

To: Reviewing Official
Regional Forester
United States Department of Agriculture, Tonto National Forest
333 Broadway Blvd SE
Albuquerque, New Mexico 87102

From: David P. Herrera

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Re: Objection to the Final Environmental Impact Study on the Resolution Copper Project on the Tonto National Forest area.

On behalf of myself as an individual who commented earlier on the Draft EIS and as President of a Non-for-Profit Corporation that also objected to the draft EIS, I propose my objections to the Final Environmental Impact Study. My non-for-Profit Corporation is called: Eastern Pinal and Southwest Gila County Watershed Partnership.

As a lifelong resident of Superior, Arizona I allege that I have standing to complain as I previously objected to the draft and now object to the "Record of Decision".

Growing up in Superior, Arizona I witnessed the impact of the mining operation to the air quality by the Smelter Smoke that pervaded the town. In the town, I witnessed the loss of water levels due to the mining operation. Community wells dried up and people did not understand the relationship of the water loss to the large amounts of water being pumped out of the ground to support the operation. Within the last years the vegetation and animal life has suffered, and Resolution Copper has not made remediation or mitigation a clear plan.

In reading the voluminous "Final Report" and "Record of Decision" I find that the Tonto National Forest has narrowed it's view of what is relevant. The most egregious is the finding in 3.6 that "none of the actions alternatives are acceptable to consulting Tribes." "...I have limited discretion to completely eliminate impact to expressed tribal values." Which is acknowledging that the tribes have values and issues, but the findings are that Tonto National Forest believes it can discount any item it deems to be unimportant.

The Reports fails to have transparency when the WWW. Resolution Mine EIS.us site talks about mitigations in Appendix J. but does not have it posted in the site. Appendix J can only be found by extensive search of the Final Report in the federal citation.

The issue I have with Resolution Copper is that the Tonto National Forest is choosing to ignore the fact that Resolution is taking more water than it is entitled to and allowing the entire area to be depleted of a natural resource (water) and does not insist on a true mitigation.

I participated with Resolution Copper to discuss “water mitigation strategies” in several community-based meetings. There is no real mitigation plan.

In the Final reports it states that the Director “was to consider the degree to which the applicant has committed to environmental protection measures, monitoring and mitigation measures which will reasonably reduce potential impacts to the wildlife”” ...the quantity and quality of surface water and groundwater, cultural resources, tribal values and concerns.” “All practicable means to avoid or reduce environmental harm.”

In Appendix J of the report under “Conceptual Mitigation Plans” The report Identified three major areas of mitigation. The Queen Creek mitigation site was 79 acres in Superior, Arizona where all but 33 acres and not part of Resolution and BHP properties. The plan basically calls for reducing “salt cedar trees” as a mitigation. No serious plans.

The other two sites Mar-5 restoration area and H and E areas also benefit Resolution Copper interests. Mar 5 is near where Resolution dumps water into the river from the Magma Reservoir that Resolution Copper has built up.

The H and E areas are locations that Resolution donated to the Nature Conservancy to gain environmental support for the transfer of Lands at the Oak Flats.

In summary, this is like me alleging I will promote community projects and decide to clean my own backyard. Further, that water mitigation on my own backyard somehow will help the environment in Arizona.

Please reconsider the Decision as the mitigation plans and monitoring are not realistic. Give Superior and surrounding towns the water to mitigate environmental losses.

Sincerely

David P. Herrera

February 27, 2021