



Dustin Czapla
Colorado Division of Reclamation,
Mining and Safety
Department of Natural Resources
1313 Sherman St., Room 215
Denver, CO 80203

RE: Blue Creek Staging Area (M-2021-016) (HC # 79563)

Dear Mr. Czapla,

This letter is provided in response to your correspondence dated March 29, 2021 and received on April 5, 2021 requesting comment from our office on the above referenced permit.

The provided documentation notes that the “request for the permit is for the sole intent of using the property to support the Little Blue Creek Federal Highway Project” as a borrow source for gravel and fill and for use as a staging area. The proposed activities appear to be directly connected to an undertaking, the Little Blue Creek Canyon Improvement Project [CO FLAP US 50 (1) and HC# 75378], that is subject to Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations 36 CFR 800. The Federal Highway Administration (FHWA) comprises the Federal agency responsible for complying with Section 106 of NHPA for HC# 75378.

The proposed borrow source and staging area was not included in FHWA’s prior documentation. According to the Advisory Council on Historic Preservation, off-site borrow and disposal areas comprise part of an undertaking’s area of potential effects and the Federal agency must consider and consult on the effects of the use of known borrow and disposal areas on historic properties. As we have not previously consulted on the use of the proposed borrow and staging area for the Little Blue Creek Canyon Improvement Project, we have respectfully requested that FHWA reinstate consultation with our office regarding HC# 75378.

Please note that it is the Federal agency’s responsibility to meet the requirements of Section 106 of the NHPA as set forth in 36 CFR 800. This includes not only reasonable and good faith identification efforts of any historic properties located within the area of potential effects, but determining whether the undertaking will have an effect upon such properties. The State Historic Preservation Office, Native American tribes, representatives of local governments, and applicants for federal permits are entitled to consultative roles in this process.

We thank you for the opportunity to comment. If we may be of further assistance, please contact Matthew Marques, Section 106 Compliance Manager, at (303) 866-4678 or matthew.marques@state.co.us.

Sincerely,

Steve Turner, AIA
State Historic Preservation Officer

cc. John Knowles, Federal Highway Administration, Project Manager

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>.