

**Public Scoping Meeting Summary-**  
**February 7th, 2024**

**CAPITOL DOME ABANDONED MINE  
SAFEGUARDING PROJECT**

**Luna County, New Mexico**



**Prepared For:**

**ABANDONED MINE LAND PROGRAM**  
**Mining and Minerals Division**  
**New Mexico Energy, Minerals, and Natural Resources Department**  
**8801 Horizon Blvd. NE, Suite 260**  
**Albuquerque, NM 87113**

**Prepared By:**

**GROUSE MOUNTAIN ENVIRONMENTAL CONSULTANTS, LLC**  
**3600 Cerrillos Road, Suite 407**  
**Santa Fe, New Mexico 87507**

**June 2024**

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# 1 Introduction

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The New Mexico Energy, Minerals, and Natural Resources Department (EMNRD) Abandoned Mine Land (AML) Program, in partnership with the United States Department of Interior (DOI) Office of Surface Mining Reclamation and Enforcement (OSMRE), are proposing to safeguard approximately 210 hazardous abandoned mine features about 10 miles southeast of Deming, New Mexico, located in Luna County (Figure 1). These measures are proposed on 1,653 acres comprised of private, state and federally owned land.

The Proposed Action is designed to safeguard the general public from hazards associated with historical mining features, including adits, shafts, subsidence features, & other mine openings, while protecting cultural resources & preserving wildlife habitat.

## 1.1 Purpose and Need for the Project

The purpose of the proposed action is to address human health and safety concerns associated with the hazards of abandoned mines within the Florida mountains, including adits, shafts, subsidence features, and other mine features, while also working to limit disturbance to other resources on state, federal, and private lands. The need for the proposed action is to meet the obligations under the SMCRA, by promoting “the reclamation of mined areas left without adequate reclamation and safeguarding...which continue, in their unreclaimed condition, to...endanger the health and safety of the public” (SMCRA §102(h) 1977).

# 2. Project Overview

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## 2.1 Project Background

Many abandoned mine sites and features exist throughout New Mexico and pose a safety and health risk to the public. Past initiatives and legislations have been formulated to aid with closure and rehabilitation of these abandoned mine sites. The NM AML Program and other abandoned mine land programs throughout the nation were formed by the passage of the Surface Mining Control and Reclamation Act (SMCRA) on May 2, 1977; the State of New Mexico and OSMRE signed an agreement to 1981 which created the New Mexico AML Program. Fees collected through the SMCRA from active coal mines are placed in the Abandoned Mine Reclamation Fund, and these monies are utilized to reclaim qualified coal and non-coal mines abandoned prior to 1977. Abandoned mine sites in New Mexico are inventoried and evaluated to determine if they qualify for AML Program funding. Reclamation priorities include: “(1) protection of public health, safety, general welfare, and property from extreme danger of adverse effects of mineral mining and processing practices, (2) protection of public health, safety, general welfare, and property from adverse effects of mineral mining and processing practices, and (3) restoration of eligible land and water resources and the environment previously degraded by adverse effects of mineral mining and processing practices” (Public Law [PL] 95-87, 30 United States Code [USC] 1240(a) 2006).

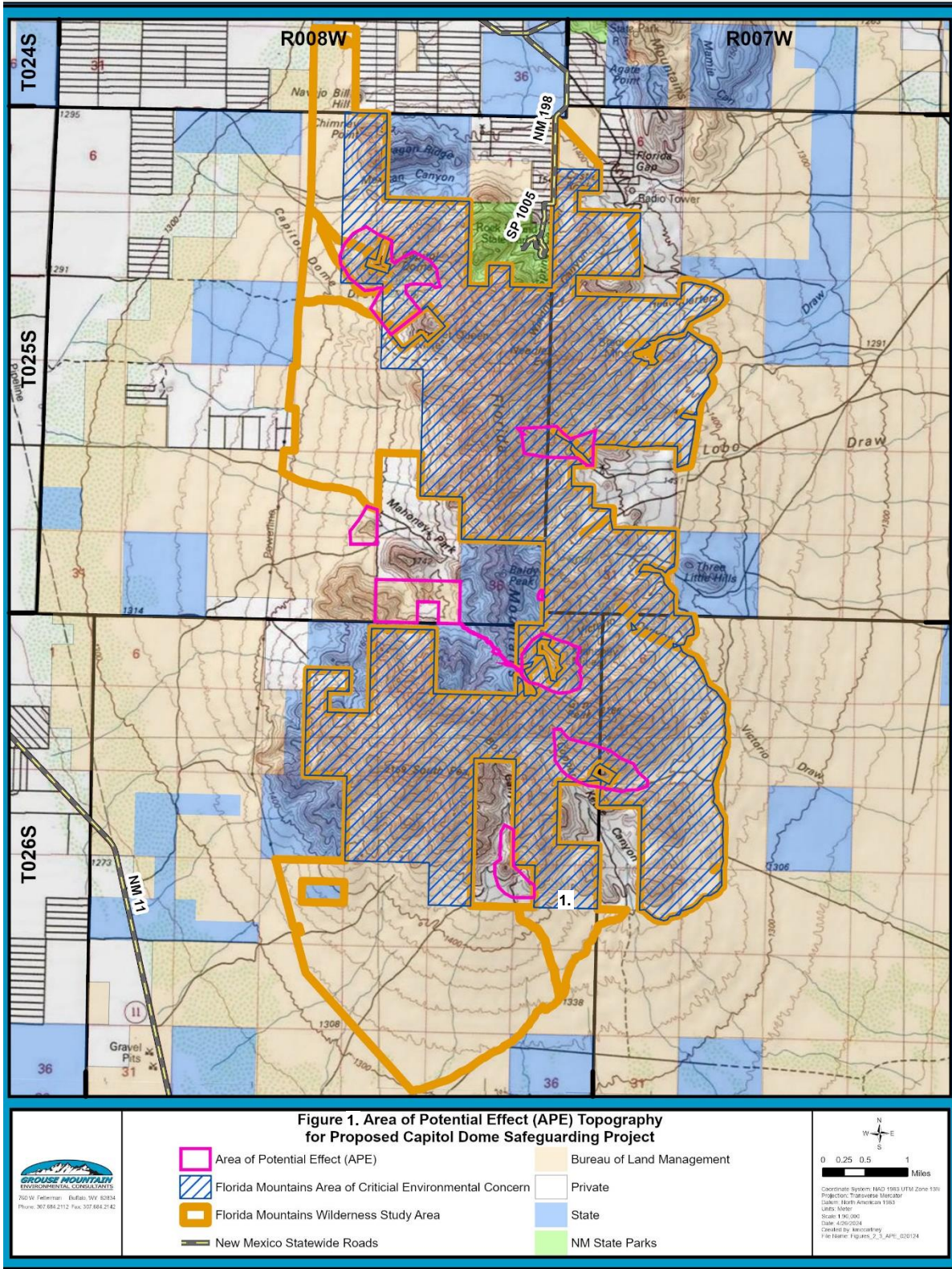
Mines from the Florida Mining District produced zinc, silver, lead, and gold primarily from 1880-1920. Manganese deposits were located and heavily produced in the mid-1900s. The primary mine features remaining are generally associated with prospecting/mine exploration or mine development (Chronical Heritage 2024). The AML program has conducted previous safeguarding

activities in the Florida Mountains under the Bradley Group Mine Reclamation Project (Project Number 35132) and the Bradley Group Mine Reclamation Project Phase II (DOI-BLM-L000-2014-0050-EA).

## **2.2 Project Location**

The Area of Potential Effect (APE) is approximately 10 miles southeast of Deming in Luna County, NM. The APE is located within Township 25 South-Range 8 West (T25S-R8W), T26S-R8W, T25S-R7W, and T26S-R7W of the USGS Capitol Dome, South Peak, and Gym Peak 7.5' quadrangles.

The APE is a combination of public land administered by the BLM Las Cruces District Office, privately owned, and state managed land that makes up approximately 1,653 acres (Figure 1). The percentage of surface ownership within the APE includes: 1,438 acres (87 percent) Bureau of Land Management (BLM), 202 acres (12 percent) privately owned and 13 acres (less than 1 percent) New Mexico State Lands Office. The Florida Mountains Wilderness Study Area (WSA) occurs on 1,006 acres of the BLM administered lands.



**Figure 1. Area of Potential Effect (APE) Topography for Proposed Capitol Dome Safeguarding Project**

## 3. Alternatives

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For further details regarding each Alternative described below, please see the full description within the Environmental Assessment.

### 3.1 Alternative A: Proposed Action

In general, the AML Program safeguards mine features that descend into the ground surface and are eight feet or greater in depth or length. Safeguarding actions may include mechanical or manual filling of mine openings with surrounding waste material or polyurethane foam (PUF), and construction of access barriers to prevent human ingress, such as locking gates, cupolas, high-tensile steel mesh coverings, gated culverts, or other wildlife-compatible closures. Safeguarding measures are designed to preserve cultural resources and wildlife habitat where present. Features identified as suitable bat habitat would be given wildlife-friendly closures. Some features that do not require wildlife-friendly closures may still receive them if they are not accessible by equipment. Mining features filled with existing waste rock or PUF would remain visible as shallow depressions, and residual waste rock material would be recontoured in place. Mining features with large, highly visible waste piles, particularly on steep slopes, would be closed using PUF or by other structural means, to preserve the mining landscape viewshed.

### 3.2 Alternative B: No Action Alternative

Under Alternative B, the no action alternative, proposed safeguarding activities to protect the public from hazards associated with approximately 210 abandoned mine features throughout the Florida Mountains would not occur. No site reclamation would occur, and safety hazards at mine features, including adits, shafts, subsidence features, and other mine openings, would remain on the landscape. Specifically, Alternative B does not satisfy the purpose and need of the proposed action based on AML Program reclamation priorities (PL 95-87, 30 USC 1240(a) 2006):

1. “Protect public health, safety, general welfare, and property from extreme danger resulting from the adverse effects of past mineral mining practices.
2. Protect public health, safety, and general welfare from adverse effects of past mineral mining and processing practices, which do not constitute an extreme danger.
3. Reduce or eliminate environmental impacts of past mining on public lands.”

## 4. Public Meeting

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A legal notice was prepared in both English and Spanish to describe the project background, preliminary alternatives, how to comment, and meeting time and location (Appendix A). The notice was advertised in the *Deming Headlight* and *Silver City Daily Press* on January 24, 2024. Copies of the public notices were posted on the public information boards in Deming at the Marshall Memorial Library and Copper Kettle Coffee. Notices were mailed and/or emailed to a Stakeholders List, which included federal and state agencies, local officials, the Deming Gem and Mineral Society, and the New Mexico Wilderness Alliance (Appendix A). Notices were also mailed to approximately 1,220 local residential and business addresses on the week of January 22, 2024, using FedEx’s Every Door Direct Mail service.

A 30-day public scoping comment period was open following the meeting, between January 8, 2024, and February 7, 2024.

During the comment period, the public and interested parties were invited to provide comments related to the Madrid Stormwater and Erosion Control Project Environmental Assessment. The methods by which the public could submit comments or suggestions were:

- Over the phone, by calling 505-930-5166
- Email to CapitolDome\_EA\_Comments@gmecnm.com
- In person at the public meeting
- Traditional mail delivery of written comments to Grouse Mountain Environmental Consultants:

*3600 Cerrillos Road, Suite 407  
Santa Fe, New Mexico 87507*

## **5. Public Meeting Summary**

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An in-person public meeting was held at the at the Mimbres Valley Special Events Center, 2300 E. Pine St, Deming, New Mexico on February 7th, 2024, from 6pm to 8pm. The purpose of this meeting was to provide an overview of the proposed project and provide an opportunity for the public, area neighbors, and businesses to ask questions and provide input. A PowerPoint presentation was prepared and presented at the meeting jointly by Grouse Mountain Environmental Consultants (Appendix B). AML representatives and associated contractors were available for questions. There were approximately 21 people in attendance for the meeting (In Person Sign in Sheet, Appendix C).

## **6. Public Meeting Comments**

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During the 30-day comment period, comments were provided by 39 different parties. All comments but one were from individuals (Comments Response Report, Appendix D). In total 54 comments/issues were recorded during the comment period. Comments were received during the public meeting question and answer session, via phone, and via email.

The main topics brought up during the scoping period were:

- Initial confusion about the proposed action's relations to other proposed projects in the area
- General AML Program projects, protocols, and budget
- Traffic
- Protection of wildlife resources
- Effects to hunting
- Preservation of cultural resources
- Protection of springs
- Unexploded ordinances in project area



## **APPENDIX A. PUBLIC OUTREACH DOCUMENTATION**

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### **Newspaper Notice**

See Proof on Next  
Page

**Deming Headlight**  
208 S. Gold Ave  
(575) 546-2611

I, Nickolas C. Seibel, of lawful age, being duly sworn upon oath, deposes and says that I am the publisher of Deming Headlight, a publication that is a "legal newspaper" as that phrase is defined for the city of Deming, for the County of Luna, in the state of New Mexico, that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

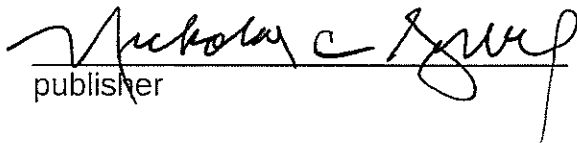
**PUBLICATION DATES:**

Jan. 24, 2024

**Notice ID:** Mc0ikF1rPSOH0nSapqTv

**Notice Name:** CapitolDomeLegalNoticeENGLISH

**PUBLICATION FEE:** \$238.39

  
publisher

**VERIFICATION**

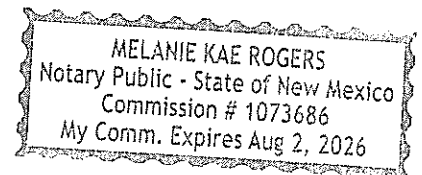
STATE OF NEW MEXICO  
COUNTY OF LUNA

Signed or attested before me on this

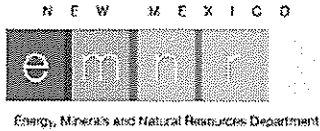
25<sup>th</sup> day of January, A.D. 2024.

  
Notary Public

**My Commission Expires:** Aug. 2, 2026



1 " || " || "



## PUBLIC INFORMATION MEETING

### Capitol Dome Abandoned Mines Safeguarding Project near Deming, NM

**Public Meeting:**  
February 7, 2024, 6:00pm-8:00pm  
at Mimbres Valley Special Events Center  
2300 E. Pine St  
Deming, NM  
Presentation and Feedback

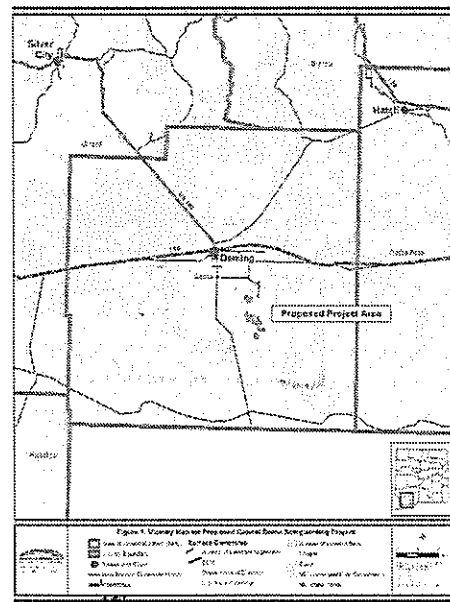
**Public Scoping Comment Period:**  
February 7 through March 6, 2024

**Invitation on behalf of:** The New Mexico Energy, Minerals, and Natural Resources Department, Abandoned Mine Land Program (AML), in partnership with the U.S. Department of Interior, Office of Surface Mining Reclamation and Enforcement (OSMRE).

**Meeting Purpose:** (1) To provide an overview of the proposed project and associated environmental assessment; (2) to provide an opportunity for the public, area neighbors, and businesses to ask questions and provide input.

**Comments:** Comments will be accepted and recorded at the public meeting or they may be emailed to [CapitolDome\\_EA\\_Comments@gmecnm.com](mailto:CapitolDome_EA_Comments@gmecnm.com); mailed to Grouse Mountain Environmental Consultants, 3600 Cerrillos Rd, Ste 407, Santa Fe, NM 87507; or provided over the phone by calling Hillary Robbie at 505-930-5166. Please submit comments before March 6, 2024.

**ADA:** To request Americans with Disabilities Act (ADA)-related accommodations for this meeting, or should you require an interpreter, contact Hillary Robbie with Grouse Mountain Environmental Consultants at 505-930-5166 or [CapitolDome\\_EA\\_Comments@gmecnm.com](mailto:CapitolDome_EA_Comments@gmecnm.com) by January 31, 2024.



See Proof on Next Page

**Deming Headlight**  
208 S. Gold Ave  
(575) 546-2611

I, Nickolas C. Seibel, of lawful age, being duly sworn upon oath, deposes and says that I am the publisher of Deming Headlight, a publication that is a "legal newspaper" as that phrase is defined for the city of Deming, for the County of Luna, in the state of New Mexico, that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

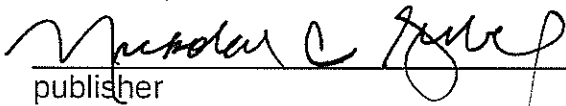
**PUBLICATION DATES:**

Jan. 24, 2024

**Notice ID:** nlwK01PhUxak482rhnCE

**Notice Name:** CapitolDomeLegalNoticeSPANISH

**PUBLICATION FEE:** \$272.45

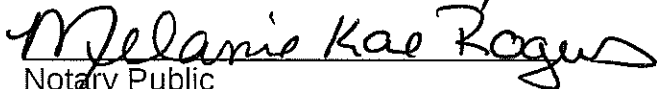
  
\_\_\_\_\_  
publisher

**VERIFICATION**

STATE OF NEW MEXICO  
COUNTY OF LUNA

Signed or attested before me on this

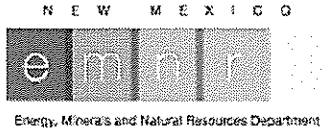
25<sup>th</sup> day of January, A.D. 2024.

  
\_\_\_\_\_  
Notary Public

**My Commission Expires:** Aug. 2, 2026

||"||"

MELANIE KAE ROGERS  
Notary Public - State of New Mexico  
Commission # 1073686  
My Comm. Expires Aug 2, 2026



## REUNIÓN DE INFORMACIÓN PÚBLICA

### Proyecto de la Salvaguardia de Minas Abandonadas en la area de Capitol Dome, cerca de Deming, NM

#### Reunión Pública:

El 7 de febrero del 2024, 6:00pm-8:00pm  
en Mimbres Valley Special Events Center  
2300 E. Pine St, Deming, NM  
Presentación y comentarios

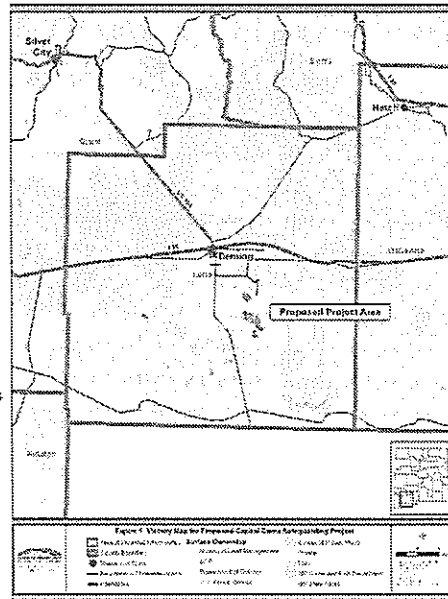
**Período de tiempo para comentarios de la  
reunión pública:**  
del 7 de febrero del 2024 al 6 de marzo del 2024

**Invitación en nombre de:** El Programa de Minas Abandonadas del El Departamento de Energía, Minerales y Recursos Naturales de Nuevo México (AML, por sus siglas en inglés), en alianza con la Oficina de Recuperación y Ejecución de Minería a Superficie (OSMRE, por sus siglas en inglés).

**Propósito de la Reunión:** (1) Presentar una descripción general del proyecto propuesto y la evaluación ambiental asociada; y (2) darle la oportunidad al público, vecinos del área, y negocios a hacer preguntas y ofrecer sus aportaciones.

**Comentarios:** Se aceptarán comentarios y estos serán registrados en la reunión pública, pero también pueden mandar comentarios por correo electrónico: [CapitolDome\\_EA\\_Comments@gmecnm.com](mailto:CapitolDome_EA_Comments@gmecnm.com); o por correo regular: Grouse Mountain Environmental Consultants, 3600 Cerrillos Rd, Ste 407, Santa Fe, NM 87507; o por teléfono a Cristina Marciales al: 505-930-5166 ext. 202. Favor de entregar comentarios antes del 6 de marzo del 2024.

**Ley de Estadounidenses con Discapacidades (ADA, por sus siglas en inglés):** Para pedir asistencia por el ADA para esta reunión, o si requiere un traductor, por favor llamar a Cristina Marciales con Grouse Mountain Environmental Consultants: 505-930-5166 ext. 202, o enviar correo electrónico: [CapitolDome\\_EA\\_Comments@gmecnm.com](mailto:CapitolDome_EA_Comments@gmecnm.com) antes del 31 de enero del 2024.





THE SILVER CITY INDEPENDENT PUBLISHING COMPANY, LLC

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(575) 388-1576 • fax (575) 388-1196 • www.scdailypress.com

INVOICE FOR PUBLICATION OF LEGAL NOTICE

Grouse Mountain Environmental Consultants  
760 West Fetterman St  
Buffalo, NY 82834

Date:	Description:	PO#	Lines:	Price/Line:	Total:
1/24/24	Public Information Meeting		61	\$0.68	\$41.48
	Capitol Dome Aband. Mine			\$0.52	\$0.00
				\$0.52	\$0.00
				\$0.52	\$0.00
				\$0.52	\$0.00
				\$0.52	\$0.00
				\$0.52	\$0.00
					\$41.48
Please include copy of invoice with payment to ensure proper credit.					Tax: \$3.37
					Grand Total: \$44.85

Affidavit of Publication

STATE OF NEW MEXICO  S S

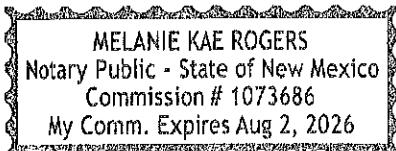
COUNTY OF GRANT

Nickolas C. Seibel, being first duly sworn, on his oath says: That he is the publisher of the Silver City Daily Press and Independent, a newspaper published in the Town of Silver City, in the County of Grant and the State of New Mexico, and that said newspaper is now, and was at all times herein mentioned, a newspaper of general circulation.

That the advertisement, copy of which is hereto attached, was published in said hereinbefore mentioned newspaper once each and every week for 1 consecutive week(s), the first publication thereof having been made on 01/24/2024 and the last publication thereof having been made on 01/24/2024. That said newspaper was regularly printed, published and issued with said notice herein upon the following dates, to wit:

1/24/24	
---------	--

Subscribed and sworn to before me on this 30<sup>th</sup> day of January 2024  
*Nickolas C. Seibel*  
Nickolas C. Seibel  
*Melanie Kae Rogers*  
Melanie Kae Rogers  
Notary



Legal

PUBLIC INFORMATION MEETING

Capitol Dome Abandoned Mines Safeguarding Project near Deming, NM

Public Meeting: February 7, 2024, 6:00pm-8:00pm at Mimbres Valley Special Events Center 2300 E. Pine St Deming, NM Presentation and Feedback

Public Scoping Comment Period: February 7 through March 6, 2024

Invitation on behalf of: The New Mexico Energy, Minerals, and Natural Resources Department, Abandoned Mine Land Program (AML), in partnership with the U.S. Department of Interior, Office of Surface Mining Reclamation and Enforcement (OSMRE)



THE SILVER CITY INDEPENDENT PUBLISHING COMPANY, LLC

300 West Market Street • P.O. Box 1371 • Silver City, New Mexico 88062-1371
(575) 388-1576 • fax (575) 388-1196 • www.scdailypress.com

INVOICE FOR PUBLICATION OF LEGAL NOTICE

Grouse Mountain Environmental Consultants
760 West Fetterman St
Buffalo, NY 82834

Table with 6 columns: Date, Description, PO#, Lines, Price/Line, Total. Includes a summary row with Tax and Grand Total.

Please include copy of invoice with payment to ensure proper credit.

Affidavit of Publication

STATE OF NEW MEXICO [ ] S S
COUNTY OF GRANT

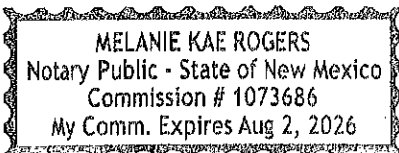
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Table with 2 columns: Date (1/24/24), Description (empty)

Handwritten signatures of Nickolas C. Seibel and Melanie Kae Rogers, Notary.

Subscribed and sworn to before me on this 30th day of January 2024



Legal

REUNIÓN DE INFORMACIÓN PÚBLICA

Proyecto de la Salvaguardia de Minas Abandonadas en la area de Capitol Dome, cerca de Deming, NM

Reunión Pública: El 7 de febrero del 2024, 6:00pm-8:00pm en Mimbres Valley Special Events Center 2300 E. Pine St, Deming, NM. Presentación y comentarios

Periodo de tiempo para comentarios de la reunión pública: del 7 de febrero del 2024 al 6 de marzo del 2024

Invitación en nombre de: El Programa de Minas Abandonadas del El Departamento de Energía, Minerales y Recursos Naturales de Nuevo México (AML, por sus siglas en inglés), en alianza con la Oficina de Recuperación y Ejecución de Minería a Superficie (OSMRE, por sus siglas en inglés). Propósito de la Reunión: (1) Presentar una descripción gen-

## **Public Meeting Notice Flyer**



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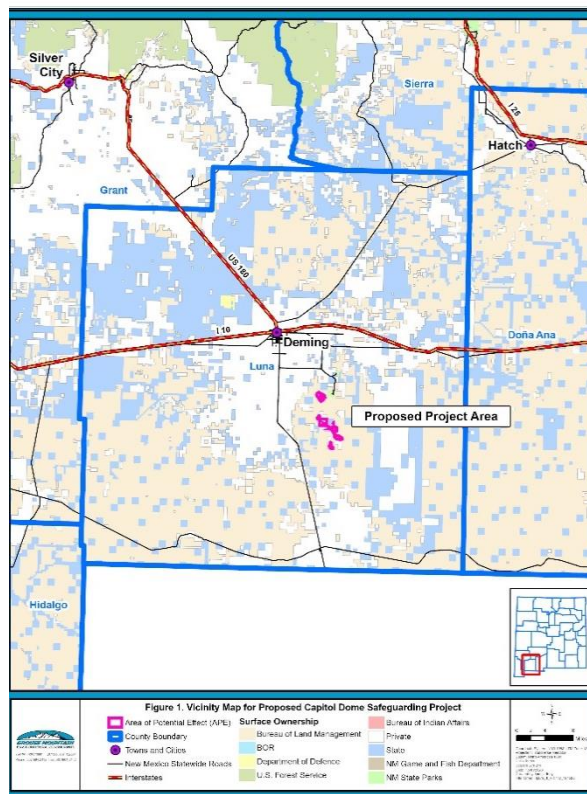
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 Presentación y comentarios

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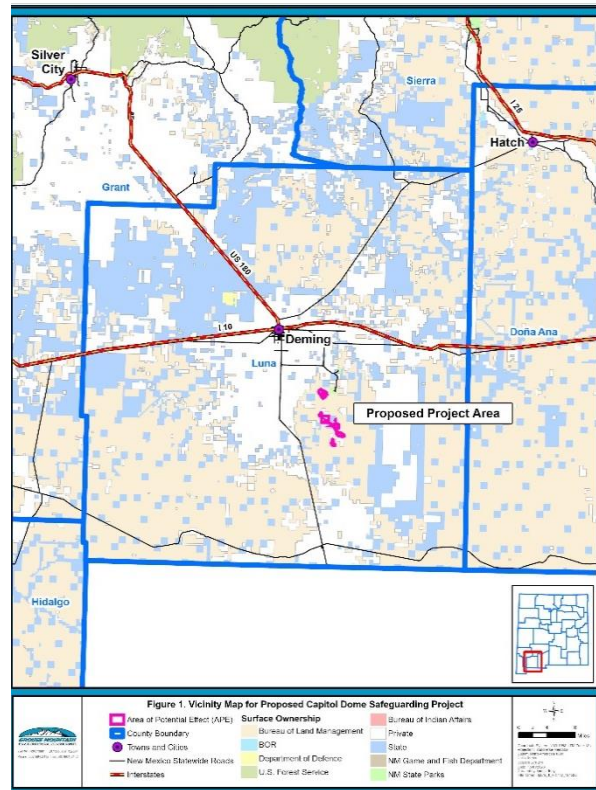
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## **Stakeholders List**

## **Stake Holders List -Capitol Dome Mine Safeguarding Project**

### **Bureau of Land Management**

Las Cruces District Office  
Chris Teske  
Abandoned Mine Land Coordinator  
1800 Marquess Street  
Las Cruces, NM 88005-3371  
575-525-4412  
[cteske@blm.gov](mailto:cteske@blm.gov)

### **NM State Land Office**

Kyle Rose, PhD  
Assistant Director of Stewardship  
Surface Resources Division  
NM State Land Office  
505-490-5704 (cell)  
505-827-3827 (office)  
[krose@slo.state.nm.us](mailto:krose@slo.state.nm.us)

### **NM Dept of Cultural Affairs - SHPO**

Historic Preservation Division  
NM Department of Cultural Affairs  
Bataan Memorial Building  
407 Galisteo St., Suite 207  
Santa Fe, NM 87501

### **New Mexico Department of Game and Fish**

Ron Kellermueller  
Mining and Energy Habitat Specialist  
Ecological and Environmental Planning Division  
1 Wildlife Way  
Santa Fe, NM 87507  
505-270-6612  
[Ronald.Kellermueller@dgf.nm.gov](mailto:Ronald.Kellermueller@dgf.nm.gov)

### **OSMRE**

Andrew Monroy  
Civil Engineer  
U.S. Department of the Interior  
Office of Surface Mining Reclamation & Enforcement – Western Region  
Denver Field Branch  
Lakewood, CO 80225-0065  
Office (303) 236-4696  
[amonroy@osmre.gov](mailto:amonroy@osmre.gov)

**New Mexico State Parks – Rockhound State Park**

Robert Apodaca, Manager  
9880 Stirrup Road SE  
Deming, NM 88030  
[robertv.apodaca@emnrd.nm.gov](mailto:robertv.apodaca@emnrd.nm.gov)

**NM State Representative – House District 32**

Representative Jenifer Jones  
[Jenifer.Jones@nmlegis.gov](mailto:Jenifer.Jones@nmlegis.gov)

**NM State Senator – Senate District 35**

Senator Crystal Diamond Brantley  
[Crystal.Diamond@nmlegis.gov](mailto:Crystal.Diamond@nmlegis.gov)

**Deming Groups**

Deming Gem and Mineral Society  
4200 Raymond Reed Blvd  
Deming, NM 88030

New Mexico Wilderness Alliance  
317 Commercial St. NE Ste. 300,  
Albuquerque, NM 87102

**Local Radio/Newspaper Announcements**

Deming Headlight Newspaper  
208 S. Gold Ave.  
Deming, NM 88030

Silver City Daily Press and Independent  
P.O. Box 1371  
Silver City, NM 88062

KRWG Public Media  
PO Box 30001 MSC TV 22  
Las Cruces, NM 88003

**Local Officials**

Ray Trejo  
Luna County Commissioner District 1  
[district1@lunacountynm.us](mailto:district1@lunacountynm.us)

Colette Chandler  
Luna County Commissioner District 2  
[district2@lunacountynm.us](mailto:district2@lunacountynm.us)

John Sweetser  
Luna County Commissioner District 3  
[john\\_sweetser@lunacountynm.us](mailto:john_sweetser@lunacountynm.us)

Mayor Benny. L Jasso  
City of Deming  
1275 E. Pine St.  
Deming, NM 88030

**Capitol Dome Adjacent Landowners** (probably included, but wanted to make sure a notice was sent)

Robert St Louis  
PO BOX 6  
Deming, NM 88031

## **APPENDIX B. PUBLIC MEETING PRESENTATION**

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# PUBLIC INFORMATION MEETING

## Capitol Dome Abandoned Mine Safeguarding Project

Wednesday, February 7<sup>th</sup>, 2024  
Mimbres Valley Special Events Center







# Public Information Meeting - Purpose



- Introduce Team Members from Agencies and Contractors
- Provide Overview of Capitol Dome Abandoned Mine Safeguarding Project
- Public Involvement: Comment session & Question/Answers with agency representatives

*Capitol Dome Mining Feature—  
Photo Courtesy of Grouse Mountain*



# Project Team & Responsibilities



**NEW MEXICO ABANDONED MINE LAND (AML) PROGRAM** – Project Lead; project development, coordination, management, & construction oversight



**OFFICE of SURFACE MINING RECLAMATION & ENFORCEMENT (OSMRE)** – co-federal project funding source



**BUREAU of LAND MANAGEMENT (BLM), LAS CRUCES DISTRICT OFFICE** – land management agency for majority of project area; project review



**NEW MEXICO STATE LAND OFFICE (SLO)** – land management & project review

# Project Team & Responsibilities



**GROUSE MOUNTAIN ENVIRONMENTAL CONSULTANTS** – conducting public outreach, conducting biological surveys and preparing Biological Evaluation, & will be preparing the Environmental Assessment (EA)



**BAT CONSERVATION INTERNATIONAL (BCI)** – conducting bat surveys & habitat assessments of mine features; prepared reports



**CHRONICLE HERITAGE** – conducted cultural resource surveys and reporting



**SWCA ENVIRONMENTAL CONSULTANTS** – conducted previous cultural resource surveys and reporting

# Team Members

## AML Team Members:



- Mike Tompson, P.E.: Program Manager
- Meghan McDonald, P.E.: Engineering Manager
- Lloyd Moiola: Environmental Manager
- James Hollen: NEPA Coordinator
- Leeland Murray: Project Manager
- Andrew Zink: Cultural Resource Manager

## Grouse Mountain Environmental Consultants:



- Hillary Robbie: NEPA Coordinator
- Cristina Marciales: Project Assistant, Wildlife Biologist

# Florida Mountains – Project Area



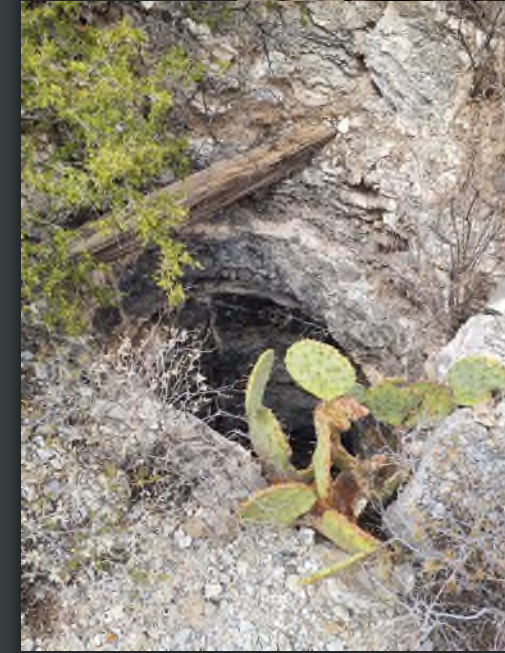
*Capitol Dome APE— Photo Courtesy  
of Grouse Mountain*

- 10 miles southeast of Deming, NM
- 12-mile-long isolated, north-south range with steep canyons and vertical cliffs
- No permanent streams
- Rocky or very shallow soils
- Florida Mining District- copper, silver, gold, lead, zinc, and manganese mostly between late 1800s and 1960s.
- Remaining mine features- shafts, adits, prospect pits, trenches, rock structures, tent pads, claim markers, refuse deposits

# Dangers of Abandoned Mines



- Hazards are not always obvious!
  - Unstable ground, loose rock, decayed timbers, & potential for collapse
  - Serious fall &/or entrapment hazards in open or inadequately sealed features such as shafts, highwalls, adits/portals, & deteriorated structures
  - Within mines: falls into winzes & water bodies, collapses, cave-ins, poor air circulation, poisonous gases, insufficient oxygen, deteriorated explosives, wildlife, & potential to become disoriented or lost within mine workings



*Capitol Dome Mining Features—  
Photos Courtesy of Grouse Mountain*

## ABANDONED MINES:

- Are Not Playgrounds
- Are Not Safe
- ~~Can~~ Will Kill You

**DON'T BECOME A PART OF  
NEW MEXICO'S  
MINING HISTORY!**

**STAY OUT!.....**



**STAY ALIVE!.....**

Mining and Minerals Division  
Energy, Minerals and  
Natural Resources Department  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505  
(505) 476-3400

[www.emnrd.nm.gov](http://www.emnrd.nm.gov)



# Capitol Dome Abandoned Mine Safeguarding Project— Project Purpose & Need



Vertical mine in Capitol Dome APE  
– *Photo Courtesy of Grouse Mountain*



To safeguard the general public from hazards associated with historical mining features, including adits, shafts, subsidence features, & other mine openings, while protecting cultural resources & preserving wildlife habitat

# Capitol Dome Project Area

1,922-acre Area of Potential Effect (APE)



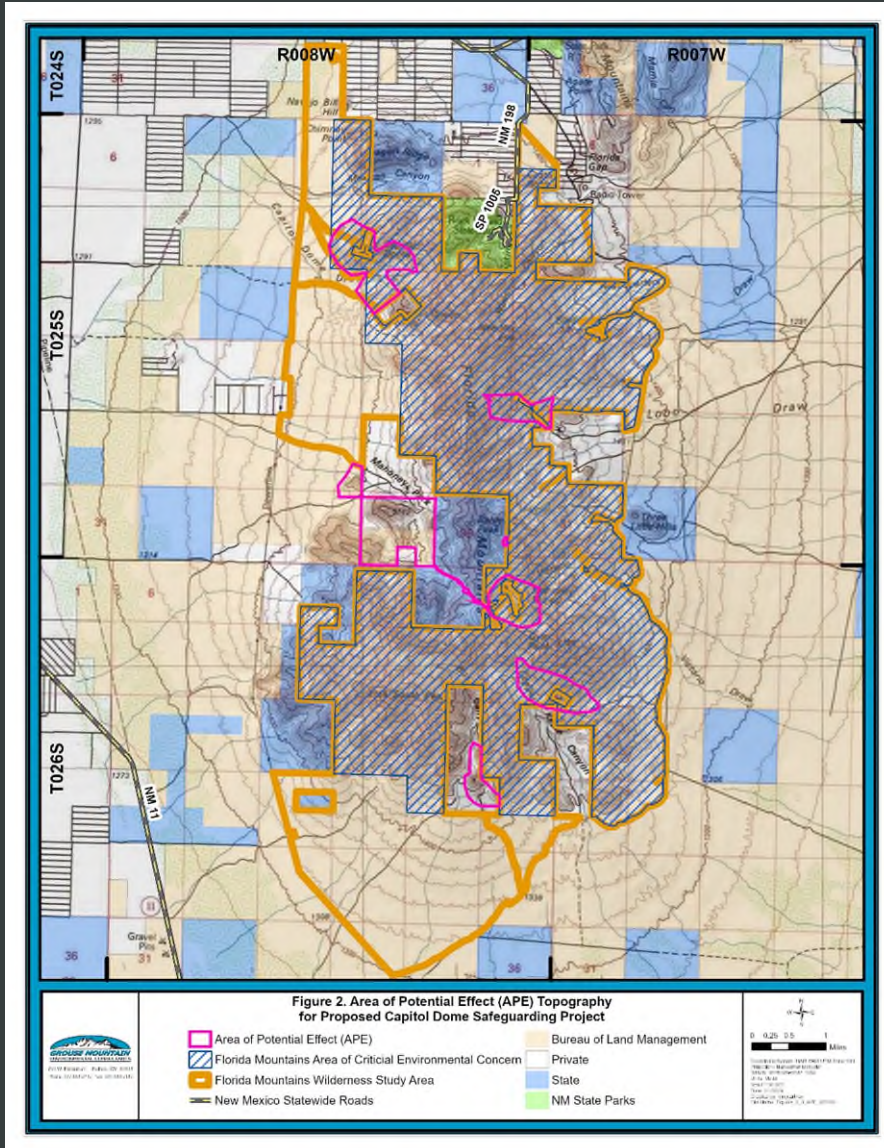
- 1,439 acres managed by BLM
  - 1006 acres within the Florida Mountains Wilderness Study Area

X

- 469 acres of privately owned land



- 13 acres managed by NM State Land Office

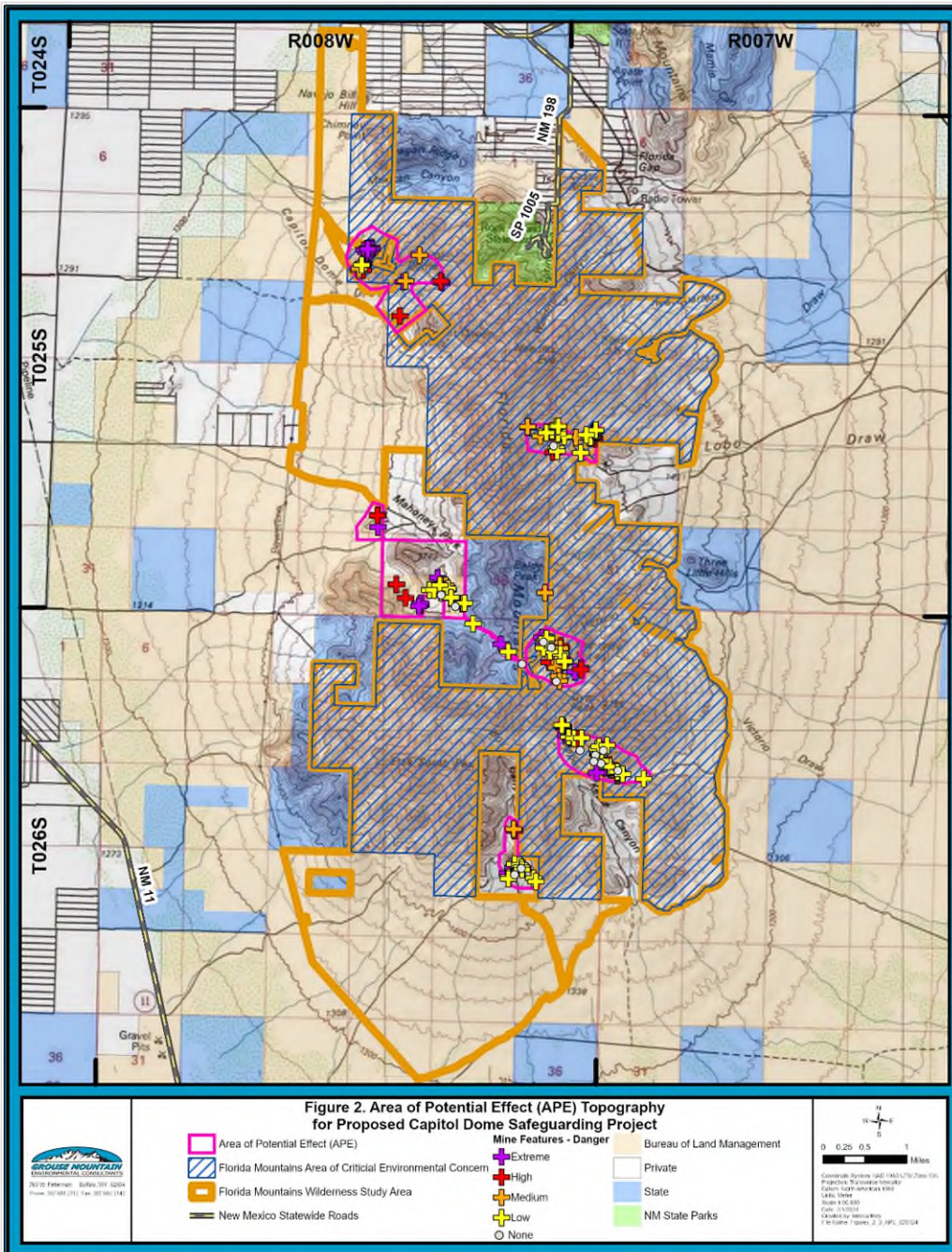




# Capitol Dome Project Area

Estimated 210 mines within APE

- 67 extreme risk
- 29 high risk
- 37 medium risk
- 62 low risk
- 15 none



# Capitol Dome Project Area

Estimated 210 mines within APE

- 67 extreme risk
- 29 high risk
- 37 medium risk
- 62 low risk
- 15 none

## BLM Danger Level Definitions

**Extreme:** 20' -> 100' deep; Extreme danger to public health, safety and property due to but not limited to: easily accessible unguarded open mines; occupied structures, public use facilities, improved public roads, or public use parks or recreational areas located within the vicinity of the feature; and/or evidence of frequent visitation or easy access roads capable of carrying vehicles within the vicinity of the feature.

**High:** 8' - 20' deep; High danger to public health, safety and property.

**Moderate:** 5' - 8' deep, Limited danger to public health, safety and property.

**Low:** Less than 5' deep; Low danger to public health, safety and property.

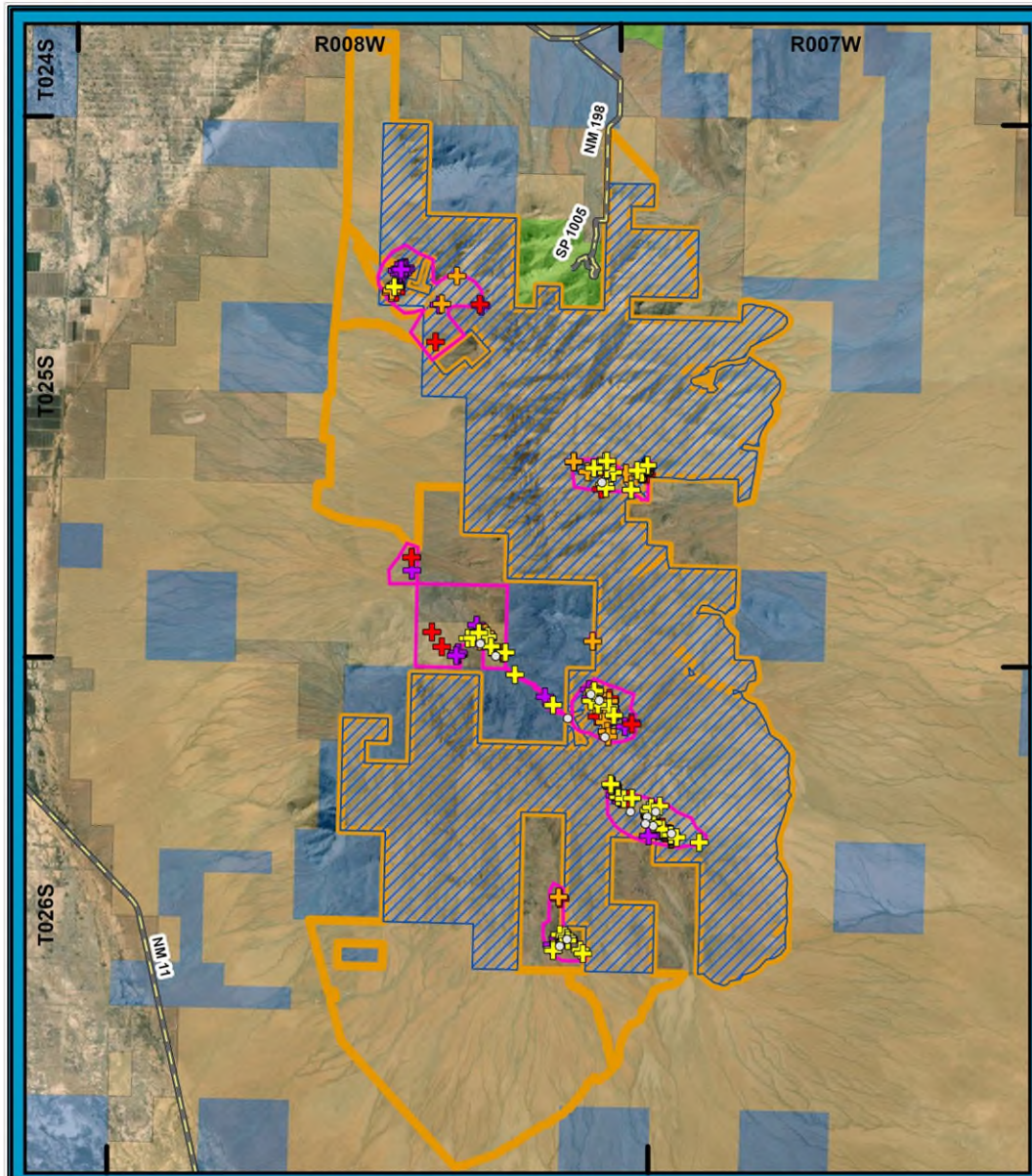


Figure 3. Area of Potential Effect (APE) Aerial Imagery for Proposed Capitol Dome Safeguarding Project



300 W. Federal - Bldg. WY 4254  
 P.O. Box 100 - 87101 - Salt Lake City, UT 84110  
 Phone: 801-468-2171 Fax: 801-468-2163

- |  |  |   |
|--|--|---|
| <ul style="list-style-type: none"> <li><span style="border: 1px solid magenta; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Area of Potential Effect (APE)</li> <li><span style="background: repeating-linear-gradient(45deg, transparent, transparent 2px, blue 2px, blue 4px); border: 1px solid blue; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Florida Mountains Area of Critical Environmental Concern</li> <li><span style="border: 2px solid orange; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Florida Mountains Wilderness Study Area</li> <li><span style="border-bottom: 2px solid black; display: inline-block; width: 15px; margin-right: 5px;"></span> New Mexico Statewide Roads</li> </ul> | <p><b>Mine Features - Danger</b></p> <ul style="list-style-type: none"> <li><span style="color: magenta;">+</span> Extreme</li> <li><span style="color: red;">+</span> High</li> <li><span style="color: orange;">+</span> Medium</li> <li><span style="color: yellow;">+</span> Low</li> <li><span style="color: black;">○</span> None</li> </ul> | <ul style="list-style-type: none"> <li><span style="background-color: #f0f0f0; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Bureau of Land Management</li> <li><span style="background-color: #e0e0e0; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Private</li> <li><span style="background-color: #add8e6; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> State</li> <li><span style="background-color: #90ee90; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> NM State Parks</li> </ul> |
|--|--|---|





# Capitol Dome – Project Description

## SAFEGUARD APPROXIMATELY 210 HAZARDOUS ABANDONED MINE FEATURES

- Manually/mechanically fill mine features with waste material or polyurethane foam
- Build wildlife-compatible closures with structural barriers to restrict human access (locked gates, cupolas, steel mesh coverings, etc.)
- Use backhoes, trucks, other small equipment
- Due to access, helicopters will be used during construction to limit surface disturbance



*Capitol Dome Mining Feature—  
Photo Courtesy of Grouse Mountain*

# Abandoned Mine Closure Examples



Airflow Structure



Bat Gate



Bat Gate



Bat Gate in Rock Bulkhead



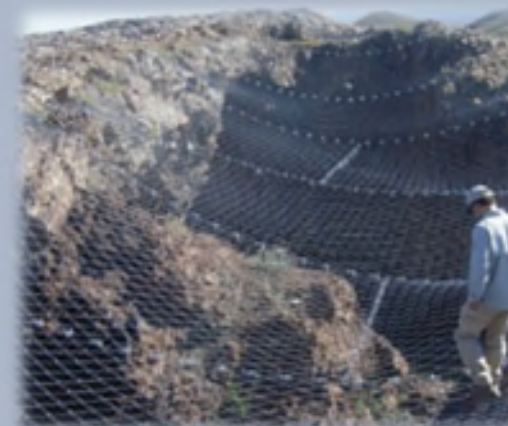
Bat Cupola



Bat Gate with Mesh



Bat Gate



Steel Mesh



Culvert with Bat Gate



New Mexico  
Abandoned Mine  
Land Program

Photo Credits:  
N.M. AMLP Staff



# Abandoned Mine Closure Examples



Before/After stope closure with rock-lined basin: Socorro West Mine Safeguarding  
– Photos Courtesy of AML



Polyurethane Foam Plug  
– Photo Courtesy of AML



Before/After adit closure with bat gate: Cleveland Mine Safeguarding  
– Photos Courtesy of AML



# Abandoned Mine Closure Examples



Mine Closures from Lake Valley Mine Safeguarding Project  
– Photos Courtesy of AML



# Natural Resources Surveys

## Biological surveys in 2023 and 2024

- No wetlands
- All drainages ephemeral
- Federally threatened or endangered species
- Migratory Bird Treaty Act
- 114 State threatened, endangered, species of greatest conservation need (SGCN), and/or BLM Sensitive species
  - Orcutt's pincushion (State S3, NMRPTC list)
  - Rock rattlesnake (SGCN)
  - Loggerhead shrike (SGCN)



Orcutt's pincushion  
– Photo Courtesy of Grouse Mountain





# Surveys & Bat Habitat Assessments

- Comprehensive biological surveys completed at each mine feature; emphasis on bat use
- Mine feature closure recommendations based on habitat assessments
  - Features with No/Poor/Marginal Bat Habitat: typically recommended for destructive closures
  - Features with Marginal/Good/Excellent Bat Habitat: typically recommended for bat/wildlife-friendly closures
- Townsend's big-eared bats, big brown bats, & unidentified species were observed
- Other wildlife use: wood rats/small mammals, ringtail cat, javelina, large mammal, owls and other birds, snakes including rattlesnakes, bees



Jason Corbett descending into mine shaft  
– Photo Courtesy of BCI/BLM Erinn Shirley

# Biological Assessment/Biological Evaluation

- MINIMAL EFFECTS to vegetation
  - Existing roads will be utilized & disturbed areas will be seeded with native seeds & mulched
- NO IMPACTS to wetlands or waters of the U.S.
- NO EFFECT determination for all federally threatened & endangered (T&E) species
  - Lack of critical habitat, general habitat, or occurrence
- Migratory Bird Treaty Act- nests present
- Out of 114 State threatened, endangered, SGCN, and/or BLM Sensitive species
  - 76- *No Effect*, no habitat or presence
  - 38- *May Affect* individuals but not likely to contribute to federal listing
  - Potential mitigation measures- timing, clearance surveys, biological monitor, wildlife friendly closures
- TEMPORARY EFFECTS to wildlife
  - Short-term & localized displacement during construction
  - May impact individuals, not likely to affect population



# Wildlife Use of Mine Features



– Photos Courtesy of AML Program

- National Historic Preservation Act, National Cultural Properties Act, New Mexico Prehistoric and Historic Sites Preservation Act, and New Mexico Cultural Properties Act
- 1,619-acre inventory in 2014
  - 41 total sites
  - 6 historic properties
  - 138 isolated occurrences
  - Of these, 38 recommended eligible for National Register of Historic Places (NRHP)
- 130-acre inventory in 2023
  - 5 newly recorded sites
  - 13 isolated occurrences
  - Of these, 2 recommended eligible for NRHP
- 173-acre inventory planned in 2024



# Capitol Dome – Environmental Assessment (EA)

## National Environmental Policy Act (NEPA)

### Requires public involvement

### Addresses a Purpose and Need

- *To safeguard the general public from hazards associated with historical mining features, including adits, shafts, subsidence features, & other mine openings, while protecting cultural resources & preserving wildlife habitat*

### Requires assessing environmental impacts from alternatives that meet the Purpose and Need and a

#### No Action Alternative:

- *No Action Alternative-* no work would be done, acts as a baseline
- *Proposed Action Alternative-* AML Program preferred alternative, close/safeguard all mine features
- *Other Alternatives?*

# Capitol Dome Abandoned Mine Safeguarding – Project Schedule

February 7-March 6, 2024: Receive public scoping comments

March 2024: Compile & summarize public comments & contributions

February-March 2024: Additional biological & cultural studies

May-July: Environmental Assessment preparation

Estimated August: Public Meeting for EA

Estimated Early 2025: Project Implementation



Capitol Dome Mine Feature  
– Photo Courtesy of Grouse Mountain



# Question/Answer & Comment Session

**PLEASE SUBMIT ADDITIONAL COMMENTS OR QUESTIONS BY MARCH 6, 2024 TO:**

Hillary Robbie  
Grouse Mountain Environmental Consultants  
3600 Cerrillos Road, Suite 407  
Santa Fe, NM 87507  
Phone: 505.930.5166  
Email: CapitolDome\_EA\_Comments@gmecnm.com



[www.emnrd.nm.gov/mmd/public-notice/](http://www.emnrd.nm.gov/mmd/public-notice/)



## **APPENDIX C. PUBLIC MEETING SIGN-IN SHEET**

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NAME	AFFILIATION	ADDRESS	PHONE	EMAIL
MARY BERINGER	FOTF	10105 BURN ROAD SE	575-545-1662	maryberinger@gmail.com
Allie Bethinger	BLM		575-525-4114	albethinger@blm.gov
Take Kids	NMSLO		575-644-0673	takekidslo.state.nm.us
Leland Murray	NM AMI?		505-625-9677	leland.murray@state.nm.us
Kathryn Townsend			575-787-7806	kathryn.kathryn@nmsl.com
Clint Townsend				
Barbara Staff				bstaff18@hotmail.com
Joshua Nemeck	NMSLO		505-270-0645	
Sandra Brashers				SM1313@nsv.com
Bryan Victor	NMSLO			bvictor@sls.state.nm.us

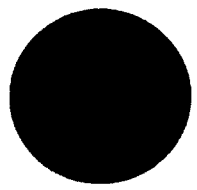
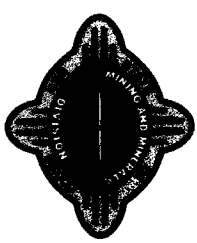


# Public Scoping Meeting

## Capitol Dome Abandoned Mine Safeguarding Project

Luna County, New Mexico  
 Mimbres Valley Special Events Center  
 2300 East Pine Street Deming, NM 88030  
 Wednesday, February 7th, 2024

PLEASE SIGN IN & PRINT LEGIBLY



NAME	AFFILIATION	ADDRESS	PHONE	EMAIL
NVADEMMENT	NONE	CAPITOL DOME RD SE	602373 0910	
Teleshridge Hanson		10210 Tansford SE Deming	474-0746	
WES WELSH	FOTF	12710 LUENA RD. SW	917-273- 5174	
MARY-ANN REYNOLDS	-	4705 MEDANOLD SE	575 447601	ambrian@am @gmaill.com
Carlene Dove-Oakley	NONE	4090 Luena Springs Rd SE	317 224 9468	adotte@scoble@yahoo.com
KRISTINA BAKER	"	" " " "	317225 1223	" "
Longmoist	EMNRD		505-625 3757	
James Hollen	EMNRD	SANTA FE	505 231 8332	james.hollen@emnr.com
Marci Coulson	FOTF	LUNA Co.		
Jackie Nobles	FOTF	11935 Marigold Rd SE Deming	605 366-3845	Jackie.tg33@ Gmail.com

## **APPENDIX D. COMMENTS RESPONSE REPORT**

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Comment No.	Name	Issue/Comment	Date	Response
1	John Lemon	WW2 Capitol Dome used as a bombing target. Unexploded bombs still in area. Dynamite and sand bombs, he says people will say that they're too old to be a worry. But he says this isn't true because old dynamite left still will sweat and that turns into nitroglycerin.	1/24/2024	We will be consulting with the U.S Army Corps of Engineers Unexploded Ordnances Specialist in order to determine the possible danger and risks to the public and project implementation. In the meantime, desktop surveys have concluded that while there are Formerly Used Defense Sites (FUDS) located at the base of the Florida Mountains, these are not located within the project area nor along access routes. Public access to FUDS can be viewed at the following link: <a href="https://www.usace.army.mil/Missions/Environmental/Formerly-Used-Defense-Sites/FUDS-GIS/">https://www.usace.army.mil/Missions/Environmental/Formerly-Used-Defense-Sites/FUDS-GIS/</a>
		Drug dealers are making meth in the mines at Capital Dome.		Current preliminary biological and cultural surveys have not identified any unusual activity within the project area. If unusual activity is noted during construction, the AML Program will contact local and/or BLM law enforcement.
2	Ron Kellermueller, Mining and Energy Habitat Specialist NM DGF	Is there a site inspection scheduled for this project?	1/24/2024	No site inspection is scheduled for this project at this time. Once the Biological Assessment and Biological Evaluation is completed, the AML Program will reach out to NM Game and Fish to conduct a site inspection and discuss any concerns or comments.
3	Mr. Clare Alexander May	As a voter and lawful resident of the Deming area for 50 years I feel inclined to opinion your proposed project and add more than a 3 minute speech to your ignorant and far too late in life project to spend money on something that doesn't need money spent on.	1/25/2024	Multiple surveys have been completed in the proposed project area. Funding for this project is specifically set aside to assist in hard rock safeguarding projects.
		#1. Have you ever climbed to the top Capitol Dome? I have. It is far easier to climb from the East than the West side. I went up the West side...on foot. It took all day to get there, and 20 minutes to get down when the wind picked up over 70mph at sundown.		
		#3. How far have you even explored these mountains that you desire to protect for some, as I see it, far left liberal agenda to save the rocks from prying eyes and touchy feely hands program you got going on?		
		#5. Did you climb up there to see what the South Peak view offers? I have, but you won't because it's a little bit of a drive from Santa Fe and an entire day's climb...on foot...to get there.		
		#2. Have you explored the mines that you desire to spend countless dollars closing? I have. And lo and behold 50 years later, I still didn't fall into one breaking a leg or something and I've been in most of them from the 3 sisters to the Floridas.		Exploring abandoned mines is a safety risk to the public and our program does not recommend this. Dangers from abandoned mines may include hidden deep shafts, cave-ins, decayed timbers, bad air and poisonous gases, and unstable explosives. As recently as 2020, a motorcyclist was killed in an abandoned mine.
		#4. During last year's lightning strike on South Peak, How many thousands of dollars and fire extinguishing materials were spent on stopping that fire? I can tell you, nothing was done and it was permitted to burn itself out as the area is inaccessible except on foot.		Our program does not manage fires on public lands. Please contact your local BLM office obtain that information.
		I had a front view seat to it from my house. It made it a nice week to see mother nature do what the State could or would not do. I went down that way at sunset one time... I came across a 300 foot drop...straight down... and it took another 2 hours of climbing which ended up to be totally in the dark to get around it.		
#6. Do you graze cattle in Copper Kettle? I don't and never have, but I know some have and still do. Last time I heard it takes 640 acres around here to properly feed 6-10 head...and the ranchers must supplement their cattle to keep them in weight. Taking away this, ensures costs rise to the rancher, who will pass it on to the consumer...and that is me and you.	This project is not associated with Capitol Dome's potential National Monument status. This project is not associated with, nor would it impact the status of, grazing leases in the project area.			
I have a hard enough time paying \$18.95/lb for beef now... taking this action ensures the local beef market will skyrocket.				
#7. How many tourists do you project to lie about who will visit this mountain range that will justify it becoming a national park? 200-300 or maybe 10,000?	This project is not associated with Capitol Dome's potential National Monument status or tourism.			
I can say other than ranching, mining, hunters and the US Border Patrol, less than 10 so-called Tourists per 3 months drive all the way around these mountains.				
Reread that so you understand it... DON'T COUNT RANCHERS, MINERS, HUNTERS or the US BORDER PATROL on the entire Florida range... Less than 10 Tourist people drive around the Florida mountain range...PER 1/4 of a YEAR. I know that, because I can see that activity from my home...and saying 40 tourists per year...I'm being very very grateful.				

Comment No.	Name	Issue/Comment	Date	Response
		<p>Let me ask you how many visitors go right now to Spring Canyon and Rockhound State Parks? You don't have the exact numbers and if you do, you're going to have to distort them to justify taking the entire mountain range into consideration and placing them off limits to everything modern...</p> <p>As it is, Spring Canyon State Park is closed during the winter months... Are you gonna buy a \$500,000.00 snow plow to use it once or twice a year to keep Spring Canyon open year round and potentially increase the number tourists to say...another 120 per year?</p>		
		<p>#8. Did you even consider before taking the task to offer public input what needs to be "Protected" from harm?</p> <p>a. Is the site of the Indian Chief Victorious demise?</p> <p>b. Is it the defensive line established by the US Cavalry during the shooting and engagement of Victorio? Do you even know where those sites are? I do...I've been there.</p> <p>c. Is it the site of some of the mimbreno/apache pre columbian sites that have been rummaged through and dug up in the 1960-1970's with a backhoe ?</p> <p>d. Is it the South cave that should have been documented in the 1970's that had 18-20 charcoal petroglyphs in stickman form and a basket weavers remnants that now maybe, MAYBE, one or two charcoal drawings are left worth preserving?</p> <p>e. Perhaps it's in the Mahoney Park mining area that you want to preserve...but not much is left there worth saving after 100 years of neglect by your office. The NorthEast side then? But it's in the same state of disrepair and graffitied beyond preservation and every graduating class of Deming High School since 1955 has decimated that area.</p> <p>f. Is it the native American grinding holes in Mahoney park in the solid gray granite? It'd be pretty hard to steal them, it's about a 40,000 ton mass of solid rock...</p> <p>If you'd want to put the historical sites that I mentioned into your new national park... That might be different...but you don't even know where they are at...and I KNOW MY CONGRESSMAN GABE VASQUEZ doesn't have a clue nor Ray Trejo, a Luna County Commissioner who in my opinion is simply stuck on democrat. AKA "If it sounds too good to be true...we gotta do it and jump in feet first...If it saves one rock from harm... mental health syndrome".</p> <p>If you'd like me to show you where they are at.. You're 20 years too late, I don't climb anymore after serving my community and Nation for 38 years.</p>		<p>This project is not associated with Capitol Dome's potential National Monument status. This project would safeguard abandoned mine features while minimizing environmental impacts from implementing the safeguarding features. Public input is being gathered in this scoping phase and future input will be requested from the public once the environmental assessment has been prepared. The environmental assessment will take into account cultural and historical features within the project area.</p>
		<p>#9. Have you flown over the peaks in a helicopter? I have...and the downdrafts are a primary reason if there is a fire by lighting or intentionally set by the wonderful State Government as they did in the past decades... Those downdrafts can kill any firefighters attempting such a foolish task.</p>		<p>This project is not associated with any proposed fire treatments or prevention.</p>
		<p>#10. Are you trying to protect the Ibex planted there who are not and were not native to these mountains? I was a kid when the State Government and the Federal Government imported these goats into the mountains in 1974. It was foolish then as it forced out the limited mule deer and other wild animals starving in these mountains. I have not witnessed a mule deer in about a decade now coming to my place for water.</p>		<p>This project is not intended to benefit or harm ibex. Impacts from safeguarding activities would be highly localized. In addition, AML will be consulting New Mexico Department of Game &amp; Fish to discuss potential impacts from the proposed projects on ibex and other wildlife.</p>
		<p>#11. Maybe you'd like to stop the next mining adventure currently under consideration that will produce massive amounts of Dolomite ( A key ingredient to concrete mix) which will give more jobs per year than visitors to this new BS national monument project... and potentially lower the cost of concrete locally to people who live here rather than Santa Fe politicians and the anointed ones in unelected State paid 3 or more lettered agencies.</p>		<p>This project is not associated with Capitol Dome's potential National Monument status. It would not affect the outcome of the Dolomite mine.</p>
		<p>Leave it alone. Reject this absurd proposal that's decades too late... Don't waste tax dollars on it.</p>		<p>This project is not associated with Capitol Dome's potential National Monument status. In addition, the AML Program's funding for this project comes from a tonnage fee of coal mined in the United States and not through taxpayer's money.</p>
		<p>Get rid of the current Wildlife Refuge Status and permit hunting, trapping, mining and grazing back onto Federal and State lands.</p>		<p>This is outside of AML's jurisdiction and unrelated to the proposed project.</p>

Comment No.	Name	Issue/Comment	Date	Response
		<p>I have lost so many pets to wild coyotes and cats (Bobcat and Cougar) and even a porcupine once over the years and even more frequently in the last decade due to no control or little controls on wildlife.</p> <p>I'm not talking about just stray dogs...I'm talking about 7 foot long 240 pound mountain lions that enjoyed using my Australian shepherds as lunch. I can only imagine, one of those 120 new tourists walking their little chihuahua around Mahoney Park and they encounter that 7 foot cat, its kittens or its partner... It would be a scooby doo snack if that cat was hungry or they got near its kittens.</p> <p>Now, with the new approach on javelina and protecting those destructive critters, in the past 3 years I've been finding their tracks near my home. I've never spotted any javelinas around my home from the 70's, all the way through 2020.</p>		<p>This is outside of AML's jurisdiction and unrelated to the proposed project.</p>
		<p>You can google my address. I got a front porch view. I didn't mind the view when someone cut a new road in the 1990's across the base on the West side, (you didn't give a damn either) and a new road to the dolomite mine isn't going to change my opinion.</p> <p>Remember... You asked for public input and you sent me the Public Information Meeting Notice.</p>		<p>Comment is noted.</p>
4	Susan Schiffner	<p>Asked about more information. Discussed that it is closing mines and not related to new mines.</p>	1/31/2024	<p>No particular comment. Grouse Mountain provided the information that this project is not related to new mines, only safeguarding existing abandoned mines.</p>
5	Wes Light	<p>More information please. There's no link online at the AML site with more information. Part of the "Friends of the Floridas" group. Would like a better map sent.</p>	2/1/2024	<p>Grouse Mountain emailed a larger PDF project map. This map and other information is also now located online under "Capitol Dome" at: <a href="https://www.emnrd.nm.gov/mmd/public-notices/">https://www.emnrd.nm.gov/mmd/public-notices/</a></p>
6	Unknown	<p>She has been all over the mountain and spelunked to 1200 feet. Closing the mines is fine, but don't ruin my mountain.</p>	2/1/2024	<p>Comment is noted.</p>
7	Brenda	<p>I just had a question if the capitol Dome Abandoned Minds Safeguarding project has anything to do with the American magnesium Dolomite line project either the same different involved with each other anyway</p>	2/5/2024	<p>This project is not associated with the new dolomite mine.</p>
8	Christine Turner	<p>When I decided to spend my retirement years in Luna County, I chose this area because of my desire for</p> <ol style="list-style-type: none"> <li>1) Good Water</li> <li>2) Tranquility</li> <li>3) Plenty of Sunshine</li> <li>4) Most significantly, it accommodated my financial limitations, making it my only viable option for residence.</li> </ol> <p>Now, however, your proposal threatens to shatter the peace of my dream home to benefit a select few locals and a group of outsiders seeking financial gain. I doubt any arguments will be able to compete against your greed.</p> <p>Your project, labeled as an "Abandoned Mine Safeguarding Project" despite plans to detonate half the mountainside within or adjacent to a "Wilderness Study Area," exposes your true motives. Whom do you seek to protect? Certainly not us, the residents.</p> <p>The value of our properties, which directly face the main site, will plummet even before any work has commenced.</p> <p>Your "restoration" activities will not only disrupt the lives of residents below but also adversely affect water and air quality, as well as traffic in the area.</p> <p>Despite assurances of water safety, you cannot guarantee it. Nobody can.</p> <p>The winds here are strong and frequently blow from the East, which will send even more dust particles our way and affect the air we breathe.</p> <p>And an increase in traffic fatalities is virtually unavoidable. I travel frequently on Columbus Hwy in my slow van and know what chances some drivers are willing to take to pass me. It will become much worse once your loaded tractor trailers are roaring down our roads.</p> <p>As financially disadvantaged residents, we lack the means to retain legal counsel to halt your plans. If you proceed unchecked, I implore you to at least offer fair compensation to those affected. My property, listed here (<a href="#">Link</a>), could serve as your office (conference table included), with kitchen, bathroom and laundry, and accommodate your foremen's RVs (full hookups up to 50 Amps). Upon</p>	3/5/2024	<p>This project is not associated with the new dolomite mine. The concerns listed in this comment are specific to the dolomite mine and are not associated with the proposed AML Capitol Dome project. A full analysis of environmental effects from the proposed Capitol Dome project will be provided in an Environmental Assessment which will be posted for public comment.</p>

Comment No.	Name	Issue/Comment	Date	Response
		completion of the project, if the private well continues to provide clean water, you may consider building your own dream home on it.  In summary, I reject the notion of being "protected" when it means sacrificing our quality of life and the value of our properties. However, if you insist on disrupting our community, please ensure that it is not at our expense. Compensate us (particularly me!) fairly for the losses we will incur.		
9	Public Meeting Q&A Session	Who started this? Who wants this project done?	2/7/2024	The NM AML Program. This project has been in the works for about 10 years. The BLM Las Cruces District Office put this project before us. Those of you familiar with the Floridas may remember some bat cupulas we built ~10 years ago on Cooke's Peak.
10	Public Meeting Q&A Session	It's going to make it hard to hide bodies out there now...	2/7/2024	These mountains are highly visited and close to the city of Deming, so we want to protect the mines for all those people.
11	Public Meeting Q&A Session	What about the Three Sisters Area?	2/7/2024	Yes, there's hundreds of mine features there. That could be a project in the future.
12	Public Meeting Q&A Session	Is this the only project you have in the county right now?	2/7/2024	Yes, though the AML is developing other projects, but this is the only active one right now.
13	Public Meeting Q&A Session	Are you going to be doing the whole mountain?	2/7/2024	These are the primary locations of the mine features (see map). We've already safeguarded ~100 mines in the Little Floridas. We've been working out here for 20 years in various mine projects.
14	Public Meeting Q&A Session	So are you only talking about the Capitol Dome area?	2/7/2024	The project area includes the Capitol Dome area but has other areas throughout the range as well. This used to be called the Mahoney Park Project. Project selection is usually based on BLM's inventory of high priority features.
15	Public Meeting Q&A Session	How much of an impact are you going to have on Ibex habitat?	2/7/2024	Our work is very selective. Only work is done on the mine features themselves. We'll work with NM Department of Game and Fish to follow their suggested guidelines for Ibex.
16	Public Meeting Q&A Session	What road are you going to use to get there? Big trucks, small trucks?	2/7/2024	Mostly pickup trucks carrying small construction equipment such as a backhoe. You can drive right into the Capitol Dome area. Everywhere else we would use helicopters to drop off supplies.
17	Public Meeting Q&A Session	Will there be any blasting?	2/7/2024	There will not be any blasting. We typically use the mine waste that is onsite for the backfill material, so the same material that was in the mine in the first place is used to fill it back up.
18	Public Meeting Q&A Session	If there is something culturally significant in an area or have you found a species of bats in the mine area?	2/7/2024	Nothing on the register of historic properties. We avoid important cultural resources features. There are several bat species out there and what we're doing is conducive to their habitat.
19	Public Meeting Q&A Session	Just one crew or multiple crews? But you're just going to have one group?	2/7/2024	We haven't decided on the scope of construction. Probably 4-5 people working in one area at a time. Because helicopters may be used and they are costly to run, there will probably be 2 or 3 phases of construction.
20	Public Meeting Q&A Session	Woman concerned about construction truck traffic.	2/7/2024	There won't be any semi-trucks, just pickup trucks and small construction equipment such as backhoes.
21	Public Meeting Q&A Session	This won't have any impact on any natural springs? There's one near Mahoney Park.	2/7/2024	There will be no impact on natural springs. Impacts are very isolated to the mine feature.
22	Public Meeting Q&A Session	Are you guys done yet? (in all of NM)	2/7/2024	There are 25,000 mines out there.
23	Public Meeting Q&A Session	How long do you anticipate this project taking until completion. Budget? Where is the money coming from?	2/7/2024	There will likely be a few construction phases. The Office of Surface Mining Reclamation and Enforcement manages funding from a tax on coal which we can use some of that for funding this project. We haven't talked about numbers yet, but it will probably be several million dollars. The BLM may help with some of this cost as well. Both programs might be doing the work. They might do one, we may do another. How many years? I guess at most ~2 years. We're capped at how much money we can use on hard rock projects; we would have to have it phased out. In general, 1-3 years, depending on complexity.
24	Public Meeting Q&A Session	[first resident] How come no one has brought up the fact that this was a past bomb testing sight. We don't even know what all they did up there, other than they dropped and they shot.  [other resident] They are all dummy bombs! I have a few at my house.  [first resident] NO they were live bombs, we don't know if they are currently flammable, toxic, etc. No one has brought this up. No one should dig up there because you can run into something like an unexploded bomb.	2/7/2024	The Army Corps of Engineers has an unexploded ordinances specialist, so we're going to call him out to the project site so he can take a look at things. See comment 1 above for additional information.



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25	Public Meeting Q&A Session	Are you aware that there are two giant targets the size of a football field out there? These are historical pieces, I don't want you to destroy those.	2/7/2024	Our project will only have localized disturbance, and we won't be affecting any historic resources.
26	Public Meeting Q&A Session	The road that goes up to Mahoney Park, there were old houses up there with addresses and stuff, are those in your area and will be affected?	2/7/2024	Yes, a cultural specialist would have looked at those, and we won't be affecting anything like that. Everything will have to be transported via helicopter, as Mahoney Park Road is unpassable.
27	Public Meeting Q&A Session	I have spelunked many of these mines. These are not a danger to anyone with any common sense. I find them culturally interesting. 200 foot ones are the best, adventurous. Why all of a sudden is this a problem?	2/7/2024	There have been numerous abandoned mine accidents in NM and one death is too many. It's a liability for the BLM. We can't tell you that you can't go in a mine on your own property. For private landowners and mine claimants, we have safeguarded mine features and provided them keys for access if they wish.
28	Public Meeting Q&A Session	So that guy wouldn't be able to go spelunking then after you do this work?	2/7/2024	No one will be able to go spelunking after completion of this project, but that's good because it's dangerous.
29	Public Meeting Q&A Session	Can these barriers be removed	2/7/2024	No, they cannot be removed, and we maintain them. Manganese is on the critical mineral list. It's always possible that someone could come in here and propose to start a mine.
30	Public Meeting Q&A Session	What about Ibex hunting season? Helicopters flying around during hunting season seems bad. [Resident] From what I understand, Ibex are doing well. Most recently about 118 individuals. [Other Resident] I've also heard there's several mountain lions. Several years ago they thought there was just 2, now more than a few more than that.	2/7/2024	We will talk to NM Department of Game and Fish about working around the Ibex hunting season, as well as the migratory bird windows and bat windows. We'll have a formal consultation with NMGFD.
31	Public Meeting Q&A Session	Mines that are on the public land, can we get permits from BLM to go through and access those mines?	2/7/2024	No, I don't believe so. However, you can always call BLM and ask about access.
32	Public Meeting Q&A Session	When you said you'd fill in the mine, how will the materials used affect the environment? Like the air, land, fumes etc. Is that biodegradable?	2/7/2024	Mines utilizing these types of closure methods are not connecting to other shafts. If they're deep and have bad air quality, we may use a puff plug (cover with 2 ft of fill to protect from ultraviolet light and fire), expandable foam, or polyurethane. We cover them with 2 feet of fill but otherwise no. We typically use the existing mine waste that is onsite to go back into mine. We haven't had any issues with those kinds of mine-fill.
33	Public Meeting Q&A Session	Do you provide this service for private landowners who have mines on their lands?	2/7/2024	Yes, AML can work on private land, but the BLM cannot. The landowner can reach out an AML program if they would like mines safeguarded, but most of the time the AML will reach out to mine claimants to ask if they can safeguard their mines.
34	Public Meeting Q&A Session	Will you be regrading the Mahoney Park road?	2/7/2024	No road improvements will be made. If sites are inaccessible, we will use helicopters to transport materials.
35	Public Meeting Q&A Session	Will there be some kind of detailed report that will show what type of cultural thing or wildlife thing at each point on that map?	2/7/2024	Once Grouse Mountain has finished the Biological Evaluation, we can publish that online. We try to limit things like locations of raptor nests, but for cultural resources, both cultural and state laws prohibit releasing cultural information to the public. We will have to exclude maps/locations of site areas of cultural sites, but we can still disclose historical information.
36	Public Meeting Q&A Session	Some of us gave you our emails, can you email the Biological Evaluation to the emails?	2/7/2024	We have a website, but we can also email some out if some specific people are interested. Once an Environmental Assessment is ready, we will have another public meeting. The Biological Evaluation and Environmental Assessment will be posted so you can look at all of it at once. There will be newspaper postings, mailings, and a website to announce its availability.
37	Public Meeting Q&A Session	What is the website?	2/7/2024	Emnrd.nm.gov/mmd/public-notice/ This is also where other projects are posted.
38	Public Meeting Q&A Session	Is this the only project in the state?	2/7/2024	No, we have a massive project in Silver City too as well as others
39	Public Meeting Q&A Session	What is the cost of the project? Comes out of federal tax dollars?	2/7/2024	Estimated at \$3 million. No, this funding comes out of the coal tax at 5 cent per tonnage of coal. Our (AML) primary work is coal reclamation. 40% of coal tax is used for hard rock projects. That's why BLM is important because they give us \$0.5-1 million for safeguard projects. We ONLY do safety closures.