

**PERMIT MODIFICATION 24-1 To PERMIT NO. SI025MN
HARDING MINE
MINIMAL IMPACT NEW MINE MINING OPERATION**

**MINING AND MINERALS DIVISION
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT**

This Modification 24-1 (24-1) to Permit No. SI025MN (Permit) is issued by the Director of the Mining and Minerals Division (MMD) of the New Mexico Energy, Minerals and Natural Resources Department to:

Sawni LLC.
PO Box 34
Arrey, NM 87930

Whose correct address is:

(Permittee) for the Harding Mine, Seirra County, New Mexico.

This Modification 24-1:

1. Updates the Reclamation Plan for the site and;
2. Releases the Harding Mine from the requirements of the New Mexico Mining Act.
 - No Financial Assurance is held under this permit; therefore this modification does not release any financial assurance through this Permit modification.

In order to accomplish the approval contemplated by Modification 24-1, the following subparagraphs are added to Permit No. SI025MN:

Section 1 (24-1). STATUTES AND REGULATIONS

- A. This Permit Modification is issued pursuant to the New Mexico Mining Act, NMSA 1978, §69-36-1, et seq. (1993, as amended through 2019) (Act) and New Mexico Mining Act Rules, Title 19, Chapter 10 of the New Mexico Administrative Code (NMAC or Rules or Regulations).
- B. This Permit Modification is subject to the Act, the Rules, and any other regulations which are now or hereafter in force under the Act; and all such regulations are made a part of this Permit by this reference.

Section 2 (24-1). PERMIT APPLICATION PACKAGE

- A. The permit application package for Modification 24-1 (24-1 PAP) consists of a written request from the Permittee, received by MMD on December 2, 2024, to change the site closure plan and for release of permit number SI025MN from the New Mexico Mining Act.

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- B. On January 21, 2025, the Modification fee was submitted as required by §19.10.2.201 NMAC.
- C. *MMD Inspection Report* (for building removal and shaft closure) dated January 17, 2025.
- D. “*Harding Mine Modification Application Summary*” which includes consolidated email communications and decisions on the shaft closure, and request for permanent release.
- E. *Application Notice of Administratively Complete*, dated January 22, 2025.
- F. *Agency Request for Comment, on Modification 24-1 for the Harding Mine*, dated January 22, 2025.
- G. *MMD Agency Inspection Report* dated February 11, 2025.
- H. *Agency Response Comment Letters* from; EMNRD – Forestry (dated February 14, 2025) NMDG&F (dated February 13, 2025), NMED (dated February 14, 2025). BLM responded via email on February 27, 2025. NMDCA did not respond to the request for comment.
- I. *MMD Application Technically Approvable*; dated February 28, 2025.

Section 3 (24-1). FINDINGS OF FACT

The Permit Application Package

- A. The Permittee has paid the permit Modification fee of \$250.00 as required by §19.10.2.201 of the Rules.
- B. 24-1 PAP has been reviewed and is complete, accurate, and complies with the requirements for permit Modifications under §19.10.6.608 of the Rules.
- C. Pursuant to §19.10.6.608.D(1) of the Rules, the proposed change would not have a significant environmental impact.
- D. Pursuant to §19.10.6.608.D.(2) of the Rules, 24-1 PAP was accompanied by sufficient information for the Director to determine whether any of the factors listed in §19.10.6.606.D.(1) NMAC are present.
- E. Pursuant to §19.10.6.608.D.(3) NMAC, the Director consulted with the New Mexico Environment Department, Department of Game and Fish, State Forestry, State Historic

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Preservation Division, and the Office of the State Engineer and requested comments on 24-1 PAP.

- F. Comments on 24-1 PAP were received from State Forestry, Department of Game and Fish, BLM, and the New Mexico Environment Department.

Inspection

- G. An agency inspection and evaluation of the reclaimed disturbance within the Harding Mine Permit Area was conducted by MMD on February 11, 2025. All reclaimed areas were found to successfully demonstrate achievement of a self-sustaining ecosystem.

Tribal Consultation

- H. MMD provided the PAP to the following tribal entities and offered consultation on January 27, 2025 to the following tribal entities: Comanche Nation, Kiowa Tribe, Ysleta del Sur Pueblo, Isleta Pueblo, the Fort Sill Apache Tribe, the White Mountain Apache Tribe, the Mescalero Apache Tribe, the Navajo Nation, and the Hopi Tribe. MMD received a response from the White Mountain Apache Tribe on February 5, 2025, who deemed this project to have “No Adverse Effect” to their traditional cultural and/or historical properties.

Financial Assurance

- I. As this Permit is under two (2) acres no financial assurance is held in accordance to §19.10.3.304.E NMAC.

Section 4 (24-1). **CONCLUSIONS OF LAW**

- A. The request for permit Modification is complete and accurate and complies with the requirements of the Act and §19.10.3.304 NMAC.

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ORDER

NOW THEREFORE, IT IS HEREBY ORDERED that the Director approves Permit Modification 24-1 to the Harding Mine, Permit No. SI025MN, located in Sierra County, New Mexico. The approval releases the mine from the requirements of the New Mexico Mining Act.

By Order of the Director, Mining and Minerals Division of the New Mexico Energy, Minerals and Natural Resources Department, of the State of New Mexico.

By: *Albert Chang*
Albert Chang, Director
Mining and Minerals Division
Energy, Minerals and Natural Resources Department

Date: 3/10/2025