



COUNTY ADMINISTRATOR'S OFFICE

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C.H. HUCKELBERRY
County Administrator

May 31, 2019

Mr. Raymond Suazo, Director
U. S. Bureau of Land Management
21605 North 7th Avenue
Phoenix, AZ 85027-2929

Re: **SF299 for Helvetia-Santa Rita Road**

Dear Mr. Suazo:

Rosemont Copper has applied to the U. S. Bureau of Land Management (BLM) for a for a short-term Right-of-Way (ROW) permit on an existing road located on BLM land near Helvetia (attached). BLM has requested a response from Pima County about the compatibility of their proposal with the ROW Pima County holds on the segment in question.

The need to modify the roadway in question comes as a surprise to us-- no federal action in connection with this BLM land was identified in the U.S. Forest Service Record of Decision for the Final Environmental Impact Statement (FEIS) for the Rosemont Mine. As you know, Rosemont modified their Mine Plan of Operation in 2012 to remove the use of the BLM land in Helvetia from consideration in the FEIS. BLM was not deemed to be an affected federal agency or to have a federal action.

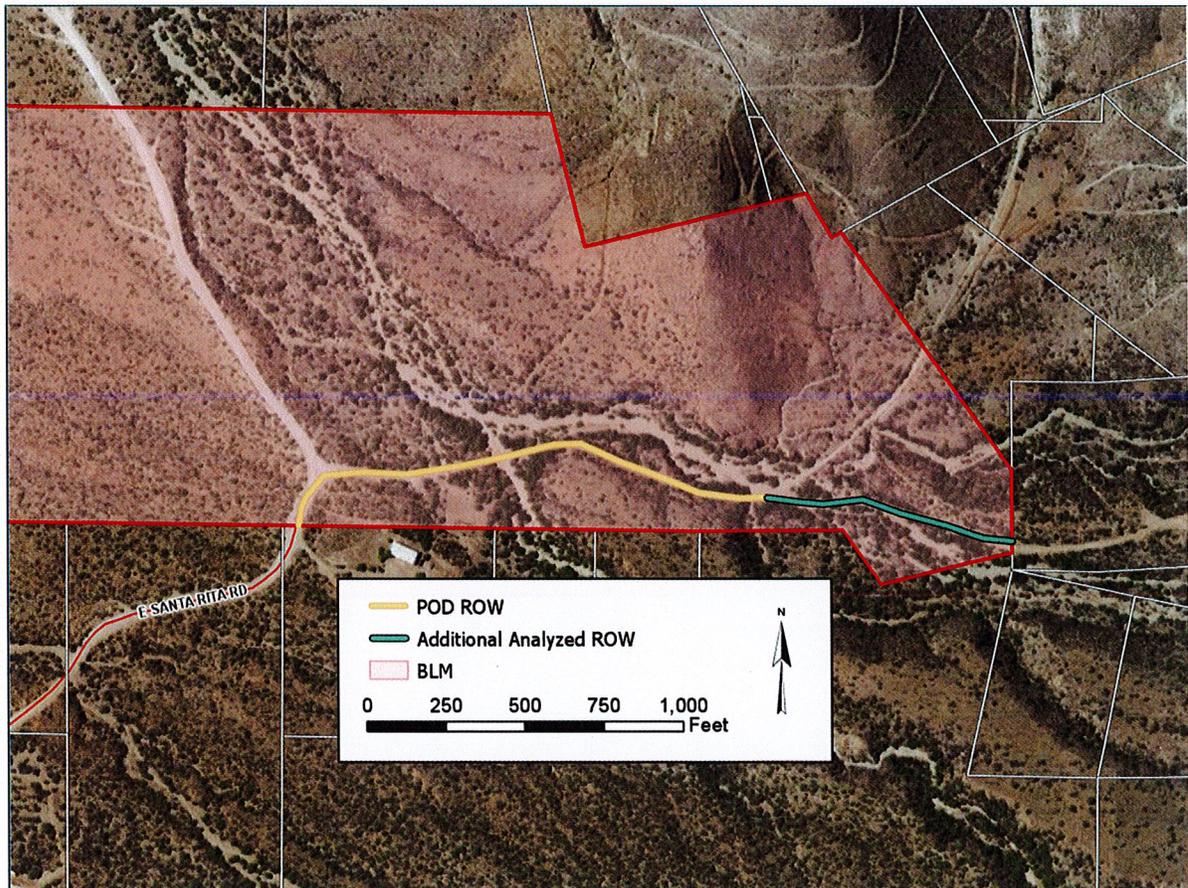
Rosemont's responses to Standard Form 299 provides further details about the nature of the requested grading. Rosemont intends to repair *"where the road has washed out.... A bulldozer will be used to eliminate the areas where stormwater damage is the most extreme and to cut the crest of the road to better match the existing roadways, the road will then be bladed to smooth it and provide the appropriate crown so the water will drain."*

The 2011 Clean Water Act Section 404 permit application we commented on indicated there would be no dredge or fill activity of the wash or washes on BLM land. On the SF-299, Rosemont indicates that *"No Corps permits are required for maintenance of an at-grade roadway."* But I read in the May 23, 2019, Arizona Daily Star that Rosemont is anticipating the need to *"obtain additional clearances from the Army Corps of Engineers beyond the federal Clean Water Act permit the Corps approved in early March."* Is the BLM aware of what those "additional clearances" are, and if any may affect BLM resources?

Mr. Raymond Suazo, Director
Re: **SF299 for Helvetia-Santa Rita Road**
May 31, 2019
Page 2

More detailed information would be needed to understand Rosemont's intentions for the ROW and associated washes and to assess how this might impact the County ROW. Assuming BLM has been provided with more detailed engineering plans by Highbay and their consultants, Pima County requests to see those plans, which should include a digital elevation model and plans for the existing topography and alignments, along with plans showing cuts, fills and proposed finished grades of the work proposed on federal lands.

Also, we are curious whether Rosemont intends to work on the remainder of the road that is in BLM's possession. As you can see on the map below, the BLM land and roadway extends farther to the west, and runs along more of the wash. We would anticipate that temporary maintenance would be desirable for Rosemont's activity on this blue portion of the roadway; however, work here would have the potential of impacting cultural resources that are eligible for listing on the National Register of Historic Places and are of interest to the community.



Mr. Raymond Suazo, Director
Re: **SF299 for Helvetia-Santa Rita Road**
May 31, 2019
Page 3

In light of these additional planned activities directly related to the Rosemont project which have not yet been reviewed as required under the National Environmental Policy Act (NEPA), we request that a supplement to the Rosemont FEIS be prepared to assess the potential impacts of these activities within the context of the larger Rosemont project as required by NEPA, including how the remaining private lots not owned by Rosemont will be affected by the construction of the bypass road.

Sincerely,


C.H. Huckelberry
County Administrator

CHH/mp

Enclosure

c: Jayme Lopez, Field Manager Tucson BLM Office
Linda Mayro, Director Sustainability and Conservation
Julia Fonseca, Environmental Planning Manager Sustainability and Conservation

ROSEMONT COPPER COMPANY
SF-299 Application (June, 14, 2018) – Short Term Use of Existing Road on BLM Land
Plan of Development (POD)

1. Purpose and Need for the Facility

a. what will be built

No new road bed or improvements will be constructed.

b. what is use

Existing roadway will be used to provide short-term construction access for powerline and waterline construction on private land.

c. what is size

Existing road segment on BLM land is 14-foot wide by 2,300 feet long (.74 acres in total).

d. does the proposal involve new construction, reconstruction, or improvement of an existing road

No, just grading to maintain existing roadway and repair an area of wash-out.

e. is the use temporary or permanent

Temporary use.

f. is this ancillary to an existing right-of-way

Yes, this road is open to public use and provides access to private property.

g. type and volume of traffic that is anticipated

Traffic type will include concrete trucks, lift trucks, cranes, electrical lift trucks, pipeline fusion machines, welding machines, pickup trucks, equipment service trucks, loaders, graders, dozers, excavators, etc. which is the equipment necessary to construct a pipeline, pumping station, and powerline on adjacent private property. It is anticipated that use will average 20 vehicles a day plus additional vehicles for deliveries as needed. The entire project on adjacent private land is scheduled over a 12 month period and work requiring use of the existing road segment is scheduled to take less than six months.

h. season of use

Variable depending on the start date for the project.

i. origination and destination of the road

The road is known locally as Helvetia road and heads east from Santa Rita Road to private property 2,300 feet east of Santa Rita road.

j. alternative routes or locations, if proposed road not within a designated corridor

There are no alternative routes.

2. Right-of-way Location

a. Legal description: existing road segment on BLM land in N ½ NE ¼ Section 22, T18S, R15E.

b. maps tied to section corners and drawings: see SF-299 application.

c. road cross sections, and plans and profiles: see SF-299 application.

3. Facility Design Factors

- a. minimum and maximum engineering standards
 - 1) construction standards of the road
 - 2) maximum grade and pitch of the road
 - 3) requirements and location of drainage ditches, culverts, bridges, and low-water crossings
 - 4) if the road will be surfaced, what surfacing material will be used
 - 5) length and width of road
 - 6) cut and fill diagrams
- b. detailed engineering plans and specifications for major structures
 - 1) major culverts, bridges, retaining walls
- c. temporary use areas needed

No engineering plans are required. The road will simply be graded to improve safety in an area where the road has washed out. There will be no major structures constructed and no temporary use areas will be needed.

4. Additional Components

- a. existing components on and off public land

The roadway segment extends onto private land.

- b. possible future components on and off public land

No additional components are needed.

- c. is there a need for sand and gravel supplies from public land
- No.

- d. location of equipment storage areas

Equipment will be stored on private property adjacent to the BLM land.

5. Government Agencies Involved

- a. are Corps of Engineers Section 404 permits needed?

No Corps permits are required for maintenance of an at-grade roadway.

- b. are State or local permits, easements, or dedications needed?

No additional permits are needed for this segment of roadway.

6. Construction of facilities

- a. construction (brief description)

- 1) major facilities (including vehicles and number of tons and loads)

None.

- 2) ancillary facilities (including vehicles and number of tons and loads)

None.

- 3) methods of construction and types of equipment to be used on the road right-of-way

Earthmoving equipment – bulldozer, water truck, and grader will be used to perform maintenance on the roadway.

b. work force (number of people and vehicles)

It is anticipated that four people will be needed with one pickup and the three pieces of construction equipment itemized in 6.a.3 above.

c. flagging or staking of the right-of-way

The roadway will be staked for width as well as length to ensure BLM land is well marked.

d. clearing and grading

No clearing and grading is needed for this job, the road exists.

e. facility construction data

1) description of construction process

A bulldozer will be used to eliminate the areas where stormwater damage is the most extreme and to cut the crest of the road to better match the existing roadways, the road will then be bladed to smooth it and provide the appropriate crown so that water will drain. Water trucks will be used to control dust and ensure appropriate compaction during maintenance

f. access to and along right-of-way during construction

Access along the right-of-way will be restricted for a short period during the maintenance activity. Otherwise there will be no restrictions to access

g. contingency planning

1) holder contacts

Engineering Manager: Clarissa Barazza, 520-495-3514

Environmental Director: Kathy Arnold, 520-495-3502

2) BLM contacts

h. safety requirements

Standard construction PPE as well as a Site Specific Safety and Health plan will be required for the work.

i. industrial wastes and toxic substances

There will be no industrial waste or toxic substances used.

j. seasonal restrictions on various activities

None required. This roadway is currently in year-round use.

7. Resource Values and Environmental Concerns

a. address at level commensurate with anticipated impacts

1) location with regard to existing corridors.

Roadway segment is an existing corridor.

b. anticipated conflicts with resources or public health and safety

- 1) air, noise, geologic hazards, mineral and energy resources, paleontological resources, soils, water, vegetation, wildlife, threatened and endangered species, cultural resources, visual resources, BLM projects, recreation activities, wilderness, etc.

Use and maintenance of the corridor will cause no conflict with resources or public health, there are no geologic hazards, paleontological resources, soils, water, vegetation, wildlife, threatened and endangered species, visual resources, BLM projects, recreation, wilderness, etc.

There is a recorded historic cultural site adjacent to the road segment – known as the existing Helvetia Mining District. The site has been the subject of a prior Section 106 consultation initiated by the Coronado National Forest and is addressed within an existing Historic Properties Treatment Plan (“HPTP”). Pursuant to that HPTP, Rosemont will provide cultural monitors during all earthmoving activities that take place near the site. If there are any cultural resources that will be impacted, work will be halted and the HPTP plan requirements for unanticipated discovery implemented. There is no expectation that blading an existing roadway will impact cultural resources at this known historic site. See SF-299 application for additional detail.

8. Stabilization and Rehabilitation

- a. soil replacement and stabilization
- b. disposal of vegetation removed during construction (i.e., trees, shrubs, etc.)
- c. seeding specifications
- d. fertilizer
- e. limiting access to right-of-way

Soil replacement and stabilization will be accomplished through grading activities following normal road maintenance procedures. There will be no impact to vegetation, revegetation will not be performed on the roadway so there will be no seeding or fertilizer.

9. Operation and Maintenance

- a. minimum maintenance and maintenance schedule
- b. placement of control, warning, and directional traffic signs
- c. maintenance of special needs such as snow removal, seasonal closure, and controlled access
- d. safety
- e. industrial wastes and toxic substances
- f. inspection and maintenance schedules
- g. work schedules
- h. fire control
- i. inspections
- j. contingency planning

Maintenance on the roadway will be undertaken as previously described. Blading and watering will occur as needed due to conditions and use. This section of roadway is isolated and provides access to one home and Rosemont private property so traffic control is not expected to be necessary. Signage designating roadwork, construction, or access may be used if the contractors determine it is necessary. Safety on this roadway will follow standard Mine Safety and Health Administration (MSHA) as well as Occupational Safety and Health Administration guidelines for use and maintenance. The Forest Service and the Arizona State Land Department have set specific safety requirements for the overall project regarding public health and safety as well as fire that will be followed by all contractors regardless of location. Speed will be limited to 15 miles per hour. No industrial wastes or toxic substances will be used on the BLM roadway segment, and work on the roadway will be limited to daylight, normal work day, hours. Daily workplace inspections are required by MSHA and would include access roads. Emergency response and contingency planning is not expected to be required for road maintenance activities; however, the overall construction project will have those plans available and they will be implemented if appropriate.

10. Termination and Restoration

- a. determine if the road will be totally obliterated
- b. what structures will be left in place or removed
- c. stabilization and re-vegetation of disturbed area

The road will be maintained in the same location and same configuration as it exists currently. The only change will be to the drainage on the road and a repair of the roadway erosion. There will be no disturbed area outside of the current roadway footprint. No structures will be removed or re-vegetation undertaken.