

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Erin Taylor
Acting Cabinet Secretary

Benjamin Shelton
Deputy Cabinet Secretary

Anna Aguilera
Director
Mining and Minerals Division



Electronic Transmission

October 5, 2026

Samantha Kretz, Environmental Manager
GCC Rio Grande, Inc.
P.O. Box 100
Tijeras, NM 87059

RE: Agency Comments, Tijeras Mine and Mill Revision 26-1, Permit BE001RE

Dear Ms. Kretz,

Pursuant to 19.10.5.505 (B)(3) NMAC, the New Mexico Mining and Minerals Division (MMD) has distributed Revision 26-1 to Permit BE001RE to the required state agencies. The application was deemed Administratively Complete on July 31, 2026.

A Site Inspection was held on September 21, 2026, and was attended by MMD and the New Mexico Dept. of Wildlife (NMDW).

MMD has provided comments in the form of an Excel spreadsheet attached to this letter. GCC may respond to comments in the column provided. Due to the substantial number of technical comments on the permit application package, MMD requests GCC update their application package as an amended application that addresses all comments.

MMD acknowledges that the permitted reclamation success criteria for BE001RE existing units includes the criteria that foliage or basal cover of native living plants of the revegetated area shall be established equal to 90-percent of the reference area to within a 90-percent statistical confidence. This does not align with the MMD Revegetation Guidelines for vegetation cover requirements for other existing permitted mines, which is usually around 70 percent of the reference area. MMD encourages GCC to include a change to the vegetation cover standard in their permit to align with other existing mines. A public notice to interested parties would be necessary with this type of change.

October 5, 2026

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Additionally, please see attached comments from the following agencies:

- New Mexico Dept. of Wildlife
- New Mexico Historic Preservation Division
 - Address specific questions about cultural resources
- New Mexico Forestry Division
- New Mexico Office of the State Engineer

If you have any questions, please contact me at (505) 651-7721 or by email at maile.gray@emnrd.nm.gov

Sincerely,



Maile Gray, Permit Lead
Mining Act Reclamation Program (MARP)

cc: DJ Ennis, Program Manager, MARP
Clint Chisler, Reclamation Supervisor, MARP
Leanne Lam, Environmental Engineer, GCC
Taylon Earl, Consultant, Barr
Mine File (BE001RE)

Attch: BE001RE MMD Comment Spreadsheet
BE001RE Combined Agency Comments

Comment Number	Document	Section	Page	Text	Comment
1	Application	1	1	Mining and reclamation activities have progressed to a stage where portions of the site are eligible for partial and final reclamation release	State in the background how many acres are requested for release, what kind of release (vegetation/final or earthwork), and where those acres come from. Please present this in a table format
2	Application	1	1	The site also requests a disturbance expansion of 77 acres for the mining of Quarry 9.	State land ownership of Quarry 9 in the background and a general location description. The disturbance associated with the aggregate road isn't mentioned and shouldn't be included as "Quarry 9 disturbance"
3	Application	2	2		More detail is needed regarding the proposed changes. Where are the release areas located? How many acres for each area is requested for release? When did earthwork begin, and when did revegetation begin? Where is Quarry 9 located? There's no mention here of the aggregate road expansion and how many acres it is. Please make a table for all requested changes.
4	Application	2	3	Figure 2	Are the areas in orange (FS Bonded) requested for release? At the agency site inspection, we were only shown the non-Forest areas. If FS bonded areas are requested for release, then GCC will need to begin that process with USFS. We will need an additional agency inspection of these areas since they were not included in the site inspection.
5	Application	3.1	5	GCC requests a partial release of reclamation liability for portions of Quarry 1 where reclamation activities have been completed.	Significant details are missing from this determination. How many acres are requested for release from Quarry 1? Where are these acres located? Reference specific requirements (NMAC, Permit, or previous closeout plan) for earthwork release and demonstrate how Quarry 1 meets these requirements. As-builts should be submitted.
6	Application	3.1	5	GCC requests a partial release of reclamation liability for portions of Quarry 1 where reclamation activities have been completed.	Is the sediment pond included in the earthwork release request? More detail will be needed about that.
7	Application	3.3	5	The areas included in this request have achieved the applicable reclamation milestones necessary for partial release of reclamation liability, including:	Additional documentation is needed to support these claims. How has the surface stability been demonstrated? Refer to specific documents proving stability, plans listed in previous closeout plans, etc.

8 Application	3.3	5	Supporting figures and documentation are included in Figures 2, 3, and 4	Figures are insufficient. Figure 3 is Google Earth satellite imagery that gives no reference points and is not taken at the same angle as Figure 4. Figure 4 is a picture only. Provide as-builts for the earthwork. Acreage needs to be specified.
9 Application	4.1	8	GCC requests full reclamation release for approximately 74 acres of fully reclaimed land within the Tijeras Site. These areas have completed all required reclamation activities and have met applicable performance standards	Which areas are requested for release? How many acres for each area? Is the USFS land included in this release? Has the release process for USFS started yet? What are the applicable performance standards? What is being used as evidence that vegetation may be released? Give a summary of the vegetation monitoring results.
10 Application	4.2	8	Description of Work Completed	This is insufficient. Work completed needs to be identified for each section, not the 74 acres as a whole. A description of each reveg area needs to be provided, along with a summary of vegetation monitoring findings. A timeline of work completed for each area would be helpful too. For each of these bullet points, the description of how these items were completed is needed for each area of reclamation, including the reseeding dates
11 Application	4.3	8	Reclamation Performance	Performance criteria and evidence of effectiveness must be provided. What's the criteria veg success must meet, and how was it met? What is considered the 12 year monitoring time frame for each reclamation area? Please provide this information for each area of reclamation.
12 Application	4.4	8	The 74-acre area has satisfied the requirements for final reclamation release, including completion of the applicable liability period and demonstration of long-term stability and revegetation success.	The way this is stated implies the 74 acres are one area rather than many smaller portions. This does not provide a basis for final release. This must be backed up with evidence.
13 Application	4.4	8	Supporting documentation is provided in Figure 5 and Attachment 3.	I can't find Figure 5
14 Application	4.4	8	Supporting documentation is provided in Figure 5 and Attachment 3.	Attachment 3 is a veg survey from 2021. This is greater than 4 years ago.

15	Application	4.4	8	Supporting documentation is provided in Figure 5 and Attachment 3. Further documentation will be provided at a later date as an addition to this application package. The 2022 vegetation surveys were not finalized at the time of the survey and will be provided when the data has been reviewed and compiled into a memo summarizing the results.	2022 veg monitoring has been submitted as an addendum. Why has the 2022 survey been completed so recently? What is the status of the remaining vegetation surveys? They should be annual.
16	Application	5.1	9	GCC proposes to establish a designated reference area within Quarry 4 to support future reclamation evaluation and comparison, consistent with NM MMD guidance.	What is the acreage for the reference area?
17	Application	5.2	9	The reference area has been selected to represent appropriate baseline conditions for evaluating revegetation success, including: Similar soil and substrate conditions; Comparable topography and aspect; and Representative native vegetation	Evidence of all these criteria is needed. Vegetation sampling from the reference area specifically is necessary. Please compare this reference area to previous reference area in terms of location, soil conditions, topography, aspect, vegetation, etc.
18	Application	5.3	9	Because the reference area is within Quarry 4, documentation of the reference area and characterization is included in Attachment 3.	The characterization is for the whole Quarry 4 section, not the reference area alone. A recent vegetation study of the 2 acres identified for the reference area is required.
19	Application	6	10	Quarry 9 - Disturbance expansion	This section lacks sufficient detail for determining environmental impacts. A detailed plan demonstrating compliance with 19.10.5.508 is required.
20	Application	6	10	Quarry 9 - Disturbance expansion	Due to extensive indigenous cultural resources in the area surrounding proposed Quarry 9, MMD strongly recommends an archeological survey be performed within the proposed design limits. Isleta Pueblo requests coordination with their Tribal Historic Preservation Officer when making determinations about a contractor to perform these surveys. Isleta Pueblo notes specifically that their goal is not necessarily preservation, but emphasizes the importance of record keeping for full accounting of Tribal history.

21 Application	6.1	10	This expansion also includes a small area near the mine site buildings for a road expansion.	This is the only time the road expansion area is mentioned. This area is outside of Quarry 9 and should not be considered disturbance associated with the quarry. Road construction plans must be submitted in compliance with 19.10.5.508.B.9.
22 Application	6.2	10	Description of Proposed Disturbance	This is insufficient. A detailed description of work proposed to be performed is necessary.
23 Application	6.2	10	Topsoil stripping, salvage, and stockpiling for future reclamation use;	How deep will soil be stripped? Where will it be stockpiled? How will the stockpile be stabilized?
24 Application	6.2	10	Construction of access roads and internal haul routes;	Provide construction plans and maps of all new routes
25 Application	6.2	10	Construction of access roads and internal haul routes; and	Provide a detailed description and a map showing drainage and stormwater controls
26 Application	6.2	10	Total new disturbance associated with Quarry 9 is approximately 77 acres.	Per discussions during the agency site inspection and shapefiles sent by Barr to MMD, the design limit for Quarry 9 proposed here doesn't align with the actual construction plan for Quarry 9. Provide detailed explanations of all proposed disturbance, as well as reasoning for requesting the full acreage. The northern portion of Quarry 9, in particular, has no explanation for its inclusion in the design limits.
27 Application	6.3	10	Reclamation of Quarry 9 will be conducted in accordance with the approved reclamation plan for the Tijeras Site and applicable NM MMD	A complete reclamation and revegetation plan including a topographic map of the anticipated surface configuration at completion is required. See Section 5.3 and 5.4 of the 2023 closeout plan for examples.
28 Application	6.4	11	Diversion of upgradient runoff away from disturbed areas where feasible;	Diversion designs shall be adequate to safely pass the peak run-off of a 10-year, 24 hour precipitation event.
29 Application	6.5	11	The proposed expansion area has been evaluated for environmental and reclamation considerations.	How has it been evaluated?
30 Application	6.5	11	Protection of surrounding undisturbed areas;	How will this be implemented? Provide specific details about protection of nearby residences from flyrock and debris
31 Application	6.5	11	Implementation of reclamation practices consistent with site-specific conditions.	What are the reclamation practices proposed?
32 Application	6.6	11	Financial Assurance Implications	Due to limited information and current questions, evaluation of FA implications cannot be given at this time

33 Application	7.1	12	Based on review of existing data and field verification, reclaimed areas addressed in this application exhibit stable slopes, appropriate drainage patterns, and no evidence of significant erosion.	What is the evidence that supports this claim? Provide as-builts.
34 Application	7.2	12	Vegetation Performance	This section lacks sufficient detail. An overview and analysis of vegetation performance needs to be included. This should be a summary indicating the vegetation surveys used as a basis for release, a table showing diversity, cover, and shrub density of each areas proposed for release compared to the reference area. Evidence of all claims must be provided.
35 Application	7.2	12	Available monitoring data and field observations indicate that vegetation in reclaimed areas is establishing in a manner consistent with site conditions and approved reclamation objectives	What are the reclamation objectives? How does the vegetation in each section meet the objectives? Does this claim include all reclamation areas or just the ones proposed for release?
36 Application	8.2	13	Partial release of reclamation liability for portions of Quarry 1;	How many acres? What reclamation liability is requested to be released?
37 Application	8.3	13	Table 1	FA will not be reviewed until the application is technically complete
38 Application	10	15	Conclusions and Request for Approval	More detail is required about where and what kind of approval is requested. Please identify for each area that is requested for release the acreage and type of FA release.
39 Application	Maps			Please provide all figures in one location. Multiple maps required for the permit application are missing in accordance with 19.10.5.502.D.5, 19.10.5.506.B.3,
2021 40 Monitoring	2.1	2	On October 26 and 27, 2022, Ecosphere biologists Tara Harris and Nicasio Gonzalez conducted vegetation monitoring at the Tijeras Quarry.	Is this vegetation monitoring report for 2021 or 2022? The introduction says that the veg monitoring was in 2021, but this says it was done in 2022.
2021 41 Monitoring	3.1.1	2	Table 3-2	The reference area cover is 61.998%. 90% cover is 55.8%. Only Area 2008 (West Quarry 4) passes. Cover is insufficient to release other areas.
2021 42 Monitoring	3.2.1	7	Table 3-5	The reference area shrub density is 1,393.92 shrubs per acre. 80% shrub density is 1,115.136 shrubs per acre. Area 2008 (West Quarry 4) has 914.8 shrubs per acre, which is 65% of the reference area, and therefore does not pass revegetation requirements.
2021 43 Monitoring	3.3	8	Table 3-7	Species diversity in reclamation areas appears to be significantly less than the reference area.

2021 44 Monitoring	4	10	Estimates of percent cover and shrubs per acre were significantly equal to or greater than the reference area in all reclamation areas	This claim is not supported by the data.
2021 45 Monitoring	4	10	[S]ampling adequacy fell short in estimates of percent cover in reclamation areas 1994, 2008, and 2011 (Table 3-8). Thus, the results of statistical tests comparing percent cover in these areas to percent cover in the reference area should be interpreted with caution. Despite their smaller areas, additional sampling effort is recommended for future estimates of vegetation cover in reclamation areas	It is likely this statement refers to Area 2007 as Area 2008. Reference area cover sampling was also inadequate. Inadequate sampling should not be used as proof of meeting reclamation standards.
2021 46 Monitoring	Appendix A - Map	A-2		Quarry 2 and part of Quarry 4 are identified as Area 2003. These areas would likely benefit from being seperated for vegetation analyses.
Closeout 47 Plan	Closeout Plan		Attachment 4 – Closeout Plan	An updated closeout plan was submitted in 2023 and approved on March 16, 2026. A new closeout plan is not needed until 2031. This application should consist only of closeout information for Quarry 9 and the aggregate road. The attached closeout plan will not be reviewed as it is unnecessary to the PAP and contains no new information.
2022 48 Monitoring	Overvie w	1	In 2021, Ecosphere completed the Year 1 (YR 1) vegetation monitoring of the reference area and areas reclaimed in 1994, 2003, 2007, 2008, and 2011. This memorandum presents the YR 2 Vegetation. Monitoring results from the 2022 monitoring efforts for the areas reclaimed in 2003, 2008, and 2022	Area 2011 is misidentified as Area 2022 here. Only 3 of the areas identified for release have been surveyed. The remaining areas cannot be released without 2 passing vegetation studies.

2022				Following the submittal of the Plan, the MMD Comments	
49	Monitoring	1	1	Letter dated November 10, 2021, requested that the results be provided for the first round of vegetative monitoring (2021 YR 1) and all subsequent monitoring results (2022 Year 2 (YR 2) be submitted to MMD upon	Why have more recent vegetation studies not been completed?
2022				On October 12, 13, 14, and 24, 2022, Barr biologists conducted vegetation monitoring at the Tijeras Quarry.	These dates take place before the sampling dates identified in the 2021 monitoring report. Were those misidentified?
50	Monitoring	1.1	1		
2022					Provide cover analysis tables for each reclamation area. It seems unlikely that total vegetation in the reference area decreased by ~2.5% but all reclamation areas increased significantly.
51	Monitoring	2.1.1	6	Table 2-2	
2022					This states 90% of the reference area cover is 59.57%, but total vegetation cover listed for the reference area is 59.44% -- that's 90% of the "Total Cover" reported, appears to include litter. Is this report considering litter as cover? Only vegetation cover should be counted for cover.
52	Monitoring	2.1.1	6	Table 2-2	
2022					This appears to be incorrectly calculated. 4,260.8 shrubs (per acre?) were identified in the reference area, but 90% of the reference area is reported to be 3.737 shrubs per acre. Please correct this to be comparable to 2021 data. Shrub cover will not be commented on further until this is corrected.
53	Monitoring	2.2.1	9	Table 2-5	
2022					It is unclear if this is shrubs total or shrubs per acre. Please clarify the units.
54	Monitoring	2.2.2	9	Table 2-6	
2022					The Simpson's index for the reference area deviates significantly from the 2021 report, as does the index for each of the reclamation areas. Please provide rationale and changes in methodology for these differences.
55	Monitoring	2.3	10	Table 2-7	
2022					The Cochran's values deviate significantly from the same areas in the 2021 report despite the 2021 report identifying 2011 as an area
56	Monitoring	2.4	10	Table 2-8	
2022				Areas reclaimed in 2008 and 2011 reached less than 0.9x of the cover at the 90% cover threshold	The permit document for BE001RE stipulates 90% cover as the metric for vegetation success. From this vegetation analysis, 2008 and 2011 do not have any vegetation analysis that demonstrates effective
57	Monitoring	2.5.1	10		

2022					How does cover exceed 100%? These tables are confusing. Also $p > 0.1$ for 2011, so this analysis cannot be considered statistically significant for Area 2011.
58 Monitoring	2.5.1	11	Table 2-9, Table 2-10		
2022				GCC requests full reclamation release for approximately 74 acres of fully reclaimed land within the Tijeras Site. These areas have completed all required reclamation activities and have met applicable performance standards	74 acres are not surveyed in this report.
59 Monitoring	3	12			
2022				Based on the standards in the mine closeout plan, the vegetation success criteria below from Section 22-1 provided by Tijeras Mine and Mill in June of 2026, the areas reclaimed in 2003, 2008, and 2011 have satisfied the requirements for final reclamation	There is not enough evidence to support this claim. 2008 and 2011 definitely don't qualify. There isn't enough data for shrub density to make a determination for 2003
60 Monitoring	3.2	12			
2022					The surveyed vegetation is not what is requested in the 26-1 revision for release. Vegetation eligible for release must meet outlined reclamation criteria in 2 of the last 4 years of monitoring.
61 Monitoring	Map	14	Map 1		

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
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Acting Cabinet Secretary

Benjamin Shelton
Deputy Cabinet Secretary

Laura McCarthy, State Forester
Forestry Division



September 28, 2026

Maille Gray, Permit Lead
Mining and Minerals Division
Energy, Minerals and Natural Resources Department (EMNRD)
1220 S. St. Francis Drive
Santa Fe, NM 87505

RE: Request for Review and Comment on Revision 26-1 to Permit No. BE001RE, Tijeras Mine and Mill in Bernalillo County, NM

Thank you for the opportunity to comment on the above referenced project. I do not anticipate any impacts on State Endangered plants as a result of this project, as described in the application.

Please let me know if I can be of further help.

Sincerely,

A handwritten signature in blue ink, appearing to read "Erika Rowe", with a long horizontal flourish extending to the right.

Erika Rowe

Endangered Plant Program Coordinator
EMNRD-Forestry Division
1220 S. St. Francis Dr.
Santa Fe, NM 87505
erika.rowe@emnrd.nm.gov
(505) 699-6371

GOVERNOR
Michelle Lujan Grisham



DIRECTOR AND SECRETARY
TO THE COMMISSION
Michael B. Sloane

STATE OF NEW MEXICO DEPARTMENT OF WILDLIFE

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Albuquerque

2 October 2026

Maille Gray, Permit Lead
Mining Act Reclamation Program
Mining and Minerals Division (MMD)
1220 South St. Francis Drive
Santa Fe, NM 87505

***RE: Revision 26-1, Updated Closure/Closeout Plan, Tijeras Mine and Mill,
Bernalillo
County, New Mexico, Permit No. BE001RE; NMDOW No. NMERT-6306.***

Dear Ms. Gray,

The New Mexico Department of Wildlife (Department) has reviewed the Updated Closure / Closeout Plan (Plan) submitted by GCC Rio Grande, Inc. (GCC). GCC is also requesting partial and final release at some of the reclamation sites, changing the reclamation reference area, and expansion into a new quarry. Staff from the Department, MMD, and GCC conducted a site inspection on 21 September 2026.

The Department does not have any issues with the partial financial release for portions of Quarry 1 where the earthwork, grading, and contouring have been satisfactorily completed. The Department also does not have any issues with the full reclamation release of approximately 74 acres within the mine permit area that have been documented to have met all applicable revegetation and erosion performance standards.

GCC is also proposing to establish a new designated reference area within Quarry 4 to support future reclamation evaluation and comparison, consistent with MMD guidance. Approval for using a portion of a previously reclaimed area that meets MMD reclamation performance standards as a new reference area would set a precedent. The Department considers this a potentially viable proposal that could be justified if at least two consecutive years of vegetation surveys are completed, documenting that the proposed site fully meets MMD vegetation success standards for cover, species diversity, and shrub density.

GCC proposes to incorporate adequately stable, vertical mine highwalls into the post-mining reclamation. The Department supports the incorporation of highwalls into the post-mining reclamation plan. However, in order for the highwalls to provide functional habitat for nesting raptors, ravens (*Corvus* spp.), and other avian species, the Department recommends including the creation of ledges and cavities in the highwall design. The Department also recommends further enhancing the habitat value of the highwalls by creating an undulating or irregular profile and by placing talus material along the toe of each highwall to provide habitat for small mammals and reptiles.

The Department concurs with the reclamation seed mix proposed in Table 5-5 of the Plan. The Department also suggests that GCC consider adding some additional plant species that are beneficial for pollinating insects. A more pollinator-friendly seed mix should include a diversity of flowering plants with different colors and shapes and flowering times that span spring through fall (March-October), rarer plants, perennials, native bunch grasses and thistles, some plants with pithy and woody stems, and high-nutrient or value plants (e.g., goldenrods [*Solidago* spp.], gumweed [*Grindelia* spp.], or sunflowers [*Helianthus* spp.]). Ideally, at least three different species should be flowering at all times between March and October. Consult pollinator-friendly plant species lists provided by the [Xerces Society for Invertebrate Conservation](#) or other appropriate resources, including the [Ecological Revegetation Application](#). No-till drills may be more effective than broadcast seeding for establishing flowering plants and leaving some bare ground (to support nesting insects) may be beneficial. The Department also recommends that the seed mix and mulch be certified weed-free to avoid inadvertently introducing non-native species to the reclamation site and that sterile non-native seed sources not be used. If using mulch, a shallow layer of pebbles or compost, leaf litter, plant debris, or wood are preferred over plastic mulch. Any alternate plant species, used to substitute for primary plant species that are unavailable at the time of reclamation, should also be native. When possible, the Department recommends using seeds that are sourced from the same region and habitat type as the reclamation site and suggests including seeds from a region that represents potential future climatic conditions at the site. Include as much locally appropriate genetic diversity in seed sources as possible.

In Section 3.1, GCC is proposing post-mining land uses that include: industrial/commercial, wildlife habitat, and recreation. The primary post-mining land use will be wildlife habitat, with recreation identified as an associated, compatible use. The stated goal of the Plan is to provide for the re-establishment of a self-sustaining ecosystem on the permit area following closure that is consistent with the surrounding area and post-mining land use. Section 3.2 states: "Once its operations cease and reclamation is successfully completed, GCC is not currently planning on retaining ownership of the permitted area. Future land ownership may include either a private party or a governmental agency. If current trends continue, the property could become desirable for residential use. However, if this occurs at some future date, it will occur after GCC sells the land and the next owner would be responsible for any development and costs associated with the land use revision".

The Department had previously expressed concerns that a future change in land ownership of the mine and mill site from GCC to another private entity may result in a change in land use that would adversely impact a section of the Tijeras Canyon Wildlife Safe Passage Project. Of specific concern is an I-40 underpass with an associated animal detection system that is located near Public School Road. Wildlife fencing is used to direct wildlife into the underpass and to safely across I-40 at the site of the animal detection system, thereby providing important habitat connectivity between the Manzano and Sandia Mountains. Future residential development on the western portion of the mine permit area could significantly impair or prevent wildlife from utilizing the underpass. The Department recommends that any future land sale or transfer pursued by GCC provides for the establishment and protection of an adequate wildlife corridor that maintains connectivity to the I-40 wildlife safe passage underpass. Because the western portion of the mine permit area is bordered by the Cibola National Forest, the Department believes that incorporating a wildlife corridor as an extension of the adjacent National Forest land would be the most effective way to preserve habitat connectivity to this underpass. The Department strongly recommends that GCC continue discussions with the US Forest Service (USFS) regarding a possible land exchange to ensure that critical wildlife habitat connectivity between the Manzano and Sandia Mountains is preserved and protected. The Department appreciates that during the site inspection, GCC did acknowledge that they are still working on a plan with the USFS that would create a permanently protected wildlife corridor that maintains habitat connectivity to the I-40 safe passage underpass and encourages continuation of these efforts.

Thank you for the opportunity to review and comment on the Plan. If you have any questions, please contact Ron Kellermueller, Mining and Energy Habitat Specialist, at (505) 270-6612 or ronald.kellermueller@dgf.nm.gov.

Sincerely,

Virginia Seamster, Ph.D.
Assistant Chief for Technical Guidance
Wildlife Management Division, Ecological and Environmental Planning Section

cc: USFWS NMES Field Office



**STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER
Hydrology Bureau**



MMD REVIEW MEMORANDUM

DATE: September 28, 2026

TO: Maille Gray, Reclamation Specialist, Mining and Minerals Division (MMD)
of Energy Mineral and Natural Resources Department (EMNRD)
Sharon Kindel, OSE Water Rights Division District 1 Manager

THROUGH: Kamran Syed, Ph.D., P.E., Hydrology Bureau Chief, OSE

FROM: Laura H. Petronis, Supervisor, Water Resources, Hydrology Bureau, OSE

SUBJECT: Review and Comment on Revision 26-1 to Permit No. BE001RE, Tijeras
Mine and Mill in Bernalillo County, NM

KEYWORD: Tijeras, Bernalillo County, Rio Grande Basin, District 1, MMD, mining

ID: MMD_2026_009_BE001RE

The New Mexico Office of the State Engineer (OSE) Hydrology Bureau was requested to review and comment on Revision 26-1 to the Tijeras Mine and Mill, Permit BE001RE (Permit). The Tijeras Mine and Mill is an existing mining operation and includes a Portland cement plant and several open-pit limestone quarries. It is located about 1 mile south of the town of Tijeras in Bernalillo County, New Mexico. GCC Rio Grande, Inc. (GCC Rio Grande) proposes a revision to their Permit that is summarized in, "Request for Revision 26-1 GCC Rio Grande Tijeras Mine and Mill" by Barr Engineering for GCC Rio Grande Inc., dated May 2026 (Application). Specifically, they are applying for modifications to their existing permit that involve the following (from p. 2 Barr Engineering):

1. *Request a partial reclamation release for portions of Quarry 1 that have completed grading and reclamation activities.*
2. *Request a full reclamation release for approximately 74 acres of fully reclaimed land.*
3. *Expand the permitted disturbance area to include approximately 77 acres of Quarry 9.*
4. *Establish and document a reference area within Quarry 4 to support future reclamation performance evaluations.*
5. *Update financial assurance to reflect completed reclamation work and current cost conditions.*

The New Mexico Mining and Minerals Division (MMD) has requested comments from the OSE on the Application. The Hydrology Bureau provides the following comments:

- Section 6.2 of the Application includes a limited description of the proposed disturbance for Quarry 9.
 - The Application does not provide information on the depth of the mining-related activities below the existing ground surface and whether groundwater would be encountered. Based on information from Maille Gray (email communication from Maille Gray, MMD, to Laura Petronis, OSE, dated 9/28/2026), it is my understanding that proposed Quarry 9 mining would be above the water table and there are no plans for mine dewatering.
- Section 6.5 of the Application indicates that there are environmental and reclamation considerations for the proposed Quarry 9 area for expansion that include protection of surrounding undisturbed areas.
 - There are several wells of other ownership that are very close to the proposed mining area expansion (proposed Quarry 9). Nearby wells should be considered in the protection in the surrounding undisturbed areas.
- Attachment 4 to the Application, The Closeout Plan for GCC Rio Grande Tijeras Mine and Mill (prepared by Batt Engineering Co., dated May 2026) (Closeout Plan), notes in Section 2.3 (p. 6, Exploration and Blasting Activities) that “Once the exploration campaign is completed the drill holes will be reclaimed to MMD plugging standards or the Office of the State Engineer.”
 - If there are any drill holes that penetrate groundwater, a well plugging plan of operations (OSE form WR-08) would need to be approved by the OSE before the wells are plugged, and a well driller licensed with the State of New Mexico would need to plug the wells (See Appendix A for additional information).
- Attachment 4 to the Application, the Closeout Plan, notes in Section 2.6 (Hydrology), that there are two wells drilled in 1958 to a depth of about 1,150 ft and that those wells will continue to remain in place after the mine closes.
 - It is recommended that the OSE water right file number and the point of diversion (POD) numbers for all of the mine’s wells be provided and the status of the wells be clarified. The OSE database indicates there may be more than two wells at the site, and it is unclear if one of the wells is still in use or not. It is also recommended that it be clarified how the wells will be managed after the mine closes. If a well is no longer in use and is no longer needed, it should be plugged and, as noted above, a well plugging plan of operations (OSE form WR-08) would need to be approved by the OSE before the wells are plugged, and a well driller licensed with the State of New Mexico would need to plug the wells.

APPENDICES

Appendix A

GENERAL CONCERNS RELATED TO NMOSE REGULATION OF EXPLORATORY BOREHOLE DRILLING

Encountering Groundwater and Associated Plugging of Those Borings

Well drilling activities (including mineral exploration borehole drilling ("mine drill holes") that penetrate a water-bearing stratum) and well plugging, are regulated in part under 19.27.4 NMAC. Most recently promulgated in 6/30/2017, these regulations require any person engaged in the business of well drilling within New Mexico to obtain a Well Driller License issued by the NMOSE (New Mexico Office of the State Engineer). Therefore, a New Mexico licensed Well Driller shall perform the drilling and plugging of exploratory boreholes that encounter groundwater.

Exploration drilling where any form of groundwater is encountered will be subject to pertinent sections of 19.27.4 NMAC, including but not limited to Sections 19.27.4.30.C NMAC for plugging and abandonment of non-artesian wells/borings; 19.27.4.31 NMAC for artesian wells/borings; and 19.27.4.36 NMAC for mine drill holes that encounter water. A complete version of the NMOSE 19.27.4 NMAC regulations can be found on the NMOSE website at: <https://www.ose.state.nm.us/Statewide/wdRules.php>.

MMD will likely place additional conditions on the drilling and plugging of all mineral exploration borings via the MMD project permit.

All onsite drilling and plugging activities where groundwater is encountered shall be conducted under the supervision of the New Mexico licensed Well Driller or a NMOSE-registered Drill Rig Supervisor under the direction of the licensed Well Driller.

Additional NMOSE filings will be required where it is requested that an exploratory borehole be converted to a water well. The well design and construction shall be subject to the provisions of NMOSE regulations 19.27.4 NMAC. Appropriation of water from such a conversion may require a water right. The MMD may disallow the conversions of exploratory borings to water wells if not permitted specifically in the MMD permit.

Use/Extraction of Temporary Casing

When drilling through overburden or caving, poorly consolidated, or karst geologic units, use of temporary casing may be desired. Any temporary casing should be installed with the full intention of its removal before borehole plugging, therefore temporary casing should be inserted into a borehole of sufficiently large diameter to allow easy extraction upon termination of drilling. NMAC 19.27.4 regulations dictate methodology for the installation of permanent well casing, including the installation of required annular seal, should that option be more prudent.

If temporary casing lacking a rule-compliant annular seal or casing grade becomes stuck in-place down hole, the potential for permanent commingling of aquifers or down hole surface water drainage may occur via an unsealed annulus. In these cases, staged casing cutting and extraction, or remedial casing perforation and squeeze-cementing will be required to the satisfaction of the

State Engineer as part of final well decommissioning. Steps should be taken during drilling to prevent deleterious fall-in or drainage of cuttings/sediments into the annulus outside the temporary casing to best allow for full retrieval and proper borehole plugging.

When setting of temporary casing occurs or is expected, appropriate detail of the proposed casing extraction and borehole clean-out process prior to plugging will be required in the NMOSE Well Plugging Plan of Operations form. If exploratory drilling through stratified or artesian aquifer systems, filing a NMOSE Artesian Well Plan of Operations may be required to preemptively assess and address NMOSE concerns regarding best borehole decommissioning practices.

Exploratory Borehole Plugging

Terms of borehole plugging will be established jointly by the evaluation of the NMOSE Well Plugging Plan of Operations and the review of the relevant MMD application for water-bearing boreholes. Approved high-solids bentonite abandonment-grade sealants and/or approved cement slurries will be required for plugging as deemed hydrogeologically appropriate by the agencies. NMOSE-authorized cement slurries will be required for the decommissioning of flowing artesian boreholes. If the exploratory borings do not encounter groundwater, MMD plugging regulations (19.10.3 NMAC) prevail over those of 19.27.4 NMAC.

NMOSE well plugging regulations require tremie placement of the column of well sealant, which shall extend from the bottom of the borehole to ground surface. By regulation, pumping decommissioning sealants into the top of the borehole is not allowed. The NMOSE defers to the discretion of the MMD for the choice of sealant versus natural fill in the uppermost portion of a borehole plug to facilitate site restoration.

Required plugging of water-bearing exploratory borings shall occur within the timeframe specified by either the NMOSE or MMD to minimize cave-in and the potential for incomplete plugging due to blockages in the borehole.

Drill Rig Fuels, Oils and Fluids

Drill rigs contain and consume fuels, oil, and hydraulic fluids, and are subject to leaks. Drill rigs often remain in-place longer than other pieces of exploration equipment onsite, are frequently running, and are positioned immediately above and adjacent to the open borehole. As a standard practice to prevent contamination and reduce site cleanup activities, it may be beneficial to use bermed, impermeable ground sheeting under the drill rig. Consideration of bermed containment volume sufficient to accommodate a high-intensity precipitation event is also a good practice.



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August 17, 2026

Maille Gray
Permit Lead
Mining Act Reclamation Program
Mining and Minerals Division
1220 South St. Francis Drive
Santa Fe, NM 87505
Sent via Email

RE: Request for Review and Comment on Revision 26-1 to Permit No. BE001RE, Tijeras Mine and Mine, Bernalillo County (HPD Log#128688)

Dear Maille Gray,

I am responding to the request for review and comment on the revisions to the Tijeras Mine and Mill permit application, received at the Historic Preservation Division (HPD) on July 31, 2026. My comments address the proposed expansion of mining into Quarry 9.

Because the revision includes new ground disturbance, HPD office recommends a cultural resource survey of the proposed expansion area to identify any significant cultural resources that may be affected. Although the University of New Mexico conducted a survey in 1974, it doesn't meet current standards and numerous archaeological sites are documented within one mile of the proposed quarry area.

Please do not hesitate to contact me if you have any questions. I can be reached by telephone at (505) 827-4064 or by email at michelle.ensey@dca.nm.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Ensey".

Michelle M. Ensey
Executive Director, Historic Preservation Division
State Historic Preservation Officer