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Organization: Trout Unlimited

Title:

Comments: On behalf of Trout Unlimited, I respectfully request to be granted recognition as an interested person to participate in resolution meetings between the objector, Comexico, LLC and the Forest Service for the objection authored by Patrick Siglin.

Trout Unlimited has provided substantive comments at each stage of the planning process, including our comments on the draft forest plan and DEIS from November of 2019. In those comments, we highlight our support for the proposed Thompson Peak recommended wilderness area (RWA), suggest the Pecos River Canyon Geographic Area be changed to a management area with additional forest plan components to protect streams and watershed health, and encouraged the Santa Fe National Forest (SFNF) to take steps to limit the impacts of mining activities on water quality and native species. In particular, we are concerned about potential impacts to Rio Grande cutthroat trout (RGCT) populations known to occur in tributary streams that may be impacted by Comexico, LLC's objection.

Our organization is not opposed to responsible hardrock mining. Rather, we approach new mines on a case-by-case basis to assess the impacts of mining operations on coldwater fisheries and other valued resources.

Concerns with Comexico, LLC's objection letter:

We have identified three primary concerns with Comexico, LCC's objection letter. First, Comexico fails to distinguish between Wilderness Areas designated by Congress and Recommended Wilderness Areas identified in a forest management plan. In either case, management of these areas is subject to valid and existing rights. The forest plan clearly states that "management of recommended wilderness areas does not alter or restrict existing rights" (pg. 213), and therefore presence of mineral rights in not cause for excluding the Thompson Peak RWA from the forest plan.

Second, we take issue with Comexico's claim that the "size and location of the proposed Thompson Peak Wilderness area indicated that the Forest Service is targeting Comexico's efforts to establish an exploration operation and potentially develop and mine". We fully disagree with this assertion. It is 2

important to note that this area was identified as having wilderness characteristics long before Comexico acquired mining interests in the region. The Forest Service, as part of the planning process, solicited comments on its draft Wilderness Maps and evaluation criteria as far back as 2016.

Third, we take issue with Comexico's assertion that mining in the region is reasonably foreseeable. Comexico is proposing exploratory drilling in a sulfide ore body that is likely to contribute to acid mine drainage and require perpetual treatment to prevent impairment of ground and surface waters should large-scale mining occur. New Mexico Mining Commission rules require that a new mining operation is designed to avoid or minimize acid mine drainage and other impacts to ground and surface water. The rules further require that a new mining permit cannot be issued unless the reclaimed operation will achieve "a self-sustaining ecosystem appropriate for the life zone of the surrounding areas", that the proposed reclamation is economically and technically feasible, and that all environmental requirements can be met without perpetual care. Because it is unlikely these requirements can be met, it is not reasonably foreseeable that mining will occur at this location.

Trout Unlimited's previous and substantive formal comments:

Below we highlight four topics addressed in our comments to the Santa Fe National Forest's draft management

plan and DEIS from November 2019 relevant to the Thompson Peak RWA and Comexico's objection.

1. Support for Pecos River Canyon proposed management area: "We request the Forest Service develop the Pecos Canyon GA into a Management Area with plan components that emphasize the following values: 1) forest restoration and watershed health; 2) protection of headwater streams and water quality to benefit traditional users and downstream communities; 3) enhancement of trails and other facilities to sustainably manage outdoor recreation activities and support outdoor-based businesses; and 4) re-establishment of Rio Grande cutthroat trout populations to their historic range" (pg. 5-6, draft plan comments, November 2019).

2. Support for Thompson Peak recommended wilderness area: "Include all wilderness recommendations in the final plan, especially White Rock Canyon (10,280 acres) along the Rio Grande and Thompson Peak (11,599 acres) adjacent to the Pecos Wilderness and Santa Fe watershed[hellip]" (pg. 3, draft plan comments, November 2019).

3. Comments regarding mineral exploration: "The potential for large- and small-scale mining activities and staking of new mining claims on lands managed by the SFNF is a big concern for Trout Unlimited and our members in New Mexico. Look no further than a proposal to conduct exploratory drilling in the Upper Pecos River Watershed and the staking of new mining claims on 4,300 acres of federally managed land to understand our concerns. It is entirely feasible that such mining activities will be proposed elsewhere on the SFNF during the life of forest plan, and we therefore urge forest planners to review the Mining and Minerals section before releasing a final plan to ensure it provides a framework for balancing mining activities with other forest resources and values. The final plan should limit such activities to methodologies and scale that do not compromise the ability of the Forest to achieve desired conditions for water quality, native fish and wildlife, and ecological and cultural resources" (pg. 13-14, draft plan comments, November 2019).

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4. Comments regarding Recommended Wilderness Management Area (RWMA): "Trout Unlimited supports the desired conditions for recommended wilderness that contribute to clean water, wildlife habitat enhancement, primitive recreation opportunities, and cultural ecosystem services. We appreciate the inclusion of standards in the preferred alternative that ensure the wild character of these places is maintained and management achieves desired conditions, including prohibitions on roads and motorized recreation, commercial timber harvest, new energy developments or leases, and the sale extraction of common variety minerals..." (pg. 16, draft plan comments, November 2019).

Thank you for your consideration of our request to be granted recognition as an interested person to participate in resolution meetings between the objector, Comexico, LLC and the Forest Service.