



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

April 29, 2024

Timothy Brown  
Tallahassee Resources LLC  
P.O. Box 776  
South Fork, CO 81154

Re: Tallahassee Resources Exploration, Notice of Intent (NOI) P-2023-015; Receipt of Colorado Parks and Wildlife (CPW) Recommendation Letter

Mr. Brown,

On April 25, 2024, the Division received a copy of the following attached letter from Colorado Parks and Wildlife (CPW), dated August 14, 2023 and addressed to the Fremont County Planning and Zoning Department. The Division was not in possession of this letter prior to the formal board hearing on January 17, 2024, wherein the permit for the Tallahassee Resources Exploration Notice of Intent (NOI) was approved by the Mined Land Reclamation Board (MLRB). Please clarify for the Division when the following letter was received by Tallahassee Resources LLC (Tallahassee) and how Tallahassee plans to address these recommendations while remaining in compliance with the permit terms approved under the Division's NOI permit.

It is the Division's understanding that drilling activities are scheduled to begin May 7, 2024. Please provide the Division with a response to the above letter prior to this date.

If you have any questions, please contact me by email at [hunter.ridley@state.co.us](mailto:hunter.ridley@state.co.us) or by phone at (720)868-7757.

Sincerely,  
Hunter C. Ridley

Environmental Protection Specialist

CC: Zach Trujillo, DRMS





## COLORADO

### Parks and Wildlife

Department of Natural Resources

Area 13- Southeast Region  
7405 HWY 50  
Salida, CO 81201  
P 719.227.5200 | F 719.227.5264

Fremont County

AUG 21 2023

Planning & Zoning

August 14, 2023

Joanne Kohl  
Planning and Zoning Department  
615 Macon Avenue Room 210  
Canon City, CO 81212

Subject: CUP 23-001 Tallahassee Resources Exploration Project

Dear Joanne Kohl,

Colorado Parks and Wildlife (CPW) received a request for comment from the Fremont County Preliminary Plan Group for a potential uranium mining lease for Fremont County, located in Sections 21,22,26,27,28 Township 17S Range 73W. CPW staff is familiar with the location of the project as well as the area surrounding the site. It is CPW's understanding that the initial request is for potential impacts for exploratory work at the site with the potential to pursue a larger mining project on these sections. CPW comments will address potential impacts to wildlife and habitat within the identified project area.

CPW has a statutory responsibility to manage all wildlife species in Colorado; as such we encourage protection for Colorado's wildlife species and habitats through responsible energy development and land use planning. Protection of core wildlife areas, quality fisheries and habitat, big game winter range and seasonal migration corridors, and raptor nesting locations are of extreme importance. 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 as well as Federal and/or State listed species, big game wildlife (migration corridors, winter range, and parturition areas), breeding and nesting habitats for sensitive ground-nesting birds, and nests of raptors sensitive to development in order to prevent loss of habitat or fragmentation of habitat. US Fish and Wildlife Service should be consulted on any Federally-listed Endangered and Threatened Species that might be present at the location.

While there is no mining plan available at this time, the initial proposed activity as described to CPW is an exploratory phase with test holes dug or drilled to determine the viability of a full mining operation in the area. This activity would have some impact on wildlife in the area as it would increase human activity, traffic and presence in the area. The area of the proposed work is in Winter Range and Production areas for elk and as well Winter Range for pronghorn and mule deer. The wildlife life impacts of the exploratory phase could be minimized by applying seasonal timing limitations on mining activity at the site, limiting total

Jeff Davis, Director, Colorado Parks and Wildlife  
Parks and Wildlife Commission: Dallas May, Chair • Richard Reading, Vice-Chair • Karen Bailey, Secretary • Jessica Beaulieu  
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Home



ground disturbance at any point in time, and requiring the initiation of reclamation of disturbance before the winter season begins for wildlife.

If testing shows material present to support an operational mine, the impacts of that development would be anticipated to have very significant impacts at this location. There would be increased habitat fragmentation from new roads and infrastructure and elimination of use of the location by wildlife. In addition to direct habitat impacts, mining would have significant noise impacts during operations that would be of concern to CPW. There is always some disturbance from any infrastructure development but with large mining operations you cannot minimize those impacts to wildlife by the usual means of low density of infrastructure or seasonal limits on activity. Any proposed chemical processing on site would also significantly increase the impacts of a full scale mining operation and would be of significant concern for CPW regarding wildlife health and fatality risk in the area. If a full scale uranium mining operation is proposed for this site in the future, CPW requests the opportunity for additional review of a larger site development project and the potential impacts to wildlife.

#### **Impacts to Wildlife Resources:**

**Big Game Winter Habitat:** The proposed mining project is an important winter range and production areas for elk and important winter range for pronghorn and mule deer. CPW has documented high deer and elk use in area during the winter months as snow accumulates at higher elevations and animals move into the area. Habitat for big game winter range and are both a federal and state priority and supported by Federal Secretarial Order (SO) 3362 Improving Habitat Quality in Western Big-Game Winter Range and Migration (2018) and Executive Order D 2019 011 from Colorado Governor Jared Polis Conserving Colorado's Big Game Winter Range and Migration Corridors (2019).

In assessing potential impacts to wildlife, CPW considers potential negative impacts on big game species through direct habitat loss and fragmentation as well as the impacts from the displacement of big game during parturition and winter and the functional habitat loss associated with increased human activity in these habitats. Mule deer and elk typically display high site fidelity to winter range; however, recent studies have shown that deer avoid areas near construction activities and may be displaced or shift their distribution on winter range in response to development activities (Hebblewhite 2008, Sawyer 2009). Crucial winter habitats and migratory corridors are known to be a limiting factor on big game populations in western Colorado and other high mountain areas of the western United States (Sawyer et al. 2009, Bishop et al. 2009, Bartman et al. 1992). Disturbance to big game in the winter can lead to poor body condition, shift distributions to suboptimal habitat types, reduce the likelihood of over winter survival of adults, and/or result in a decrease neo-natal survival rates (Ciuti et al 2012).

**Impacts to Aquatic Species:** The proposed exploration site has several riparian areas, which includes mapped Sportfish management waters. Riparian areas are extremely valuable to wildlife, as they provide both permanent habitat and migration corridors, allowing movement from one area to another. The riparian vegetation along North Tallahassee consists of a few



deciduous shrubs and woodland over story comprised of mountain boxelder, locust, willow and cottonwood. CPW recommends following best management practices (BMP's) for working in riparian areas.

#### **Impact Avoidance, Minimization, and Mitigation Recommendations:**

A comprehensive planning process for both the initial exploratory work and any subsequent development plan to include reclamation of temporary impacts would be important to minimize habitat fragmentation and disturbance from increased traffic, noise, and infrastructure associated with the development. Recommendations to avoid, minimize, and mitigate potential project impacts to wildlife of the proposed project and associated activities at the site would depend on the site specific development plans for the site which are undetermined at this time. CPW would appreciate the opportunity to work with Tallahassee LLC Minerals and the operator if the project goes forward and requests the opportunity to review plans in detail when they are available. CPW does recommend any development plans consider the following:

- Avoid construction/extraction activities between November 1 and April 30 in order to minimize displacement of wintering pronghorn, mule deer and elk from the project area. For the exploratory phase of the project, CPW recommends all work be completed outside the winter season.
- Avoid construction/extraction activities between May 15 and June 30 in order to minimize displacement of elk in their production area. For the exploratory phase of the project, CPW recommends all work be completed outside of the parturition season.
- If adherence to the production and winter range timing limitation or density recommendations is not possible, CPW recommends compensatory mitigation in the form of off-site habitat enhancements or protections to mitigate the direct habitat loss and the functional habitat loss for big game species displaced from the project area. CPW is happy to assist in the identification of potential treatment areas and enhancement options.
- In waters designated as sportfish management waters, CPW recommends no surface occupancy within 500 feet of the ordinary high watermark.
- CPW recommends development and reclamation plans that minimize the amount of surface disturbed at any one time and a reclamation plan that reclaims temporary disturbance areas as work is completed for timely restoration of habitat available for wildlife. CPW would be happy to work with Tallahassee LLC Minerals for on site-specific reclamation plans.

#### **Raptors and Migratory Birds:**

There is suitable habitat for nesting raptors and migratory birds on the proposed lease site.



Consultation with USFWS is recommended to ensure compliance with the Migratory Bird Treaty Act and the Bald and Golden Eagle Act. To avoid impacts to the nesting efforts of migratory birds CPW recommends any proposed development or exploration of the site focus, seismic work, construction, and vegetation clearing activities outside of the breeding season (March 15th -August 31st).

If construction must occur during the breeding season, surveys for active nests should be conducted prior to groundbreaking. All migratory birds are protected under the Migratory Bird Treaty Act and removal or disturbance of any migratory bird nest would require consultation with CPW and USFWS prior to disturbance. CPW also recommends the use of preconstruction surveys to identify raptor nests within the project area and the implementation of appropriate restrictions. CPW recommends adherence to the recommended buffer distances and timing stipulations identified in the CPW document "Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors" available on the CPW website.

#### Weed Control:

CPW has reviewed the Integrated Weed Management Plan (IWM) and has the following comments. Non-native weed species have become established on many disturbed soils throughout the Tallahassee Creek area. The disturbance of soil, particularly along riparian corridors, increases the chance of non-native weed invasion. The invasion of non-native weeds reduces the density of native vegetation and lessens the habitat values for native wildlife species. The continual control and removal of non-native weeds on the disturbed/rehabilitated sites of this project will help restore native vegetation that is valuable to wildlife.

#### Roads:

CPW notes and supports that minimal new roads are proposed with this new development. Minimizing the number of roads will benefit wildlife, as building of multiple roads in an area increases fragmentation of habitat, inhibits the natural movement of wildlife across the landscape, increases road-kill mortality, and broadens the opportunity for poaching. Minimizing roads and road use will also decrease fugitive dust, which can become severe during dry summer months. CPW recommends that Tallahassee LLC Minerals strictly enforce speed limits on new and existing roads, and employ dust control measures as needed.

#### Bears:

The proposed exploration area lies within year-round black bear habitat. Increased human use of the proposed development area may increase the potential for conflicts with black bears during the summer and early fall, particularly during years of drought. The potential for human/bear conflicts within this project area would be greatly reduced by placing and utilizing "bear proof" trash containers at work-site/camping locations. These trash containers should be emptied weekly at a minimum. CPW has information on the design and purchase of "bear proof" trash containers, and, will provide this information to anyone who is interested in preventing conflicts with bears.

Colorado Parks and Wildlife recommends that employees be required to comply with "bear aware" policies regarding food, trash, BBQ grills, and birdfeeders; and educated on what to do if they encounter a bear. CPW would gladly offer specific on-site recommendations to



minimize human-bear conflict, and provide bear education seminars for contractors and/or employees.

Workers affiliated with this project should be advised not to feed bears, whether intentional or not, since this activity is detrimental to black bears, and is a violation of Colorado Wildlife Commission Regulation (WCR) #021(D). WCR #021(D) states, it is unlawful for any person to fail to take remedial action to avoid conflict with black bears after being notified by CPW that black bears are in the area. Colorado Parks and Wildlife recommends Tallahassee LLC Minerals employees and subcontractors be advised of this regulation (WCR #021(D)). CPW also recommends workers affiliated with this project be notified that failure to comply with the regulation will result in the issuance of a citation by Colorado Parks and Wildlife.

**Poaching:**

Multiple species of wildlife that inhabit the area surrounding the proposed facility including elk, mule deer, pronghorn, black bear, mountain lion, and wild turkey, may be extremely vulnerable to illegal hunting during various times of the year. Wildlife species often concentrate near roads and riparian areas, particularly during the winter months when deep snow forces them to lower elevations. Wildlife along roadside habitats may become highly visible during certain times of the year and become easy targets for poaching. If a poaching incident occurs, representatives of Tallahassee LLC Minerals should immediately call the District Wildlife Manager (via the Colorado State Patrol at 719-544-2424, if after normal business hours) or Operation Game Thief (OGT) at 1-877-265-6648. Tallahassee LLC Minerals should educate workers about poaching and encourage reporting of such incidents to Operation Game Thief.

Thank for your consideration and review of our suggestions concerning this proposal. Please feel free to contact, District Wildlife Manager, Bob Carochi, should you have any questions or require additional information at 719-276-8844, or via email at cassidy.english@state.co.us.

Sincerely,



Sean Shepherd  
Area Wildlife Manager-Area 13 Salida

CC: SE regional files

Area 13 files

**LITERATURE CITED**

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Fish, Wildlife and Parks, Miles City, MT. 125 pp.

Sawyer, H., Kauffman M.J., and R.M. Nielson. 2009. Influence of well pad activity on winter habitat selection patterns of mule deer. *Journal of Wildlife Management* 73:1052-1061.