



SUSANA MARTINEZ
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NEW MEXICO ENVIRONMENT DEPARTMENT

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RYAN FLYNN
Secretary

BUTCH TONGATE
Deputy Secretary

MEMORANDUM

DATE: August 27, 2014

TO: Holland Shepherd, Program Manager, Mining Act Reclamation Program

FROM: Brad Reid, NMED Mining Environmental Compliance Section (MECS)
Neal Butt, Air Quality Bureau
John Money, Surface Water Quality Bureau

THROUGH: Keith Ehlert, NMED MECS, Acting Mining Act Team Leader

RE: **Comments on Modification 14-2 to Permit GR009RE, Chino Mine, Grant County, New Mexico**

The New Mexico Environment Department (NMED) Ground Water Quality Bureau received the Chino Mines Company request for Modification 14-2 to Permit No. GR009RE ("Request"), from the New Mexico Mining and Minerals Division (MMD) on July 18, 2014. MMD requested that NMED provide comments within 30 days of receipt of the Request (i.e., by August 17, 2014). At the request of NMED, the comment period was extended to August 27, 2014. NMED has reviewed the Request and provides the following comments. Surface Water Quality Bureau and Air Quality Bureau comments are attached under separate letterhead.

General Comments

The Request outlines FMI's plans to construct the 3A Waste Rock Stockpile and includes details pertaining to the closure of the stockpile upon build out, and also adjustments to financial assurance. The closure plan was also submitted to NMED as part of the modification application for Discharge Permit 459 (DP-459) submitted to NMED by FMI on July 18, 2014. Technical review of the modification application pursuant to the Water Quality Act (WQA) and the Water Quality Control Commission (WQCC) Regulations is currently underway. As such, detailed review of the closure plan will be reviewed in conjunction with the operation plan for the modification of DP-459.

The conceptual design for closure of the 3A Waste Rock Stockpile proposed in the Request appears to be in accordance with the Copper Mine Rules (20.6.7 NMAC). According to descriptions in the text and attached figures, it appears that FMI is proposing to reclaim all top and side slopes of the 3A Waste Rock Stockpile, including the north slopes inside the Open Pit Surface Drainage Area. As indicated in the Request, FMI plans on sourcing cover materials from the STS2 and/or Upper South Stockpiles. At closure, a material handling plan must be implemented by FMI to insure cover material for the 3A Waste Rock Stockpile has appropriate textural and chemical characteristics for use as a store and release cover system.

If you have any questions regarding these issues, please contact Brad Reid at (505) 827-2963 or Kurt Vollbrecht, Program Manager of the Mining Environmental Compliance Section, at (505) 827-0195.

xc: Jerry Schoeppner, Chief, GWQB
James Hogan, Chief, SWQB
Richard Goodyear, Chief, AQB
Fernando Martinez, Director, EMNRD-MMD
Chris Eustice, EMNRD-MMD
Kurt Vollbrecht, Program Manager, MECS



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RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

MEMORANDUM

DATE: August 1, 2014

TO: Keith Ehlert
Acting Mining Act Team Leader
Ground Water Quality Bureau

FROM: Neal Butt
Environmental Scientist / Specialist, Air Quality Bureau

RE: **Request for Comments, Construction of 3A Stockpile at Chino Mine,
Modification 14-2, Permit No. GR009RE**

The New Mexico Air Quality Bureau (AQB) has completed its review of the above mentioned mining project. Pursuant to the New Mexico Mining Act Rules (e.g. 19.10.5.506 NMAC), the AQB has the following comments:

Air Quality Permitting History

The AQB has various permits issued to this facility.

Air Quality Requirements

The New Mexico Mining Act of 1993 states that "Nothing in the New Mexico Mining Act shall supersede current or future requirements and standards of any other applicable federal or state law." Thus, the applicant is expected to comply with all requirements of federal and state laws pertaining to air quality. Current requirements which may be applicable in this mining project include, but are not limited to, the following:

Subsection A of 20.2.72.200 NMAC states that: "Permits must be obtained from the Department by:

- (1) "any person constructing a stationary source which has a potential rate greater than 10 pounds per hour or 25 tons per year of any regulated contaminant for which there is a National or New Mexico Ambient Air

Standard. If the specified threshold in this subsection is exceeded for any regulated air contaminant, all regulated air contaminants with National or Mexico Ambient Air Quality Standards emitted are subject to permit and

(3) “Any person constructing or modifying any source or installing any equipment which is subject to 20.2.77 NMAC, *New Source Performance Standards*, 20.2.78 NMAC, *Emission Standards for Hazardous Air Pollutants*, or any other New Mexico Air Quality Control Regulation which contains emission limitations for any regulated air contaminant;”

Also, Subsection A of 20.2.73.200 NMAC states that:

(1) “Any owner or operator intending to construct a new stationary source which has a potential emission rate greater than 10 tons per year of any regulated air contaminant or 1 ton per year of lead shall file a notice of intent with the department.”

The above is not intended to be an exhaustive list of all requirements that could apply. The applicant should be aware that this determination does not supersede the requirements of any current federal or state air quality requirement.

Details.

Freeport-McMoRan Chino Mines Company (Chino) is proposing to construct a waste rock stockpile over an area that includes the footprint of Reservoir 3A south of the Santa Rita Open Pit. Construction of this stockpile will facilitate continued mining and promote reclamation and closure of Reservoir 3A. The proposed 3A Stockpile occurs within the Santa Rita Open Pit, Stockpile, and Beneficiation Unit design limits currently approved by MMD. Thus, the proposed change in operations does not constitute an expansion of the permit design limits. Reservoir 3A sits in a small canyon, bordered to the north by a haul road, to the west by waste and leach stockpiles, and to the east by Reservoir 9. Reservoir 3A (57 acres), the unvegetated area around it (20 acres), and the waste rock embankment (7 acres) covers roughly 40% of the proposed 3A Stockpile area (210 acres). South of the Reservoir, the canyon bottom is more moderately sloped; these slopes are interrupted by a series of rhyolite cliffs. At full build-out, the stockpile will contain an estimated 150 million tons of waste rock and occupy approximately 210 acres. The final configuration of the stockpile will result in positive surface water drainage in the area occupied by the Reservoir. Water in the reservoir is currently being evacuated as part the approved Reservoir 3A closure plan. Construction and closure of the stockpile will impact about 145 acres of undisturbed vegetation.

Fugitive Dust

Fugitive dust is a common problem at mining sites. The AQB does not regulate fugitive dust; however, we do recommend controls to minimize emissions of particulate matter from fugitive dust sources. The following control strategies can be included in a comprehensive facility dust control plan (from EPA's *Compilation of Air Pollutant Emission Factors*, AP-42):

Unpaved haul roads and traffic areas: paving of permanent and semi-permanent roads, application of surfactant, watering, and traffic controls, such as speed limits and traffic volume restrictions.

Paved roads: covering of loads in trucks to eliminate truck spillage, paving of access areas to sites, vacuum sweeping, water flushing, and broom sweeping and flushing.

Material handling: wind speed reduction and wet suppression, including watering and application of surfactants (wet suppression should not confound track out problems).

Bulldozing: wet suppression of materials to "optimum moisture" for compaction.

Scraping: wet suppression of scraper travel routes.

Storage piles: enclosure or covering of piles, application of surfactants.

Miscellaneous fugitive dust sources: watering, application of surfactants or reduction of surface wind speed with windbreaks or source enclosures. Seeding during mine reclamation will introduce vegetation, which will further reduce dust generation.

The AQB or the US EPA may implement requirements, regulations and standards for the control of fugitive dust sources in the future. This written determination does not supersede the applicability of any forthcoming state or federal regulations.

If you have any questions, please contact me at (505) 476-4317.

Surface Water Quality Bureau Comments regarding the Chino 3A Stockpile Permit Modification

The proposed permit modification would create a new waste rock stockpile in the vicinity of the 3A reservoir on southern end of the Chino mine. In the initial "operational" phase of stockpile construction, the pile will be graded such that surface water is directed to the interior of the mine and held within the pit. Upon reclamation, the pile would be capped with 3 feet of cover material and sloped to direct surface water south into a tributary of Martin Canyon. Martin Canyon is not directly impacted by mining activities at this time. Martin Canyon is a tributary of Lampbright Draw, an intermittent stream which drains other portions of the Chino Mine.

The permit modification has the effect of expanding the impact area of the mine by intercepting precipitation that would ordinarily flow toward the interior of the mine and directing it over reclaimed waste rock and into an, as yet, unimpacted drainage. While this will likely have no adverse impact, there is the potential to degrade surface waters that may currently exist in Martin Canyon.

The 2007 Chino Closure Closeout Plan calls for post-closure surface water quality testing in Lampbright Draw, Whitewater and Hanover Creeks. We request that Martin Canyon be added to that list as a safeguard against potential surface water quality impacts that may result from the construction of the 3A stockpile.

Assuming that the waste rock stockpile is reclaimed according to State standards and other Best Management Practices are implemented, there is not likely to be any adverse impacts to surface water quality that result from the construction of the 3A stockpile.

From: [Roth, Daniela, EMNRD](#)
To: [Eustice, Chris, EMNRD](#)
Subject: RE: REQUEST for comment - Chino Mine Permit Modification 14-2, Permit No GR009RE
Date: Wednesday, July 23, 2014 12:53:19 PM

Dear Chris Eustice:

Thank you for giving me the opportunity to review and comment on permit modification 14-2 proposal for the construction of the 3A Stockpile at the Chino Mine in Grant County, NM (Permit No. GR009RE). I do not anticipate any impacts to state listed endangered plants from the proposed modification.

Please let me know if I can be of further assistance,

Sincerely,

Daniela Roth

BOTANY PROGRAM COORDINATOR
EMNRD-Forestry Division
1220 S. St. Francis Dr.
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SCOTT A. VERHINES, P.E.
STATE ENGINEER



DAM SAFETY BUREAU
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**STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER
Santa Fe**

July 25, 2014

Todd Ashinhurst
Project Manager
Freeport-McMoRan Copper & Gold, Chino Mines Company
PO Box 10
Bayard, New Mexico 88023

**RE: Permit to Alter or Rehabilitate a Dam or Reservoir, Chino Mines Dam 3A,
Grant County, OSE File No. D-534**

Dear Mr. Ashinhurst:

The Office of the State Engineer Dam Safety Bureau (OSE-DSB) has completed the review of the Application for Permit to Alter or Rehabilitate a Dam or Reservoir for the Chino Mines Dam 3A. The Permit will be granted with the proposed conditions listed on the enclosed Conditions of Approval. Note that Construction Condition 2 is that all comments generated by the review of the permit application, as listed on the enclosed copy of the review memorandum prepared by Mr. Bud Brock, P.E. of the OSE-DSB staff, must be addressed and re-submitted to the OSE-DSB no later than seven (7) calendar days after commencing construction. If this condition is not met, then construction shall be suspended on the project until revised permit documentation is submitted and approved. The intent of this condition is to allow construction to begin prior to the final acceptance of the permit documentation with the understanding that the comments are fairly minor and should be easy to address. The OSE-DSB will issue the permit promptly after receipt of the required corrections to the permit application.

Within the Permit Application are requests for three waivers. All three waivers as presented and discussed on the enclosed review memorandum are hereby granted.

If you have any questions, please feel free to contact Bud Brock at 505-383-4137 or me at 505-383-4134.

Chino Mines Dam 3A Permit to Alter or Rehabilitate a Dam
July 25, 2014

OSE D-534
Page 2 of 2

Sincerely,

A handwritten signature in blue ink that reads "Charles N. Thompson". The signature is written in a cursive style with a large, stylized "C" and "T".

Charles N. Thompson, P.E.
Chief, Dam Safety Bureau

CNT:bb

email: Briana Gunn, URS (briana.gunn@urs.com)
Kevin Myers, OSE Hydrology Bureau
Chris Eustice, MMD (chris.eustice@state.nm.us)

Enclosures

MEMORANDUM
OFFICE OF THE STATE ENGINEER
Dam Safety Bureau

DATE: June 30, 2014

TO: Charles N. Thompson, P.E., Chief, Dam Safety Bureau

THROUGH: James D. Head, P.E., Dam Safety Engineer Manager

FROM: Bud Brock, P.E., Dam Safety Engineer

SUBJECT: Review of the Application for Permit to Alter or Rehabilitate a Dam or Reservoir and Supporting Documentation for Chino Mines Dam 3A, Grant County, OSE File No. D-534

I have reviewed the Application for Permit to Alter or Rehabilitate a Dam or Reservoir (the Permit) and the accompanying supporting documentation prepared by URS Inc. dated June 6, 2014, and received by the Office of the State Engineer Dam Safety Bureau (OSE-DSB) on June 9, 2014. The intent of the construction activities on Chino Mines Dam 3A is to decommission and delist the low hazard classified dam by completely filling in the reservoir area and filling over the dam with waste rock from the mining operation. The work is proposed to be carried out in three phases. Previous consultations with the Owner resulted in an agreement that detailed design drawings stamped and signed by an engineer would not be required. Instead, concept level drawings showing the milestones or phases of the project would be acceptable. Three waivers from the standard OSE-DSB procedures and requirements are requested as listed below. The following comments are generated for specific sections of the Permit as stated below.

1. Waiver Requests:

- a. A waiver is requested from the standard breaching mechanism. 19.25.12.19.C NMAC requires the notice to breach a low hazard dam contain the dimensions of the breach bottom width and side slopes. The intent of the Rules and Regulations is to assure the storage capacity of the dam is removed. To fulfill the intent of the Rules and Regulations, Chino plans to completely fill in the reservoir with waste rock thereby removing the storage capacity of the dam. In addition, a standard breach of the dam is impractical due the presence of the waste rock dump site abutting the downstream slope of the dam. I recommend the waiver be granted. ✓
- b. A waiver is requested from the standard monthly reporting requirements. Instead, a reporting period correspond to the proposed phases of filling is requested. As the work consists almost exclusively of dumping waste rock in the reservoir area, this seems to be a reasonable request. I recommend the waiver be granted. ✓
- c. A waiver is requested to combine the report for the final phase of construction (Phase 3) with the final construction completion report. Due to the nature of this project, all the information in the Phase 3 report will also be contained in the final completion report. Therefore, I recommend this waiver be granted. ✓

2. Application for Permit to Alter or Rehabilitate a Dam and Reservoir:

- a. All pages – the OSE File Number is D-534. Revise where appropriate.
- b. Section 7.I. Volume of dam – the stated volume of 171,191 cy ^{is} does not agree with the width, length, and height of the dam. Due to the nature of how the dam was constructed

and the waste rock dump along its downstream face it is recommended that a value of "unknown" be used.

- c. Section 7.P. Stage/Area/Storage capacity Table – the values in the table do not match those on the design plans. A brief note below the table or explanation in the supporting letter needs to be added stating the source of the stage-area-storage data.
- d. Section 8. Properties of Outlet Conduit – the design plans indicate the dam does not have an outlet conduit. The data provided in the table is for the spillway conduit. For 8.A. it should say "No Outlet Conduit" or something similar, with the rest of the blanks in Section 8 containing "N/A". Revise as appropriate.
- e. Section 9. Properties of Spillway – the information presented is a mix of the earthen spillway and the 24" HDPE pipe. As the pipe is the controlling factor for flow out of the spillway, it is recommended that the data presented be for the pipe (A and F need to be changed), with the exception of the spillway crest which should remain the elevation of 6678 feet.
- f. Section 10. Additional Statements or Explanations – revise to something along the lines of "The reservoir will be filled with waste rock from the mining operation and therefore the storage capacity of the dam is being removed. The intent is for the dam to be delisted after the construction activities. The attached document describes the design, water management plan, and schedule to infill the reservoir."

3. Attachment Letter from URS:

- a. Project Background – revise discussion on volume of dam and the outlet conduit based on the above comments.
- b. Closing – the last sentence indicates a waiver is requested from providing a final report. However, the text on page 5 of the letter indicates a final report will be provided but it will be a combination of the phase 3 report and the final report. Clarification needs to be provided.



Bud Brock, P.E.
OSE Dam Safety Bureau

bb

Review of these documents is only for completeness and general compliance with state regulations; the feasibility or cost effectiveness of continuing to operate the dam has not been evaluated. Any OSE approval shall not be interpreted or construed as any warranty or guarantee. Approval of the documents does not relieve the owner or engineer of legal responsibilities for the overall integrity of the project, adequacy of the design, or full compliance with applicable regulations. The Office of the State Engineer is not responsible for increased costs resulting from defects in the plans, design drawings, specifications, engineering studies, or other documents. Continued compliance with State regulations will require that the facility be properly operated, and maintained.

“Pages 1 through 3 of 7 are the Application for Permit to Alter or Rehabilitate a Dam and Reservoir. The permit application needs to be revised prior to inclusion in this document. Once Freeport McMoRan has revised the permit application and it has been approved it will be sent out for insertion in the permit document in this location.”

Conditions of Approval
Application for Permit to Alter or Rehabilitate
Chino Mines Dam 3A (a.k.a. Reservoir 3A Chino Mine)

This application is approved as follows:

Permit No.:	D-534
Purpose of Use:	Flood Control, Stormwater Management, Process Water Storage
Place of Use:	Dam is located in the SE ¼ of the NW ¼, Section 3, T 18 N, R 12 W, N.M.P.M. in Grant County.
Amount of Water:	No appropriation of water is authorized under this permit.

Construction Conditions:

1. Work performed in conjunction with the decommissioning work at Chino Mines Dam 3A shall be under the supervision of a professional engineer licensed in the State of New Mexico and having knowledge of the design and construction of dams.
2. Confirmation that coordination with the New Mexico Environment Department has been initiated needs to be provided prior to commencing construction.
3. The revised Application for Permit to Alter or Rehabilitate an Existing Dam and the supporting documentation shall be submitted to the New Mexico Office of the State Engineer Dam Safety Bureau no later than seven (7) calendar days after commencing construction on the site. If the revised documents have not been submitted within seven (7) calendar days of commencing construction, all work on the dam site shall be suspended until the documents are submitted, received, and approved by the New Mexico Office of the State Engineer Dam Safety Bureau.
4. The Office of the State Engineer, Dam Safety Bureau shall be given a minimum of 7 days notice prior to initiating construction on Chino Mines Dam 3A.
5. Construction shall be in accordance with the accepted conceptual level drawings. Any proposed modifications to the accepted drawings and/or other design changes must be submitted in writing for review and approval by the New Mexico Office of the State Engineer Dam Safety Bureau prior to undertaking the modifications.
6. A progress report shall be submitted to the New Mexico Office of the State Engineer Dam Safety Bureau no later than two (2) calendar weeks after the completion of each phase of

Conditions of Approval
Application for Permit to Alter or Rehabilitate
Chino Mines Dam 3A (a.k.a. Reservoir 3A Chino Mine)

construction. The report shall contain the stamp and original signature of the supervising engineer, as stated in item 1 above. The progress report shall also include:

- a. a summary of construction activities for each month of the subject phase;
 - b. a summary of test results data (if any) in an acceptable format and appropriately annotated;
 - c. captioned and dated construction photographs; and
 - d. a discussion of problems encountered and their solutions.
7. During construction related to the decommissioning of Chino Mines Dam 3A, the Office of the State Engineer Dam Safety Bureau shall be given a minimum of 72 hours notice to enable staff to observe construction and/or completion of the following items, if desired:
- a. access ramp and each phase of construction;
 - b. plugging of the spillway conduit;
 - c. final completion of the project. The date and time must be coordinated with the Office of the State Engineer Dam Safety Bureau.
- In accordance with Subsection D of 19.25.12.8 NMAC, fees shall be charged for State Engineer personnel inspections at a rate of \$100/8-hour day and actual and necessary travel expenses.
8. Within two (2) calendar weeks of completion of construction associated with the decommissioning work at Chino Mines Dam 3A, the engineer supervising construction shall submit documentation as listed below to the New Mexico Office of the State Engineer Dam Safety Bureau. This report shall take the place of the required progress report for the final phase of the construction.
- a. A Construction Completion Report which shall contain:
 - 1) a signed certification from the engineer supervising construction and a blank certification for the state engineer in accordance with Subsections B and E of 19.25.12.12 NMAC. The certifications shall be located on the next page after the title page of the document;
 - 2) a summary of activity for each month including descriptions of problems and how they were resolved;

Conditions of Approval
Application for Permit to Alter or Rehabilitate
Chino Mines Dam 3A (a.k.a. Reservoir 3A Chino Mine)

- 3) a summary of materials test data (if any) in acceptable format and appropriately annotated; and
 - 4) detailed captioned and dated construction photographs of key features pertinent to the filling in of the reservoir and plugging of the spillway conduit.
- b. Record construction drawings prepared and completed in accordance with 19.25.12.11.D NMAC. The record drawings shall be numbered in sequence with the total number of drawings equal to the number of drawings submitted. The record construction drawings shall also be submitted digitally as a multiple page single file in tagged image file format (TIFF) or portable document format (pdf). The record construction drawings shall contain:
- 1) an updated signed certification from the dam owner and a blank certification for the state engineer in accordance with Subsections A and E of 19.25.12.12 NMAC;
 - 2) a signed certification for the engineer supervising construction in accordance with Paragraph 4(b) of Subsection A of 19.25.12.13 NMAC. The certification is provided below. If the engineer is unwilling to complete the certification, the engineer must notify the Office of the State Engineer Dam Safety Bureau before construction begins and the owner must designate a new engineer.

I, _____ state that I am a qualified professional engineer licensed in the state of New Mexico, that I have supervised the decommissioning of Chino Mines Dam 3A and its appurtenant structures and find them to be completed in accordance with the record construction drawings and they are now in a satisfactory condition for delisting.

(Engineer's Signature) License Number _____ (SEAL)
 (Engineers Name, P.E.)

Date _____

7. A completed Proof of Completion of Works Form to the New Mexico Office of the State Engineer Dam Safety Bureau with original signatures is due within two (2) calendar weeks of completion of construction. The Proof of Completion of Works Form shall not be bound within the Construction Completion Report. If construction is not completed by September 30, 2015 the owner must apply for an extension of time to perform the construction activities related to decommissioning of the dam. The application for an extension of time and fee must be received by August 31, 2015. If updated design documentation is required to ensure

Conditions of Approval
Application for Permit to Alter or Rehabilitate
Chino Mines Dam 3A (a.k.a. Reservoir 3A Chino Mine)

the design complies with the current regulations for dams (19.25.12 NMAC) then plan review fees are required. Failure to request an extension of time will result in a cancellation of the permit.

Operation Conditions:

1. The owner shall obtain permission from the State Engineer Dam Safety Bureau prior to initiating any work on the project site that would result in Chino Mines Dam 3A, or any other dam on the site, coming back into existence for water detention or retention purposes of any type.
2. The owner shall provide access to the Office of the State Engineer personnel for periodic dam safety inspections for up to five (5) years after final delisting of the structure.
3. The owner shall comply with the New Mexico Office of the State Engineer rules and regulations for dams.

Witness my hand and seal this 25th day of July 2014.

Scott A. Verhines P.E.
State Engineer



By:
Charles N. Thompson, P.E.
Dam Safety Bureau Chief

From: [Myers, Kevin, OSE](#)
To: [Eustice, Chris, EMNRD](#)
Cc: [Johnson, Mike S., OSE](#)
Subject: OSE Comments for Modification 14-2, MMD Permit No. GR009RE Chino Mine - Construction of 3A Stockpile
Date: Monday, July 28, 2014 10:15:33 AM

Chris,

The New Mexico Office of the State Engineer (NMOSE) Hydrology Bureau received from the Mining and Minerals Division (MMD) a request for review and comments for July 10, 2014 Modification 14-2 of Permit No. GR009RE – Chino Mine- Construction of 3A Stockpile (Modification). MMD requested comments within 30 days of July 17, 2014. NMOSE Hydrology has reviewed the Modification.

After closing Reservoir 3A, Chino proposes to construct the 3A Stockpile in the location of the former headwaters to Whitewater Creek. Uppermost reaches of Whitewater Creek flow to the Santa Rita Pit, which has created a hydraulic discontinuity. According to the Modification, the proposed stockpile will cover approximately 210 acres with an estimated 150 million tons of material at full build-out. When operated as a unlined reservoir, Reservoir 3A covered a maximum of 57 acres with a permitted storage capacity of 1.2 billion gallons.

NMOSE Hydrology has the following comments:

1. The Modification lacks detail for monitoring wells that may require plugging and replacement because of the areal extent of the proposed 3A Stockpile. Chino should provide a map of existing wells that may fall within the proposed area covered by the stockpile at full build-out or closure. If wells are present with the proposed stockpile foot print, some additional well construction and plugging costs may be necessary for the reclamation cost estimate. The closure of the unlined Reservoir 3A may cause some nearby wells to go dry, which may be followed by well plugging and replacement. Drilling activities, including plugging and well construction, are regulated pursuant to 19.27.4 NMAC.
2. Since Reservoir 3A is a jurisdictional dam (OSE file No. D-534), NMOSE Dam Safety Bureau is currently reviewing Chino application for Permit to Alter or Rehabilitate a Dam or Reservoir. Following the NMOSE Dam Safety Bureau review (7-25-2014 and 6-30-2014), Chino may have additional requirements such as revised documentation and response to comments. NMOSE will copy MMD on correspondence related to this permitting action.

If you have any questions about the above, please contact me.

Kevin Myers, Hydrologist
Hydrology Bureau - NM OSE
P.O. Box 25102
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<http://www.ose.state.nm.us/>



STATE OF NEW MEXICO
**DEPARTMENT OF CULTURAL AFFAIRS
HISTORIC PRESERVATION DIVISION**

Susana Martinez
Governor

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August 5, 2014

Chris Eustice
Permit Lead
Mining Act Reclamation Program
1220 South St. Francis Drive
Santa Fe, NM 87505

Re: Request for Comments, Construction of 3A Stockpile, Modification 14-2, Permit No. GR009RE

Dear Mr. Eustice:

I am writing in response to your request for comment on the above referenced modification, received at the Historic Preservation Division (HPD) on July 18, 2014.

According to our records, there are no cultural resources listed on either the National Register of Historic Places or the State Register of Cultural Properties within the area proposed for the 3A stockpile. Our records also show that archaeological surveys were conducted over most of the stockpile area in 1996 and 1997, but it appears that a small area between the two survey areas was not covered. In addition, because of the age of the two surveys, I have concerns with the accuracy of the survey data.

Based on the above information, this office recommends an archaeological survey in order to determine whether the proposed stockpile will have an effect on significant archaeological sites. It is possible that rockshelter sites, other prehistoric sites or historic mines could exist along the slopes of the proposed stockpile area. These sites could be destroyed by the stockpile.

If you have any questions concerning these comments, please do not hesitate to contact me. I can be reached by telephone at (505) 827-4064 or by email at michelle.ensey@state.nm.us.

Sincerely,

Michelle M. Ensey
Archaeologist

Log: 99616

SCOTT A. VERHINES, P.E.
STATE ENGINEER



DAM SAFETY BUREAU
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**STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER
Santa Fe**

August 21, 2014

Todd Ashinhurst
Project Manager
Freeport-McMoRan Copper & Gold, Chino Mines Company
PO Box 10
Bayard, New Mexico 88023

**RE: Permit to Alter or Rehabilitate a Dam or Reservoir, Chino Mines Dam 3A,
Grant County, OSE File No. D-534**

Dear Mr. Ashinhurst:

The Office of the State Engineer Dam Safety Bureau (OSE-DSB) has completed the review of the revised pages for the Application for Permit to Alter or Rehabilitate a Dam or Reservoir for the Chino Mines Dam 3A. Please replace the previous Permit sent to you dated July 25, 2014 with the attached permit.

If you have any questions, please feel free to contact Bud Brock at 505-383-4137 or me at 505-383-4134.

Sincerely,

A handwritten signature in blue ink that reads "Charles N. Thompson".

Charles N. Thompson, P.E.
Chief, Dam Safety Bureau

CNT:bb

email: Briana Gunn, URS (briana.gunn@urs.com)
Kevin Myers, OSE Hydrology Bureau
Chris Eustice, MMD (chris.eustice@state.nm.us)

Enclosures

**MEMORANDUM
OFFICE OF THE STATE ENGINEER
Dam Safety Bureau**

DATE: August 11, 2014
TO: Charles N. Thompson, P.E., Chief, Dam Safety Bureau *CNT*
THROUGH: James D. Head, P.E., Dam Safety Engineer Manager *JDH 8/13/2014*
FROM: Bud Brock, P.E., Dam Safety Engineer
SUBJECT: Review of the revised pages of the Application for Permit to Alter or Rehabilitate a Dam or Reservoir and Supporting Documentation for Chino Mines Dam 3A, Grant County, OSE File No. D-534

I have reviewed the revised pages of the Application for Permit to Alter or Rehabilitate a Dam or Reservoir (the Permit) and the accompanying supporting documentation prepared by URS Inc. dated August 8, 2014, and received by the Office of the State Engineer Dam Safety Bureau (OSE-DSB) on August 11, 2014. The revised Permit addresses all the comments in the review memorandum dated June 30, 2014. In addition, the Permit package contains a letter from NMED giving approval of the Construction Design Quality Assurance (CDQA) plans for the reclamation of Chino Dam 3A. This addresses Construction Condition 2 from the Conditions of Approval dated July 25, 2014. I recommend the first three pages of the Permit (page 1 through 3 of 7) be sent to the Owner with instruction to replace the place holder sheet sent with the Permit Approval Letter dated July 25, 2014.

In accordance with the Permit, the Owner has given notice that construction is to begin on August 12, 2014.



Bud Brock, P.E.
OSE Dam Safety Bureau

bb

Review of these documents is only for completeness and general compliance with state regulations; the feasibility or cost effectiveness of continuing to operate the dam has not been evaluated. Any OSE approval shall not be interpreted or construed as any warranty or guarantee. Approval of the documents does not relieve the owner or engineer of legal responsibilities for the overall integrity of the project, adequacy of the design, or full compliance with applicable regulations. The Office of the State Engineer is not responsible for increased costs resulting from defects in the plans, design drawings, specifications, engineering studies, or other documents. Continued compliance with State regulations will require that the facility be properly operated, and maintained.

RECEIVED AUG 11 2014

ds-06 03/08

OSE File Number: D-534

NEW MEXICO OFFICE OF THE STATE ENGINEER
APPLICATION FOR PERMIT
TO ALTER OR REHABILITATE A DAM AND RESERVOIR

1. NAME OF DAM: Reservoir 3A Chino Mine

2. DAM OWNER: Freeport-McMoRan Copper & Gold Chino Mines Company

Name: John D. Brack

Work Phone: 575-912-5100

Title: General Manager

Home Phone: 573-313-9790

Address: 210 Cortez Avenue

City: Hurley

State: New Mexico

Zip: 88043

3. PURPOSE: Flood Control, Stormwater Management, Process Water Storage

4. HAZARD POTENTIAL CLASSIFICATION: Low

5. LOCATION:

A. 1/4 1/4 1/4 Section: Township: Range: N.M.P.M.
in County.

or X = 2,648,598 feet, Y = 645,476 feet, N.M. State Plane Coordinate System
New Mexico West Zone Datum of NAD83 in the County of Grant.

B. Latitude in decimal degrees: 32.7742

Longitude in decimal degrees: -108.0757

C. On land owned by: Freeport-McMoRan Copper & Gold Chino Mines Company

D. Source of Water Supply:

a. Name of Surface Watercourse: Unnamed Tributary of (Mine Pit)

b. Name of Groundwater Basin:

c. Name of Ditch or Spring (Off Channel Dams):

E. Distance to the nearest downstream City/Town (miles): N/A

6. DRAINAGE AREA, PRECIPITATION DATA AND SPILLWAY DESIGN FLOOD RESULTS:

A. Drainage area: 282 acres and 0.44 square miles

B. 100-year, 24 hour precipitation: 3.85 inches (indicate critical storm)

C. Probable maximum precipitation (PMP), N/A hour storm: N/A inches (indicate critical storm)

D. Peak runoff into the reservoir from N/A% of the N/A-hour PMP: N/A cfs

E. Volume of runoff into the reservoir from N/A% of the N/A-hour PMP: N/A acre-feet

F. Maximum water surface elevation in the reservoir from N/A% of the N/A-hr PMP: N/A ft.

G. Routed peak outflow from the reservoir from N/A% of the N/A-hour PMP: N/A cfs

**NEW MEXICO OFFICE OF THE STATE ENGINEER
APPLICATION FOR PERMIT
TO ALTER OR REHABILITATE AN EXISTING DAM**

7. PROPERTIES OF DAM AND RESERVOIR:

- A. Dam length: 1,270 feet
- B. Crest width: 140 feet
- C. Base width: 760 feet
- D. Dam height: 215 feet
- E. Structural height: N/A feet
- F. Elevation of the dam crest: 6688 feet
- G. Slope of upstream face: 2.5 horizontal to 1 vertical
- H. Slope of downstream face: 3 horizontal to 1 vertical
- I. Volume of dam: Unknown cubic yards
- J. Type of dam: Earthfill
- K. Dead storage capacity: 3131 acre-feet
- L. Reservoir storage capacity: 3861 acre-feet
- M. Maximum storage capacity: 4155 acre-feet
- N. Spillway design flood water level elevation: 6683.4 (For the PMF) feet
- O. Reservoir surface area at reservoir storage capacity: 52.7 acres
- P. Stage/Area/Storage capacity (elevations at the outlet invert, spillway and dam crest plus others):

Elevation or depth above outlet (Feet)	Area of Water Surface, (Acres)	Storage Capacity (Acre Feet)
<u>6500</u>	<u>1.6</u>	<u>13</u>
<u>6550</u>	<u>10.7</u>	<u>302</u>
<u>6600</u>	<u>19.6</u>	<u>1055</u>
<u>6666</u>	<u>46.8</u>	<u>3131</u>
<u>6678</u>	<u>52.7</u>	<u>3861</u>
<u>6688</u>	<u>57.8</u>	<u>4383</u>

8. PROPERTIES OF OUTLET CONDUIT:

- A. Outlet conduit is: No Outlet Conduit (give size and material)
- B. Length of conduit: N/A feet
- C. Slope of conduit: N/A percent
- D. Manning coefficient: N/A
- E. Maximum discharge capacity (at dam crest): N/A cubic feet/second
- F. Elevation of upstream end of the invert of the outlet conduit: N/A feet
- G. Size, type and number of gates: N/A
- H. Time to empty the reservoir: N/A hours or N/A days

NEW MEXICO OFFICE OF THE STATE ENGINEER
APPLICATION FOR PERMIT
TO ALTER OR REHABILITATE AN EXISTING DAM

9. PROPERTIES OF SPILLWAY:

- A. Spillway is: Conduit HDPE (give type and material)
- B. Location: East End of Dam
- C. Spillway crest elevation: 6678 feet
- D. Freeboard: 10 feet
- E. Discharge coefficients: 0.5 (dependent on type)
- F. Effective length: 2 feet
- G. Discharge capacity (at the spillway design flood elevation): 32.93 cubic feet/second
- H. Maximum discharge capacity (at the dam crest): 32.93 cubic feet/second
- I. Residual freeboard: 4.6 feet

10. ADDITIONAL STATEMENTS OR EXPLANATIONS:

The reservoir will be filled with waste rock from the mining operation and therefor the storage capacity of the dam is being removed. The intent is for the dam to be delisted after construction activities.
The attached document describes the design, water management plan, and schedule to infill the reservoir.

11. CONSTRUCTION DATES:

Estimated date to begin construction: July 2014
Estimated date to complete construction: August 2015

12. Dam will be constructed under the supervision of: Briana Gunn
Engineer

19644
License No.

13. ACKNOWLEDGEMENT FOR THE DAM OWNER

I, John Brack
affirm that the foregoing statements are true to the best of my knowledge and belief. I fully understand the responsibility and liability related to dam ownership.

John Brack 8/6/14
(Signature) (Date)

Subscribed and sworn to before me this 6th day of August, 2014.

Sandra L. Martin
Notary Public

My commission expires August 24, 2016 (SEAL)



OFFICIAL SEAL
SANDRA L. MARTIN
NOTARY PUBLIC - STATE OF NEW MEXICO
MY COMMISSION EXPIRES: August 24, 2016

Conditions of Approval
Application for Permit to Alter or Rehabilitate
Chino Mines Dam 3A (a.k.a. Reservoir 3A Chino Mine)

This application is approved as follows:

Permit No.:	D-534
Purpose of Use:	Flood Control, Stormwater Management, Process Water Storage
Place of Use:	Dam is located in the SE ¼ of the NW ¼, Section 3, T 18 N, R 12 W, N.M.P.M. in Grant County.
Amount of Water:	No appropriation of water is authorized under this permit.

Construction Conditions:

1. Work performed in conjunction with the decommissioning work at Chino Mines Dam 3A shall be under the supervision of a professional engineer licensed in the State of New Mexico and having knowledge of the design and construction of dams.
2. Confirmation that coordination with the New Mexico Environment Department has been initiated needs to be provided prior to commencing construction.
3. The revised Application for Permit to Alter or Rehabilitate an Existing Dam and the supporting documentation shall be submitted to the New Mexico Office of the State Engineer Dam Safety Bureau no later than seven (7) calendar days after commencing construction on the site. If the revised documents have not been submitted within seven (7) calendar days of commencing construction, all work on the dam site shall be suspended until the documents are submitted, received, and approved by the New Mexico Office of the State Engineer Dam Safety Bureau.
4. The Office of the State Engineer, Dam Safety Bureau shall be given a minimum of 7 days notice prior to initiating construction on Chino Mines Dam 3A.
5. Construction shall be in accordance with the accepted conceptual level drawings. Any proposed modifications to the accepted drawings and/or other design changes must be submitted in writing for review and approval by the New Mexico Office of the State Engineer Dam Safety Bureau prior to undertaking the modifications.
6. A progress report shall be submitted to the New Mexico Office of the State Engineer Dam Safety Bureau no later than two (2) calendar weeks after the completion of each phase of

**Conditions of Approval
Application for Permit to Alter or Rehabilitate
Chino Mines Dam 3A (a.k.a. Reservoir 3A Chino Mine)**

construction. The report shall contain the stamp and original signature of the supervising engineer, as stated in item 1 above. The progress report shall also include:

- a. a summary of construction activities for each month of the subject phase;
 - b. a summary of test results data (if any) in an acceptable format and appropriately annotated;
 - c. captioned and dated construction photographs; and
 - d. a discussion of problems encountered and their solutions.
7. During construction related to the decommissioning of Chino Mines Dam 3A, the Office of the State Engineer Dam Safety Bureau shall be given a minimum of 72 hours notice to enable staff to observe construction and/or completion of the following items, if desired:

- a. access ramp and each phase of construction;
- b. plugging of the spillway conduit;
- c. final completion of the project. The date and time must be coordinated with the Office of the State Engineer Dam Safety Bureau.

In accordance with Subsection D of 19.25.12.8 NMAC, fees shall be charged for State Engineer personnel inspections at a rate of \$100/8-hour day and actual and necessary travel expenses.

8. Within two (2) calendar weeks of completion of construction associated with the decommissioning work at Chino Mines Dam 3A, the engineer supervising construction shall submit documentation as listed below to the New Mexico Office of the State Engineer Dam Safety Bureau. This report shall take the place of the required progress report for the final phase of the construction.
- a. A Construction Completion Report which shall contain:
 - 1) a signed certification from the engineer supervising construction and a blank certification for the state engineer in accordance with Subsections B and E of 19.25.12.12 NMAC. The certifications shall be located on the next page after the title page of the document;
 - 2) a summary of activity for each month including descriptions of problems and how they were resolved;

Conditions of Approval
Application for Permit to Alter or Rehabilitate
Chino Mines Dam 3A (a.k.a. Reservoir 3A Chino Mine)

- 3) a summary of materials test data (if any) in acceptable format and appropriately annotated; and
 - 4) detailed captioned and dated construction photographs of key features pertinent to the filling in of the reservoir and plugging of the spillway conduit.
- b. Record construction drawings prepared and completed in accordance with 19.25.12.11.D NMAC. The record drawings shall be numbered in sequence with the total number of drawings equal to the number of drawings submitted. The record construction drawings shall also be submitted digitally as a multiple page single file in tagged image file format (TIFF) or portable document format (pdf). The record construction drawings shall contain:
- 1) an updated signed certification from the dam owner and a blank certification for the state engineer in accordance with Subsections A and E of 19.25.12.12 NMAC;
 - 2) a signed certification for the engineer supervising construction in accordance with Paragraph 4(b) of Subsection A of 19.25.12.13 NMAC. The certification is provided below. If the engineer is unwilling to complete the certification, the engineer must notify the Office of the State Engineer Dam Safety Bureau before construction begins and the owner must designate a new engineer.

I, _____ state that I am a qualified professional engineer licensed in the state of New Mexico, that I have supervised the decommissioning of Chino Mines Dam 3A and its appurtenant structures and find them to be completed in accordance with the record construction drawings and they are now in a satisfactory condition for delisting.

(Engineer's Signature) License Number _____ (SEAL)
 (Engineers Name, P.E.)

Date _____

7. A completed Proof of Completion of Works Form to the New Mexico Office of the State Engineer Dam Safety Bureau with original signatures is due within two (2) calendar weeks of completion of construction. The Proof of Completion of Works Form shall not be bound within the Construction Completion Report. If construction is not completed by September 30, 2015 the owner must apply for an extension of time to perform the construction activities related to decommissioning of the dam. The application for an extension of time and fee must be received by August 31, 2015. If updated design documentation is required to ensure

Conditions of Approval
Application for Permit to Alter or Rehabilitate
Chino Mines Dam 3A (a.k.a. Reservoir 3A Chino Mine)

the design complies with the current regulations for dams (19.25.12 NMAC) then plan review fees are required. Failure to request an extension of time will result in a cancellation of the permit.

Operation Conditions:

1. The owner shall obtain permission from the State Engineer Dam Safety Bureau prior to initiating any work on the project site that would result in Chino Mines Dam 3A, or any other dam on the site, coming back into existence for water detention or retention purposes of any type.
2. The owner shall provide access to the Office of the State Engineer personnel for periodic dam safety inspections for up to five (5) years after final delisting of the structure.
3. The owner shall comply with the New Mexico Office of the State Engineer rules and regulations for dams.

Witness my hand and seal this 25th day of July 2014.

Scott A. Verhines P.E.
State Engineer



By:
Charles N. Thompson, P.E.
Dam Safety Bureau Chief

Ennis, David, EMNRD

From: Reid, Brad, NMENV
Sent: Tuesday, October 14, 2014 11:33 AM
To: Eustice, Chris, EMNRD
Subject: FW: Res 3A question
Attachments: Figure3-5_SampleLocations_ChinoAOC_STSIU_RevisedRemedialInvestigation_14May08 (Doc.63-73).pdf; Figure1_SamplingLocations_STSIU-TM-Surface Water Sampling & Analysis of Rainfall Pools Revised 09.25.08 (Doc.84).pdf; FigureE-1_Site Specific Cu Model Report_10.4.13 (STSIU Doc 139H)-2.pdf

Chris,

This is in response to your question from last week. Brad

-----Original Message-----

From: Schultz, Matthew, NMENV
Sent: Friday, October 10, 2014 3:07 PM
To: Reid, Brad, NMENV
Cc: Vollbrecht, Kurt, NMENV; Fox, Joseph, NMENV
Subject: RE: Res 3A question

Hey Brad,

The figures Chris Eustice provided were likely earlier drafts from the Site-Wide Ecological Risk Assessment (2005) for the Chino AOC which did not include sampling locations in the Reservoir 3A area. However in 2008, the Revised Remedial Investigation Report was approved for the Smelter Tailing Soils Investigation Unit that had a number of sampling locations (see attached Figure 3-5 when zoomed in) in Martin Canyon (although in the mid-to-low portions of the subwatershed) for surface soil (SS113, SS119, SS119D, U04-1017, SS123), sediment (SED08, SED07), and surface water (SW08, SW07). Additional surface water sampling at persistent pools was conducted for a tech memo completed in 2008 as an addendum to the Remedial Investigation which included a sampling location in the upper Martin Canyon subwatershed (SW06A) (see Figure 1) in addition to the previously mentioned downstream surface water sampling locations SW08 and SW07. More recently, there have been some studies associated with the Feasibility Study (see additional figure E-1) that had surface water sampling locations in Martin Canyon although the sampling parameters/analytes might be less diverse than the Remedial Investigation reports.

Let me know if you would like me to compile data for any of the sampling locations, and/or post the entire cited reports on magneto. I would like to be involved in future discussions about the Reservoir 3A as this might affect the downstream AOC areas currently included in the STSIU Feasibility Study under development.

Thanks, Matt

-----Original Message-----

From: Reid, Brad, NMENV
Sent: Friday, October 10, 2014 11:54 AM
To: Schultz, Matthew, NMENV
Cc: Vollbrecht, Kurt, NMENV
Subject: Res 3A question

Hey Matt,

Chris Eustice gave me the attached figures yesterday. They are from some time ago and Chris noted that it does not appear that any sampling for this analysis took place up in the Res 3A area (highlighted in yellow). Do you know if that data gap has since been filled in by work that either you or Phil performed?

Brad

-----Original Message-----

From: scanner, gwb, NMENV On Behalf Of gwb.scanner@

Sent: Friday, October 10, 2014 9:47 AM

To: Reid, Brad, NMENV

Subject: Scanned image from MX-5500N

Reply to: gwb.scanner@state.nm.us <gwb.scanner@state.nm.us> Device Name: rpdsharp Device Model: MX-5001N
Location: Resource Protection Division

File Format: PDF (Medium)

Resolution: 200dpi x 200dpi

Attached file is scanned image in PDF format.

Use Acrobat(R)Reader(R) or Adobe(R)Reader(R) of Adobe Systems Incorporated to view the document.

Adobe(R)Reader(R) can be downloaded from the following URL:

Adobe, the Adobe logo, Acrobat, the Adobe PDF logo, and Reader are registered trademarks or trademarks of Adobe Systems Incorporated in the United States and other countries.

<http://www.adobe.com/>



Legend




Surface Water Samples

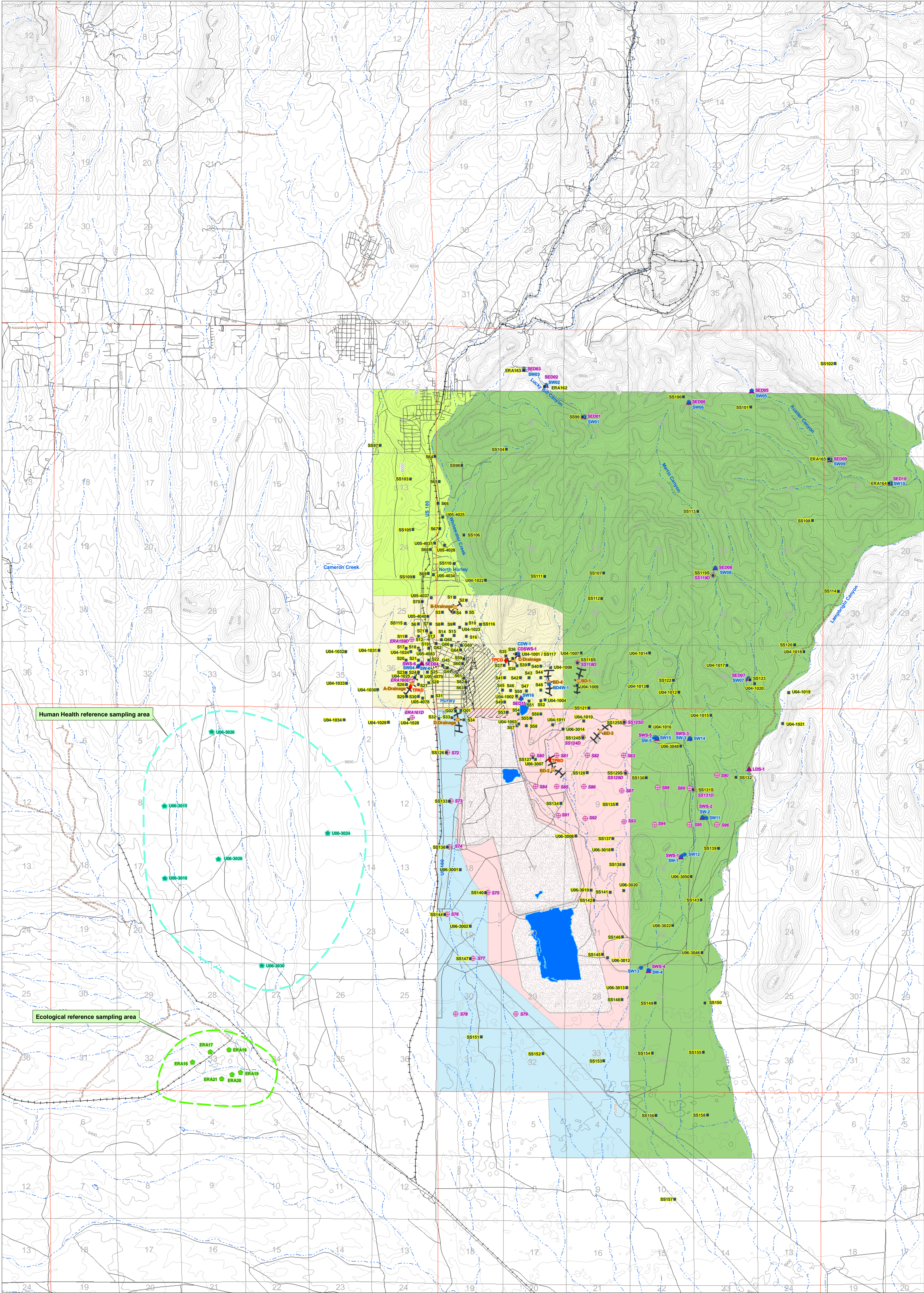
- SW-1 Labels for 2004 samples
- SW01 Labels for 2006 samples
- SW01 Labels for 2007 samples

- 4WD Road
- Local Road
- Main Road
- Railroads

Aerial photo basemap source is 2005 DOQQ (Digital Ortho Quarter Quadrangles) imagery distributed by New Mexico's RGIS data clearinghouse.

Image resolution is one meter.

Prepared By:  		Prepared for:  FREEPORT-McMoRAN COPPER & GOLD	
Revision Date: 06/20/2008	Drawn/Approved: JTG/LEC	Surface Water Sampling Locations	Figure No: 1
Scale:1:66,860			
Project Number: 69543.04			
File Name: SWLocationERAseries.mxd			



Legend

■ Surface Soil (0-1") Samples

■ Shallow Soil (0-6") Samples

★ Surface Water Samples

◆ Test Pit Samples

▲ Inundated Sediment Samples

● Ecological Reference Samples (0-6")

● Human Health Reference Samples (0-1")

■ Drainage Sediment Samples

+++ Drainage Sediment Sample lines

===== 4WD Dirt Roads

— Paved Roads

— Railroads

--- Surface Water Drainages

Former Smelter Operations Area

Tailing Impoundments

Exposure Areas

Area 1

Area 2

Area 3

Area 4

Area 5

0

2,500

5,000

10,000

15,000

20,000

Feet

Prepared By:

Prepared for:

Revision Date:

05/06/2008

Drawn/Approved:

JTG/LEC

Scale:

1:43,000

Project Number:

69543.03

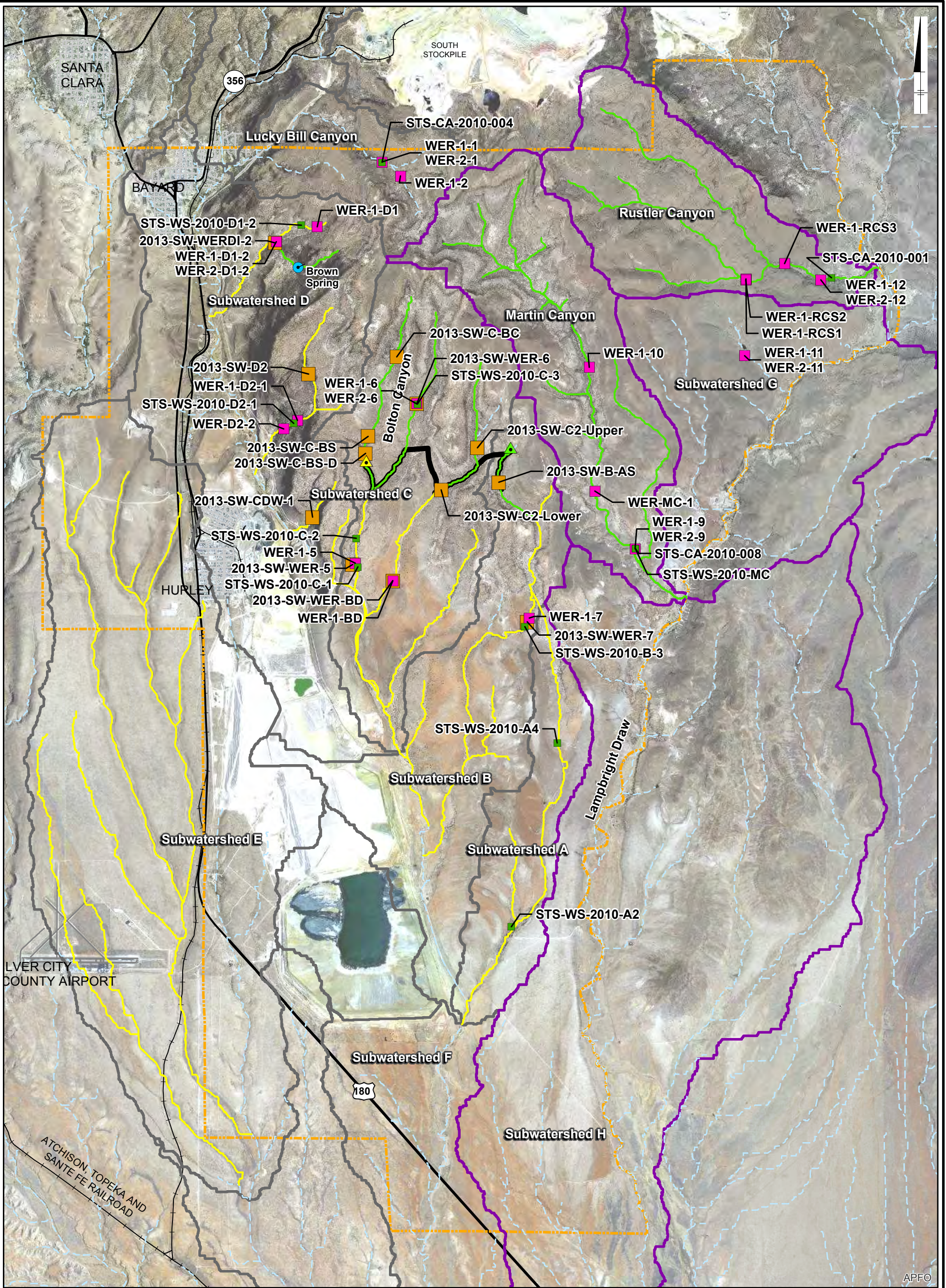
File Name:

Fig. 3-5 Sample Location2.mxd

Figure No:

3-5

Sample Locations



LEGEND:

Ephemeral Drainages

Non-Ephemeral Drainages

Other Drainages

USFWS Critical Habitat Transect

Lampbright Subwatershed Boundaries

Hanover-Whitewater Subwatershed Boundaries

Highway

Railroad

Town Roads

Ash Spring

Bolton Spring

Wet Season Sample Locations

2010 Sample Location

2011 Sample Location

2013 Sample Location

STSIU Study Boundary

0 5,500 11,000 Feet

GRAPHIC SCALE

FREEPORT-MCMORAN CHINO MINES COMPANY
VANADIUM, NEW MEXICO

**SITE-SPECIFIC COPPER TOXICITY MODEL REPORT
APPENDIX E**

**STSIU SURFACE WATER SAMPLES
COLLECTED DURING WET SEASONS IN
2010, 2011, AND 2013**

ARCADIS

**FIGURE
E-1**

From: [Navarro, Joseph](#)
To: [Eustice, Chris, EMNRD](#)
Cc: [Doug Haywood](#); [Leighandra Keeven](#)
Subject: Fwd: 3A Stockpile Review
Date: Tuesday, December 16, 2014 5:53:32 PM

Chris, as requested. I was not aware of your and MMD's involvement at the time of our field trip or comment period.

Will keep you in the loop and I apologize for any inconvenience.

Joseph M. Navarro

Environmental Protection Specialist

USDI-Bureau of Land Management

Las Cruces District Office

1800 Marquess St.

Las Cruces NM 88005

ph: (575) 525-4363

fax: (575) 525-4412

email: jnavarro@blm.gov

----- Forwarded message -----

From: **Navarro, Joseph** <jnavarro@blm.gov>

Date: Tue, Nov 18, 2014 at 1:04 PM

Subject: 3A Stockpile Review

To: Lynn_Lande@fmi.com

Hello Lynn,

as per our previous conversation regarding the 3A Stockpile (CCP), at Chino Mines (NMNM-96523)-Closure/Closeout Plan submitted to LCDO-BLM on July 10th, 2014.

This was presented to our ID Team earlier this year and it was determined there were no issues, comments or concerns. Therefore, our ID Team review found no changes are necessary and the understanding an adequate FA will be posted as per the current plan as submitted.

In addition, our field visit to FMI's Chino Mines on August 7th, 2014, facilitated this determination from those specialists as well.

Please call or write if you have any further questions and concerns or need additional information.

Regards,

Joseph M. Navarro

Environmental Protection Specialist

USDI-Bureau of Land Management

Las Cruces District Office

1800 Marquess St.

Las Cruces NM 88005

ph: (575) 525-4363

fax: (575) 525-4412

email: jnavarro@blm.gov

Ennis, David, EMNRD

From: Navarro, Joseph <jnavarro@blm.gov>
Sent: Wednesday, December 17, 2014 7:32 AM
To: Eustice, Chris, EMNRD
Cc: Doug Haywood; Leighandra Keeven
Subject: Fwd: ID Team review from LCDO

Chris,

this was also sent to Lynn Lande earlier regarding BLM's comments for the Stockpile CDQAP and the updated closure plan for the Little Rock Mine. If I remember correctly, there was initially concern from Lynn Lande as to whether they were ready for MMD's participation at time of proposal submission.

Please call or write if you have any questions or concerns.

Regards,

Joseph M. Navarro

Environmental Protection Specialist

USDI-Bureau of Land Management

Las Cruces District Office

1800 Marquess St.

Las Cruces NM 88005

ph: (575) 525-4363

fax: (575) 525-4412

email: jnavarro@blm.gov

----- Forwarded message -----

From: **Navarro, Joseph** <jnavarro@blm.gov>

Date: Tue, Oct 7, 2014 at 2:24 PM

Subject: ID Team review from LCDO

To: [Lynn Lande@fmi.com](mailto:Lynn_Lande@fmi.com)

Cc: "Eastepp, Tim" <tim_eastepp@fmi.com>, "Soltero, Martin H." <Martin_Soltero@fmi.com>, [Darren Albrech@fmi.com](mailto:Darren_Albrech@fmi.com), Leighandra Keeven <lkeeven@blm.gov>, [Tom Shelley@fmi.com](mailto:Tom_Shelley@fmi.com), Ikumi Doucette <idoucette@blm.gov>, Lizeth Ochoa <lochoa@blm.gov>, Doug Haywood <dhaywood@blm.gov>, David Wallace <dwallace@blm.gov>, William Childress <wchildre@blm.gov>

Hello Lynn,

hope all is well. Thanks for allowing us the opportunity to visit FMI's operations and reviewing your plans!! This serves as a brief summary of our findings and review of your submittals. On our follow-up from our big field tour to your operations in August:

- Our review team has reviewed your submittal (CDQAP) to discontinue/terminate use and implementing the closure plan for Reservoir 3A at the southern end of Chino Mines NMNM-96523. BLM staff also has documented using our surface compliance inspection reports from this field visit, all appropriate surface protection measures were listed including reclamation are to be under taken.
- Updated Closure/Close-out Plan (CCP) for the Little Rock Mine. This submission appears adequate and complete with reclamation plans including re-vegetation and post-mining use and closure.

Please call or write if you have any questions or concerns.

Thanks again and we look forward to continued collaboration as these activities and other projects are planned for and performed.

Regards,

Joseph M. Navarro

Environmental Protection Specialist

USDI-Bureau of Land Management

Las Cruces District Office

1800 Marquess St.

Las Cruces NM 88005

ph: (575) 525-4363

fax: (575) 525-4412

email: jnavarro@blm.gov