

Mining Act Reclamation Program Clint Chisler, Permit Lead

Emma Project Exploration

(Regular Exploration)

Permit No. GR095ER Application

Freeport-McMoRan: Tyrone Operation (FMI)

Public Hearing February 10, 2025

### Public Hearing Purpose

#### This hearing has several purposes:

- 1) MMD will describe its permitting process for the review of the Emma Project, Regular Exploration Application (Emma Project) in accordance with the New Mexico Mining Act Rules.
- 2) FMI will present information on the Emma Project.
- The <u>public</u> will have the opportunity to ask questions and comment on the Emma Project Application.
- Please note that the purpose of this hearing is not to discuss or comment on the Emma Pit Expansion, Revision 21-1 to the Tyrone Mine Permit No. GR010RE.

#### New Mexico Mining Act Rules (19.10.4 NMAC)

A Regular Exploration Application is processed by MMD under Part 4 of the Mining Act Rules (19.10.4 NMAC) which addresses permitting actions for Regular Exploration Operations.

- Regular Exploration Project are exploration projects that:
  - Exceed 1000 cubic yards of excavation and/or
  - Exceed 5 acres in disturbance and/or
  - Does not meet minimal impact requirements set forth in 19.10.1.7 M (2) NMAC
  - Includes the opportunity for Public Comment/Hearing

### Regular Exploration Permit Requirements

- 19.10.4.401 and 402 NMAC govern Timing of Submittal and Deadline for Obtaining Approval and Permit Application Requirements
- 19.10.4.403 NMAC governs the Performance and Reclamation Standards and Requirements
- 19.10.4.404 NMAC governs Compliance with Other Applicable Laws
- 19.10.4.405 NMAC governs Terms, Issuance and Renewal
- 19.10.4.406 NMAC governs Permit Modifications and Revisions
- 19.10.4.407 NMAC governs the Termination Report

## Emma Project Summary

- Regular Exploration
- On private land owned by FMI
- 60 acres total covered by Financial Assurance
- 8.2 acres included in Phase 1 of the project
- 34 Exploration drill holes on 33 drill pads
- Max drill depth of 2,500 ft.

## Emma Project Permit No. GR095ER Application History

- Application Submitted: 7/31/24
- 1st Public Notice sent (FMI): 8/22/24
- MMD deems application Administratively Complete: 9/25/24
- MMD Requests Comments from Consulting Agencies: 9/25/24
  - NM Dept. of Cultural Affairs
  - NM Dept. of Game and Fish
  - NM Environment Dept.
  - NM Office of the State Engineer
  - NM Forestry Division
  - MMD Sends 1<sup>st</sup> Tribal Letters

# Emma Project Permit No. GR095ER Application History Cont.

- Public Hearing Requested Sept./Oct. 2024
- 2<sup>nd</sup> Public Notice sent (FMI): 10/2/24
- Agency Site Visit: 10/21/24
- 2<sup>nd</sup> Tribal notification: 11/4/24
- Agency responses received: 11/24
- MMD and Agency Comments sent: 11/26/24
- Public Hearing Notice Posted: 1/04/25
- Operator Response Received: 1/21/25
- Application deemed Technically Approvable: 1/31/25
- Public Hearing: 2/10/25
- Post Public Hearing Comment Period

#### MMD Reclamation Standards

Specified in 19.10.4.403 NMAC: Operations shall be designed and conducted to mitigate disturbance caused by exploration operations and, to the extent practicable, provide for the stabilization of disturbed areas to minimize future impact to the environment and protect air and water resources following closure. The reclamation plan must be developed to address site-specific characteristics and the exploration and excavation work to be performed.

#### MMD Reclamation Standards

Reclamation of the disturbed area shall be initiated and completed within the permit term, unless the disturbed area is included within a complete permit application for a new mining operation. Drill holes shall be plugged in accordance with Subsections K and L of 19.10.3.302 NMAC.

## Proposed Emma Project Exploration Cost Estimate\*

Emma Project						
Description	Unit	Quantity	Unit Ra	ate (\$/unit)	Total Cost (\$)	
Surface Reclamation Costs (1st acre)	acre	1.00	\$	8,900	\$	8,900
Drill Road & Pad Reclamation	acre	59.00	\$	4,900	\$	289,100
Plug and Abandon Exploration Drill Holes	ft.	10,000	\$	14	\$	140,000
Total FA Required for New Permit					\$	438,000
Temporary Monitor Wells						
Description	Unit	Quantity	Unit Rate (\$/unit)		Total Cost (\$)	
Drill Pad Reclamation	acre	1.09	\$	4,900	\$	5,341
Plug and Abandon Monitor Wells	ft.	3,800	\$	14	\$	53,200
Total FA Required for Well Reclamation					\$	58,541
			То	tal FA Required	\$	496,541

#### The Public Hearing: In Summary

- A <u>Public Hearing</u> was requested by the Gila Resources Information Project (GRIP) and others.
- The MMD requirements for holding a <u>Public</u> <u>Hearing</u> are listed in Part 9 of the NM Mining Act Rules (19.10.9.904 NMAC).
- MMD will consider public comments from the Public Hearing in its review of the Emma Project Application (Regular Exploration). We will accept written comments until a date announced by the Hearing Officer.

## Moving Forward

- MMD will continue its review of the application in consideration of public comments.
- MMD will review any last responses to comments from the Operator.
- MMD will review the <u>Financial Assurance</u> including FA instruments.
- Financial Assurance is required before the permit can be issued.

### Document Summary

The documents discussed in this presentation are available online at the MMD Website:

https://www.emnrd.nm.gov/mmd/gr09
 5er-emma-project-regular-exploration-project-part-4/

Written comments related to the Emma Project Exploration Project Application may be submitted to the MMD Director at the following address:

Albert C.S. Chang, Director
Mining and Minerals Division
NM Energy, Minerals and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, NM 87505
mmd.marp@emnrd.nm.gov

## Questions?

