



History Colorado

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

RE: New Horizon Mine (Permit No. C-1981-008) Permit Revision Application No. 9 (PR-9), PR-09
Prime Farmland Relocation (HC# 67409)

Dear Ms. Binns,

Thank you for your correspondence dated April 29, 2022 and received by our office on May 2, 2022 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.

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.

The provided documentation notes that the proposed undertaking consists of the relocation of Prime Farmland reclamation. The documentation also notes that the undertaking would not result in additional surface disturbance outside of the area currently approved for disturbance. A review of orthoimagery shows evidence for a high frequency of modern disturbance in the areas of potential effect. Based on the documentation provided, we find that a finding of no adverse effect [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 National Historic Preservation Act.

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,

Patrick A. Eidman Digitally signed by Patrick A. Eidman
Date: 2022.05.03 14:49:54 -06'00'

Dawn DiPrince
State Historic Preservation Officer