



LeRoy N. Shingoitewa
CHAIRMAN

Herman G. Honanie
VICE-CHAIRMAN

October 6, 2010

Bill Brancard, Director, Mining and Minerals Division
New Mexico Energy, Minerals, and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Dear Mr. Brancard,

This letter is in response to your correspondence dated September 14, 2010, regarding an Application for Modification of Waiver, Tyrone Mine, Permit No. GR010RE, in Grant County. The Hopi Tribe claims cultural affiliation to prehistoric cultural groups in New Mexico. The Hopi Cultural Preservation Office supports identification and avoidance of prehistoric archaeological sites and Traditional Cultural Properties, and we consider the archaeological sites that are habitations of our ancestors to be Hopi Traditional Cultural Properties. Therefore, we appreciate your solicitation of our input and your efforts to address our concerns.

Pursuant to Hopi tribal Council resolution H-94-70, the Hopi Cultural Preservation Office is interested in consulting on any proposal with the potential to adversely affect Paleoindian, Archaic, Basketmaker, Anasazi, Mogollon, or Mimbres prehistoric sites in New Mexico. Therefore, if prehistoric sites are identified by cultural resources surveys that will be adversely affected by project activities, please provide us with copies of the survey report and any proposed draft treatment plan for review and comment.

In addition, we recommend that if any cultural features or deposits are encountered during project activities, these activities must be discontinued in the immediate area of the remains, and the State Historic Preservation Office must be consulted to evaluate their nature and significance. If any Native American human remains or funerary objects are discovered during construction they shall be immediately reported as required by law.

For your information and future correspondences, LeRoy N. Shingoitewa is now Chairman of the Hopi Tribe. Should you have any questions or need additional information, please contact Terry Morgart at tmorgart@hopi.nsn.us. Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Leigh J. Kuwanwisiwma".

Leigh J. Kuwanwisiwma, Director
Hopi Cultural Preservation Office

xc: New Mexico State Historic Preservation Office