

New Mexico Abandoned Mine Land Program
Lone Eagle Mine Safeguarding Project
AMLIS Key: NM935066 – Lone Eagle
Categorical Exclusion - Detailed Explanation Document

Project Description/Proposed Action

The New Mexico Abandoned Mine Land Program (AML) proposes to safeguard and mitigate safety issues identified at the Lone Eagle Mine site, an abandoned copper mine located in Section 14, T21S, R25E, Eddy County, New Mexico. The Area of Potential Effect (APE) consists of approximately 31 total acres and is located 9 miles northwest of Carlsbad, NM (Figure 1). The APE consists of approximately 23 acres managed by the NM State Land Office (SLO) and 8 acres managed by the Bureau of Land Management (BLM). With funding from the USDI Office of Surface Mining, Reclamation and Enforcement (OSMRE), AML proposes to implement mine safeguarding (gate and backfilling) of one shaft located on BLM and to also mitigate hazards involving a single shaft and highwall feature located on SLO lands. AML is authorized by SLO to conduct mine mitigation and safeguarding work through March 31, 2025, including entry and use of specific tracts of land administered by the SLO pursuant to a Natural Resource Authorization (#FOD-NR-329).

Agency, Tribal Consultation and Public Involvement

Consultation letters were sent to the New Mexico State Historic Preservation Office (SHPO), in addition to SLO, BLM, and five (5) tribes (Comanche Nation, Kiowa Tribe, Mescalero Apache Tribe, Tesuque Pueblo, and Ysleta del Sur Pueblo). BLM and NM SHPO provided concurrence with the proposed project in May and June of 2024 and no additional mitigation measures beyond those mentioned in the consultation letters were recommended by either agency. SLO provided its review and concurrence with the project in a letter dated May 10th, 2024. All mine safeguarding and mitigation measures discussed in the original concurrence requests sent by AML will comply with the determination of no adverse effects. Tribal consultation letters were sent on December 4th, 2023, to the five (5) tribes and no responses were received. Additionally, AML consulted NM Department of Game and Fish (NMDGF) through the New Mexico Environmental Review Tool and via email with a concurrence received on May 31st, 2024. NMDGF indicated no concerns with the project if AML complies with all mine safeguarding and mitigation measures as proposed.

Public involvement for the Proposed Action included the creation of an informational flyer (Attachment C) that was posted in both English and Spanish along with the Categorical Exclusion and attachments on the New Mexico Energy, Mineral and Natural Resources Department, Mining and Minerals Division website under the public notices link: www.emnrd.nm.gov/mmd/public-notices. An advertisement was published in English and Spanish both online and in print editions of the *Carlsbad Current Argus*, a local newspaper, with a link to the flyer and the Categorical Exclusion to provide information about the project and asking for public input during a 30-day comment period from August 1st to September 6th, 2024.

Proposed Scope of Work

The Lone Eagle Mine shaft and highwall located on SLO land will be mechanically backfilled using heavy equipment to fill the open shaft to within approximately 4 feet or less below the top of the highwall. Backfill material will be pushed in from waste rock piles No. 4, located on the project site and will be hauled onto the site from a nearby commercial quarry source. Waste rock piles Nos. #5 and 6 are well vegetated and stable, however, they may be loaded and hauled for backfilling if necessary. Waste rock piles Nos. 1, 2, 3, 4 and 7 will remain on site in their entirety as an effort to maintain the historic character of the mining site.

SLO Shaft:

1. Obtain waste rock from pile #4 located on site and from an offsite commercial backfill source located east, approximately 1 mile from the APE and accessed via existing County, State, and BLM roads leading to the project. Waste rock piles Nos. 5 and 6 may also be used for backfilling material if necessary.
2. Remove tires for proper disposal prior to backfilling.
3. Push or dump waste rock or other imported backfill material into shaft/highwall area and compact the fill using heavy equipment. Fill shaft to within 4 feet or less below the top of the high wall.
4. Perform minor re-grading along the contour of each waste rock pile footprint area to achieve positive drainage and to prevent erosion, ponding or channelizing surface water.
5. Obliterate former mine access road following completion of work.
6. Re-seed all disturbed areas within the APE using hand-broadcast methods, including the obliterated access road, using SLO-approved native seed mix and application rate.

No access road exists for the BLM shaft and will require overland travel to access this portion of the project area. An overland travel route has been designated and use of the route for site access will be limited to the approved access route identified by the AML archaeologist and project manager. The shaft is currently blocked at the surface by the remains of a historical wooden shaft hoist structure with its support timbers that have collapsed into the open shaft. These timbers and other associated debris will be removed prior to safeguarding activities to create a flat working surface and facilitate the installation of a steel, bat-compatible gate over the shaft opening.

BLM Shaft:

1. Use designated overland access route to access the BLM shaft from the existing BLM road.
2. Remove timbers from the shaft opening prior to initiating safeguarding activities to create a flat working surface and to facilitate the installation of a steel, bat-compatible gate over the shaft opening and drill up to four anchor points in surrounding bedrock to permanently attach bat-compatible gate.
3. Roughen the surface and re-seed disturbed areas that have been compacted from overland vehicle use and equipment travel or by construction activities using BLM-approved native seed mix and application rate.

NEPA Compliance Package Enclosures:

Figure 1 - APE and Project vicinity Map

OSMRE Abandoned Mine Lands Categorical Exclusion Determination Form

Attachment A – Agency Consultation Documentation:

NM Abandoned Mine Land Program
Categorical Exclusion - Detailed Explanation Document
Lone Eagle Mine Safeguarding Project, Eddy County, NM

SHPO Concurrence Letter

Tribal Consultation Letters

SLO Concurrence Letter

BLM Categorical Exclusion, FONSI and Decision Record

NMDGF Concurrence Letter

Attachment B – Biological Memorandum

Table 1 – NM BLM Sensitive Species, NM State Listed Species, and USFWS Listed Species and the Potential to Occur in the APE.

Table 2. Flora and fauna observed, Lone Eagle Mine Safeguarding Project - Biological Survey.

Appendix A – Bat Conservation International (BCI) Subterranean Biological Survey Report

Appendix B – U.S. Fish and Wildlife (USFWS) Information for Planning and Consultation Report (IPaC)

Appendix C – NM BLM Special Status Plant and Animal Lists

Appendix D – NMDGF - Environmental Review Tool Report

Appendix E – New Mexico State Forestry Division - Endangered Plant Species Lists

Attachment C – Public Involvement

Attachment D – Eligibility Letter