



United States
Department of
Agriculture

Forest
Service

Tonto National Forest

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MAY 20 2014

GILA COUNTY - DISTRICT III
BOARD OF SUPERVISORS

File Code: 1950/2810
Date: May 13, 2014

Re: Public Comment Period May 24, 2014 to June 23, 2014
Resolution Baseline Hydrological & Geotechnical Data Gathering Activities

Dear Interested Parties:

The Tonto National Forest (Forest) welcomes your comments on a proposed *Plan of Operations* (Plan) for the Resolution Baseline Hydrological & Geotechnical Data Gathering Activities, submitted by Resolution Copper Mining, LLC (Resolution). Resolution proposes to conduct baseline hydrologic, geochemical, and geotechnical data gathering activities (Baseline Activities) on National Forest System lands administered by the Forest. The project is proposed on the Mesa and Globe Ranger Districts in Pinal County, Arizona, approximately 6 miles north and west of the town of Superior, in the following non-contiguous areas of National Forest System lands in the following townships, ranges and sections of the Gila and Salt River Baseline and Meridian (Figure 1):

- Township 1 South, Range 11 East in portions of Sections 13, 23-27 and 35-36;
- Township 1 South, Range 12 East in portions of Sections 19, 20 and 28-33;
- Township 2 South, Range 11 East in portions of Sections 1 and 2; and
- Township 2 South, Range 12 East in portions of Section 6.

The proposed Plan is subject to the Project-Level Pre-decisional Administrative Review Process under *Title 36 Code of Federal Regulations (CFR) Part 218, Subparts A and B*.

Purpose and Need: The purpose of the proposed action is to collect hydrologic, geochemical, and geotechnical data in order to provide baseline information on these aspects of the environment over an area being considered for a potential tailings storage site related to Resolution’s proposed General Plan of Operations. Resolution is entitled to conduct operations that are reasonably incidental to exploration and development of mineral deposits on its unpatented mining claims pursuant to U.S. Mining Laws. Under regulations of the U.S. Secretary of Agriculture, Resolution must conduct mining operations in accordance with the requirements found at *36 CFR Part 228A* and in accordance with a plan of operations that has been approved by the Forest Service. The need for the proposed Federal action is for compliance with the requirement that the Forest Service respond to a proposed plan of operations to conduct mining operations on National Forest System lands pursuant to U.S. Mining Laws.

Proposed Action: Resolution’s proposed action consists of hydrologic, geochemical, and geotechnical baseline data gathering activities including construction of hydrologic testing and monitoring wells and well pads, installation of geotechnical drill holes and piezometers, construction of geotechnical test trenches, improvements to existing roads, and maintenance of existing roads in the data gathering activities area (Figure 2). Data to be obtained from hydrologic testing and monitoring wells include depth to groundwater level, rock characteristics and geochemistry of drill cuttings, aquifer hydraulic parameters, and chemical quality of



groundwater. Geotechnical drill holes and piezometers would be used to define the baseline soil and bedrock hydrological and geotechnical conditions (depth to water). Test trenches would be used to identify the physical properties of the soils. Specifically, Resolution’s proposed Baseline Activities are the following:

- 1) Construct 16 drill sites to accommodate a total of 16 groundwater testing and monitoring wells that would impact approximately 4.21 acres;
- 2) Complete 41 geotechnical drill holes and piezometer installations that would impact approximately 0.27 acres;
- 3) Construct geotechnical test trenches at 33 sites that would impact approximately 1.32 acres;
- 4) Complete roadway improvements to facilitate access to data gathering sites on approximately 12.26 miles of existing roads and previously disturbed areas proposed to be used as temporary access roads on National Forest System lands that would impact approximately 16.42 acres;
- 5) Construct contractor laydown yards that would impact approximately 2.19 acres;
- 6) Conduct road maintenance for access to drill sites with monitoring wells or piezometers installed on National Forest System lands; and
- 7) Use of short term temporary access roads to bring a tracked rig to off-road locations, which would impact approximately 7.33 acres.

The total project area proposed for the Baseline Activities, which takes into account new construction activity, road improvements, use of short term temporary access roads and existing road surfaces requiring no improvements is approximately 92.98 acres. Proposed new construction disturbance would occur on a total of 31.74 acres, all on National Forest System lands. Resolution’s proposed occupancy and authorization periods, and proposed reclamation timeframes for Baseline Activities are presented in Table 1.

Table 1. Resolution’s Baseline Activities Proposed Occupancy and Authorization Periods, and Proposed Reclamation Timeframes

Proposed Activity	Proposed Occupancy Period	Proposed Authorization Period	Proposed Reclamation Timeframes
Hydrological Monitoring Wells: Construction of drill sites and wells	Approximately 25 weeks of drilling activity	Within 2 years from approval of the proposed Plan	At the conclusion of testing and monitoring activities
Geotechnical Drilling/Piezometer Installation	Approximately 40 weeks of drilling activity (1 hole per	Within 2 years from approval of the proposed Plan	Immediately at the end of the Proposed

Proposed Activity	Proposed Occupancy Period	Proposed Authorization Period	Proposed Reclamation Timeframes
	week) during a maximum 1 week occupancy period per geotechnical hole		Occupancy Period
Geotechnical Test Trenches	Approximately 14 weeks of surface activity	Within 2 years from approval of the proposed Plan	Immediately at the end of the Proposed Occupancy Period
Laydown Yards	Throughout the Proposed Authorization Period	Within 2 years from approval of the proposed Plan	Immediately at the end of the Proposed Occupancy Period
Hydrological Monitoring Wells and Piezometers Testing and Monitoring Activities	Throughout the Proposed Authorization Period	10 years from approval of the proposed Plan	At the end of the Proposed Authorization Period
Road Maintenance and Drill Site Access for Hydrological Monitoring Wells Testing and Monitoring	Throughout the Proposed Authorization Period	10 years from approval of the proposed Plan	At the end of the Proposed Authorization Period

Access to the proposed project area would be gained from U.S. Highway 60. Approximately 38.44 miles of existing forest roads, 3.39 miles of previously disturbed areas proposed to be used as temporary access roads, and 6.05 miles of short term temporary access roads on National Forest System lands would be used to gain access to the proposed data gathering sites. Approximately 12.26 miles of the proposed access roads would require improvements and maintenance and be graded for drill rigs and support vehicles to traverse them safely; this includes Forest Roads 252, 518, 1903, 1904, 1907, 1908, 1909, 1918, 2359, 2364, 2371, 2387 and 3713 and four segments of previously disturbed areas to be used as temporary access roads. In some places, forest roads may need to be widened to accommodate the equipment and drill rigs. Approximately 3.39 miles of short term temporary access roads would be used to access test trenches and geotechnical sites, for a period of about two days.

Federal Mining Laws and Forest Plan Direction: The statutory right of Resolution to mine mineral resources on federally administered lands is recognized in the *General Mining Law of 1872* and is consistent with *Tonto National Forest Land and Resource Management Plan* (LRMP) of 1985, as amended. Surface management regulations, codified in *36 CFR Part 228*, require that all mineral exploration, development, and operational activities be conducted in a manner that minimizes adverse environmental impacts on National Forest surface resources (*36 CFR Part 228.8*). The Forest Service is required to ensure that the proposed Plan is in compliance with *36 CFR Part 228* and to analyze impacts of proposed activities in accordance with requirements of the *National Environmental Policy Act* (NEPA).

Forest-wide management direction pertinent to minerals is to “Support environmentally sound energy and minerals development” (page 22, LRMP). Resolution’s proposed project is located in Plan Management Areas (MA) 2F and 3I. Direction for minerals in MA 2F and 3I includes processing operating plans as needed. Other applicable forest-wide goals, objectives, and management area standards, including protection of air, culture resources, recreation opportunities, soils, visual resources, water and wildlife, are found in LRMP (pages 35 through 51).

NEPA Review: Based on initial review, it has been determined that an *Environmental Assessment* (EA) would be the appropriate level of analysis for the proposed Plan. This EA will identify the activities proposed in the Plan as the “proposed action.” It will also identify alternatives to the proposed action in response to issues that may be identified during the NEPA scoping process.

In accordance with the requirements of NEPA, the EA will include an evaluation of the *No Action* alternative. Under the *No Action* alternative, the Baseline Activities would not be conducted, however due to the statutory rights afforded by the U.S. Mining Laws; the Forest Service cannot select the *No Action* alternative as a preferred alternative. The purpose for incorporating the *No Action* alternative is to provide a baseline from which impacts of other alternatives can be evaluated. The analysis documented in the EA will determine the effects of each alternative on resources identified during scoping and identify appropriate mitigation and monitoring measures to minimize adverse impacts to those resources.

Based on the environmental analysis and disclosure documented in the EA, the Forest Service will:

1. Decide whether to select the Baseline Activities as proposed or modified, or as described in an alternative developed during the NEPA process;
2. Determine what mitigation measures are needed; and
3. Determine what monitoring may be required.

This NEPA review addresses Resolution’s proposal to collect hydrologic, geochemical, and geotechnical data in order to provide baseline information over an area being considered for a potential tailings storage site. Resolution has submitted other minerals-related proposals to the Forest, such as the General Plan of Operations. However, the impacts of that and other proposals would be evaluated in separate NEPA reviews. Resolution’s Baseline Activities Plan proposes

to collect baseline information in order to inform whether aspects of Resolution's proposed General Plan of Operations are feasible.

Requests for Comments: You are encouraged to provide comments on the proposed project. The Forest is initiating scoping efforts to identify those issues and questions to be considered in the evaluation.

There are a variety of ways to learn about the proposed project and provide scoping comments. A public open house will be held in the Multi-Purpose room at Superior Junior/Senior High School located at 100 Mary Drive in Superior, Arizona. The public open house will be held on Tuesday, June 10th, 2014 from 5:00 to 7:00 PM. An electronic copy of Resolution's proposed Baseline Activities Plan is available on the Forest website. Comments may be provided to the Forest Service at the open house using comment forms that will be available at the meeting. Comments may also be submitted before or after the open house by mail, email, fax, or through the Forest web page located at <http://www.fs.usda.gov/projects/tonto/landmanagement/projects>.

Specific written comments (*36 CFR Part 218.2*) on the proposed project will be accepted for 30 calendar days following publication of this notice in the newspaper of record, the *Arizona Capitol Times*; if the comment period ends on a Saturday, Sunday, or Federal holiday, comments will be accepted until the end of the next Federal working day. The publication date in newspaper of record is exclusive means for calculating comment period. Those wishing to comment should not rely upon dates or timeframe information provided by any other source.

Comments should be within scope of the proposed action, have a direct relationship to proposed action, and must include supporting reasons for Responsible Official to consider (*36 CFR Part 218.2*). Comments which are not specific to the project and project area will be deemed outside scope of analysis and will not be considered. If you are including references, citations, or additional information to be considered for this project, please provide a copy and specify exactly how material relates to the project. Also indicate exactly what part of material you would like us to consider (such as page or figure number).

Specific written comments must be submitted via mail, fax, or in person (Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding holidays) to: Mr. Neil Bosworth, Forest Supervisor, Tonto National Forest, 2324 East McDowell Road, Phoenix, AZ 85006, or Fax: (602) 225-5295. Written, facsimile, hand-delivered, and electronic comments will be accepted. Electronic comments including attachments may be submitted by email in word (.doc), rich text format (.rtf), text (.txt), and hypertext markup language (.html) to comments-southwestern-tonto@fs.fed.us.

Only individuals or entities (as defined by *36 CFR Part 218.2*) who submit timely and specific written comments (as defined by *36 CFR Part 218.2*) about this proposed project or activity during this or another public comment period established by the Responsible Official will be eligible to file an objection. Other requirements to be eligible to submit an objection are defined by *36 CFR Part 218.25 (a)(3)* and include name, postal address, title of project, and signature or other verification of identity upon request and identity of individual or entity who authored comments. Individual members of an entity must submit their own individual comments in order to have eligibility to object as an individual. A timely submission will be determined as outlined

in 36 CFR Part 218.25 (a)(4). It is the responsibility of the sender to ensure timely receipt of any comments submitted. Comments received in response to this scoping letter, including names and addresses of those who comment, will be considered part of the public record for this proposal and will be available for public inspection and will be released if requested under the *Freedom of Information Act*.

If you have any project-related questions or wish to be removed from the project mailing list, please contact Celeste (Daisy) Kinsey, Minerals NEPA Coordinator and ID Team Leader at 602-225-5248, or ckinsey@fs.fed.us. Thank you for your interest and participation in the activities on the Globe and Mesa Ranger Districts of the Tonto National Forest.

Sincerely,



NEIL J. BOSWORTH
Forest Supervisor

Enclosures

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