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# MEMORANDUM

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Date: April 3, 2023

To: The Honorable Chair and Members  
Pima County Board of Supervisors

From: Jan Leshner   
County Administrator

Re: **Arizona State Land Department and Hudbay's Application for Land Auction**

On January 17, 2023, the Board of Supervisors were copied on a response to constituents requesting the Board oppose the auctioning of 200 acres of State Trust Land to Hudbay for the proposed Copper World mine. The item has been scheduled for the State Land Department's Board of Appeals' April 13, 2023 meeting for a decision to proceed to auction. Attached is a letter to the State Land Commissioner requesting the application for auction be denied and withdrawn from the Board of Appeals' agenda.

A more comprehensive update on the proposed mine will be provided to the Board in the near future.

JKL/anc

Attachment

c: Carmine DeBonis, Jr., Deputy County Administrator  
Francisco García, MD, MPH, Deputy County Administrator and Chief Medical Officer  
Steve Holmes, Deputy County Administrator  
Linda Mayro, Director, Office of Sustainability and Conservation  
Ursula Nelson, Director, Pima County Department of Environmental Quality  
Nicole Fyffe, Senior Advisor, County Administrator's Office  
Marie Light, Principal Hydrologist, Pima County Department of Environmental Quality



## COUNTY ADMINISTRATOR'S OFFICE

PIMA COUNTY GOVERNMENTAL CENTER  
115 N. CHURCH AVE., 2<sup>nd</sup> FLOOR, Suite 231, TUCSON, AZ 85701-1317  
520-724-8661, FAX 520-724-8171

JAN LESHER  
County Administrator

March 31, 2023

Robyn Sahid, Commissioner  
Arizona State Land Department  
1110 W. Washington St.  
Phoenix, AZ 85007

Re: **Application No. 53-122457 Rosemont Copper Company/Hudbay**

Dear Commissioner Sahid:

Pima County recently requested a status update regarding Application No. 53-122457 from Rosemont Copper Company, now Hudbay, to acquire at auction 200 acres of State Trust Land at the northern end of the Santa Rita Mountains, for their proposed Copper World mine (Application map attached). Our understanding is that the Board of Appeals is scheduled to consider this application on April 13, 2023. Since this sale of State Trust Land is discretionary, I request that the Arizona State Land Department deny Application No. 53-122457 and withdraw it from the Board of Appeals' consideration.

As the new Land Commissioner, you may be unaware of the concerns of Pima County and others with regard to this mining proposal and its history. The Pima County Board of Supervisors opposes development of the proposed Copper World mine and has directed my office to take all necessary steps to protect the health, safety and welfare of our residents from the irreparable harm that will result from this mine proposal (Resolution No. 2022-32 attached).

We share the concerns stated by nearby residents that would be directly affected by the proposed mine (January 1, 2023 letter attached). Pima County has successfully worked with other mining companies to acquire State Trust land; however, unlike these other mining companies, Hudbay and its predecessor have a long history of ignoring local concerns. They have repeatedly failed to meet our land and water conservation objectives. According to development impacts shown in Hudbay's Preliminary Economic Assessment, Pima County's calculation of land mitigation to adhere to the County's Conservation Lands System guidelines would be 20,000 acres, none of which appears to be forthcoming. Furthermore, while many in our community are focused on reducing water use, the mine's water usage

Robyn Sahid, Commissioner

Re: **Application No. 53-122457 Rosemont Copper Company/Hudbay**

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would increase groundwater withdrawals in the Tucson Active Management Area by 11.5 percent.

We welcome the opportunity to speak with you about this application and the proposed mine. In the meantime, please deny Application No. 53-122457.

Sincerely,

A handwritten signature in black ink, appearing to read "Jan Leshner", with a stylized, cursive script.

Jan Leshner

Pima County Administrator

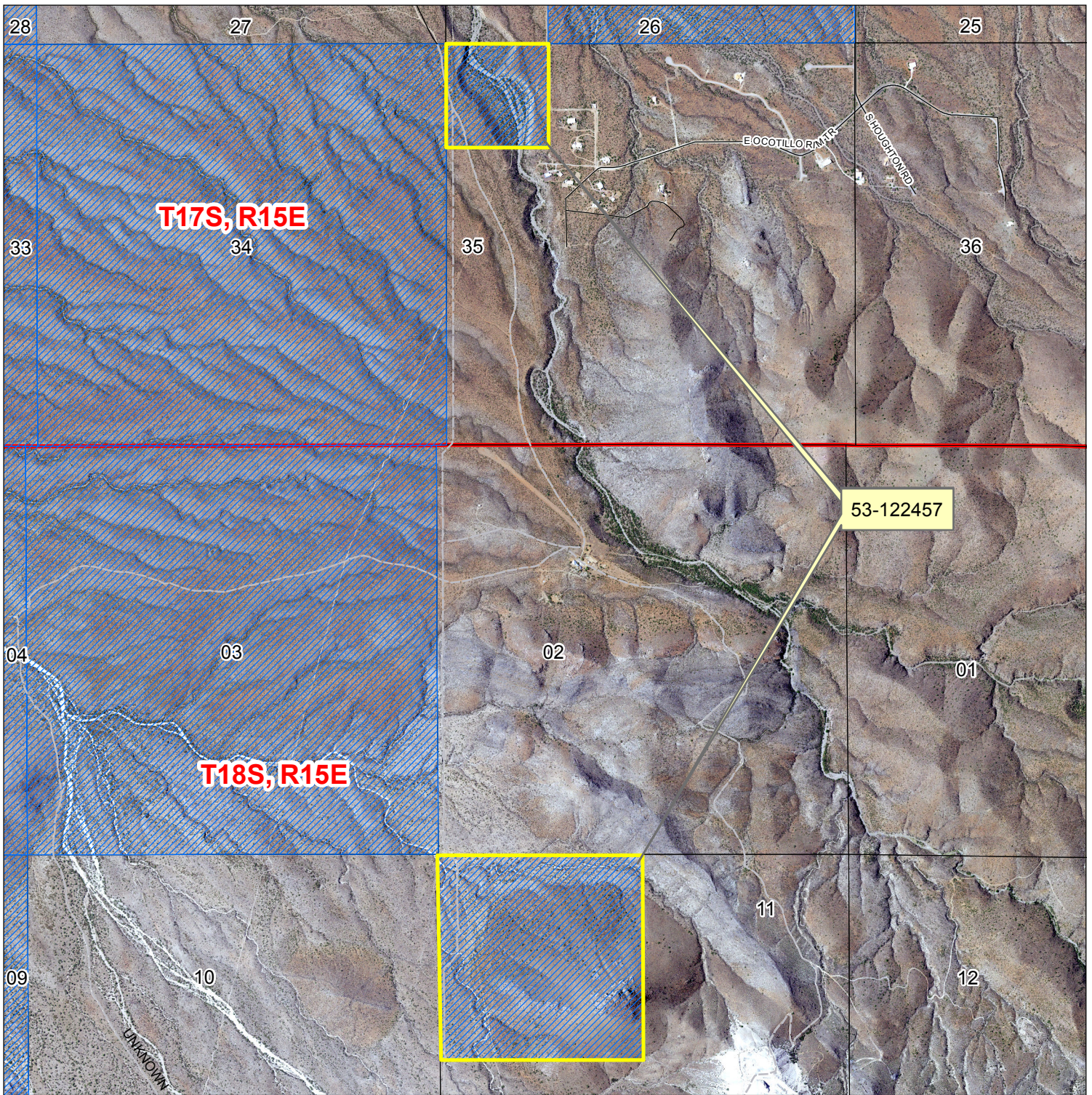
#### Attachments

c: Carmine DeBonis Jr., Deputy County Administrator  
Francisco Garcia, MD, MPH, Deputy County Administrator & Chief Medical Officer  
Steve Holmes, Deputy County Administrator  
Linda Mayro, Director, Office of Sustainability and Conservation  
Ursula Nelson, Interim Director, Pima County Department of Environmental Quality  
Nicole Fyffe, Senior Advisor, County Administrator's Office  
Marie Light, Principal Hydrologist, Pima County Department of Environmental Quality




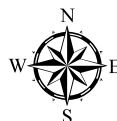
# Rosemont Copper Company

Application No. 53-122457



## Legend

 Surface Parcels



0 0.2 0.4 0.8  
Miles



**Arizona State  
Land Department**  
1616 W Adams Street Phoenix, AZ 85007

The Arizona State Land Department makes no warranties, implied or expressed, with respect to the information shown on this map.

Map produced by the Arizona State Land Department | Oct. 29, 2021

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Ray Moore



**RESOLUTION NO. 2022- 32**

**RESOLUTION OF THE PIMA COUNTY BOARD OF SUPERVISORS OPPOSING THE  
PROPOSED COPPER WORLD PROJECT**

WHEREAS, in January 2007 the Pima County Board of Supervisors approved Resolution No. 2007-15 opposing the proposed Rosemont Copper Mine in the Santa Rita Mountains because of the significant impacts the proposal would likely have on the area's natural and cultural resources;

WHEREAS, in April 2019 Pima County approved Resolution No. 2019-28 reaffirming Resolution 2007-15 opposing the Rosemont Mine in light of Rosemont Copper Company's failure to address the County's concerns regarding the significant impacts the proposal would likely have or to offer sufficient mitigation for those impacts;

WHEREAS, the Rosemont Mine has not yet received the necessary federal approvals and has encountered significant delays due to litigation challenging the Rosemont Copper Company's noncompliance with multiple federal environmental laws including the National Environmental Policy Act, the Endangered Species Act, and the Clean Water Act, among others;

WHEREAS, the 9<sup>th</sup> Circuit Court of Appeals upheld a U.S. District Court ruling that the Rosemont Copper Company does not hold valid mining claims on U.S. Forest Service land and cannot use these public lands to dump an estimated 1.9 billion tons of waste rock as part of the Rosemont Mine;

WHEREAS, in response to these setbacks the Rosemont Copper Company has stated its intent to pursue an alternate mining plan, the Copper World Expansion Project, on its private lands on the west slope of the Santa Rita Mountains east of Sahuarita and Green Valley;

WHEREAS, the Copper World Project plans include the construction of up to five open-pit mines as well as new waste rock and tailing storage facilities, processing facilities, and associated infrastructure such as new haul roads and new water production wells;

WHEREAS, the proposed Copper World Project would result in significant harm to the County's Maeveen Marie Behan Conservation Land System and associated wildlife habitat values including habitat for threatened and endangered species;

WHEREAS, the proposed Copper World Project would cause irreparable harm to the network of ephemeral streams and downstream waters in and around the project area;

WHEREAS, the proposed Copper World Project would have significant impacts on cultural and archaeological resources known to occur in and near the project area;

WHEREAS, the Copper World Project reclamation plan was approved by the Arizona State Mine Inspector without holding a public meeting, contrary to the public interest of the residents of Pima County;

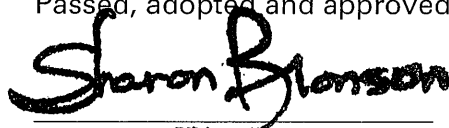
WHEREAS, Rosemont Copper Company already has begun grading and clearing activities for the Copper World Project in potential violation of the Clean Water Act; and

WHEREAS, the Tohono O'odham Nation, Pascua Yaqui Tribe, and Hopi Tribe have already indicated their intent to file a lawsuit against the Rosemont Copper Company for its potential Clean Water Act violations related to the Copper World Project.

NOW THEREFORE BE IT RESOLVED THAT:

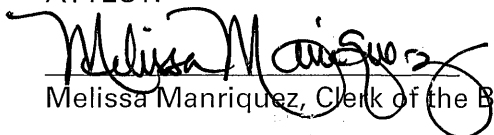
1. The Pima County Board of Supervisors opposes the proposed Copper World Project;
2. The Board of Supervisors direct the County Administrator and staff, as federal, state and local authorities allow, to:
  - a. Provide information as needed to document the County's continuing concerns about the impacts of the Copper World Project as the project evolves;
  - b. Take all necessary measures to protect the health, safety and welfare of residents of and visitors to Southern Arizona using or enjoying County infrastructure and resources affected by the project;
  - c. Take all necessary measures to protect the health, safety and welfare of people using the air and water resources affected by the project;
  - d. Take all necessary measures to protect County conservation lands and Multi-Species Conservation Plan mitigation lands that may be affected by the project.

Passed, adopted and approved, this 7 day of June, 2022.

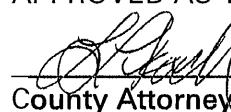
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Sharon Bronson, Chair  
Pima County Board of Supervisors

ATTEST:

  
Melissa Manriquez, Clerk of the Board

APPROVED AS TO FORM:

  
County Attorney



January 1, 2023

Pima County Board of Supervisors  
130 W Congress 11<sup>th</sup> Floor  
Tucson, AZ 85701  
Re: Hudbay's Copper World Project

Dear Mr. Scott, Mr. Heinz, Ms. Bronson, Mr. Christy, and Ms. Grijalva,

My husband and I live on Ocotillo Rim Trail in Vail and have been here for 23 years. In recent months, I have been doing a lot of research on Hudbay Mineral's Copper World Project. My 2 properties touch Hudbay's current property and the State land parcel they want to acquire. I have looked over your related Agendas and Meeting Minutes. I have read your Memos and Resolutions. I want to take this opportunity to say thank you for your ongoing support to protect the health, safety, and welfare of residents of and visitors to Southern Arizona who will be affected by the project. I appreciate your efforts.

I know your resolutions are not unanimous. Arizona has a history of mining. But this mine is different. It is already dumping waste into the ephemeral streams and washes that flow seasonally into populated areas since they are no longer protected as Waters of the US.

It will be a massive operation. It will have 5 open pits. Their plan shows processing facilities that will be using sulfuric acid and other toxic chemicals. All that will be on private land with minimal oversight. What they pollute up there will wash down here and contaminate the aquifer. Once that's done, we can't get it back. It is my belief that those who support this mine are simply not envisioning the full, irreversible negative impact it will have on the surrounding communities, Sonoran Desert wildlife and environment.

I have attached Hudbay's map they submitted to the State Land Department for their application to bid on two parcels (outlined in yellow). I am one of those houses and own 12 acres on the southeast corner of the smaller 40 acre parcel. The larger parcel is 160 acres.

Hudbay has been to my house and visited with us and our neighbors. They told us they will dump tailings on the 160 acre parcel. They own all the private land around the 160 and to the north touching the 40. They want the 40 for buffer from the large conservation subdivision and its elementary school directly north of this image. The wavy line to the west of our houses is Sycamore Canyon. My property and others' run through it. They are up there dumping waste into the southern end of that canyon now. We have flash flooding during the monsoon from that mountain run off. What they do on their private property, will not stay on their property. Is that fair to the residents and subdivisions who have been here decades?

Hubay bought a house under construction and 2 other parcels on Ocotillo Rim Trail recently. They offered to buy any of our houses for fair market value. They want to own all properties with access to

the canyon so they can barricade. I can only speculate, but if they own the canyon, then no one can test the soil. I plan to start testing soil samples from the bottom of the canyon on my property every year after monsoon to establish a benchmark reading so we will be able to prove when the contamination starts. We will not be driven out and we will fight this.

Hudbay is selling the project as a responsible modern mine with all kinds of ideas to promote safety and minimize environmental impact. Hudbay's representative was at a homeowner's meeting with us in October. I asked him how they could tout all this when their feasibility report, a required regulatory report that more precisely defines the elements of the project, was two years out. His answer was these were things they wanted to do, and some things may be scaled back... Or, alternatively, a bigger mining company could buy them out. So, they can't guarantee anything.

### **How can we help you?**

My neighbors and I are working with the environmental group, Save the Scenic Santa Rita's, to get the facts out. This is a complicated issue and educating the public needs to be a top priority.

Do you have a resident's advisory committee? It may be useful to have representatives from the various communities that will be most impacted meet and present you with a report. I would volunteer to help with that.

Come and see what we are trying to protect.

Our focus is to implore the State Land Department NOT to put those parcels up for auction. Without them, Hudbay is landlocked. When I wrote to Steve Christy, he wrote me a nice letter back, telling me to keep writing letters, so I am. The State Mine Inspector is next...

Do you have a way for the Board of Supervisors to communicate to the State Land Department its support for not auctioning that land to a mining company?

Can Pima County buy that land and restrict its use for conservation purposes?

Again, thank you for staying on top of this!

Sincerely,  
Cathy and Steve McGrath  
9751 E Ocotillo Rim Trail  
Vail, AZ 85641  
cmcgr05@gmail.com

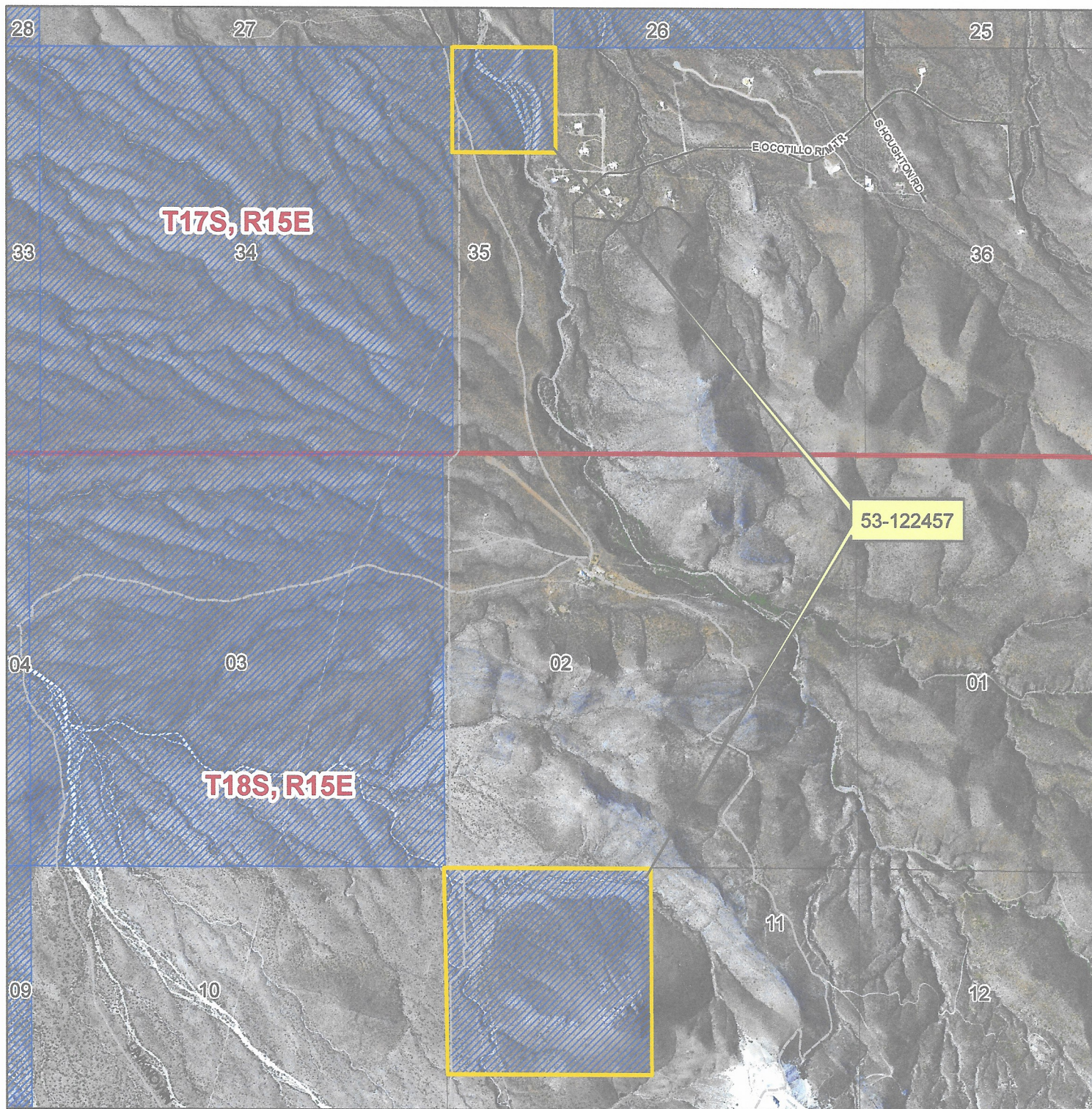






# Rosemont Copper Company

Application No. 53-122457



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Map produced by the Arizona State Land Department | Oct. 29, 2021

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Ray Moore



