



COLORADO

Parks and Wildlife

Department of Natural Resources
Fort Collins Service Center- Area 4
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Fort Collins, CO 80525
P 970.472.4300

February 7, 2023

Mr. Peter Hayes
Minerals Specialist
Colorado Division of Reclamation, Mining & Safety
peter.hays@state.co.us

RE: CPW's Comments on the Sunset Industrial Pit (M-2023-001)

Dear Mr. Hayes:

Thank you for the opportunity for Colorado Parks and Wildlife (CPW) to comment on the proposed Sunset Industrial Pit project. It is our understanding that the proposed mining operating will take place at or near Section 3, Township 5N, Range 65W in Weld County, just east of the Greeley city limits. It is also our understanding that the property will be mined in 2 pits and later reclaimed as a water storage reservoir, with a total finished footprint of approximately 54 surface acres.

The mission of 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, and to promote a variety of recreational opportunities throughout Colorado. The protection of wildlife habitats, wildlife, and access to hunting recreation are of extreme importance to CPW. CPW recommends that all proposed projects be assessed to avoid, minimize, or mitigate impacts to sensitive wildlife habitats and species. That includes species of concern, big game winter concentration areas, breeding and nesting habitats for sensitive ground-nesting birds, and nests of raptors sensitive to development to prevent the loss of habitat or fragmentation of habitat. One way we achieve this goal is by responding to referral comment requests, as is the case for this project.



Once again, thank you for the opportunity to comment on this project and as such CPW has the following concerns/ recommendations for the project:

1. Wildlife Conflict and Collisions with Adjacent Properties

Please refer to CPW's Living with Wildlife-Canada Goose¹

Weld County and the Cache la Poudre River are important migration corridors for migratory birds, such as Canada Geese, Mallards, Sandhill Cranes, Bald Eagles, and a variety of other species. During the spring and fall migration, large flocks of waterfowl migrate throughout Weld County, frequently stopping at open fields and reservoirs to rest for the physically demanding conditions and distances they fly.

It is common behavior for migrating avian species to stop at productive agriculture fields and open bodies of water, where predators are relatively scarce, and crucial habitat is available for resting. Many migratory birds, especially Ducks and Geese, require open bodies of water during all stages of their life cycles.

By creating open bodies of water, waterfowl will be attracted year-round to this site to rest, rear young, and forage on available vegetation within the body of water and immediate surrounding area. While providing resting and feeding grounds to wildlife is important for conservation, placing an open water pit directly next to a municipal airport may increase collisions with landing aircraft, placing pilots and the airport in danger.

CPW recommends that landscape modifications and/or exclusions and barriers be put in place to discourage Canada Geese and other waterfowl species from selecting this site. Where possible, CPW recommends creating barriers on the shorelines (such as introducing hedges or fencing) to create a physical and visual barrier between the proposed water reservoir and the shoreline. By dissuading waterfowl from utilizing the banks of the water storage facility, waterfowl may avoid selecting the site, thereby decreasing the likelihood of collisions.

Keeping in mind that creating natural vegetation takes time, it is advisable that temporary fencing be erected. If fencing is created, the fencing should be at least two (2) feet high and with openings no larger than three by three (3x3) inches.

No singular method to discourage waterfowl will prevent habitat selection by determined wildlife. Utilizing multiple methods, such as hazing with noisemakers, scare tape, and/or trained dogs in conjunction with landscape modifications may discourage waterfowl and other migratory birds from selecting open water, but these efforts must be done consistently and preferably each time Canada Geese and other species arrive on site.

2. Bald Eagle Roosting Area

Please refer to CPW's Recommended Buffer Zones and Seasonal Restrictions.²

Within the proposed mining project, there is overlap with Bald Eagle roosting habitat, a high priority habitat identified by CPW.

Due to the unique development landscape, and due to the high density of structures within the immediate roost site buffer, CPW recommends that no permitted or authorized human activities occur between November 15th to March 15th within one quarter mile, if line of site is present; or within 660 feet if the winter roost has no line of site.

CPW also highly recommends pre-construction surveys to assess for other raptor species and nesting activity before construction begins.

If the timing or scope of this project changes and/or if you have any questions, please contact District Wildlife Manager Jackson Davis at 970-342-0461 or jackson.davis@comcast.net

Sincerely,



Jason Surface
Area Wildlife Manager
Area 4- Fort Collins

Cc: Jackson Davis, Mike Sherman, Angelique Curtis

⁽¹⁾ <https://cpw.state.co.us/learn/Pages/LivingwithWildlifeGoose.aspx>

⁽²⁾ <https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/Raptor-Buffer-Guidelines.pdf>