From: Ennis, David, EMNRD
To: Kellermueller, Ronald, DGF
Subject: FW: Summa Silver Corporation Application for Exploratory Drilling
Date: Friday, August 6, 2021 1:24:00 PM
Attachments: Attachment 1_D_SSVR_Mogollon_Proposed_Work_3k_Amend_20210504[2001].pdf

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Hi Ron,

MMD asked Summa Silver for additional details on their commitment to perform bird surveys relative to the anticipated drilling schedule. See the email thread below.

Thanks,
DJ

From: Chris York <cyork@summasilver.com>
Sent: Friday, August 6, 2021 1:13 PM
To: Ennis, David, EMNRD <David.Ennis@state.nm.us>
Cc: Shepherd, Holland, EMNRD <holland.shepherd@state.nm.us>; Galen McNamara <galen@summasilver.com>; Christopher Leslie <cleslie@summasilver.com>
Subject: RE: Summa Silver Corporation Application for Exploratory Drilling

Hi DJ,
Thank you for bringing this to our attention and please keep us in the loop. We will also let the people doing the bird survey know to watch for the Spotted Owls as well.

In regards to the bird survey, our plan was to start the survey after approval of the permit. If the survey is clear of impacted birds, we would start the earthwork. This phase of earthwork/drilling for 2021 would include six pads and re-opening of roads to the pads. We are currently planning on drilling on Pads 11, 17, 18, 20, 22, and 26 (map attached). Estimated time for the earthwork is 2-3 days not including mobilization/demobilization to site. Westland Resources will be performing the bird survey. They are the group that performed the Cultural and Biological surveys for the permit application. We will be contracting the Faust Ranch to perform the earthwork. They are local and have supported the past drilling campaigns at Mogollon.

The Office of the State Engineer said it would take about two weeks to obtain the permits for the drill wells once the paperwork is resubmitted. They have reviewed the paperwork and are awaiting approval of the permit before they can process their portion of it. We are hoping that we can start mobilizing the drills about three weeks after the permit from the MMD is finalized and approved.

If you guys have any other questions please let us know.

Thanks DJ,

Chris York
Exploration Manager Summa Silver
618-263-8664

Sent from Mail for Windows 10

From: Ennis, David, EMNRD
Sent: Friday, August 6, 2021 8:16 AM
To: cyork@summasilver.com
Cc: Shepherd, Holland, EMNRD; Galen McNamara
Subject: FW: Summa Silver Corporation Application for Exploratory Drilling

Hi Chris,

Mining and Minerals Division is getting some interest from the public on the Mogollon Project related to the Mexican Spotted Owl, a threatened species in NM. See email below.

Just as an FYI, MMD has asked New Mexico Game and Fish (Ron Kellermueller) to re-evaluate:

1) if the project is "located in designated critical habitat" for the Mexican Spotted Owl and
2) if the project is "in an area 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."

I've asked Game and Fish to respond in writing by August 13, 2021.

Summa Silver committed in the response to agency comments to perform bird surveys prior to disturbance by a third party consultant. Could you please give me a little more detail on this? I.e., will the bird surveys be performed immediately prior (days? weeks?) to start of the drilling project?

Feel free to call or email with any questions – happy to discuss. In the meantime, we are still working with Martin on the Letter of Credit language with the Bank of Montreal.

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