From: Ennis, David, EMNRD
To: Kellermueller, Ronald, DGF
Cc: Shepherd, Holland, EMNRD
Subject: FW: Summa Silver Corporation Application for Exploratory Drilling
Date: Thursday, August 5, 2021 4:07:00 PM

Hi Ron,

MMD has received the public comment below regarding the Summa Silver Mogollon Project and the Mexican Spotted Owl. MMD would appreciate another review and written comment from Game and Fish on this topic. Specifically, at this time, MMD is assessing whether the project meets the definition of "Minimal Impact Mining."

Exclusion from Minimal Impact:
19.10.1.7.M(2)(b) – "Located in designated critical habitat areas as determined in accordance with the federal Endangered Species Act of 1973 or in areas determined by the Department of Game and Fish likely to result in an adverse impact on an endangered species designated in accordance with the Wildlife Conservation Act, Sections 17-2-37 through 17-2-46 NMSA 1978 or by the State Forestry Division for the Endangered Plants Act, Section 75-6-1 NMSA 1978."

Please provide additional written comment to MMD by August 13, 2021.

Please call or email with any questions.

Thanks,
DJ

DJ Ennis, P.G.
Mining and Minerals Division
1220 S. St. Francis Dr.
Santa Fe, NM 87505
(505) 372-8634 cell/office
david.ennis@state.nm.us

From: Bob Moore <sosilvercreek@gmail.com>
Sent: Thursday, August 5, 2021 12:43 PM
To: Ennis, David, EMNRD <David.Ennis@state.nm.us>
Subject: Re: Summa Silver Corporation Application for Exploratory Drilling

Dear D.J. Ennis,

I am a long-time resident representing other full-time residents of Mogollon. I am writing this letter in response to Summa Silver Corporation's application for exploratory drilling in Mogollon, NM.

Please take notice that Summa's application is in error as they did not check the 'Yes' box (page 1 of the application) that indicates the presence of Threatened and Endangered (T&E) species, more specifically the Mexican spotted owl. Therefore, their application does not qualify as a minimal impact exploration operation (page 2 of the application).

It is my impression that the Forest Service has not performed spotted owl surveys in the Mogollon vicinity. I am 100 % certain, however, that the spotted owl has been living in the Mogollon area for over 20-years. I am a biologist/forester by education and trade who owned and operated a business that conducted extensive spotted owl surveys for national forests through-out the Southwest, including the Gila National Forest.

My family and I have on several occasions seen and heard the Mexican spotted owl as a single and as a pair. Please review attached photos No. 1 & 2 of the local spotted owl pair taken in March, 2002. I am willing to verify the location as shown in photo No. 2. In addition, my wife and I have consistently heard the spotted owl every year during the spring and early summer and as recently as 2021.

Following is a list of full-time residents that have seen or heard the spotted owl and can provide a similar testament to mine. In fact, please review attached photos No. 3 & 4 of a local single spotted owl taken by John Gebhardt in August, 2018. The sight location can be verified as shown in photo No 4.

The townsite of Mogollon is situated at the bottom of an east-west canyon where the spotted owl has been heard on both the north and south slopes leading up to Summa's proposed project area. It is possible the spotted owl may target the abandoned Fanny Hill townsite as foraging grounds due to its abundant rodent population

The list represents eight out of the 13 full time residents of Mogollon. The other five residents are not included on the list due to the respect for privacy or I don't directly know if they have seen or heard the spotted owl.

Full-Time Residents of Mogollon who have seen or heard the Mexican spotted owl with contact information is as follows:

Bob Moore sosilvercreek@gmail.com
Vicki Moore vmoore50@gmail.com
Stan King kingstanley67@gmail.com
Kathy Knapp kathyknapp01@gmail.com
Niels Mandoe nmandoe@gilanet.com
Marianne Scharn mariannescharn@gmail.com
John Gebhardt gebhardt47@mac.com
Linda Gebhardt gebhardt103@att.net

In summation, we request the determination that Summa's application be considered in error of not indicating the presence of T&E species, most specifically the Mexican

spotted owl. Therefore, their application does not qualify as a minimal impact exploration operation.

In addition, any further consideration of Summa's proposed exploration activities should be in consultation with the agency in charge with the protection of T&E species, the US Fish and Wildlife Service.

Summa's proposed mining activity would create increased noise pollution, light pollution (during night operation), and dust pollution from truck activity. The slightest amount of standing polluted water could potentially be lethal to an unwary spotted owl who may sweep down for a drink. The noise, light and dust pollution could be significant enough for the spotted owl to abandon its foraging grounds.

Let us be clear, it is also the consequence of human nature that additional risk to the spotted owl is created when human activity is allowed in areas where the owl is active. It would only take one bullet to get rid of the nuisance, the Mexican spotted owl.

Respectfully,

Bob Moore
Electronic signature

Electronic Co-Signers to the Letter:

Vicki Moore
Stan King
Kathy Knapp
Niels Mandoe
Marianne Scharn
John Gebhardt
Linda Gebhardt