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C.H. HUCKELBERRY
County Administrator

July 16, 2014

Robert Scalamera, Project Manager
Arizona Department of Environmental Quality
Surface Water Section, MC5415A-1
1110 W. Washington Street
Phoenix, Arizona 85007

Re: **Arizona Department of Environmental Quality 401 Certification for Rosemont Copper, Public Notice 27-14AZ LTF 55425**

Dear Mr. Scalamera:

Pima County Regional Flood Control District and Pima County provide herein additional information for your consideration that is relevant to the proposed 401 certification for the Clean Water Act Section 404 permit for the Rosemont Copper Project, Public Notice/ Application No: SPL-2008-00816-MB.

Our previous comments to you took issue with some of the key assumptions that underlie the Final Environmental Impact Statement's (FEIS's) conclusions regarding effects to Davidson Canyon. These comments included a new interpretation of Rosemont's isotopic data by Dr. Chris Eastoe that differs from conclusions provided by Rosemont's consultants. Since then, we have identified additional technical flaws in the information provided by Rosemont's consultants, TetraTech and WestLand Resources, for the FEIS that we would like to bring to your attention via the attached report.

As you may know, the federal agencies convened a hydrology group meeting on June 10 and 11, 2014 to identify new data sources and analyses for impact analysis. In response, we identified additional observations and data from the Pima Association of Governments and Pima County. The resulting report, *Impacts of the Rosemont Mine on Hydrology and Threatened and Endangered Species of the Cienega Creek Natural Preserve,* provides the best available dataset for understanding the relationship between groundwater levels,

surface water availability, and habitat for federally listed wildlife. The key results of our analyses are that:

1. There is an important and highly statistically significant link between surface water flow extent and groundwater resources in Lower Cienega Creek and Davidson Canyon. The correlations found in our new analyses are so significant, in fact, that their possibility of occurring by chance is nearly impossible.
2. Analyses by WestLand, TetraTech and SWCA for the FEIS have consistently underestimated the length of streamflow in Cienega Creek and Davidson Canyon that will be impacted by the mine.
3. The net result will be a loss of habitat and take of endangered species that exceeds previous considerations.

Please advise me as to whether the Arizona Department of Environmental Quality will consider the attached information in the 401 certification for this project.

Sincerely,

C.H. Huckelberry
County Administrator

CHH/mjk

Attachment

c: The Honorable Chair and Members, Pima County Board of Supervisors
Marjorie Blaine, Senior Project Manager, US Army Corps of Engineers
Jared Blumenfeld, Region IX Administrator, US Environmental Protection Agency

Impacts of the Rosemont Mine on Hydrology and Threatened and Endangered Species of the Cienega Creek Natural Preserve

Brian Powell[1], Lynn Orchard[2], Julia Fonseca[1], and Frank Postillion[2]

July 14, 2014

[1]Pima County Office of Sustainability and Conservation
[2] Pima County Regional Flood Control District

Suggested Citation

Powell, B., L. Orchard, J. Fonseca, and F. Postillion. 2014. Impacts of the Rosemont Mine on hydrology and threatened and endangered species of the Cienega Creek Natural Preserve. Pima County, Arizona

Cover Photo: End of flow for one section of Cienega Creek at the Cienega Creek Natural Preserve. May 2014.

Introduction

If constructed, the Rosemont mine will reduce streamflow and groundwater inputs into Cienega Creek and Davidson Canyon. The uncertainty and discussions have been about the magnitude of that impact and how much, if any, projected changes will compromise populations of threatened and endangered (T&E) species and their habitats (e.g., Tetra Tech 2010a, b, WestLand Resources Inc. 2011, Pima County 2012, SWCA Enivironmental Consultants 2012, Pima County 2013). This is a critical question; lower Cienega Creek (herein, Cienega Creek unless otherwise noted) in the Cienega Creek Natural Preserve (CCNP) and in Davidson Canyon[1] provide both a critical water supply to the Tucson Basin and are a refugia for aquatic and riparian plants and animals found in few other places in Pima County.

This report provides the most comprehensive evaluation of the extensive water resource data that has been collected at CCNP as it relates to potential impacts from the Rosemont mine. We focus first on developing robust predictive models, apply those models to estimate a range of impacts to baseflow and length of streamflow, question some past analyses and assumptions about the lack of connection between surfacewater and groundwater, highlight key uncertainties that inhibit our ability to understand the full breadth of impacts from the mine, and finally, we combine the water resources data with our best understanding of the distribution of habitat for the aquatic and riparian T&E species that currently occur or recently occurred at the CCNP to estimate loss of habitat as a result of the mine.

A Note About Models and Their Use. Previously, estimated effects of the proposed mine on streamflow—particularly in reaches of perennial or intermittent flow—have been addressed primarily through groundwater modeling (e.g., Montgomery and Associates Inc. 2010, Tetra Tech 2010b, SWCA Enivironmental Consultants 2012). These models have then been used to estimate impacts on species in Cienega Creek and its major tributaries (U. S. Fish and Wildlife Service 2013). The final environmental impact statement (FEIS; U.S. Forest Service 2013) for the Rosemont project states that predicting sub-foot scale drawdowns at great distance and time scales is "beyond the ability of these groundwater models, or any groundwater model, to accurately predict." Nevertheless, sub-foot model results were presented as a basis to determine mine impacts on Outstanding Arizona Waters in Davidson Canyon and Cienega Creek (WestLand Resources Inc. 2011, 2012) and to draw conclusions about effects on T&E species. In this report, we also use subfoot groundwater model results as the best available information, but draw different conclusions than those of WestLand (2011, 2012).

[1] In this report, data collected in Davidson Canyon refer to areas in the CCNP and/or in Pima County's Bar-V Ranch.

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In striving to understand the potential impacts of water loss on these critical riparian areas and the T&E species they support, it is prudent to investigate a range of potential impacts in areas where the existing analysis is inadequate to provide the level of detail needed to understand the Rosemont projects' effects on the downstream environment. Analysis provided in this paper endeavors to aid in "informing the decision" by presenting a range of potential impacts based on empirical data systematically collected from wells and field excursions over several years (e.g., Pima Association of Governments 2009a, 2011). This analysis of well depth vs. baseflow and length of streamflow and other analyses in Cienega Creek and Davidson Canyon acknowledges the limitations of the groundwater models and presents a range of groundwater drawdown effects that are reasonable to consider given the uncertainties of groundwater models and natural variation experienced during the monitoring period at the CCNP.

Methods

Field Methods. To determine the loss of surface water, we first developed models using data from the depth of water in wells and baseflow and total length of streamflow at two sites: (1) Cienega Creek and (2) Davidson Canyon. Much of the data collection methods and location maps are summarized in Powell (2013). For this effort we used data collected as recently as 2014 (Cienega Creek) and 2013 (Davidson Canyon), the most up-to-date information that we could receive from the Pima Association of Governments, which collects the data. June data were used to determine the relationship between depth to groundwater and streamflow length from 2000-2014 for Cienega Creek, but for Davidson Canyon, all data were aggregated to model this relationship, in part because of the smaller sample size (sample collections were started in late 2005 at Davidson). June samples were selected for Cienega Creek for a number of reasons such as length of record and because streamflow length data represents a critical low-flow for the system. Depth to water was measured at the Cienega Well (Cienega Creek) and Davidson #2 Well (Davidson Canyon[2]). Depth to water in wells and mapping of streamflow length were always measured on the same day. We also developed models for the relationship between streamflow volume (cubic feet/second; herein referred to as baseflow), which is measured quarterly at the Marsh Station Bridge (again, see Powell 2013 for the more information) and depth to water at the Cienega Well. We used all quarterly sampling data from June 2001 to June 2014 for this analysis.

Data Analysis

[2] The Davidson #2 Well and streamflow reach are located in "Reach 2", as defined by Tetra Tech.

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Relationship between streamflow, depth to groundwater, and baseflow. We used linear regression to model the relationship between depth to water (in feet) and streamflow length (in miles) and baseflow (ft^3/sec). To model these changes, we interpolated the regression model to predict what changes in the response variables (i.e., baseflow and streamflow length) would result from a lowering of the water table by 0.1, 0.2, and 0.25 feet. This represents a look at the potential impacts to baseflow and streamflow length if the modeled results in Montgomery and Associates Inc. (2010) and Tetra Tech (2010b) occur as predicted (0-0.1 feet drawdown at Cienega Well, 0.10-0.98 feet at Davidson Well[3] for streamflow length). At Cienega Creek we looked at scenarios where drawdown will be slightly greater than predicted by the models to describe potential impacts if model results are not accurate (e.g., 0.2 - 0.25 feet drawdown at Cienega Well). For baseflow estimates we calculated total annual acre feet of baseflow lost, as well as seasonal estimates. Because baseflow was measured four times per year, we assumed these flow estimates represented seasonal averages. We used the annual and seasonal average baseflow to estimate the percentage of baseflow that would be reduced from groundwater drawdown. We log-transformed flow volume data to fit assumptions of the normal distribution for the regression analysis.

Fragmentation of Flow. One of the concerns about the loss of streamflow length is that the stream may also become more fragmented, which might isolate populations of fish, in particular. Fish caught in small, fragmented reaches would be more susceptible to extirpation due to a variety of factors, including predation and of course, loss of habitat. To model this for Cienega Creek, we first calculated the number and length of individual stream reaches (derived from individual start and stop points collected in the field). We then calculate intra-annual summaries, including the coefficient of variation in stream length[4] and total number of flow length segments over time. Finally, we used the results of the modeled changes in streamflow length as a function of depth to water in wells to understand how this might further fragment the system. Based on the modeled results for a drawdown of 0.25 feet, we calculated the number of streamflow lengths measured from 2001-2012 (the most complete set of information for which four seasonal measurements are each year) that were equal to or less than the predicted loss in streamflow length (1,085 feet), which we call the *threshold length*.

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[3] Davidson Well #2 is located approximately 1.8 miles north of the Montgomery and Associates 5-foot drawdown contour (in Montgomery and Associates Inc. 2010). That modeling effort showed a 0.31 foot drawdown at 150 years in Reach 2, and 0.98 feet at 1,000 years.

[4] Coefficient of variation (CV) is the standard deviation divided by the mean. For this study, CV provides a good method of comparison among years, because the mean flow length has changed considerably over time. Therefore, comparing standard deviations is not as informative.

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We then developed a multiple regression model to determine the relationship between the number of flow segments that met or exceeded this threshold and other factors thought to influence flow segments including length of flow, year, month, and month*year interaction[5].

Testing accuracy of groundwater-surface water relationship. We used 2008 and 2011 LiDAR to evaluate the accuracy of the groundwater-surface water relationship at the Davidson Well #2 and compared these data to figures and language in Tetra Tech (2010a) to determine if the Tetra Tech analysis was correct. A review of the LiDAR data collection can be found in Swetnam and Powell (2010).

Results and Discussion

Cienega Creek: Baseflow. From 2001-2014 average annual baseflow was 0.73 ft^3/sec but this varied considerably by month: March = 1.12 ft^3/sec, June = 0.32 ft^3/sec, September = 0.91 ft^3/sec, and December = 0.65 ft^3/sec. Baseflow declined as depth to groundwater increased, as explained by a linear function ($F_{1,56}$= 157.2, $P < 0.001$, $R^2 = 0.74$) (Figure 1). All four sampling

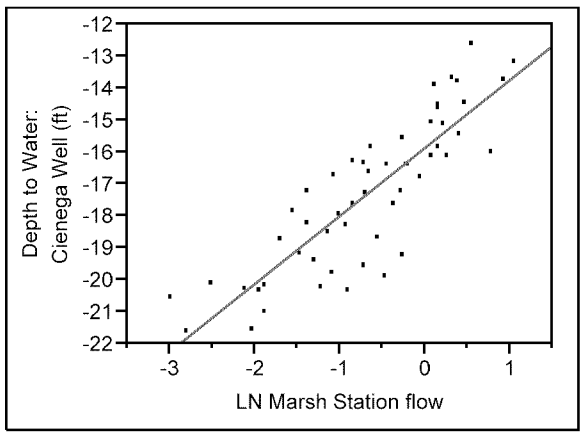

Figure 1. Relationship between flow (log [LN] of cubic feet/second) and depth to water at the Cienega Well. The linear model (red line) explains 74% of the variation in the data. Model used all data from June 2001-June 20014.

[5] In regression analysis (and for this situation), *interaction* occurs when a relation between two variables is modified by another variable. In other words, the strength or the sign (i.e., direction) of a relation between two variables is different depending on the value of some other variable.

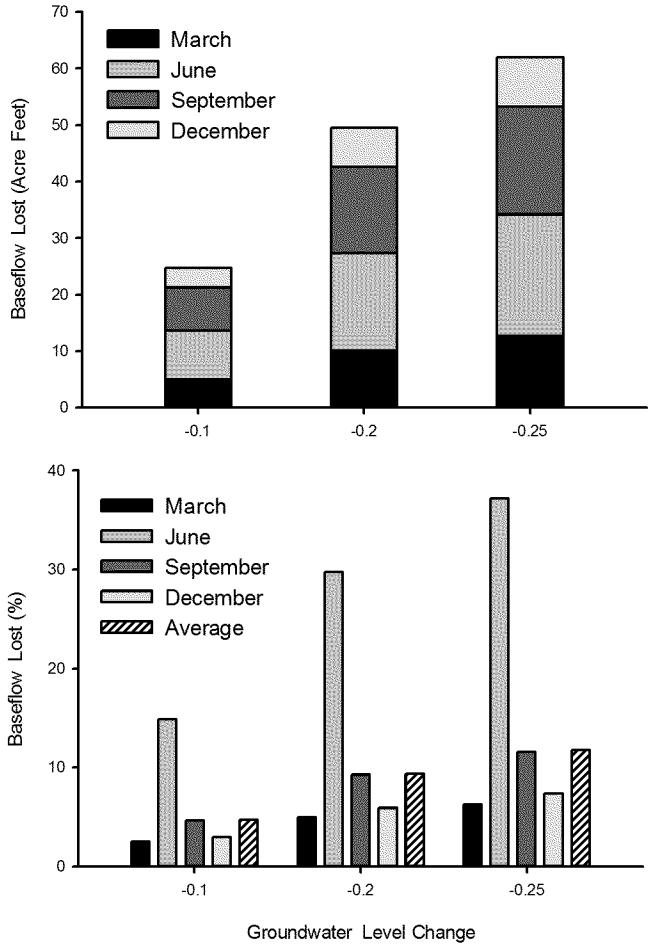

Figure 2. Modeled loss of streamflow volume (acre feet [top] and percent [bottom]) as a function of changes in groundwater level, by season. While total flow loss for the June period is similar to that of September, for example (top graph), this greater percentage of baseflow lost results from the lower baseflow volume during June.

periods (March, June, September, and December) showed a similar relationship ($P<0.004$), with the strength of the model fit (as expressed by R^2) ranging from 0.54 for December to 0.81 for March. Using the regression equations, we were able to calculate that with a 0.1 feet decline in groundwater elevation would lead to an average annual loss of 25 acre feet of water (Figure 2). Annual losses increase to 63 acre feet with 0.25 feet reduction in groundwater level at the Cienega Well.

Perhaps more important than total volume of water lost is the percentage of baseflow predicted to be lost. Average annual estimates of baseflow reduction range from 4.7% with a 0.1 feet reduction of groundwater level to 11.8% reduction with a 0.25 feet reduction (Figure 2)

As reported earlier, baseflow varied among months and this made inter-month percent loss in baseflow quite different than total loss. June is especially important to notice; it showed an estimated 14.9% loss of baseflow at Marsh Station with a 0.1 feet decline in the aquifer to as high as 37% with a 0.25 feet decline in the aquifer (Figure 2).

Cienega Creek: Streamflow length. Streamflow length and depth to water was explained by a linear function ($F_{1,12}$= 67.2, $P < 0.001$, $R^2 = 0.84$)[6] (Figure 3). Using this model, we would expect that a groundwater drawdown of 0.1 foot would result in a loss of 434 linear feet of Cienega Creek (Table 1). Because of uncertainty about the models and the high value of Cienega Creek, we also modeled drawdown of 0.25 feet, which results in a reduction of streamflow length of 1,085 feet. The mean extent of streamflow within the CCNP from 2000-2013 has been approximately 12,500 feet. A reduction of 434 feet would reduce surface water extent by 3.4% and 1,085 feet would be equal to approximately 8.6% reduction is flow extent.

It is important to note that the Cienega Well was used in the report by Westland (2012; page 5), but they claim that their model of depth to water and quarterly flow length showed an unusual statistical distribution and therefore use of that well was discounted in favor of data from the Jungle well. The June length of flow data in relation to the Cienega Well do not show this issue (Figure 4) and the Cienega Well is certainly useful for estimating loss of streamflow length.

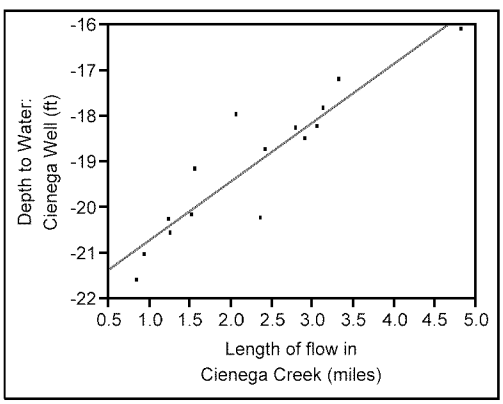

Figure 3. Relationship between length of flow of Cienega Creek at the Cienega Creek Natural Preserve and depth to water at the Cienega Well. The linear model (red line) explains 84% of the variation in the data.

[6] It is important to note that we also modeled the relationship using a 2nd and 3rd order polynomial, which improved results somewhat, particularly for the 3rd order polynomial (R^2 = 0.87). However, for simplicity, we use the following formula to model the impact in groundwater drawdown on Cienega Creek within the CCNP: Length of flow (miles) = 14.662 + 0.650*depth of water at the Cienega Well (feet).

Table 1. Modeled reduction in streamflow length of Cienega Creek at the Cienega Creek Natural Preserve. Percent reduction is based on the mean June streamflow length of 2.38 miles (12,566 feet).

Draw-down (feet)	Arbitrary starting well depth (feet)	Streamflow length		Feet lost due to draw-down	Percent reduction in streamflow length
		Miles	Feet		
0	-18	3.10	16,347	0	0.0
-0.1	-18.1	3.01	15,913	-434	-3.4
-0.2	-18.2	2.93	15,479	-868	-6.9
-0.25	-18.25	2.90	15,262	-1085	-8.6

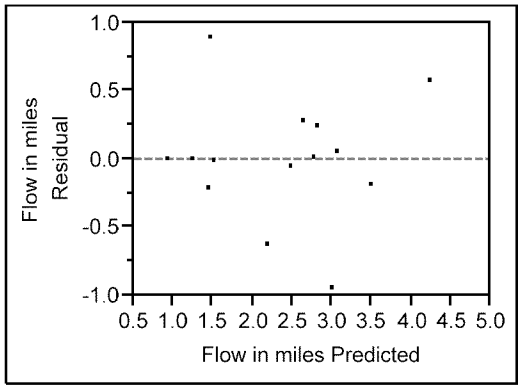

Figure 4. The dispersion of residuals from the model of streamflow length in Cienega Creek to depth to water in Cienega Well (June; Figure 1) shows that a linear model for this relationship is a valid statistical approach. Westland (2012), using data from all intra-annual streamflow lengths measurements, argued that this was not a statistically valid relationship. (Myers [2014] had similar issues with data from Empire Gulch). However, by using June data only, a linear model is appropriate.

It is critical to note that the results between the modeling results by Westland (2012) and those reported here are significantly different. Using data from the Jungle Well, Westland (2012) found that with a 0.1 foot decline in depth to water there would be 176 foot reduction in flow length; just 41% of our results. They also did not model a scenario that may result from a mine impact that is greater than other projections but may be within the realm of possibility (i.e., a 0.25 foot reduction in depth to water).

<u>Davidson Canyon: Groundwater and Baseflow Extent</u>. Streamflow length and depth to water was explained by a linear function ($F_{1,26}$= 89.9, $P < 0.001$, $R^2 = 0.78$) (Figure 5), which we used to model the impact in groundwater drawdown on Davidson Canyon: Length of flow (miles) = 2.180 + 0.085*depth of water at the Davidson #2 Well (feet) (Figure 5).

Using this model, we would expect that a groundwater drawdown of 0.1 foot would result in a loss of 45 linear feet of Davidson Canyon and a drawdown of 0.25 feet resulted in a reduction of

streamflow length of streamflow of over 112 feet (Table 2). Percent reductions are very similar to that of Cienega Creek and ranged from 3.0% to 7.6%. Using the 150 and 1,000 year estimates of impacts on groundwater (0.31 feet and 0.98 feet, respectively; Montgomery and Associates, 2010) would result in 9.4% and 30% loss of surface flow in Davidson Canyon, respectively. For comparison, the groundwater model by Montgomery and Associates (2010) equates the 0.98 feet of drawdown with a 0.29 miles (1,530 feet) reduction in stream length based on the drying of several of the 800 x 800 foot model grid cells where leakage to the aquifer exceeds streamflow into the reach.

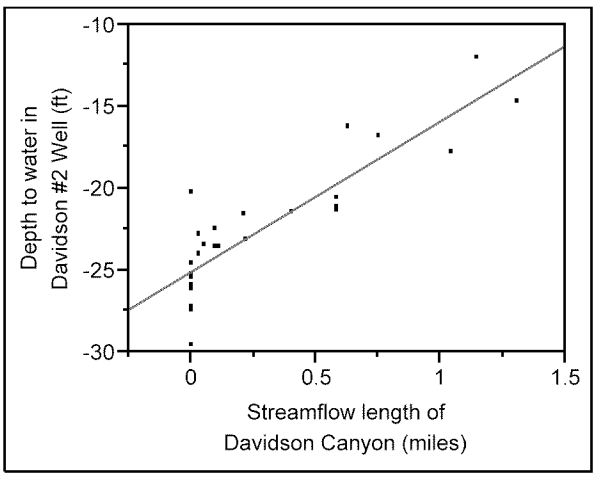

Figure 5. Relationship between length of flow of Davidson Canyon at the Cienega Creek Natural Preserve and depth to water at the Davidson #2 Well. The linear model (red line) explains 77% of the variation in the data. This model does not take into consideration changes in surface water runoff from the mine site.

Table 2. Modeled reduction in streamflow length for Davidson Canyon. Percent reduction is based on the mean June streamflow length of 0.28 miles (1,478 feet).

Draw-down	Arbitrary starting well depth in feet	Streamflow length		Feet of streamflow lost due to draw-down	Percent reduction in streamflow length
		Miles	Feet		
0	-20	0.4885	2,579	0	0.0
-0.1	-20.1	0.4800	2,534	-45	-3.0
-0.2	-20.2	0.4716	2,490	-89	-6.0
-0.25	-20.25	0.4673	2,467	-112	-7.6
-0.31	-20.31	0.4622	2,441	-138	-9.4
-0.98	-20.98	0.4071	2,141	-438	-30.0

Unlike in Cienega Creek, the groundwater model results used here to calculate drawdown are taken from locations within or very near the 5-foot drawdown contour and are assumed to be more reasonably certain than model results for Lower Cienega Creek. Accordingly, the stream length losses associated with nearly a foot of drawdown must be taken into consideration when evaluating the Rosemont mine's impact on lower Davidson Canyon. The stream length losses (0.29 miles; 1,530 feet) predicted by Montgomery and Associates (2010) are larger than those predicted in this study using the well depth to stream length regression analysis (Table 2). Taken together however, they provide a range of possible outcomes resulting from increased depths to groundwater due to the Rosemont mine.

Tetra Tech (2010a) suggests that this reach of Davidson Canyon is not connected to the regional groundwater system, and that streamflow impacts due to drawdown of the regional aquifer therefore are unlikely to occur. Yet the results of our analysis (Figure 5) provide very convincing evidence that contradicts this position.

We also take issue with Tetra Tech (2010a) data. Underpinning Tetra Tech's assertion is an illustration and a channel bed measurement at the Davidson Canyon stream gage (Figure 6). The accuracy of this figure relies on a "mid-channel bed" measurement taken by Tetra Tech (2010a). We examined Pima County LiDAR-generated elevation data at the same location and found that Tetra Tech's "mid-channel" bed elevation is five feet higher than the channel bed in 2008. We then examined 2011 LiDAR bed-elevations at the same location, which rule out the possibility that five feet of aggradation occurred, as would be required by Tetra Tech channel bed measurement. Instead, the actual bed elevations in 2008 and 2011 vary by less than 0.6 feet (Figure 7). Thus, the actual channel-bed is within a foot or two of the water table as measured in Davidson #2 Well.

The water-level measurements presented by Tetra Tech came from the Outstanding Waters nomination submitted by Pima Association of Governments (2005), which identified this reach as intermittent. Tetra Tech (2010a) uses the same data to infer than this portion of the channel is ephemeral. It is unreasonable to assume that groundwater never could discharge to the surface, or that it has been persistently below the bed between 1994 and 2004, as is indicated by Tetra Tech with the horizontal line connecting the last two groundwater measurements (Figure 6). It is even more unreasonable to extend that inference to the entire upstream reach, as is done by Tetra Tech (2010a).

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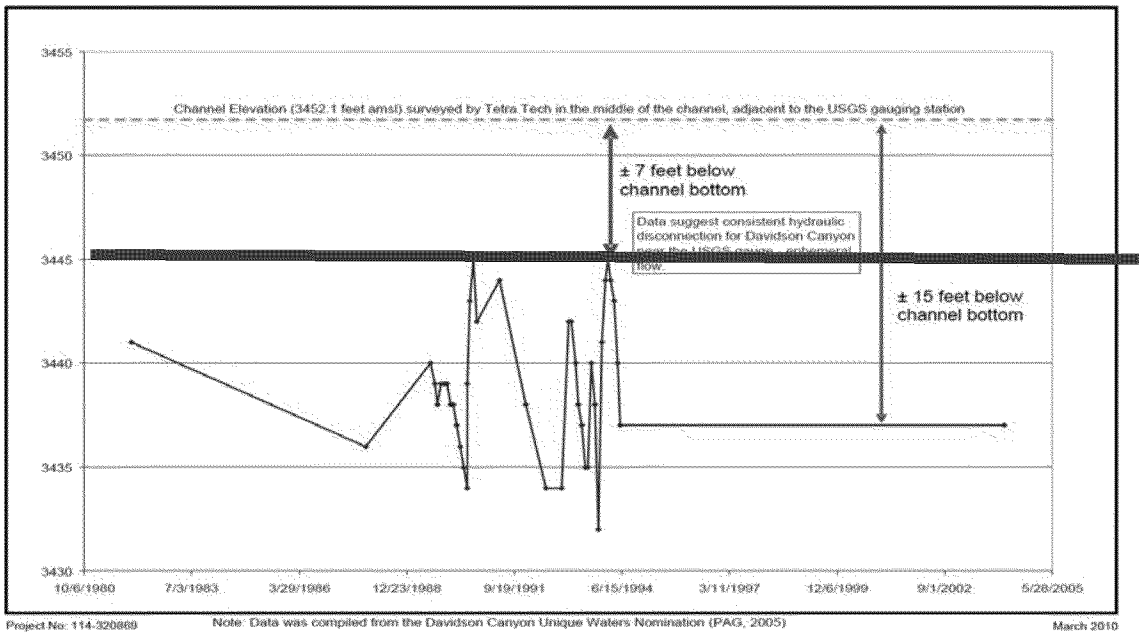

Figure 6. Tetra Tech's (2010a) Figure 5, amended to show actual channel bed elevation at the location. Red line shows position of the 2008 and 2011 channel bed based on LiDAR data.

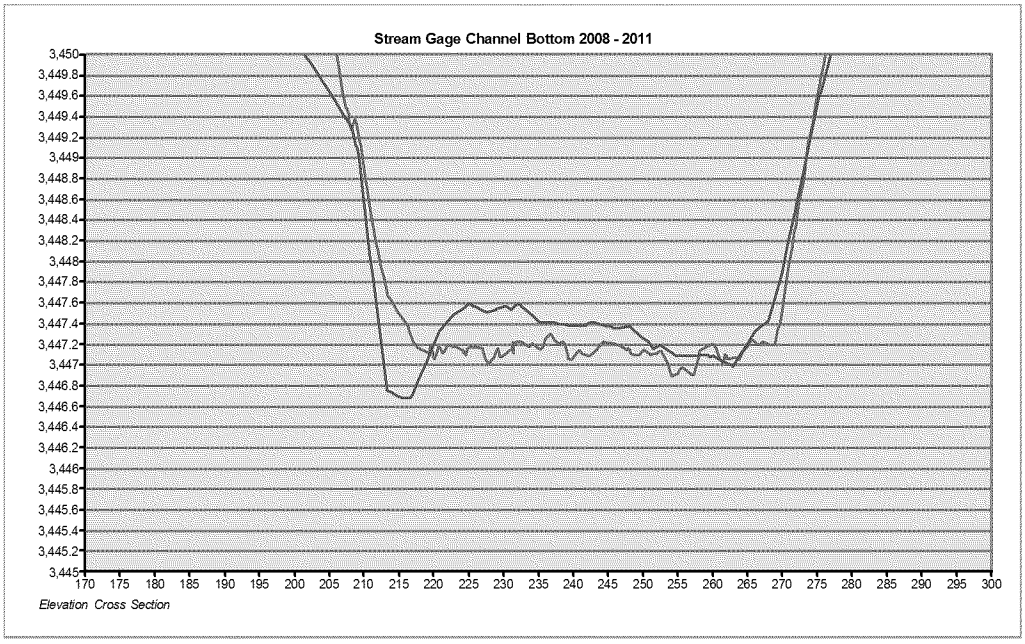

Figure 7. LiDAR channel cross-sections, 2008 in red, 2011 in green. Bed elevation varies by less than 0.6 feet.

Additionally, the work of Montgomery and Associates (2010) supports a connection to the regional aquifer in lower Davidson Canyon. The pre-mining steady state model simulated the interaction between the regional aquifer and the stream. The model produced results for both discharge and streamflow length that approximately matches past observations of flows and the extent of the Davidson perennial reach. If the regional aquifer was disconnected from the perennial reach, or so far below it that it does not impact surface flows, then one would expect that to be reflected in the model simulation showing a dry reach. It does not. Further evidence supporting a connection to the regional aquifer comes from interpretation of isotopic data by Dr. Chris Eastoe (Letter from County Administrator's Office to Robert Scalamera, Project Manager, Arizona Department of Environmental Quality (ADEQ); letter dated April 4, 2014).

These various lines of evidence, combined with errors and omissions by Tetra Tech, undermines Tetra Tech's argument that the intermittent baseflows in Davidson are unrelated to the regional aquifer. Combined, these analyses suggest that the impacts of Rosemont mine on Davidson Canyon and the Outstanding Arizona Waters have been understated in both the final environmental impact statement (U.S. Forest Service 2013), the draft water quality certification by ADEQ (Arizona Department of Environmental Quality 2014), and the biological opinion (U. S. Fish and Wildlife Service 2013). Based on this new information, the impact to the Davidson Canyon Outstanding Arizona Waters reach by the Rosemont project should be revaluated regarding the potential take of endangered species and the impact to riparian and water resources.

Davidson Canyon: Effect on Runoff. Key to understanding the mine's full impact on water resources requires a better understanding of the surface water runoff changes in the Barrel and Davidson canyons. Pima County has repeatedly objected to the methodology and the findings from Rosemont and their consultants as well as data that have been incorporated into the final environmental impact statement and biological opinion including that:

- Potential runoff reduction impacts on downstream riparian and water resources for all phases of the mine life are not fully disclosed.
- Cumulative runoff reduction impacts on downstream riparian and water resources, Davidson Canyon and Cienega Creek, are not fully disclosed.
- Deficiencies in the analysis of downstream water volume effects on Davidson Canyon, Cienega Creek and Outstanding Arizona Waters have resulted in the underestimation of reduction in surface water flows in FEIS.
- The hydrological analysis supporting the surface water evaluation is inadequate, as the modeling should have considered shorter duration, high-intensity rainfall events' and the FEIS misrepresents the methods followed as those prescribed by Pima County.
- Rosemont Copper still intends to capture and retain surface water from watersheds northeast of the tailings, west of the mine pit, and south of the waste rock disposal

area. Instead, this water should be released downstream to mitigate reductions in stream flows and impacts to riparian vegetation.

To inform the decision regarding the impact to riparian resources and potential take of endangered species, these runoff-related objections need to be addressed. In addition to the above mentioned objections, the Biological Opinion cites work by SWCA (2012) that has not been made available for Pima County's review, either as a Cooperator or as a participant in the Hydrology Work Group recently convened by the Federal agencies. The SWCA work apparently extrapolates runoff volume reductions in Barrel Canyon and Davidson Canyon above the Highway 83 bridge to the Outstanding Arizona Water reach downstream.

Acceptable methods for determining flood routing are described in Pima County Regional Flood Control District Technical Policy 18. In this document, the methods entitled *"Acceptable Model Parameterization for Determining Peak Discharges"* should be employed to determine the reduction in streamflow in Lower Davidson Canyon and Cienega Creek as a result of changes in the upper watershed due to the Rosemont project. Myers (2014) provides an additional critique of Westland's (2012) methodology to evaluate impacts of surface water impoundments on Davidson Canyon and highlights that the methods used are deficient to provide an understanding of the impacts.

Rosemont and their consultants have reported that reductions in the volume of channel infiltration in the headwaters, reductions in total annual runoff volume, and reductions in peak flood magnitude all will have minimal effects on the OAW reach (WestLand Resources Inc. 2011, Zeller 2011, SWCA Enivironmental Consultants 2012). Combined with previously discussed Tetra Tech (2012a, 2012b) interpretations, these arguments would suggest that:

- When groundwater is considered, surface water is the most important factor in supporting lower Davidson Canyon.
- When mine impacts that effect surface water are considered, lower Davidson is too distant from the headwaters to be impacted.
- When shallow groundwater and channel subflow from precipitation recharge in the headwaters are considered, the OAW reach is not connected to the upper watershed due to bedrock constrictions in the shallow aquifer.

These arguments, when summed up, suggest that the OAW reach of Davidson Canyon is isolated from its watershed entirely and apparently without a water source. In short, these studies reveal a disturbing pattern of minimizing impacts from the Rosemont mine on all aspects of the hydrologic cycle.

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Fragmentation of Flow in Cienega Creek. As has been reported elsewhere (WestLand Resources Inc. 2012, Powell 2013), streamflow length of Cienega Creek has declined precipitously since the 1980's and 1990's (Figure 8). In part because of this decline, streamflow length became highly variable as the streamflow responded to a shallow aquifer that was declining because drought and groundwater pumping. Looking more closely at the streamflow length data, not only was the streamflow length declining, but the streamflow segments were becoming more fragmented. This variability can be seen a number of ways, including the coefficient of variation (Figure 9) and number of segments per year (Figure 10).

From June 2001 to September 2012, there were a total of 341 recorded stream segments, 161 of which (47%) were at or below the threshold length established for this analysis (i.e., 1,085 feet). The number of stream segments below the threshold length was most influenced by length of flow in Cienega Creek (multiple regression, $F_{4,40} = 5.4$, $P = 0.0015$, $R^2 = 0.35$; Table 3) and not by any other factor (Table 3).

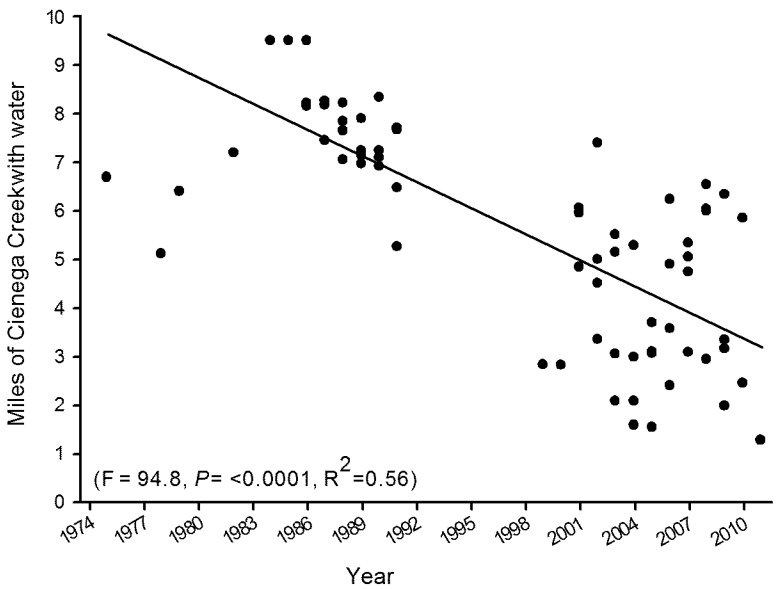

Figure 8. Extent of stream flow at Cienega Creek Natural Preserve (from Powell 2013) has both declined (solid line shows linear regression model) and shown more intra-annual variability. Maximum flow extent is 9.5 miles.

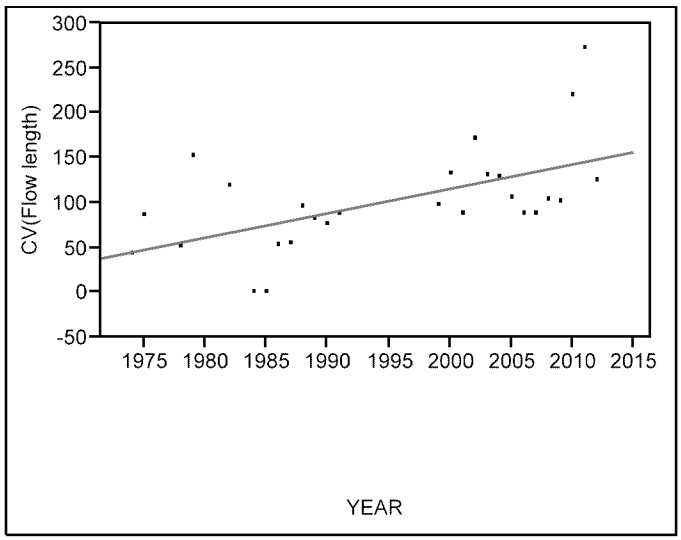

Figure 9. An increase in the coefficient of variation of streamflow length demonstrates that streamflow length is becoming increasingly variable over time. Increased variability can lead to instability of the system.

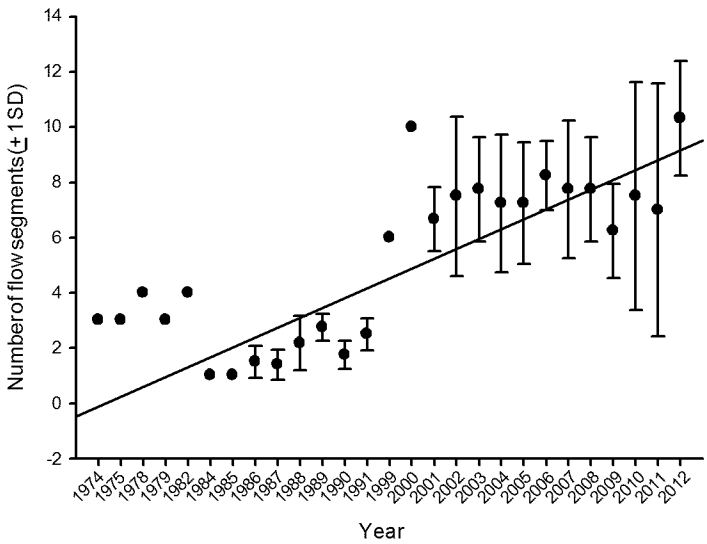

Figure 10. The number of streamflow segments has increased over time. As with flow length, increased variability can lead to isolation and loss of organisms that rely on open water, including Gila chub, Gila topminnow, and Huachuca water umbel. Analysis of variance test (solid line) shows this relationship to be significant ($F_{1,25}$= 11.8, P = 0.002, R^2 = 0.32).

Table 3. Results of multiple regression analysis on the relationship between number of flow segments that met the threshold (≤1,085 feet) and other variables thought to influence the number of segments.

Effect	Estimate	F	P
Length of flow in Cienega Creek	51.1	19.5	<0.0001
Year	0.2	0.1	0.804
Month	6.0	1.6	0.217
Year*Month interaction	0.3	0.1	0.781

Discussion: Impacts on Species

Habitats of aquatic and mesic-riparian species in Cienega Creek and Davidson Canyon are decreasing in size and quality as the result of the reduction in the amount of available groundwater and surfacewater. This section highlights the likely impact on individual species, but looking broadly at the impacts of loss, fragmentation, and isolation that could result from threats to shallow groundwater and stormwater is instructive.

Cienega Creek is currently under stress. Water, the lifeblood of the system, is declining by every measure. There is a large and growing body of literature on the causes and consequences of ecosystems under stress (e.g., Odum 1985, Rapport et al. 1998, Rapport and Whitford 1999, Scheffer et al. 2001, Folke et al. 2004) and key among these findings is that as threats increase, habitat extent and quality declines, variability increases, and a system is more susceptible to threats that would not otherwise have impacted the system, such as loss of native species, increase in invasive species, etc. In essence, the system becomes less resilient.

Of course, the current state of Cienega Creek has nothing to do with the Rosemont mine. Yet it should be clear from the data presented here that any future impacts to the surface and groundwater resources of the system could have a far greater impact than indicated by either Rosemont or the permitting agencies. Another way to look at the impacts of the Rosemont mine is to say that if it was already built and impacting groundwater during the current drought, then Cienega Creek could lose as much as 37% of the baseflow during the critical pre-monsoon season, potentially leading to severe population declines of T&E species.

Gila topminnow. The habitat of Gila topminnow can be a broad range of water types such as pools and riffles and seem to prefer stream margins. Preferred habitats contain dense mats of algae and debris, usually along stream margins or below riffles, with sandy substrates sometimes covered with organic mud and debris. The largest natural populations of Gila topminnow occur in Cienega Creek (Bodner et al. 2007). Gila topminnow have recently been

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monitored at the CCNP (Marsh et al. 2009, 2010)[7] and in some areas are found in stream reaches that often classify as intermittent based on PAG wet-dry data, as well as perennial reaches. The aquatic habitats in the CCNP are a patchwork of disconnected habitat patches that are only connected during high-volume stormflows.

The modeled decline of habitat highlighted in this report, which includes reduction in the amount of baseflow and surface water extent (Figures 1-3, Table 1) and increase fragmentation (Table 3) will impact this species, especially during this critical June period. For the topminnow, which can live in very shallow water, further fragmentation and loss of key refugia could have significant impacts. This is acknowledged by the U.S. Fish and Wildlife Service in the Biological Opinion (U. S. Fish and Wildlife Service 2013; page 287), but their analysis is qualitative in nature. The results presented here can help a more robust analysis.

Gila Chub. Gila chub have an affinity for deeper pools (as compared to Gila topminnow) in slow velocity water and are often associated with cover such as undercut banks, root wads, and instream debris piles. At the CCNP, their distribution is largely restricted to three pools, one of which is found in an intermittent reach (Figure 11). The drawdown of the aquifer that supports critical base flows for this species will likely reduce the size and volume of the pools in which the Gila chub live.

The data in this report (e.g., Figures 1-3, Table 1) should cause a reevaluation of the impacts of groundwater decline for this species. For the Gila chub, the U.S. Fish and Wildlife Service (2013, page 267) use the analysis by Westland Resources Inc. (2012) as a basis for determination of impact. As we have noted, that report underestimated impacts to stream reaches. Our report points to a need to recognize that if drawdowns eliminate the shorter, persistent reaches, then recolonization of intermittent aquatic habitats when joined by flooding will depend on fewer, more widely spaced perennial refugia. Also, as drawdown occurs, occupied Gila chub pools will reduce in surface water depth, thereby leading to a possibility of increased water temperatures. This could be a problem for this species (and not for Gila topminnow) because of their lower tolerance of high water temperatures (Carveth et al. 2006).

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[7] These studies have noted numbers of Gila chub caught at the CCNP but the survey methods were not designed to estimate populations or even catch-per-unit effort. The Biological Opinion (U. S. Fish and Wildlife Service 2013) does not take this into account (page 254; though it states later [page 273] that the methods were not meant to enumerate trends). Though restricted to a few pools at CCNP, there are many more individuals than are reported by these monitoring efforts.

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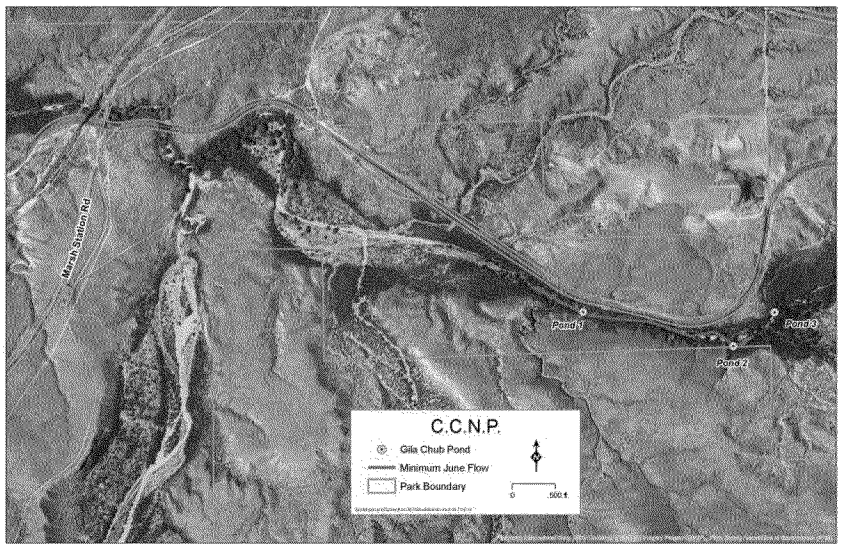

Figure 11. Location of pools with Chub in relation to areas that have a minimum June flow. Pool 3 is located in an intermittent stretch of the Creek, but that pool is very dynamic, as are the presence of chub. Pool 1 and Pool 2 contain chub more consistently. Figure by Mike List (Pima County IT).

Figure 12. This adult northern Mexican gartersnake was found feeding on lowland leopard frog tadpoles at the Cienega Creek Natural Preserve on June 13, 2014. Predicted surface water declines because of the mine would impact the extent of habitat and the species' primary food sources: fish and tadpoles. Photograph by Julia Fonseca.

Northern Mexican Gartersnake. This species is highly aquatic and only ventures a short distance away from water for hibernation and occasionally for foraging (U.S. Fish and Wildlife Service 2014). Its diet primarily consists of small fish and frogs, which are found on the CCNP. Though observations of this species at the Preserve are very rare, they have been found there (Rosen and Schwalbe 1988, Rosen and Caldwell 2004), including as recently as June 13, 2014 when one adult was confirmed (Figure 12). An additional juvenile may also have been found, but no positive identification was made. The historical decline in the amount and extent of

surface water (Figure 8) and the modeled decline in these resources as a result of the mine (Figures, 1-3, Tables 1, 2) will impact the extent of habitat and the aquatic prey base upon which these species depend. The northern Mexican gartersnake was not a part of the consultation for the biological opinion for the mine (U. S. Fish and Wildlife Service 2013), but will be part of the reinitiated consultation process (letter from USFWS Field Supervisor Steve Spangle to Forest Service Supervisor Jim Upchurch, dated May 16, 2014). The presence of the species and the modeled impacts should be considered as part of those deliberations.

Yellow-billed cuckoo. The yellow-billed cuckoo prefers large willow and cottonwood trees for nesting and foraging. The status of the population at the Cienega Creek NP is not entirely certain, but a single-pass survey by Powell (*unpublished data*) in 2013 revealed at least 11 individuals. Based on the work by Corman and Magill (2000), we know that the yellow-billed cuckoos populations at the CCNP and on the Las Cienegas NCA are some of the largest among small creeks in Arizona. Unfortunately, the slow desiccation of some areas of the CCNP in the last years has significantly impacted the gallery riparian forest on which the cuckoo depends for nesting, even as other forest patches continue to gain canopy volume and height (Figure 12, Swetnam et al 2013).

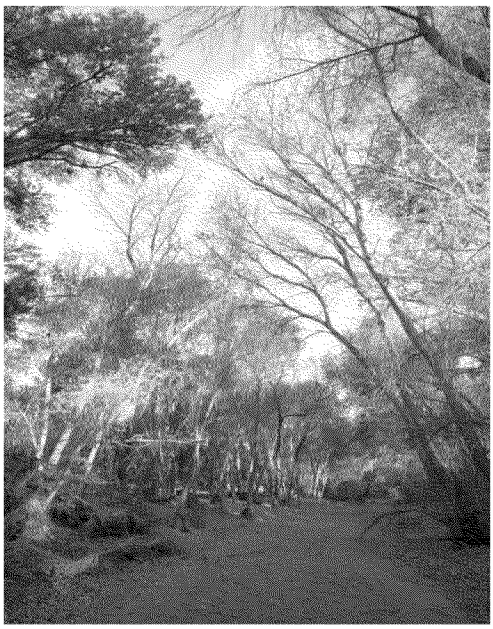

Figure 12. Photo from Cienega Creek NP showing impacts of the current drought on the thinning canopy of cottonwood trees, the primary tree used for nesting and foraging by the yellow-billed cuckoo. Loss of groundwater from the Rosemont mine will exacerbate this problem. Photo taken on May 30, 2014 very close to where yellow-billed cuckoos were detected in 2013. Cuckoos would be unlikely to nest in an area with such an open canopy.

There has been a considerable amount of research on cottonwood and willow trees as it relates to depth to water and tree species composition in the desert southwest (e.g., Stromberg et al. 1996, Horton et al. 2001, Harner and Stanford 2003, Stromberg et al. 2007, Hidalgo et al. 2009, Merritt and Poff 2010). The work by Lite and Stromberg (2005) and Leenhouts et al. (2006) is particularly relevant to the situation at CCNP. Studying the threshold between groundwater depth and flow permanence on the presence and vigor of cottonwood trees, Lite and Stromberg (2005) found that flow permanence was the single greatest hydrologic predictor for the presence of cottonwood trees. Flow permanence of 76% was viewed as important, as was depth to water of approximately 3m, a result that that has been found by other studies (Horton et al. 2001). Lite and Stromberg (2005) believe that flow permanence is probably a surrogate for other (not studied) hydrological characteristics, but it provide a good starting place for thinking about how changes in groundwater drawdowns will impact the habitat of yellow-billed cuckoos. Flow permanence is a particularly helpful measure because it is easily observed, as opposed to depth to water, which can be measured at various wells but varies spatially. Pima County is currently pursuing an analysis of surface water extent and vegetation change over time. We hope to have results in the coming weeks.

Huachuca water umbel. The Huachuca water umbel requires permanent water and grows on the margins of streams. First detected in 2001 within patches of cattail and bulrush (Engineering and Environmental Consultants Inc. 2001), the umbel appeared to have colonized a location in the CCNP from larger populations upstream. The cattail-bulrush wetland in which umbel colonized was considered a perennial reach in 2000-2001, but subsequently desiccated because of the headcut, which was studied intensively by the Pima Association of Governments (PAG; 2009b). The PAG study included piezometers which documented the loss of near-surface waters and dewatering of sediment during pre-monsoonal droughts that precede headcutting during subsequent floods. The dewatering of sediment during pre-monsoonal months likely rendered umbel habitat unsuitable, even if no headcutting occurred.

The umbel has not been seen in the CCNP for a number of years, in spite of casual searches during quarterly walk-throughs, and a dedicated search during 2013. Colonization events may be infrequent, and with reductions in areas of permanent water from the impacts of the Rosemont mine, there will be less available habitat for natural establishment and persistence.

Conclusions

To our knowledge, this is the first attempt to use water resource data collected at the CCNP and Davidson Canyon to better understand the range of potential impacts that the mine might have on water resources and the T&E species that rely on this resource. Our analysis show:

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- The statistical relationship between depth to water and baseflow and streamflow extent is outstanding for the paired relationships of Cienega Creek and Cienega Well (Figure 1) and Davidson Canyon and Davidson Canyon #2 well (Figure 3);

- These data, along with a critique of Rosemont-sponsored data collection efforts that relied on faulty data and assumptions, provide the strongest support to date for the connection between surface water and groundwater resources in Davidson Canyon and Cienega Creek.

- Using models that express this relationship, we show that previous modeling efforts (WestLand Resources Inc. 2012) significant underestimated the loss of streamflow length that could result from the mine. We also estimate, for the first time, the amount and percentage of baseflow that will be lost with a drawdown of the aquifer the supports the aquatic and riparian resources of lower Cienega Creek and Davidson Canyon.

- Groundwater drawdowns of the magnitude predicted and within possibility show that there will be significant and measurable impacts on the extent of surface water and habitat for the Gila topminnow and Gila chub (Table 1) and other species (Tables 1 and 2). This is particularly critical during June when the creek is at its lowest baseflow and extent;

- Fragmentation of aquatic habitat shows and inverse relationship to flow extent (Table 3); that is, as extent declines, fragmentation will increase. This will lead to additional take and threat to T&E species that has not been previously considered;

- There is still considerable uncertainty about the impacts of surface water diversions into Cienega Creek and Davidson Canyon. Developing a better understanding of these impacts will allow a more refined accounting of impact on the aquatic system of Cienega Creek and Davidson Canyon and the species that call these places home.

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