

To: John S. Halikowski, Director Arizona Department of Transportation

From: The Hilton Ranch Community Organization

I have recently learned that ADOT has not responded to the USFS request that ADOT participate as a Cooperating Agency in the preparation of the Environmental Impact Statement for the Rosemont Copper Project proposed for southeastern Pima County. As a resident of the affected area I write to ask that your agency respond affirmatively to the USFS request that ADOT participate as a Cooperating Agency. There are, in my judgment, compelling public policy reasons for ADOT to serve as a Cooperating Agency. I have set forth several reasons below.

1. The Rosemont Mine Plan of Operation (MPO) clearly states their intent to use Arizona State Route 83 as their primary access road. With a 24 ton truck departing or returning to the site via highway 83 every 8 minutes, 24/7 for 19 years¹, and additional traffic to support 500 employees.
2. They plan to build an entrance to the mine off of highway 83 between mile markers 46 and 47. In January 2003 the Corridor management plan for the Patagonia-Sonoita scenic road (SR83) was completed by the ADOT. In Chapter 9, page 74 of the report ADOT describes the current use of scenic route 83 and the safety and hazard areas. This is from the report:

Current Scenic Road Use

Trucks, cars, Border Patrol vehicles, bicycles, recreational vehicles, and horses all currently share the Patagonia-Sonoita Scenic Road. Drivers are locals, tourists, international shippers, and ranchers. There is heavy truck use along the scenic road. Truckers hauling loads of produce from Mexico use state Route 82 as a perceived shortcut to reach interstate 10, they need to take state route 83 and state route 90 as alternative routes. This situation is not permanent. ADOT is trying to push the new bridge construction project along at a faster rate (referring to the Davidson Canyon bridge on I-10). Truck traffic will always be a safety concern on the Scenic Road because the months of highest volume correspond with the peak tourist season. The presence of large trucks and wide loads along the corridor is a safety concern and is not compatible with scenic designation.

Safety and Hazard Areas

Accidents occur on the Patagonia-Sonoita Scenic Road mainly because people drive too fast and the roadway is curvy. On State Route 83, between mileposts 44 and 45, there is wear and tear on the road and guardrails get hit by trucks with oversize loads. The narrow section of road between mileposts 43 and 50 is especially dangerous because there is no place for cars to pull over to allow wide loads to pass. Rockfall areas on State Routes 82 and 83 require regular maintenance during and after strong rainstorms. Curved sections of the Scenic Road and sections

with narrow shoulders are dangerous for cyclists and joggers. Speeding drivers may not have time to react to bicycles or pedestrians when sight distances are impaired. They may have no room to avoid them if shoulders are too narrow. Narrow shoulders and lack of adequate places to pull off the road are also safety concerns for tourists who want to enjoy the scenic views.

Rosemont plans to enter their property in the middle of what ADOT describes as an “especially dangerous” section.

3. The section of Scenic Route 83 at mile post 44 is listed in the 2007 Arizona Five Percent Report provided to the Federal Highway Administration by the state of Arizona. The following is the description provided in the report
4. Highway 83 is a primary route to detour oversize and overweight loads heading east on I-10 to avoid the weight limits on the Davidson Canyon bridge and the height limits at the Marsh Station railroad crossing (15 ft limit). ADOT records show 663 permitted loads on highway 83 in 2007 alone.
5. From March 1, 2002 to February 28, 2007 the ADOT recorded 148 accidents from I-10 to milepost 42, a sixteen-mile long stretch. This is nearly 2 accidents per mile, per year. Half of the accidents involved injuries, there were 5 fatalities. 7 of the accidents involved alcohol, 0 involved drugs. The typical traffic consists of tourists, nature buffs, motorcyclists, bicyclists, and recreation vehicles. It is also used daily by residents, and school buses.
6. Future growth in the greater Tucson area is projected to occur primarily in the southeastern portion of the city, and area served by highway 83 and Interstate-10²

As part of the scoping process of the National Environmental Policy Act (40 CFR 1501.6), the Forest Service (the lead agency) is identifying and inviting "cooperating agencies."

40 CFR 1508.5 Definition of Cooperating Agency

"Cooperating agency" means any Federal agency other than a lead agency which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment. The selection and responsibilities of a cooperating agency are described in Sec. 1501.6. A State or local agency of similar qualifications or, when the effects are on a reservation, an Indian Tribe, may by agreement with the lead agency become a cooperating agency."

The Arizona Department of Transportation is listed by the U.S. Forest Service as being invited to participate in the scoping process and a certified letter was sent to Victor Mendez, Director ADOT dated July 18, 2008³. The letter is part of the federal register

As an Arizona Citizen whose safety will be affected by the traffic generated on SR 83, I feel it is important that you participate in the NEPA scoping process as a cooperating agency. A response would be appropriate.

Sincerely

James R. Kramp

6/12/2009

James R. Kramp - Hilton Road community organization

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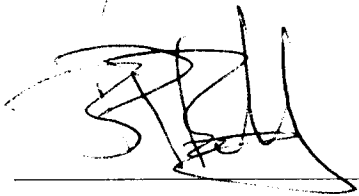
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