



STATE OF
COLORADO

Ebert - DNR, Jared <jared.ebert@state.co.us>

Fwd: FW: [EXTERNAL] Section 7 Consultation

Reilley - DNR, Robin <robin.reilley@state.co.us>

Fri, Apr 14, 2023 at 8:36 AM

To: "Ebert - DNR, Jared" <jared.ebert@state.co.us>, Robin Reilley - DNR <robin.reilley@state.co.us>

The USFWS concurrence.

Robin Reilley, M.S. GISP
Environmental Protection Specialist II



COLORADO
Division of Reclamation,
Mining and Safety
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----- Forwarded message -----

From: Ireland, Terry <terry_ireland@fws.gov>

Date: Thu, Apr 13, 2023 at 5:47 PM

Subject: RE: FW: [EXTERNAL] Section 7 Consultation

To: Reilley - DNR, Robin <robin.reilley@state.co.us>

Cc: Clayton, Creed <creed_clayton@fws.gov>

Hi Robin,

Thank you for the conversation an hour ago regarding the Trapper Mine PR-11 project. I am responding to this email chain Creed forwarded me to show the communication exchange you two have had since November (Creed also forwarded me the attachments in separate emails). The project is proposed to mine an area that had previously been mined and reclaimed. Considering the average annual water depletion will remain below the 160.1 acre-foot cap previously consulted on for impacts to federally listed fishes and their critical habitat, and the project will not occur in other federally listed species habitat, the Service has no concerns with this project proceeding. We look forward to further discussions with you on specific consultation procedures under the "new" 2020 Programmatic Biological Opinion and Conference Opinion, and the Addendum to the Opinion, as discussed on our call.

From: Clayton, Creed <creed_clayton@fws.gov>

Sent: Thursday, April 13, 2023 3:56 PM

To: Ireland, Terry <terry_ireland@fws.gov>

Subject: FW: FW: [EXTERNAL] Section 7 Consultation

From: Reilley - DNR, Robin <robin.reilley@state.co.us>
Sent: Friday, April 7, 2023 2:56 PM
To: Clayton, Creed <creed_clayton@fws.gov>; Robin Reilley - DNR <robin.reilley@state.co.us>
Cc: Broderdorp, Kurt <kurt_broderdorp@fws.gov>
Subject: Re: FW: [EXTERNAL] Section 7 Consultation

Hello Creed,

I apologize for the delayed response, after some back and forth with Trapper Mine, we have found that there will not be water depletions above the 160.1 acre-foot projection with the proposed operation plan for PR-11. They are projecting a 143.5 acre-foot depletion.

We have obtained a species list as you have recommended for the project area. Upon review of that list and the PR-11 revision, we believe that Trapper Mining, Inc. has addressed the protection of fish and wildlife and they have adequately taken into consideration the existence of endangered or threatened species. Further, the proposed PR-11 project was reviewed by Colorado Park and Wildlife (CPW), they did not raise any objections or concerns regarding threatened or endangered species. Further, CPW indicated that through their partnership with Trapper Mine, they are able to avoid, minimize, and mitigate adverse impacts on sensitive species within the Project area.

Again, I apologize for the delayed response, there is some urgency here. DRMS is required to issue a decision on the PR-11 application by Friday April 14, 2023. Could you please let me know at your earliest convenience, if there is anything else you need from us, or if you have any concerns ?

Thank you,

Robin Reilley, M.S. GISP

Environmental Protection Specialist II



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