

December 3, 2008

Jeanine Derby  
Forest Supervisor  
Coronado National Forest  
300 West Congress Street  
Tucson, AZ 85701

Dear Ms. Derby:

We are writing in the wake of the announcement that the U.S. Institute for Environmental Conflict Resolution has accepted Ms. Carie Fox's assessment that it would not be productive or effective to proceed with the proposed working group as currently designed. As set forth below, we are confident that there are more appropriate vehicles for the enhancement of public participation in the Forest Service's NEPA analysis for the evaluation under the National Environmental Policy Act (NEPA) of the proposed Rosemont Mine Plan of Operations on the Coronado National Forest.

We appreciate the efforts made by the Institute and by Ms. Fox, and agree that they came to the right conclusion about that particular proposal. Both the scope of work and timeline presented substantial difficulties, as did the basic structure of the proposed working group. However, we are gratified to read that the U.S. Institute will continue to "work with the public and with the Forest Service to explore other options for promoting meaningful public education and input, and greater transparency for the NEPA process." In that regard, we would like to make some recommendations on possible next steps. We continue to believe that it is important to engage the public in a transparent, meaningful and feasible way in the analysis of the proposed Rosemont Mine Plan of Operations.

#### I. ESTABLISH A LEGAL FRAMEWORK FOR A CITIZENS' WORKING GROUP

We recommend that:

1. The process be chartered under FACA, to inspire public confidence, have a record of issues discussed and follow the spirit of open decision making involving a number of federal, state and local jurisdictions: or
2. Alternatively, that Pima County be the convener of this Work Group, with assistance from the U.S. Center for Environmental Conflict Resolution. Under this approach, the Work Group would comply with Arizona State Sunshine Laws, which would perhaps be less cumbersome and costly than FACA.

Either of these approaches will instill public confidence and be preferable to ignoring the FACA issues.

## II. DEFINE A CLEAR AND MEANINGFUL SCOPE OF WORK

1. We recommend that a citizens' working group be used to review both the original comments received from the public and the "capture" of those comments by SWCA.

That way, the Comment Analysis Group can be assured by an independent review that SWCA has:

- Captured all the discrete comments
- Accurately summarized the comment letters
- Correctly attributed and tabulated the comments

Therefore, the group, rather than starting from scratch in characterizing all the comments in a parallel process, can compare the raw comment data to the compilation by SWCA and note any errors, omissions or mischaracterizations if there are any.

While SWCA is completing its compilation of comments, a representative should present its methodology early on to both the Working Group and the Comment Analysis Group, so that all understand the process SWCA employs.

We also recommend that the Forest Service require the applicant to fund at least one technical advisor, expert in preparing and analyzing EISs, to assist the Working Group. That might be a federal, state or local government employee with appropriate expertise "loaned" to the Group or it might be an outside consultant.

2. We agree that a next task for a citizens' working group would be the identification of reasonable alternatives that should be analyzed in the draft environmental impact statement, including a fully analyzed "no action" alternative.

3. Given the scale and complexity of this undertaking, we would appreciate the opportunity to meet with you and the Institute for Environmental Conflict Resolution at your earliest convenience to discuss in greater detail, the scope and structure of citizen participation in general, and the working group in particular. We have shared many ideas as well as concerns with Carie Fox, a number of which we believe warrant further consideration in the design of the public working group process.

## III. TIMELINE/WORKLOAD

The original proposed time frame was quite unrealistic and imposed a huge burden on the community, with very little support. It is notable that many of the concerned, affected citizens are not compensated for their participation in this process, and have jobs and family obligations.

We recommend that a new, more realistic timeframe be developed in conjunction with the citizens, to begin meetings in January, with a survey to determine realistic times and frequency of meetings, especially given the spread out geographic locations of stakeholders.

Additionally, we recommend that expenses be offered to non-profits or to others for which travel is a hardship.

#### IV. COMPOSITION OF WORKING GROUP

##### Role of Augusta Resources Corporation/Rosemont

There are three main actors in the NEPA process:

The Lead Federal Agency (CNF-USFS)

The Applicant (Augusta Resources Corporation)

The Public (including their elected representatives and governments)

A citizens working group should be open to citizens who may or may not favor the mine, or who are neutral, but there must be disclosure for the record of all those citizens who are:

Former, current or potential future employees or consultants to Augusta and its subsidiaries.

##### Membership

A number of key stakeholders were omitted in the list of the initial proposed Working Group Members. (p. 11) They include:

- Regulatory and cooperating agencies such as DWR, ADEQ, BOR, CAP, CAGRWD, ASLD
- Existing Mines, most importantly Freeport McMoRan
- Santa Cruz County
- Tucson, City of
- Metropolitan Tucson Convention and Visitors Bureau
- Canoa Ranch Trust Oversight Committee
- Sky Island Alliance, Tucson Audubon Society, Coalition for Sonoran Desert Protection
- Hunting Group(s)
- Biking Groups
- Tucson Association of Realtors, Southern AZ Homebuilders (SAHBA) Association

While not every one of these stakeholders must sit individually on the Working Group, there must be a way to ensure representation and communication with these key players.

We appreciate the important groundwork begun by the U.S. Institute for Environmental Conflict Resolution and we want the process to be valuable both to the citizens and to the Forest Service.

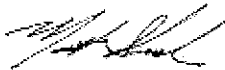
Sincerely,



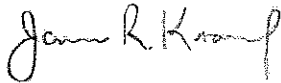
Carolyn Campbell  
Executive Director, Coalition for Sonoran Desert Protection



Roy Emrick  
Vice Chair, Sierra Club-Rincon Group



Matt Skroch  
Executive Director, Sky Island Alliance



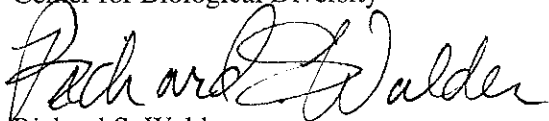
Jim Kramp  
Hilton Ranch Community Organization



James E. Pepper  
Convenor, Mountain Empire Action Alliance  
Sonoita, AZ



Randy Serraglio  
Center for Biological Diversity



Richard S. Walden  
President, Farmers Investment Co.



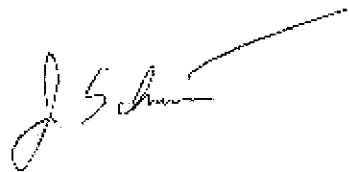
Roger Featherstone  
Private citizen



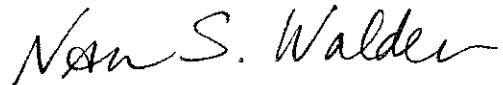
Gayle Hartmann  
President, Save the Scenic Santa Ritas



Robert Harris  
Hilton Ranch Community Organization



Justin Schmidt, PhD  
Research Biologist, Southwestern  
Biological Institute



Nan Stockholm Walden  
Vice President, Farmers Investment Co.

cc: Honorable Jon Kyl  
Honorable John McCain  
Honorable Gabrielle Giffords  
Honorable Raul Grijalva  
Dr. Mark Schaffer, Deputy Director, Udall Foundation  
Larry Fisher, US Institute of Environmental Conflict Resolution  
Carie Fox  
Henry Kenski, District Director for Sen. Kyl  
Rosemary Alexander, So. AZ Office Manager for Sen. McCain  
Lucy Mirfitt, Legislative Assistant to Sen. Kyl  
Becky Jensen, Legislative Assistant to Sen. McCain  
Gloria Montaña, Chief of Staff for Rep. Grijalva  
Maura Policelli, Chief of Staff for Rep. Giffords  
Ron Barber, District Director for Rep. Giffords  
Glenn Miller, Senior Policy Advisor for Rep. Grijalva  
Honorable Richard Elías, Chairman on the Pima County Board of Supervisors  
Honorable Ann Day  
Honorable Ramón Valadez  
Honorable Sharon Bronson  
Honorable Ray Carroll  
USDI Bureau of Land Management  
US Environmental Protection Agency  
Army Corps of Engineers  
Davis-Monthan Air Force Base  
Federal Highway Administration  
Us Fish & Wildlife  
US Geological Survey  
Office of Surface Mining and Reclamation  
Department of Labor Mine Safety and Health Administration  
Department of Transportation Federal Railroad Administration  
Bureau of Indian Affairs  
Arizona Department of Mine & Mineral Resources  
Arizona State Mine Inspector  
Arizona Department of Environmental Quality  
Arizona Game & Fish  
Arizona Geological Survey  
Arizona State Land Department  
Arizona State Parks  
Arizona Department of Public Safety  
Arizona Department of Administration-Risk Management  
Arizona Department of Transportation  
Arizona Department of Water Resources  
Arizona Water Banking Authority  
State Historic Preservation Office  
Central Arizona Groundwater Replenishment District

Central Arizona Water Conservation District  
Pima County  
Santa Cruz County  
Cochise County  
City of Tucson  
Town of Sahuarita  
Green Valley Community Coordinating Council  
Town of Vail  
Town of Sonoita  
Town of Patagonia  
Village of Corona de Tucson