



# COLORADO

## Parks and Wildlife

Department of Natural Resources

Northeast Regional Office

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June 18, 2018

Mr. Peter Hays  
Minerals Specialist  
Colorado Division of Reclamation, Mining & Safety  
[peter.hays@state.co.us](mailto:peter.hays@state.co.us)

RE: CPW's Comments on the Douglas Mountain Gravel Mine (T3S, R74W, Sec. 27-28), Town of Empire, Clear Creek County, CO (DRMS File No. M-2018-016)

Dear Peter,

Thank you for the opportunity for Colorado Parks and Wildlife (CPW) to comment on the proposed Douglas Mountain Mine project. It is our understanding that this 91.6-acre gravel mine is located between Douglas Mountain and the West Fork of Clear Creek, and could last up to 25 years.

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. One way we achieve this goal is by responding to referral comment requests, as is the case for this project.

CPW appreciates that the early consultation because upon review of the proposed referral request and an internal review of this parcel, CPW has three biological concerns regarding this project:

1. CPW is concerned about the bighorn sheep herd in the immediate vicinity of this proposed mine and likely truck routes. This herd is one of Colorado's primary (Tier 1) bighorn herds, and also one of the most visible herds in the state. Therefore, CPW believes that this project would have significant impacts on the migration, lambing, and wintering habitats of this local bighorn sheep herd unless the operator has extensive avoidance, minimization and mitigation measures. Before DRMS decides on this application, CPW requests a meeting with DRMS and the operator to hear the



bighorn best management practices (BMPs) they propose. Then CPW requests that the discussed and agreed upon BMPs become conditions of approval for this application.

2. Active Peregrine Falcon nest buffer is located in the E2SE 1/4 of Section 28. Therefore, if this mine proposes to start construction during their breeding season (March 15 to July 31), then CPW recommends that the operator contact us for a discussion on avoidance, minimization, and mitigation measures.
3. Elk winter range at the proposed mine location. Therefore, if this mine proposes to start construction from December 1 through April 15, then CPW recommends that the operator contact us for a discussion on avoidance, minimization, and mitigation measures.

Note, more extensive species-specific BMPs are located in Appendix A.

Furthermore, CPW appreciates the measures taken to protect surface and groundwater in the vicinity, and does not foresee any aquatic concerns.

If the timing or scope of this project changes and/or if you have any questions, please contact Joe Walter, District Wildlife Manager for this area at 303-291-7123 or [joseph.walter@state.co.us](mailto:joseph.walter@state.co.us).

Finally, please continue to reach out to us for comment on future applications, as we strive for responsible land development while protecting sensitive species and their habitats.

Sincerely,



Mark Lamb  
Area 1 Wildlife Manager

cc: Joe Walter, District Wildlife Manager (Idaho Springs)  
Ben Kraft, Wildlife Biologist  
Lance Carpenter, Wildlife Biologist  
Paul Winkle, Aquatic Biologist (Clear Creek)  
Jeff Spohn, Northeast Senior Aquatic Biologist  
Janet George, Northeast Senior Wildlife Biologist  
Brandon Marette, Northeast Region Energy Liaison and Land Use Coordinator  
Tom Kroening, Northeast Deputy Regional Manager  
Mark Leslie, Northeast Regional Manager

## APPENDIX A - SPECIES-SPECIFIC BMPs

### BIGHORN SHEEP migration, lambing and wintering habitat BMPs:

Avoid new disturbances and minimize the truck traffic and low elevation helicopter overflights to the extent practicable in lambing (production) habitats from April 15 through June 30, and winter habitats from November 1 through April 15. Operator agrees to avoid using domestic sheep or goats to manage vegetation within the project site, but instead using mechanical, chemical, or other biological methods. The operator agrees to reclaim bighorn sheep habitats with CPW-identified native shrubs, grasses and forbs appropriate to the ecological site disturbed.

### PEREGRINE FALCON nest site BMPs:

No surface occupancy (beyond that which historically occurred in the area) within ½ mile radius of active nests. Seasonal restriction to human encroachment within ½ mile of the nest cliff(s) from March 15 to July 31. Due to the propensity to relocate nest sites, sometimes up to ½ mile along cliff faces, it is more appropriate to designate 'Nesting Areas' that encompass the cliff system and a ½ mile buffer around the cliff complex.

### ELK winter range BMPs:

Avoid new disturbances within elk winter range from December 1 through April 15. If work occurs during this time frame, then discuss the number of daily trips per day and restrict trips between 10:00 a.m. and 3:00 p.m. during that winter time frame. The operator agrees to preclude the use of aggressive CPW-identified non-native grasses and shrubs in winter range. The operator agrees to reclaim elk winter range with CPW-identified native shrubs, grasses and forbs appropriate to the ecological site disturbed.