



History Colorado

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

RE: Kester Pit, File No. M-2022-014 (HC # 81692)

Dear Mr. West,

This letter is provided in response to your correspondence dated and received on July 7, 2022 as well as the additional documentation provided on July 22, 2022 regarding consultation with our office for the above mentioned subject action pursuant to the Colorado State Register Act – Colorado Revised Statute (CRS) 24-80.1.

A review of our files shows that no properties listed or nominated for the State Register of Historic Properties sit in the area of proposed action. Based on the documentation provided, we find that the subject action will not adversely affect properties listed on or nominated for the State Register of Historic Properties.

Please note that our comments should not be interpreted as concurrence under the National Historic Preservation Act or any other environmental law or regulation. If human remains are discovered during ground disturbing activities, the requirements under CRS 24-80 part 13 apply and must be followed. Should the current subject action change, please contact our office for continued consultation under CRS 24-80.1.

In the event that there is federal agency involvement, please note that 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 Matthew Marques, Section 106 Compliance Manager, at (303) 866-4678 or matthew.marques@state.co.us.

Sincerely,

Dawn DiPrince
State Historic Preservation Officer