

Meeting #55
May 10, 2017
MEETING SUMMARY

Meeting Attendees

Community Working Group members present:

JoAnn Besich – Superior Optimist Club
George Martin – JF Ranch
Lynn Martin – JF Ranch
Jeff Bunkleemann – Central Arizona College
Fred Gaudet – Arizona Trail Association
Bruce Wittig – Queen Valley Fire Department
Jim Schenck - Magma Dorada
Hank Gutierrez - Superior Copper Alliance
Cecil Fendley – Queen Valley Water Board
Sylvia Werre – Top of the World
Pam Bennett – Queen Valley Community Liaison
Karen Kitchayan Jones – San Carlos Apache Tribe
Arlynn Godinez – Superior Unified School District Board / Maricopa County
Fernando Shipley – Cobre Valley Regional Medical Center Board
Rick Cartier – Superior Chamber of Commerce alternate
Tiffany Rowell – Superior resident

Community Working Group members not present:

Roy Chavez - Concerned Citizens and Retired Miners
Nancy Vogler – LOST Trail
Bill Vogler – Superior Copper Alliance
Tom Spridgen – Rotary Club of Superior
Anthony Huerta – Town of Superior
Pamela Rabago – Superior Chamber of Commerce

Resolution Copper Company:

Melissa Rabago
Vicky Peacey

Facilitators – Godec, Randall & Associates (GRA)

John Godec
Debra Duerr

Speakers:

Mary Rasussen – Tonto National Forest
John Scaggs – Tonto National Forest

Public Guests:

Sylvia Werre – Top of the World
Melvin Were – Top of the World
Amy Rotz – Top of the World
Jim Rotz – Top of the World
Jim McBroom – Top of the World
Fran Dreiling – Top of the World
Geri Hamlet – Top of the World
Wayne Hamlet – Top of the World

Introductions & Housekeeping

John Godec welcomed everyone, and mentioned that next month will mark our fourth anniversary. He said that we are always looking for groups who should be included in CWG membership, and this month we have a new representative, Sylvie Were, from the community of Top of the World. Ms. Were told the group a little about herself, and noted how much she likes this area. Godec asked the rest of the group to introduce themselves. He said that the Tonto National Forest has been kind enough to provide an update for the CWG tonight.

Godec handed out a newsletter describing the Pinto Valley Mine EIS for CWG members' information. A member asked whether this is the same as the Capstone mine; it is called the Pinto Valley mine but is owned by Capstone. This EIS is on a much shorter timeframe than the Resolution Mine project since it is just an expansion of an existing mine.

Discussion of Top of the World Concerns

We know that in the past couple of weeks there was a tour for tribal representatives as part of the studies being conducted for the Environmental Impact Statement (EIS), and when they visited the JI Ranch, some residents of Top of the World were concerned about what TNF or Resolution might have planned. Mary Rasmussen of Tonto National Forest explained that this was part of the tribal consultation required as part of the EIS. This meeting was different from those before in that all the interested tribes met together (10 of 11); previously there had been individual meetings with each tribe. Part of this meeting was the tour of the JI Ranch area. Also, under the National Defense Authorization Act for the land exchange, government-to-government consultations with tribes is also required, as is consultation with Resolution Copper, to address any tribal concerns. As a result of conversations with Resolution, JI Ranch was considered as a possible area for acorn gathering for the tribes, as mitigation for the Oak Flat area that could eventually be lost for that purpose because of mining activity. Rasmussen said the tribes had some concerns about the project and about the JI Ranch, but this process will take time. All of the tribes are opposed to the project, so Forest Service does not expect to be able to develop mitigations until further into the studies. The tribes expressed an interest in continuing to meet. The CWG had several questions:

- Why can't you talk about what happened at the tribal meeting?
 - This type of consultation is protected by confidentiality, as tribes are treated as sovereign nations by the U. S. Government.
- Would confidentiality apply to other governments like Town of Superior?
 - No because they are not regarded as sovereign nations.
- Lynn Martin said that a campground had been mentioned for the JI Ranch, and this is a big concern for the Top of the World folks. She stated that residents do not want this.
 - Rasmussen said that this is not a topic of conversation at this time, and that no decisions have been made. She clarified that acorn gathering would only be for Native Americans, and there is no intention to open the area up to the general public.

- Godec said this was suggested during a Recreation User's Group (RUG) at one time, but after a brief discussion the group concluded that it was not a good location, and another area has been identified for consideration as a replacement campground.
- It was pointed out that Resolution is well aware that Top of the World does not want the JI Ranch to be used as "offset" for the mine.

Results of Public Scoping, Resolution Copper Project & Land Exchange EIS

Mary Rasmussen – Tonto National Forest

John Scaggs – Tonto National Forest

Mary Rasmussen provided an overview of what she'll talk about tonight, which is an update of the general mine plan and land exchange including scoping results, key issues, and alternatives, as well as the Apache Leap Special Management Area Plan (ALSMA) scoping results.

More than 130,000 comments were received on the EIS, 99% of which were form letters. Nearly 7,000 individual comments were identified from 1,237 unique letters. From these, 474 'public concern statements' and 14 issue topics were developed. These were evaluated as being significant or not significant; significant topics will be addressed in the EIS, while others will be dismissed from consideration in this study.

Key issues from scoping include:

Water resources	Tribal concerns
Subsidence/landscape productivity & function	Land ownership/boundary management
Air quality	Transportation & access
Biological resources	Noise & vibration
Recreation	Public health & safety
Scenery	Socioeconomics
Cultural resources	Environmental justice

Measures, or metrics, for impacts are being developed for these issues. After that, an issues report will be released for public information, probably around the 4th of July.

Regarding comments that were not significant and will not be analyzed, Rasmussen gave several examples, such as how the land exchange came about, appraisal questions, historic mining practices, downstream uses of copper, smelting location, and subsequent impacts from transportation to smelting.

Rasmussen told the CWG that the Forest Service is starting to develop alternatives now.

Alternatives may address:

- Mining technique (e.g. cut and fill v. block cave) – to address subsidence and amount of tailings
- Tailings techniques (dry stack, filtered v. slurry) – to address water quality and quantity
- Tailings dam construction (downstream, centerline) – to address public safety and water quality
- Tailings locations ("greenfield" sites or "brownfield"/previously disturbed, e.g. existing mines)

- Other components: filter plant location, process pond location, transportation routes. Keep in mind that not all alternatives will be carried forward. For example, some may be similar, in which case only one would be considered in detail. Land jurisdiction may also be a factor. The alternatives to be studied in detail are expected to be developed in early September. When these are finalized, there will be public notice, probably by early Fall. Impact analysis will occur after that, and this will take quite a while. There will not be much public input during the analysis phase of the project. The Draft EIS is expected in June 2019.

She passed out a “roadmap” to the EIS that outlines the study process, but does not specifically include a schedule. Points of public involvement are noted, as are tribal consultations.

CWG members had the following questions and comments:

- Is there a separate Native American component in the scoping comments?
 - Yes, if Native American concerns or issues related to cultural resources were mentioned in comments, they are represented here.
- Was this presentation given to the tribes at the recent meeting?
 - No, that was a different meeting.
- What is environmental justice?
 - Federal agencies need to evaluate whether a project will have unequal or undue negative effects on some groups or sensitive populations. This is generally looked at within the geographic area of the analysis.
- Are all issues addressed, even if only one person mentions it?
 - Yes, it’s not a voting process.
- Who decides which alternatives will be used?
 - If Forest Service can find an alternative that addresses impacts, they will consider these if they are technically feasible. The Forest Supervisor is the decision maker.
- What does technically feasible mean? Does it include financial feasibility?
 - This is to look at what is possible. Finances are not being considered right now. Later, this analysis will be done. In other words, cost is not a reason to throw out an alternative.
- Can you force Resolution to use an alternative such as cut and fill?
 - There would need to be supporting rationale put forward by the Forest Service, and the proponent would have opportunities to modify their proposal as the study progresses.
 - Part of the challenge here is that the mine will be located on private property, so Forest Service influence is more limited. For the tailings site on the Tonto National Forest, the Forest Service has more authority to dictate outcomes and impose mitigation.
- Will there be public workshops on alternatives?
 - The study team has been discussing this, but haven’t decided. They may be able to provide information, but it might not be possible to solicit public input on alternatives, due to the difficulty and complexity of determining technical feasibility, metrics, etc.

Apache Leap Special Management Area Plan Update

During scoping for this plan, 71 submittals were received. The most-mentioned themes by commenters regarding components of the proposed management plan included recreation,

cultural resources, public access, and wildlife. Others included the importance of Apache Leap, natural character and scenery, seismic monitoring, mineral resources, vegetation, livestock grazing, and wildland fire. Other topics not specifically addressed in the plan included adjacent land uses, economics and tourism, noise, subsidence, soils, and water resources. There were also comments about the NEPA process and the ALSMA plan in general, such as requesting clarifications, expressing support or opposition, and the need for public involvement.

Rasmussen reminded the group that this is not a specific plan to outline decisions, but is meant as a planning framework for future management. Therefore, every possibility of what might happen or be approved within this area cannot be included. The goal is that the ALSMA plan will be completed by early July. A CWG member asked if there will be a public-review draft of the EA; Rasmussen said there will not be, and that comments will be dealt with during the following objection period.

The lack of a scoping letter from the Town of Superior was noted. Upon investigation, several members thought that the Town had submitted comments, and the Mayor confirmed this during the meeting in an email or text with one of the CWG members. Rasmussen said that if the Town submits its comments again, they will definitely be included.

The group thanked the Forest Service very much for coming to speak with them.

Public Comments

A visitor asked if there is still a plan to construct a divided highway between Superior and Globe, and if this would affect the Resolution Copper Project. (After the meeting, a CWG member reported that ADOT has scheduled construction for this section for 2030.) It is not known how it could affect the Resolution project.

A Top of the World resident said that she invites San Carlos members to harvest acorns on her property every year. The people who come tend to be the older generation. She feels that the JI Ranch does not have as many oaks as some other properties in the area. She is somewhat concerned that acorn harvesting might lead to a higher level of use in future. Local residents are concerned about camping, powwows, ceremonies, etc. A CWG member suggested that they ask Resolution to put promises in writing.

Next Meeting

The next CWG meeting will not be on the regular schedule, but will be held on the third Wednesday of June, the 21st. The Pinal County Assessor, Douglas Wolf, has been invited to talk with the group about property value issues.

*Wednesday, **June 21**, 2017*
Superior Chamber of Commerce
6:00pm