

**MINUTES OF THE
NEW MEXICO MINING COMMISSION
REGULAR MEETING AND HEARING
TUESDAY, JUNE 26, 2012**

Note: Draft minutes subject to review and approval by the Commission

The New Mexico Mining Commission meeting convened at 9:00 AM, Tuesday, June 26, 2012, in Porter Hall (1st floor of the Wendell Chino Building), Energy, Minerals and Natural Resources Department, located at 1220 South St. Francis Drive in Santa Fe, NM. The meeting was recorded and the digital audio files are in the custody of the commission clerk. In addition, the Modrall Sperling Law Firm stenographically recorded the hearing on Petition 12-01.

The following members were present:

Doug Bland	Chairman, NM Bureau of Geology and Mineral Resources
Jim Davis	Vice Chair, Environment Department
Mike Johnson	Office of the State Engineer
Larry Roybal	State Land Office
Matthew Wunder	Department of Game and Fish
Richard Mohr	Public Representative - Industry
Sally Malavé	Commission Attorney

The following members were absent:

Vacant	Public Representative - Environment
Vacant	Alternate for Public Representative - Industry
Vacant	Alternate for Public Representative - Environment
Charlie Sanchez	NM Soil and Water Conservation Commission
Steve Loring	NM Agricultural Experiment Station

Roll call

John Pfeil, commission clerk, called the roll with the results provided above.

Approval of the agenda

Chairman Bland asked if there were any changes to the agenda; there were none. Mr. Johnson moved to adopt the agenda, with a second by Dr. Davis. Motion passed unanimously.

Adoption of the minutes of the January 12, 2012, Meeting

Chairman Bland asked if there were any changes to the minutes; there were none. Dr. Davis moved to adopt the minutes, with a second by Mr. Roybal. Motion passed unanimously.

Hearing, deliberation and action on the Multicultural Alliance for a Safe Environment (MASE) and Amigos Bravos petition for review of the Director's action regarding Rio Grande Resource's standby permit application (12-01) and motion to dismiss petition 12-01, submitted by the Energy, Minerals and Natural Resources Department.

The Commission heard presentations and rebuttals from Mr. Eric Jantz, New Mexico Environmental Law Center, in support of the petition; Mr. Mark Smith, New Mexico Energy, Minerals and Natural Resources Department, against the petition; and Mr. Stuart Butzier, Modrall Law Firm, against the petition.

Three members of the public spoke: Mr. Joel Stewart, against the petition; Mr. Les Gaines, against the petition; and Ms. Laura Watchempino, in support of the petition.

Dr. Davis moved to adjourn to executive session to deliberate on the petition and motion to dismiss, with a second by Mr. Roybal. Motion passed unanimously and the executive session began about 11:25 AM.

At about 2:50 PM, Dr. Wunder moved to resume the regular meeting of the Commission with a second by Mr. Roybal. The motion passed unanimously. The only issues discussed in executive session were legal issues related to the petition.

Mr. Johnson moved to deny the petition, with a second by Mr. Mohr. A roll call vote confirmed a unanimous decision. The Chairman then directed the Commission's lawyer to prepare a written order consistent with the Commission's decision.

Mr. Roybal moved to delegate the authority to review, approve and sign the order to the Chairman, with a second by Dr. Davis. A roll call vote confirmed a unanimous decision.

Other business

There was no other business.

Adjourn

Chairman Bland adjourned the meeting at 2:55 PM.

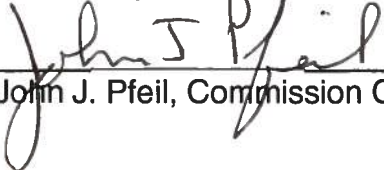
Approved:



Doug Bland, Chairman

Date 5/23/13

Minutes by:



John J. Pfeil, Commission Clerk