



Janet H. Binns  
Environmental Protection Specialist  
Division of Reclamation, Mining, and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203

RE: King Coal Mine (Permit No. C-1981-035), Technical Revision 30 (HC# 68206)

Dear Ms. Binns,

Thank you for your correspondence dated and received by our office on March 29, 2021 requesting review of the above referenced undertaking under Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations 36 CFR 800.

After review of the provided documentation, we understand that the proposed undertaking consists of the construction of a low cover crossing, the use of two staging areas, and the use of an existing two-track road. The provided documentation includes the results of a class III cultural resource inventory completed in preparation for the project. We concur that 5LP.11599 needs data to determine the eligibility of the resource for the National Register of Historic Places (NRHP).

The provided documentation notes that the proposed activities will remain isolated to the previously disturbed portions of 5LP.11599. The proposed undertaking will avoid intact portions of 5LP.11599 through the use of temporary fencing. Based on the documentation provided, we agree that your finding of no adverse effects [36 CFR 800.5(d)(1)] to historic properties 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](mailto:matthew.marques@state.co.us).

Sincerely,

**Dr. Holly Kathryn Norton** Digitally signed by Dr. Holly Kathryn Norton  
Date: 2021.04.08 12:06:19 -06'00'

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>.