copy
2/5/08

Friends of Rosemont Copper
P.O. Box 65735
Tucson, AZ 85728

Dear Someone,

Thank you for the card presenting your rationale for the development of the Rosemont mine in the Santa Rita Mountains area. I have examined your positions and write to you with a number of comments and questions.

My first comment relates to the word ***Resourceful*** at the top front and the bottom right of the card. Understandably, you have indeed been resourceful in presenting only the positives. However, there are negatives, and ultimately the question is, "Will the preservation of the landscape honoring the wishes of the population in this area prevail, or will the profit motive prevail?" One look at the landscape to the west of I-19 between Tucson and the Mexican border suggests the obvious answer. Putting a message on an I-19 billboard reminding passersby that the mine was here before the housing boom may be correct, but does "being here first" guarantee the best and highest use of the land in question? We think not…

Regarding the 2950 high-paying jobs, how many will benefit Green Valley and other nearby communities? In my view, almost none of these jobs are relevant for an older, overwhelming number of retirees in this area.

The existence of the mine will do almost nothing to protect the water and air. The construction of the proposed pipeline will do nothing to prevent or very little to defer the looming water problem in this area. Even a moratorium on home building will only postpone the problem to a later date.

Your following of the "Dark Skies" guidelines is a nice gesture, but not having a Rosemont Mine at all will do far more toward preventing the problem than partially controlling it.

Operating under the guidelines of the various acts you list is all well and good, but adhering to these guidelines will do nothing to prevent the land in the vicinity of the mine from looking like a disaster area. Recognizing goals and achieving them fully are two very different things.

Does Rosemont propose to cart all these tailings off and dump them in the ocean? Proponents of protecting the ocean—even proponents of a remote, undefiled, unpopulated land area—will surely mount resistance to those alleged solutions. These acts are well-intentioned, but even strict adherence to their respective provisions cannot guarantee a pristine landscape. A mine operating in the service of the profit motive automatically

invites and condones the rape of the landscape. Has the profit motive displaced the preservation of the landscape? It certainly appears that the answer is Yes!

Regarding the $256 million in direct and indirect revenue, how will this benefit Green Valley and surrounding communities? The same questions exist for the $4.8 billion and the $488 million you quote.

The benefits that will accrue to Pima County will do very little to benefit Green Valley and surrounding communities. Mostly, the Rosemont mine will operate to the detriment of the landscape itself.

I truly do not wish to be cynical, but Rosemont has been very resourceful in presenting the possible plusses for a tiny slice of the Pima County population but not for Green Valley residents. All the plusses work to the benefit of Rosemont. Will a level playing field result from the existence of this mine? Yes and no…if one subscribes to the reality that some playing fields are more level than others, then the answer is yes…I am sorry that my wife and I cannot and will not be among the "Friends of Rosemont" as your plan now exists.

When Rosemont abandons its intention to develop and operate a mine in this area, we will express an interest in Rosemont's alternative plan. When we learn that such a mine will be located in an unpopulated, remote area of Canada and will have no negative impact on the physical environment or on any living thing, our interest will become active support. Until then, we will continue to wonder how many Friends of Rosemont (not including present and prospective Rosemont employees) actually exist…

Very truly yours,

Robert W. Lyons

(Friends of an unexploited Santa Rita landscape)

[redacted]

207-5611

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USA FIRST-CLASS FOREVER

Tucson, AZ 85701
Received
MAR 20 2008
Coronado National Forest

Team Leader
Rosemont Copper Project
Coronado National Forest
300 W. Congress Street
Tucson, AZ 85701

Tucson, AZ 85701
Received
MAR 20 2008
Coronado National Forest

857014371

March 10, 2008

5 Sierra Vista Dr.

Tucson, AZ 85719

Team Leader

Rosemont Copper Project, Coronado National Forest
300 W. Congress St.
Tucson, Arizona 85701

Dear Team Leader for the Rosemont Copper Project,

This is a letter regarding the proposed Rosemont mine in the Santa Rita mountains.

I am a practicing physician at the University of Arizona in Tucson. My medical practice is diagnosis of breast cancer.

It is of tremendous concern to me that a mine is being proposed in the Rosemont area. There are multiple reasons for my concern including environmental impact, health concerns, wear on roads, inevitable water impact, among others. I urge you not to revise the Forest Plan to accommodate mining, and request that you extend the time period for comments another 60 days. I also ask that Pima County, the Arizona Department of Environmental Quality, and the Arizona State Office of Historic Preservation be included as "cooperating agencies," at a minimum in the EIS process.

The area being proposed for the Augusta/Rosemont Mining Company mine is close to Tucson and to residential areas currently under development in what is now being called Corona de Tucson. It is my understanding that copper and molybdenum are the minerals sought and that will be mined. Most of my concerns are listed below, and include quotes from articles by investigative reporters and journals. I hope you will consider them carefully and take the time to evaluate whether or not these points have been carefully investigated and addressed. The plan submitted by Augusta is for an open pit mine in an area of frequent high winds and a watershed that will drain into the Tucson water supply. The impact on environment, air quality, water supply, and most importantly the health of a large population over the hill in Tucson and its surrounding area must be very carefully evaluated.

Mining released some 39 million pounds of toxins in a single year of mining in Arizona. Molybdenum mining toxicology has not been adequately studied and is not well known. What IS known is that its toxicity is primarily linked to its percentage combination with copper and sulfur. Domestic ruminants are especially sensitive to levels of molybdenum and copper and to the proportions of each in the grasses they eat. Cattle seem most sensitive of all, and cattle grazing on grasses containing certain proportions of copper/ molybdenum will die if not removed from the land. Sonoita has traditionally been cattle country with many large ranches and smaller cattle operations currently functioning in the area. The winds in the Sonoita/Santa Rita area are famous for their ferocity at times, and an open pit mine in the region could be

disastrous to the cattle themselves and to the financial survivial of the cattle business in the area.

Further, residue levels of molybdenum are not currently sufficient to diagnose molybdenum poisoning. Rather, this metal has been determined to be toxic in combination with other chemicals and metals, most particularly, copper. At the present time, we have no ability to test for molybdenum poisoning vs. copper deficiency in these animals. Until such diagnostic testing becomes available, it is untenable to propose mining in cattle producing country. More longterm effects on the population eating the beef from such an area should also be investigated in advance of open pit mining.

The water issue is an enormous one in the dry State of Arizona. I don't know how to say it more emphatically: water is critical in the Sonoita/Rosemont area. Loss of water in wells as a result of mining is more than a legitimate concern. In addition, the watershed for the mining operation is the Cienega Creek and Davidson Canyon, a natural riparian area. This watershed enters the water supply for the Tucson area. Below is a description of what can happen:

... " the single greatest danger from open-pit mining: Rocks encapsulated in a mountain are dug up, exposing them to air and water. If they contain pyrite -- iron sulfide, technically, but better known as "fool's gold" -- the rock produces sulfuric acid. This acid leaches heavy metals from the rock, much as water dripped through coffee grounds carries away caffeine.
The resulting toxic mess, sometimes mixing with arsenic and other contaminants, can be harmful and even deadly to fish. Katrina Edwards, the scientist who discovered the new microbe at Iron Mountain, said that once acid-generating rock is exposed to the elements, "You've opened up a big tap of sulfuric acid and broken off the handle. You can't stop it."
While it can be contained, or treated, the costs can be huge."You're going to have to spend millions and millions of dollars" on the cleanup, said Steve Newton-Reed, a program specialist in the California Office of Mine Reclamation. "Nobody wants to hear this"

Mining companies are notorious for not being responsible in such clean-up or in declaring bankruptcy to avoid it. To quote once again:

". . . . .Investigators looking for the owners of the Gibson Mine in copper country near Miami-Globe, Ariz., followed the trail to an order of Franciscan friars in Oakland, Calif. The mine owner had left it to them in his will.
"This mine was leased out to various people over the years, and these friars, it's not their fault" that the pollution occurs, said Laura Gentile, an EPA staff member who deals with the mine. "We're not going to go to these friars. ... Unfortunately, that's a problem with abandoned mines nationwide." The very scale of today's massive open-pit mining operations means that sometimes cleanup costs will outstrip the value of the metals pulled out of the ground, as happened with the $232 million cleanup of the Summitville mine in southern Colorado.
To help close that gap, some states have increased the size of bonds that mine owners must post before they start work, rather than relying on promises that the company will pay later. Too often, regulators have found no company able to pick up the bill. . . . . that further bankruptcies in the mining industry might stick taxpayers with an even bigger cleanup bill.

There is not only watershed of leached toxins but also accidental spills that are inevitably attached to mining. These flow to the Tucson area, a much more populated area than the immediate surrounding area of the mine.

From an article by McClure and Schneider:

Mine sites are big, industrial facilities. And accidents happen.
In six months of 1999, for example, Nevada regulators recorded 33 spills and other forms of mishandling of more than 50,000 gallons of diesel fuel, mercury, nitric acid, hydraulic oil, mining wastes, transmission fluid and the cyanide-laced water.
The problem of spills appears to be widespread.
An Environmental Protection Agency review of problems at 32 mines in Arizona, New Mexico and Nevada between 1990 and 1996 documented some form of pollution, usually spills, at each site studied.
Again, these incidents included serious mishaps: 108,000 gallons of copper-tainted water unleashed by a pipe failure at BHP's copper mine near Miami, Ariz.; 231,000 gallons of mine waste released into Whitewater Creek near Hurley, N.M., through faulty pipes at the Phelps Dodge copper and molybdenum mine; 180,000 gallons of cyanide solution loosed at Kinross Mining's gold and silver mine in Mineral County, Nev., when changing temperatures caused a 12-inch-wide pipe to burst.'

Allowing this inevitable toxic waste into the drinking water of Tucson and the surrounding area is unconscionable. For physicians treating cancer, it is unthinkable that we should be allowing poisonous toxins into our drinking water and environment this close to Tucson. WILL cyanide be used to dissolve valuable chemicals from the unwanted rock?? Its health hazards are only too well known. Molybdenum mining with the many incidental toxins released into the environment during the mining process is also certainly suspect. A quote from the Multinational Monitor:

Many residents also fear that molybdenum released into the water supply could cause several forms of cancer, as well as other diseases. The alliance backs this allegation with the results of a 1974 study conducted by University of Colorado scientists. That state hosts two AMAX molybdenum mines, and the study found that drinking water near them contained abnormally high levels of the heavy metal.
The molybdenum levels, in turn, were statistically related to higher-than-usual incidence of all forms of cancer, including leukemia and other diseases of the blood, as well as high blood pressure, several digestive-tract diseases and birth defects.

Arizona is globally known for the diversity of birds, reptiles, amphibians, bees and plants in the Sonoita/Rosemont/Patagonia region.For example, it has unique species that burrow underground in watersheds during drought and dry seasons. The effects of mining on this wildlife needs to be understood before such impact is brought down upon them. If a mine, such as this one, is being proposed with watershed to a large population, further study is absolutely warranted. To be more specific, further study needs to be done regarding:

1. The establishment of "no-harm"levels of molybdenum and its associated minerals to wildlife species, ruminants, and humans before allowing further mining to proceed in riparian areas and areas with watersheds to established human populations.

2. The determination of the effects of molybdenum/copper mining on the developmental stages of wildlife and humans as well as in utero effects.

3. Improvement in animal and human diagnostic testing for molybdenum chemicals and compounds.

The above is imperative as a first step.

We cannot expect the mine to be the responsible party in protecting our environment and our health. We are not their priority. We are counting on our Forest Service to protect us. We need to think of afterward, after the mining, should this be allowed to proceed. Once the mine is closed and the mining company has left, then what? Groundwater will flow into the holes created by the mine, rather than in its natural direction. To quote:

. A 1999 study prepared for Newmont Gold Co. predicted that this reversal of flow would cause creeks to run dry in an average year, and the Humboldt River's base flow to be reduced by one-quarter.
"This is the desert," said Tom Myers, a hydrogeologist and activist with Great Basin Minewatch, as he walked along the banks of the Humboldt and spoke of the redirection of billions of gallons of water in the nation's driest state. "I believe that is a lot in a basin that is more than 200 percent appropriated."
Some of the water pumped from the mines now is sent down the Humboldt River, where ranchers and farmers are happy to have some extra. Myers wonders how the agriculturists will fare when the water flows the other way.
The Nevada Mining Association's Scheidig said miners are "cautious and sensitive to the needs of the farming and ranching communities. That would be the last thing we want -- to leave them high and dry as a legacy."
U.S. Geological Survey scientists, in studies funded by the mines, have found that groundwater levels in western Nevada have dropped as much as 1,500 feet in the last decade.
Barrick Gold and Newmont have had to pump twice the water that hydrogeologists had predicted, said Mike Turnipseed, director of Nevada's Department of Conservation and Natural Resources.
The state requires the mines to put water back into the ground, but that doesn't always work. If that can't be done, the miners are required to try to use it some other way, such as on local ranches. No one really knows how long it will take for the water to refill the pits, and when the river will return to normal.
"Long-term is still a question," Turnipseed said. "Is the Humboldt River going to go dry for a century?
Paper trails often lead to bankrupt companies that can't finance cleanup, or to owners who had nothing to do with the damage.

As taxpayers and residents of the area, we do not want to be stuck with the clean-up bill or suffer the loss of groundwater essential to living in this beautiful area. Reassurances and predictions are no longer good enough. To quote Kuipers:

"Our present means of predicting acid mine drainage and other anomalies are just so woefully inadequate. Just about every time we go to close down a mine, we're finding that the predictions were worthless." And the EPA: "I hope we at EPA, and every other federal and state agency that has anything to do with permitting mining, learn from the disastrous mistakes we've made" Yellowtail said.
"We've screwed up, plain and simple, because we've largely rushed to economic development without thinking ahead to what the inevitable consequences would be." >

It is of utmost concern that the process not be rushed. Too much is at stake. I ask that the Forest Service protect the interests of wildlife, water, and the health of a large population. Filling in of the proposed canyons will destroy wildlife movement corridors. Toxins will destroy our native plants and ecosystems and will undoubtedly exact a health penalty on ourselves that is potentially devastating. Public enjoyment of the area will be restricted regarding biking, hiking, hunting, camping, and bird watching. The breathtaking views along Highway 83, designated as a scenic highway, will be forever ruined. The safety of the highway itself with the large trucks that will be using it from the mine will be jeopardized. These issues are important, not only to those of us living in the immediate area, but to those who come globally to enjoy the breathtaking beauty and recreation of the area.

I urge you to not to revise the Forest Plan regarding mining and to extend the period for comments another 60 days. Thank you for your consideration of this matter.

Sincerely yours,

Virginia H. Baker, M.D.

Virginia H. Baker, M.D.

Virginia Baker, M.D.
5 N. Sierra Vista Dr.
Tucson, AZ 85719

TUCSON AZ 857

10 MAR 2008 PM 4 L

"LET US DARE TO RE
THINK, SPEAK AND
John Adams, 1765

USA FIRST-CLASS FOREVER

Team Leader
Rosemont Copper Project,
Coronado National Forest
300 W. Congress St.
Tucson, AZ 85701

Tucson
MAR 20 2008
Coronado National F

Tucson AZ
Received
MAR 03 2008
Coronado National Fo

857014371

Jeanine Derby

Rec'd

Jeanine Derby /R3/USDAFS
03/20/2008 11:18 AM

To "Dick Shuman" <shumans2@cox.net>
cc
bcc
Subject Re: Rosemont EIS Open House March 18, 2007 in Green Valley

Every comment that we receive on Rosemont becomes part of the record. Thank you for yours in the past. Because we were delayed in announcing meetings due to a delay in Federal Register announcing the Notice of Intent, I have agreed to extend the scoping period until May 19. We will check to assure that your mailing address is on the mailing list.

Jeanine Derby, Forest Supervisor
Coronado National Forest
phone: 520 388-8306
FAX: 520 388-8305
"Dick Shuman" <shumans2@cox.net>

"Dick Shuman" <shumans2@cox.net>
03/18/2008 04:30 PM

To "Derby, Jeanine" <jderby@fs.fed.us>, "Everson, Beverly" <beverson@fs.fed.us>, "Campbell, Andrea" <awcampbell@fs.fed.us>
cc
Subject Rosemont EIS Open House March 18, 2007 in Green Valley

Jeanine Derby, Forest Supervisor
Coronado National Forest

I am upset about two aspects of subject open house in Green Valley
1. The short notice appearing in the Arizona Star (6 days).
2. I was not notified directly. I understood that I was on your notification list of any public notices or information.

I have the following question.
Will the two documents I submitted to you need to be resubmitted? Are they part of the comment record?
These are the letters I submitted on November 12 and December 30, 2007 under the subject of File Code 2810 Rosemont Plan of Operation.

In my letter of November 12, I requested that Rosemont be requested to make a comprehensive hydrological study of our aquifer to determine the exact impact that Rosemont pumping will have on our community. Has Rosemont been requested to do this?

Respectfully,

Jeanine Derby

Dick Shuman, PE
Casa Paloma I Homeowners, Inc.
Environmental Coordinator
Ph: (520) 648-0445 Email shumans2@cox.net

ROSEMONT INTENDS MAJOR MINING OF OUR GROUNDWATER

I would like to share with you today some alarming information about Rosemont Copper Company's proposed mine to be located in the Santa Rita Mountains south of Tucson. This information is from the public records of the Arizona Department of Water Resources. The Rosemont Mine will impact residents of the northern San Cruz river valley.

I am a resident of Sahuarita heights area, which is located south of Tucson and north of Green Valley. My wife was born and raised in Tucson. She met me in northern California where we lived for over 20 years and raised our family. She had always wanted to move back to Arizona. In 2003, while on vacation, her brother took us to Sahuarita to see some property that was for sale. After only one look, I could see how beautiful it was and what a fabulous view of the Santa Rita Mountains it had. I knew that this was the place for our family to build our dream home. In 2004 I moved my family to Arizona to live on our newly acquired property. While living on the property in a trailer, we built our dream home to all of Pima County's 2006 building codes.

Rosemont Copper Company has acquired a parcel of residential property (about 50 acres) near my home and plans to put in several wells, at depths of 1,300 feet, to continuously pump 6,000 acre-feet of groundwater (our drinking water) each year for the next 20 years. They will transport this water 15 miles up to and over the crest of the beautiful Santa Rita Mountains to it's mine for processing copper ore. The pumping of so much water will dry up as many as 200 domestic wells in my neighborhood, at depths of only 200 to 300 feet, which supply the drinking water for up to 400 families. It also has come to my attention that there is already a land subsidence issue in my area of up to 2.4 inches from groundwater depletion, excessive pumping of groundwater, in a 8 month period between 02/23/2007 and 10/26/2007. I believe that if Rosemont Copper Company is allowed to transport 1,955,226,000 gallons (which is the same as 6,000 acre feet) of our ground water away from our area each year, the land subsidence will get even more severe at even a faster rate, and this will drastically affect our communities for years to come. I'm hoping that something can be done immediately to protect the communities of Sahuarita and Green Valley from the same fate as Pinal County, where the subsidence issue is measured in tens of feet instead of inches.

It is grossly unfair that our community is required to follow twenty-first century building codes, while mining companies can use an antiquated, nineteenth century mining law to destroy our homes. But the issues I have described here are far more important than complying with the intent of the 1872 Mining Law, which was to encourage mining exploration and development, perhaps necessary in the 1800's. These issues go to the core of the National Environmental Protection Act (NEPA), the intent of which is to protect our environment, our properties, and our way of life.

National Environmental Policy Act Section 101 paragraph B pertains to Rosemont's activities of transporting groundwater away from Sahuarita would interfere with the natural balance of the environments ability to maintain critical water levels for the overall development and welfare of the our community. Rosemont's transportation of groundwater from Sahuarita, which is already suffering from a groundwater depletion and land subsidence, may cause a risk to health and safety of the residents with undesirable consequences to the community and Rosemont's transportation of our groundwater could dramatically affect future growth in our communities.

When a company applies for a permit which will impact waters of the United States, the agency that is being asked to issue the permit must evaluate the environment effects of the permit decision under NEPA. The Federal agency can require the private company to pay for the preparation of analyses, but the agency remains responsible for the scope and accuracy of the analyses. With this being said, Rosemont should be made to pay for a hydrologic study for the environmental impact of the transporting of groundwater away from Sahuarita heights.

Pima County Administrator Chuck Huckleberry stated earlier this month his concerns about the over use of the groundwater and that the aquifer in Green Valley is falling at the rate of 4 feet a year.

Water is the most precious resource Arizona has and should not be wasted for the profits of others, especially foreign companies. Also, it should not be allowed for the Rosemont Copper Company to trade Central Arizona Project water that they have been recharging into the ground in Marana for drinking water (groundwater) in Sahuarita, 30 miles or more to the south of Marana, especially since Marana groundwater is flowing away from Sahuarita. This defies logic, boggles the mind and is a great misuse of taxpayers' money.

The water of Arizona is the life blood of the communities in this great state and should never be wasted in such a foolish manner. I hope that our politicians will be better stewards of the taxpayers' money and stop the wasteful use of Arizona's ground water. In so doing, they will be protecting the lives of our communities. The water belongs to the citizens of Arizona. It's time to use common sense for the common man for the common good of Arizona.

Robert Robuck
Arizona Homeowner
March 17, 2008

P.S.

I have also included copies of ADWR documents and a diagram illustrating Rosemont's well in the middle of the land subsidence area.

Rosemont Project 06156
Water Balance Description

The Rosemont operations will use approximately 31,870 gpm of water distributed between the concentrator, the heap leach-solvent extraction electrowinning (SXEW) facilities, water for the mine haul roads, and domestic uses. Of this amount, during steady-state operations, 28,500 gpm (89.4%) will be recycled and 3,370 gpm (10.6%) will be make up water. The makeup water will be pumped from the well field via a series of booster stations to a 1 million gallon tank located at the plant site.

The concentrator is the largest consumer of water, and also provides most of the recycled water. Recycled water, at about 25,700 gpm is used in grinding and rougher flotation. Make up water, approximately 2,859 gpm, will be used in areas of the concentrator where high quality water is required, such as pump gland seals, heat exchangers, and some reagent mixing, and to make up water lost in process. Water is recovered from the flotation concentrates and tailing using conventional thickening and filtering equipment. The thickener overflow water flows to a process water pond (PWP) with a capacity of 13 million gallons. In addition to the thickener overflow water, mine dewatering and some runoff water will flow into the PWP. Barge pumps will transfer the water from the PWP to a 125,000 gallon tank on the shore, and additional pumps will pump the water to the 250,000 gallon process water tank.

Because the tailing is filtered, an unusually large portion of the water (approximately 89%) will be recycled. The major loss of water is that which is permanently entrained with the tailing. Other losses are evaporation from the PWP and thickeners and the small amount of moisture remaining in the copper and moly concentrates, which are shipped off site.

The Heap Leach-SXEW facility will use an estimated 2,600 gpm, 2,100 gpm of which is recycled water. The largest loss is the water permanently entrained in the leach heap. Evaporation from the heap and ponds accounts for most of the remaining loss. Precipitation on the heap and ponds is captured and becomes part of the system. The water requirement reduces to zero after the heaps are leached and rinsed, about Year 8 of operations.

The mine water requirements are estimated at 700 gpm, which will be recycled process water. This consumption is expected to diminish as the mine becomes deeper and eventually produces sufficient water for road watering activities, but whether and when sufficient mine pit water becomes available is impossible to determine at this time.

Domestic water requirements are estimated at 11 gpm, all of which is makeup water.

A fire protection loop will be connected to the bottom of the fresh water tank. Except for occasionally testing and flushing the system, there is normally no flow in the fire protection system.

The total steady state requirement for fresh makeup water is estimated at 3,370 gpm, however it is necessary to provide 5,000 gpm pumping capacity in order to fill the system in a reasonable time prior to startup, process higher tonnages when the ore is soft, and to catch up with water shortages after a major upset.

Annual volume in acre feet is anticipated to be slightly higher than a steady state pumping of 3,370 gpm, due to start up requirements and unforeseen variability in losses. Based on the foregoing analysis, Applicant requests a permitted volume of 6,000 acre feet per year, representing an approximate 10% cushion above steady state pumping at 3,370 gpm. Total water requirements for 20 years should be less than 120,000 acre feet, however, as the heap leach requirements will diminish and some on site water will be available for mine use.

1 acre foot = 325,871 gallons

6000 acre feet of water = 1,955,226,000 gallons of water per year

6000 acre feet of water per year = 3719.99 gallons per min

IPR SUMMARY REVIEW MEMO
Prepared by Jeff Tannler, Tucson AMA
December 6, 2007

APPLICANT: **Rosemont Copper Company**
APPLICATION NO: **59-215979.0000**
APPLICATION TYPE: **Mineral Extraction Groundwater Withdrawal Permit**

Background Summary: On July 20, 2007 Rosemont Copper Company submitted an application for a permit to withdraw groundwater for mineral extraction and metallurgical processing purposes, Application No. 59-215979.0000. The proposed purpose for which groundwater would be withdrawn is extraction of ore containing copper, molybdenum and silver, and concentration of that ore for further processing. The proposed annual volume would be 6,000 acre-feet per year, for a requested period of 20 years.

The permit application states that groundwater would be withdrawn from one existing well, Registration Number 55-214277, located in Township 17 South, Range 14 East, Section 17, near Sahuarita Road and Country Club Road within the Tucson AMA. Well 55-214277 was originally drilled and completed in April 2007, pursuant to Hydrologic Testing Groundwater Withdrawal Permit No. 59-214276.0000. The well is located on land owned by Sanrita Properties, LLC, a subsidiary of the Applicant.

The proposed location of use of water would be multiple sections within Townships 18 and 19 South, Ranges 15 and 16 East, several miles to the east of the location of Well 55-214277. Some of the sections where groundwater would be used are located outside the Tucson AMA. Pursuant to A.R.S. § 45-543, groundwater may be withdrawn pursuant to a groundwater withdrawal permit and transported away from an AMA; such transportation of groundwater is subject to payment of damages.

The applicant has stated that no uncommitted municipal and industrial CAP water is available; this was confirmed through communication to CAWCD by Tucson AMA staff. The applicant has stated that no surface water or effluent is available at the point of withdrawal, which was confirmed by Tucson AMA staff (see details below under Issues section). Tucson AMA staff found six surface water filings under Rosemont Copper Company and two under Rosemont Ranch LLC; however, each of the filings appears to be for an annual amount of less than one acre-foot, and each are for stockwatering purposes. The applicant does not own or lease any type 2 non-irrigation rights, nor a withdrawal permit issued for dewatering purposes. The applicant has submitted documentation supporting the need for 6,000 acre-feet per year.

Issues: Public notice period ended on October 30, 2007. One objection was filed by Farmers Water Company / Farmers Investment Company. The nature of the objection included the following points:

1. **Uncommitted Municipal & Industrial CAP water is currently available;**
2. **Treated effluent may be available;**
3. ADWR is required to apply well spacing requirements pursuant to its Well Spacing Rules, R12-15-1301 *et seq.* regarding the well in question. As part of the requirements set forth in the Well Spacing Rules, ADWR must consider whether withdrawals from the proposed well will likely cause the migration of contaminated groundwater from a remedial action site to a well of record.

4. Proposition 207 (Arizona Private Property Rights Protection Act) would apply if ADWR issued the withdrawal permit.

A response to the objection was filed on November 20, 2007 by Mike Pearce, attorney for Rosemont Copper Company. Mr. Pearce's response included the following points:

1. Uncommitted Municipal & Industrial CAP water is not available. Tucson AMA staff verified with CAWCD that uncommitted M&I CAP water is indeed not available.
2. Treated effluent is not available at the point where the well is located. Tucson AMA staff consulted the Pima Association of Governments' 208 Areawide Water Quality Management Plan dated March 2006; the nearest wastewater treatment plants are more than two miles away from the well indicated on the withdrawal permit application, and the applicant's well is not located within the area to be served by these wastewater treatment plants.
3. A well spacing study is not required for wells drilled or used pursuant to A.R.S. § 45-514. The Department concurs. Additionally, Department staff found no remedial action sites, as defined in A.A.C. R12-15-1301 *et seq.* (ADWR Well Spacing and Impact Rules), within the vicinity of the proposed point of withdrawal for the mineral extraction withdrawal permit. Note that although a sulfate plume related to existing Phelps Dodge mining activities does exist in the Green Valley area, sulfate contamination is not defined as a remedial action site.
4. Provisions of the Arizona Private Property Rights Protection Act, A.R.S. §§ 12-1131 *et seq.*, do not apply. The Department concurs.

AMA Recommendations: Analysis of all available facts by Department staff indicates that the applicant has met the statutory criteria for a groundwater withdrawal permit for mineral extraction purposes, set forth in A.R.S. § 45-514. The Tucson AMA recommends that Application for Permit 59-215979.0000 be approved for 6,000 acre-feet per year, for a 20 year period.

IPR Committee Comments:

IPR Committee Recommendations:

- [x] Approve
- [ ] Deny
- [ ] Other (explanation) _____

Special Conditions to be included in permit:

~~IPR Chairperson~~ 12/7/07
Scott Deeny, Deputy Counsel
Date

cc: Scott Deeny, Deputy Counsel

ARIZONA DEPARTMENT OF WATER RESOURCES

PERMIT TO WITHDRAW GROUNDWATER FOR

MINERAL EXTRACTION AND METALLURGICAL PROCESSING

PURSUANT TO A.R.S. § 45-514

PERMIT NO. 59-215979.0000

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

This is to certify that Application No. 59-215979.0000 meets the requirements of Title 45, Chapter 2, Article 7, Arizona Revised Statutes, for a Mineral Extraction and Metallurgical Processing Groundwater Withdrawal Permit. The Director hereby grants authority to withdraw groundwater for mineral extraction and metallurgical processing pursuant to A.R.S. § 45-514, subject to the following limitations and conditions:

Permit Limitations

Permittee:	Rosemont Copper Company, an Arizona Corporation 4500 Cherry Creek South Drive, Suite 1040 Denver, CO 80246
Active Management Area:	Tucson
Sub-basin:	Upper Santa Cruz

[illegible]

PERMIT NO. 59-215979.0000

Maximum Amount of Groundwater to be Withdrawn: 6,000 acre feet per annum

Authorized Use of Groundwater: Extraction, concentration, and processing of ore

Authorized Places of Use for Groundwater Withdrawn:

Township/Range	Sections
T 18 South, R 15 East	1-2, 10-15, 22-26, 35-36
T 18 South, R 16 East	5-9, 16-25, 28-33, 36
T 19 South, R 15 East	1-2
T 19 South, R 16 East	4-9

Authorized Points of Withdrawal:

Authorized Well Registration Numbers:	File Numbers:	Depth of Well	Casing Diameter	Casing Material
55-214277	D (17-14) 17 BDD	1,300 feet	8 inches	Steel

Effective Date of Permit: January 18, 2008

Expiration Date: January 17, 2028

Permit Conditions

1. If during the life of the permit, the Director determines that uncommitted municipal and industrial Central Arizona Project water is available or other surface water or effluent of adequate quality is available at a cost as specified by A.R.S. § 45-514, the Director may require the permittee to use such water in lieu of groundwater.

2. Groundwater withdrawals under this permit are subject to the Third Management Plan (TMP) or modifications to the TMP and any applicable requirements upon the first compliance date of the Fourth Management Plan (FMP) for the designated active management area. The Director may modify the permit conditions as needed to conform to the conservation requirements of the Fourth Management Plan.

3. This permit is issued pursuant to A.R.S. § 45-514 and authorizes the permittee to operate an existing well for the purpose of withdrawing groundwater for the use or uses set forth in the permit. This permit does not authorize the permittee to withdraw surface water from the well. If the permittee withdraws surface water from the well in any year, the permittee shall do so only pursuant to a decreed or appropriative surface water right and shall separately report in the annual report filed pursuant to A.R.S. § 45-632 the amount of groundwater and surface water withdrawn from the well.

PERMIT NO. 59-215979.0000

4. The permittee shall monitor and measure withdrawals of groundwater and shall report the total amount of groundwater withdrawn on an Annual Water Withdrawal and Use Report. The first annual reporting period shall be from the date of issuance of this permit through December 31, 2008. Subsequent annual reporting periods shall be January 1 through December 31.

5. The issuance of the permit does not waive any federal, state, county or local government ordinances, regulations or permits for which the facility may have to comply.

WITNESS my hand and seal of office this 18th day of January, 2008

Sandra Fabritz-Whitney

Sandra Fabritz-Whitney, Assistant Director

ARIZONA DEPARTMENT OF WATER RESOURCES
1520 W. Adams Street, Phoenix, Arizona 85007
Telephone 602 771-1500
Fax 602 771-1520

Janet Napolitano
Governor

Herbert R. Guenther
Director

Geophysics/Surveying Unit
March 10, 2008

Robert Robuck
16251 Santa Rita Rd
Sahuarita, Arizona 85629

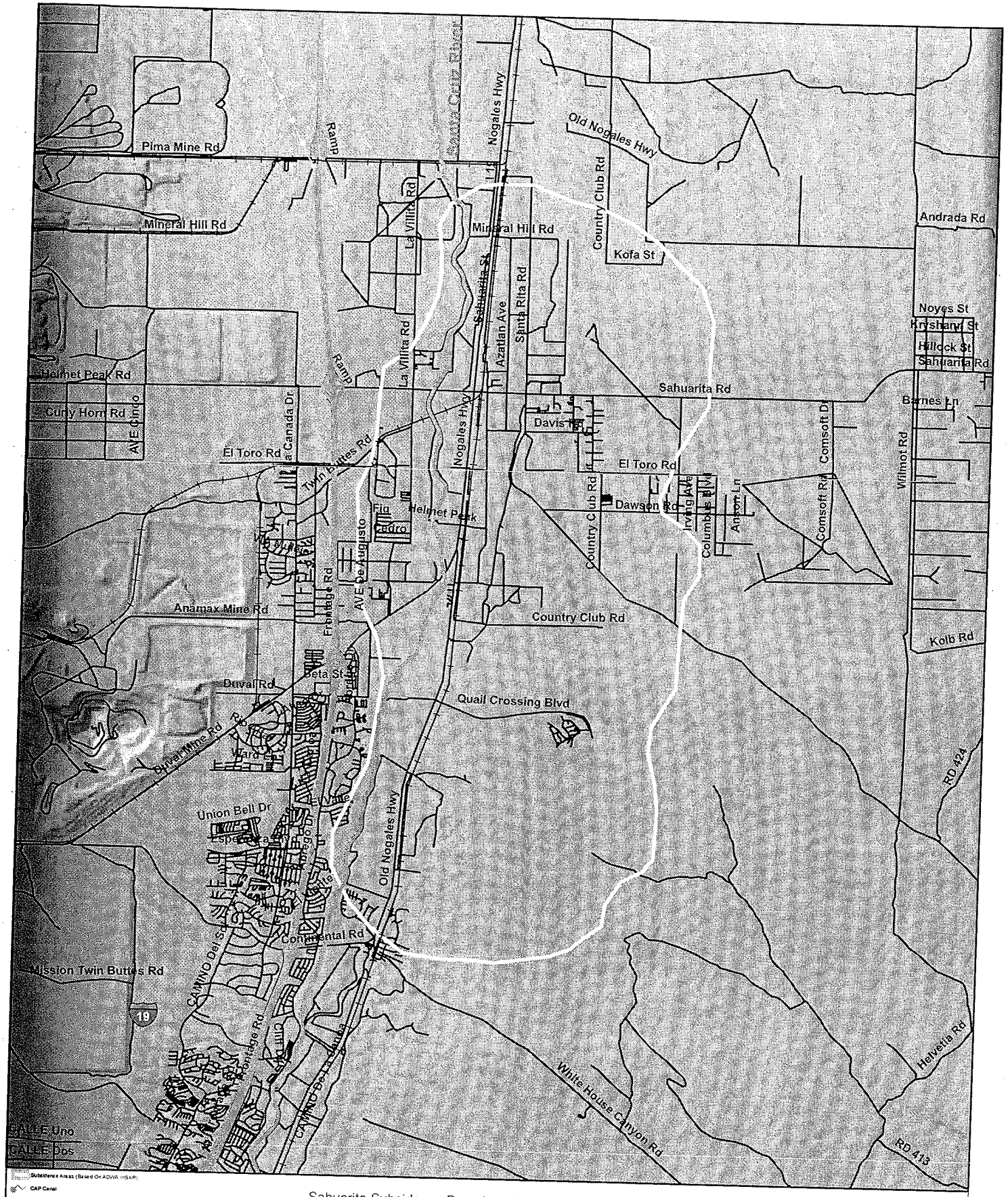
Dear Mr Robuck:

I have included a map of the Sahuarita Area that identifies the active subsidence areas (outlines in yellow) which you requested on March 10, 2008. This subsidence area is based on Synthetic Aperture Radar using interferometric time-series processing techniques. The subsidence feature was identified using multiple time-series pairs between 02/23/2007 and 10/26/2007. The highest subsidence rate within this subsidence feature was six centimeters. Any reproduction of this data needs to be accompanied by a statement that the subsidence data was identified from ADWR InSAR data. If you have any additional questions, please don't hesitate to contact me.

Sincerely,

Brian D Conway

Brian D. Conway
Supervisor, Geophysics/Surveying Unit

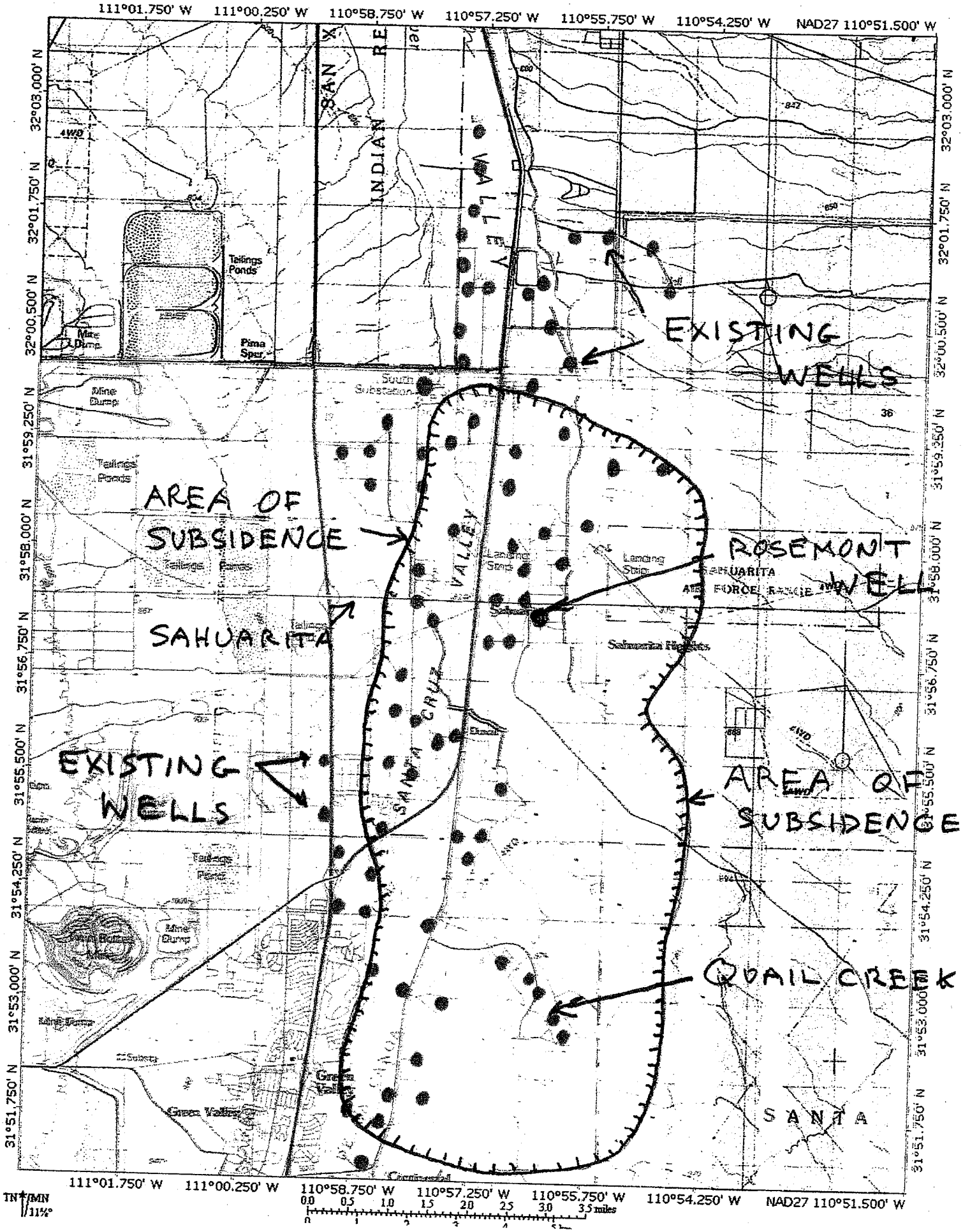


Sahuarita Subsidence Based on ADWR InSAR Data

1:100,607

0 0.45 0.9 1.8 2.7 3.6 Miles

ARIZONA DEPARTMENT OF WATER RESOURCES ©


111°01.750' W
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32°03.000' N
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31°56.750' N
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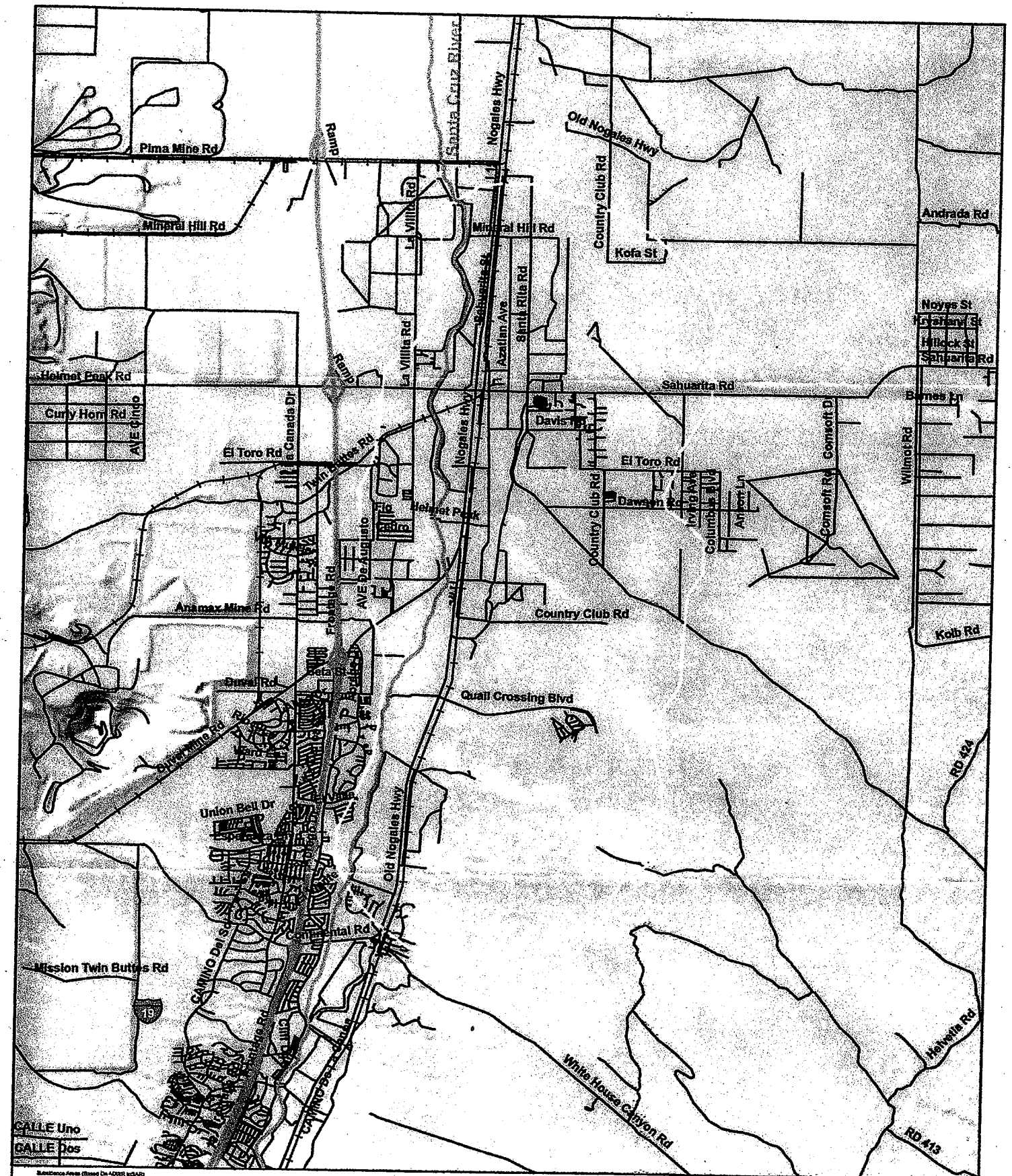
31°54.250' N
31°53.000' N
31°51.750' N
SAN
INDIAN
RE
VALLEY
Tailings Ponds
Mine Dump
Pima Spur
South Substation
EXISTING WELLS
AREA OF SUBSIDENCE
ROSEMONT WELL
SAHUARITA
Landing Strip
Sahuarita Heights
SANTA CRUZ
VALLEY
EXISTING WELLS
AREA OF SUBSIDENCE
QUAIL CREEK
Green Valley
SANTA
TN
MN
11½°
0.0 0.5 1.0 1.5 2.0 2.5 3.0 3.5 miles


Pima Mine Rd
Mineral Hill Rd
Ramp
La Villita Rd
Santa Cruz River
Nogales Hwy
Old Nogales Hwy
Country Club Rd
Kofa St
Andrada Rd
Noyes St
Hillock St
Sahuarita Rd
Santa Rita Rd
Azalian Ave
Helmet Peak Rd
Curry Horn Rd
AVE Pindo
La Canada Dr
El Toro Rd
Twin Buttes Rd
Helmet Peak
Davis Rd
Dawson Rd
Comsoft Dr
Comsoft Rd
Wilmot Rd
Barnes Ln
Aramax Mine Rd
Forbell Rd
AVE de Augusto
Country Club Rd
Koth Rd
Duval Rd
Quail Crossing Blvd
Duval Mine Rd
Union Bell Dr
Old Nogales Hwy
Continental Rd
Mission Twin Buttes Rd
CAMINO Del Sol
Calle Rio Rico
CAMINO Real
White House Canyon Rd
Helvetia Rd
RD 424
RD 413
CALLE Uno
CALLE Dos
Subsidence Areas (Based On ADWR InSAR)
CAP Canal
Arizona Highways and Interstates
Interstate
US
State
Roads
Railroad
Sahuarita Subsidence Based on ADWR InSAR Data
1:100,607
0 0.45 0.9 1.8 2.7 3.6 Miles
● — Rosemont's Proposed well field
ARIZONA DEPARTMENT OF WATER RESOURCES

Robert Robuck
16251 S. Santa Rita rd.
Sahvarita Az 85629

UNITED STATES POSTAL SERVICE
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Tucson, Az 85
Rec'd
MAR 20 2008
Coronado National Forest

first class

Team Leader
Rosemont Copper Project
Coronado National Forest
300 W. Congress st.
Tucson, Az. 85701

939 Las Lomas Circle
Green Valley AZ
March 21, 2008

USDA Forest Service
Coronado National Forest
300 West Congress Street
Tucson, AZ 85701

Greetings

I am concerned about the proposed Rosemont Copper Project and its effects on our environment.

How will the mine effect the aquifer under Green Valley? What is the plan for recharging it - With clean water, please.

How will residents who depend on their own wells be recompensed when / if their wells run dry?

What happens if the aquifer is polluted with sulfates or other chemicals as has happened with the Phelps Dodge mines west of us? What are the plans for avoiding this?

If they plan to use CAP water, what will happen when the amount allotted to us is diminished in the future? or when the level of the Colorado goes down?

How will they get water to the mine? Over / under whose land and who gets to set the price?

How can Rosemont get power to their mine without destroying the scenic beauty of the mountains and will our power bills go up to pay for their new lines?

How will Rosemont transport the ore out of our area? Trucks? Who pays for the roads and their upkeep? Railroad? Who pays for a new line? How much?

How can the mine prevent light pollution which will effect the observatory?

What about noise pollution? Will their operation be heard by their nearest neighbors?

What about air pollution, blowing dirt from the tailings as has happened from other mines in our area?

What effect will the mine have on wildlife and migration patterns? ...and if there is an effect, how will that effect ecotourism?

There is a huge area planned for the tailings. From where will it be visible? What plants and animals live in this area?

What happens to the pit and the tailings when Rosemont moves on? The chemicals in the pit pond should be neutralized and the pond refilled with the tailings and the land replanted to its natural ecosystem. Anything less is unacceptable.

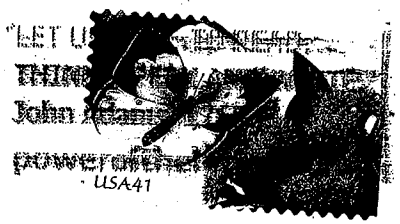
Meredith Archer

Meredith Archer

GREENPEACE
Ms. Meredith Archer
939 S Las Lomas Cir
Green Valley, AZ 85614-2019

TUCSON AZ 857

20 MAR 2008 PM 2 T



USDA Forest Service
Coronado National Forest
300 West Congress Street
Tucson, AZ 85701

85701+1371

E. Hardy Smith
Melanie Walters
7887 W. Pima Farms Rd.
Tucson, AZ 85743

March 22, 2008

By Fax: 388-8305

ATTN: Rosemont Team Leader
Rosemont Copper Project
Coronado National Forest
300 W. Congress St.
Tucson, Arizona 85701

Dear Rosemont Team Leader:

The proposed Rosemont Mine should be rejected. It's a bad idea. The copper company will make its money and leave and the rest of us will be stuck with the scars on the land, the pollution of the air and water, the ruined water shed, the vanishing of wild life and the loss of one more wild and beautiful place in Southern Arizona.

The process by which the Forest Service is conducting its investigation appears badly flawed. It seems as if NFS is scheduling its public meetings so as to keep public criticism of the proposed mining operations to a minimum. The Forest Service should protect the interests of the American people, not special interest groups like the mining industry who pillage our public resources for private profit.

Make the process of drafting the Environmental Impact Statement fair by extending the time for comments an additional 60 days, scheduling additional meetings in Vail and Sonoita, and involving Pima County, the Arizona Department of Environmental Quality, and the Arizona State Office of Historic Preservation as "cooperating agencies."

The Forest Service should not revise the Forest Plan to accommodate Augusta's desire to conduct mining in the Santa Ritas. If the company's Mining Plan Operation cannot meet the current standards and requirements of the Forest Plan, then NFS should deny Augusta's proposal.

Thank you for your consideration of these comments. Please take appropriate action to protect the people, the wildlife, and the land of Southern Arizona. Let's save our beautiful Santa Rita Mountains for the use and enjoyment of future generations of Arizonans.

Sincerely,

E. Hardy Smith

MELANIE WALTERS

Melanie Walters

Janet Napolitano
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.azdeq.gov

Stephen A. Owens
Director

March 18, 2008

Ms. Beverley Everson, Geologist
Forest Service
Coronado National Forest
U.S. Department of Agriculture
300 West Congress Street
Tucson, AZ 85701

Location: Pima County, AZ - Rosemont Copper Project EIS (File Code: 1950-1/2800)

Dear Ms. Everson:

The Air Quality Division has reviewed the proposed project, as described in your letter, dated March 10, 2008, that was submitted in conjunction with a National Environmental Policy Act review. Some projects are subject to a General Conformity Determination with the Arizona State Implementation Plan in accordance with Clean Air Act Section 176(c)(1); 58 Federal Register 63214-63259; Title 40 Code of Federal Regulations Part 51, Subpart W §§ 51.850-51.860; Title 40 Code of Federal Regulations Part 93, Subpart B §§ 93.150-160; and Arizona Administrative Code R18-2-348 (approved into the Arizona State Implementation Plan April 23, 1999; effective June 22, 1999). The Air Quality Division has concluded that a General Conformity Determination is not required for this project for the following reason(s):

- Not in a Nonattainment or Maintenance area

While the proposed Rosemont Copper Project is in an attainment area, the size and duration of the project and potential urban expansion in the region may affect Pima County air quality planning areas via southerly winds. To comply with other applicable air pollution control requirements and minimize potential adverse impacts on public health and welfare, the following information is provided for consideration:

REDUCE DISTURBANCE of PARTICULATE MATTER during CONSTRUCTION

This action, plan or activity may temporarily increase ambient particulate matter (dust) levels. Particulate matter 10 microns in size and smaller can penetrate the lungs of human beings and animals and is subject to a National Ambient Air Quality Standard (NAAQS) to protect public health and welfare. Particulate matter 2.5 microns in size and smaller is difficult for lungs to expel and has been linked to increases in death rates; heart attacks by disturbing heart rhythms and increasing plaque and clotting; respiratory infections; asthma attacks and cardiopulmonary obstructive disease (COPD) aggravation. It is also subject to a NAAQS.

The following measures are recommended to reduce disturbance of particulate matter, including emissions caused by strong winds as well as machinery and trucks tracking soil off the construction site:

I. Site Preparation and Construction
   A. Minimize land disturbance;
   B. Suppress dust on traveled paths which are not paved through wetting, use of watering trucks, chemical dust suppressants, or other reasonable precautions to prevent dust entering ambient air
   C. Cover trucks when hauling soil;
   D. Minimize soil track-out by washing or cleaning truck wheels before leaving construction site;
   E. Stabilize the surface of soil piles; and
   F. Create windbreaks

II. Site Restoration
   A. Revegetate any disturbed land not used;
   B. Remove unused material; and
   C. Remove soil piles via covered trucks.

The following rules applicable to reducing dust during construction, demolition and earth moving activities are enclosed:

- Arizona Administrative Code R18-2-604 through -607
- Arizona Administrative Code R18-2-804
- Pima County Code Chapter 17.16 Article III

Should you have further questions, please do not hesitate to call Dave Biddle, of the Planning Section Staff, at (602) 771-2376.

Very truly yours,

Diane L. Arnst, Manager
Air Quality Planning Section

Enclosures

cc: Henry R. Darwin, EV Administrative Counsel
David A. Biddle, Environmental Program Specialist
File No. 178251

R18-2-605. Roadways and Streets

A. No person shall cause, suffer, allow or permit the use, repair, construction or reconstruction of a roadway or alley without taking reasonable precautions to prevent excessive amounts of particulate matter from becoming airborne. Dust and other particulates shall be kept to a minimum by employing temporary paving, dust suppressants, wetting down, detouring or by other reasonable means.

B. No person shall cause, suffer, allow or permit transportation of materials likely to give rise to airborne dust without taking reasonable precautions, such as wetting, applying dust suppressants, or covering the load, to prevent particulate matter from becoming airborne. Earth or other material that is deposited by trucking or earth moving equipment shall be removed from paved streets by the person responsible for such deposits.

Historical Note

Adopted effective May 14, 1979 (Supp. 79-1). Former Section R9-3-605 renumbered without change as Section R18-2-605 (Supp. 87-3). Amended effective September 26, 1990 (Supp. 90-3). Former Section R18-2-605 renumbered to R18-2-805, new Section R18-2-605 renumbered from R18-2-405 effective November 15, 1993 (Supp. 93-4).

R18-2-606. Material Handling

No person shall cause, suffer, allow or permit crushing, screening, handling, transporting or conveying of materials or other operations likely to result in significant amounts of airborne dust without taking reasonable precautions, such as the use of spray bars, wetting agents, dust suppressants, covering the load, and hoods to prevent excessive amounts of particulate matter from becoming airborne.

Historical Note

Section R18-2-606 renumbered from R18-2-406 effective November 15, 1993 (Supp. 93-4).

R18-2-607. Storage Piles

A. No person shall cause, suffer, allow, or permit organic or inorganic dust producing material to be stacked, piled, or otherwise stored without taking reasonable precautions such as chemical stabilization, wetting, or covering to prevent excessive amounts of particulate matter from becoming airborne.

B. Stacking and reclaiming machinery utilized at storage piles shall be operated at all times with a minimum fall of material and in such manner, or with the use of spray bars and wetting agents, as to prevent excessive amounts of particulate matter from becoming airborne.

Historical Note

Section R18-2-607 renumbered from R18-2-407 effective November 15, 1993 (Supp. 93-4).

R18-2-608. Mineral Tailings

No person shall cause, suffer, allow, or permit construction of mineral tailing piles without taking reasonable precautions to prevent excessive amounts of particulate matter from becoming airborne. Reasonable precautions shall mean wetting, chemical stabilization, revegetation or such other measures as are approved by the Director.

Historical Note

Section R18-2-608 renumbered from R18-2-408, new Section R18-2-408 adopted effective November 15, 1993 (Supp. 93-4).

R18-2-609. Agricultural Practices

A person shall not cause, suffer, allow, or permit the performance of agricultural practices outside the Phoenix and Yuma planning areas, as defined in 40 CFR 81.303, which is incorporated by reference in R18-2-210, including tilling of land and application of fertilizers without taking reasonable precautions to prevent excessive amounts of particulate matter from becoming airborne.

Historical Note

Section R18-2-609 renumbered from R18-2-409 effective November 15, 1993 (Supp. 93-4). Amended by final rulemaking at 6 A.A.R. 2009, effective May 12, 2000 (Supp. 00-2). Amended by final rulemaking at 11 A.A.R. 2210, effective July 18, 2005 (Supp. 05-2).

R18-2-610. Definitions for R18-2-611

The definitions in Article 1 of this Chapter and the following definitions apply to R18-2-611:

1. "Access restriction" means restricting or eliminating public access to noncropland with signs or physical obstruction.
2. "Aggregate cover" means gravel, concrete, recycled road base, caliche, or other similar material applied to noncropland.
3. "Artificial wind barrier" means a physical barrier to the wind.
4. "Best management practice" means a technique verified by scientific research, that on a case-by-case basis is practical, economically feasible, and effective in reducing PM_{10} emissions from a regulated agricultural activity.
5. "Chemical irrigation" means applying a fertilizer, pesticide, or other agricultural chemical to cropland through an irrigation system.
6. "Combining tractor operations" means performing two or more tillage, cultivation, planting, or harvesting operations with a single tractor or harvester pass.
7. "Commercial farm" means 10 or more contiguous acres of land used for agricultural purposes within the boundary of the Maricopa PM_{10} nonattainment area.
8. "Commercial farmer" means an individual, entity, or joint operation in general control of a commercial farm.
9. "Committee" means the Governor's Agricultural Best Management Practices Committee.
10. "Cover crop" means plants or a green manure crop grown for seasonal soil protection or soil improvement.
11. "Critical area planting" means using trees, shrubs, vines, grasses, or other vegetative cover on noncropland.
12. "Cropland" means land on a commercial farm that:
    a. Is within the time-frame of final harvest to plant emergence;
    b. Has been tilled in a prior year and is suitable for crop production, but is currently fallow; or
    c. Is a turn-row.

c. If the burning would occur at a solid waste facility in violation of 40 CFR 258.24 and the Director has not issued a variance under A.R.S. § 49-763.01.

E. Open outdoor fires of dangerous material. A fire set for the disposal of a dangerous material is allowed by the provisions of this Section, when the material is too dangerous to store and transport, and the Director has issued a permit for the fire. A permit issued under this subsection shall contain all provisions in subsection (D)(3) except for subsections (D)(3)(e) and (D)(3)(f). The Director shall permit fires for the disposal of dangerous materials only when no safe alternative method of disposal exists, and burning the materials does not result in the emission of hazardous or toxic substances either directly or as a product of combustion in amounts that will endanger health or safety.

F. Open outdoor fires of household waste. An open outdoor fire for the disposal of household waste is allowed by provisions of this Section when permitted in writing by the Director or a delegated authority. A permit issued under this subsection shall contain all provisions in subsection (D)(3) except for subsections (D)(3)(e) and (D)(3)(f). The permittee shall conduct open outdoor fires of household waste in an approved waste burner and shall either:

1. Burn household waste generated on-site on farms or ranches of 40 acres or more where no household waste collection or disposal service is available; or
2. Burn household waste generated on-site where no household waste collection and disposal service is available and where the nearest other dwelling unit is at least 500 feet away.

G. Permits issued by a delegated authority. The Director may delegate authority for the issuance of open burning permits to a county, city, town, air pollution control district, or fire district. A delegated authority may not issue a permit for its own open burning activity. The Director shall not delegate authority to issue permits to burn dangerous material under subsection (E). A county, city, town, air pollution control district, or fire district with delegated authority from the Director may assign that authority to one or more private fire protection service providers that perform fire protection services within the county, city, town, air pollution control district, or fire district. A private fire protection provider shall not directly or indirectly condition the issuance of open burning permits on the applicant being a customer. Permits issued under this subsection shall comply with the requirements in subsection (D)(3) and be in a format prescribed by the Director. Each delegated authority shall:

1. Maintain a copy of each permit issued for the previous five years available for inspection by the Director;
2. For each permit currently issued, have a means of contacting the person authorized by the permit to set an open fire if an order to extinguish open burning is issued; and
3. Annually submit to the Director by May 15 a record of daily burn activity, excluding household waste burn permits, on a form provided by the Director for the previous calendar year containing the information required in subsections (D)(3)(e) and (D)(3)(f).

H. The Director shall hold an annual public meeting for interested parties to review operations of the open outdoor fire program and discuss emission reduction techniques.

I. Nothing in this Section is intended to permit any practice that is a violation of any statute, ordinance, rule, or regulation.

Historical Note

Adopted effective May 14, 1979 (Supp. 79-1). Amended effective October 2, 1979 (Supp. 79-5). Correction, subsection (C) repealed effective October 2, 1979, not shown (Supp. 80-1). Former Section R9-3-602 renumbered without change as Section R18-2-602 (Supp. 87-3). Amended effective September 26, 1990 (Supp. 90-3). Former Section R18-2-602 renumbered to R18-2-802, new Section R18-2-602 renumbered from R18-2-401 effective November 15, 1993 (Supp. 93-4). Amended by final rulemaking at 10 A.A.R. 388, effective March 16, 2004 (Supp. 04-1).

R18-2-603. Repealed

Historical Note

Adopted effective May 14, 1979 (Supp. 79-1). Former Section R9-3-603 renumbered without change as Section R18-2-603 (Supp. 87-3). Amended effective September 26, 1990 (Supp. 90-3). Former Section R18-2-603 renumbered to R18-2-803, new Section R18-2-603 renumbered from R18-2-403 effective November 15, 1993 (Supp. 93-4). Repealed effective October 8, 1996 (Supp. 96-4).

R18-2-604. Open Areas, Dry Washes, or Riverbeds

A. No person shall cause, suffer, allow, or permit a building or its appurtenances, or a building or subdivision site, or a driveway, or a parking area, or a vacant lot or sales lot, or an urban or suburban open area to be constructed, used, altered, repaired, demolished, cleared, or leveled, or the earth to be moved or excavated, without taking reasonable precautions to limit excessive amounts of particulate matter from becoming airborne. Dust and other types of air contaminants shall be kept to a minimum by good modern practices such as using an approved dust suppressant or adhesive soil stabilizer, paving, covering, landscaping, continuous wetting, detouring, barring access, or other acceptable means.

B. No person shall cause, suffer, allow, or permit a vacant lot, or an urban or suburban open area, to be driven over or used by motor vehicles, trucks, cars, cycles, bikes, or buggies, or by animals such as horses, without taking reasonable precautions to limit excessive amounts of particulates from becoming airborne. Dust shall be kept to a minimum by using an approved dust suppressant, or adhesive soil stabilizer, or by paving, or by barring access to the property, or by other acceptable means.

C. No person shall operate a motor vehicle for recreational purposes in a dry wash, riverbed or open area in such a way as to cause or contribute to visible dust emissions which then cross property lines into a residential, recreational, institutional, educational, retail sales, hotel or business premises. For purposes of this subsection "motor vehicles" shall include, but not be limited to trucks, cars, cycles, bikes, buggies and 3-wheelers. Any person who violates the provisions of this subsection shall be subject to prosecution under A.R.S. § 49-463.

Historical Note

Adopted effective May 14, 1979 (Supp. 79-1). Former Section R9-3-604 renumbered without change as Section R18-2-604 (Supp. 87-3). Amended effective September 26, 1990 (Supp. 90-3). Former Section R18-2-604 renumbered to R18-2-804, new Section R18-2-604 renumbered from R18-2-404 and amended effective November 15, 1993 (Supp. 93-4).

ARTICLE 8. EMISSIONS FROM MOBILE SOURCES (NEW AND EXISTING)

R18-2-801. Classification of Mobile Sources

A. This Article is applicable to mobile sources which either move while emitting air contaminants or are frequently moved during the course of their utilization but are not classified as motor vehicles, agricultural vehicles, or agricultural equipment used in normal farm operations.

B. Unless otherwise specified, no mobile source shall emit smoke or dust the opacity of which exceeds 40%.

Historical Note

Adopted effective February 26, 1988 (Supp. 88-1). Amended effective September 26, 1990 (Supp. 90-3). Amended effective February 3, 1993 (Supp. 93-1). Former Section R18-2-801 renumbered to Section R18-2-901, new Section R18-2-801 renumbered from R18-2-601 effective November 15, 1993 (Supp. 93-4).

R18-2-802. Off-road Machinery

A. No person shall cause, allow or permit to be emitted into the atmosphere from any off-road machinery, smoke for any period greater than 10 consecutive seconds, the opacity of which exceeds 40%. Visible emissions when starting cold equipment shall be exempt from this requirement for the first 10 minutes.

B. Off-road machinery shall include trucks, graders, scrapers, rollers, locomotives and other construction and mining machinery not normally driven on a completed public roadway.

Historical Note

Adopted effective February 26, 1988 (Supp. 88-1). Amended effective September 26, 1990 (Supp. 90-3). Former Section R18-2-802 renumbered to Section R18-2-902, new Section R18-2-802 renumbered from R18-2-602 effective November 15, 1993 (Supp. 93-4).

R18-2-803. Heater-planer Units

No person shall cause, allow or permit to be emitted into the atmosphere from any heater-planer operated for the purpose of reconstructing asphalt pavements smoke the opacity of which exceeds 20%. However three minutes' upset time in any one hour shall not constitute a violation of this Section.

Historical Note

Adopted effective February 26, 1988 (Supp. 88-1). Amended effective September 26, 1990 (Supp. 90-3). Former Section R18-2-803 renumbered to Section R18-2-903, new Section R18-2-803 renumbered from R18-2-603 effective November 15, 1993 (Supp. 93-4).

R18-2-804. Roadway and Site Cleaning Machinery

A. No person shall cause, allow or permit to be emitted into the atmosphere from any roadway and site cleaning machinery smoke or dust for any period greater than 10 consecutive seconds, the opacity of which exceeds 40%. Visible emissions when starting cold equipment shall be exempt from this requirement for the first 10 minutes.

B. In addition to complying with subsection (A), no person shall cause, allow or permit the cleaning of any site, roadway, or alley without taking reasonable precautions to prevent particulate matter from becoming airborne. Reasonable precautions may include applying dust suppressants. Earth or other material shall be removed from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water or by other means.

Historical Note

Adopted effective February 26, 1988 (Supp. 88-1). Amended effective September 26, 1990 (Supp. 90-3). Amended effective February 3, 1993 (Supp. 93-1). Former Section R18-2-804 renumbered to Section R18-2-904, new Section R18-2-804 renumbered from R18-2-604 effective November 15, 1993 (Supp. 93-4).

R18-2-805. Asphalt or Tar Kettles

A. No person shall cause, allow or permit to be emitted into the atmosphere from any asphalt or tar kettle smoke for any period greater than 10 consecutive seconds, the opacity of which exceeds 40%.

B. In addition to complying with subsection (A), no person shall cause, allow or permit the operation of an asphalt or tar kettle without minimizing air contaminant emissions by utilizing all of the following control measures:

1. The control of temperature recommended by the asphalt or tar manufacturer;
2. The operation of the kettle with lid closed except when charging;
3. The pumping of asphalt from the kettle or the drawing of asphalt through cocks with no dipping;
4. The dipping of tar in an approved manner;
5. The maintaining of the kettle in clean, properly adjusted, and good operating condition;
6. The firing of the kettle with liquid petroleum gas or other fuels acceptable to the Director.

Historical Note

Adopted effective February 26, 1988 (Supp. 88-1). Amended effective September 26, 1990 (Supp. 90-3). Former Section R18-2-805 renumbered to Section R18-2-905, new Section R18-2-805 renumbered from R18-2-605 effective November 15, 1993 (Supp. 93-4).

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY
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MS BEVERLEY EVERSON GEOLOGIST
FOREST SERVICE
CORONADO NATIONAL FOREST
US DEPARTMENT OF AGRICULTURE
300 WEST CONGRESS STREET
TUCSON AZ 85701

Tucson, AZ 85
Received
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Coronado National F

BXTFGA1 85701

P. O. Box 314
Green Valley, Az. 85622

March 23, 2008

United States Forest Service
ATTN: Team Leader
Rosemont Copper Project, Coronado National Forest
300 W. Congress
Tucson, Arizona 85701

Sir:

The U.S. Forest Service should protect the public it serves by disallowing development and destruction of the pristine wild diversity we now experience in the Santa Rita Mountains and surrounding desert grasslands. These areas under the stewardship of the Forest Service must be preserved for the enjoyment of local citizens, visitors, and future generations alike. We must seek the broadest impact input possible and there should not be any headlong rush to judgment. Harsh lessons have been learned from the San Manuel, ARSARCO, and Morenci operations (to name a few in Arizona). The saying "Copper is King" in Arizona no longer applies, due to current demographics, environmental, health, and population impact concerns. This is not the 19th century and with copper mining "once the toothpaste is out of the tube, you can't get it back in". Therefore, the time line for citizen, academic, and scientific input from those directly and indirectly affected should be extended the maximum allowable time.

The entities of Pima County, Arizona Department of Environmental Quality (they have epidemiology data, as one example) and the Arizona State Office of Historic Preservation should be incorporated as "cooperating agencies", <u>at a minimum</u>, in the Environmental Impact Statement process. Modification of the existing forest plan to accommodate Augusta or mining per se, as represented by Augusta, should not be permitted. If Augusta's Mining Plan does not meet current standards and/or requirements, then the Forest Service should deny the plan. It also appears that the 1872 mining law doesn't require the Forest Service to revise any plan merely to accommodate mining interests.

I note that meetings have not been publicized and scheduled for Vail and Sonoita and ask that residents residing in those areas be permitted to comment too.

My comments mirror an alert fax'd to me recently from the President of the Arizona Consumers Council Foundation, issued by the Sierra Club. I speak from experience living in the shadows of the ASARCO operation and a long time Arizona resident. A portion of the Sierra Club alert is provided for your edification and I have no doubt you may see such information again along with additional input.

Thank you for the opportunity to convey my strongest objections to further degradation of the Santa Ritas. These areas must be protected.

Sincerely,

Gene M. Gavigan

GMG:kj

Enc: (3)

cc: Arizona Consumers Council Foundation

Why oppose the Rosemont Mine?

* The Rosemont Copper Project would be located 30 miles southeast of Tucson, in Pima County, on approximately 995 acres of private land; 3,670 acres of National Forest land; 15 acres of land administered by the Bureau of Land Management and 75 acres of State Trust land.
* With the outdated 1872 Mining Laws still in place, an estimated 230,000 acres of public land in Arizona have already been sold to private interests for $2.50 or $5.00 per acre.
* The EPA reports that in 2005, metal or hardrock mining in Arizona released over 39.4 million pounds of toxins.
* Pima County commissioned and submitted a hydrogeological study to the Coronado that raised the threat of surrounding groundwater and surface water depletion from pumping out an open pit copper mine, as well as potential leaching of pollutants into groundwater.
* The Sky Islands of the Coronado National Forest are a globally recognized biodiversity hotspot.
* The Santa Rita Mountains and surrounding desert and grassland seas are globally recognized for the diversity of birds, reptiles, amphibians, bees and plants.
* Augusta has no track record in mining and the mining industry has a dismal environmental record.
* Augusta wants to fill in Barrel, Wasp, McCleary, and Scholefield Canyons, yet claims no impact to the Cienega Creek watershed.
* Of the 117 million dollars Augusta claims in community commitments, 67 million dollars of that is actually just costs associated with the business of mining.
* Augusta claims 350 jobs, but mining jobs are transitory as part of the mining bust and boom cycle. In reality, the mine will recreate opportunities and the jobs that depend on them will be lost forever.
* negative impact on the local tourism based economy
* noise pollution, air pollution and water contamination
* increased truck traffic on local roads and highways
* destruction of wildlife habitat, wildlife movement corridors, native plants and ecosystems
* elimination or restriction of biking, hiking, hunting, camping, and bird watching
* irreparable devastation of the scenic landscapes and viewsheds

FOR MORE INFO: www.scenicsantaritas.org

MORE INFORMATION ON IMPACTS TO---

WATER:
Although efforts are made to contain tailings piles and other sources of runoff, leaching of exposing tailings surfaces or waste dumps, and unintended leaks from other facilities are common occurrences at mine sites. This could result in the release of potentially toxic heavy metals and other chemicals into ground and surface waters draining into Tucson area water supplies, and impacting nearby riparian areas such as

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[redacted]

[redacted]

Davidson Canyon.

There is every likelihood that a mine a Rosemont Ranch as is being proposed would dewater wells currently in use (as has already been done by Augusta Resource Corporation test wells) and imperil important wildlife habitat and future drinking water sources for residential use.

AIR:
The area currently has excellent air quality. Tailings and waste piles will be sources of dust, which prevailing winds will blow toward major new residential developments east of the Tucson basin. Air quality in the National Forest and surrounding residential areas will be degraded by both dust and truck exhaust associated with mine operations.

NOISE:
Daily blasting is required to remove rock (or overburden) covering the ore body. The impact to nearby residences, wildlife and recreational users in the National Forest will be equivalent to daily sonic booms.

SCENIC VIEW:
This mine will be visible from State Highway 83, a designated State Scenic Highway, for 3 miles out of the 24-mile trip from I-10 to Sonoita. The 3-mile segment includes the portion of the highway where it gains its greatest elevation above the surrounding land, at which point drivers are treated to a sweeping panoramic view of the Rosemont Valley at an overlook spot. The mine site dominates this view which currently consists of rolling hills of grasslands, dotted with oak trees and backed by a rugged ridge line.

TRAFFIC:
Mine traffic, including ore trucks and vehicles carrying heavy construction equipment and explosives for blasting, will share the narrow, winding Highway 83 with school buses, commuters, motorcyclists, bicyclists, and tourist traffic.

PROPERTY VALUES:
The areas south of the mine site have developed into high-end rural residential ranches and ranchettes. New developments are found north and east of the area. An open pit mine will severely impact the quality of life and reduce property values in those areas. The Sonoita Valley, a weekend tourist destination, could be thrown into the boom-bust economy typical of western towns adjacent to large mining operations.

RECREATION:
The Rosemont Valley is heavily used by mountain bikers, hikers, off-highway vehicles, bicyclists, and hunters. Recreational use would be forced to move to already heavily used areas, creating conflict with growing subdivisions. The additional loss of recreational lands will aggravate our increasingly crowded public lands associated with Pima County's population growth, and decrease the quality of recreational experiences.

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WILDLIFE AND WILDLIFE HABITAT:
Intensive development of the site as an open pit mine will result in loss of a significant portion of the wildlife habitat and movement corridor on the eastern side of the Santa Ritas, potentially impacting endangered, threatened, and candidate species, in addition to priority vulnerable species or species of special concern. The Santa Ritas are recognized for the biological values and are an Important Birding Area (IBA). In addition, the Sonoran Desert Conservation Plan lists part of the area around Rosemont as part of the Biological Core.

There are several priority vulnerable species that are known to occur at Rosemont Ranch including two Endangered Species: the Lesser Long-nosed bat (Leptonycteris curasoae yerbabuenae) and Pima Pineapple Cactus (Coryphantha scheeri robustispina). In addition, other special status species are known to occur there: Chiricahua Leopard Frog (Rana chiricahuensis), listed as threatened, and the Yellow-billed Cuckoo (Coccyzus americanus), a candidate for listing.

There are six others priority vulnerable species or Wildlife of Special Concern known to occur in the Rosemont Ranch area, according to the AZ Game and Fish Department: Mexican Long-tongued Bat (Choeronycteris mexicana), Western Red Bat (Lasiurus blossevillii), Lowland Leopard Frog (Rana yavapaiensis), Giant Spotted Whiptail Lizard (Cnemidophorus burti stictogrammus), Rufous-winged Sparrow (Aimophila carpalis), and Bell's Vireo (Vireo bellii). The Mexican Spotted Owl (Strix occidentalis lucida) may also occur there, based on its habitat requirements.

ECONOMICS:
Any economic benefits of the mine will be offset by the negative impacts to tourism-related businesses dependent on the area's scenic beauty. Mine employment may be partially or completely offset by the impact of the mine on recreational and scenic values which might otherwise have lured companies into relocating to Southern Arizona and the long-term deleterious effects of mining's boom-bust economies.

A recent study by the Sonoran Institute shows that a mine at Rosemont would have serious economic impacts to the surrounding communities. The report found:

*"..if the proposed Rosemont mine operations displaced only one percent of travel and tourism-related spending in the region, the economic loss would be greater than the entire annual payroll of the mine," Joe Marlow, senior economist with the Sonoran Institute.

*most of the benefits would go to the Tucson area, while most of the costs, such as decreased tourism revenue, would be borne by communities near the mine

For more information visit: www.sonoran.org

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United States Forest Service
ATTN: Team Leader
Rosemont Copper Project, Coronado National Forest
300 W. Congress
Tucson, Arizona 85701

RETURN RECEIPT REQUESTED

Received
MAR 25 2008
Coronado National Forest

8570181371 C004

March 21, 2008

To: Ms. Beverley Everson, Geologist
Coronado Forest
300 W. Congress St.
Tucson, AZ 85701

From: Cheryl Rennie
HC1 Box 1055
Sonoita, AZ 85637

Dear Ms. Everson:
I am submitting the following concerns as part of the public comment for the EIS analysis for the Rosemont Copper Project:

Inadequate Bonding Requirements For Reclamation

History teaches us not only that things can go bad with rock mining companies, but when they do, the damage cannot be mitigated and the costs can be enormous. The under bonding of current operations is a serious problem, because modern mines (post 1976) regularly go bankrupt. In the past twenty years, at least 15 "state of the art" mines have gone bankrupt leaving taxpayers with massive environmental destruction and potential cleanup liability exceeding $12 Billion according to a 2003 report. A list of these modern mines and 5 of the case studies are attached as an addendum to this letter.

Remedy: Expand the bonding requirement along with penalties if reclamation is not done concurrently. **Specify how or how much** a mine should be cleaned up. In addition, insert an **inflation** adjustment clause in the bond letter of credit. Get regulatory authority to issue administrative penalties for violations of their regulatory requirements, subject to due process, and clear procedures for referring activities to other federal and state agencies for enforcement.

Regulatory Gaps

There have been numerous environmental regulations put on the hard-rock mining industry since the Mining Act of 1872, one of them being the Clean Water Act. But according to testimony of John Leahy, distinguished professor of law at University of California before the Senate Committee on Energy and Natural Resources last September, the **Clean Water Act does not protect ground water.** It is generally designed to "protect, sort of, industrial waste coming out of pipes. Mines don't pose those kind of problems. They need, in some respects, some clean water act permits, but the quantity impacts of hard-rock mining are not addressed under the existing environmental laws." He goes on to say that the Mining Law itself is utterly silent on environmental regulations and that the newer laws do not comprehensively the myriad of environmental threats posed by hard rock mining such as the depletion of ground water, pollution, and disruption of wildlife habitat. In light of the proposed Rosemont Copper Project, this is particularly disturbing since according to Supervisor Ray Carroll in his letter to Congress,

the federal land that Rosemont wants to "develop" is at the **headwaters of Tucson's water supply**. For example, Heavy rains and flooding such as we received as recently as 1993 in the Rosemont Project area would have washed out the tailings impoundment and polluted the whole area with toxic chemicals.

Remedy: Do not allow these mining activities to take place on NFS land that threaten major water supplies. Consider impacts of major flooding events.

Exploitation Of Public Property Without A Fair Return To The Taxpayer

According testimony before the Senate Committee on Energy and Natural Resources Sept. 27,2007, "there is no payment, no royalty, no rental, no kind of direct financial return to the Treasury from hard rock mining on public lands. It is a glaring exception, because we are all charged to camp on public lands, cattle ranchers pay grazing fees, energy companies, timber companies, just about everybody pays something to use and exploit public lands. Usually something like fair market value. The hard rock mining industry is one very big exception. The Federal lands of the United States are practically the only place on earth that this industry operates without making a direct payment to the owners of the minerals. If they operate on State lands they pay a royalty, Federal lands they do not. The question of whether a royalty should be imposed on the hard rock mining industry has been settled since at least 1995,when the mining industry supported legislation contained in the Budget Reconciliation Act which would have imposed a 5% net proceeds royalty on new claims. The debate now focuses almost entirely on the structure of the royalty.

The statement of Rosemont Mine executives that the mine will produce a total of $1.8 billion of income taxes during the project's 20 year life is speculative and obscures the real issue. The public is receiving no direct compensation for the taking of valuable resources for private gain. This is a ridiculous argument. All profitable companies pay federal income taxes. If one were to consistently apply the Rosemont Mine Executive's example, they should also be getting all of their raw material for free! How absurd.

Remedy: Apply a fair market value payment for the leasing of Forest Service Land based on the value of minerals($500 Million last April) extracted regardless if the actual pit is located on private or NFS land, it is all part of the same project. The project-related activities located on NFS land are a necessary and integral part of the overall Rosemont Copper Project.

United States v. Locke, 471 U.S. 84,104-5 (1985):opinion makes clear that the government retains the right to require a payment (whether labeled a tax, royalty, fee, or something else) from a holder of a mining claim on federal lands, even one with discovery and a property right as part of its continuing redistribution of the benefits and burdens of economic life. In general, the Supreme Court has never given credence to arguments that federal taxes and fees constitute takings of private property. See, Cole v. La Grange, 113 U.S. 1.8 (1885)"the taking of property by taxation requires no other compensation than the taxpayer receives in being protected by the government to the support of which he contributes."

Financial Feasability

The market for metals began to rebound in 2002 and 2003, based almost exclusively on the demand from China. Copper consumption in China has more than tripled since 1998 and it is now the biggest consumer of copper in the world. Most agree that any prolonged downturn in the

Chinese economy would dramatically impact metal prices and halt growth in the industry. The extreme volatility in the metals market in general, combined with inflation and the concentration of one large user makes the economic feasability of The Rosemont Copper Project extremely speculative. Even though the project used conservative estimates of the long term price of copper in doing its projections, one only has to look at a very recent example of a copper mining project that appeared economical two years ago that may no longer be viable. Case in point: Novagold's(NG/TSX) Galore Creek project in British Columbia. Because of inflation, costs estimated at $2.5 billion a year or so ago escalated to more than $4 billion. The cost overruns have put the project on hold despite high copper and gold prices. Novagold is a huge corporation compared to Augusta Resources that owns Rosemont Mine and has years of successful experience and expertise in mining. If Novagold underestimated costs of water diversion, tailing banks, labor and inflation on its project, it is certainly reasonable to question the reality of Rosemont's assumptions.

In addition, Asarco Mines currently has a lawsuit pending against Augusta Resources for not paying fair market value for the Rosemont Property. Augusta states in its financial report that the lawsuit is without merit, but that will be determined by the court. In any event, this lawsuit presents yet another financial uncertainty for the Rosemont Project in terms of unknown legal costs that could undermine the company's profitability.

Remedy: Double check Rosemont's financial assumptions with special consideration given to inflation and the exchange rates of the US$ and C$ which could adversely impact their financial statements as Augusta Resources is a Canadian company and financial reports are in Canadian $.Get an unbiased and fair assessment of Rosemont's standing and potential legal liability as Defendant in the Asarco lawsuit. Incorporate those estimates in the financial feasability study.

Economic Impact

Rosemont Executives claim that the copper from this project represents 5-10% of the United States copper supply and to mine the copper will make us less reliant on foreign sources. That is a misleading statement unless they have forward sales contracts to U.S. companies or plan to hold 5-10% in reserve. No such commitments have been made available to the public.

Secondly, Arizona alone has 100000 abandoned mines with the legacy of safety hazards, pollution and disrupted landscapes that will cost billions of dollars to repair. Pima County Manager, Huckelberry testified that more than 35000 acres, or twice the size of Tucson Mountain Park have already been, or are being mined in Pima County and he knows of no plans by any mine to restore the sites to the natural landscape. Furthermore, Augusta Resources has no proven track record in mine reclamation. It is not in the interests of the citizens of Arizona and Pima County to be financially burdened with additional negative economic impact from hard rock mining.

Finally, The USDA Forest Service Strategic Plan: FY 2007-2012 states"Open space provides many environmental, social, and economic benefits to rural and urban communities..... **These green spaces elevate home values and generate jobs and economic vitality. Current population growth trends show a steady loss of these vital open spaces to developed uses."** Considering Pima County's population growth **and the fact that we already have significant acreage in the county leased for mining,** I respectfully request that the U.S. Forest Service in keeping with the goals of your strategic plan deny the leasing of Federal Land for the Rosemont Copper Project.

ADDENDUM

[redacted]

Modern Mining Bankruptcies

The underbonding of current operations is a serious problem, because modern mines regularly go bankrupt. In the past twenty years, at least 15 modern mines have gone bankrupt. [7]

Mine Name	Owner	Location	Year Operations Began	Year Bankruptcy Declared
Illinois Creek Mine	USMX/Dakota Mining	Alaska	1997	1999
Black Pine Mine	Pegasus Gold	Idaho	1992	1998
Beal Mountain Mine	Pegasus Gold	Montana	1988	1998
Zortman-Landusky Mine	Pegasus Gold	Montana	1979	1998
Basin Creek Mine	Pegasus Gold	Montana	1988	1998
Paradise Peak Mine	Arimetco International	Nevada	1989	1997
Aurora Partnership Mine	Nevada Goldfields	Nevada	1987	1999
Gold Bar Mine	Atlas Gold Mining	Nevada	1989	1999
Mount Hamilton Mine	Rea Gold Corporation	Nevada	1994	1998
Easy Junior Mine	Alta Gold	Nevada	1994	1999
Kinsley Mountain Mine	Alta Gold	Nevada	1995	1999
Griffon Mine	Alta Gold	Nevada	1997	1999
Olinghouse Mine	Alta Gold	Nevada	1999	1999
Formosa Mine	Formosa Exploration	Oregon	1990	1997
Gilt Edge Mine	Dakota Mining	South Dakota	1986	1999

Modern Mining Gone Awry – 5 Case Studies:

Idaho: Grouse Creek Mine

The Grouse Creek mine, located adjacent to the largest wilderness complex in the lower 48 states, was heralded as a "state-of-the-art" mine when it began operations in 1994. Just three years later, the mine shut its doors -- producing no profits and leaving behind a legacy of long-term water pollution. The Grouse Creek mine was permitted as a "zero discharge facility."[8] Yet, soon after mining began, the tailings impoundment began to leak cyanide . As a result of on-going violations, the Forest Service

[7] http://www.earthworksaction.org/pubs/CompanionsReportFinal.pdf
http://www.unr.edu/mines/mlc/presentations_pub/NV_bonding.asp

[8] Record of Decision and Final Supplemental Environmental Impact Statement - Volume 1, Grouse Creek Project, USDA Forest Service Challis National Forest, May 1992

posted signs which warned, "Caution, do not drink this water."[9] In 2003, the Forest Service declared the mine site an "imminent and substantial endangerment."[10] Cleanup activities are on-going.

Oregon: Formosa Mine

In 1991, during a period of high metal prices, Canadian start-up Formosa Exploration Inc. launched a copper zinc mine on 76 acres of federal (BLM) and private land near the town of Riddle in southwest Oregon. The mine folded 2 1/2 years later in 1994 as prices slumped. According to the State of Oregon, the mine has contaminated 18 miles of the Oregon's Umpqua watershed (Middle Creek and South Fork of Middle Creek and Cow Creek) - eliminating prime habitat for the threatened Oregon coast Coho salmon and steelhead.[11] So severe is the pollution that even insect life is gone in the upper reaches of the creeks, along with any chance of supporting fisheries.

Montana: Beal Mountain Mine

The Beal Mountain Mine, located on the Beaverhead Deerlodge National Forest, operated from 1989-1998. When the mine was permitted, the Environmental Analysis concluded that the operation of the mine would have no impacts to water quality, because "there will be no discharge of mine or process water to surface waters."[12] The agencies were wrong. Although the mine ceased operating years ago, it has continued to pollute neighboring streams with cyanide, selenium and copper at levels that harm aquatic life.[13] Scientists have also determined that trout in water downstream of the mine are contaminated with harmful amounts of selenium caused by mining activities.[14] Warren McCullough, who is responsible for enforcing state mine permit laws for Montana DEQ, told the Montana Standard in July 2003 that the aftermath of the closed Beal Mountain Mine is "not going to be something that we're ever going to be able to walk away from."

Montana: Kendall Mine

The Kendall Mine, an open pit, cyanide- leach mine located northwest of Lewistown, Montana, was permitted in 1989. The mine caused extensive water quality and quantity problems including numerous cyanide spills.[15] In addition, precipitation flowing through the waste rock piles caused extensive contamination of groundwater and surface water. In 1998, the State of Montana ordered Canyon Resources, the owner of the mine, to pay $300,000 for polluting downstream waters with cyanide, selenium, arsenic and thallium.[16] Canyon Resources claimed it did not have the financial resources to pay the fine. In 2002, Canyon finally paid the State a reduced penalty of $132,000 – with only $13,000 in cash and the balance in mineral rights transferred from the company to the state. In October, 2001, six families who live downstream of the mine filed suit against the company for damages to their water supplies and private property. State officials have determined that long-term water treatment will be required at the mine.[17]

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[9] Associated Press, "Mine processing waste still entering Jordan Creek," September 8, 1999; see also, "Idaho Fines Open-Pit Gold Mine $210,000 for Polluting Local Creek," Salt Lake Tribune, October 2, 1999

[10] Forest Service and Environmental Protection Agency, "Removal Action Memorandum," May 21, 2003

[11] State of Oregon, Department of Environmental Quality, Fact Sheet: Oregon's Abandoned Mine Cleanups Complicated by High Cost and Lack of Funding. March 13, 2006.

[12] "Beal Mountain Reclamation Under Fire," Montana Standard, July 14, 2002

[13] Action Memorandum for Beal Mountain Mine Time Critical Removal. Beaverhead-Deerlodge National Forest, Silver Bow County, Montana, July 2003.

[14] Aquatic Hazard Assessment for Selenium in the German Gulch subwatershed, Based on 2001 and 2002 Data. Prepared January 2003 by Tim LaMarr, Reviewed by Dennis Lemly.

[15] http://www.epa.gov/epaoswer/other/mining/techdocs/gold.pdf

[16] The Associated Press, October 29, 1998, "State: Another $ 4 million may be needed to clean up Kendall mine"

[17] http://www.deq.state.mt.us/eis/CRKendall/Scoping.pdf

Nevada: Jerritt Canyon

The Jerritt Canyon Mine in northern Nevada, which was permitted in 1980, is a significant source of mercury air pollution. Emissions data, obtained from the Nevada Department of Environmental Protection (NDEP) and made public in June of 2007, indicates that the mine may have released significantly more mercury into the air than it reported to state and federal agencies.[18] Gold mines are the fifth largest source of mercury air emissions in the U.S, producing 25% of all the mercury air emissions west of Texas.[19] Yet there are no federal regulations requiring gold mines to reduce their mercury emissions, and to ensure that public health and fisheries are protected. Mercury is considered the most dangerous heavy metal because it is toxic to humans and moves freely through the environment.

Modern Mines Need a Modern Mining Law

Unlike other extractive industries, there is no environmental law written specifically to govern hardrock mining. Instead, a patchwork of federal and state laws and regulations attempts to fill in the holes.

As modern mining problems have demonstrated, the current legal and regulatory system fails to protect western water resources. Reform of the 1872 Mining Law should include clear operational standards for hardrock mining, to prevent future spills and contamination. These standards should include:

- "Bad Actor" provisions to ensure that companies that have caused serious environmental harm in the past to not receive a permit for a new mining operation;
- The ability to deny mining operations that would cause undue degradation to human health, water resources, wildlife habitat, and other natural resources;
- A provision that ensures that mining operations will not continue to pollute after mining has ceased;
- The requirement that mining activities minimize negative effects on water quality and quantity.

Reform of the 1872 Mining Law should also include explicit reclamation standards, with bond requirements tied to those standards. Reclamation standards should include:

- A requirement to restore the hydrologic balance of a the area after mining has ceased;
- Restoration of the surface and revegetation;
- A requirement that, for pits that do not require backfilling, water in pit lakes comply with Federal, State and local government water quality standards;
- Tailings impoundments designed to minimize leaks and prevent the release of toxic materials, and waste rock piles that are stabilized.

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[18] The Idaho Statesman, June 10, 2007, "Toxic Mercury Blows North Into Idaho"
[19] www.epa.gov/triexplorer

Cheryl Rennie
HC 1 Box 1055
Sonoita, AZ 85637-9701

Ms. Beverley Everson, Geologist
Coronado Forest
300 W. Congress St.
Tucson, AZ 85701

YOUR COMMENTS ARE IMPORTANT!

PUBLIC COMMENTS
FOR THE
PROPOSED ROSEMONT COPPER PROJECT
ENVIRONMENTAL IMPACT STATEMENT

If you would like to make a comment or be added to our mailing list, please fill out this form and hand it to any of our staff or mail it to the address provided. You are also welcome to write a letter or send e-mail to: comments-southwestern-coronado@fs.fed.us. Thank you!

COMMENT:

I am concerned about the Rosemont Mine for the following reasons.

1. Millions of tons of waste rock and tailings from the Rosemont Mine will f Barrel Canyon, one of the main tributaries to Davidson Canyon, mercury, arsenic other solvents will be the risk for unintended leaks and spills, on surface and grou water and our aquifers will be at risk for contamination. What will be done to pro wild life and humans and water aquifers from contamination?
2. Water aquifers will be drained and depleted, springs will dry up, and wil be deprived of water resources. The use of 5,000 to 8,000 acre feet of water per mores is unacceptable to this desert region. What will be done to keep Rosemo over use of water?
3. 21,000 acres will be affected by these mining operations. What will protect the immediate area from being ripped up and damaged?
4. All wildlife will be at risk in the Santa Rita Mountains for 20 square Public land. What will be done to protect our wildlife?
5. I feel that the danger from this mine to humans is greater than at any oth mining in the past. What will be done to protect the humans of this area for this generation and future generations.
6. The risk to the beauty of the Santa Rita Mountains is truly not worth hav mine anywhere near it. All of us who enjoy the beauty and recreation in the Sant really find having a mine there to be most appalling. What will be done to protec beauty and recreation of the Santa Rita's?

Thank you for listening.

NAME: Ah'Nuit Nelson

EMAIL:

ADDRESS:

PLEASE ADD ME TO THE MAILING LIST (circle one): YES NO

Please be advised that comments and personal information associated with them, such as names and addresses, become part of the Administrative Record for this NEPA review. As such, they may be made available to a third party upon request under the authority of the Freedom of Information Act (FOIA).
Personally identifying information is protected by the Privacy Act. If you do not wish for your personal information to be released under the FOIA, you may choose not to include it with your comments. Alternatively, you may request an exemption from FOIA with your comment submittal. Should you choose the latter, you would be informed by the Forest Service as to whether or not your request qualifies for an exemption. If it does not, you would be afforded the opportunity to resubmit your comments without personal information or to withhold them altogether.

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How to Comment Effectively

mments should be specific and factual. Remember, the purpose of this scoping is to identify significant issues related peration, and issues to be considered in the Environmental Impact Process (EIS).

mmenting is up to you to choose. Comment forms are available, but not required. Send comments by mail, email, the Forest Service before the public scoping period ends on April 18, 2008.

l tips for making effective comments.

ief so the reviewer won't miss the point of your comment.

specific so the reviewer clearly understands your concerns.

- Statements such as "I am concerned about the amount of additional traffic this will cause" are useful in generating issues that can be analyzed.
- Statements such as "Don't do this" or "I like this" are not useful in generating issues that can be analyzed.

- he better you understand the proposal, the more focused and site-specific your comments will be.
- Your comments must be realistic and feasible.
- Remember, this is the time to identify concerns AND opportunities.

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YOUR COMMENTS ARE IMPORTANT!

PUBLIC COMMENTS
FOR THE
PROPOSED ROSEMONT COPPER PROJECT
ENVIRONMENTAL IMPACT STATEMENT

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MMENT:

I am particularly concerned about the impact of mining on a) the land, b) wildlife, and c) water. I hope there will be opportunities in the future for public input as you can see by the turnout in Patagonia there is much concern & I believe dialogue is the only avenue to understanding.

NAME: Janet Winans

EMAIL:

ADDRESS: P.O. Box 414
Patagonia, AZ 85624

PLEASE ADD ME TO THE MAILING LIST (circle one): YES NO

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TUCSON AZ 857

21 MAR 2008 PM 4 L

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USA 41

USDA Forest Service
Coronado National Forest
300 West Congress Street
Tucson, AZ 85701

Attn: Beverly Everson

Tucson, AZ 85701
Received
MAR 24 2008
Coronado National Forest

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What about the observatory the dust + light pollution!!!

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COMMENT:

First of all I think you should change your name to "Forest Dis"Serv

If you continue to allow the Rosmont Project to unfold it will be a great disservice to the Forest, the environment and residents of the surrounding area.

I was very disappointed in the open house venue in Green Valley it was very bias and it felt like a police state atmosphere.

The Santa Ritas are very special to me and my family, I go to Mt Hopkins once a week. I enjoy the peace Please don't take the peace + quiet and home to the animals away

NAME: Nancy Brown

EMAIL: ncjanerun@aol.com

ADDRESS: 4919 W. Santa Maria
Amado AZ 85645

PLEASE ADD ME TO THE MAILING LIST (circle one): YES NO

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TUCSON AZ 857

21 MAR 2008 PM 3 L

Tucson, AZ 85701
Received
MAR 24 2008
Coronado National Forest

USDA Forest Service
Coronado National Forest
300 West Congress Street
Tucson, AZ 85701

Attn: Beverly Everson

85701+1391

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COMMENT:

THIS PROPOSAL would make this part of our County another Green Valley MINES mountain growth.

JUST LOOK AT WHAT the MINES did TO the WEST side of Green Valley & north of Green Valley on the WEST side of I-19. A long mountain of MINE excavations THAT block the view of the WEST side of I-19.

AFTER my RETURN Home in 1946 (WWII NAVY vet) I used TO HUNT WITH BOW & ARROW in this part of our COUNTRY. Hunted deer & JAVALINA. The MINES ruined ~~the~~ The NATURAL habit for this wild GAME by preventing access TO GAME & HUNTER!!

Rosemont CANYON will disappear INTO nothing BUT DISASTER TO the NATURAL BEAUTY.

NAME: Manuel Herrera Jr.

EMAIL: —

ADDRESS: 641 W SANTA MARIA
Tucson, AZ 85706.5235

PLEASE ADD ME TO THE MAILING LIST (circle one): (YES) NO

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Place First
Class Stamp
Here

USDA Forest Service
Coronado National Forest
300 West Congress Street
Tucson, AZ 85701

Attn: Beverly Everson

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Mr. Manuel Herrera Jr.
641 W Santa Maria St
Tucson, AZ 85706-5235

THINK, SPEAK A

41USA

Tucson, AZ 85701
Received
MAR 24 2008
Coronado National Forest

ATTN:
Beverly Everson

USDA FOREST SERVICE
CORONADO NATIONAL FOREST
300 W. Congress ST.
Tucson, AZ 85701

85701+1371

Peter Bengtson
1280 E. Paseo Pavon
Tucson, AZ 85718
March 20, 2008

Team Leader
Rosemont Copper Project, Coronado National Forest
300 W. Congress St.
Tucson, AZ 85701

Gentlemen:

I've hiked and climbed many of the peaks in this area of the Santa Rita Mountains and have enjoyed the wild aspect of this area. I am writing to oppose the Rosemont mine and hope that the permit will be denied.

I believe that:

The Forest Service should NOT revise the Forest Plan to accommodate mining

The 1872 Mining Law does not require the Forest Service to revise the plan to accommodate mining

If Augusta's Mining Plan Operation cannot meet the current standards and requirements of the Forest Plan, then the Forest Service must deny the plan

I'm asking that you:

Extend the time period for comments by 60 additional days.

Schedule additional meetings to work on the scope of the EIS.

Schedule additional meetings in Vail and Sonoita, both areas with major impacts from the proposed mine.

Ask that Pima County, the Arizona Department of Environmental Quality, and the Arizona State Office of Historic Preservation be included as "cooperating agencies," at a minimum in the EIS process.

I am particularly interested in the effect of the proposed mine on water supplies in the area.

> Although efforts are made to contain tailings piles and other sources of runoff, leaching of exposing tailings surfaces or waste dumps, and unintended leaks from other facilities are common occurrences at mine sites. This could result in the release of potentially toxic heavy metals and other chemicals into ground and surface waters draining into Tucson area water supplies, and impacting nearby riparian areas such as Davidson Canyon.
>
> It is likely that a mine at Rosemont Ranch as is being proposed would dewater wells currently in use (as has already been done by Augusta Resource Corporation test wells) and imperil important wildlife habitat and future drinking water sources for residential use.

I am also concerned with traffic on Highway 83 which is a scenic highway.

> Mine traffic, including ore trucks and vehicles carrying heavy construction equipment and explosives for blasting, will share the narrow, winding Highway with school buses, commuters, motorcyclists, bicyclists, and tourist traffic.

Thank you for your consideration of my comments.

Peter Bengtson

Peter Bengtson

Peter & Betty Bengtson
1280 E. Paseo Pavon
Tucson, AZ 85718

TUCSON AZ 857
21 MAR 2008 PM 3 T

"LET US DARE TO READ, THINK, SPEAK AND WRITE"
John Adams, 1765
powerofthepen.com

Tucson, AZ 85701
Received
MAR 24 2008
Coronado National Forest

Team Leader
Rosemont Copper Project.
Coronado National Forest
300 W. Congress St.
Tucson, AZ 85701-1317

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COMMENT:

This is a project that I support for the state of Arizona and the Tucson area. I know many of the Augusta / Rosemont personnel and their number one concern is the environment in and around the mine site.

This project will be a long term venture with a large number employed at very good wages. They will also support a large number of businesses both large & small.

Besides the wages paid the taxes paid to the state, county & city of Tucson insure a firm tax base for years.

NAME: DAVID HOMAN

EMAIL: DHOMAN@BUCYRUS.COM

ADDRESS: 1010 N. SAINT ELENA ST
GILBERT, AZ. 85234

PLEASE ADD ME TO THE MAILING LIST (circle one): YES NO

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PHOENIX, AZ
MAR 17 2008
85028

USA First-Class

USDA Forest Service
Coronado National Forest
300 West Congress Street
Tucson, AZ 85701

Attn: Beverly Everson

Tucson, AZ 85701
Received
MAR 18 2008
Coronado National Forest

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COMMENT: Cover:

Socio-economics benefits

Job opportunities for local residents

Domestic production

sustainable supply

social & community diversity

NAME: Jamie Sturgess

EMAIL: JSturgess@augustaresource.com

ADDRESS: 7962 S. Vincennes Way
Centennial, Co 80112

PLEASE ADD ME TO THE MAILING LIST (circle one): YES NO

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MAILED FROM ZIP CODE 85716

USDA Forest Service
Coronado National Forest
300 West Congress Street
Tucson, AZ 85701

Tucson, AZ 85701
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MAR 17 2008
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Attn: Beverly Everson

85701+1391

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Bev

March 17, 2008

Jeanine A. Derby
Forest Supervisor
300 W. Congress
Tucson, AZ 85701

Dear Ms. Derby.

I am writing to voice my opinion on the Rosemont Copper project in the Santa Rita Mountains.

I have been a resident of Tucson since 1949. I have always treasured the unique land we live in and at an early age learned of its vulnerability. Today's demand on the land is unprecedented and unless we start changing the way we look at environment, we will loose the very thing we love about southern Arizona. The people of southern Arizona have to be able to look to their elected and appointed officials to do this for them. We must trust their honesty and commitment to keep our land use reasonable and still maintain the open space that is our hallmark.

It is my unwavering opinion that the Rosemont Mine Project is a detriment to our area for the following reasons:
It would be an eye-sore and a hazard to the people who live near and recreate in the Santa Ritas.
Ore trucks would be using the Sonita Highway, which would be not only dangerous but would force the county to upgrade the roads.
Water is already an issue here. Why allow a mining company to use up large amounts of our groundwater. They are talking about CAP water, but that is in danger of depletion also.
Contamination of our water table is possible.
Air quality would suffer in an area with a large population of older residents. Asthma and other lung problems might occur.
Wild life habitat is at risk. Mining is noisy and will drive away wildlife that makes its habitat T here. Where do we expect these animals to go? They are forever being displaced.
The mining companies never have and never will rehabilitate the land to look natural again.
It is irresponsible and illogical to place a mine in the middle of a populated area . It is a NO BRAINER!!
Thank you for considering my opinion.

Audrey Merriman
11285 N. Placita Alameda Dorada
Oro Valley, AZ 85737
(520)531-5314

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COMMENT:

PEOPLE NEED TO UNDERSTAND ALL POSITIVE AVENUES THIS MINE WILL DO FOR OUR ~~COMMUNITY~~ COMMUNITY AND SURROUNDING COMMUNITIES. THINK ABOUT ALL SOCIO-ECONOMICS INVOLVED IN ALLOWING THIS MINE TO MOVE FORWARD. COMMON DENOMINATOR HERE IS JOBS, JOBS AND JOBS. THIS IS WHAT WE ALL NEED HERE IN SOUTHERN ARIZONA.

NAME: ANTONIO DIAZ

EMAIL: DIAZ1963@GMAIL.COM

ADDRESS: 6613 S. STAR ~~[illegible]~~ DIAMOND

TUCSON, AZ 85757

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17 MAR 2008 PM 2 1

Place First Class Stamp Here

USA FIRST-CLASS FOREVER

USDA Forest Service
Coronado National Forest
300 West Congress Street
Tucson, AZ 85701

Tucson, AZ 85701
Received
MAR 18 2008
Coronado National Forest

Attn: Beverly Everson

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Jeanine Derby

Bev
(he also sent this by email)

"Richard Salzetti "
<Rsalzetti@cox.net>
03/20/2008 10:24 AM

To <jderby@fs.fed.us>
cc
bcc
Subject Rosemount Mine

As a resident of the area where the mine will be developed if approved I would like to go on record to highlight a few items that need to be considered. First, where is the water going to come from that will be used by the mine if approved. If it is form wells in the area surrounding the mine what impact will that have on the water residents in the draw from wells in the same general area. If a replacement source of water is not brought in by the mine for the duration of the mining operation the approval should not occur. Perhaps you are not aware but we do have a growing water shortage in the area and drawing out more water than what is replaced is not a good idea. Perhaps your home may suffer the consequences of either no water or a major reduction of water usage due to the mine using available water. Think about that possibility for perhaps yourself and other residents in that area. Second, ALL COMMUNITIES AND WATER COMPANIES AFFECTED BY THE DRAW DOWN OF WATER BY THE MINE SHOULD BE INVOLVED IN THE DECISION AS ALL WILL BE EFFECTED IN SOME WAY. Last item, The mine has developed local advertising on the merits of the mine and one is they will provide money to develop or create or help create areas to preserve the natural habitat of a area. It seems to me they could do that by not destroying land that is now in it"s natural state and it would create more good will than developing a mine and then trying to pacify residents by giving a dollar or two to create a park or a few acres of natural growth land that is already in its natural state. Thank You Richard Salzetti