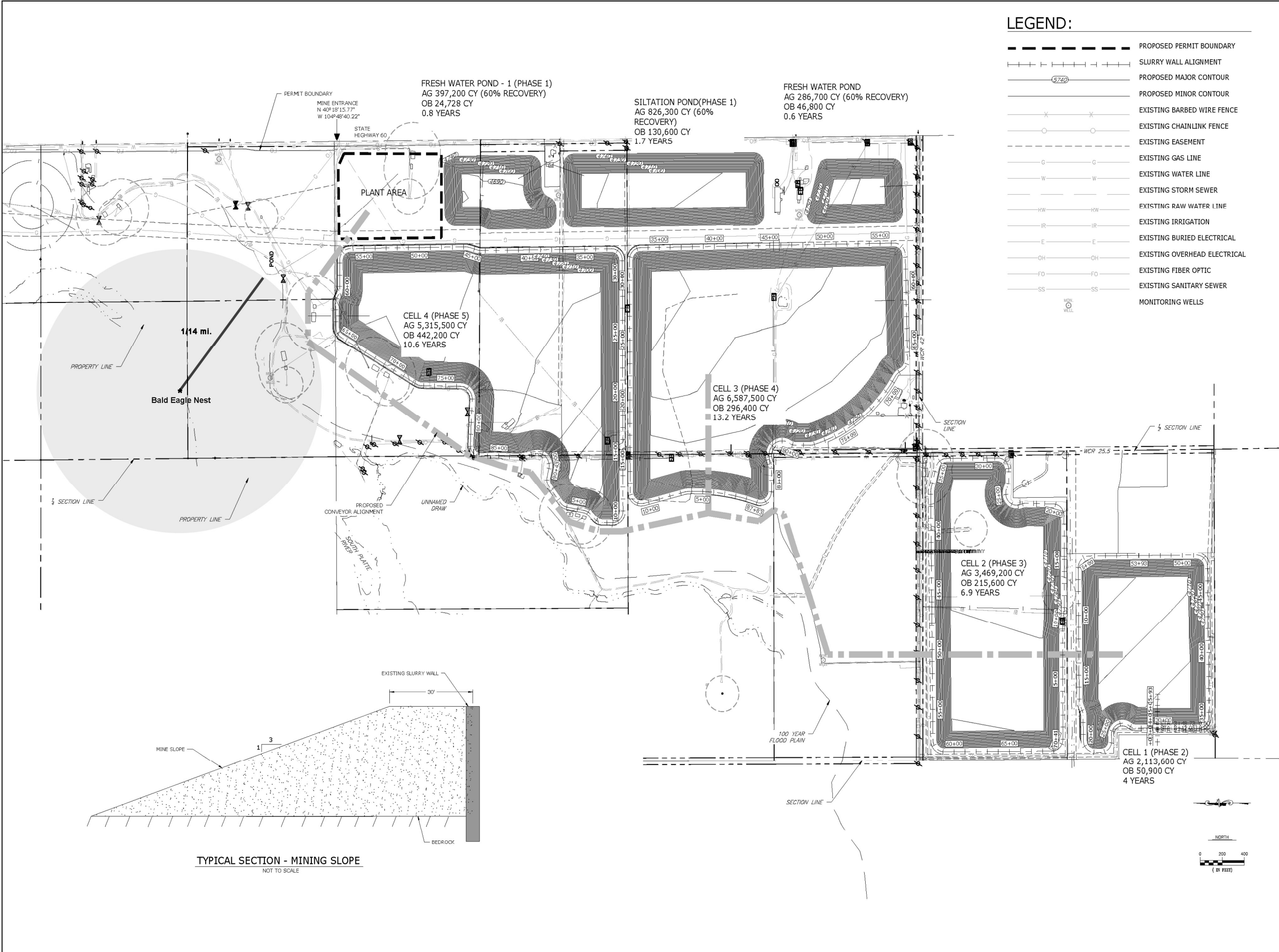


Exhibit A. HS Land and Cattle Property Location and Existing Land Uses





LEGEND:

- PROPOSED PERMIT BOUNDARY
- SLURRY WALL ALIGNMENT
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- EXISTING BARBED WIRE FENCE
- EXISTING CHAINLINK FENCE
- EXISTING EASEMENT
- EXISTING GAS LINE
- EXISTING WATER LINE
- EXISTING STORM SEWER
- EXISTING RAW WATER LINE
- EXISTING IRRIGATION
- EXISTING BURIED ELECTRICAL
- EXISTING OVERHEAD ELECTRICAL
- EXISTING FIBER OPTIC
- EXISTING SANITARY SEWER
- MONITORING WELLS



8308 COLORADO BLVD  
SUITE 200  
FIRESTONE, CO 80504  
303.833.1416  
WWW.CIVILRESOURCES.COM



MONARCH MOUNTAINS M&A  
5 CONCOURSE PKWY, SUITE 1900  
ATLANTA, GA 30328  
720.289-5584 (p)  
ERIC LEIGH

MONARCH-DENM GRAVEL MINE  
DRMS 112 PERMIT APPLICATION  
GILCREST, COLORADO

REVISIONS		
NO.	DESCRIPTION	DATE

DESIGNED BY: BLH DATE: 2/23/2022  
DRAWN BY: KR SCALE: AS NOTED  
CHECKED BY: BLH AS NOTED  
JOB NO.:  
DWG NAME: EX-C5-MINE PLAN AND REC PLAN

MINING PLAN  
MAP

SHEET:  
C-5





**Exhibit C. Bald Eagle Nest View from NW Property Boundary (February 15, 2022)**





**Exhibit D. Bald Eagle Nest and Attending Eagle (March 22, 2022)**