

State of New Mexico
Energy, Minerals and Natural Resources Department

Susana Martinez
Governor

David Martin
Cabinet Secretary

Tony Delfin
Deputy Cabinet Secretary

Fernando Martinez, Director
Mining and Minerals Division



April 5, 2016

Ms. Katie Emmer
New Mexico Copper Corporation
4253 Montgomery Blvd., Suite 130
Albuquerque, NM 87109

RE: Supplemental Biological Work Plan for Mill Site and Substation Areas, Copper Flat Mine, Sierra County, New Mexico, Permit Tracking No. SI027RN

Dear Ms. Emmer:

The New Mexico Mining and Minerals Division (“MMD”) received the document entitled *Supplemental Biological Work Plan for Mill Site and Substation Areas* (“Supplemental Work Plan”), dated February 18, 2016, which is in response to MMD’s letter dated January 5, 2016. MMD provided the Supplemental Work Plan for technical review to the New Mexico Department of Game and Fish and MMD’s reclamation biologist.

The following comments on the Supplemental Work Plan were received:

1. The proposed additional wildlife and vegetation surveys appear to address the discrepancies noted in MMD’s comment letter, dated January 5, 2016, between the survey methods conducted by GeoSystems Analysis, Inc. for the *Biological Resources Survey Copper Flat Mine: Nine Mill Sites and Two Substation Alternatives* (dated May 12, 2015) and the *Copper Flat Mine Sampling and Analysis Plan* (“SAP”; dated September 2010) and *Baseline Data Report* (“BDR”; dated June 2012). The additional surveys proposed in the Supplemental Work Plan appear to meet the requirements discussed with New Mexico Copper Corporation on January 20, 2016.
2. The survey reporting proposal on page 3 of the Supplemental Work Plan states that the discrepancy between the site wide surveys and the nine mill sites and two substation areas will be explained. This explanation should provide MMD with explicit descriptions regarding differences in survey methods, adequate data to describe the outlying areas, and allow comparisons between the main site and these outlying areas. The additional data and explanations of different survey methods, as described in the Supplemental Work Plan, appear to address MMD’s comments and concerns.

If you have any questions, please contact me at (505) 476-3434 or by email at david.ennis@state.nm.us.

Sincerely,

David J (DJ) Ennis, P.G.
Permit Lead/Reclamation Specialist

cc: Holland Shepherd, Program Manager
Mine File (SI027RN)