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GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

MEMORANDUM

DATE: March 22, 2024

TO: Anne Maurer, Mining Environmental Compliance Section, Ground Water Quality Bureau, New Mexico Environment Department

FROM: Eliza Martinez and Alan Klatt, Watershed Protection Section, Surface Water Quality Bureau, New Mexico Environment Department

SUBJECT: **Request for Review and Comment, JJ No. 1 Mine, Erosion Mitigation Implementation Plan, Regular Existing Mine, Cibola County, New Mexico Mining Act Permit No. CI007RE**

The New Mexico Environment Department (NMED)-Surface Water Quality Bureau (SWQB) received a request for comments from NMED-Ground Water Quality Bureau on February 7, 2024 regarding the *2024 Erosion Mitigation Implementation Plan* that was submitted to the Mining and Minerals Division by SOHIO Western Mining Company/Rio Tinto (SWMC) on January 31, 2024.

Site VS-12 is approximately 50 feet from an unnamed tributary to the Arroyo del Valle. The unnamed tributary and the Arroyo del Valle are subject to Section 20.6.4.98 Standards for Interstate and Intrastate Surface Waters, New Mexico Administrative Code (NMAC) with designated uses that include livestock watering, wildlife habitat, marginal warmwater aquatic life, and primary contact. The Erosion Mitigation Implementation Plan will further protect and support these designated uses.

SWQB Comment 1: Consider using biodegradable erosion control mats as an alternative to using flexamats, when feasible.