



COUNTY ADMINISTRATOR'S OFFICE

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C.H. HUCKELBERRY
County Administrator

July 19, 2013

Jim Upchurch, Forest Supervisor
Coronado National Forest
300 W. Congress Street
Tucson, Arizona 85701

Re: Time Extension Request for Review of the Rosemont Mine Preliminary Administrative Final Environmental Impact Statement

Dear Mr. Upchurch:

Pima County requests a two-week time extension for review of the Rosemont Mine Preliminary Administrative Final Environmental Impact Statement (PA FEIS). The PA FEIS was released by the US Forest Service on July 1, 2013. On the same day, Cooperating Agencies were told they had only 30 days to review the document. We now request an extension to August 15, 2013. Having attended that meeting, my staff is aware the Arizona Game and Fish Department requested an extension verbally on that day and that the request was denied in order for the Forest Service to meet a deadline regarding federal changes to the appeal procedures.

For the following reasons, I request that you reconsider your response and extend the time period.

Rule Change

We understand that on October 1, 2013, federal regulations regarding appeal procedures will change. The Forest Service has stated the review period cannot be extended due to the need to release the Final EIS before this procedural change. The procedural change was set in motion by a Federal Register notice dated March 27, 2013 and was unrelated to the Rosemont Mine.

Mr. Jim Upchurch

Re: **Time Extension Request for Review of the Rosemont Mine PA FEIS**

July 19, 2013

Page 2

The Rosemont Mine is a decision with impacts that are very significant. In view of the large and lasting impacts the mine would have, limiting Cooperating Agencies to 30-days for a rule change does not make sense.

Significant Changes without Public Comment

Significant changes have been made in this EIS, including substantial changes in the preferred alternative. As you know from our previous correspondence on the matter, we prefer that a supplemental Draft EIS be released for public comment. The Forest Service's intention to release the FEIS and Record of Decision before the rule change would mean the public will now be unable to comment on the changes. This makes agency review all the more important. If the Forest Service continues to pursue this substantially changed mine proposal through an FEIS rather than a supplemental EIS, then Pima County and other Cooperating Agencies may be the last groups to have an opportunity to comment on the document before the Forest Supervisor has issued his Record of Decision.

Deficient Draft EIS

This EIS appears to respond to many deficiencies originally identified in Cooperator and federal agency reviews of the administrative Draft EIS. Unfortunately, the public Draft EIS was rushed to press without addressing most of these issues, resulting in an extraordinarily deficient document as rated by the US Environmental Protection Agency. The delay in addressing the deficiencies of the initial document only increases the burden we now face in reviewing this substantially changed document. The new EIS provides a great deal more information than did the DEIS. The Cooperators were also provided with a disk containing hundreds of reference documents that were previously unavailable.

Coordinated Review

Pima County has many staff involved in the EIS review, including experts in many fields of expertise related to the EIS. In past reviews, we have coordinated our reviews between subject experts, allowing for collaboration between EIS components. Initially, we believed one month would be sufficient; but given the complexity of the information, it now seems unlikely the restricted timeframe will allow our review to be fully comprehensive, much less coordinated between our experts. The 30-day timeframe includes the summer's biggest Federal holiday; and on July 9, the Forest Service's Rosemont EIS website was not accessible.

Mr. Jim Upchurch

Re: **Time Extension Request for Review of the Rosemont Mine PA FEIS**

July 19, 2013

Page 3

Other Ongoing Processes

Before issuing a Record of Decision, the Forest Service also needs to conclude tribal consultation and other outstanding federal obligations. In view of these other ongoing processes, a two-week extension may not, in the end, reduce the ability of the Forest Service to issue its Record of Decision.

I appreciate you considering this request and look forward to our meeting later this month.

Sincerely,



C.H. Huckelberry
County Administrator

CHH/mjk

c: Nicole Fyffe, Executive Assistant to the County Administrator
Julia Fonseca, Environmental Planning Manager, Conservation and Sustainability Office