

**APPENDIX 6.6 AML CATEGORICAL EXCLUSION DETERMINATION FORM  
(REVISED JULY 2019)**

**ABANDONED MINE LANDS  
CATEGORICAL EXCLUSION DETERMINATION**

State: New Mexico PA # NM000237

Project Name: Chloride Flat

Project Description/Proposed Action: *[Provide a detailed description of the project/proposed action (include what will be done and how)]*

The Chloride Flat-Cooper Shaft (historically known as the 76 Lode mine shaft) Subsidence Maintenance Project(Project) is located in Grant County, New Mexico, approximately 2 miles northwest of Silver City, New Mexico within the Chloride Flat Mining District (Parcel Number 3-082-102-503-300, 76 Lode Mine-MS 61, embracing portions of Section 32 and Section 33, Township 17 South, Range 14 West, N.M.P.M., in the county of Grant, State of New Mexico).

The proposed project includes backfilling one dangerous opening that was previously safeguarded in 1987 during the Mine Adit & Shaft Closure at Chloride Flat, Silver City, NM (NM Abandoned Mine Land Bureau Project, 1987). The Area of potential effect (APE) for the project consists of 1.1 acres and is situated on private land owned by Martha S., and Thomas V. Cooper of Grant County, New Mexico with an approximate elevation of 6300 ft.

See attached detailed explanation document for more information.

**Yes responses require submission of an Environmental Assessment (EA).**

**I. GENERAL EXCEPTIONS**

Does the project type specifically require an EA in 516 DM Chapter 13, as specified in Item I of Appendix 6.5 of OSMRE's NEPA Handbook (2019)? No  Yes

**II. DEPARTMENT OF THE INTERIOR EXCEPTIONS**

**Will the project have any of the following:**

1. A significant adverse effect on public health or safety? No  Yes

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2. An adverse effect on any of the following unique geographic characteristics? *If yes, check the ones that apply.* No  Yes

- Parks (State, Local, or National)
- Wild or Scenic Rivers
- Recreation or Refuge Lands
- Wetlands
- Wilderness Areas

- Floodplains
- Ecologically Significant or Critical Areas Sole or Principal Drinking Water
- Prime Farmland
- Aquifers

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3. Highly controversial environmental effects? No  Yes

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4. Highly uncertain and potentially significant environmental effects or unique or unknown environmental risks? No  Yes

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5. A precedent for future action or a decision in principle about future actions with potentially significant environmental effects? No  Yes

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6. Directly related to other actions with individually insignificant but cumulatively significant environmental effects? No  Yes

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7. Adverse effects on properties listed or eligible for listing on the National Register of Historic Places? No  Yes

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8. Adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species? No  Yes

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9. Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Wetlands Protection) or The Fish and Wildlife Coordination Act? No  Yes

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10. Threaten to violate a Federal, State, Tribal or local law or requirement imposed for the protection of the environment? No  Yes

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11. Involve unresolved conflicts concerning alternative uses of available resources (NEPA Sec. 102(2)(E))? No  Yes

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12. Have a disproportionate, significant adverse effect on low income or minority populations (EO 12898)? No  Yes

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13. Restrict access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (EO 13007) No  Yes

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14. Contribute to the introduction, continued existence, or spread of noxious Weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and EO 13112)? No  Yes

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**III. RESOURCE IMPACT EXCEPTIONS**

Are there any unresolved issues, or adverse effects requiring specialized mitigation, for any of the following resources? No  Yes   
If yes, check the ones that apply.

- Topography
- Land Use (includes prime farmland)
- Soils
- Vegetation (includes wetlands)
- Hydrology
- Fish and Wildlife
- Historic and Cultural
- Recreation
- Air Quality
- Noise
- Other (includes socioeconomics)

**IV. ATTACH CONSULTATION LETTERS AND A LOCATION MAP**

**V. RESPONSIBLE OFFICIAL CERTIFICATION**

Signature: Michael W. Tompson Date: 9/6/2024  
Name and Title: Michael W. Tompson, New Mexico AML Program Manager

**VI. OSMRE DETERMINATION**

- This project conforms with the exclusion criteria in 516 DM Chapter 13, and is excluded from further NEPA compliance.
- This project does not conform with the exclusion criteria in 516 DM Chapter 13, and requires an Environmental Assessment. As such, OSMRE will complete an *Evaluation of a Proposed Action* template (see Appendix 4.1 of OSMRE’s NEPA Handbook (2019)).

OSMRE Reviewer Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Name and Title: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Name and Title: \_\_\_\_\_