

December 20, 2017

Colorado Department of Natural Resources
Division of Reclamation and Mining Safety
Attn: Amy Eschberger, Minerals
1313 Sherman Street, Room 215
Denver, CO 80203

Via electronically: amy.eschberger@state.co.us

RE: Proposed Hitch Rack Ranch Quarry – Permit # M2017-049

Dear Ms. Eschberger:

Audubon Rockies is a regional office of The National Audubon Society, where we work to protect birds and the place they need. Our work, at Audubon Rockies, is focused primarily in Wyoming and Colorado - where our staff are engaged in a variety of activities, including education, habitat conservation and public policy. For more than a century, Audubon has built a legacy of conservation success by mobilizing the strength of its more than one million members, network of Chapters, Audubon Centers, state offices and dedicated professional staff to connect people with nature and the power to protect it.

Audubon appreciates the opportunity to comment on the proposed quarry at Hitch Rack Ranch (#M2017-049), located in southwestern El Paso County. **Audubon Rockies is opposed to the proposed quarry because of the impacts associated with this development to the area's unique and vulnerable wildlife resources.**

I. ADJACENT TO AIKEN CANYON PRESERVE – AN ECOLOGICALLY IMPORTANT & SENSITIVE AREA (DESIGNATED IMPORTANT BIRD AREA)

Throughout the Americas many bird populations are experiencing significant declines. Declining birds face an array of challenges, but most concerning are those stressors to the habitats they use for nesting, foraging, wintering, and migration. **Because habitat loss and fragmentation from development are principal causes of bird population declines, it is essential to guide new development away from the most important habitat areas.**

a) About the Preserve

Aiken Canyon Preserve is located between Colorado Springs and Canon City, approximately 16 miles southeast of Colorado Springs, on the eastern slope of the Rampart Range. The Preserve is a *Colorado*

Watchable Wildlife site, where youth and families are encouraged to recreate through Colorado Parks and Wildlife. The Nature Conservancy holds a 99-year conservation lease with the state on 1,100 acres of the preserve, and owns the remaining 521 acres. Land to the east is owned and managed by Fort Carson, while land to the west is owned and managed by the Bureau of Land Management as a Wilderness Study Area.

Aiken Canyon is one of the last high-quality examples of the southern Front Range foothills ecosystem. The site is one of the best examples of an intact, southern Front Range ecosystem, including tallgrass prairie and pinyon-juniper woodlands. The lower elevations consist of grasslands, while the higher elevations are occupied by pinyon-juniper woodlands and deciduous shrublands transitioning into tall coniferous forests. ephemeral streams flow out of steep canyons to form broad alluvial fans on gentle slopes. The eastern portion of the property consists of prominent red spires and cliffs of conglomerate/sandstone Fountain Formation.

b) Importance to Avian Species – Designated as an “Important Bird Area”

The site provides habitat for the following species of high conservation priority: Common Poorwill, Cordilleran Flycatcher, Juniper Titmouse, Virginias Warbler, MacGillivrays Warbler, and Western Tanager. The area is named after famed ornithologist Charles Aiken, and is a highly sought-after destination for birders — more than 100 species have been seen. Aiken, a U.S. surveyor, taxidermist and collector, first surveyed this region in the 1870s. Because of this importance, the Aiken Canyon Preserve is a designated **Important Bird Area**.

Important Bird Areas (“IBAs”) are part of an international program to identify priority areas where threatened, restricted-range, biome-restricted and congregatory birds occur. In the United States, this program is managed by the National Audubon Society. A site is recognized as an IBA only if it meets certain criteria, which are internationally agreed, standardized, quantitative and scientifically defensible. Scientists identify locations that provide essential habitat to one or more species of birds during some portion of the year (nesting areas, crucial migration stop-over sites, or wintering grounds). The selection of IBAs has been a particularly effective way of identifying conservation priorities. **The identification of such critical habitats is an important consideration when determining development activities, as impacts should be avoided due to their ecological value.**

To read the IBA report for Aiken Canyon Report, go to: <http://netapp.audubon.org/iba/Reports/499>

c) Investments in the Preserve

Significant investment has been made to the area, given not only the ecological value but also its importance to the local communities and educational institutions. The Nature Conservancy (TNC) has operated winter and summer bird point counts from an educational field station at this site since 1995. The preserve contains a 5-mile system of trails, open Saturday through Monday dawn to dusk, on which naturalist guides conduct monthly hikes from May through September. TNC hosts numerous educational programs throughout the year, though they are most frequent during the summer. Approximately 12 school groups visit the preserve annually. Special programs/workshops are offered throughout the year. Many university groups use the preserve as a field trip and outdoor classroom destination. Good relationships are maintained with local colleges, such as Colorado College, University of CO-Colorado Springs, and Pikes Peak Community College.

II. COLORADO NATURAL HERITAGE PROGRAM'S DESIGNATION

The Colorado Natural Heritage Program is Colorado's only comprehensive source of information on the status and location of Colorado's rarest and most threatened species and plant communities. Established in 1979, the CNHP is a non-profit scientific organization affiliated with the Warner College of Natural Resources at Colorado State University.

The CNHP designated Aiken Canyon as "Very High Biodiversity Significance." According to the CNHP's evaluation report, with text underlined for emphasis:

"The Aiken Canyon site supports two rare plant communities and provides refuge for numerous plant and animal species whose habitat within the Front Range oak - shrub foothills zone is rapidly being converted to developed uses. Located at the ecotone between the prairie grasslands of the Great Plains and the forests of the lower montane zone, the shrubland and woodland communities at Aiken Canyon are interspersed with meadows of mixed grass and tallgrass species. The grassland areas support tall and mid grass species such as big bluestem (*Andropogon gerardii*), Scribner's needle grass (*Achnatherum scribneri*), little bluestem (*Schizachyrium scoparium*), and prairie sandreed (*Calamovilfa longifolia*). The original range for the tallgrass species is climatically restricted in Colorado and these species have declined to a fraction of their original range as a result of land use and development. The shrubland areas support a mosaic of Gambel's oak (*Quercus gambelii*), mountain mahogany (*Cercocarpus montanus*), and skunkbush sumac (*Rhus trilobata*) interspersed with grassy meadows at the lower elevations and woodlands and forests at the higher elevations. The rare communities at the site include the pinon pine, one-seeded juniper, and Scribner's needle grass woodland and a Gambel's oak and mountain mahogany shrubland. The area provides habitat for numerous species of wildlife, including black bear, mule deer, Rocky Mountain elk, mountain lions, bobcats, gray foxes, badgers and tuft-eared and pine squirrels. Through the efforts of local bird watchers and the Nature Conservancy, more than 100 species of birds have been documented at Aiken Canyon. These include three species of Colorado nuthatches, Western Bluebirds, wild turkeys, Hairy and Downy Woodpeckers, and several raptors, including Golden Eagles, Prairie Falcons, Northern Harriers, Cooper's Hawks and Sharp-shinned Hawks. The canyon also contains potential habitat for the Mexican Spotted Owl, which has been listed as threatened by the U.S. Fish and Wildlife Service (The Nature Conservancy 2001)."

... "This site contains an excellent to good (AB-ranked) occurrence of a globally imperiled (G2/S2) mountain mahogany / needle-and-threadgrass community (*Cercocarpus montanus* / *Hesperostipa comata*), an excellent (A-ranked) occurrence of a globally vulnerable (G3/S2) pinon pine / Scribner's needlegrass community (*Pinus edulis* / *Achnatherum scribneri*), and an excellent (A-ranked) occurrence of a globally unranked (GU/SU) mesic oak thicket community (*Quercus gambelii* - *Cercocarpus montanus* / *Muhlenbergia montana*). In addition, there is an extant occurrence of a globally imperiled (G2/S2) plant, Fendler's townsend-daisy (*Townsendia fendleri*)."

The CNHP's report can be viewed at

http://www.cnhp.colostate.edu/download/documents/pca/L4_PCA-Aiken%20Canyon_2-28-2017.pdf

III. CONCLUSION

Given the high level of development pressure in the area, important wildlife areas such as the area in which the quarry is proposed, should be treated as a priority in decision-making. Cumulative impacts, which take into account other disturbances in the area, should be considered.

We respectfully request that the impacts on vulnerable species and their habitat, evidence of which have been provided above by third-parties, be taken into careful consideration. Not only can one reasonably expect loss and degradation of high quality wildlife habitat, but the heavy equipment/machinery operation during construction and maintenance phases will be detrimental, as will mining run-off (which is expected with large-scale earth disturbances).

Short and long-term impacts should be examined on the sensitive species found in the area and on the nearby riparian areas, most notably Little Turkey Creek ... the impact to wildlife cannot be over-emphasized. According to Robert H. Wayland III, Director of the Environmental Protection Agency's Office of Wetlands, Oceans, and Watersheds:

"Wetlands are among our Nation's most critical and productive natural resources. Wetlands are the vital link between land and water. They provide a multitude of services to society, are the basis of many thousands of jobs, and contribute billions of dollars to the economy. Wetlands fulfill vital functions across the landscape. They protect private property from flooding, and provide shoreline erosion controls.

... Riparian areas comprise less than one percent of the land area of most western States, yet up to 80 percent of all wildlife species in this region of the country are dependent upon riparian areas for at least part of their life cycles"

(see his testimony to the U.S. Senate: https://www.epw.senate.gov/105th/epa_6-26.htm)

Given the (1) ecological importance of this area, (2) the growing development pressures already in the area, and (3) the irreparable harm that could be done to the area's well-documented sensitive habitat and wildlife species, **Audubon Rockies is strongly opposed to Transit Mix Concrete's Application for a Quarry (Permit #M2017-049).**

Respectfully submitted by:



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