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# MEMORANDUM

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Date: June 21, 2017

To: The Honorable Chair and Members  
Pima County Board of Supervisors

From: C.H. Huckelberry  
County Administrator *CH*

Re: **Record of Decision Notification by the US Department of Agriculture, Coronado National Forest, Regarding the Rosemont Copper Project**

Attached for your information is a Record of Decision signed by Forest Supervisor Kerwin Dewberry regarding the Rosemont Copper project.

We have the following continued concerns:

1. The conversion of the northern Santa Rita Mountains to an industrial zone for resource extraction and processing.
2. Lack of adequate mitigation addressing, to any extent, pit backfilling, which means a larger footprint than necessary, and wasteful evaporation from a pit lake.
3. Significant impacts and diversion of surface water flows that will, when combined with up to 18,000 acre-feet of onsite pumping and the pit lake, significantly deplete the subsurface aquifer and threaten critical downstream areas in the Las Cienegas Natural Conservation Area, as well as Davidson Canyon.
4. The reclamation bonds will be grossly inadequate to repair the damage and maintain the site after closure, as has proven to be the case in nearly all hard-rock mining operations.
5. Underestimation of flood volumes and peak discharges, which creates greater risks for meeting the requirements of the Clean Water Act (CWA).
6. Mitigation measures for CWA impacts are grossly inadequate.
7. The State's CWA Section 401 water quality certification violated State statutes by failing to comply with public notice requirements resulting in approval of a baseline for water quality that includes impacts resulting from initial construction activities.

The Honorable Chair and Members, Pima County Board of Supervisors

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We will continue to follow this project closely, as we are particularly interested in decisions by the US Army Corps of Engineers regarding CWA Section 404, the State's water quality certification, habitat and other mitigation measures, reclamation bonds and plan, and the modified Mine Plan of Operations, which now must conform to the Record of Decision requirements.

CHH/anc

Attachment

c: Linda Mayro, Director, Sustainability and Conservation  
Julia Fonseca, Environmental Planning Manager, Sustainability and Conservation



File Code: 2810; 1950  
Date: June 6, 2017

Dear Interested Party,

I am writing to inform you that I have signed the Record of Decision (ROD) for the Rosemont Copper Project (RCP) (PoO ID# 2810-030502-2007-001). The ROD outlines my decision to select the Barrel Alternative and to amend the 1986 Coronado National Forest Plan by creating a new management area around the mine site.

#### Background and Project History

In July 2007, Rosemont Copper Company submitted a preliminary mining plan of operations (MPO) to the Coronado National Forest (CNF) requesting approval to construct, operate, reclaim, and close an open-pit mine on and adjacent to National Forest System (NFS) lands. This project area is located about 30 miles south of Tucson, Arizona. It is on approximately 995 acres of private land owned by Hudbay Minerals, Inc. (the proponent), 3,670 acres of NFS lands, and 75 acres of Arizona State Land Department lands. The RCP consists of the development of an open-pit mine, ore processing plant, waste disposal facilities, access roads and utility corridors. The operation would produce 5.88 billion pounds of copper (approximately 11% of U.S. production), 194 million pounds of molybdenum, and 80 million ounces of silver concentrates from an open-pit mine (roughly circular pit, up to 6,500 feet in diameter at the end of mine life). The life of the operation, including construction, operation, reclamation and closure, is approximately 24.5 to 30 years.

The Forest Service's review of the 2007 preliminary MPO identified the need for additional information. In February 2008, a supplemental preliminary MPO was accepted for environmental review by the CNF. Since then, the Forest Service (USFS) has worked diligently to process the request in a timely manner while ensuring compliance with regulation, policy and direction. Furthermore, the USFS has worked closely with the proponent, cooperating agencies, many different organizations, special interest groups, and with the public to ensure all comments were considered throughout the National Environmental Policy Act (NEPA) review.

The draft Environmental Impact Statement (EIS) was released on October 19, 2011 followed by a comment period through January 31, 2012. Seven (7) open public meetings were held early in the public comment period to provide information on the draft EIS and solicit public comment. In addition, oral and written comments were accepted throughout the public involvement period. Over 25,000 submissions were received during this public comment period.

Comments received on the draft EIS were considered in preparation of the final EIS and draft ROD. In addition, the Forest Service has continued to work closely with cooperating and regulatory agencies in fine-tuning the proposal, improving impact analysis, and developing mitigation and monitoring measures. Consultation with the U.S. Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act was concluded with the publication of a Biological Opinion on October 30, 2013.



The Final Environmental Impact Statement (FEIS) and draft ROD for the RCP were issued on December 13, 2013. The objection process opened on January 1, 2014 and closed on February 14, 2014. Southwestern Regional Forester Cal Joyner provided guidance regarding objections to CNF in a response letter dated June 13, 2014. As part of the 36 CFR 218 objection process, Regional Forester Joyner found the project to be in compliance with pertinent laws, regulations, policies, and direction. However, this determination included direction to the Coronado National Forest Supervisor to reinitiate consultation with USFWS to address additional items needing clarification and correction. The FEIS Errata documents corrections to the text of the published FEIS. These corrections reflect minor errors and omissions discovered after the release of the FEIS, as well as specific changes directed by the Regional Forester during the objection process.

At this time, all items directed by the Regional Forester have been accomplished, including completion of the USFWS consultation re-initiation and issuance of the Amended Final Reinitiated Biological Opinion in April 28, 2016. Additionally, two Supplemental Information Reports (SIRs) were released in May 22, 2015 and July 20, 2016. A SIR serves as the basis for considering new information brought forward since publication of the FEIS, along with updating the existing condition and reasonably foreseeable actions that have changed since issuance of the FEIS.

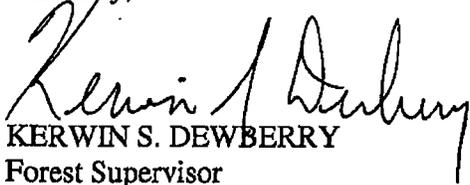
#### Concluding Remarks

Signing the ROD will conclude the NEPA process for the FS. The proponent, Hudbay Minerals, Inc., is required to perform the following: 1) Incorporate the ROD requirements into a revised MPO and submit the MPO to CNF for review and consideration, 2) develop a reclamation plan, 3) calculate and provide a reclamation bond to CNF, and 4) obtain all required certifications under the Clean Water Act.

The FEIS and final ROD are available for review online on the project website at <http://www.rosemonteis.us>. These documents are also available for viewing electronically (DVD) and in hard copy at all of the CNF offices and at select libraries throughout the area. For a complete list of locations containing both electronic and hard copies, please visit the project website or contact the USFS at 520-388-8300.

Thank you for your interest in the Rosemont Copper Project.

Sincerely,

  
KERWIN S. DEWBERRY  
Forest Supervisor