

# STATE OF COLORADO

## DIVISION OF RECLAMATION, MINING AND SAFETY Department of Natural Resources

1313 Sherman St., Room 215  
Denver, Colorado 80203  
Phone: (303) 866-3567  
FAX: (303) 832-8106



October 25, 2012

Glen Williams  
Cotter Corp.  
P.O. Box 700  
Nucla, CO  
81424

John W. Hickenlooper  
Governor

Mike King  
Executive Director

Loretta Piñeda  
Director

***RE: CM-25 Mine, Permit No. M-1977-307, Comments Regarding 110d Amendment Application (AM1)***

Dear Mr. Williams,

On October 18, 2012 the Division of Reclamation, Mining and Safety (Division) received comments regarding the above referenced application from the State Historic Preservation Officer (SHPO).

Please inform the Division of how the Applicant will respond to the jurisdictional issues presented by the SHPO.

If you require additional information, have questions or concerns, please contact me at the DRMS Grand Junction Field Office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dustin Czapla", written over a horizontal line.

**Dustin Czapla**  
Environmental Protection Specialist  
Department of Natural Resources  
Division of Reclamation, Mining and Safety  
101 South 3<sup>rd</sup>, Suite 301  
Grand Junction, CO 81501  
Phone: (970) 243-6299  
Fax: (970) 241-1516

Enc: SHPO Comments dated October 17, 2012

Cc: Ed Cotter, DOE

divc, grm

AM#1



October 17, 2012

Dustin M. Czapla  
Environmental Protection Specialist  
Division of Reclamation, Mining and Safety  
Department of Natural Resources  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

Re: Notice of 110d Designated Mining Operation Reclamation Permit Amendment Application Consideration  
Cotter Corporation, CM-25 Mine, Permit No. M-1977-307 (CHS #62912)

Dear Mr. Czapla:

Thank you for your correspondence dated October 12, 2012 (received by our office on October 16, 2012) regarding the subject project.

Because the proposed mine plan revision involves Federal oversight, please note that it is the responsibility of the Federal agency to comply with Section 106 of the National Historic Preservation Act as set forth in 36 CFR Part 800 ("Protection of Historic Properties"). This includes the identification of any historic properties (i.e. cultural resources which are eligible to be listed in the National Register of Historic Places) within the area of potential effects and 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, licenses or other approval are entitled to consultative roles in this process.

Prior to ground-disturbing activities, an inventory for cultural resources should be conducted in this area by a qualified professional and the results provided to our office for review and comment.

Thank you for the opportunity to comment. If we may be of further assistance, please contact Mark Tobias, Section 106 Compliance Manager, at (303) 866-4674 or [mark.tobias@state.co.us](mailto:mark.tobias@state.co.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Edward C. Nichols".

Edward C. Nichols  
State Historic Preservation Officer  
ECN/MAT

RECEIVED

OCT 18 2012

Division of Reclamation,  
Mining & Safety