



United States
Department of
Agriculture

Forest
Service

Coronado National Forest
Supervisor's Office

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File Code: 1950/2810
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*copy to
1. Nicole
2. Julia
fyi
3/1/11*

C. H. Huckelberry
County Administrator
Pima County
130 W. Congress
Tucson, AZ 85701

Dear Mr. Huckelberry;

This is in response to your January 4, 2011 letter to me requesting that I initiate a mineral exam to contest the validity of the Rosemont Copper Company claims. You suggest that I review past opinions on this matter to see if I have a different interpretation on this issue.

Please refer to Forest Supervisor Derby's February 11, 2007 response to your previous request to initiate a mineral exam on claims at Rosemont. I have reviewed the findings contained in this original response to you and I concur with the policy described in the February 11, 2007 letter. The reasoning follows agency direction and policy per Forest Service regulation at 36 CFR 228, Subpart A, and Section 2800 of the Forest Service Manual concerning administration of locatable minerals on Forest Service System lands.

I would add that contesting claim validity is not a tool that the Forest Service has historically used except in cases where mineral withdrawal has occurred as in wilderness designation or where the activity is not consistent with mining operations. In the case of the Rosemont Copper Project, a reasonable progression of mineral exploration and ore deposit development has taken place.

In order to assist you in obtaining the information that you've asked for on the occurrence of tremolite and other asbestiform minerals in the project area, I will request that Rosemont Copper Company provide that information to you directly.

Sincerely,


JIM UPCHURCH
Forest Supervisor

