



September 12, 2023

Julie Mikulas  
Martin Marietta Materials, Inc.  
1800 N Taft Hill Road  
Fort Collins, CO  
80521

**Re: Inspection Problem Abatements and Extension Request Approval, Cortner Pit, Permit File No. M-1986-159**

Dear Julie Mikulas,

On September 11, 2023, the Division of Reclamation, Mining and Safety (DRMS/Division) received Martin Marietta Materials, Inc.'s following responses to the inspection problems in the Division's inspection report for the April 5, 2023 inspection of the Cortner Pit, M-1986-159:

- ❖ DRMS' CORRECTIVE ACTION: Operator shall conduct a survey and replace the boundary markers in the correct locations and provide photo evidence to the Division.  
MARTIN MARIETTA MATERIALS, INC.'S RESPONSE: *"Completed. Please see the attached photos."*
  - Attached to the Operator's response are photos indicating that markers have been replaced and/or remarked. The Operator states that markers are either marked by stakes, or in areas where cattle would eliminate staking, painted rocks.DRMS' RESPONSE: The Division considers this problem: **abated.**

Additionally, the Division received your request to extend the deadline for the following corrective actions to the following dates:

- ❖ DRMS' CORRECTIVE ACTION: Operator shall implement the existing weed control plan and provide photo evidence to the Division.  
MARTIN MARIETTA MATERIALS, INC.'S RESPONSE: *"Please accept this letter as our request for an additional one-month extension to 10/11/23 so we can remove the tamarisk. The weather and contractor availability have caused some delays in getting a contractor out there."*  
DRMS' RESPONSE: The Division hereby **approves this extension request**, the new due date for this problem is set for **October 11, 2023.**
- ❖ DRMS' CORRECTIVE ACTION: Operator shall submit an Acreage Reduction by the corrective action date.  
MARTIN MARIETTA MATERIALS, INC.'S RESPONSE: *"Please accept this letter as our request for an additional one-month extension to 10/11/23. We are submitting a partial Acreage Reduction today to correct the permit boundary issue that appears to have been a result of compounding errors. We had always understood that the 49.0 acre limit was for what was actively being disturbed and not what we were topsoiling and seeding. Once the tamarisk is removed, we will submit an additional Acreage Reduction to release the reclamation of Phase V which will bring us*



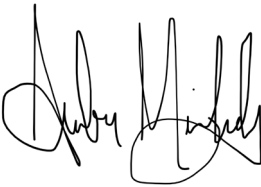
*down to about 40 acres."*

DRMS' RESPONSE:

- Upon receiving and approving the partial Acreage Reduction request, the Division will correct the approved acreage within the permit boundary on file to reflect the intended area of 86.12 acres.
- The 49 acre limit refers to the amount approved to be disturbed by mining activities, total. This site is bonded for a total disturbance of 49 acres at one time, including revegetation tasks. If some of what has been disturbed has been topsoiled and revegetated but not yet released, the Operator may seek a surety reduction to release the reclamation liability of those areas.
- Alternatively, as stated in your response, once the Tamarisk is eradicated, you may seek release of the reclaimed areas in Phase V. Note, an acreage release effectively removes that area from the permit and the permitted acres, so if this is the desired option, the removal of all of Phase V at one time may be favorable as to not create a 'hole' in the permit boundary. Otherwise, once the Tamarisk is eradicated and the area is sufficiently reclaimed and revegetated, you may seek a surety reduction to release liability held for these acres, and any other reclaimed acres, while keeping the permit boundary in-tact.
- The Division hereby **approves this extension request**, the new due date for this problem is set for **October 11, 2023**.

If you need additional information or have any questions, please contact me by telephone at (720) 836-0967, or by email at [amber.michels@state.co.us](mailto:amber.michels@state.co.us)

Sincerely,

A handwritten signature in black ink, appearing to read 'Amber Michels', with a stylized, cursive script.

Amber Michels  
Environmental Protection Specialist

cc: Jared Ebert, DRMS  
Brock Bowles, DRMS