



# History Colorado

Eric C. Scott  
Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

Re: Arnusch Gravel Pit 3 – File No. M-1981-287, Nikolaus Arnusch Permit Conversion Application (CN-1) 110C to 112 C Permit Conversion (HC#82690)

Dear Mr. Scott:

We received your revised letter dated March 15, 2023 on March 16, 2023 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 site 5WL.103 is located within or adjacent to the permit area. The site has not been assessed to determine State or National Register of Historic Places eligibility. Please note, 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.

As a reminder, the State Register Act give the SHPO 30 calendar days to provide a response to the state agency. If the response is to ask for additional information to be able to render a comprehensive and accurate response, the 30-day ‘clock’ will pause and restart at zero when the SHPO receives the information it requested.

We thank you for the opportunity to comment. If we may be of further assistance, please contact Holly McKee-Huth, Cultural Resource Information/Section 106 Compliance at (303) 866-4670 or [holly.mckee@state.co.us](mailto:holly.mckee@state.co.us).

Sincerely,

Dawn DiPrince  
State Historic Preservation Officer