

RESOLUTION NO. 07-01

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, OPPOSING THE PROPOSED ROSEMONT MINE.

WHEREAS, Augusta Resource Corporation submitted a draft plan of operations to the U.S. Forest Service on July 31, 2006 to develop the Rosemont Mine on private and Forest Service land within the Santa Rita Mountains south of Tucson; and

WHEREAS, Augusta's July 31, 2006 plan of operations was not accepted by the U.S. Forest Service due to insufficient information; and

WHEREAS, Pima County provided comments on the July 31, 2006 plan of operations to the U.S. Forest Service and to Augusta stating five performance criteria that should be met by any mining or development project proposed for such a location; and

WHEREAS, these five performance criteria address concerns in the areas of conformance to the County's Comprehensive Land Use Plan, Conservation Lands System, and Sonoran Desert Conservation Plan, preservation of water quality and quantity impacts, concurrent reclamation, visual impacts, and an environmental enhancement endowment; and

WHEREAS, the U.S. Forest Service via the National Environmental Policy Act will be required to take into account consistency with local land use plans, which in this case is the Pima County Comprehensive Land Use plan including the Conservation Lands System; and

WHEREAS, Pima County is preparing an application for a Section 10 permit pursuant to the Federal Endangered Species Act via the U.S. Fish and Wildlife Service, and the land proposed for mining contains important ecosystems desired for protection; and

WHEREAS, the typical legacy left behind from prior and existing mines places undue costs and adverse impacts on the tax payers of Pima County with few local tax benefits, and is therefore unacceptable; and

WHEREAS, a recent study done by Pima County of 70 Environmental Impact Statements for modern-era hard rock mines found that water quality impacts from hardrock mines are consistently underestimated and therefore the mitigation is consistently inadequate; and

WHEREAS, water quality impacts caused by the proposed mine to Davidson Canyon and Cienega Creek would likely be detrimental to rare riparian habitat along the creeks, the endangered species within the creeks, and the high water quality supply to the Tucson Basin, and

WHEREAS, Augusta has not yet shown how the Rosemont Mine will conform to the Clean Water Act, Stormwater and Section 404 permit requirements for the deposition of dredge and fill materials in water of the United States; and

WHEREAS, a recent geological survey of the site brings into question the stability of the high wall natural rock formations above the proposed mining pit; and

WHEREAS, Pima County has questioned the validity of Augusta's Forest Service mining claims due to the fact that the claims are not proposed to be mined for the recovery of valuable minerals, but are instead proposed to be used as a dumping ground for waste produced from mining on Augusta's private land, thereby invalidating the legal foundation of the original claims; and

WHEREAS, Augusta has not yet proved that it has valid Forest Service mining claims; and

WHEREAS, the information Augusta has provided the County to date leaves many questions unanswered and is insufficient to determine if and how Augusta would be able to meet the five performance criteria outlined by the County to address the negative impacts associated with the proposed Rosemont Mine.

WHEREAS, on February 14, 2007, the Santa Cruz County Board of Supervisors approved a letter, written to Augusta Resources, with copies to the Pima County Board of Supervisors, and the Arizona Congressional Delegation, in support of the January 16th Pima County Resolution against Augusta's plans for an open pit copper mine at Rosemont.

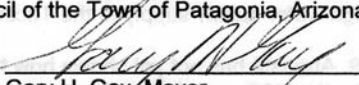
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Patagonia, Arizona as follows:

- Section 1.** The Patagonia Town Council supports the position taken by the Pima County Board of Supervisors and opposes Augusta Resource Corporation's proposed Rosemont Mine.
- Section 2.** The Patagonia Town Council concurs with and supports the action taken on February 14, 2007 by the Santa Cruz County Board of Supervisors.
- Section 3.** The Patagonia Town Council hereby supports the withdrawal of all Pima County natural reserve parks from mineral entry, as well as Federal lands included in National Parks, Monuments, and Forests within Pima County.
- Section 4.** The Patagonia Town Council hereby supports the inclusion of these lands (Rosemont) for conservation purposes into the National Forest Land and Water Conservation Funds.
- Section 5.** The Patagonia Town Council requests the Arizona Congressional Delegation initiate the permanent withdrawal from mining and mineral exploration all federal lands within the Santa Rita Mountains area of the Coronado National Forest.
- Section 6.** The Patagonia Town Council requests the Arizona Congressional Delegation initiate the modernization of the 1872 Mining Act.

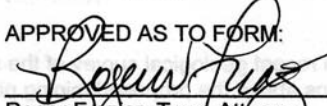
PASSED AND ADOPTED by the Mayor and Council of the Town of Patagonia, Arizona, this 20th day of February 2007.

ATTEST:


Randy Heiss, Town Clerk/Treasurer


Gary H. Gay, Mayor

APPROVED AS TO FORM:


Roger Frazier, Town Attorney