

GOVERNOR  
Susana Martinez



DIRECTOR AND SECRETARY  
TO THE COMMISSION  
Michael B. Sloane

DEPUTY DIRECTOR  
Vacant

STATE OF NEW MEXICO  
DEPARTMENT OF GAME & FISH

One Wildlife Way, Santa Fe, NM 87507  
Post Office Box 25112, Santa Fe, NM 87504  
Tel: (505) 476-8000 | Fax: (505) 476-8123  
For information call: (888) 248-6866

[www.wildlife.state.nm.us](http://www.wildlife.state.nm.us)

STATE GAME COMMISSION

PAUL M. KIENZLE III  
Chairman  
Albuquerque

BILL MONTOYA  
Vice-Chairman  
Alto

CRAIG PETERSON  
Farmington

RALPH RAMOS  
Las Cruces

BOB RICKLEFS  
Cimarron

THOMAS "DICK" SALOPEK  
Las Cruces

VACANT

3 December 2018

Ms. Cinthya I. Román, Chief  
Nuclear Regulatory Commission  
Environmental Review Branch  
11555 Rockville Pike, Mail Stop T-4B16  
Rockville, MD 20852

***RE: U.S. Nuclear Regulatory Commission Determination Of No Effects Regarding Endangered or Threatened Species or Their Critical Habitat For The License Amendment To Add Zeolite Water Treatment Systems To The Homestake Mining Company Facility In Grants, New Mexico (Docket Number 040-08903); NMDGF No. 18768***

Dear Ms. Román:

In response to your letter dated 31 October 2018 regarding the above referenced project, the Department of Game and Fish (Department) provides the following comments. In 2016, the Homestake Mining Company reported to the U.S. Fish and Wildlife Service approximately 12 water bird fatalities at one of their evaporation ponds. The Department is concerned that the water quality of the evaporation ponds presents a hazard to migratory water birds, and recommends that the Nuclear Regulatory Commission conduct a risk analysis to determine if the water quality of the ponds is a threat to migratory water birds. If the water quality is found to be a significant threat, exclusionary mitigation measures should be implemented to prevent birds (and bats) from accessing contaminated pond water. The Department is available for consultation regarding design specifications and to develop options that are most appropriate for minimizing potential impacts to wildlife.

With implementation of these recommendations, the Department does not anticipate significant impacts to Endangered or Threatened Species or their Critical habitats from the addition of the zeolite water treatment facility.

Thank you for the opportunity to review and comment on your project. If you have any questions, please contact Ron Kellermueller, Mining and Energy Habitat Specialist at (505) 476-8159 or [ronald.kellermueller@state.nm.us](mailto:ronald.kellermueller@state.nm.us).

Sincerely,

Chuck L. Hayes, Assistant Chief  
Ecological and Environmental Planning Division

cc: USFWS NMES Field Office