



State of New Mexico  
Energy, Minerals and Natural Resources  
Department  
Mining and Minerals Division (MMD)  
Albert Chang, Director

Mining Act Reclamation Program  
Alaina Osimowicz, Permit Lead

Tyrone Peak Exploration Project  
(Regular Exploration)

Permit No. GR093ER 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 Tyrone Peak Exploration Project, Regular Exploration Application (Tyrone Peak) in accordance with the New Mexico Mining Act Rules.
  - 2) FMI will present specific information on Tyrone Peak.
  - 3) The public will have the opportunity to ask questions and comment on the Tyrone Peak Application.
- ⚡ **Please note that the purpose of this hearing is not to discuss or comment on any other projects associated with 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

A vertical strip on the left side of the slide shows a topographic map of Tyrone Peak. The map features contour lines, a grid, and a yellow line indicating a path or boundary. The background of the slide is a dark teal color with faint, light blue contour lines.

# Tyrone Peak Summary

- Regular Exploration
- On private land owned by FMI
- 40 acres total covered by Financial Assurance
- 4.5 acres planned disturbance in Phase 1 of the project
- 36 Exploration drill holes on 17 drill pads
- Max drill depth of 2,500 ft.



# Tyrone Peak Exploration Project Permit No. GR093ER Application History and timeline

- Application Submitted: 7/9/24
- 1st Public Notice sent (FMI): 8/22/24
- MMD deems application Administratively Complete: 7/24/24
- MMD Requests Comments from Consulting Agencies: 9/5/24
- Field Day with Agencies: 10/22/24
  - 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



# Tyrone Peak Exploration Project Permit No. GR093ER Application History Cont.

- Public Hearing Requested Sept./Oct. 2024
- 2<sup>nd</sup> Public Notice sent (FMI): 10/2/24
- 2<sup>nd</sup> Tribal notification: 11/24/24
- Agency responses received: 11/5/24
- MMD and Agency Comments sent: 12/12/24
- Operator Response Received: 1/21/25
- Public Hearing Notice Posted: 1/4/25
- Public Hearing: 2/10/25
- **Post Public Hearing: Comment Period Begins**



# 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 Cont..

- 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 Tyrone Peak Exploration Financial Assurance Estimate

<b>2024 Financial Assurance (FA) Cost Estimate for Exploration Drilling Project: Tyrone Peak</b>				
<b>Description</b>	<b>Unit</b>	<b>Quantity</b>	<b>Unit Rate (\$/unit)</b>	<b>Total Cost (\$)</b>
Surface Reclamation Cost (1st acre)	acre	1.00	\$8,900	\$8,900
Drill Road & Pad Reclamation	acre	39.00	\$4,900	\$191,100
Plug and Abandon Exploration Drill Holes	ft.	10,000	\$14	\$140,000
<b>Total FA</b>				<b>\$340,000</b>
<p>Note: Change in target depth from original application. 10,000 ft is the sum the 4 deepest holes (2500ft) that could be drilled at one time. This estimation is necessary because the sequence of holes is unknown at this time and target depths may increase to a maximum depth of 2500ft as drilling progresses. Actual depths will be reported on the Plugging and Abandoning records.</p>				

\* This covers anticipated surface disturbance and borehole abandonment

# The Public Hearing: Where We Are in the Process


- A Public Hearing was requested by a member of the public
- The MMD requirements for holding a Public Hearing 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 Tyrone Peak 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 Financial Assurance 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/gr093er-tyrone-peak-exploration-project-regular-exploration-project-part-4/>



Written comments related to the Tyrone Peak 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](mailto:mmd.marp@emnrd.nm.gov)

# Questions?

