



January 24, 2023

Pamela Franch Hora
Tetra Tech, Inc.
1900 S Sunset, Suite 1-E
Longmont, CO 80501

**RE: Home Office Mine, M-1977-439
Amendment 4 (AM4)
Adequacy Questions 3**

Dear Ms. Hora:

On January 11, 2023, the Division of Reclamation, Mining and Safety received your adequacy response for the AM4 package for the Home Office Pit, File No. M-1977-439. The following questions will address adequacy issues and any missing information that is need to complete the amendment application. This information needs to be addressed and/or received before the Division can approve the application:

Rule 1.6.2(1)(g) – General Application Procedures - Adequate as submitted.

Rule 6.4 - Specific Exhibit Requirements - 112 Reclamation Operation

6.4.1 EXHIBIT A - Legal Description - Adequate as submitted.

6.4.2 EXHIBIT B - Index Map – Adequate as submitted.

6.4.3 EXHIBIT C - Pre-mining & Mining Plan Map(s) of Affected Lands

1. Issue Resolved
2. Issue Resolved
3. Issue Resolved
4. Issue Resolved
5. Issue Resolved
6. Issue Resolved

6.4.4 EXHIBIT D - Mining Plan

7. Issue Resolved
8. Issue Resolved
9. Issue Resolved
10. Issue Resolved
11. Issue Resolved
12. Issue Resolved



- 13. Issue Resolved
- 14. Issue Resolved
- 15. Issue Resolved
- 16. Issue Resolved
- 17. Issue Resolved
- 18. Issue Resolved
- 19. Issue Resolved
- 20. Issue Resolved
- 21. Issue Resolved
- 22. Issue Resolved
- 23. Issue Resolved

6.4.5 EXHIBIT E - Reclamation Plan

- 24. Issue Resolved
- 25. Issue Resolved
- 26. Issue Resolved
- 27. Issue Resolved
- 28. Issue Resolved
- 29. Issue Resolved
- 30. The following questions are for Exhibit E (Stage F), page 17:
 - a. Issue Resolved
 - b. Issue Resolved
 - c. Issue Resolved
 - d. Issue Resolved

6.4.6 EXHIBIT F - Reclamation Plan Map -

- 31. Issue Resolved
- 32. Issue Resolved
- 33. Issue Resolved
- 34. Issue Resolved
- 35. Issue Resolved

6.4.7 EXHIBIT G - Water Information

- 36. Please update Exhibit G to include all the revisions proposed in the AM4 adequacy responses to ensure consistency.
 - a. Issue Resolved
 - b. Issue Resolved
 - c. Issue Resolved
 - d. Issue Resolved
- 37. Issue Resolved
- 38. Issue Resolved

39. Martin Marietta has agreed to evaluate how each pond will safely convey the expected 100-year flood event throughout the life of the mine including final reclamation and will submit a technical revision to address this issue.

Ponds E1 and E2 are the only ponds that need this evaluation done as they are still under construction. All other ponds within the current permit boundary are either outside the 100-year floodplain (Figure G-4 of Exhibit G) or are considered pre-1981 by DWR (SWSP, January 17, 2023).

Please commit to submitting a technical revision by August 28, 2023 to evaluate how Pond E1 and E2 will safely convey the expected 100-year flood event throughout the life of the mine including final reclamation.

40. The following questions are for the water information submitted with the AM4 application and refer to Stage G:

- a. Please clarify that MMM is committed to collecting groundwater data from each well on a monthly basis and submitting the data to DRMS on a quarterly basis.
- b. Exhibit G was submitted in the last adequacy response and did not contain any updates from the last adequacy response. Please update Exhibit G to include all the responses contained in the last several adequacy responses.
- c. Issue resolved
- d. The response contained the following 2 sentences: 1) *If the data indicates that there is no reason to believe the plaintiff's well was impacted by the lined reservoirs that will conclude the action taken by Martin Marietta, and 2) Consequently, if a complaint is received and the water level data are in the range of the existing data set, the complaint will be judged as unreasonable, and this conclusion will be reported to the DRMS.*

It is the responsibility of MMM to report any and all complaints to DRMS and it is the responsibility of DRMS to make the determination if the well was impacted by the lined reservoir. Please remove these sentences from the response and incorporate the remainder of the response into Exhibit G.

- e. The response contained the following sentence: *In the instance of a complaints that a well has gone dry, if the well monitoring data available indicates that it is reasonable to think the cause of the well going dry may be related to the lining of the reservoirs, Martin Marietta commits to implementing the mitigation measures outlined in the Groundwater Mitigation Plan within 7 days of receipt of the complaint or as soon as is practically possible.*

It is the responsibility of MMM to report any and all complaints to DRMS and it is the responsibility of DRMS to make the determination if the well was impacted by the lined reservoir and determine mitigation measures. Please remove this sentence from the response and incorporate the remainder of the response into Exhibit G.

- f. MMM has committed to installing a drain if there is a groundwater mounding issue on

the north side of G1, but only a rough description of the drain and no trigger level for the drain installation were submitted for review. Please submit a drain design for review and a commitment to install the drains if groundwater level is within 4 feet of the ground surface for more than 2 consecutive months.

- g. The text states that as-constructed drawings for drains on the west side of G1 and the north side of G2 are included. The Attachment A drawing in Exhibit G shows future drawings for the North side of G2. Has G2 been installed? Also, please commit to installing the drains if groundwater level is within 4 feet of the ground surface for more than 2 consecutive months.

6.4.8 EXHIBIT H - Wildlife Information - Adequate as submitted.

6.4.9 EXHIBIT I - Soils Information - Adequate as submitted.

6.4.10 EXHIBIT J - Vegetation Information - Adequate as submitted.

6.4.11 EXHIBIT K - Climate - Adequate as submitted.

6.4.12 EXHIBIT L - Reclamation Costs

41. The Division accepts MMM cost estimate for the Ponds G1 and G2 expansion.

6.4.13 EXHIBIT M - Other Permits and Licenses (Statement Req'd) - Adequate as submitted.

6.4.14 EXHIBIT N - Source of Legal Right to Enter - Adequate as submitted.

6.4.15 EXHIBIT O - Owner(s) of Record of Affected Land and Substance to be Mined - Adequate as submitted.

6.4.16 EXHIBIT P - Municipalities Within Two Miles - Adequate as submitted.

6.4.17 EXHIBIT Q - Proof of Mailing of Notices to Board of County - Adequate as submitted.

6.4.18 EXHIBIT R - Proof of Filing with County Clerk and Recorder - Adequate as submitted.

6.4.19 EXHIBIT S - Permanent Man-made Structures Adequate as submitted.

Please note that the decision date for this application is February 27, 2023. This date has been set by the MLRB on January 18, 2023 as allowed by Rule 1.4.1(9).

All corrected pages must also be provided to Larimer County Clerk & Recorder.

If you have any questions, please contact me at (720) 774-0040 or brock.bowles@state.co.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brock Bowles". The signature is fluid and cursive, with the first name "Brock" being more prominent than the last name "Bowles".

Brock Bowles
Environmental Protection Specialist

CC: Julie Mikulas, Martin Marietta Materials, Inc.
Jared Evert, DRMS
Patrick Lennberg, DRMS