

STATE OF  
COLORADO

Ridley - DNR, Hunter &lt;hunter.ridley@state.co.us&gt;

---

**USFWS recommendations for Tallahassee Uranium Mining Concerns**

---

**Roni Reisenburg** <reisenburg@yahoo.com>

Wed, Jan 17, 2024 at 9:57 AM

To: Dan Victoria <dan.victoria@fremontco.com>, "dwayne.mcfall@fremontco.com" <dwayne.mcfall@fremontco.com>, michaela.cunningham@state.co.us, tim.cazier@state.co.us, hunter.ridley@state.co.us  
Cc: liza.rossi@state.co.us, Bob Carochi <bob.carochi@state.co.us>, Julie Reeves <julie\_reeves@fws.gov>, "cassidy.english@state.co.us" <cassidy.english@state.co.us>, "karen.voltura@state.co.us" <karen.voltura@state.co.us>

All,

Please accept the USFWS letter to the NOI and CUP Tallahassee LLC permits application file for Okapi Global Uranium and Enrichment Ltd project at South T Bar Ranch.

Would both agencies confirm the USFWS 2024 and CWP 2023 letters have been received for the permit applications. I would also appreciate confirmation that the letters have been proved with dates to Tallahassee LLC applicant.

Thank you for your attention to this time sensitive matter.

Roni Reisenburg  
303-981-6213

[On Tuesday, January 16, 2024, 2:10 PM, ColoradoES, FW6 <ColoradoES@fws.gov> wrote:](#)

Dear Ms. Reisenburg,

Thank you so much for reaching out to the U.S. Fish and Wildlife Service (Service) Colorado Ecological Services Field Office regarding your concerns with the proposed and ongoing Okapi Resources Tallahassee Uranium Mining project (Project) around your land near Canon City, Colorado in Fremont County. The .zip folder contains all of the information you shared with us in helping provide these recommendations. We understand there is an appeal hearing tomorrow at 10 am with the State Division of Reclamation, Mining and Safety for their conditional use permit for the Project.

You have requested information regarding species listed under the Endangered Species Act of 1973, as amended (ESA), 16 U.S.C. 1531 et seq. In response to your request, the U.S. Fish and Wildlife Service (Service) is providing recommendations for protective measures for threatened and endangered species in accordance with the ESA. We are also providing recommendations concerning migratory birds in accordance with the Migratory Bird Treaty Act (MBTA), 16 U.S.C. 703, and the Bald and Golden Eagle Protection Act (Eagle Act), 16 U.S.C. 668. Wetlands are afforded protection under Executive Orders 11990 (wetland protection) and 11988 (floodplain management), as well as section 404 of the Clean Water Act. Other fish and wildlife resources are considered under the Fish and Wildlife Coordination Act, as amended, 16 U.S.C. 661 et seq., and the Fish and Wildlife Act of 1956, as amended, 16 U.S.C. 742a-742j.

First, the Service has no record of the Project in our searchable files, and so it does not appear that Okapi Resources contacted the Service for guidance regarding potential impacts of this Project on federally listed species under the ESA, bald and golden eagles protected under the Eagle Act, or migratory birds under the MBTA. The Service recommends that the Project developer review the Project in our Information for Planning and Consultation website (<https://ipac.ecosphere.fws.gov/>) to determine which species may be present within the Project's action area (which includes not just the footprint of disturbance but also the area where indirect or downstream effects may be observed). At a minimum, we recommend the Project developer assess the Project for potential effects to the Mexican spotted owl, a federally threatened bat that occupies the cliffs and canyons of this area.

Further, you mentioned eagle use of the area, though you do not know if a nest may be active within vicinity of the Project area. If an eagle pair is nesting within the Project area, the [recommended buffer zones and seasonal restrictions described on CPW's website](#) should be implemented. Finally, if the Project is deemed to have no effect to any federally protected species, Okapi Resources may document that in their files, and provide that rationale, if requested.

Further, the Service appreciated that you included the letter from Colorado Parks and Wildlife (CPW) dated August 14, 2023, sent to the Planning and Zoning Department of Fremont County. The Service fully agrees with CPW's recommendations to avoid, minimize, and mitigate for impacts that the Project causes to fish, wildlife, and plants.

ECOSphere project number: 2024-0036873

Please feel free to contact me if you have further questions regarding this Project.

Thank you,  
Julie Reeves, Grasslands Biologist  
*for*

---

U.S. Fish and Wildlife Service  
Colorado Ecological Services Field Office  
[134 Union Blvd.](#)  
[Lakewood, CO 80228](#)