



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
DENVER REGULATORY OFFICE, 9307 SOUTH WADSWORTH BOULEVARD
LITTLETON, COLORADO 80128-6901

January 12, 2021

SUBJECT: Approved Jurisdictional Determination – Corps File No. NWO-2018-01201-DEN, Platteville Mine Project

Erin Kunkel
Martin Marietta Materials
1627 Cole Blvd
Suite 200
Lakewood, CO 80401

Dear Ms. Kunkel:

This letter is in reference to the property located at approximate latitude 40.278931, longitude -104.856739, in Weld County, Colorado. The submittal dated July 31, 2020, consists of a request for an Approved Jurisdictional Determination for the above project. The delineated area located on the subject property has been reviewed in accordance with Section 404 of the Clean Water Act under which the U.S. Army Corps of Engineers regulates the discharge of dredged and fill material, and any excavation activity associated with a dredge and fill project in waters of the United States.

At your request, an Approved Jurisdictional Determination (JD), a written indication that wetlands and waterways within your project area are or are not waters of the United States has been prepared. The review area contains the following that are considered waters of the United States (WOTUS). Within the review area, the South Platte River is a traditionally navigable waterway (TNW) and is therefore jurisdictional. Other features were reviewed and were determined to be not jurisdictional. A Department of the Army permit will be required for work impacting the South Platte River.

The JD is attached to this letter. If you are not in agreement with the JD decision, you may request an administrative appeal under regulation 33 CFR 331, by using the attached Appeal Form and Administrative Appeal Process form. The request for appeal must be received within 60 days from the date of this letter. It is not necessary to submit a Request for Appeal if you do not object to the JD.

This JD is valid for a period of five years from the date of this letter, unless new information warrants revisions of the JDs before the expiration date, or unless the Corps has identified, after a possible public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

If there are any questions please feel free to contact Nicholas Franke at (303) 979-4120 or by e-mail at Nicholas.A.Franke@usace.army.mil, and reference **Corps File No. NWO-2018-01201-DEN**.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Downing', with a stylized flourish at the end.

Kiel Downing
Chief, Denver Regulatory Office

Enclosure(s)

Approved Jurisdictional Determination (January 12, 2021)
Notice of Administrative Appeal Options
Administrative Appeal Process Flowchart

Copies Furnished:

Allison Haraminac, Pinyon Environmental, 9100 West Jewell Avenue, Suite 200
Lakewood, CO/80232
Adam DeVoe, DeVoe Law, 3900 E. Mexico Ave, Suite 300, Denver, CO/80210