



History Colorado

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), Permit Renewal Application No. 8 (RN-8) (HC# 68206)

Dear Ms. Binns,

Thank you for your correspondence dated and received by our office on February 28, 2022 requesting review of the above referenced undertaking under Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations 36 CFR 800.

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.

Your correspondence notes that the proposed undertaking only consists of the renewal of a permit. No revisions are proposed to the previous mining and reclamation plan and no additional surface disturbance is proposed outside of the currently approved disturbance area. Based on the documentation provided, we find that a 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.

Sincerely,

Dr. Holly Kathryn Norton

Diane DiPrince
State Historic Preservation Officer

Digitally signed by Dr. Holly Kathryn
Norton
Date: 2022.03.15 13:41:43 -06'00'