

Meeting #36
September 9, 2015
MEETING SUMMARY

Meeting Attendees

Community Working Group members present:

Rick Cartier – Superior Chamber of Commerce alternate
Pam Bennett – Queen Valley Community Liaison
Bruce Wittig – Queen Valley Water Board
Cecil Fendley – Queen Valley Water Board
JoAnn Besich – Superior Optimist Club
Pamela Rabago – Superior Chamber of Commerce
Hank Gutierrez - Superior Copper Alliance
Anthony Huerta – Town of Superior
George Martin – JF Ranch
Lynn Martin – JF Ranch
Mark Siegwarth – Boyce Thompson Arboretum
Jeff Bunkelmann – Central Arizona College
Steve Estatico, Superintendent - Superior Unified School District

Community Working Group members not present:

Matt Nelson / Fred Gaudet – Arizona Trail Association
Michael Lira – Central Arizona College
Evelyn Vargas – Cobre Valley Regional Medical Center
Nancy Vogler – LOST Trail
Bill Vogler – Superior Copper Alliance
Mark Nipp – Town of Superior
Roy Chavez - Concerned Citizens and Retired Miners

Resolution Copper Company:

Jim Schenk – Manager for Communities & Social Performance
Kami Ballard
Kacie Baak
Lynn Nguyen

Guest Speakers:

Casey McKeon – Resolution Copper Company

Facilitators – Godec, Randall & Associates (GRA)

John Godec
Debra Duerr

Public Guests:

Tiffany Rowell – Superior resident
Nathan Higgenbottom – University of Arizona
2 Resolution employees/local residents
Superior Councilwoman Mila Besich-Lira

Housekeeping

John Godec welcomed everyone to the meeting and asked how their summer has been. He introduced the topics of discussion for tonight.

Several members have suggested that it might be beneficial to review our operating policies, because it's been a while since we have done that, and we've had some "lively" discussions at recent meetings. He emphasized that not everyone agrees with each other, but we have agreed to be civil at all times. He showed a slide summarizing the rules of behavior and asked the group if they would like to make any changes; none were proposed.

Permit Amendments and Updates, Discharges to Queen Creek

Casey McKeon, Resolution

Casey McKeon introduced herself as permitting manager for the Resolution Copper Project. She introduced members of her staff who were at the meeting tonight. She will focus on two permits that are being amended at the moment. These are the surface water permit, known as Arizona Pollution Discharge Elimination System (AZPDES), and the groundwater Aquifer Protection Permit (APP), both issued by the Arizona Department of Environmental Quality. These permits were issued in 2010.

The AZPDES permit protects surface water uses. Of particular interest to this group are discharges to Queen Creek. The current permit allows a discharge of the 100-year/24-hour storm event. Resolution is asking the state to be able to use 2014-15 data to support requested changes. Changes are aimed at reducing storage for stormwater evaporation, reducing reliance on farmers for accepting Resolution's treated water in winter, and developing alternatives for a large rain event.

When Queen Creek is flowing, the water quality is monitored. Total dissolved solids (TDS) are a key indicator of water quality. Between 2009 and 2015 these levels have been dramatically reduced in the influent water into the mine. Effluent TDS levels have been likewise reduced to about 1900 parts per million (ppm). McKeon showed a list of regulated effluent quality standards (for municipal wastewater treatment plants) and results of testing, showing that all parameters are below regulatory standards. Whole effluent toxicity (WET) testing is also required for discharge, measuring toxicity to several species of aquatic life. This water passes all the tests.

McKeon explained how water is treated for various constituents. She showed a process flow diagram of how water is treated, discharged, and delivered to farmers. The discharge point is just upstream of Mary Drive. The treatment plant can treat up to 2500 gallons per minute (gpm), but that much is not needed at this time. She also showed a map of the outfall system.

To satisfy permit conditions, water quality samples will be conducted every day for a month, and reporting requirements will be based on these data.

In summary, aspects of the AZPDES and APP permits that have changed since issuance of the original permits in 2010 include the following:

- Permits will include all treated waters.
- There will be discharge only during the winter rainy season.
- Discharges will occur if farmers don't need the water.
- Flow will be able to increase to 1500 gallons per minute.
- TDS limit will change (be relaxed) based on WET test results.

McKeon reported on the status of the permitting process, which is as follows:

- Resolution submitted amendment applications to ADEQ in July.
- The company has received completeness review letters from the state.
- The state is allowed 294 days to review permit applications.
- Resolution must install a monitoring well to collect ambient data downstream.
- ADEQ will hold a public meeting on the permit application, at some point in its review.

CWG members had a number of questions and comments, including the following:

- Where does the water come from that is being regulated here?
 - It includes water regulated under the reuse APP, which is meant to protect agriculture and groundwater. Sources include all stormwater, blowdown, and vehicle washout that are part of the minewater treatment plan.
 - Water from the mine is also treated. Pumps in the mine were turned off in 1996. After that, the pH dropped and the mine water heated up. Water being treated now includes only water that comes into the mine at the groundwater recharge rate of 600-800 gpm.
- How does treatment with lime and soda ash remove heavy metals?
 - The metals are exchanged with the calcium in the lime, and precipitates out.
- How can the water be used for agriculture, given the remaining pH?
 - A pH between 7 and 9 is suitable for agricultural use; this has a pH of about 8.5.
- When you collect samples, what do you measure it against; e.g. other local waterways?
 - Samples are not compared to other creeks. Queen Creek has its own water quality standards.
- If you were to discharge at higher levels, how far downstream would that carry?
 - Most likely flows would continue past Hewitt Station to near Whitlow Dam. There will be a point-of-compliance well at this location.
- Will that measure surface flows?
 - No, measurements will be for the groundwater aquifer.
- Does Resolution do its own testing?
 - No, the company uses the labs Test America and SVL.
- Does the water go into the Central Arizona Project (CAP) canal?
 - No, it goes into a ditch that farmers use. Farmers call for what water they need on a daily basis.
- Where does 'bankable' water go?
 - It doesn't actually "go" anywhere; it's a 'paper exchange'. These discharge permits are not related to water banking.
- Water coming out of the mine is hot, so what temperature would water going into Queen Creek be?

- Resolution is still negotiating this with the state. Now it is between 80 and 90 degrees Fahrenheit, generally. It is cooled down as travels through the discharge pipe.
- How do these standards – particularly arsenic - compare to other local water; for example, what Arizona Water Company delivers?
 - We don't know exactly, but know that Arizona Water Company has to treat for arsenic. Queen Creek Water Company levels are much lower than the Resolution measurements shown here. Resolution's measurements are slightly higher than those taken at Central Arizona College Aravaipa campus.
 - McKeon noted that the drinking water standard for arsenic is .01 parts per million, and these levels are about half that.
- What happens if water quality standards are exceeded?
 - Resolution would need to shut the facility down, create an emergency response plan, test again, and create a plan for correcting the problem.
- How often would the company need to check the alert well?
 - Once per month for 8 months, and thereafter quarterly
- How much does Queen Creek normally flow?
 - It has only run three times this summer, and is at the lowest flow point it's ever been. In wet years it can flow quite bit. Discharge from this project is only 1500 gpm which is insignificant, and won't change the riparian ecosystem.
- If discharges lasted for a week, would there be water flowing through the Boyce Thompson Arboretum?
 - Resolution didn't know the answer to this, which would require computer modeling. A CWG member speculated that it would, because of the underlying alluvium.
- There were several questions about recent and historic pumping rates.

McKeon suggested to the group that this might be an opportunity for a community monitoring (third-party) program. Some members thought this would be a good idea. If people are more involved in ongoing monitoring they would be more familiar with the relevant data and constituent levels, and what they mean. Some observed that it may help build trust between the community and the company. Queen Valley said they would be interested in this, and suggested other CWG members who are not here tonight might also be interested.

Godec asked if the group is interested in pursuing this type of program. All agreed that they would be. Those who volunteered to work initially with Resolution on a community monitoring program are Pam Bennett, Cecil Fendley, and Bruce Wittig from Queen Creek, Mark Seigwarth or another representative from Boyce Thompson Arboretum, Lynn and George Martin from Hewitt Station, and Tiffany Rowell, a Superior resident. The group suggested also contacting Roy Chavez to determine his interest.

It was noted that the cost of such a program might be substantial, and the group assumed that Resolution would fund it.

A member mentioned the recent Animas River spill in Colorado as an example of the problems that can occur; Godec offered to provide more information about this topic for future discussion.

CWG Subcommittee Reports

Members

The **Community Investment Subcommittee** chairs, Bill Vogler and Bruce Wittig, reported that they had had a productive meeting with Jim Schenck and Dave Richins from Resolution to explore the concept of a community investment “fund”, as a more appropriate vehicle than a trust or foundation. As a follow-up, they are conducting additional research on the topic. Resolution has had initial conversations with Arizona Community Foundation (ACF) about their structure and operations. Richins planned to meet again with them to learn more about what they could offer in this specific situation and what their role might be, based on CWG questions and concerns. The ACF initial proposal was to set up an affiliate fund within the existing Gila Valley Fund, which has its own Board of Directors that ultimately reports to the ACF Board. The Superior fund would have one representative on the Gila Valley board. The CWG subcommittee has some concerns about whether a Resolution/Copper Triangle fund should be part of an existing ACF fund or be a separate entity, to allow for greater decision control.

Jim Schenck reported that, since that meeting, Rio Tinto representatives have been here to discuss the company’s policies and regulations with regard to community investments. They explored whether this initiative might start as a fund and morph into a foundation. Final approval would need to come from Rio Tinto upper management. A lot will depend on if and how a mining permit is approved, because funding will likely not begin until the project is generating profits.

Pam Bennett reported that the **Recreation and Access Task Force** met to review the Tonto National Forest Travel Management Plan. The group generally felt the Forest Service should not shut down roads but do enforcement of infractions instead, which is the biggest problem. The concept of special use permits for local residents was also discussed, similar to what might be used for Native American access. The task force believes that people would be willing to pay for special permits, with funds being used to support enforcement activities. They want to propose that concept to the Forest Service.

Kami Ballard of Resolution reported that several groups are also interested in travel management, and Resolution has contacted the Forest Service about pursuing a joint approach and comments. Interested groups include International Mountain Biking Association (IMBA), Queen Creek Coalition, trail groups, and others. Queen Creek representatives mentioned that some people in that community think the road closures are related to Resolution and the tailings site, and noted the need for accurate information.

Reporting for the **Historic Preservation Task Force**, Pamela Rabago said that the group’s next meeting needs to include a Resolution representative, because some of the properties belong to the company, and the State Historic Preservation Office (SHPO) will want to know if the company is willing to pursue ideas. Another meeting will be set up to invite Resolution, and perhaps also a local historian who is knowledgeable about historic preservation requirements.

Future Meeting Planning & Special Tasks

Godec introduced the subject of CWG meetings for the remainder of 2015. He said that the NEPA training contractor Resolution has used are willing to do a 4-hour training session on Wednesday, October 7. Many members said they would be interested in attending. The next scheduled meeting will be October 14, and we will try to get a Resolution representative to talk about project employment. As a follow-up to an introductory meeting in August that a few CWG members attended, we could arrange another presentation and meeting with TruScape to discuss preparing visual simulations of the tailings facility. The group endorsed this idea. Resolution will confirm that TruScape representatives would be able to attend the November 11 CWG meeting.

There has been discussion of having an underground mine tour; we might try to arrange this in the fall (perhaps November) when the weather is cooler. Only 6 people can go at a time, so more than one date may be needed.

A CWG member asked Resolution if a tour of the West Plant remediation would be possible. McKeon said this could be arranged any time, and would take about 2 hours, including the water treatment plant. Jim Schenck mentioned a number of activities Resolution is planning in October so suggested we avoid that timeframe. Godec asked Schenck to let the group know about dates for these types of events.

Godec said that interviews for the Resolution Copper Project Environmental Impact Statement contractor were held recently. Scoping will begin in the near future. We are proposing a special meeting in December, in addition to the regular meeting, to discuss if and how the CWG might want to be involved in making scoping comments. Even if this doesn't happen, we could probably invite the Forest Service to provide an update on the EIS process. Members noted that we can work on scoping comments at any time.

Public Questions & Comments

Godec introduced Nathan Higgenbottom, a University of Arizona student who is working on his senior thesis about the Superior community's reactions to mining. He said he will try to come to all the group's meetings this semester.

Next Meeting

There will be a **Special NEPA Training Meeting:**

5:00 PM to 9:00 PM

Wednesday, October 7, 2015

Superior Chamber of Commerce

The next **Regular CWG Meeting** will be:

5:30 PM

Wednesday, October 14, 2015