



Peter S. Hays
Division of Reclamation, Mining and Safety
Department of Natural Resources
1313 Sherman St, Room 215
Denver, CO 80203

Re: Walstrum Quarry - File No. M-1983-033, Albert Frei & Sons Inc. Amendment Application (AM-9)
(HC #38607)

Dear Mr. Hays:

We received your letter dated May 11, 2021 initiating consultation with our office on the subject action pursuant to the Colorado State Register Act – Colorado Revised Statute (CRS) 24-80.1 et. seq.

A search of our database indicates that a number of mining sites including 5CC1127, 5CC1128, 5CC1130, and 5CC1168 are located within or adjacent the permit area. Each of these properties has been determined not eligible for listing to the National Register of Historic Places. As there are no properties of historical significance included or nominated for inclusion in the state register currently documented within the proposed permit area, a finding of no adverse effect to significant properties is appropriate. As most of Colorado has not been inventoried for cultural resources, our files contain incomplete information. Consequently there is the possibility that as yet unidentified cultural resources exist within the proposed permit area. The requirements under CRS 24-80 part 13 apply and must be followed if human remains are discovered during ground disturbing activities.

Please note that if the fill or disposal site location is associated with a Federal undertaking, it is the responsibility of the federal agency to meet the requirements of Section 106 as set forth in 36 CFR Part 800 titled "Protection of Historic Properties". 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 Mark Tobias, Intergovernmental Services Manager, at (303) 866-4674 or mark.tobias@state.co.us.

Sincerely,

Steve Turner, AIA
State Historic Preservation Officer
ST/mt