

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell Propst
Cabinet Secretary

Todd Leahy, JD, PhD
Deputy Secretary

Jerry Schoeppner, Director
Mining and Minerals Division



September 15, 2021

Tom Medlin
Environmental Protection Specialist
Denver Field Division
Office of Surface Mining Reclamation and Enforcement
1999 Broadway, Suite 3320
Denver, Colorado 80202

Dear Mr. Medlin:

The New Mexico Energy, Minerals and Natural Resources Department, Mining and Minerals Division, Abandoned Mine Land (AML) Program, in cooperation with the US Department of Interior Office of Surface Mining Reclamation and Enforcement (OSMRE) Western Region, is proposing maintenance activities at the Harding Pegmatite Mine in Taos County, New Mexico. Maintenance and safeguarding activities would utilize a variety of methods but would limit disturbance while protecting the mining landscape. Harding Pegmatite Mine Maintenance and Safeguarding Project is AMLIS Key NM000214, PAD Penasco Hardrock.

The New Mexico AML Program is proposing to provide maintenance and installation of safety features at the Harding Pegmatite Mine, east of the Village of Dixon, Taos County, New Mexico. Since the construction of the initial safeguarding enhancements in 2011, additional hazards have been identified that need to be addressed to protect visitors to the site. Work will include maintenance and installing fencing and safety features for rock fall protection by incorporating structural fortification over mine openings. The Area of Potential Effect (APE) includes approximately 20.44 total acres and the Proposed Action would occur at selected mine features within the APE boundary. No public lands are present within the APE and private mineral claims and other patented lands make up the realty within the APE. The mine features include all priority one hazards, as determined by the AML Program, and consist of adits, deep pits/subsidence areas, and other physical openings associated with the mining landscape. Substantial waste piles, access roads and trails are also present throughout the APE, surrounding most features, and created when the features were originally excavated.

Under the Proposed Action, the OSMRE would approve a Federal Grant for use by the state of New Mexico in implementing the abandoned mine land reclamation. The

Mr. Tom Medlin, OSMRE

September 15, 2021

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Proposed Action's activity is not anticipated to develop any conflict with realty rights-of-way, permits, or leases.

An AML Categorical Exclusion (CX) Determination Form has been completed for your review (Harding Pegmatite Mine Maintenance Project, August 2020). In addition, a review of the project has been completed by the N.M. State Historic Preservation Office (SHPO) in accordance with the requirements of the National Historic Preservation Act, as amended through 1992. The AML Program has received concurrence with our determination, from SHPO that the undertaking has no potential to cause effects to historic properties. Based on the analysis in the CX and the supporting documentation, the AML Program finds that maintenance and safeguarding activities at the Harding Pegmatite Mine Maintenance Project will not have a significant effect on the quality of the human or natural environment. AML files contain documentation supporting this CX determination and are available for OSMRE review. The AML Program will continue to monitor project design and development to ensure the applicability of the CX. As such, the AML Program is requesting a Finding of No Significant Impacts. Please contact me at (505) 231-8332 or via email at: james.hollen@state.nm.us with any questions or concerns.

Sincerely,

James Hollen
NEPA Coordinator
NM AML Program

Enclosures: Harding Pegmatite Categorical Exclusion Determination Form
Project Location Map

Cc: Howard Strand, Denver Field Division, OSMRE Western Region
Lloyd Moiola, NM AML Environmental Manager

Explanations for Categorical Exclusion Checklist Harding Mine Maintenance Project PAD # NM000214 (Penasco Hardrock)

I. General Exceptions

Does the project type specifically require an EA in 516 DM6, Chapter 13, as specified in Item I of the attached instructions?

The Harding Mine Maintenance Project (Project Area) requires further maintenance measures for the safety of visitors to the mine. Those measures are not expected to result in extraordinary circumstances per U.S. Department of Interior National Environmental Policy Act (NEPA) regulations (43 CFR 46.210), and the Project Area qualifies as a categorical exclusion (CE) per the OSMRE (516 DM 13.5). The Project Area is within an area that has undergone previous safety measures related to historical mining, and is not an undisturbed site or over 100 acres in size. No hazardous wastes or gases would be generated, no explosives would be used, and the area is not inhabited.

Existing Conditions

The Harding Mine site is owned by the University of New Mexico (UNM). The site was donated to UNM by the owner, Dr. Arthur Montgomery, who wanted the site to be preserved for use as an educational tool for geology students and as an outdoor research laboratory. Quartz outcrops first attracted prospectors searching for gold to the site. Lepidolite was found instead, and the mineral, used in the glass industry, was mined from 1919 until 1930. Microlite was mined from 1939 until 1947, and beryl was mined from 1948 until 1958, when mining operations ceased. Dr. Montgomery donated the site to UNM around 1974.

In addition to researchers from UNM, the public is allowed to visit the mine site by gaining permission from the university. Safety features have been installed that include fencing around the hilltops above the mine openings, and gates have been installed at the adit openings. A locked gate has been installed at the access road to the site.

An archaeological study was conducted in 2010 (Moga, 2010), and a rare and endangered plant study was conducted in 2010 (NMMNRD NMSF, 2010). A bat evaluation report was prepared in 2009 (UNM DOB, 2009), followed by an Environmental Assessment (EA) in 2011 (AML, 2011). The EA was prepared for safeguarding one shaft and eight portals/adits. A Finding of No Significant Impact (FONSI) was signed in 2011 (OSMRE, 2011).

Scope of Work

The AML Program is proposing the following safeguarding measures and/or maintenance.

1. Remediate an open stope and reopened declined adit to stop soil migration into mine voids.
2. Fortify around mine openings to provide protection from rock fall from an exposed highwall.
3. Install additional barricading between the rock surface and existing steel bars of the Adit No.1 stope grate to prevent the public from accessing the mine workings.
4. Repair and/or fortify the site entrance gates.
5. Construct a fence around the Iceberg Pit Highwall.
6. Remove rock fall and scree from paths and mine opening access points.

Existing access roads would be used for construction activities.

The project engineering design will be completed in 2021 and construction will be performed in 2022.

II. Department of Interior Exceptions

Will the project have any of the following:

A significant adverse effect on public health or safety?

The Project Area is located within property owned by UNM with restricted access. The nearest populated area is Dixon, approximately 7 miles west of the Project Area. Because the mine is located away from human population centers and there is restricted access, no adverse effects on public health or safety would occur from construction activities. Upon completion of the project, public safety would be enhanced.

An adverse effect on any of the following unique geographic characteristics?

- *Parks (State, Local, or National).* The Project Area is located within the boundaries of private, university-owned land, and is not located within any state, local, or national park.
- *Wild or Scenic Rivers.* The Project Area contains no wild or scenic designated rivers. The nearest designation is located approximately 10 miles west of the Project Area at a segment of the Rio Grande.
- *Recreation or Refuges.* The Project Area is located within the boundaries of private, university-owned land, and is not located within designated recreation or refuge lands. The Carson National Forest is approximately 2 miles south of the Project Area, where one of many uses is for recreation.
- *Wetlands.* No wetlands are located within the Project Area or the Action Area. No wetlands would therefore be impacted.
- *Wilderness Areas.* The Project Area is not within or near a designated wilderness. The nearest wilderness or wilderness study area is the Pecos Wilderness, located approximately 20 miles east/southeast of the project area (USFS, 2020).
- *Floodplains.* The Project Area is located within Zone X, or an area of minimal flood hazard (FEMA, 2010). The project would not impact any floodplain.
- *Ecologically Significant or Critical Areas.* The Project Area is not within any noted ecologically significant areas or critical areas, such as critical habitat for threatened or endangered species (DBS&A, 2020; AMLP, 2011; NMMNRD NMSF, 2010; UNM DOB, 2009).
- *Sole or Principal Drinking Water.* There are no domestic water connections in the Project Area.
- *Prime Farmland.* There is no farmland within the Project Area. The land within the Project Area and surrounding area is used as wildlife habitat and for livestock grazing.
- *Aquifers.* Groundwater in the area is likely influenced by the presence of streams in the area drainages. Based on the elevation of the Project Area and the elevation of the Embudo Creek to the south, depth to groundwater is approximately 500 feet.

Highly controversial environmental effects?

The project would be safeguarding mine features, and would not involve highly controversial environmental effects. Features such as gates would be wildlife-compatible, with openings that

are large enough for wildlife to pass through but small enough to prevent human entry. Ground disturbance would be minimized by using existing access roads and trails. The safeguarding measures may cause a visual effect from fencing and fortifying of mine openings; however, the effects would be insignificant in relation to the already existing fencing and gates at the adits.

Highly uncertain and potentially significant environmental effects or unique or unknown environmental risks?

The project would be furthering the safeguarding measures previously taken around the Harding Mine, and would not involve highly uncertain and potentially significant environmental effects or unique or unknown environmental risks beyond the previous measures taken. No entry into the mines would be necessary, as all construction work would take place at the openings.

A precedent for future action or a decision in principle about future actions with potentially significant environmental effects?

This is the only project planned for the site; no future actions are anticipated.

Directly related to other actions with individually insignificant but cumulatively significant environmental effects?

There are no other projects that would have cumulatively significant effects.

Adverse effects on properties listed or eligible for listing on the National Register of Historic Places?

Cultural resources were evaluated as part of the 2011 EA (Moga, 2009); this evaluation has been updated for this Project Area. The SHPO consultation letter from the AML Program stated that the Harding Pegmatite Mine (LA 164014) is eligible to the National Register of Historic Places, Criterion D, as it contributes to a mining landscape and is unusual in the types of mineral mined there. The SHPO concurred that the project would not have an adverse effect on the site and signed the letter on April 23, 2010 (Attachment 3).

An additional cultural resources survey was conducted, and a subsequent report was prepared for the current Project Area (Cordero, 2021). This survey resulted in the redocumentation of 19 previously documented features, along with an additional 27 new mining features and 5 trash dumps. While the survey area of the previous OAS survey of the mine (Moga, 2009) included the open adits and stopes at the Harding Pegmatite Mine, the present survey encompassed a larger footprint of the mine and associated mining claims within the Iceberg, Pegmatite, and

Lilac No. 2 claims. The broader scope of this survey included features that highlight the extent of prospecting and mapping of the various mineral resources at the mine (Cordero, 2021). Additional consultation for the Project Area was conducted with the Historic Preservation Division (HPD). The consultation letter describing the Project Area and effects on the mine was received by the HPD, and the SHPO concurred with the assessment of No Adverse Effects and signed the letter on June 8, 2021 (Attachment 4).

Adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species?

An endangered plant survey (NMEMNRD SFD, 2010) and an evaluation of bat use/bat use potential (UNM DOB, 2009) were completed for the mine as part of the 2011 EA preparation. The plant survey found no federally listed or state endangered plant species that could potentially occur in the project area, and determined that AML activities were unlikely to affect any threatened or endangered plants.

A bat survey report was completed prior to the 2011 construction project (Altenbach, 2009), and found that the mine adits are used by at least one species of *Myotis* and by Townsend's bat (*Corynorhinus townsendii*). Recommendations were to protect the entrances with bat-compatible closures. The 2011 construction project included bat-compatible closures.

An updated bat survey was conducted November 17 through 19, 2020 to determine the presence of bats and habitat suitability of the mine features (BCI, 2021). Three of the four features contained live bats at the time of the survey: 5 Townsend's big-eared bats (*Corynorhinus townsendii*) and 2 additional unidentified bats species. Recommendations included destructive closure by any means at any time for one opening, no action (leave as is) for four openings, closure modification for three openings, and airflow compatible closure for one opening.

A biological memorandum was prepared for the Project Area to evaluate project impacts on federal and state threatened and endangered species and non-listed species (DBS&A, 2020). The evaluation determined that no federally listed species have the potential to occur in the Project Area, and no designated critical habitat was located within the Project Area or Action Area. The Action Area is the buffer zone around the Project Area and is defined based on potential project impacts. The Action Area for the proposed project consists of the project footprint and a 50-foot buffer, as well as the access roads, two entry gates, and 50 feet beyond

the roadways. The evaluation determined that the project would not violate any of the provisions of the Endangered Species Act of 1973, as amended.

One state-listed (threatened) species, the gray vireo (*Vireo vicinior*) had the potential to occur within the Project Area. No other state-listed species were determined to have the potential to occur in the Project Area.

The memorandum also included non-listed species that were determined to be in the Project Area, including birds covered under the Migratory Bird Treaty Act (MBTA).

No mitigation specific to the gray vireo was recommended because the gray vireo is also covered under the MBTA; recommendations per the MBTA included all migratory birds listed by the U.S. Fish and Wildlife Service (USFWS). In order to comply with the MBTA and minimize project impacts, project construction should be completed outside of the migratory bird season. Should construction activities take place during the migratory bird nesting season (February 15 through September 15), a pre-construction nesting bird survey should be completed to locate any active nest that would need to be avoided. Empty nests do not need to be avoided, as stated by Section 1 of the Interim Empty Nest Policy (USFWS, Region 2). If occupied nests are found, they must be avoided until the young have fledged in order to comply with the requirements of the MBTA.

Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Wetlands Protection) or The Fish and Wildlife Coordination Act?

The Project Area is located in an area of minimal flood hazard, and is not within a floodplain (FEMA, 2010). The project is therefore not applicable to EO 11988 and 11990. There would be no control or modification of a natural stream or body of water; therefore, the Project Area would be in compliance with the Fish and Wildlife Coordination Act.

Threaten to violate a Federal, State, Tribal or local law or requirement imposed for the protection of the environment?

The 2011 EA provided an evaluation under NEPA as implemented by the Council on Environmental Quality regulations (40 CFR 1500, et seq.), Department of Interior and OSMRE NEPA implementation procedures, and other applicable federal, state, and local environmental policies and regulations (AML, 2011). The FONSI was signed by the OSMRE on February 27, 2011 (Attachment 2).

A biological memorandum was prepared for the Project Area to evaluate project impacts on federal and state threatened and endangered species and non-listed species (DBS&A, 2020). The evaluation determined that no federally listed species have the potential to occur in the Project Area, and that no designated critical habitat was located within the Project Area or Action Area. The evaluation determined that the Project Area would not violate any of the provisions of the Endangered Species Act of 1973, as amended. The memorandum also evaluated state threatened or endangered species.

In addition, the Project Area would be in compliance with the MBTA (16 U.S.C. 703-712). A pre-construction survey for active nests would be conducted if construction scheduling falls within the nesting season. Should active nests be found during the pre-construction survey, the nests would be avoided.

Involve unresolved conflicts concerning alternative uses of available resources (NEPA Sec. 12(2)(E))?

Land use would not change as a result of the Project Area.

Have a disproportionate, significant adverse effect on low income or minority populations (EO 12898)?

The Harding Mine is not located near any population centers. The Village of Dixon, located approximately 7 miles west of the Project Area, is the nearest population center.

Restrict access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (EO 13007)?

Tribal consultation letters were sent to 8 tribes (Hopi Pueblo, Isleta Pueblo, Jicarilla Apache Nation, Kiowa Tribe, Navajo Nation, Ohkay Owingeh [formerly San Juan Pueblo], Picuris Pueblo, and Taos Pueblo) on December 12, 2009 as part of the EA that was prepared for the initial safeguarding project. Responses were received from the Pueblos of Hopi and Isleta and the Navajo Nation, stating that the project would have no effect. There were no responses from the other tribes.

Tribal consultation was initiated again for the Project Area for 11 tribes (Comanche Nation, Hopi Tribe, Isleta Pueblo, Jicarilla Apache Nation, Kiowa Tribe, Navajo Nation, Ohkay Owingeh, Picuris Pueblo, Southern Ute Tribe, Taos Pueblo, and Tesuque Pueblo) on May 19, 2021 (Attachment 5). No responses have been received.

Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species?

No noxious weeds were observed within the Project Area (DBS&A, 2020).

III. Resource Impact Exceptions

Are there any unresolved issues, or adverse effects requiring specialized mitigation, for any of the following resources?

- *Topography.* The project includes minor measures that would stabilize soil movement around mine openings. The overall topography would not be significantly changed and the measures taken would be anticipated to stabilize the existing slopes by arresting further erosion.
- *Land Use (includes prime farmland).* Land use would not change as a result of the project. There is no prime farmland in the area.
- *Soils.* The work would require minimal soil disturbance and in areas of disturbance, soils would be stabilized as a result of the Project Area erosion control measures. Existing roads and access trails would be used for construction, thereby protecting soils from disturbance and further erosion potential.
- *Vegetation (includes wetlands).* Minimal vegetation would be disturbed as a result of the project. Existing roads and access trails would be used for construction, thereby protecting existing vegetation. Any areas of disturbance where vegetation is removed would be reseeded with a native grass seed mix.
- *Hydrology.* The project does not involve any hydrologic features. There is no surface water at the mine. The project would therefore have no impact on hydrology.
- *Fish and Wildlife.* Project impacts to non-listed species would include temporary noise impacts and disturbance of vegetation resulting in potential destruction of nesting locations within the Project Area. However, if construction is timed outside of the nesting season, active nests would not be impacted; project impacts to non-listed species would be negligible. There is no surface water at the mine and no fish. A bat survey report was completed prior to the 2011 construction project (Altenbach, 2009), and found that the mine adits are used by at least one species of *Myotis* and by Townsend's bat (*Corynorhinus*

townsendii). Recommendations were to protect the entrances with bat-compatible closures. The 2011 construction project included bat-compatible closures.

An updated bat survey was conducted November 17 through 19, 2020 to determine the presence of bats and habitat suitability of the mine features proposed for safeguarding (BCI, 2021). The survey found that all four distinct features that received comprehensive biological surveys offered subterranean habitat, and all contained evidence of use by bats. Three of the four features contained live bats at the time of the survey: 5 Townsend's big-eared bats (*Corynorhinus townsendii*) and 2 additional unidentified bats species. Bat use of the occupied features represented warm season use as day and night roosts. Additionally, the primary features exhibited characteristics suggesting they may also serve as hibernacula, although further surveys would be needed to verify this possibility (BCI, 2021). Recommendations included destructive closure by any means at any time for one opening, no action (leave as is) for four openings, closure modification for three openings, and airflow compatible closure for one opening.

- *Historic and Cultural.* Cultural resources were documented in 2009 and the Harding Pegmatite Mine was recorded (LA 164014) and considered eligible to the National Register of Historic Places. SHPO concurrence was obtained in 2010.

Consultation with the SHPO has been conducted for the Project Area, and the SHPO concurred with a No Adverse Effects determination. The project would not have a significant effect on any historic and cultural resources.

- *Recreation.* The site is located on privately owned lands that are used for research. Recreational use to tour the mine site is allowed, but only on a permission-granted basis through UNM. The mine has already undergone safeguarding measures that have restricted access, such as gating openings. The current project would further restrict some access at the mine openings; however, the work would be more aligned to maintenance for safety purposes and would not significantly reduce recreation opportunities.
- *Air Quality.* Emissions would occur during construction; however, they would be temporary. No long-term emissions would occur as a result of the project.
- *Noise.* Noise would occur during construction; however, noise would be temporary and there are no sensitive noise receptors in the vicinity.
- *Other (includes socioeconomics).* No other exceptions were identified.

IV. Attach Consultation Letters and a Location Map

Attachment 1 provides three location maps. Figure 1 is an aerial imagery site map and Figure 2 is a U.S. Geological Survey (USGS) topographic map showing the location of the Harding Pegmatite Mine. Figure 3 shows the project Project Area including access roads.

The FONSI resulting from the 2011 EA is provided in Attachment 2.

Attachment 3 provides the 2010 SHPO concurrence. Attachment 4 provides the 2021 SHPO concurrence.

Attachment 5 provides the tribal consultation request letters sent to 11 tribal entities.

References

- Abandoned Mine Land Program (AMLP), New Mexico Energy, Minerals and Natural Resources Department (NMEMNRD). 2011. *Environmental assessment, Harding Pegmatite Mine Reclamation Project, Abandoned Mine Lands Project, Taos County, New Mexico*. January 12, 2011.
- Altenbach, J.S. 2009. *Draft report on evaluation of the Harding Mine Project*. Prepared for the Abandoned Mine Land Program. August 26, 2009.
- Bat Conservation International (BCI). 2021. *Report on Harding Mine Abandoned Mine bat surveys*. Prepared for the Abandoned Mine Land Program. February 8, 2021.
- Cordero, R.M. 2021. *An archaeological survey of the Harding Pegmatite Mine (S.R. 553), Taos County, New Mexico*. New Mexico Office of Contract Archeology.
- Daniel B. Stephens & Associates, Inc. (DBS&A). 2020. Letter report from Julie Kutz and Jean-Luc Cartron to Lloyd Moiola, AMLP, regarding Biological memorandum, Harding Pegmatite Mine Maintenance and Safeguarding Project, Phase II, Taos County, New Mexico. September 15, 2020.
- Federal Emergency Management Agency (FEMA). 2010. *Flood insurance rate map: Taos County and Incorporated Areas, New Mexico*. Map Number 35055C1075E. Effective Date October 6, 2010.

Moga, S.M. 2010. *An archaeological survey at the Harding Pegmatite Mine, Taos County, New Mexico*. Archaeology Notes No. 418. Office of Archaeological Studies, Museum of New Mexico, Santa Fe.

New Mexico Energy, Minerals and Natural Resources Department (NMEMNRD), New Mexico State Forestry (NMSF). 2010. *Harding Mine endangered plant survey*.

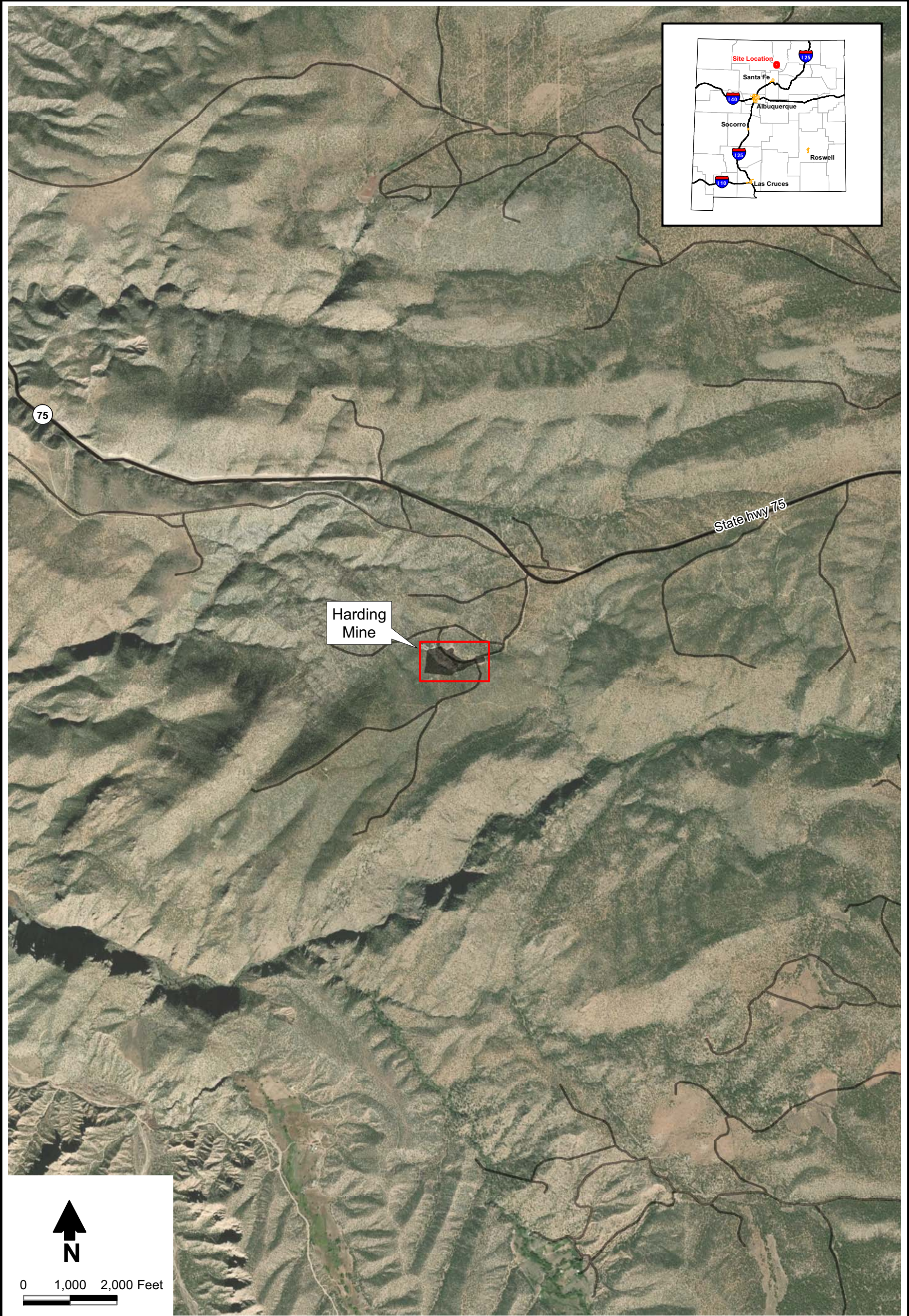
Office of Surface Mining Reclamation and Enforcement (OSMRE). 2011. FONSI and Authorization to Proceed for the Harding Pegmatite Mine Reclamation Project.

University of New Mexico (UNM) Department of Biology (DOB). 2009. *Draft report on evaluation of the Harding Mine Project*.

U.S. Forest Service (USFS) Carson National Forest. 2020. Wilderness Areas. Accessed August 4, 2020. <<https://www.fs.usda.gov/detail/carson/recreation/?cid=stelprdb5350400>>.

Attachment 1



Maps



Base image source: Maxar, composite 2018-2019

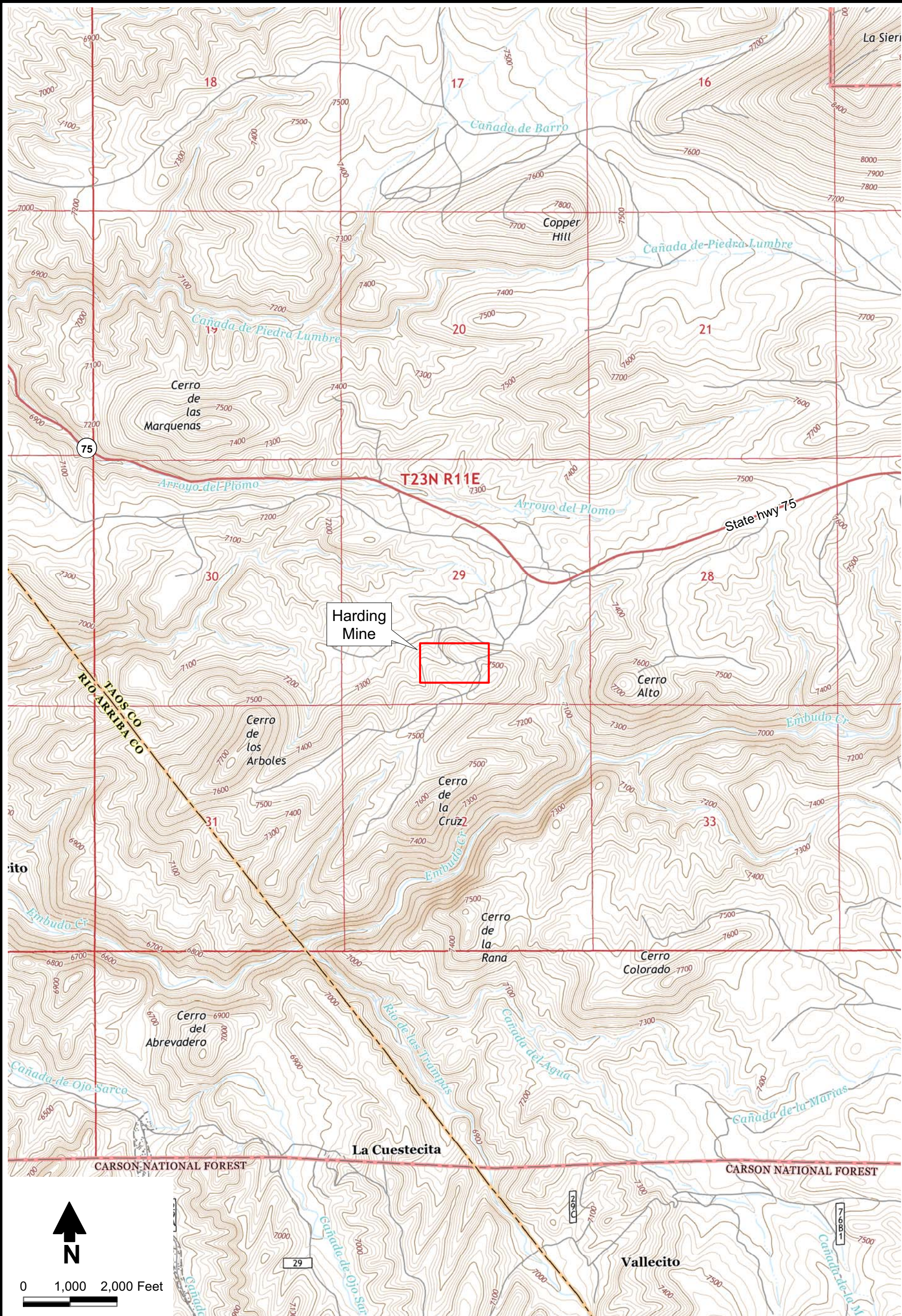
**HARDING PEGMATITE MINE
DIXON, NEW MEXICO
Project Location Map**

Explanation

-  Site location
-  Road



Daniel B. Stephens & Associates, Inc.
6/24/2020 JN DB17.1289.T11



U.S. Geological Survey 7.5 Minute Quadrangle Map, NM Trampas, US Topo 2013
Source: <http://rgis.unm.edu/>



0 1,000 2,000 Feet

Explanation

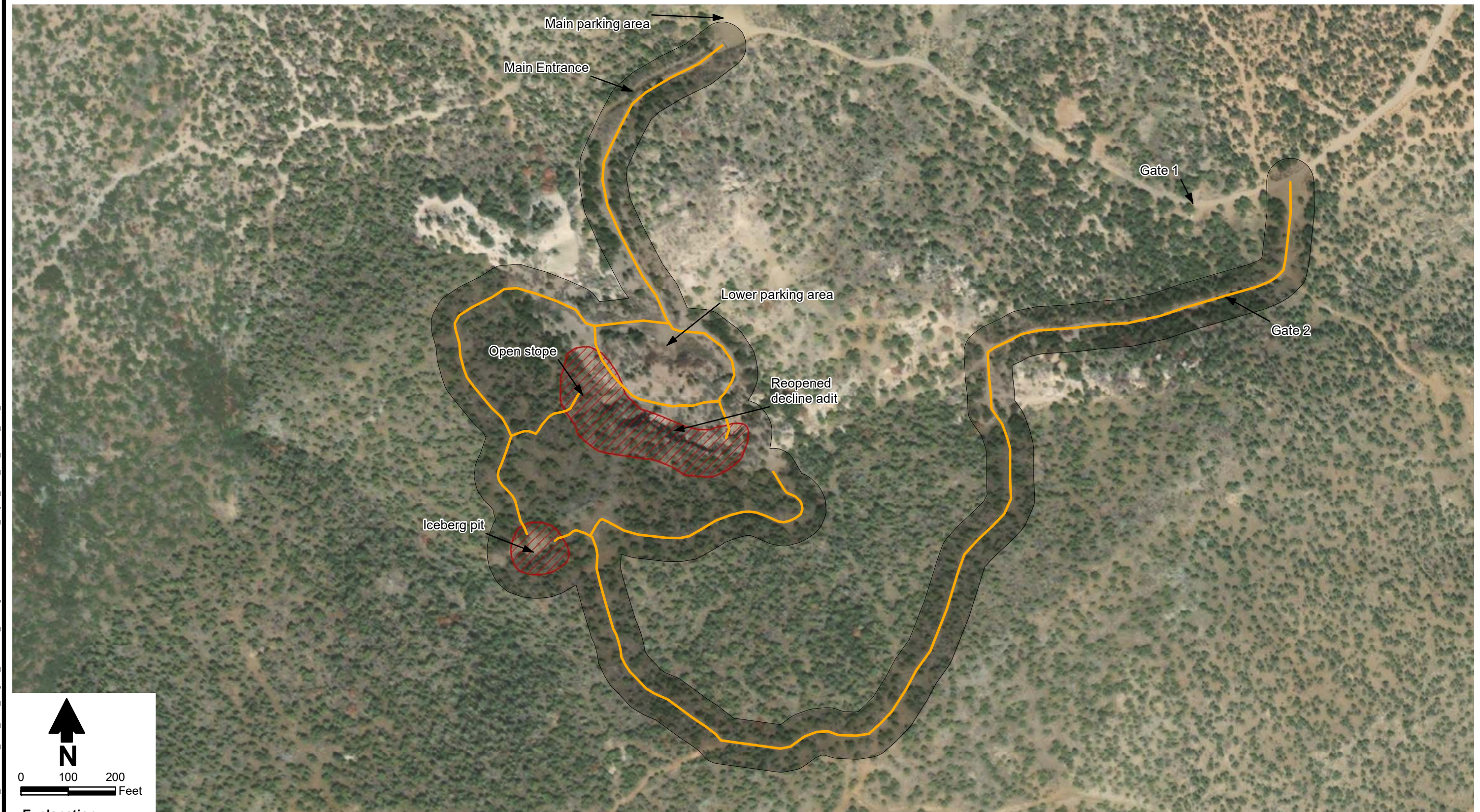
 Site location



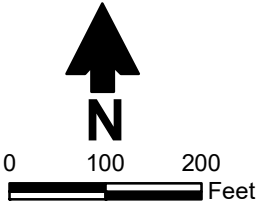
Daniel B. Stephens & Associates, Inc.
6/24/2020 JN DB17.1289.T11

**HARDING PEGMATITE MINE
DIXON, NEW MEXICO
Topographic Map**

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Base image source: Maxar, composite 2018-2019



- Explanation**
- Project Area
 - Action Area
 - Local mine road

Figure 3

Attachment 2

2011 Finding of
No Significant Impact

Scan + File



United States Department of the Interior



OFFICE OF SURFACE MINING
Reclamation and Enforcement
Western Region Office
1999 Broadway, Suite 3320
Denver, CO 80202-3050

February 27, 2011

Mr. John Kretzmann, Program Manager
Mining and Minerals Division
Energy, Minerals & Natural Resources Department
1220 South St. Frances Drive
Santa Fe, New Mexico 87505

Subject: FONSI and Authorization to Proceed for the Harding Pegmatite Mine Reclamation Project

Dear Mr. Kretzmann,

The Office of Surface Mining Reclamation and Enforcement, Albuquerque Area Office (AAO) has reviewed the National Environmental Policy Act (NEPA) package, submitted by your letter dated January 12, 2011, for the Harding Pegmatite Mine Reclamation Project. The package contained an Environmental Assessment (EA) and associated consultation/concurrence from the New Mexico State Historic Preservation Office dated April 23, 2010. In addition, your cover letter explains the "Determination of No Adverse Affect" on fish and wildlife resources by your office and explains why concurrence was not requested from the U.S. Fish and Wildlife Service (FWS) for threatened and endangered species, as agreed upon with FWS policy. Collectively, these documents fully satisfy OSM's interest that the project is developed in compliance with NEPA requirements.

AAO finds that the EA adequately discusses the environmental issues and impacts associated with the project. The project will involve the safeguarding of one mine shaft and eight portals/adits mostly using bat compatible closures and the reclamation of approximately one acre of land within the three acre site. The abandoned mine sites are located on private land surrounded by USFS land in Taos County, New Mexico.

An endangered plant survey and an archaeological survey were conducted on the site under consideration. Results of those surveys were included in the NEPA package along with detailed maps of the area. Based upon our analysis of the documents provided by the New Mexico Abandoned Mine Land Program, I hereby concur with the determination that the Harding Pegmatite Mine Reclamation Project will not have a significant adverse effect on the quality of the human environment. The project will safeguard the public from dangerous mine hazards while preserving bat populations and existing bat habitat. Therefore, I conclude that no Environmental Impact Statement is necessary.

Accordingly, pursuant to Chapter 5-11-20C.3 of the Federal Assistance Manual, you are hereby "authorized to proceed" with the Project and may allocate grant funds as appropriate to accomplish this reclamation work. Also enclosed is my "Finding of No Significant Impact" (FONSI) for this proposed project.

If you have any questions or need further assistance, please contact Vernon Maldonado at (505) 248-5077.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Postle", written in a cursive style.

Robert Postle, Acting Manager
Program Support Division
OSM-Western Region

Enclosure: FONSI

FINDING OF NO SIGNIFICANT IMPACT

Harding Pegmatite Mine Reclamation Project
Taos County, New Mexico
(Private Land)

The Office of Surface Mining Reclamation and Enforcement, Albuquerque Area Office (AAO) has thoroughly reviewed the National Environmental Policy Act (NEPA) compliance package submitted to OSM by cover letter dated January 12, 2011 (received January 24, 2011) from the New Mexico Mining and Minerals Division, Abandoned Mine Land Program (New Mexico AML Program).

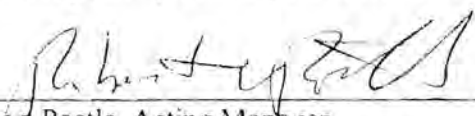
Based upon AAO's review of the analysis provided by the New Mexico AML Program in the Environmental Assessment (EA) and other documentation submitted, we have determined that the submission adequately discusses the environmental issues and impacts associated with the proposed Harding Pegmatite Mine Reclamation Project. We agree with your conclusion that the reclamation of the site will "not have a significant adverse impact on the quality of the human environment." Therefore, I find that it is not necessary to prepare an Environmental Impact Statement for this project.

My specific reasons are as follows:

1. The information contained within the project EA leads me to conclude that there will be no significant impact upon topography, climate, vegetation, wildlife resources, geology, soils, air and water quality, or wetlands and that no hazardous materials exist at the site.
2. New Mexico State Historic Preservation Office 106 concurrence was provided.
3. U.S. Fish and Wildlife Service concurrence was not needed as identified in your cover letter of transmittal.
4. Access to the site will be limited to existing roads when possible and confined to the area of the existing disturbance which is less than three acres.
5. Although the bat population does not include any Threatened & Endangered listed species, bat habitat is being protected by the project in concert with the proposed safeguards.

Vernon E. Maldonado
AML Program Specialist (NEPA Reviewer)

(signed 2/8/2011)
Date


Robert Postle, Acting Manager
Program Support Division
OSM-Western Region

2/27/2011
Date

Attachment 3

2010 SHPO Concurrence



New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson
Governor

Jon Goldstein
Cabinet Secretary

Jim Noel
Deputy Cabinet Secretary

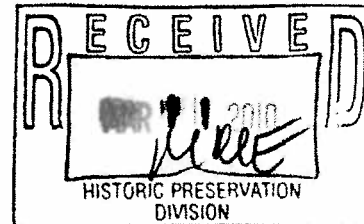
Bill Brancard
Division Director
Mining and Minerals Division



March 10, 2010

Ms. Jan Biella
Department of Cultural Affairs
Historic Preservation Division
Bataan Memorial Building
407 Galisteo St, 2nd Floor
Santa Fe, NM 87501

088867



RE: Harding Mine, Taos County

Dear Ms. Biella:

From August 18 through 20, 2010, the Abandoned Mine Land Program (AML) and the Office of Archaeological Studies (OAS) conducted an archaeological survey at the Harding Mine, between Dixon and Peñasco, in Taos County, New Mexico. The survey area includes 8.3 acres of private land, in Section 29, Township 23 North, Range 11 East. The project is documented in the enclosed report entitled *An Archaeological Survey at the Harding Pegmatite Mine, Taos County, New Mexico*, by Susan Moga, Archaeology Notes 418.

The AML Program, of the New Mexico Energy, Minerals, and Natural Resources Department, proposes to safeguard mining features at the Harding Mine, in response to a request by the University of New Mexico (UNM), the property owner. The mining features are open stopes, adits, and one shaft.

The proposed AML project is funded through the Office of Surface Mining, U.S. Department of the Interior; therefore, it is an undertaking subject to provisions of Section 106 of the National Historic Preservation Act. The archaeological survey was conducted to evaluate archaeological and historic resources.

The survey covered 8.3 acres and documented LA 164014, the Harding Pegmatite Mine. This site is on the State Register of Cultural Properties (SR No. 553, Jan. 20, 1978). Based on archival research and personal communication from the mine caretaker, the site dates from 1900 to 1958.

AML proposes to safeguard features at the request of UNM. UNM uses the Harding Mine as a field classroom for geology students and other researchers, and the mine experiences heavy use from this activity. In addition, the public is allowed to explore the mine, upon notification of the caretaker. This is a dangerous, unsupervised activity, with high liability to the private property owner, as several of the open mines are considered hazardous. UNM has requested gates (some

Mining and Minerals Division
1220 South St. Francis Drive • Santa Fe, New Mexico 87505
Phone (505) 476-3400 • Fax (505) 476-3402 • www.emnrd.state.nm.us/MMD



March 10, 2010

Page 2

of which would be bat compatible closures) so that the mines can be accessed by UNM students and other researchers, but not by the general public.

Tribal consultation letters were sent to 8 tribes (Hopi, Isleta, Jicarilla, Kiowa, Navajo, San Juan, Picuris, Taos) on December 12, 2009. Responses were received from the pueblos of Hopi and Isleta, and the Navajo Tribe, stating that the current project will have no effect. There were no responses from the other tribes.

LA 164014, the Harding Pegmatite Mine, is recommended as eligible to the National Register of Historic Places under Criteria D. The mine contributes to a mining landscape and is unusual in the types of mineral mined there. Documentation of the features has been completed; however, the mine continues to have research potential. The proposed AML project will not have an adverse effect on the site, as the closures will be gates over the stope and adit openings, and will not significantly alter the appearance or integrity of the features. If the one shaft is filled, it will be filled by hand with the adjacent waste rock pile to within 4 ft of the top, so it will still be visible. These safeguarding techniques will ensure that mine features will remain visible and the integrity of the site will not be compromised. Access to the site will be by means of existing roads.

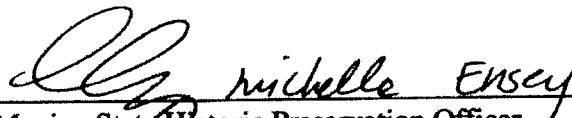
Sincerely,



Daisy Levine

Cultural Resources Manager

Enclosure

Concurrence:  4/23/10
for New Mexico State Historic Preservation Officer

Comments: _____

Attachment 4
2021 SHPO Concurrence

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell Propst
Cabinet Secretary

Todd Leahy, JD, PhD
Deputy Secretary

Jerry Schoeppner, Director
Mining and Minerals Division



April 1, 2021

Mr. Jeff Pappas Ph. D., State Historic Preservation Officer and Director
Historic Preservation Division
407 Galisteo Street, Suite 236
Bataan Memorial Bldg.
Santa Fe, NM 87501

RECEIVED
MAY 28 2021
A2 BY: Lg# 115254

RE: Proposed AML Harding Pegmatite Mine Maintenance and Safety Project Historic Preservation, Taos County, New Mexico, NMCRIS Activitu No. 146934

Dear Dr. Pappas,

The New Mexico Abandoned Mine Land Program (AML), in partnership with the U.S. Department of the Interior, Office of Surface Mining Reclamation and Enforcement (OSMRE), is planning to address threats to life and properties due to hazardous rockfall conditions and opening stopes and adits. As a federally funded program this proposed AML undertaking is subject to Section 106 (54 U.S.C. 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. 300101 et seq.) and its implementing regulations (36 CFR Part 800: Protection of Historic Properties, as revised August 2004).

The AML Program is developing rockfall hazard protection structures at mine portals and closure options for a collapsing underground stope, small opening adit, and danger mitigation measures at a rock spire. The proposed project area is approximately six miles east of the community of Dixon, in Taos County, New Mexico and is shown on the Trampas, NM USGS 7.5-minute quadrangle, and is located in Township 23N, Range 11E, Section 29 (Figure 1). The property is owned by the University of New Mexico and is used as a geological field laboratory

The area of potential effects, as defined under 36 CFR 800.16(d), encompasses staging areas and existing roads, the subsidence features themselves and rockfall protection structures, as well areas where further actions may be necessary to protect the public. Portions of the project Area of Potential Effects fall within the previously listed on the New Mexico State Register of Cultural Properties (SR 553, the Harding Pegmatite Mine), .

As part of the historic property identification efforts for this undertaking, the University of New Mexico, Office of Contract Archaeology (OCA) completed an intensive level cultural resources management (CRM) inventory of the entire APE (Figure 2) for the AML Program (NMCRIS Activity No. 146934). Enclosed is a 2021 report entitled *An Archaeological Survey of the Harding Pegmatite Mine (S.R. 553), Taos County, New Mexico*, prepared by Robin M. Cordero. In addition, consultation with appropriate Indian tribes was undertaken in March of 2021. As yet, no responses have been received and the cultural resources inventory did not encounter prehistoric or historic evidence of Native American use of the property no buried *in-situ* Native American deposits are expected due to the level of disturbance produced by mining activities.

The survey of the Harding Pegmatite Mine resulted in the documentation of 47 separate features and multiple trash dumps. While the survey area of the previous OAS survey of the mine (Moga 2009) included the open adits and stopes at the Harding Pegmatite Mine, the present survey encompassed a larger footprint of the Harding Pegmatite Mine and associated mining claims within the Iceberg, Pegmatite, and Lilac No. 2 claims. The broader scope of this survey included features that highlight the extent of prospecting and mapping of the various mineral resources at the mine, and include evidence of coring operations discussed in Soule (1946) and Berliner (1949) south of the quarry area. This survey also attempted to map locations and boundaries of waste rock piles associated with these claims.

The project is described in detail in the attached Technical Memorandum prepared by INTERA. It details options to backfill the opening stope, rockfall protection structures, fence replacement and stabilization

April 1, 2021

Page 2

methods to support a dangerous rock pinnacle. For the latter, AML has elected to not stabilize the rock pinnacle, but rather place additional signage warning of the danger.

We request your concurrence with our determinations of NRHP eligibility and potential project effects, and or comments. If you have any questions or need additional information feel free to contact me at (505) 819-8856 or at richard.wessel@state.nm.us.

References Cited:

Berliner, M. Howard. 1949. *Investigation of the Harding Tantalum-Lithium Deposits, Taos County, N. Mex.* Bureau of Mines Report of Investigations 4607. United States Department of the Interior. Washington

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Soule, John C. 1946 Exploration of Harding Tantalum-Lithium Deposits, Taos County, N. Mex. Bureau of Mines Report of Investigations 3986. United States Department of Interior.

Sincerely,

Richard L. Wessel
Cultural Resources Manager

New Mexico Historic Preservation Officer

Date: 6/8/2021

Comments:

LA 164014 / SR 553 = E, A+D

Assessment of Effects = No Adverse Effects.

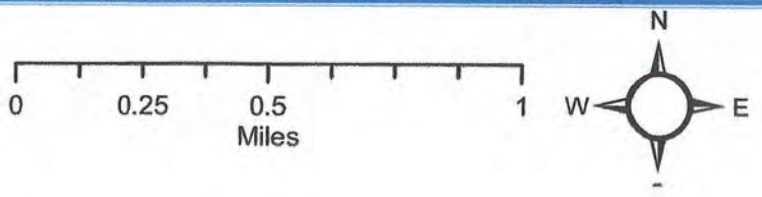
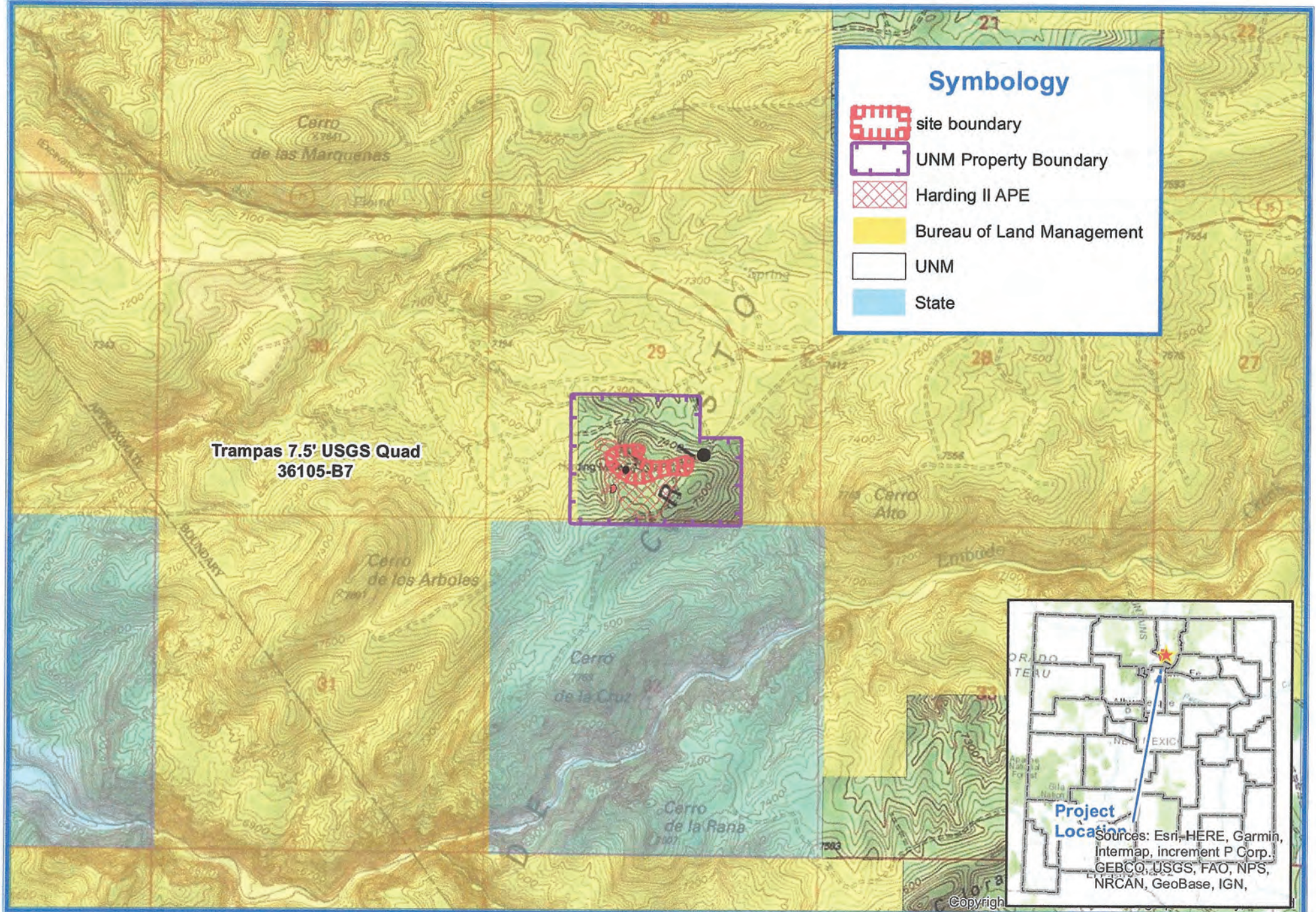


Figure 1: Harding Pegmatite Safeguard II & Maintenance Area of Potential Effects

Attachment 5

Tribal Consultation Letters

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell PropstMartina Minthorn
Cabinet Secretary

Todd Leahy, JD, PhD
Deputy Secretary

Jerry Schoeppner, Director
Mining and Minerals Division



May 19, 2021

Martina Minthorn
Comanche Nation
P.O. Box 908
Lawton, OK 73502

RE: Proposed AML Harding Pegmatite Mine Maintenance and Safety Project Historic Preservation, Taos County, New Mexico, NMCRIS Activitu No. 146934

Dear Ms. Martina Minthorn,

The New Mexico Abandoned Mine Land Program (AML), in partnership with the U.S. Department of the Interior, Office of Surface Mining Reclamation and Enforcement (OSMRE), is planning to address threats to life and properties due to hazardous rockfall conditions and opening stopes and adits. As a federally funded program this proposed AML undertaking is subject to Section 106 (54 U.S.C. 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. 300101 et seq.) and its implementing regulations (36 CFR Part 800: Protection of Historic Properties, as revised August 2004).

The AML Program is developing rockfall hazard protection structures at mine portals and closure options for a collapsing underground stope, small opening adit, and danger mitigation measures at a rock spire. The proposed project area is approximately six miles east of the community of Dixon, in Taos County, New Mexico and is shown on the Trampas, NM USGS 7.5-minute quadrangle, and is located in Township 23N, Range 11E, Section 29 (Figure 1). The property is owned by the University of New Mexico and is used as a geological field laboratory

The area of potential effects, as defined under 36 CFR 800.16(d), encompasses staging areas and existing roads, the subsidence features themselves and rockfall protection structures, as well areas where further actions may be necessary to protect the public. Portions of the project Area of Potential Effects fall within the previously listed on the New Mexico State Register of Cultural Properties (SR 553, the Harding Pegmatite Mine), .

As part of the historic property identification efforts for this undertaking, the University of New Mexico, Office of Contract Archaeology (OCA) completed an intensive level cultural resources management (CRM) inventory of the entire APE (Figure 2) for the AML Program (NMCRIS Activity No. 146934). Enclosed is a 2021 report entitled *An Archaeological Survey of the Harding Pegmatite Mine (S.R. 553), Taos County, New Mexico*, prepared by Robin M. Cordero. The cultural resources inventory did not encounter prehistoric or historic evidence of Native American use of the property no buried *in-situ* Native American deposits are expected due to the level of disturbance produced by mining activities. Should the Comanche Nation wish to review the cultural resources invenbtory, it is available via FTP download (see below)

The survey of the Harding Pegmatite Mine resulted in the documentation of 47 separate features and multiple trash dumps. While the survey area of the previous OAS survey of the mine (Moga 2009) included the open adits and stopes at the Harding Pegmatite Mine, the present survey encompassed a larger footprint of the Harding Pegmatite Mine and associated mining claims within the Iceberg, Pegmatite, and Lilac No. 2 claims. The broader scope of this survey included features that highlight the extent of prospecting and mapping of the various mineral resources at the mine, and include evidence of coring operations discussed in Soule (1946) and Berliner (1949) south of the quarry area. This survey also attempted to map locations and boundaries of waste rock piles associated with these claims.

The project is described in detail in the Technical Memorandum prepared by INTERA, available via FTP Download. It details options to backfill the opening stope, rockfall protection structures, fence replacement

May 19, 2021

Page 2

and stabilization methods to support a dangerous rock pinnacle. For the latter, AML has elected to not stabilize the rock pinnacle, but rather place additional signage warning of the danger.

We request your concurrence with our determinations of NRHP eligibility and potential project effects, and or comments. If you have any questions or need additional information feel free to contact me at (505) 819-8856 or at richard.wessel@state.nm.us.

References Cited:

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Soule, John C. 1946 Exploration of Harding Tantalum-Lithium Deposits, Taos County, N. Mex. Bureau of Mines Report of Investigations 3986. United States Department of Interior.

Sincerely,



Richard L. Wessel
Cultural Resources Manager

Concurrence:

_____ Date: _____
Comanche Nation

Comments:

The Comanche Nation wishes to continue as a consulting party for the project and review the cultural resources inventory report. Individual's e-mail address:

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell PropstStuart Koyiyumtewaisleta
Cabinet Secretary

Todd Leahy, JD, PhD
Deputy Secretary

Jerry Schoeppner, Director
Mining and Minerals Division



May 19, 2021

Stuart Koyiyumtewaisleta
Hopi Tribe
Cultural Preservation Office
P.O. Box 123
Kykotsmovi, AZ 86039

RE: Proposed AML Harding Pegmatite Mine Maintenance and Safety Project Historic Preservation, Taos County, New Mexico, NMCRIS Activitu No. 146934

Dear Mr. Stuart Koyiyumtewaisleta,

The New Mexico Abandoned Mine Land Program (AML), in partnership with the U.S. Department of the Interior, Office of Surface Mining Reclamation and Enforcement (OSMRE), is planning to address threats to life and properties due to hazardous rockfall conditions and opening stopes and adits. As a federally funded program this proposed AML undertaking is subject to Section 106 (54 U.S.C. 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. 300101 et seq.) and its implementing regulations (36 CFR Part 800: Protection of Historic Properties, as revised August 2004).

The AML Program is developing rockfall hazard protection structures at mine portals and closure options for a collapsing underground stope, small opening adit, and danger mitigation measures at a rock spire. The proposed project area is approximately six miles east of the community of Dixon, in Taos County, New Mexico and is shown on the Trampas, NM USGS 7.5-minute quadrangle, and is located in Township 23N, Range 11E, Section 29 (Figure 1). The property is owned by the University of New Mexico and is used as a geological field laboratory

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May 19, 2021

Page 2

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Soule, John C. 1946 Exploration of Harding Tantalum-Lithium Deposits, Taos County, N. Mex. Bureau of Mines Report of Investigations 3986. United States Department of Interior.

Sincerely,



Richard L. Wessel
Cultural Resources Manager

Concurrence:

_____ Date: _____
Hopi Tribe

Comments:

The Hopi Tribe wishes to continue as a consulting party for the project and review the cultural resources inventory report. Individual's e-mail address: _____

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell Propst
Cabinet Secretary

Todd Leahy, JD, PhD
Deputy Secretary

Jerry Schoeppner, Director
Mining and Minerals Division



May 19, 2021

Dr. Henry Walt
Isleta Pueblo
Pueblo of Isleta
P.O. Box 1270
Isleta Pueblo, NM 87022

RE: Proposed AML Harding Pegmatite Mine Maintenance and Safety Project Historic Preservation, Taos County, New Mexico, NMCRIS Activitu No. 146934

Dear Dr. Dr. Henry Walt,

The New Mexico Abandoned Mine Land Program (AML), in partnership with the U.S. Department of the Interior, Office of Surface Mining Reclamation and Enforcement (OSMRE), is planning to address threats to life and properties due to hazardous rockfall conditions and opening stopes and adits. As a federally funded program this proposed AML undertaking is subject to Section 106 (54 U.S.C. 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. 300101 et seq.) and its implementing regulations (36 CFR Part 800: Protection of Historic Properties, as revised August 2004).

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The survey of the Harding Pegmatite Mine resulted in the documentation of 47 separate features and multiple trash dumps. While the survey area of the previous OAS survey of the mine (Moga 2009) included the open adits and stopes at the Harding Pegmatite Mine, the present survey encompassed a larger footprint of the Harding Pegmatite Mine and associated mining claims within the Iceberg, Pegmatite, and Lilac No. 2 claims. The broader scope of this survey included features that highlight the extent of prospecting and mapping of the various mineral resources at the mine, and include evidence of coring operations discussed in Soule (1946) and Berliner (1949) south of the quarry area. This survey also attempted to map locations and boundaries of waste rock piles associated with these claims.

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May 19, 2021

Page 2

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We request your concurrence with our determinations of NRHP eligibility and potential project effects, and or comments. If you have any questions or need additional information feel free to contact me at (505) 819-8856 or at richard.wessel@state.nm.us.

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Sincerely,



Richard L. Wessel
Cultural Resources Manager

Concurrence:

_____ Date: _____
Isleta Pueblo

Comments:

The Isleta Pueblo wishes to continue as a consulting party for the project and review the cultural resources inventory report. Individual's e-mail address: _____

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell Propst
Cabinet Secretary

Todd Leahy, JD, PhD
Deputy Secretary

Jerry Schoeppner, Director
Mining and Minerals Division



May 19, 2021

Dr. Jeffrey Blythe
Jicarilla Apache Nation
P.O. Box 507
Dulce, NM 87528

RE: Proposed AML Harding Pegmatite Mine Maintenance and Safety Project Historic Preservation, Taos County, New Mexico, NMCRIS Activitu No. 146934

Dear Dr. Dr. Jeffrey Blythe,

The New Mexico Abandoned Mine Land Program (AML), in partnership with the U.S. Department of the Interior, Office of Surface Mining Reclamation and Enforcement (OSMRE), is planning to address threats to life and properties due to hazardous rockfall conditions and opening stopes and adits. As a federally funded program this proposed AML undertaking is subject to Section 106 (54 U.S.C. 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. 300101 et seq.) and its implementing regulations (36 CFR Part 800: Protection of Historic Properties, as revised August 2004).

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May 19, 2021

Page 2

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Soule, John C. 1946 Exploration of Harding Tantalum-Lithium Deposits, Taos County, N. Mex. Bureau of Mines Report of Investigations 3986. United States Department of Interior.

Sincerely,



Richard L. Wessel
Cultural Resources Manager

Concurrence:

_____ Date: _____
Jicarilla Apache Nation

Comments:

The Jicarilla Apache Nation wishes to continue as a consulting party for the project and review the cultural resources inventory report. Individual's e-mail address:

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell Propst
Cabinet Secretary

Todd Leahy, JD, PhD
Deputy Secretary

Jerry Schoeppner, Director
Mining and Minerals Division



May 19, 2021

Matthew Komalnty
Kiowa Tribe
P.O. Box 369
Carnegie, OK 73015

RE: Proposed AML Harding Pegmatite Mine Maintenance and Safety Project Historic Preservation, Taos County, New Mexico, NMCRIS Activitu No. 146934

Dear Chairman Matthew Komalnty,

The New Mexico Abandoned Mine Land Program (AML), in partnership with the U.S. Department of the Interior, Office of Surface Mining Reclamation and Enforcement (OSMRE), is planning to address threats to life and properties due to hazardous rockfall conditions and opening stopes and adits. As a federally funded program this proposed AML undertaking is subject to Section 106 (54 U.S.C. 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. 300101 et seq.) and its implementing regulations (36 CFR Part 800: Protection of Historic Properties, as revised August 2004).

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May 19, 2021

Page 2

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Sincerely,



Richard L. Wessel
Cultural Resources Manager

Concurrence:

_____ Date: _____
Kiowa Tribe

Comments:

The Kiowa Tribe wishes to continue as a consulting party for the project and review the cultural resources inventory report. Individual's e-mail address: _____

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell Propst
Cabinet Secretary

Todd Leahy, JD, PhD
Deputy Secretary

Jerry Schoeppner, Director
Mining and Minerals Division



May 19, 2021

Tamara Billie
Navajo Nation
Navajo Historic Preservation Dept.
P.O. Box 4950
Window Rock, AZ 86515

RE: Proposed AML Harding Pegmatite Mine Maintenance and Safety Project Historic Preservation, Taos County, New Mexico, NMCRIS Activitu No. 146934

Dear Ms. Tamara Billie,

The New Mexico Abandoned Mine Land Program (AML), in partnership with the U.S. Department of the Interior, Office of Surface Mining Reclamation and Enforcement (OSMRE), is planning to address threats to life and properties due to hazardous rockfall conditions and opening stopes and adits. As a federally funded program this proposed AML undertaking is subject to Section 106 (54 U.S.C. 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. 300101 et seq.) and its implementing regulations (36 CFR Part 800: Protection of Historic Properties, as revised August 2004).

The AML Program is developing rockfall hazard protection structures at mine portals and closure options for a collapsing underground stope, small opening adit, and danger mitigation measures at a rock spire. The proposed project area is approximately six miles east of the community of Dixon, in Taos County, New Mexico and is shown on the Trampas, NM USGS 7.5-minute quadrangle, and is located in Township 23N, Range 11E, Section 29 (Figure 1). The property is owned by the University of New Mexico and is used as a geological field laboratory

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May 19, 2021

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Sincerely,



Richard L. Wessel
Cultural Resources Manager

Concurrence:

_____ Date: _____
Navajo Nation

Comments:

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State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell PropstPatrick Aguino
Cabinet Secretary

Todd Leahy, JD, PhD
Deputy Secretary

Jerry Schoeppner, Director
Mining and Minerals Division



May 19, 2021

Patrick Aguino
Ohkay Owingeh (San Juan) Pueblo
P.O. Box 1099
San Juan Pueblo, NM 87566

RE: Proposed AML Harding Pegmatite Mine Maintenance and Safety Project Historic Preservation, Taos County, New Mexico, NMCRIS Activitu No. 146934

Dear Governor Patrick Aguino,

The New Mexico Abandoned Mine Land Program (AML), in partnership with the U.S. Department of the Interior, Office of Surface Mining Reclamation and Enforcement (OSMRE), is planning to address threats to life and properties due to hazardous rockfall conditions and opening stopes and adits. As a federally funded program this proposed AML undertaking is subject to Section 106 (54 U.S.C. 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. 300101 et seq.) and its implementing regulations (36 CFR Part 800: Protection of Historic Properties, as revised August 2004).

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Sincerely,



Richard L. Wessel
Cultural Resources Manager

Concurrence:

_____ Date: _____
Ohkay Owingeh (San Juan) Pueblo

Comments:

The Ohkay Owingeh (San Juan) Pueblo wishes to continue as a consulting party for the project and review the cultural resources inventory report. Individual's e-mail address:

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell Propst
Cabinet Secretary

Todd Leahy, JD, PhD
Deputy Secretary

Jerry Schoeppner, Director
Mining and Minerals Division



May 19, 2021

Craig Quanchello
Picuris Pueblo
P.O. Box 127
Penasco, NM 87553

RE: Proposed AML Harding Pegmatite Mine Maintenance and Safety Project Historic Preservation, Taos County, New Mexico, NMCRIS Activitu No. 146934

Dear Governor Craig Quanchello,

The New Mexico Abandoned Mine Land Program (AML), in partnership with the U.S. Department of the Interior, Office of Surface Mining Reclamation and Enforcement (OSMRE), is planning to address threats to life and properties due to hazardous rockfall conditions and opening stopes and adits. As a federally funded program this proposed AML undertaking is subject to Section 106 (54 U.S.C. 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. 300101 et seq.) and its implementing regulations (36 CFR Part 800: Protection of Historic Properties, as revised August 2004).

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May 19, 2021

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Sincerely,



Richard L. Wessel
Cultural Resources Manager

Concurrence:

_____ Date: _____
Picuris Pueblo

Comments:

The Picuris Pueblo wishes to continue as a consulting party for the project and review the cultural resources inventory report. Individual's e-mail address: _____

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell PropstChristine Sage
Cabinet Secretary

Todd Leahy, JD, PhD
Deputy Secretary

Jerry Schoeppner, Director
Mining and Minerals Division



May 19, 2021

Christine Sage
Southern Ute Tribe
P.O. Box 737
Ignacio, CO 81137

RE: Proposed AML Harding Pegmatite Mine Maintenance and Safety Project Historic Preservation, Taos County, New Mexico, NMCRIS Activitu No. 146934

Dear Chairwoman Christine Sage,

The New Mexico Abandoned Mine Land Program (AML), in partnership with the U.S. Department of the Interior, Office of Surface Mining Reclamation and Enforcement (OSMRE), is planning to address threats to life and properties due to hazardous rockfall conditions and opening stopes and adits. As a federally funded program this proposed AML undertaking is subject to Section 106 (54 U.S.C. 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. 300101 et seq.) and its implementing regulations (36 CFR Part 800: Protection of Historic Properties, as revised August 2004).

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May 19, 2021

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Sincerely,



Richard L. Wessel
Cultural Resources Manager

Concurrence:

_____ Date: _____
Southern Ute Tribe

Comments:

The Southern Ute Tribe wishes to continue as a consulting party for the project and review the cultural resources inventory report. Individual's e-mail address:

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell PropstClyde M. Romero, Sr.
Cabinet Secretary

Todd Leahy, JD, PhD
Deputy Secretary

Jerry Schoeppner, Director
Mining and Minerals Division



May 19, 2021

Clyde M. Romero, Sr.
Taos Pueblo
P.O. Box 1846
Taos, NM 87571

RE: Proposed AML Harding Pegmatite Mine Maintenance and Safety Project Historic Preservation, Taos County, New Mexico, NMCRIS Activitu No. 146934

Dear Governor Clyde M. Romero, Sr.,

The New Mexico Abandoned Mine Land Program (AML), in partnership with the U.S. Department of the Interior, Office of Surface Mining Reclamation and Enforcement (OSMRE), is planning to address threats to life and properties due to hazardous rockfall conditions and opening stopes and adits. As a federally funded program this proposed AML undertaking is subject to Section 106 (54 U.S.C. 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. 300101 et seq.) and its implementing regulations (36 CFR Part 800: Protection of Historic Properties, as revised August 2004).

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Sincerely,



Richard L. Wessel
Cultural Resources Manager

Concurrence:

_____ Date: _____
Taos Pueblo

Comments:

The Taos Pueblo wishes to continue as a consulting party for the project and review the cultural resources inventory report. Individual's e-mail address: _____

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell PropstMark Mitchell
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Todd Leahy, JD, PhD
Deputy Secretary

Jerry Schoeppner, Director
Mining and Minerals Division



May 19, 2021

Mark Mitchell
Tesuque Pueblo
Route 42, Box 360-T
Santa Fe, NM 87506

RE: Proposed AML Harding Pegmatite Mine Maintenance and Safety Project Historic Preservation, Taos County, New Mexico, NMCRIS Activitu No. 146934

Dear Governor Mark Mitchell,

The New Mexico Abandoned Mine Land Program (AML), in partnership with the U.S. Department of the Interior, Office of Surface Mining Reclamation and Enforcement (OSMRE), is planning to address threats to life and properties due to hazardous rockfall conditions and opening stopes and adits. As a federally funded program this proposed AML undertaking is subject to Section 106 (54 U.S.C. 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. 300101 et seq.) and its implementing regulations (36 CFR Part 800: Protection of Historic Properties, as revised August 2004).

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References Cited:

Berliner, M. Howard. 1949. *Investigation of the Harding Tantalum-Lithium Deposits, Taos County, N. Mex.* Bureau of Mines Report of Investigations 4607. United States Department of the Interior. Washington

Moga, Susan M. 2009. An Archaeological Survey at the Harding Pegmatite Mine, Taos County, New Mexico. Archaeology Notes No. 418. Office of Archaeological Studies, Museum of New Mexico, Santa Fe.

Soule, John C. 1946 Exploration of Harding Tantalum-Lithium Deposits, Taos County, N. Mex. Bureau of Mines Report of Investigations 3986. United States Department of Interior.

Sincerely,



Richard L. Wessel
Cultural Resources Manager

Concurrence:

_____ Date: _____
Tesuque Pueblo

Comments:

The Tesuque Pueblo wishes to continue as a consulting party for the project and review the cultural resources inventory report. Individual's e-mail address: _____