Data Submitted (UTC 11): 10/15/2026 12:57:41 AM
First name: nicholas
Last name: thompson
Organization: Sovereign Energy
Title: techincal policy consultant
Comments: Sovereign Energy

October 14, 2026
VIA ELECTRONIC SUBMISSION
Cibola National Forest and National Grasslands, Supervisor's Office
ATTN: Heidi McRoberts, Forest Supervisor
2113 Osuna Rd. NE
Albuquerque, NM 87113
Submitted through: https://cara.fs2c.usda.gov/Public/CommentInput?project=301824
Re: Scoping Comments of Sovereign Energy Opposing the Roca Honda Mine Project as Proposed; Notice of Intent to Prepare an Environmental Impact Statement, Mount Taylor Ranger District, Cibola National Forest and National Grasslands (Federal Register Doc. 2026-18765; USFS Project No. 301824; NM EMNRD-MMD Permit No. MK025RN)
Dear Supervisor McRoberts:
I. WHO WE ARE AND WHERE WE STAND
Sovereign Energy is a Tribal nonprofit organization based in New Mexico. We work on policy and technical issues that affect Tribal sovereignty, sacred places, cultural resources, and energy and environmental permitting across Tribal communities. We submit these scoping comments on the Notice of Intent to prepare an environmental impact statement for the Roca Honda Mine Project and the plan of operations that Roca Honda Resources, LLC submitted to support it.
Sovereign Energy opposes approval of the Roca Honda Mine as it is currently proposed. The mine would be built in and near the Mount Taylor landscape, a place of deep and continuing religious and cultural importance to Tribal Nations. It would draw down groundwater and discharge treated mine water into the Rio San Jose, and it would add radon and other burdens to communities that have already lived with decades of uranium development. The documents released so far do not show that these harms have been studied, let alone avoided.
We ask the Forest Service to carry a No Action alternative through the entire environmental impact statement as a real option, and not to treat approval as the expected outcome. We also ask that the analysis cover the gaps described below before any decision is made.
We previously commented on the state permit record for this project under New Mexico Mining and Minerals Division Permit No. MK025RN. We submit these signed comments, with our name and location, during the designated scoping period so that our concerns are part of the federal record and so that we keep our right to object later under 36 C.F.R. Part 218.
II. SUMMARY OF OUR CONCERNS
The proposal and the Notice of Intent leave out or understate the following:
1.The review appears to focus on the roughly 87 acres of National Forest land, while the mine as a whole would disturb about 366 acres and cannot operate without the parts on state and private land.
2.No alternative is defined except No Action, and the notice expects only small changes to the mine layout.
3.Cumulative impacts are not on the Forest Service's list of issues to study, even though the mine would sit in one of the most heavily mined legacy uranium districts in the country.
4.Environmental justice is not on the list either, even though about four in five residents of the surrounding county are American Indian or Alaska Native and the county's poverty rate is well above the statewide rate.
5.The notice does not mention Section 106 or Tribal consultation, names no Tribe, and lists only federal and state agencies as cooperating agencies. The operator's plan names no consulting Tribe and treats a sacred landscape mostly as a view to be screened.

6.The plan describes radon controls but leaves the radon estimate and the modeling of radon levels at nearby homes and Tribal communities to this environmental impact statement, even though the vent shafts would sit on National Forest land.
7.The plan proposes a pipeline of 20 to 26 miles to release treated water into the Rio San Jose, offers no alternative discharge location or disposal method, and leaves the handling of treatment wastes undecided. It also does not put the mine's water numbers in the context of regional groundwater use or other uranium projects drawing on the same aquifers.
8.Hauling ore to the White Mesa Mill in Utah, closing and cleaning up the mine, and baseline health and monitoring are not on the list of issues.
9.The Forest Service proposes to amend the Forest Plan so this mine can be excepted from protections for Tribal, cultural, and water resources, without saying which protections would be set aside.

III. DETAILED COMMENTS

A. The Review Must Cover the Whole Mine

The Forest Service is deciding whether to approve surface use of National Forest land, about 87 acres for dewatering wells, vent shafts, pipelines, drilling, utility corridors, and roads. The full proposal adds about 279 acres of state and private land for the haul road, two production shafts, the water treatment plant, ore bays, waste rock piles, retention ponds, a diversion channel, and the discharge pipeline. The Forest Service's own stated need includes judging whether the operations can minimize harm to surface resources. The parts of this mine on Forest land exist only to serve the parts off it, and the mine cannot run without both.

We ask that the environmental impact statement analyze the whole mine as one project. That includes the underground workings, the shafts, the water treatment plant, the discharge, and the hauling of ore. It should not stop at the edge of National Forest land, because the harm to Mount Taylor, to water, and to nearby communities does not stop there.

B. Alternatives the Environmental Impact Statement Should Study

The notice defines only a No Action alternative and says other alternatives are expected to be variations of the mine and facility layout. We ask that No Action be analyzed in full, as a real choice. We also ask that the Forest Service study alternatives that would actually reduce harm, including at least the following:

*A different location for releasing treated water, or no discharge to the surface at all. The operator's plan proposes no alternative discharge location or disposal method, and the discharge point has already moved once, from San Mateo Creek to the Rio San Jose.
*A smaller footprint, or development in phases with a decision point before each phase.
*Shaft, vent, and facility locations farther from homes, springs, and sacred places.
*A different route, or a different method, for moving ore.
*Full avoidance of all 11 cultural sites already flagged, and of other places that Tribal Nations identify as sensitive.
*Stronger radon controls, with independent monitoring at the fence line and in nearby communities.
*Treatment and monitoring commitments that continue after mining ends.

C. Cumulative Impacts

The National Environmental Policy Act directs the agency to study the reasonably foreseeable environmental effects of a proposed action. A fair study of this mine cannot leave out the past, present, and foreseeable actions that affect the same land, water, and people. This mine would sit within the Grants Mineral Belt, where the state Mining and Minerals Division has identified nearly 600 uranium mine and exploration sites across McKinley, Cibola, and Sandoval counties, and where a statewide inventory found 259 uranium mine sites, 137 of them with no record of reclamation. The Navajo Nation has separately identified more than 500 abandoned uranium mines on its lands.

Other uranium projects, including the proposed La Jara Mesa Mine on the Cibola National Forest, are also being considered nearby. The Roca Honda project is on a published federal schedule that calls for a draft environmental impact statement in July 2027 and a final statement in January 2028. A fast schedule raises the risk that the combined effects of these projects will not get the study they deserve. The scoping notice does not say the environmental impact statement will examine this mine's added burden on top of the legacy of unreclaimed mines, or how it interacts with other foreseeable uranium projects drawing on the same aquifers.

Local history shows why this matters. On July 16, 1979, a dam failure at the United Nuclear Corporation uranium mill near Church Rock released about 94 million gallons of mill effluent and about 1,100 tons of acidic, radioactive tailings into an arroyo that drains to the Puerco River. Closer to this project, the Homestake Grants uranium mill site, about five and a half miles northeast of Milan, was placed on the EPA National Priorities List in 1983, and groundwater cleanup there is still under way. The operator has concluded that its approved corrective action program is unlikely to restore groundwater to the standards in its Nuclear Regulatory Commission license. The Roca Honda treated water would be released in Milan. A fair cumulative analysis has to start from the water, air, and health conditions these earlier operations left behind, and not from a clean slate.

We ask that the schedule not be used to shorten the analysis, and that the environmental impact statement include a dedicated cumulative impacts analysis of legacy and foreseeable uranium development in the Grants Mineral Belt. It should cover groundwater drawdown, surface water quality, radiological exposure, and the steady loss of integrity of the Tribal cultural landscape.

D. Environmental Justice

Executive Order 12898 once directed federal agencies to identify and address disproportionately high and adverse effects of their actions on minority and low income populations. Whatever the status of that order, the underlying question has not gone away. A fair look at the effects of this mine has to ask who bears them. About four in five residents of McKinley County, where the project is located, are American Indian or Alaska Native, and the county's poverty rate is well above the statewide rate.

The Notice of Intent does not mention environmental justice or disproportionate impacts. We ask that the environmental impact statement include an environmental justice analysis, using a community level screening method such as the public reconstruction of EPA's EJScreen tool or an equivalent, broken down for San Mateo, Milan, and the wider Mount Taylor area. It should address the radiological, water quality, and cultural burdens these communities already carry. County level statistics are not enough. The analysis should also account for how Tribal members use the land and water, including ceremonial use, gathering, and livestock grazing where those occur, because exposure pathways for people who live closely with the land differ from the assumptions built into standard screening tools. And it should count the burden these communities already carry from earlier uranium operations, described in Part III.C, instead of treating each new project as though it stood alone. The analysis should be developed with direct input from the people who live there.

E. Mount Taylor, Section 106, and the Role of Tribal Nations

Section 106 of the National Historic Preservation Act requires the agency to identify historic properties and to consult with Indian Tribes that attach religious or cultural significance to properties that may be affected. Sections 9, 10, and 11 are National Forest land where the Forest Service would approve surface disturbance, and the operator's own baseline report places Sections 9 and 10 inside the Forest Service boundary of the Mount Taylor Traditional Cultural Property. The mountain is listed on the New Mexico State Register of Cultural Properties, and a 2008 Forest Service archaeological report found it eligible for the National Register of Historic Places.

The operator's plan reports cultural resource surveys beginning in 2011 that recorded 193 sites, 11 of which need closer evaluation. Plans to avoid or reduce harm to those sites "will be developed," and the plan acknowledges that the project area lies within the Mount Taylor Traditional Cultural Property landscape and that effects can be indirect, including noise. The protections the plan describes are mostly visual screening, such as building colors, plantings, and lighting design, plus ordinary noise controls.

That framing misunderstands what is at stake. A Traditional Cultural Property is not a viewshed. It is a living landscape whose cultural and religious meaning depends on more than how it looks. Noise, access, water, and the physical and spiritual condition of the whole mountain all matter. Paint colors cannot repair harm to a sacred place.

The Notice of Intent does not mention Section 106 or Tribal consultation and names no Tribe. The cooperating agencies it lists are federal and state agencies only. The operator's plan mentions "consulting Tribes" and a future memorandum of agreement, but names no Tribe, and it says the agreement is still to be developed. We could not find a list of the Tribal Nations consulted under Section 106 for this federal decision, whether any Tribal Historic Preservation Officer has been engaged, whether government to government consultation has taken place or only notification, or how Tribal input has changed the design of the project. We ask that the Forest Service:

*Invite Tribal governments to serve as cooperating agencies in preparing the environmental impact statement.
*Begin government to government consultation now, before the alternatives are set, and not after the draft is written.
*Combine the Section 106 review with the environmental review from the start, rather than finishing one and then the other.
*Document, by name, every Tribal Nation invited to consult, the date and method of each effort, and the agency's substantive response to each piece of Tribal input, keeping consultation clearly separate from notification.
*Invite every consulting Tribe to be a signatory to any memorandum of agreement that resolves effects on the Mount Taylor Traditional Cultural Property, and not merely a recipient of copies.
*Hold public meetings in San Mateo, Milan, and nearby Tribal communities, at times and places that people can actually attend.
Federal rules encourage agencies to coordinate the two reviews and to bring Tribes in early, while the purpose and need and the range of alternatives are still open. Early involvement is also how Tribal knowledge can shape the choices that matter most, such as where shafts, vents, and pipelines go.
Section 106 and related authorities set specific duties for how the Forest Service treats Tribal Nations. The regulations make an Indian tribe that attaches religious and cultural significance to an affected property a consulting party, require the agency to make a reasonable and good faith effort to identify those tribes, and require consultation that respects tribal sovereignty and the government to government relationship. The Forest Service planning rule separately directs the responsible official to honor the government to government relationship and to offer consultation consistent with Executive Order 13175. Executive Order 13007 adds that agencies that manage federal land are, to the extent practicable and permitted by law, to accommodate access to and ceremonial use of Indian sacred sites by religious practitioners and to avoid adversely affecting the physical integrity of those sites.
The Forest Service may choose to meet Section 106 through the NEPA process instead of the separate step by step procedure. If it does, it must notify the State or Tribal Historic Preservation Officer and the Advisory Council in advance, identify consulting parties during NEPA scoping, identify historic properties and assess effects under the standard criteria, consult Tribes during scoping, analysis, and preparation of the documents, and develop avoidance and mitigation alternatives with consulting parties and describe them in the draft environmental impact statement. The draft must go to the consulting Tribes before or when it is released for public comment, and a Tribe may object that these standards were not met. Scoping is the time to say which path the Forest Service is taking. The Notice of Intent does not.
The area the Forest Service studies for effects must be drawn around the properties that could be affected, and not around the disturbed footprint. The regulations define the area of potential effects as the area within which an undertaking may directly or indirectly alter the character or use of historic properties, and they require the agency to ask Tribes for information that helps identify properties of religious and cultural significance, including places off Tribal lands. The operator's own plan places the project within the Mount Taylor landscape and acknowledges indirect effects, including noise. The area of potential effects therefore has to reach as far as noise, vent emissions, changes to water, and truck traffic reach. We ask that the Forest Service:
*State now, in the scoping record, whether it will use the NEPA process to satisfy Section 106 under 36 C.F.R. § 800.8(c), and give the required advance notice to the appropriate Historic Preservation Officer and the Advisory Council.
*Define the area of potential effects around the whole Mount Taylor landscape that could be affected, including indirect effects from noise, vent emissions, water changes, and traffic.
*Treat Tribal knowledge, oral history, and ethnographic information as evidence on equal footing with archaeological survey, and protect confidential information about sacred places.
*Send the draft environmental impact statement to every consulting Tribe before or when it is released for public comment.
F. Radon and Air Quality
The notice lists public exposure to radon gas vented from mine shafts as a preliminary issue, and it places the vent shafts on National Forest land. That makes radon a direct responsibility of the Forest Service. The operator's plan describes engineering controls and monitoring meant to manage radon from surface stockpiles,

underground ventilation, and the water treatment plant. The plan itself says that quantifying radon emissions and dispersion modeling are deferred to the environmental impact statement, and offers only a preliminary screening level inventory. It gives no total radon estimate, no annual release, and no modeling of radon levels at the nearest homes, the community of San Mateo, or Tribal communities in the wider area.

Radon and its short lived decay products are a documented health hazard to workers and nearby residents in this region. Without numbers and modeling, neither the public nor the cooperating agencies can judge whether the proposed controls would protect anyone. The environmental impact statement should require a full radon emissions inventory and dispersion modeling, with results reported for every sensitive receptor, including Tribal communities and the Mount Taylor Traditional Cultural Property. The modeled exposure should be compared against the federal standards for radon from underground uranium mines at 40 C.F.R. Part 61, Subpart B, and against the limits in the air permits the notice says the mine will need.

G. Water Resources

The plan describes pumping water out of the mine at rates of up to 2,000 gallons per minute during shaft rehabilitation, and a permanent average increase of about 200 gallons per minute above previously permitted rates. That water would run through a treatment plant with a capacity of 6,000 gallons per minute and be sent through a pipeline of about 20 to 26 miles along NM-605 and released into the Rio San Jose in the Village of Milan, which the Notice of Intent describes as an ephemeral to intermittent stretch. In a dry region, pumping at this scale and turning a seasonal stream into a year round flow are major changes, and communities downstream and around the aquifer have a right to know what they will mean. The notice itself gives no pumping or discharge numbers, and the plan offers no other place or method for the water to go.

The treatment plant would also produce solid and liquid residues that concentrate radium, uranium, and other contaminants. The plan leaves the handling of those residues undecided and proposes no permanent on site repository unless one is added later. The environmental impact statement should name where these wastes would go, how they would be transported, and who would be responsible for them after closure.

The mine would also need a State Engineer permit to pump groundwater, and the discharge would go through a state review that includes an antidegradation analysis. The environmental impact statement should include a cumulative groundwater analysis of regional drawdown, including effects on springs and wells and on water that Tribal communities use for traditional and cultural purposes. It should also include a downstream analysis of water quality and quantity for the intermittent and ephemeral stretches of the Rio San Jose, and it should be coordinated with these permit reviews so the public sees the same numbers in every forum.

H. Hauling Ore to the White Mesa Mill

The notice says the ore would be trucked to the White Mesa Mill in Blanding, Utah. The mine's effects do not end at the gate. The environmental impact statement should analyze the haul route, the number of truck trips, the risk of spills and accidents, dust and radiological exposure along the way, and the effects on communities along the route and near the mill, including Tribal communities. Those communities should be consulted before the route and the schedule are set.

I. Closing the Mine and Paying for the Cleanup

The notice says the water treatment plant would run for the life of the mine and that full reclamation would take about six years after mining ends. This region already has hundreds of abandoned uranium mines, and many have never been cleaned up. People here have good reason to doubt promises about the end of a mine's life.

We ask that the environmental impact statement:

*Describe exactly what reclamation and long term water treatment will be required, and for how long.

*Require financial assurance large enough to cover the full cost of reclamation and of water treatment after closure, held in a form that is available even if the operator fails or walks away.

*Say who will monitor the site after closure, who will pay for it, and how Tribal Nations and nearby communities will take part.

J. Health Baseline and Independent Monitoring

The notice lists health and safety risks to miners and the wider community as an issue, but it does not say how those risks would be measured. The environmental impact statement should include a baseline study of existing exposure and health conditions in nearby communities before any mine work begins, so that changes can be recognized later. We also ask for independent monitoring of air, water, and radiation, with results made public

and with Tribal participation in designing and carrying out the monitoring.

K. The Proposed Forest Plan Amendment

The Notice of Intent says the Forest Service expects to amend the Forest Plan for this project alone, so the mine can be excepted from desired conditions that protect Tribal, cultural, and water resources. The notice does not say which protections would be set aside. We oppose this amendment. Those protections were written into the Forest Plan for good reason, and carving out an exception so one project can proceed turns the plan upside down. We ask the Forest Service to list now, by name, every desired condition, standard, and guideline it expects to except, and to give the public a chance to comment on each one. If the Forest Service continues to consider an amendment, it must be studied on its own, with its own alternatives, its own Tribal consultation, and a clear look at the alternative of keeping the protections as written.

IV. WHAT WE ASK THE FOREST SERVICE TO DO

Sovereign Energy respectfully requests that the environmental impact statement:

1.Analyze the whole mine as one project, including the parts on state and private land, the shafts, the water treatment plant and discharge, and the hauling of ore.

2.Carry forward a No Action alternative as a full and serious option, and analyze the alternatives listed in Part III.B that would avoid or reduce harm to Mount Taylor, to groundwater, and to the Rio San Jose.

3.Include a dedicated cumulative impacts analysis covering legacy and reasonably foreseeable uranium mining in the Grants Mineral Belt, including the La Jara Mesa Mine, and do not let the project schedule shorten that analysis.

4.Include an environmental justice analysis for San Mateo, Milan, and the wider Mount Taylor area, using a community level screening method and developed with input from the affected communities.

5.Invite Tribal governments to serve as cooperating agencies, begin government to government consultation now, combine the Section 106 review with the environmental review from the start, and document each consultation by name, keeping consultation separate from notification, and say now whether it will meet Section 106 through the NEPA process under 36 C.F.R. § 800.8(c).

6.Define the area of potential effects around the whole Mount Taylor landscape, treat Tribal knowledge as evidence on equal footing with archaeological survey, and send the draft environmental impact statement to every consulting Tribe before or when it is released for public comment.

7.Hold public meetings in San Mateo, Milan, and nearby Tribal communities.

8.Require a full radon emissions inventory and dispersion modeling for all sensitive receptors, compared against the standard EPA will apply, including nearby communities, Tribal communities, and the Mount Taylor Traditional Cultural Property.

9.Require a cumulative groundwater analysis of regional drawdown, including springs, wells, and traditional water uses, a downstream water quality and quantity analysis for the Rio San Jose, and coordination with the State Engineer and discharge permit reviews.

10.Analyze the haul route to the White Mesa Mill, including accident and spill risk and effects on communities along the route and near the mill.

11.Describe closure and long term water treatment in detail and require financial assurance that covers the full cost.

12.Include a baseline health and exposure study in nearby communities and independent monitoring with Tribal participation.

13.Name each Forest Plan protection that would be excepted, take public comment on each, and evaluate the proposed amendment on its own rather than as a routine step in approving the mine.

14.Give Sovereign Energy notice of all future comment opportunities, meetings, and document releases for this project, and include these comments and their citations in the administrative record.

V. CONCLUSION

Mount Taylor is not an empty piece of public land waiting for a mine. It is a mountain that Tribal Nations have honored and relied on for generations, in a region that still carries the damage of earlier uranium development. Sovereign Energy opposes approval of the Roca Honda Mine as proposed and asks the Forest Service to fill the gaps identified above, and to take the No Action alternative seriously, before any decision is made. We appreciate the opportunity to comment and ask for written confirmation that these comments have been received.

Sovereign Energy reserves all rights and remedies, including the right to object under 36 C.F.R. Part 218, and these comments do not waive any right or defense. We ask that every document cited here be included in the administrative record.

Respectfully submitted,

Nicholas Thompson
Policy and Technical Consultant
Sovereign Energy
Albuquerque, New Mexico

Marissa Naranjo
Deputy Executive Director
Sovereign Energy
Albuquerque, New Mexico