

STATE OF  
COLORADO

Renfro - DNR, Joel &lt;joel.renfro@state.co.us&gt;

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**Thunderbird Sand and Gravel\_File No. M-2023-032 - History Colorado # 83676**

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**Mckee-Huth - HC, Holly** <holly.mckee@state.co.us>

Thu, Oct 26, 2023 at 1:42 PM

To: Joel Renfro - DNR &lt;joel.renfro@state.co.us&gt;

From: History Colorado, Office of Archaeology and Historic Preservation

Dear Mr. Renfro:

Attached is our letter on the subject matter in Adobe PDF format.

Please contact me at the below information if you have any questions.

Sincerely,

Holly McKee-Huth

**Holly McKee-Huth****GIS Manager | Section 106 and Cultural Resource Information Specialist, Archaeology**

Pronouns: she/her/hers

History Colorado | Office of Archaeology and Historic Preservation

303/866-4670 | [holly.mckee@state.co.us](mailto:holly.mckee@state.co.us)History Colorado Center | 1200 Broadway | Denver, Colorado 80203 | [HistoryColorado.org](https://www.historycolorado.org)

*Under the Colorado Open Records Act (CORA), all messages sent by or to me on this state-owned e-mail account may be subject to public disclosure. We acknowledge that the land currently known as Colorado has been the traditional homelands of Indigenous peoples since time immemorial. We are grateful to work in partnership with the 48 sovereign nations who continue to call this land home. Together, we plan exhibits; collect, preserve, and interpret artifacts; do archaeological work; and create educational programs to share the history of Colorado.*

**HC\_83676\_DRMS\_Thunderbird Sand and Gravel\_File No. M-2023-032.pdf**

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# History Colorado

Joel Renfro  
Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

Re: Thunderbird Sand and Gravel, File No. M-2023-032 (HC#83676)

Dear Mr. Renfro:

Thank you for your correspondence dated and received by our office on September 26, 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.

Based on the information provided, including the maps provided on October 4, 2023, a search of our database indicates 6 sites and 0 surveys were located in or near the search area provided. Although no National or State Register listed or nominated properties were identified within the permit area, the Emily Hartley Homestead site (SPE.7992) as well as the Excelsior Ditch (SPE.7993) are both eligible for listing to the National and/or State Register, and are located within the proposed permit area. As most of Colorado and the proposed permit area 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. As such, we recommend that a class III cultural resource survey is conducted, by a qualified contractor, in your area prior to the start of this project.

Please note that the requirements under CRS 24-80 part 13 apply and must be followed if human remains are discovered during ground disturbing activities. In addition, our comments should not be interpreted as concurrence under the National Historic Preservation Act or any other environmental law or regulation. It is the responsibility of any federal agency involved 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 gives 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. Additionally, consultation under the State Register Act also requires that a file search is conducted through our office prior to consultation. You can find more information about the file search request at <https://www.historycolorado.org/file-access#filesearch>.

Our office invites the Division of Reclamation, Mining and Safety to further consult with our office regarding the agency’s compliance obligations under the State Register Act and other state laws that may apply to future state actions.



# History Colorado

If you have any questions or if we may be of further assistance, please contact Holly McKee-Huth, Cultural Resource Information/Section 106 Compliance Specialist at (303) 866-4670 or [holly.mckee@state.co.us](mailto:holly.mckee@state.co.us).

Sincerely,

**Patrick A. Eidman** Digitally signed by Patrick A. Eidman  
Date: 2023.10.26 10:27:30 -06'00'

Dawn DiPrince  
State Historic Preservation Officer