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12 February 2020

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

**RE: Hydrogeologic Resources Report, Tererro Exploration Project, Comexico, LLC.  
Permit No. SF040ER; NMDGF# 19625**

Dear Mr. Ohoi:

The New Mexico Department of Game and Fish (Department) has reviewed the Hydrogeologic Resources Report (Report) prepared on behalf of Comexico, LLC (Comexico) by SWCA Environmental Consultants as a supplement to an exploration permit application package for the proposed Tererro Exploration Project.

The Report's Section 4.1.4.5, Impaired Waters, states on page 19 that "The New Mexico 2018 Clean Water Act Section 303(d)/Section 305(b) Integrated Report identifies a number of impaired waters within the Pecos River headwaters watershed; however, all of these areas are well downstream of the project site and the Sangre de Cristo Mountains, and are not pertinent to the project activities." Drill pad site numbers 13 and 17 are within approximately 100-150 feet to a small tributary drainage that feeds into Macho Canyon Creek, which is approximately 1.5 miles downstream of the well pad sites. The Department believes that proposed project activities could potentially impact surface water quality within the Pecos River headwaters watershed, and should be considered pertinent to water quality and impaired waters.

Section 7.1, Previous Permitting, page 23, quotes a 1992 finding by the New Mexico Environment Department that "...existing roads and drill pads may have increased the volume of sediment delivery to both stream systems [Macho Creek and Indian Creek]. Serious rills, gullies, and headcuts, some in excess of 24" deep are features of the existing exploration road network. In some locations, sediment transport from exploration road networks and drill pads have accumulated to depths sufficient to have killed native vegetation."

Additionally, in Section 7.2.2.2.1, Current Road Conditions, page 27, Comexico identifies 24 culverts along the access route, "many of which are plugged or blocked off" that are diverting water onto the access road and causing significant erosion.

The Department reiterates concerns from its 10 October 2019 correspondence to MMD regarding erosion and runoff associated with access road operation and maintenance. In order

to protect surface water quality and riparian vegetation, both at the project site and along the access roads, it will be critical for Comexico to utilize the most appropriate and effective best management practices and to strictly adhere to their road maintenance plan. Comexico must also coordinate and consult with the Department on all road work that is conducted along the access route crossing State Game Commission owned lands.

Thank you for the opportunity to review and comment on the proposed exploration project. If you have any questions, please contact Ron Kellermueller, Mining and Energy Habitat Specialist, at (505) 476-8159 or [ronald.kellermueller@state.nm.us](mailto:ronald.kellermueller@state.nm.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt Wunder". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Matt Wunder, Ph.D.  
Chief, Ecological and Environmental Planning Division

cc: USFWS NMES Field Office