

**Roca Honda Resources Response to Agency 01-23-2012 Comments
Of Roca Honda Project Baseline Data Report, Revision 1, January 2011, MK025RN**

October 8, 2012

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1			
Reviewer: David L. Clark		Review Date: January 23, 2012	
Agency: NM MMD			
Item #	Section/Page (or general)	Topic	Comment
1.	General	Pipeline corridor included in permit area	<p>19.10.6.602.D(2), (3), (4) and (13)(i)</p> <ol style="list-style-type: none"> 1. The utility corridor across Section 15, T13N, R8W, will be disturbed, inspected during the course of mining, and reclaimed. The utility corridor needs to be included in the permit area, to include a demonstration of right of access and cultural resource clearance. 2. The discharge water pipeline corridor through Section 11 and north to the discharge point at Laguna Polvadera, will be disturbed, inspected during the course of mining, and will require reclamation. The discharge water pipeline corridor needs to be included in the permit area, to include a demonstration of the right of access to each property that it crosses and cultural resource clearance.

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1

Reviewer: David L. Clark Agency: NM MMD		Review Date: January 23, 2012	
Item #	Section/Page (or general)	Topic	Comment
	RHR Response		<p>The utility and pipeline corridors will be included in the permit area. Cultural resources clearances for the utility corridor were conducted early in the process and the corridor alignment was adjusted to avoid sites of concern to the USFS and the MMD. The pipeline corridor was surveyed for cultural resources in the spring of 2012. As has been the case in all other instances in this project, archaeological sites will be avoided wherever possible to mitigate impacts.</p> <p>The utility access corridor and the majority of the pipeline are located on private property. The access agreements with the private land owner contain a provision allowing all regulatory agencies the right of access and will be provided as part of the remaining documentation needed prior to approval of the permit. The remaining property through which the pipeline runs is USFS land. The required access permissions will be part of the approved plan of operations received from the Forest Service.</p>
2.	General	Excavated material characterization	<p>19.10.6.602.D(13)(f) MMD awaits a description of the potential for geochemical alterations of overburden, ore body or other materials present within the permit area. Our understanding is that the core drilling at the Section 16 shaft site will provide materials upon which to test for substances that may be toxic or acid-forming. Please submit the results of such testing.</p> <p>Both the Reclamation Plan Revision 1 and Mine Operations Plan Revision 1 state that toxic or acid-forming materials uncovered during mining will be disposed of off-site. RHR's intentions are not clear. Presumably, the off-site location is either a licensed waste disposal facility that will accept such materials, or a location that will need to be permitted, and require baseline data collection, operations planning and reclamation planning. Please clarify the nature of the off-site location.</p>

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1

Reviewer: David L. Clark Agency: NM MMD		Review Date: January 23, 2012	
Item #	Section/Page (or general)	Topic	Comment
3.	RHR Response General	Treated water discharge	<p>RHR will provide MMD with the results of the characterization sampling when it becomes available. MMD's presumptions are correct. Any material disposed of off-site will be disposed of at a location and at a facility that has the appropriate permissions to accept such material.</p> <p>19.10.6.602.D(13)(g) The BDR-REV 1 as submitted on January 2011 anticipated discharge of produced and treated water into the San Mateo watershed. Section 8 of the BDR-REV 1 and the alluvial aquifer information in Section 9 concentrate on the baseline condition of San Mateo Creek. Current plans are to discharge treated water into San Lucas Canyon. The baseline description of San Mateo Creek remains pertinent should an accidental discharge from the mine site occur, and information relevant to San Mateo Creek should be retained. However, a more complete description of the baseline surface water and groundwater conditions in San Lucas Canyon, Arroyo Chico, and the northern branch of the Rio Puerco is required, as well as a determination of the probable hydrological consequences of the operation on the watershed.</p>

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1

Reviewer: David L. Clark
 Agency: NM MMD

Review Date: January 23, 2012

Item #	Section/Page (or general)	Topic	Comment
	RHR Response		<p>A review has been made of information and data available about the "baseline" condition of the San Lucas Canyon, Arroyo Chico and northern branch of Rio Puerco water courses. Specifically, the following issues were researched: 1) The quality of water discharged (1978-1990) by Chevron Mt. Taylor and Gulf Mineral Resource Co. (GMRC) into the stream channel of San Lucas Canyon; 2) the quality of surface flow downstream of the GMRC discharge point; 3) stream channel sediment chemistry above and below the GMRC discharge point; and 4) the nature of the stream flow of the receiving water courses. Much of this information was obtained from old documents and water quality reports generated by Chevron and GMRC in association with those companies' discharge of water from the Mount Taylor mine into San Lucas Canyon under Federal and State permits, and from GMRC's plans to develop a tailings disposal site in La Polvadera Canyon. An environmental report by GMRC's successor in interest, Rio Grande Resource Co, (RGR) provides summary information about GMRC operations. A hydrologic study by the New Mexico Bureau of Mines and Mineral Resources (NMBMMR) of the Arroyo Chico and Torreon Wash area, downstream of the proposed RHR discharge point, is also available.</p> <p>Records of the quantity and quality of the water from GMRC discharged into San Lucas for the time period 1978 through 1990 and have been reviewed. The water quality data have been summarized in a new Section 9 Appendix 9-J. Water discharged under these permits did not exceed the quality standards at that time.</p> <p>The water that will be discharged by RHR will meet applicable water quality standards, and the agricultural engineers calculate that all the discharged water will be consumed by crops. Analysis of the documents and data listed above indicates that no adverse impacts on ground or surface water quality or quantity will occur as a result of the release of possible unconsumed discharge into San Lucas Canyon from the irrigation or RHR.</p>

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1

Reviewer: John Romero
Agency: NMOSE

Review Date: August 18, 2011

Item #	Section/Page	Topic	Comment
4.	RHR Response to 2/23/10 NMOSE Comments	Dam Safety Bureau	<p>1. RHR's response lacks the documentation (60% design package) that is necessary to evaluate the size of the proposed ponds or basins. Comment 1 unresolved until documents are made available.</p> <p>2. RHR's response lacks the subsequent drawings necessary to evaluate the grading and drainage plan. Comment 2 unresolved until documents are made available.</p> <p>3. Same as comment 1. Comment 3 unresolved until documents are made available.</p> <p>4. Same as comment 1. Comment 4 unresolved until documents are made available. RHR should clarify whether the appendices (Appendix A.4 civil drawings; and Appendix D.3 Pond Sizing) in the 60% complete design for the Water Treatment Plant are meant to address Comment 4.</p> <p>5. Same as comment 1. Comment 5 unresolved until documents are made available.</p> <p>6. Same as comment 1. Comment 6 unresolved until documents are made available.</p> <p>7. Same as comment 1. Comment 7 unresolved until documents are made available.</p>
	RHR Response		<p>RHR Water Treatment Plant 60% Design Rev 1 was submitted in December 2011 and the Mine Operations Plan Rev 1 was submitted in January 2012. The NMOSE was provided with copies of those documents at that time. These documents detail the grading and drainage for the treatment plant ponds, the storm water retention ponds and the detention basins. The structure and capacities have been detailed to allow a jurisdiction determination. The retention ponds (formerly called evaporation ponds) will contain a lift station to pump the collected water to the water treatment plant. The Mine Operations Plan Rev 1 also contains the results of the hydrologic study to determine the size of the retention ponds, detention basins and culverts in the various drainage channels.</p>
5.	RHR Response to 2/23/10 NMOSE Comments	Hydrology Bureau	<p>Items 8 through 35 were found adequate by NMOSE.</p> <p>Item 28 RHR lacks documentation that is necessary for modeling results. Comment 28 is unresolved until modeling report submitted for review.</p> <p>Item 31 RHR's response does not consider that some hydraulic connections with shallow units may exist in some areas of the Morrison Formation. The discussion omitted the topic of hydraulic connections that are manmade (improperly plugged mine exploration hole or adits and shafts) or natural (permeable fault or fracture zones). A comparison of hydraulic head</p>

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1

Reviewer: John Romero
Agency: NMOSE

Review Date: August 18, 2011

Item #	Section/Page	Topic	Comment
			differences for formations overlying and underlying Westwater Canyon Member would control whether vertical flow gradients are away or toward a particular formation. In the example provided for drawdown in Bluff aquifer while dewatering Ambrosia Lake area, the 4 feet of drawdown in 19 years may represent some effect from dewatering even though this was presented to demonstrate a lack of impacts.
	RHR Response		RHR submitted the "Assessment of Potential Groundwater Changes from Dewatering at the Proposed Roca Honda Mine" dated November 2011 with an addendum dated March 8, 2012 as well as further modeling analyses submitted to the USFS Interagency Groundwater Work Group and the OSE in August 2012. RHR believes that these documents provide an appropriate response to items 28 and 31 noted in the reviewer's comments.
6.	RHR Response to 2/23/10 NMOSE Comments	District 1 – Water Rights	Items 34 and 35 were found adequate by NMOSE.
	RHR Response		No response required.
7.	Section 7, Figure 7-2, p 7-3; Section 9, Figure 9-3, p 9-7	Figures	Add label for yellow shaded area on Figures 7-2 and 9-3. Provide a reference for the mapped structural features on Figures 7-2 and 9-3.
	RHR Response		The yellow is the outline of the Ambrosia Lake sub-district. The last paragraph on page 7-1 of the BDR discusses Figure 7-2 and contains the requested reference of (Santos 1966a and 1966b). Figures 7-2 and 9-3 have been revised to make the distinction more clear and the reference has been added to the figures.
8.	Section 7, Figure 7-3, p 7-5	Figures	Explain why Qc in legend is labeled as Saprolite. Qc is more likely colluvium.
	RHR Response		Qc is described as saprolite on the San Mateo Geologic Quadrangle GQ-517 by Elmer Santos (1966).

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1

Reviewer: John Romero Agency: NMOSE		Review Date: August 18, 2011	
Item #	Section/Page	Topic	Comment
9.	Section 8.2, p 8-3	Wastewater treatment plant	Provide a reference for the statement that wastewater (DP-695) discharges to Rio San Jose ceased in 2003.
	RHR Response		Personal communication with the treatment plant design firm of Camp Dresser & McKee. The discharge permit is still active, but wastewater is now used for golf course irrigation.
10.	Section 8.2, p 8-5; Figure 8-2, p 8-4	Springs	Provide a reference(s) for the springs placed on Figure 8-2.
	RHR Response		NMEI, 1974; field investigations conducted by RHR 2009 and 2010; USGS San Mateo topographic 7 1/2 min. quadrangle.
11.	Section 8.2, p 8-5; Section 8.4	Surface water - springs	Provide additional basis (other than NMEI, 1973) for statement that San Lucas Spring is the only spring with reportedly perennial flow. Was NMEI (1973) a comprehensive review of all springs in a particular area in proximity to uranium operations? On what basis does RHR limit identified springs to within 2 and 5 miles of permit area?
	RHR Response		The BDR does not make the statement that San Lucas spring is the only spring with reportedly perennial flow. Section 8-2 (p. 5) states that springs above San Mateo Canyon and Bridge Spring are perennial, and notes that in the San Lucas watershed, San Lucas Spring reportedly has a small perennial flow. Section 8-2 also notes that springs issue from the volcanics. NMEI (1974) was the baseline study for the Gulf Mt. Taylor mine prior to installation of the mine. The investigators appear to have tried to identify all springs within the San Mateo and San Lucas watersheds that issued within a reasonable distance from the planned mine. For the purpose of the baseline study, RHR identified and discussed surface water sources that could potentially be impacted by mining activities. Please refer to the Addendum to the report on the groundwater model (Assessment of Potential Groundwater Level Changes from Dewatering at the Proposed Roca Honda Mine, November 4, 2011, revised March 8) and Section 5.1.2 of the August 7, 2012 revision to this report for additional information on springs and RHR's assessment of the potential impacts of mine dewatering on those springs.

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1

Reviewer: John Romero
Agency: NMOSE

Review Date: August 18, 2011

Item #	Section/Page	Topic	Comment
12.	Section 8.6, p 8-19	Surface water	What is the river distance from the point of discharge of treated water to the Rio San Jose? What are the anticipated losses per mile? What is the estimated downstream extent of the mine drainage?
	RHR Response		RHR no longer proposes to discharge water pumped during mine dewatering into San Mateo Creek. Therefore, treated water will not reach the Rio San Jose. RHR's response notwithstanding, the commenter can find answers to the first two questions are addressed in Risser (1982). Section 8.6 (p 8-18 to 8-19) discusses the answer to the third question.
13.	Section 9.4.2, p 9-21; Section 9.4.3, p 9-27; Table 9-13	Groundwater	Check the value for hydraulic conductivity of 3.7 ft/day for Point Lookout Sandstone in San Lucas Canyon area. This value is much higher than the range presented in the Table 9-13. Are the correct units ft/yr or ft/day?
	RHR Response		The correct units are gpd/ft for the Point Lookout in the San Lucas Canyon area (p. 19 of Jacobs Engineering report which is Appendix D to the Gulf Mt. Taylor Discharge Plan, 1979). The Point Lookout Sandstone in the San Lucas Canyon area was estimated to have a hydraulic conductivity of 0.5 ft/day. Few data are available for the hydraulic conductivity of the Point Lookout, and those that are available exhibit a wide range. Stone (1983) reports that Dames and Moore gave a transmissivity of 240 ft²/day for main body of the Point Lookout and 70 ft²/day for the Hosta Tongue. These figures would represent an average hydraulic conductivity of about 1.0 ft/day. Stone reports that Craigg (1980), however, reported transmissivities of less than 1 ft²/day south of Torreón and that core testing from the same area indicated a horizontal hydraulic conductivity of 0.02 to 0.002 ft/day.
14.	Section 9.3.3, p 9-14	Groundwater	Check flow direction of eastward for Point Lookout Sandstone. Figure 9-10 appear to show other directions (northeast, northwest, north) than eastward in the vicinity of the proposed RHR project.

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1

Reviewer: John Romero
Agency: NMOSE

Review Date: August 18, 2011

Item #	Section/Page	Topic	Comment
	RHR Response		<p>There are no figures in the report which show a groundwater flow direction for the Point Lookout within the RHR Project; Figure 9-10 is a regional groundwater flow map. It does not show a direction for the Point Lookout within the RHR Project.</p> <p>Within the Project, the Point Lookout is saturated only in the eastern half of Section 10, and insufficient data are available to know for certain which direction the groundwater is moving within this formation. It is possible that water is moving northeast rather than eastward. It is unlikely that it is moving northwest, as this direction would be up-dip.</p> <p>Variation in water quality results for wells, 115, 33 and 90 should be addressed in text.</p>
15.	Section 9.4.1, p 9-19, Table 9-1; Section 9.4.3, p 9-29, Table 9-5	Groundwater	
	RHR Response		<p>The reason(s) for the variations in chemistry among five quarters of samples for wells 115, 33, and 90 are not known. RHR believes that speculation on them is not warranted. The data speak for themselves as indicative of baseline conditions.</p> <p>Values for the Dilco Coal Member and underlying Gallup have a reported permeability range of 0 to 1200 ft/yr (GMRC 1979a), which seems high. Values for Gallup Sandstone have a weighted average permeability with a range of 0 to 70 ft/yr. Elaborate on the methods used for this range of field permeabilities.</p> <p>The question is unclear. RHR is uncertain what the commenter means by "the methods used for this range of field permeabilities." The permeability values were obtained from the referenced literature and are reported as such.</p> <p>Correct conversion between cubic feet per second and gallons per minute.</p>
16.	Section 9.4.4, p 9-31; Section 9.4.5, p 9-32	Groundwater	
	RHR Response		<p>The conversions between cfs and gpm are correct on p 9-36. Some of the figures have been rounded. (1 cfs=448.8 gpm)</p>
17.	Section 9.4.6, p 9-36	Unit conversion	
	RHR Response		

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1

Reviewer: John Romero
Agency: NMOSE

Review Date: August 18, 2011

Item #	Section/Page	Topic	Comment
18.	Table 9-9, p 9-40	Groundwater	On May 4, 2010 and September 27, 2010, well 114 has a significant shift in water chemistry. Re-verify lab and field sheets to ensure the data entered are accurate and representative for well 114.
	RHR Response		The commenter's concern is noted. The numbers entered are those received from the lab. Three additional sets of data are now available. They indicate that the May 4, 2010 data set may not be representative of water quality in that well. The existing data and the additional data are consistent with the September 27, 2010 results. The additional quarters of data for well 114 have been added to BDR Tables 9-9 and 9-10, which are attached.
19.	Table 9-13, p 9-46	Groundwater-data	The range of TDS values excludes recently collected data. Add data collected in the BDR for Table 9-13 or provide justification for its exclusion.
	RHR Response		An updated Table 9-13 that includes these values is provided for insertion into the BDR.
20.	Table 9-13, p 9-46	Groundwater data table	Table 9-13 mixes simulated and measured hydraulic conductivity values. NMOSE recommends using separate columns for the simulated values and measured (from aquifer tests of other field measurements). Provide references for all horizontal hydraulic conductivities (e.g., Lower Mancos Shale sandstones and Westwater Canyon lack references).
	RHR Response		An updated Table 9-13 that includes these values is provided for insertion into the BDR. Simulated values are identified in "blue". In addition, Revised Table 9-13 now include horizontal hydraulic conductivity, transmissivity, and storage values obtained from the RHR aquifer test of the Westwater Canyon Member, identified in "red". The source for the horizontal hydraulic conductivity values for the Westwater Canyon and the lower Mancos Shale sandstones is Kernodle (1996), reference "f", of the revised table.
21.	Table 9-13, p 9-46; Section 9.4.7, p 9-37	Groundwater – data table	Table 9-13 transmissivity values exclude values reported in the text by Kernodle (1996) for Morrison Formation (2 to 480 ft ² /d with median of 115 ft ² /d). Provide an explanation why some values excluded from Table 9-46.
	RHR Response		Kernodle is not a primary source of aquifer parameter values. The values discussed by Kernodle were derived by him from earlier publications such as Stone et al. The ranges presented in those earlier publications are accurately included in Table 9-13. Table 9-13 has

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1

Reviewer: John Romero Agency: NMOSE		Review Date: August 18, 2011	
Item #	Section/Page	Topic	Comment
22.	Section 9.6.3, pp 9-52 to 9-53	Groundwater model	<p>been revised as noted in RHR's response to Comments No. 19 and 20, above.</p> <p>Additional detail of ground water flow model would be necessary before an evaluation can be made. RHR should provide detailed model information (inputs, assumptions, outputs, etc.) for NMOSE evaluation of water rights and mine de-watering applications.</p>
	RHR Response		<p>A detailed groundwater model report has been provided as "Assessment of Potential Groundwater Level Changes from Dewatering at the Proposed Roca Honda Mine," dated November 4, 2011, revised March, 2012 and August 7, 2012. An Addendum designed to answer specific questions provided by the USFS, the OSE, and Mangi was provided in March, 2012. The model reports and input/output files for the model have been provided to the NMOSE the USFS, and all interested parties.</p>
23.	Appendix 9-1, Section 5.3, Aquifer Test	Groundwater	<p>Several references (e.g., Table 3, 4, and 5) are made to a CD that contains appendices B, C and D. The CD does not appear to be part of the submittal. RHR should make this information available. Please specify the manner(s) in which groundwater temperature in the pumped and observation wells was/were measured.</p>
	RHR Response		<p>A CD of data collected during that aquifer test has been provided with these responses. Groundwater temperature was continually recorded using down-hole transducers.</p>
24.	Section 9.2 & Appendix 9-1, Sections 3.1 and 4.1	Groundwater - monitoring	<p>There is the lack of monitoring in the Dakota unit(s), identified as an aquifer in Section 9.2, and elsewhere in the BDR. Section 4.1 notes groundwater in the Westwater Canyon aquifer is separated from water in the Dakota in unfaulted areas. Section 3.1 indicates faulting in the project area reflects less than 40 feet of vertical offset, suggesting hydraulic disconnect between Westwater Canyon and Dakota aquifers may exist, dependant on proximity to faults, hydraulic character of fault zone, and actual unit thickness and lithology. The project may substantially lower hydraulic head in the Dakota aquifer since that unit may undergo extended leakage loss upon mine dewatering and temporary direct pumping during shaft construction. RHR should explain the basis for not monitoring the Dakota sandstone.</p>
	RHR Response		<p>RHR assumes that this comment is directed to the aquifer test performed in the Westwater Canyon. The Dakota was not monitored because: 1) there are no wells completed in the Dakota in the vicinity of the aquifer test; 2) the purpose of the test was to estimate the</p>

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1

Reviewer: John Romero Agency: NMOSE		Review Date: August 18, 2011	
Item #	Section/Page	Topic	Comment
			hydraulic properties of the Westwater Canyon. RHR disagrees with the Commenter's statement that the Project may substantially lower the hydraulic head in the Dakota Sandstone. RHR anticipates that the Dakota will be pumped at a fairly low rate for a few months during construction of the shaft. Groundwater modeling indicates that the impact of this pumping on the head in the Dakota will be limited in time and extent. This assessment is borne out by the experience of previous mines in the area. Please note that although the Dakota contains some groundwater, it is rarely relied on as an aquifer in the San Juan Basin because of the poor quality of groundwater it contains and because much better aquifers lie above and below it. Potential impacts to the hydraulic head in the Dakota have been estimated through application of the groundwater flow model discussed above in response to Comments No. 22, and as is discussed in the groundwater modeling report, will be temporary and limited in areal extent.
25.	Appendix 9-1, Figure 10	Groundwater – pumping rate	RHR should provide an explanation for the perturbations in S-4 pumping rate plot at approximately 4920 and 5900 minutes since pumping began. Were the flow changes related to manual discharge rate adjustments or some other phenomenon? Brief variations in pumping rate are common during aquifer tests. They may occur for many reasons, mechanical and hydraulic. The changes in pumping rate during the S-4 test were not deliberately induced. They were brief and ultimately insignificant. Their source cannot be identified.
26.	Appendix 9-1, Section 5.2, Figure 12	Groundwater - data	RHR should provide data used to create chart showing a change in water level versus barometric pressure.
	RHR Response		The CD provided herewith, as identified in RHR Response to Comment No. 23 contains the requested information.
27.	Appendix 9-1, Section 5.4	Groundwater - data	This section also references the missing CD as containing test-pumping water level data files. It is imperative that all test-pumping data files and test-pumping field notes be made available for review, and potential alternative characterization. It will be helpful to be provided the data spreadsheets all plots are based on.

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1

Reviewer: John Romero Agency: NMOSE		Review Date: August 18, 2011	
Item #	Section/Page	Topic	Comment
	RHR Response		<p>The CD provided herewith, as identified in RHR Response to Comment No. 23 contains the requested information.</p>
28.	Appendix 9-I, Aquifer Test	Groundwater – aquifer test	<p>RHR should evaluate the recovery portion of the aquifer test or provide a rationale for not doing so.</p> <p>The aquifer test analyses include analyses presented in Appendix 9-I that evaluate the recovery portion of the aquifer test. All data collected after 7216 minutes (see Table 2 in Appendix A of the aquifer test analysis report attached as Appendix 9-I to the BDR) were collected during the recovery portion of the test. Analyses of these data are included in Figures 14, 15 and 16.</p>
29.	Appendix 9-I, Figures 14 - 16	Figures - data	<p>If the terms $r(w)$ and $r(c)$ presented in Figures 14 – 16 refer to radius of well and casing, some edits may be in order, and these changes may affect calculations. The heading for Figure 14 references well S-1 rather than S-4. RHR should review these terms and values assigned.</p> <p>The definitions of $r(w)$ and $r(c)$ and the numbers used for these terms in these analyses are consistent with the AQTESOLV documentation, definitions and requirements of the program and the design of the wells. Figure 14 has been revised to correctly refer to well S-4.</p>
	RHR Response		

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1

Reviewer: Matthew Wunder
Agency: NMDGF

Review Date: August 31, 2011

Item #	Section/Page	Topic	Comment
30.	Section 4 - general	Vegetation reference area	NMDGF concurs with combining the Juniper-Savanna and Shrub-Grassland vegetation types for the purpose of setting a standard for reclamation success. Combining the data is justified due to the gradual transition between the two vegetation types and lack of statistically significant difference in cover values obtained through transect monitoring. Because reclamation will not include tree planting, the reference area selected for revegetation success should include only these two mapped vegetation types. We note that the transect monitoring took place in June of a particularly dry year before the summer rains, and thus likely reflects lower cover and diversity values than would result from sampling later in the year.
			We agree with the combining of the Juniper-Savanna and Shrub-Grassland vegetation types for the reference area. A representative from NMDGF and NM MMD visited the reference area July 26, 2012 after a rainy period and the vegetation cover reflected the increased moisture. We are awaiting agency comments from that visit.
31.	Section 4 - general	Noxious weeds	Four species of state-listed noxious weeds were found on the project area. The location and extent of tamarisk and cheatgrass are clearly explained in the text of the BDR. We recommend that Mining & Minerals Division request the applicant to document the location, extent and intensity of Canada thistle and musk thistle infestations, for the purpose of ensuring these populations will be controlled or eradicated if mining activity causes them to spread or increase. The fact that various noxious weeds exist within the project area is part of the baseline vegetation results. RHR will address the weed control in the disturbed area as described in the reclamation plan. A Weed Control Plan has been developed and is included as Appendix C to the Reclamation Plan Revision 1 dated August 2011.
32.	Section 5 - general	Wildlife habitat	Of the portions of the project area which will be most affected by mining activity, Section 16 contains superior wildlife habitat compared to the affected part of Section 10. Data supporting this conclusion, as reported in the BDR Revision 1, include higher total bird numbers, more use by elk, greater diversity and numbers of furbearer species observed, and greater density of amphibians, reptiles, and small mammals. This is likely the result of greater habitat diversity rather than higher productivity. Section 16 includes rimrock, arroyo and sagebrush habitats which are largely absent from Section 10. In Section 16, pinyon-juniper woodland and grass/shrublands are juxtaposed in a mosaic that provides a great deal of edge habitat. The

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1

Reviewer: Matthew Wunder
Agency: NMDGF

Review Date: August 31, 2011

Item #	Section/Page	Topic	Comment
			woodlands include mature trees and coarse woody debris which provide habitat for snag- and cavity-dwelling species. In addition much of the woodland floor is covered by lichen and cyanobacteria, which are consumed by wildlife. Table 8 on page 26 of Appendix 4-C shows that Section 16 will change from 30% to 21% woodland cover post mining. These values are certain to change as planning for the project evolves. However, in order to preserve habitat quality, we recommend the project footprint should be configured so as to avoid removing woodlands to the extent feasible.
			RHR has taken a variety of concerns into account in configuring the location of the surface facilities for the mine, including location of the ore body, location of archaeological sites, distance from and visibility from the Lee Ranch headquarters as well as overall visibility to the public. RHR has also attempted to minimize the impact to existing vegetation, including tree removal wherever possible. RHR recognizes of wildlife habitat and will take the commenter's concerns into consideration when constructing the surface facilities.
33.	Appendix 5-C, Table 17, p 47	Species of Concern	Table 17, on page 47 of Appendix 5-C, shows federal and State listed species, as well as federal Species of Concern, with the potential to occur in McKinley or Cibola County. The least tern, which is shown on the table as State Endangered, is also federal Endangered. <i>Corynorhinus townsendii pallescens</i> is an additional federal Species of Concern which may occur in the project area.
			Table 17 has been revised to include this information and is attached as replacement pages 46a and 47.
34.	Section 5, p 5-7	Bald and Golden Eagle Protection Act.	Page 5-7 notes several active raptor nests and a golden eagle roost were documented during baseline data collection. Please consult with NMDGF regarding recommended spatial and temporal buffer zones for these species. Please consult with the US Fish & Wildlife Service regarding compliance with the Bald and Golden Eagle Protection Act.
			RHR will consult with NMDGF and the US Fish & Wildlife Service as requested.
35.	Section 5	Bat netting	Three species of bats were captured over a stock tank on the project site. Two of these are considered sensitive by NMDGF specialists. Due to the poor netting conditions on site, good roosting habitat, and the potential presence of the spotted bat, a State Threatened species, we

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1

Reviewer: Matthew Wunder
Agency: NMDGF

Review Date: August 31, 2011

Item #	Section/Page	Topic	Comment
	RHR Response		<p>recommend that netting efforts be supplemented with acoustic detection methods.</p> <p>RHR will install an acoustic bat detector to document the bat species in the project area. We plan to conduct the survey after the mine facility is operational when constructed surface water ponds exist. We will monitor during the period of April through October.</p>

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1

Reviewer: Kurt Vollbrecht & Neal Schaeffer		Review Date: September 2, 2011	
Agency: NMED GWQB & NMED SWQB			
Item #	Section/Page	Topic	Comment
36.	General	Non-ephemeral waters	<p>NMED GWQB provided detailed comments on the SAP in a letter to RHR dated September 4, 2009. RHR responded in part to these comments in a letter to NMED dated November 4, 2009, and in the October 2009 Baseline Data Report. In addition, the GWQB requested several work plans for RHR in a letter dated July 27, 2010 to further the technical review process associated with the discharge permit for the proposed mine, DP-1717. RHR provided the work plans requested to the GWQB in January 2011, coincident with submittal of the BDR Revision.</p> <p>The BDR Revision does not map locations having woody riparian vegetation. Such vegetation can indicate non-ephemeral waters.</p>
	RHR Response		<p>A riparian survey was conducted in July 2011 in the arroyos within the project area. This survey is attached as Appendix 8-D to Section 8 Surface Water.</p>
37.	General	Surface water flow to Rio San Jose	<p>The SWQB disputes the following BDR Revision finding, and believes that the proposed 4000 gpm discharge could result in surface flow to the Rio San Jose.</p> <p>“However, RHR field investigations of the San Mateo Creek stream channel during 2010 determined that it is unlikely that the flow could reach the Rio San Jose, both because the lower channel of San Mateo Creek no longer joins the Rio San Jose under most flow conditions, and because the area over which the water would flow between NM 605 below Arroyo del Puerto and the Homestake site is a broad plain filled with a thickness of over 100 feet of alluvium.”</p>
	RHR Response		<p>No longer discharge to San Mateo Creek.</p>
38.	General	SAP revision	<p>The BDR Revision should also reference the specific revision date of the associated SAP.</p>
	RHR Response		<p>Page 1-3 of the BDR has been revised to include the reference to the approved SAP of October 2009.</p>

Agency Review of Roca Honda Uranium Mine Baseline Data Report Revision 1

Reviewer: Sufi Mustafa		Review Date: September 1, 2011	
Agency: NMED AQB			
Item #	Section/Page	Topic	Comment
39.	General	Permits	<p><u>Air Quality Permitting History</u></p> <p>The AQB has no previous record of this operation.</p> <p>The AQB would not be expected to have previous records of the RHR mine as it is a "proposed new mine". Subsequent to receipt of these comments, RHR submitted an air permit application to the AQB in July, 2012. The AQB determined that based on the information provided that an air permit was not required for RHR's proposed Roca Honda Mine.</p>
40.	General	Regulatory	<p><u>Air Quality Requirements</u></p> <p>The New Mexico Mining Act of 1993 states that "Nothing in the New Mexico Mining Act shall supersede current or future requirements and standards of any other applicable federal or state law." Thus, the applicant is expected to comply with all requirements of federal and state laws pertaining to air quality. Current requirements which may be applicable in this mining project include, but are not limited to the following:</p> <p>Material Handling: wind speed reduction and wet suppression, including watering and application of surfactants (wet suppression should not confound track out problems).</p> <p>Bulldozing: wet suppression of materials to "optimum moisture" for compaction.</p> <p>Scraping: wet suppression of scraper travel routes.</p> <p>Storage piles: enclosure or covering of piles, application of surfactants.</p> <p>Miscellaneous fugitive dust sources: watering, application of surfactants or reduction of surface wind speed with windbreaks or source enclosures.</p> <p>The Air Quality Bureau or the US EPA may implement requirements, regulations and standards for the control of fugitive dust sources in the future. This written determination does not supersede the applicability of any forthcoming state or federal regulations.</p> <p>RHR will comply with all requirements of federal and state laws pertaining to air quality.</p>
	RHR Response		