



STATE OF
COLORADO

Simmons - DNR, Leigh <leigh.simmons@state.co.us>

West Elk Mine TR140 Revised MVB Pad and Road Locations

Tobias - HC, Mark <mark.tobias@state.co.us>
To: Leigh Simmons - DNR <leigh.simmons@state.co.us>
Cc: "Karchut, Jeremy M -FS" <jeremymkarchut@fs.fed.us>

Fri, Nov 18, 2016 at 11:31 AM

Dear Leigh,

Please find attached SHPO's comment regarding West Elk Mine's proposed technical revision (140). By copy of this email, Jeremy Karchut is included in our response.

Please let me know if I can be of additional assistance,

Mark

Mark Tobias
Intergovernmental Services Manager
Office of Archaeology and Historic Preservation
History Colorado
1200 Broadway
Denver, Colorado 80203
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mark.tobias@state.co.us



WEMine.pdf
47K



HISTORY Colorado

November 18, 2016

Leigh D. Simmons
Environmental Protection Specialist
Division of Reclamation, Mining and Safety
1313 Sherman St., Room 215
Denver, Colorado 80203

Re: West Elk Mine (Permit No. C-1980-007), Technical Revision Application No. 140 (TR-140), Revised MVB Pad and Road Locations for Longwall Panels E7 and E8 (HC #68249)

Dear Mr. Simmons:

Thank you for your correspondence dated October 17, 2016 (received on October 20, 2016) initiating consultation with our office on the subject technical revision.

Following our review of the project documentation including Mountain Coal Company's proposed revision map (Proposed MVB Site and Road Changes, September 23, 2016), we understand that TR-140 proposes to construct 14 new mine ventilation boreholes (MVBs) along with nearly 1.2-miles of new access road and that some of this infrastructure is intended to replace or eliminate previously consulted upon activities. Our files also indicate that while historic property identification for the original infrastructure was completed and documented by a 2008 cultural resources report titled *A Cultural Resources Inventory of Mountain Coal Company LLC's E Seam MDW Drilling for Panels E4-E9, Gunnison County, Colorado*, additional consultation under Section 106 of the National Historic Preservation Act (36 CFR 800) has not been completed for the new areas of disturbance.

Please note, as the technical revision involves ground disturbing work located on lands managed by the U.S. Forest Service (Forest), the proposed activities are considered a federal undertaking and that it is the statutory obligation of the Forest to fulfill its requirements of Section 106 of the National Historic Preservation Act as set forth in 36 CFR 800 ("Protection of Historic Properties"). The Forest is required to initiate Section 106 consultation with the State Historic Preservation Office, Native American tribes, representatives of local governments, and applicants for Federal permits, licenses or other approval to consider the effects of its undertaking on historic properties, if any such properties are present. Considering the level of ground-disturbing activities proposed, we recommend that historic property identification be conducted within the area of potential effects by a qualified professional and the results of this survey be provided to our office for review and comment. In order to facilitate this process, we are copying Jeremy Karchut, Heritage Program Manager of the Grand Mesa, Uncompahgre and Gunnison National Forests in our response.

Thank you for the opportunity to comment. If we may be of further assistance, please contact Mark Tobias, Intergovernmental Services Manager, at (303) 866-4674 or mark.tobias@state.co.us.

Sincerely,

for Steve Turner, AIA
State Historic Preservation Officer
ST/mt

cc. Jeremy Karchut (via email)