



James Melonas, Responsible Official
Attention: Forest Plan Revision Team
Santa Fe National Forest
11 Forest Lane
Santa Fe, NM 87508

Re: Comments on Santa Fe National Forest, Draft Forest Plan and DEIS

Mr. Melonas,

Thank you for the opportunity to comment on the subject United States Forest Service, Santa Fe National Forest (USFS) Plan and DEIS, including the Wilderness Evaluation and Inventory. The following comments are submitted on behalf of Comexico LLC (Comexico), a New Mexico licensed business, a wholly owned subsidiary of New World Cobalt Ltd, and controller 236 unpatented mining claims comprising the Tererro Exploration Project and associated prospects (Doctor Creek, Picuris, Jones, 9359 Hill, Macho Canyon, and Dalton Canyon).

The following comments are submitted to help inform the USFS of historic operations in the Pecos-Las Vegas District, relatively recent permitted activities in the area, current Comexico operations, potential future Comexico operations, and the character of the area where Comexico claims overlap with the USFS proposed wilderness evaluation alternative P85B.

Mineral Rights

The location of an unpatented lode mining claim, exploration upon that claim, development upon that claim, and mining upon that claim is a bona fide use of USFS public lands, so long as they have not been withdrawn from mineral entry.

The USFS must carefully consider potential mineral exploration. It is a vital part of the United States economy, as well and an important asset to New Mexico, and local communities.

The 2019 Draft Forest Plan does not adequately consider mineral rights, exploration, development, nor mining as a forest use in the socioeconomic and cultural resource studies. Comexico recommends that the USFS undertake an effort to adequately characterize the history of the mineral rights, prospecting, development, mining, processing, and timber harvesting and other associated resource use of the area and region, including a cultural assessment, and include it in the Forest Plan.

The USFS should seek means by which to more readily manage this part of the forest because it is highly evident that unauthorized motorized use is ongoing.

Wilderness

Claims which have existed since 1970 are within the proposed P85B evaluation alternative – these were not adequately considered prior to drawing the evaluation boundary and therefore the area interferes with the pre-existing claims. Since the time P85B was selected as the USFS alternative of choice, Comexico have staked an additional 216 claims, many of which overlap the proposed alternative. P85B should either be amended and redrawn around all currently valid mining claims or removed entirely. It would be inappropriate for the USFS to recommend these

EXHIBIT 1



areas for wilderness consideration due to their historic and current mining activity and the presence of potentially economically viable deposits of critical, base, and precious metals.

Exploration, development, and mining activities are not compatible with wilderness, even in cases where the mining claims pre-date the wilderness designation, as evidenced by the Golden Hand Mine case in the Frank Church Wilderness (United States District Court, For the District of Idaho: Case No 1:15-cv-246-BLW, August 2, 2016). The USFS authorized a plan of operations for this property, located within the Frank Church and upon claims that pre-dated the designation. Ultimately a judge later ruled that the use is not compatible and favored wilderness.

There are many places within the proposed P85B boundary where anthropogenic disturbance remains highly evident, based on Comexico review (see Figures 1, 2, and 3); in particular evidence of mining, exploration, and prospecting use (see USFS Inventory and Evaluation Process for Lands That May or May not be Suitable for Inclusion in the National Wilderness Preservation System, Table 1. Apparent Naturalness Criteria, Question 1c. What is the extent to which improvements included in the area represent a departure from apparent naturalness: areas of mining activity, including exploration and prospecting). Existing USFS roads extend into the proposed P85B boundary within Comexico claims; exploration drilling is evident within the P85B boundary; numerous old roads and trails not located on current USFS maps extend into the proposed P85B boundary; numerous exploration shafts, tunnels, pits and waste piles exist throughout the proposed P85B boundary.

The USFS has no authorized motorized access into this part of the forest and therefore is unable to manage those unauthorized users of roads, some of which extend into the P85B boundary. Therefore, it would be inappropriate for the USFS to recommend these areas for wilderness as they are highly likely to continue to receive unauthorized motorized use.

Additional supporting discussion

Importance of USA resources

- According to the USGS the United States is currently dependent on other nation's resources (USGS Mineral Commodity Summaries, 2019)
 - o Copper – 32 % net import reliance, 2018
 - o Gold – n/a net import reliance, 2018; imported 220 tons, 2018
 - o Zinc – 85 % net import reliance, 2018
 - o Lead – 29 % net import reliance, 2018
 - o Silver – 65 % net import reliance, 2018
- The Dalton Canyon area hosts high grade tungsten mineralization, a critical metal listed by the USGS in 2017
 - o Tungsten - >50 % net import reliance, 2018
- Other notable critical minerals/commodities identified within the area and region include tantalum, tin and lithium
- The 1987 plan has documents referring to the likelihood that a mining operation could be underway within the Pecos Greenstone Belt region in the near future

Unpatented Mineral Rights, evidence of recent use and interest

- Active unpatented mining claims grant mineral rights and real property interest to the claimant
 - o BLM and Santa Fe/San Miguel county records date back to 1970 for active mining claims at Jones Hill – these claims remain active today
 - o Original claimants leased their claims to Conoco Inc

- Conoco discovered a massive sulfide deposit in 1977, drilled 74 holes totaling more than 24,700 m (more than 81,000 feet), established an onsite camp, groundwater well, and significantly improved the access roads via Forest Service Plans of Operations and Special Use Permits
- Conoco was in the beginning stages of entering a mine development phase of their project, evidenced by USFS correspondence, internal Conoco documents, and a statement made in supporting documents to the 1987 Forest Plan
- Conoco was purchased by DuPont and deeded the lease to Santa Fe Pacific Mining (Santa Fe) in 1982
- Santa Fe operated and JV'd the lease operations with several companies. Santa Fe drilled at least 39 holes for a total of more than 5,200 m (more than 17,000 feet)
- Santa Fe deeded the lease to Champion Resources in 1992, who operated the lease via several JVs until 1996, drilling 2 holes for more than 1,500 m (more than 4,900 ft)
- Champion relinquished lease back to the original claimants in 1996 who vended their mineral rights to several parties and/or JV and applied for at least two drilling operations via USFS Plan of Operations and Notice of Intents and MMD Applications but never implemented
- The final drilling permit documentation is dated August 2004 and comprises notes from a site inspection by MMD staff
- Both original claimants were deceased by 2005 and each of their interests were transferred via Last Will and Testament to the current claimants
- Current claimants have maintained their claims as active, annually through present day and donated the historic data and records library to New Mexico Tech
- Current claimants are not in position to undertake meaningful work on their claims but understand the importance of a historically defined mineral deposit located on public lands
- Comexico LLC entered into an agreement with each of the two individual claimants in February, 2019 (total of 20 claims) and today maintains a 100% exclusive control over the property
- Comexico is claimant on an additional 216 claims between the Dalton Canyon area and the Macho Canyon, Jones Hill, Indian Creek, and Doctor Creek areas; all west of the Pecos River
- Volcanogenic massive sulfide deposits of the Jones and Pecos mine type generally occur in clusters and therefore this is a possibility that deposit extensions or separate deposits may be located near the historic prospecting sites

Socioeconomic diversity

- The cultural heritage and history of the potential wilderness areas is inextricably tied to livestock producers, wildlife management, mining, recreation, etc. This underscores the importance of these natural resources that has facilitated the wilderness characteristics present and will continue into the future. The social impacts of mining, in rural communities within the lands with wilderness characteristics should be thoroughly analyzed and identified.
- By 1992, Conoco and Santa Fe are reported to have spent a combined total of US\$13 million (more than US\$22 million in 2019 dollars) on exploration activities at and near the Jones Mine
 - During the height of Conoco's activities, they are reported to have hired 30-40 full time workers
- Comexico has totaled more than US\$750,000 in expenditures at the Tererro Exploration Project, including the Jones Hill prospects, the 9359 Hill Prospect, the Macho Canyon Prospect, the Doctor Creek Prospect, the Picuris Prospect, and the Dalton Canyon Prospect.

This includes all lease, claim location, claim filing and recording, biological, cultural, hydrogeologic, geophysical, and geochemical work, among others, many of which come from New Mexico.

- A thorough analysis of the economic impacts in the surrounding and affected counties should be included in the planning process and include mineral resources, their modern exploration, modern development, modern extraction, and modern processing. The use of public land, including wilderness areas, is a vital contribution to local, state, and nationwide economies. Multiple use enterprises such as livestock grazing, recreation, wildlife management, and mining resources help to fulfill the nation's needs under the guidelines of the Multiple-Use Sustained-Yield Act of 1960.

Cultural Identity: It is undeniable that historic mining should be included as a major part of the cultural identity of the area

- Exploration and mining activity dating back to late 1800s (regional) and early 1900s (Jones Hill)
 - o Comexico have access to data stored at New Mexico Tech which, the Mining and Minerals Division, two senior theses from the University of New Mexico, claimant records, and public documents and includes:
 - USFS Permitting and correspondence
 - Land status, acquisition, and documents
 - A minimum of 25 historic drill hole core
 - drill hole database for at least 115 holes
 - Geophysical studies and reports
 - Geochemical studies and reports
 - Metallurgy studies and reports
 - Land and Mineral status maps
 - Geologic studies and interpretation
 - Geologic maps
 - Deposit cross-sections and long-sections
 - Interpretive cross sections
 - USGS reports, including Mineral Resources of Pecos Wilderness
 - USGS topo, historic and current
 - USGS Lidar data
 - o The Pecos Mine was reportedly the largest employer in New Mexico during its operation from the mid-1920s through the late-1930s
 - o Historic accounts state that original Jones Hill mining claims were worked in 1910 before being acquired by Johnny Jones in the early 1920s and worked through the early 1940s. At the Jones Mine and other prospects, hand-cobbed ore was reportedly mined but no production records exist. Logging began in 1930 with the construction of a sawmill, located about $\frac{3}{4}$ of a mile up from the Indian Creek and Pecos River confluence, to support of the American Metals Company Pecos Mine and town of Tererro. The logging mill was open for a period of 8 years. During this time prospecting occurred in the "Johnny Jones Group" area and consisted of short tunnels and shallow shafts. Subsequent logging activity has taken place as recently as 1963.
 - o Comexico has evidence that more than 31,500 m (more than 103,000 feet) of exploration drilling from upon active mining claims has been undertaken from the mid-1970s and through 1993
 - o Comexico has identified more than 350 "prospects" in the region between the historic Pecos Mine that operated from the mid-1920s through the late-1930s, the

majority of which fall within Comexico's unpatented claim boundary – a significant portion of these fall within the Forest Service's proposed P85B wilderness evaluation alternative boundary. These prospects comprise surface trenching features, shallow shafts and tunnels, pits, and other seemingly anthropogenic disturbances

Easement access as real property interest

- In 1982 Conoco obtained full and perpetual access through 4 private parcels and one NM Game and Fish, spending more than \$109,000 on grant of easements and roadway right-of-way agreements which access Forest System Road 192
- Easement was assigned through owners and the current claimants own the easement and grant access to Comexico via private agreement

Unauthorized USFS road use – evidence people want access

- There is evidence of significant unauthorized motorized vehicle use on the existing road network west of the Pecos River, north of Macho Creek, and south of Doctor creek
- Multiple documentations of motorized use by unauthorized parties from Comexico contracted biological, cultural, geophysical, geochemical, and claim staking crews from April, 2019 through October, 2019 – evidence people want access
- Comexico documented the unauthorized use of motorized vehicle to remove the primary Jones Mine portal gate on September 3, 2019
- Comexico documented a hunting party driving a pickup truck, unauthorized, through Game and Fish property and Forest Service roads on October 28, 2019 – evidence people want access
- Although there is evidence that in 1978 the Pecos District Ranger requested in a letter to the Forest Supervisor that the Forest Service acquire right of way access via either Macho Canyon or Indian Creek in 1981, there is no evidence that was ever obtained.

Wilderness Evaluation

- The USFS did not allocate enough effort toward accurately characterizing the state of P85B
 - o No adequate mention of historic Jones Mine and major deposit discovery by Conoco
 - o Inaccurate location of active mining claims
 - o No adequate mention of existing road network
 - o No adequate mention of historic use of the area
 - o No adequate mention of numerous prospect disturbances within the proposed P85B
- Anthropogenic disturbance within the proposed P85B wilderness evaluation area – see attached Figure 1, 2 and 3
 - o Logging – evidence of its use to feed the Indian Creek sawmill in support of the American Metal Company's Pecos Mine, and through about 1963
 - Typically logging activities require road creation, different age class timber replacement and potentially require further management to restore the natural function. These areas should be identified and excluded from further consideration for wilderness designation
 - o Existing roads
 - o Old roads still visible
 - o Old trails still visible and identified by Santa Fe County SLDC
 - o Mining claim corner posts
 - Yellow PVC
 - Wooden painted 4x4s
 - Blazed trees
 - Validity pits/trenches/shafts

- Prospecting pits and trenches
- Access routes
- Drill pads or graded areas
- Drill collars still sticking out above ground (steel pipe)
- PVC drill water line
- Grid points on ground (prior to GPS local grids were established)
 - aluminum stakes for historic geophysical and geochemical sample layouts
 - control point monuments; brass caps cemented into the ground
- A century or more of fire suppression
- Wilderness evaluation nor forest plan not adequately considering the evidence of significant historic/current prospecting and mining of the area
- Wilderness is not compatible with modern mining
 - Golden Hand case, Frank Church Wilderness, Payette Forest, Idaho, 2016, USFS granted approval for plan of operations on unpatented mining claims that existed prior to wilderness designation, judge ultimately overturned decision stating the exploration/mining would need to be undertaken by walking into the property
- Comexico has undertaken significant work programs within the proposed P85B wilderness alternative boundary
 - Comexico has undertaken 31 days of exploration geophysics acquiring subsurface data over approximately 1,390 acres, the majority of which, or about 830 acres, is within the proposed P85B wilderness evaluation alternative boundary
 - Comexico has collected soil sample to analyze the geochemical nature of the surface on approximately 700 acres, the majority of which, or about 380 acres, is within the proposed P85B wilderness evaluation alternative boundary
 - Comexico has identified more than 930 acres of surface for which it has plans to undertake a phase 2 geochemical sample program this fall (2019) – nearly all of which is located within the proposed P85B wilderness evaluation alternative area
 - Comexico has contracted biological (~6,000 acres), cultural (~50 acres), and hydrological (general) in support of plans and operations currently in review by USFS and MMD, as well as for areas of perceived future operations
- If the USFS had better access into the forest perhaps the characterization can be completed more effectively

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick Siglin".

Patrick Siglin
Exploration Manager, North America
720.258.6329



Legend



Prospect, trench, pit, shaft, tunnel



Grid Monument



Exploration Drill Hole Collar



Identified Culvert



P85B



Pecos Wilderness Boundary



Comexico Active Claims



Active Claims Preceding P85B



MSO-NOGO Area (survey buffers this by 0.5 mi)



Hwy 63



USFS System Road



1 of 3 Access Means to the Project Area



Decomissioned Road Prism, Pioneer Route



Private Property Road



Trail




Stream Perennial or Intermittent

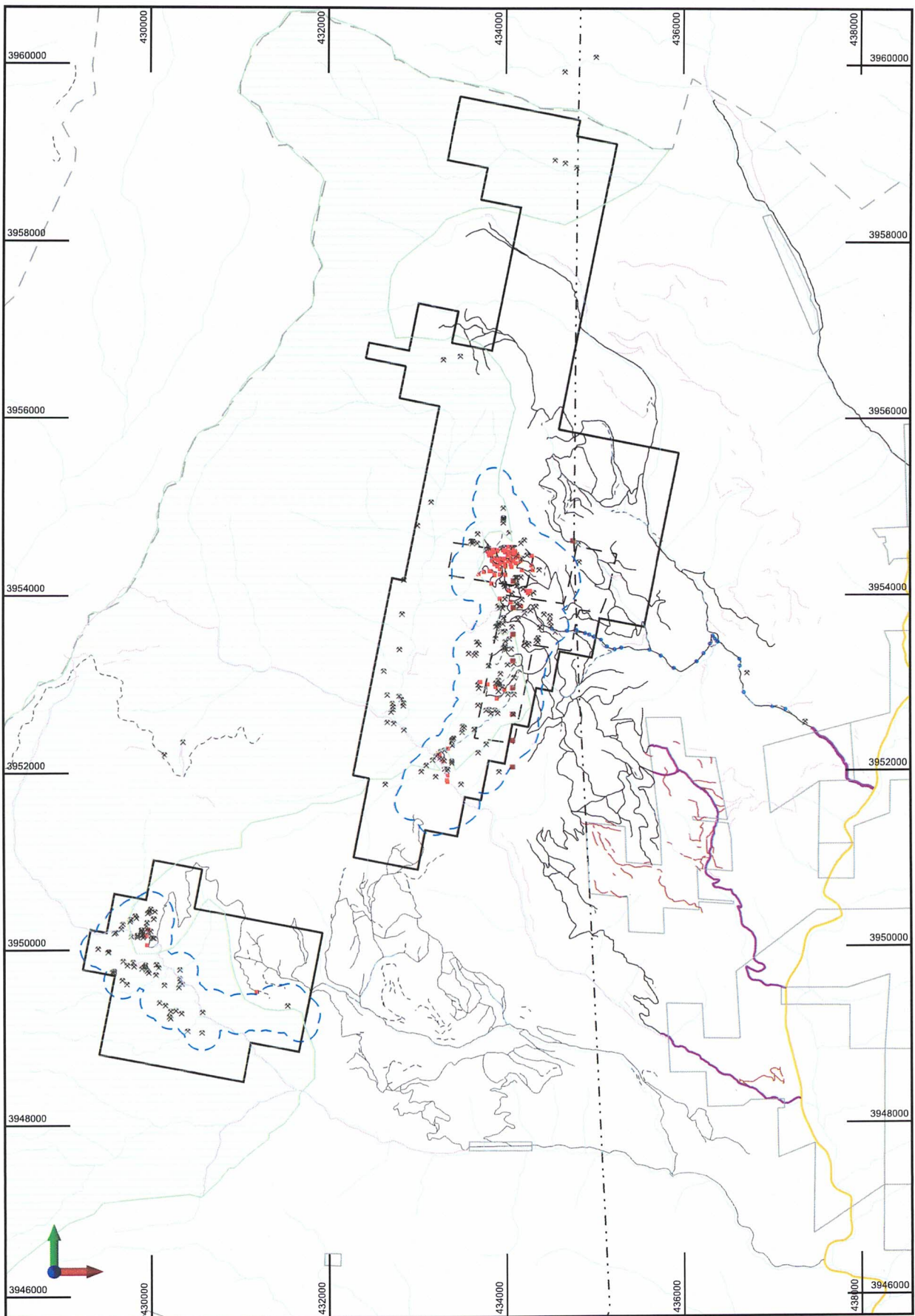




County Boundary



Surface Ownership Boundary

	Legend		Scale	Plot File: @plotfile	Sheet	Tererro Exploration Project	Comexico LLC
			is		1 of 1		
			Approximate				



	<p>Figure 1: Tererro Exploration Project Anthropogenic Disturbance P85B Wilderness Evaluation</p>	<p>Grid: UTM NAD 83 Zone 13</p>	<p>Scale is Approximate</p>	<p>Plot Date 07-Nov-2019</p>	<p>Sheet 1 of 1</p>	<p>Tererro Exploration Project</p>	<p>Comexico LLC</p>
			<p>Plot File: Vizex</p>				
			<p>500 0 500m</p> 				

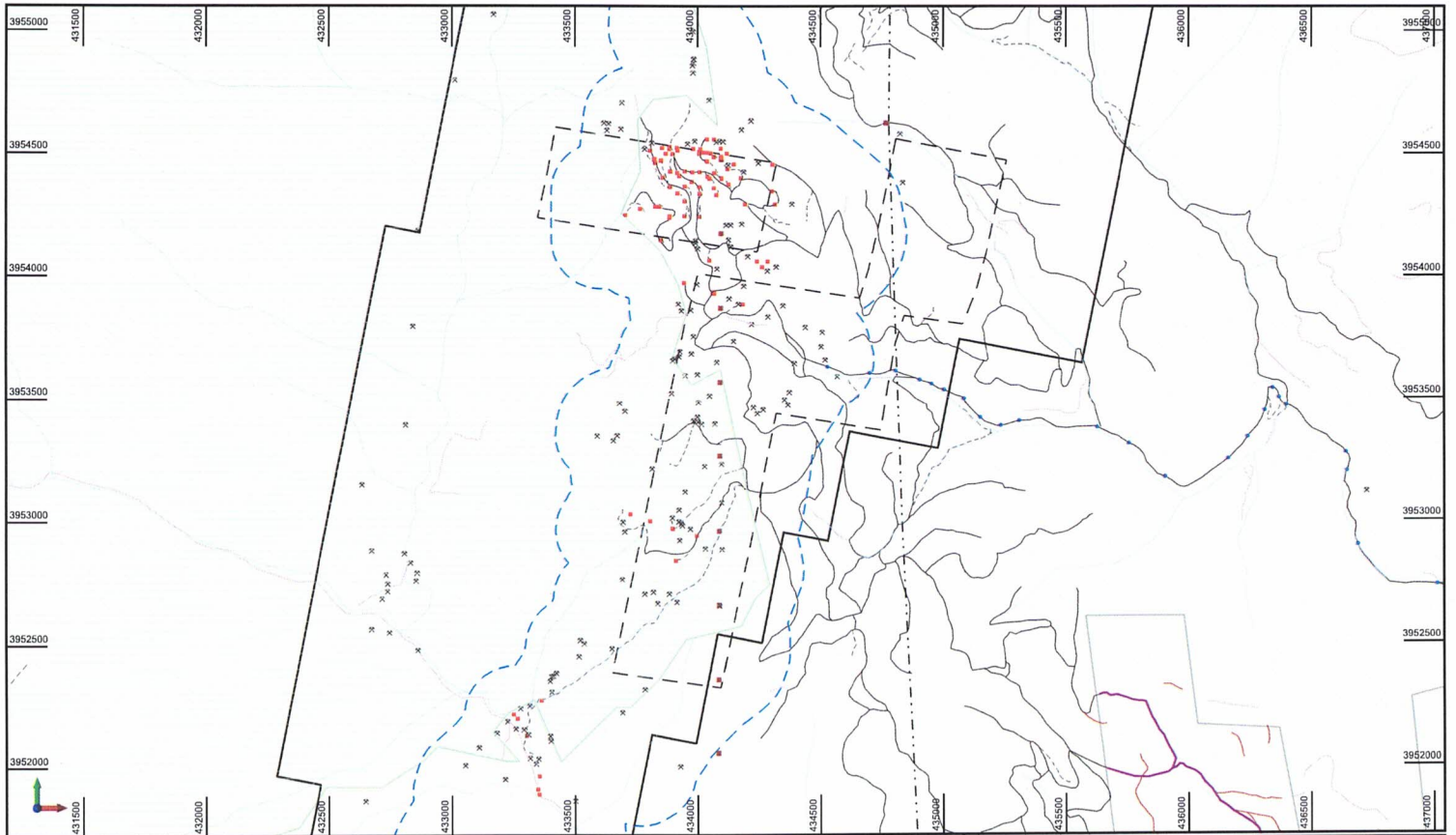


Figure 2:
Tererro Exploration Project
Anthropogenic Disturbance
P65B Wilderness Evaluation

Grid:
UTM NAD 83
Zone 13

Scale is Approximate	Plot Date 07-Nov-2019	Sheet 1 of 1
Plot File: Vizex		
200 0 200m		

**Tererro Exploration
Project**

Comexico LLC

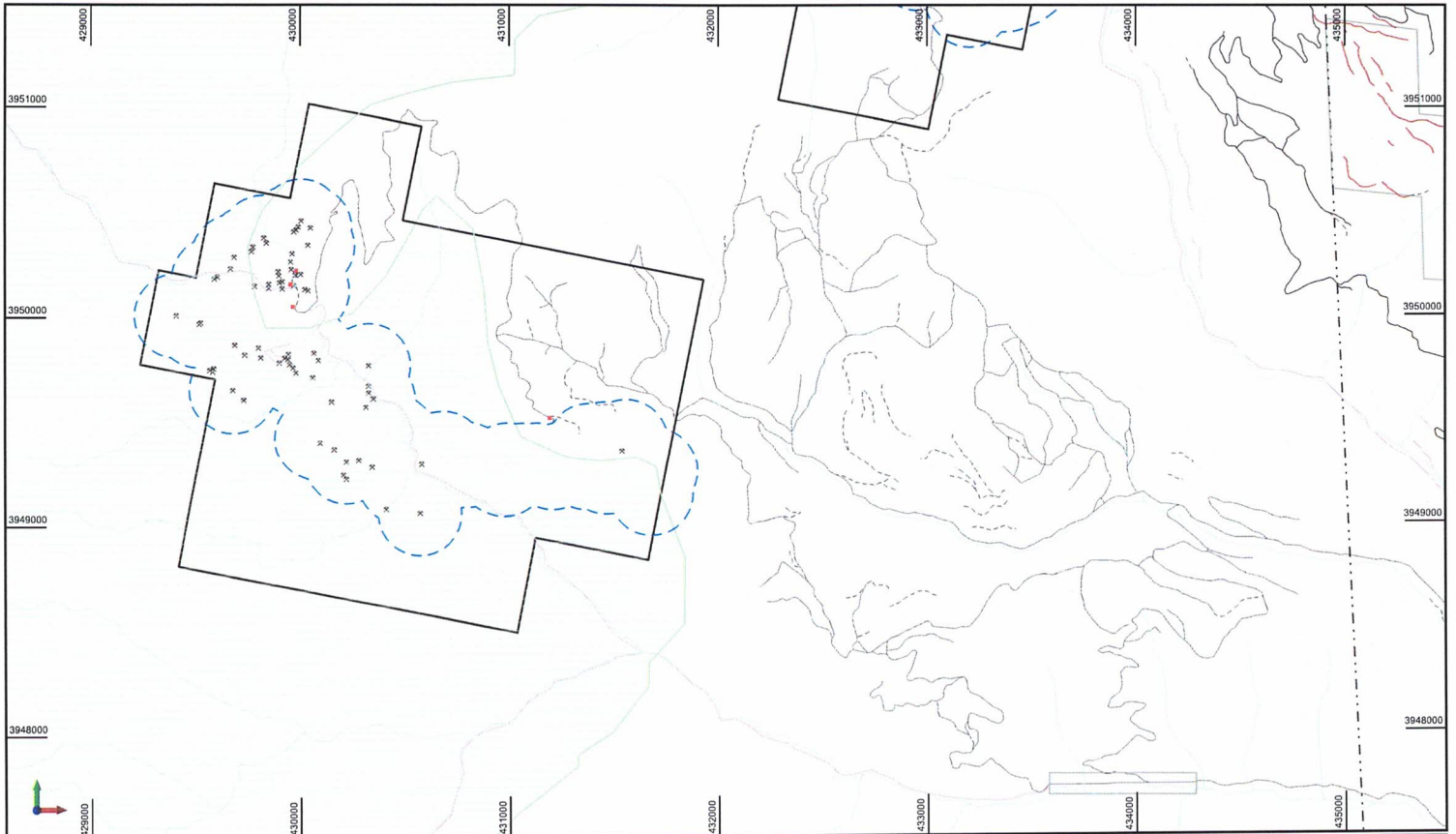


Figure 3:
Tererro Exploration Project
Anthropogenic Disturbance
P85B Wilderness Evaluation

Grid:
UTM NAD 83
Zone 13

Scale & Approximate	Plot Date 07-Nov-2019	Sheet 1 of 1
Plot File: Vizex		
200 0 200m		

**Tererro Exploration
Project**

Comexico LLC