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31 July 2026

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

RE: Modification 26-1, Pueblo Alto and Cottonwood Mines, Partial Release of Financial Assurance, McKinley County, New Mexico. Permit No. MK008ME; NMDOW No. NMERT-6252.

Dear Mr. Barnes,

The New Mexico Department of Wildlife (Department) has reviewed the above-referenced permit modification. Mesa Verde Humates, LLC (Mesa Verde) is requesting the partial release of financial assurance associated with approximately 2.94 acres at the Pueblo Alto Mine and approximately 2.79 acres at the Cottonwood Mine. Staff from the Department, MMD, and Mesa Verde conducted a site inspection on 23 July 2026.

Department staff observed that both mine sites had been backfilled, recontoured to conform with the surrounding habitat, and seeded. Broadcast seeding at both the Pueblo Alto and Cottonwood Mines were completed in April 2026. No seed germination was observed at either of the reclamation sites. The lack of seed germination could be attributed to ongoing drought conditions in the area. The reclamation sites were not ripped. Seeds were readily observed on the surface, fully exposed to being redistributed by the wind and readily available to be consumed by birds and small mammals. The Department recommends that drill seeding, combined with swales and shallow depressions to hold rainwater, may provide more successful reclamation results. MMD might want to withhold some of the partial release of financial assurance in case future conditions at the reclamation sites require additional reseeding efforts.

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,

Virginia Seamster, Ph.D.
Assistant Chief for Technical Guidance
Wildlife Management Division, Ecological and Environmental Planning Section

cc: USFWS NMES Field Office