

Items for further clarification as requested by:  
CEQ (Horst Greczmiel Associate Director for NEPA Oversight)

**A. *environmental (not NEPA process) issues they have with the USFS FEIS and proposed ROD***

- According to the groundwater flow modeled trends for Empire Gulch, which is located in the central portion of the Las Cienegas National Conservation Area (NCA); all three models suggest that drawdown could eventually occur. (p528)
  - Las Cienegas NCA was established on December 6, 2000, in order to “conserve, protect, and enhance for the benefit and enjoyment of present and future generations the unique and nationally important aquatic wildlife, vegetative, archaeological, paleontological, scientific, cave, cultural, historical, recreational, scenic, rangeland, and riparian resources and values of the public lands...”
  - If there was a drawdown of Empire Gulch the NCA could not be sustained and the significance of this adverse impact on the NCA has not been clearly made in the FEIS.
- Empire Gulch supports the last large natural population of Chiricahua Leopard Frog (Threatened with Critical Habitat) in the Las Cienegas basin. Habitat loss to this founder population due to drawdown would have a significant impact on the species and efforts to repopulate Cienega Creek would be lost.

**B. *any concerns or perceived gaps in the USFS characterization of impacts***

- All three groundwater flow models used in the Surface Water Quantity section of Chapter 3. Affected Environment and Environmental Consequences of the FEIS cannot adequately determine, within any certainty, the effects to water levels on the Empire Gulch and Upper Cienega Creek in the Las Cienegas NCA. (p528-29)
- The predicted impacts of groundwater drawdowns that are relatively small, often fractions of a foot, and occur over a series of decades, hundreds, or even thousands of years into the future are beyond the ability of the models, or any models, to accurately predict. (p528-29)
- Groundwater modeling completed in support of the FEIS analysis did not confidently predict the impact of the drawdowns on the water levels in the Las Cienegas NCA, therefore there is no way to determine the impacts that the Rosemont Mine will have on the existence of the NCA. The relevance of this unavailable information to evaluate the reasonably foreseeable significant adverse impact on the NCA was not clearly addressed in the FEIS. (p529)