



September 7, 2012

Brock F. Bowles
Environmental Protection Specialist
Division of Reclamation, Mining and Safety
1313 Sherman St., Room 215
Denver, Colorado 80203

Re: Elk Creek Mine (Permit No. C-1981-022), Permit Revision Application No. 7 (PR-7), PR-7 COC-70615
Coal Lease Addition and Mine Plan Modification (CHS #62204)

Dear Mr. Bowles:

Thank you for your recent correspondence dated August 27, 2012 (received by our office on August 30, 2012) and for the opportunity for continued consultation for the subject undertaking.

Following our review of the revised documentation, we understand that no additional surface or mining-related disturbances will result from the subject permit revision and if such activities (e.g., gob holes, access roads, etc.) are required in the future additional consultation with our office will occur.

As the proposed permit revision does not involve any new surface disturbance, it is our opinion that a finding of no historic properties affected is appropriate for this undertaking.

If previously unidentified archaeological resources are discovered in the course of the project, work must be interrupted until the resources are properly evaluated in terms of the National Register of Historic Places eligibility criteria (36 CFR 60.4) in consultation with our office.

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.

Sincerely,

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

Edward C. Nichols
State Historic Preservation Officer
ECN/MAT

RECEIVED

SEP 10 2012

DIVISION OF RECLAMATION
MINING AND SAFETY