



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

September 6, 2022

Jim Doody  
Grand Junction Pipe & Supply Co.  
556 Struthers Avenue  
Grand Junction, CO 81501

**Re: Delta Paving Gravel Pit, File No. M-1998-105,  
Amendment Application (AM-01) – Comments from CPW**

Mr. Doody:

The Division of Reclamation, Mining and Safety (DRMS) received the enclosed comment letter from the Colorado Parks and Wildlife (CPW) service center in Montrose. Although this letter was not received with 20 days of the last publication related to your AM-01 application (and thus is an untimely comment letter), DRMS encourages you to read this letter and incorporate the suggestions from CPW into your mining and reclamation plans to the best of your ability.

If you have any questions, please contact me at [rob.zuber@state.co.us](mailto:rob.zuber@state.co.us) or (720) 601-2276.

Sincerely,

Robert D. Zuber  
Environmental Protection Specialist

Enclosure

Copied via e-mail: Michael Cunningham, DRMS  
Ben Langenfeld, Lewicki & Associates





# COLORADO

## Parks and Wildlife

Department of Natural Resources

Montrose Service Center  
2300 South Townsend Avenue  
Montrose, Colorado 81401  
P 970.252.6000 | F 970.252.6053

Rob Zuber  
Department of Mining and Safety  
1313 Sherman Street, Room 215  
Denver, Colorado.  
Re: Delta Paving Gravel Pit - File No.M-1998-105

September 6, 2022

Dear Mr. Zuber,

Thank you for the opportunity to comment on the Delta Paving Gravel Pit proposal in Delta County. Colorado Parks and Wildlife (CPW) has a statutory responsibility to manage all wildlife species in Colorado; this responsibility is embraced and fulfilled through CPW's mission to protect, preserve, enhance, and manage the wildlife of Colorado for the use, benefit, and enjoyment of the people of the State and its visitors. CPW encourages Grand Junction Pipe and Supply (the applicant) and DRMS to afford the highest protection for Colorado's wildlife species and habitats.

The property is an 80 acre parcel consisting of a mixture of irrigated agricultural fields and riparian habitats along the Gunnison River. The riparian habitats consist of cottonwood trees, Russian olives, tamarisk, willows, grasses, and more. The project seeks to add 63.4 acres to the permit area and revises the mining and reclamation plans. This project is an addition of permitted acreage to an existing operating gravel pit.

CPW has reviewed the proposal and would like to offer the following comments on potential impacts to wildlife:

### **Avian Species:**

Riparian habitats such as this hold a variety of species which include raptors, song birds, and waterfowl. Colorado Parks and Wildlife recommends that brush and trees not be cleared during the nesting period of song birds and raptors. This can be accomplished by not clearing brush during the months of March 1 through July 1. If riparian vegetation needs to be removed, CPW recommends that the operator conduct surveys to reduce the chance of "take" of a state and/or federally protected species. The Migratory Bird Treaty Act defines "take" as killing, capturing, selling, trading, and transport of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service. Please note that instituting these recommendations and surveys does not absolve the operator of liability under the Migratory Bird Treaty Act with the Federal Government, it is only intended as an aid to avoid disturbing nesting migratory birds.



**Aquatic Species:**

Based upon the application, it is our understanding that the gravel pit expansion will not extend to the river. To protect river health, CPW recommends that all environmental protection measures and best management practices to avoid erosion, sedimentation, and spills are adhered to as required by the permitting agencies in order to protect the Gunnison River, which is a CPW mapped High Priority Habitat (HPH) as Aquatic Native Species Conservation Waters.

**Big Game:**

The proposed project area is within a CPW mapped HPH Mule Deer Winter Concentration Area. In order to minimize disturbance and maintain habitat connectivity for wintering mule deer, CPW recommends that riparian corridor be left undisturbed along the Gunnison River to facilitate movement and provide forage during the winter months.

**Non-native/Invasive Weeds:**

Additionally, CPW recommends constant management of noxious weeds for the life of the project to reduce the spread of weeds which outcompete native vegetation. Reclamation work should be done using native and drought tolerant seed mixes and should also be managed to reduce noxious weeds.

CPW appreciates the opportunity to be actively involved throughout this planning process, and would be happy to discuss wildlife issues with the Delta Paving Gravel Pit. If you have any questions, please contact me at (970) 209-2370 or by email at [stuart.sinclair@state.co.us](mailto:stuart.sinclair@state.co.us).

Sincerely,

A handwritten signature in black ink, appearing to read 'Stuart Sinclair', with a stylized flourish at the end.

Stuart Sinclair

District Wildlife Manager