

State of New Mexico  
Energy, Minerals and Natural Resources Department

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**Michelle Lujan Grisham**  
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Deputy Secretary (Acting)

**Laura McCarthy**, State Forester  
Forestry Division



December 15, 2023

Carmen Rose  
Permit Lead; Mining and Minerals Division  
Energy, Minerals and Natural Resources Department (EMNRD)  
1220 S. St. Francis Drive  
Santa Fe, NM 87505

**RE: Request for Comments on Revision 21-1 to the Emma Expansion Project, Freeport-McMoRan Tyrone Operations, in Grant County, NM (Permit No. GR010RE)**

Thank you for the opportunity to comment on the above referenced project and provide additional information regarding a field site visit to adjacent private lands on November 20<sup>th</sup>, 2023.

Based on this field site visit, I do not anticipate any impacts to State Listed Endangered Plants or Federally Listed Endangered or Threatened plants as a result of this project. However, other more common, native vegetation observed within and along the Cherry Creek drainage during the site visit was indicative of a water table that is perennially high and near the soil surface. This was confirmed from several shallow soil pits (depth of less than 1-foot) that were dug along the creek bed, where groundwater immediately began seeping into the hole. Vegetation observed that was indicative of a high-water table were the dominate stands of *Baccharis salicifolia* (mule fat) with lesser amounts of *Baccharis salicina* (willow baccharis). Both species grow in open sandy, moist habitats such as along riverbanks or alkali marshes, and areas that are mildly saline. Both species were very robust and still green, suggesting that they are in contact with year-round moisture belowground. Several large, mature *Populus fremontii* (Freemont's cottonwood) were observed along the creek drainage, which also suggests a long history of continued moisture along the creek. However, several of these mature trees were dead or dying.

No vegetation was observed that indicated any notable emergent springs, ephemeral or perennial, along the creek corridor which USGS had documented previously.

Any lowering of local ground water supplies may negatively impact the native plant community that occurs within the Cherry Creek drainage.

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Please let me know if I can be of further help.

Sincerely,

A handwritten signature in blue ink, appearing to read "Erika Rowe", with a long horizontal flourish extending to the right.

Erika Rowe  
State Botanist/Endangered Plant Program Coordinator  
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