



DIRECTOR AND SECRETARY
TO THE COMMISSION
Michael B. Sloane

STATE OF NEW MEXICO
DEPARTMENT OF GAME & FISH

One Wildlife Way, Santa Fe, NM 87507

Tel: (505) 476-8000 | Fax: (505) 476-8180

For information call: (888) 248-6866

www.wildlife.state.nm.us

STATE GAME COMMISSION

TIRZIO J. LOPEZ
Vice Chair
Cebolla

FERNANDO CLEMENTE, JR.
Sunland Park

GREGG FULFER
Jal

EDWARD T. GARCIA
Los Ranchos

SHARON SALAZAR HICKEY
Santa Fe

20 November 2023

Kevin Barnes, Permit Lead
Mining Act Reclamation Program
Mining and Minerals Division (MMD)
1220 South St. Francis Drive
Santa Fe, NM 87505

RE: Modification 23-2, Brie I Mine, Partial Release of Financial Assurance, McKinley County, New Mexico, Permit No. MK039MN; NMDGF Project No. NMERT-3016.

Dear Mr. Barnes,

The New Mexico Department of Game and Fish (Department) has reviewed the above referenced project. Miocene, LLC (Miocene) is requesting the partial release of financial assurance associated with approximately 5 acres of reclamation work performed at the Brie I Mine. Staff from the Department, MMD, and the Operator conducted a site inspection on 24 August 2023.

Department staff observed that the mine site had been backfilled, recontoured to conform with the surrounding habitat, deep-ripped, and seeded. Seeding was completed in late August 2023. The Department does not have any concerns regarding the proposed partial release of financial assurance for the completed reclamation work.

The invasive, non-native, annual weed Russian thistle (*Salsola tragus*) is widespread in the area surrounding the reclamation site and has become the dominant plant species at this site. The Department recommends that Miocene continues to implement an integrated weed management program that includes a commitment to control Russian thistle and other introduced invasive weeds that may occur within the mine permit area.

Thank you for the opportunity to review and comment on the proposed partial release of financial assurance. If you have any questions, please contact Ron Kellermueller, Mining and Energy Habitat Specialist, at (505) 270-6612 or ronald.kellermueller@dgf.nm.gov.

Sincerely,

Matt Wunder, Ph.D.
Chief, Ecological and Environmental Planning Division
cc: USFWS NMES Field Office