



Electronic Transmission

MEMORANDUM

Date: July 5, 2024

To: David Ennis, Program Manager, Mining Act Reclamation Program

Through: Amber Rheubottom, Acting Mining Act Coordinator, Mining Environmental Compliance Section (MECS)

From: Eliza Martinez and Alan Klatt, Surface Water Quality Bureau (SWQB)
Sufi Mustafa, Air Quality Bureau (AQB)

Subject: **New Mexico Environment Department (NMED) Comments, Black Springs Mine, Minimal Impact Permit Modification, Menefee Mining Corporation, McKinley County, New Mexico, Mining Act Permit No. MK026MN**

The New Mexico Environment Department (NMED) received correspondence from the Mining and Minerals Division (MMD) on May 6, 2024, requesting that NMED review and provide comments on the above-referenced MMD permitting action. Pursuant to the Mining Act, Black Springs Mine is proposing to modify their existing minimal impact permit. MMD requested comments on the application within 20 days of receipt of the request for comments. An extension was requested and granted until July 6, 2024.

Background

Menefee Mining (Applicant) proposes to reclaim 3.4 acres of their permitted 12 acres of Bureau of Land Management land. The Applicant proposes to backfill, recontour and seed the area. This site is located approximately 24 miles southwest of Cuba, New Mexico.

Air Quality Bureau

The AQB has no comments.

Surface Water Quality Bureau

The SWQB comments are attached.

Mr. David Ennis
Black Springs Mine
July 5, 2024
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Mining Environmental Compliance Section

The MECS has no comments.

NMED Summary Comment

NMED has determined the proposed modification of Black Springs Mine Permit MK026MN to conduct reclamation activities will be protective of the environment.

If you have any questions, please contact Amber Rheubottom at (505) 660-2379.

cc: Joseph Fox, Program Manager, NMED-MECS
Shelly Lemon, Bureau Chief, NMED-SWQB
Dana Bahar, Acting Bureau Chief, NMED-AQB
Alaina Osimowicz, EMNRD-MARP



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

MEMORANDUM

DATE: July 1, 2024

TO: Amber Rheubottom, Mining Environmental Compliance Section, Ground Water Quality Bureau, New Mexico Environment Department

FROM: Eliza Martinez and Alan Klatt, Watershed Protection Section, Surface Water Quality Bureau, New Mexico Environment Department, and

SUBJECT: **Request for Review and Comment, Modification 24-1, Minimal Impact New Mine, Black Springs Mine, Menefee Mining Corporation, McKinley County, New Mexico, Mining Act Permit No. MK026MN.**

On June 13, 2024, the New Mexico Environment Department (NMED)-Surface Water Quality Bureau (SWQB) received a request for comments regarding the above referenced application. Menefee Mining Corporation requests modification to the Black Springs Mine, Permit No. MK026MN located approximately 24 miles southwest of Cuba in McKinley County, New Mexico at the approximate latitude and longitude 35.899841° North, -107.378908° West. The Black Springs Mine is a surface humate mine that has been in operation since 2011. The purpose of the application is to request the partial release of financial assurance associated with 3.4 acres. SWQB has prepared the following comments pursuant to §19.10.3.304.H New Mexico Administrative Code (NMAC):

There are no perennial water resources, seeps, springs, or wetlands within the project area; however, an unnamed ephemeral drainage is located approximately 1,000 feet to the north of the project area. The unnamed tributary is subject to Section 20.6.4.98 Standards for Interstate and Intrastate Surface Waters, New Mexico Administrative Code (NMAC) with designated uses that include livestock watering, wildlife habitat, marginal warmwater aquatic life, and primary contact. To protect surface water quality, erosion and stormwater controls, such as those identified in the Original Application and Approved Permit, should be implemented and maintained at the reclamation area until permanent site stabilization is achieved through revegetation success.



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Through: Amber Rheubottom, Acting Mining Act Coordinator, Mining Environmental Compliance Section (MECS)

From: Eliza Martinez and Alan Klatt, Surface Water Quality Bureau (SWQB)
Sufi Mustafa, Air Quality Bureau (AQB)

Subject: **New Mexico Environment Department (NMED) Comments, Black Springs Mine, Minimal Impact Permit Modification, Menefee Mining Corporation, McKinley County, New Mexico, Mining Act Permit No. MK026MN**

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Background

Menefee Mining (Applicant) proposes to reclaim 3.4 acres of their permitted 12 acres of Bureau of Land Management land. The Applicant proposes to backfill, recontour and seed the area. This site is located approximately 24 miles southwest of Cuba, New Mexico.

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Surface Water Quality Bureau

The SWQB comments are attached.

Mr. David Ennis
Black Springs Mine
July 5, 2024
Page 2 of 2

Mining Environmental Compliance Section

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NMED Summary Comment

NMED has determined the proposed modification of Black Springs Mine Permit MK026MN to conduct reclamation activities will be protective of the environment.

If you have any questions, please contact Amber Rheubottom at (505) 660-2379.

cc: Joseph Fox, Program Manager, NMED-MECS
Shelly Lemon, Bureau Chief, NMED-SWQB
Dana Bahar, Acting Bureau Chief, NMED-AQB
Alaina Osimowicz, EMNRD-MARP

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Melanie A. Kenderdine
Cabinet Secretary

Dylan Fuge
Deputy Cabinet Secretary

Laura McCarthy, State Forester
Forestry Division



June 25, 2024

Alaina Osimowicz
Reclamation Specialist
Mining and Minerals Division
Mining Act Reclamation Program
1220 S. St. Francis Drive
Santa Fe, NM 87505

RE: Request for Agency Comments, Modification 24-1, Black Springs Mine, McKinley County, New Mexico, Permit No. MK026MN

Thank you for the opportunity to comment on the above-referenced project. I do not anticipate any impacts to NM State Listed Endangered Plants or Federally Listed Endangered or Threatened plants, as a result of this project.

Please let me know if I can be of further help.

Sincerely,

A handwritten signature in blue ink, appearing to read "Erika Rowe".

Erika Rowe
State Botanist/Endangered Plant Program Coordinator
EMNRD-Forestry Division
1220 S. St. Francis Dr.
Santa Fe, NM 87505
erika.rowe@emnrd.nm.gov
cell: (505) 699-6371



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23 August 2024

Alaina Osimowicz, Permit Lead
Mining Act Reclamation Program
Mining and Minerals Division (MMD)
1220 South St. Francis Drive
Santa Fe, NM 87505

RE: Modification 24-1, Black Springs Mine, McKinley County, New Mexico, Permit No. MK026MN; NMDGF Project No. NMERT-3578.

Dear Ms. Osimowicz,

The New Mexico Department of Game and Fish (Department) has reviewed the above referenced permit modification. Menefee Mining Corporation (Menefee) is requesting the partial release of financial assurance associated with approximately 3.4 acres of reclamation work that is expected to include backfilling, recontouring, and ripping/seeding. Staff from the Department, MMD, U.S. Bureau of Land Management, and Menefee conducted a site inspection on 21 August 2024.

Department staff observed that reclamation earthwork, specifically backfilling and recontouring the old mine pit area to conform with the surrounding habitat, had been performed. Menefee proposes to perform the ripping and seeding in November 2024. The Department does not have any issues with the proposed partial release of financial assurance for the earthwork already completed but recommends that some of the reclamation work financial assurance be retained by MMD until the final ripping and seeding of the reclamation area has been satisfactorily completed.

Spread of the noxious weed halogeton (*Halogeton glomeratus*) has been a matter of concern for previous reclamation efforts at the Black Springs Mine. The Department recommends that Menefee continue to implement a weed monitoring program that includes a commitment to aggressive control of halogeton within the mine permit area.

Thank you for the opportunity to review and comment on the proposed permit modification. If you have any questions, please contact Ron Kellermueller, Mining and Energy Habitat Specialist, at (505) 270-6612 or ronald.kellermueller@dgf.nm.gov.

Sincerely,

Virginia Seamster, Ph.D.
Assistant Chief for Technical Guidance, Ecological and Environmental Planning Section

cc: USFWS NMES Field Office