



White Mountain Apache Tribe

Office of Historic Preservation

PO Box 1032

Fort Apache, AZ 85926

Ph: (928) 338-3033 Fax: (928) 338-6055

To: Jerry Schoeppner, Director Mining and Minerals Division

Date: November 18, 2020

Re: *Modification 20-1 to develop a new Zeolite Pit within current Permit Boundary*

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The White Mountain Apache Tribe Historic Preservation Office appreciates receiving information on the project dated; November 02, 2020. In regards to this, please attend to the following statement below.

Thank you for allowing the White Mountain Apache tribe the opportunity to review and respond to the above proposed development of a new Zeolite Pit within the current Permit Boundary, Zeolite Mine, Sierra County, New Mexico (Permit No. S1006RE).

Please be advised, we reviewed the consultation letter and the information provided, and determined the project will ***“Not have an Adverse Effect”*** on the tribe’s cultural heritage resources and/or traditional cultural properties. No further consultation is necessary and/or required.

Thank you for your continued collaborations in protecting and preserving places of cultural and historical importance.

Sincerely,

Mark T. Altaha

White Mountain Apache Tribe – THPO
Historic Preservation Office



Ysleta del Sur Pueblo

Tribal Council – Javier Loera (War Captain/Tribal Historic and Preservation Officer) E-mail jloera@ydsp-nsn.gov

117 South Old Pueblo Road * P.O. Box 17579 * El Paso, Texas 79917 * (915) 859-8053 * Cell (915) 497-3853

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MINING & MINERALS DIVISION

November 10, 2020

Jenn Johnson
Mining and Minerals Division
State of New Mexico
Energy, Minerals and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Dear Jen Johnson,

This letter is in response to the correspondence received in our office in which you provide the Ysleta del Sur Pueblo the opportunity to comment on **Notice of Intent to Issue Modification 20-1 to Develop a New Zeolite Pit Within the Current Permit Boundary, Zeolite Mine, Sierra County, New Mexico, Permit No. SI006RE.**

The Ysleta del Sur Pueblo does not have any comments nor does it request consultation on this project.

Thank you for allowing us the opportunity to comment on the proposed project.

Sincerely,

A handwritten signature in black ink that reads "Javier Loera". The signature is written in a cursive style.

Javier Loera
Tribal Council/Tribal Historic Office
for
Gov. E. Michael Silvas
Ysleta del Sur Pueblo

State of New Mexico
Energy, Minerals and Natural Resources Department

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MINING & MINERALS DIVISION

Michelle Lujan Grisham
Governor

Sarah Cottrell Propst
Cabinet Secretary

Todd Leahy, JD, Ph.D.
Deputy Cabinet Secretary

Jerry Schoepner, Director
Mining and Minerals Division



November 2, 2020

Director Leigh Kuwanwisiwma
Hopi Cultural Preservation Office
P.O. Box 123
Kykotsmovi, AZ 86039

Re: Notice of Intent to Issue Modification 20-1 to Develop a New Zeolite Pit Within the Current Permit Boundary, Zeolite Mine, Sierra County, New Mexico, Permit No. SI006RE

Dear Director Kuwanwisiwma,

The Mining and Minerals Division (MMD) of the New Mexico Energy, Minerals, and Natural Resources Department has received an application from St. Cloud Mining Company ("Permittee") to develop a new zeolite pit within the current permit boundary for the Zeolite Mine in accordance with 19.10.5.505 NMAC of the New Mexico Mining Act (NMSA 1978, §69-36-1 et seq.). The Zeolite Mine is located in portions of Sections 3, 4, 10, and 11 of Township 12 South, Range 8 West in Sierra County. The application for Modification 20-1 proposes an increase to the design limit of the permit of approximately 35.8 acres.

Please see the attached map of the mine location. The application for Modification 20-1 received by MMD can be viewed in its entirety by visiting the MMD website at http://www.emnrd.state.nm.us/MMD/MARP/SI006RE_Mod20-1.html.

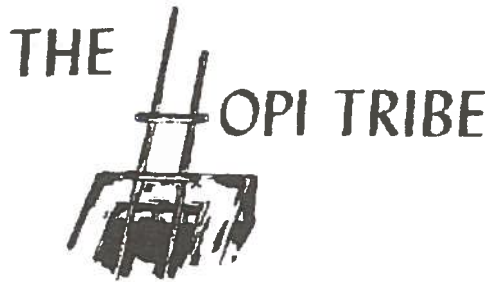
An archaeological survey of the proposed site is not required since the project occurs on private property. We are notifying you that the applicant has satisfied all our regulatory requirements and we are prepared to issue a permit. We would like to give you a final opportunity to provide us with comments. Please provide comments to MMD by November 17, 2020. Please contact me at (505) 467-9671, or Jenn Johnson of my staff at (505) 470-5354 or jennifere.johnson@state.nm.us with any questions or if you wish to meet to discuss the application.

Sincerely,

Jerry Schoepner, Director
Mining and Minerals Division

Enclosures (Project Vicinity Map)

cc: Project File (SI006RE, Modification 20-1)



Timothy L. Nuvangyaoma
CHAIRMAN

Clark W. Tenakhongva
VICE-CHAIRMAN

May 29, 2020

Jerry Schoeppner, Director, Mining and Minerals Division
Attention: Jenn Johnson
New Mexico Energy, Minerals, and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Dear Mr. Schoeppner,

This letter is in response to your correspondence dated May 15, 2020, regarding Request for Comments on Regular Existing Mining Application, Modification 20-1, to Develop a New Zeolite Pit Within the Current Permit Boundary, Zeolite Mine, Sierra County, Permit No. SI006RE.

The Hopi Tribe claims cultural affiliation to prehistoric cultural groups in New Mexico. The Hopi Cultural Preservation Office supports identification and avoidance of prehistoric archaeological sites and Traditional Cultural Properties, and we consider the archaeological sites that are habitations of our ancestors to be “footprints” and Hopi Traditional Cultural Properties. Therefore, we appreciate the New Mexico Energy, Minerals, and Natural Resources Department, Mining and Minerals Division (MMD)’s solicitation of our input and your efforts to address our concerns.

The Hopi Cultural Preservation Office is interested in consulting on any proposal in New Mexico with the potential to adversely affect prehistoric sites. We have previously conveyed our recommendation that the New Mexico Energy, Minerals, and Natural Resources Department require cultural resource surveys of the project areas it permits, so that it can determine if the undertakings it permits may adversely affect cultural resources significant to the State of New Mexico, the United States, and the Hopi Tribe.

Your correspondences requests consultation to identify traditional cultural or religious properties. As we have stated previously, when requested to identify traditional cultural or religious properties that we would like to taken into consideration during government-to-government consultations, we routinely request a copy of the cultural resources survey of the area of potential effect. This specific information on the location of historic properties is important to us to identify sites and potential impacts. Without cultural resources surveys or a

Jerry Schoeppner
May 29, 2020
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traditional cultural properties survey we are unable to determine if proposals may affect cultural resources significant to the Hopi Tribe.

Therefore, we reiterate that in cases where MMD is permitting mining operations on private land where MMD asserts cultural resources surveys are not required of proponents, we may request field trips to the project areas, sponsored by MMD and the project proponents, to identify traditional cultural or religious properties that we would like MMD to take into consideration before making determinations.

We appreciate that if any prehistoric cultural features or deposits are encountered during project activities, these activities must be discontinued in the immediate area of the remains, and the State Historic Preservation Office will be consulted to evaluate their nature and significance and if any Native American human remains or funerary objects are discovered they will be immediately reported as required by law. Thank again you for your consideration.

Respectfully,

js

Stewart B. Koyiyumptewa, Program Manager
Hopi Cultural Preservation Office

xc: New Mexico State Historic Preservation Office