

RESOLUTION NUMBER 2007-38

**REQUEST FOR EIS AND COOPERATING AGENCY
STATUS FOR "EL CAPITAN LTD." MINING IN
LINCOLN COUNTY**

WHEREAS, New Mexico county commissions, under the authority of NMSA 1978 4-37-1, have a responsibility to protect and promote the safety, preserve the health, promote the prosperity and improve the convenience of its inhabitants, and

WHEREAS, the Board of County Commissioners of Lincoln County is extremely concerned over the impact on the environment; on its infrastructure; and on the health and welfare of the citizens of the county of a proposed mining operation in the Capitan Mountains by El Capitan LTD., and

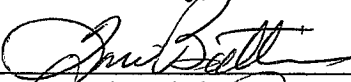
WHEREAS, the county believes that before any new large scale mining or operations are attempted that the company concerned should be required to remediate any and all damage done by their unauthorized explorations and the county would like to inquire as to the actions taken against this company for their unauthorized explorative activities.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners requests early involvement in the NEPA scoping process coordination and that a full EIS be accomplished before the exploration and subsequent extraction phases of any proposed operations and that, because of its local expertise under the National Environmental Policy Act, that the county be designated "cooperating agency" status on any interdisciplinary team (IDT) established; and


BE IT FURTHER RESOLVED, the county requests that New Mexico State Departments concerned with the protection of the environment, and its water resources, bring the full weight of their authority on the regulation of any proposed mining operation and appropriate bonding of future activities.

PASSED, APPROVED AND ADOPTED this 20th day of May 2008.

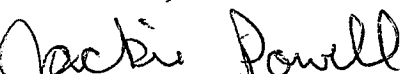
**Board of Commissioners
Lincoln County, State of New Mexico**



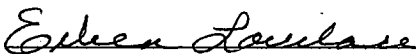
Tom Battin, Chairman



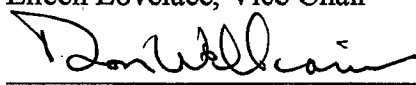
Dave Parks, Member



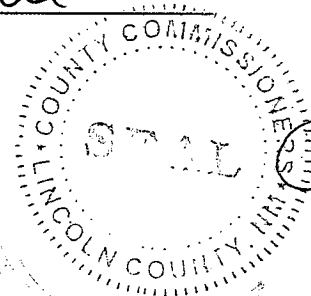
Jackie Powell, Member

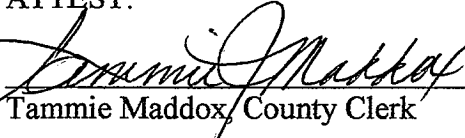


Eileen Lovelace, Vice Chair



Don Williams, Member



ATTEST:


Tammie Maddox, County Clerk