

State of New Mexico
Energy, Minerals and Natural Resources Department

Susana Martinez
Governor

Ken McQueen
Cabinet Secretary

Matthias Sayer
Deputy Cabinet Secretary

Fernando Martinez, Director
Mining and Minerals Division



February 2, 2018

Jeffrey W. Fleischman
Chief, Denver Field Division
Office of Surface Mining
1999 Broadway, Suite 3320
Denver, CO 80202-5733

Re: Eligibility Determination for AML Funds for 2018

Dear Mr. Fleischman:

This letter serves as the Eligibility Determination as required for the Secretary of the Interior to authorize the expenditure of Abandoned Mine Land ("AML") funds pursuant to Title IV of the Surface Mining Control and Reclamation Act, P.L. 95-87, as amended ("Act").

The Act authorizes OSMRE to use funds from the AML Fund and Treasury to provide financial assistance to New Mexico to carry out approved reclamation plans for 2018.

Through the Abandoned Mine Reclamation Act (69-25B-1 to 69-25-11, NMSA 1978) and the New Mexico Abandoned Mine Land State Plan, the New Mexico Abandoned Mine Land Program may receive AML funds.

Pursuant to the Act, The New Mexico Abandoned Mine Land Program must make an Eligibility Determination for coal reclamation projects to receive the AML funds.

Pursuant to the Act, lands and water are eligible for reclamation with AML funds if:

1. They were mined for coal or affected by coal mining or processing;
2. They were mined prior to August 3, 1977, and left in an unreclaimed or inadequately reclaimed state; and
3. There is no continuing responsibility for reclamation by the operator or any other party under state or Federal laws.

New Mexico's Abandoned Mine Land Program has identified the following coal reclamation activities as eligible for AML funds for 2018 under the above criteria. These activities are expected to address multiple hazardous abandoned coal mine features:

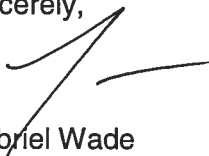
Project Name	Location	Scope
Madrid Stormwater Improvement Project – Phase I/II/III	Santa Fe County	Approximately 10± hazardous coal mine feature
Northeast Gallup Coal Field Reclamation and Safeguarding Project	McKinley County	Approximately 15± hazardous mine features
Gallup Coal Fires	McKinley County	Approximately four hazardous coal fires
Farmington Coal Fire	San Juan County	Approximately one hazardous coal mine fire
Vermejo Park Ranch – Tin Pan Canyon	Colfax County	Approximately 10± hazardous mine features

Legal counsel to New Mexico's Abandoned Mine Land Program may sign the Eligibility Determination.

After review, I request that OSMRE accept this Eligibility Determination and approve AML funding for the above projects for 2018 in order to abate the hazards resulting from coal mining activity.

Please contact me for any questions regarding this Eligibility Determination.

Sincerely,



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