HISTORY COLORADO

Leigh Simmons
Environmental Protection Specialist
Division of Reclamation, Mining, and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

RE: West Elk Mine (Permit No. C-1980-007) Technical Revision Number 148 (HC# 68249)

Dear Ms. Simmons,

Thank you for your correspondence dated October 30, 2020 and received by our office on November 5, 2020 regarding the review of the above referenced undertaking under Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations 36 CFR Part 800.

The provided documentation notes that the technical revision consists of the restoration of 50 feet of South Prong Creek. We note that in accordance with the 1991 Memorandum of Understanding (MOU) between our agencies, because the technical revision may incorporate additional lands into the permit area or might otherwise alter previously approved permit conditions or mitigation measures, concurrence between our agencies is required due to the potential for impacts to cultural and/or historic resources.

A search of the Colorado Cultural Resource Inventory Database indicates that an inventory was completed in 2012 in the project location and that no cultural resources sit in or adjacent to the project location. Based on the documentation provided, we find that a finding of no historic properties affected [36 CFR 800.4(d)(1)] is appropriate for the subject undertaking.

Should unidentified archaeological resources be discovered in the course of the project, work must be interrupted until the resources have been evaluated in terms of the National Register eligibility criteria (36 CFR 60.4) in consultation with our office pursuant to 36 CFR 800.13. Also, should the consulted-upon scope of the work change, please contact our office for continued consultation under Section 106 of the NHPA.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings. Please note that our compliance letter does not end the 30-day review period provided to other consulting parties.

Thank you for the opportunity to comment. If you have any questions, please contact Matthew Marques, Section 106 Compliance Manager, at (303) 866-4678, or matthew.marques@state.co.us.

Sincerely,

Dr. Holly Kathryn Norton Digitally signed by Dr. Holly Kathryn Norton
Date: 2020.11.10 10:07:06 -07'00'

Steve Turner, AIA
State Historic Preservation Officer

We are now accepting electronic consultation through our secure file transfer system, MoveIT. Directions for digital submission and registration for MoveIT are available at https://www.historycolorado.org/submitting-your-data-preservation-programs.