

Save the Scenic Santa Ritas

8987 E. Tanque Verde
#309-157
Tucson, AZ 85749
520.445.6615

**Center for Biological
Diversity**

P.O. Box 710
Tucson, AZ 85702-0710
520.623.5252

Farmers Investment Co.

P.O. Box 7
Sahuarita AZ 85629
520.791.2852

For Immediate Release: Feb. 7, 2011

Contact:

Gayle Hartmann, SSSR, (520) 325-6974

Randy Serraglio, Center for Biological Diversity, (520) 784-1504

David Steele, FICO, (520) 321-1111 (office), (520)907-2620 (cell)

**Lawsuit Asks Federal Court to Ensure Public Interest is Represented in
Rosemont Mine Process**

Rosemont Copper's Participation in Closed-Door Forest Service Meetings Illegal

TUCSON, Ariz. — In a lawsuit filed in Tucson today against the U.S. Forest Service, a business and conservation coalition asked a federal district court to halt the agency's violation of the law in its preparation of an "environmental impact statement" for the proposed Rosemont Mine in southeast Arizona's Santa Rita Mountains, expected to be published in draft form this month. The suit was filed by Save the Scenic Santa Ritas, the Center for Biological Diversity and Farmers Investment Co., a family-owned farm located near the site of the proposed mine.

In preparing the environmental impact statement, the suit asserts, the Forest Service violated the Federal Advisory Committee Act, which requires that committees established by a federal agency be open to public membership and participation. The Coronado National Forest allowed representatives of Rosemont Copper Co. to actively participate in closed-door committee meetings the Forest Service has held since early 2009 with other government agencies, excluding members of the public. The lawsuit requests that the court prohibit the Forest Service from relying upon the tainted document and that, in the future, the agency provide members of the public an equal seat at the table with Rosemont.

The filings also request that the court compel the Forest Service to produce public records of its closed-door meetings, requested under the Freedom of Information Act in September 2010 by the Center for Biological Diversity. With a few minor exceptions, the agency has failed to produce the relevant documents, violating both the Freedom of Information Act's deadline for document production (November 2010) and the agency's own commitment to give the documents to the Center by Jan. 31, 2011. To date, the Forest Service continues to illegally withhold those public records.

This action comes after a Dec. 27, 2010, letter from the coalition to Coronado Forest Supervisor Jim Upchurch, which alerted the agency to the FACA and FOIA violations — pointing out that on a regular and systematic basis, the Forest Service allowed representatives of Rosemont Copper to participate in cooperating agency meetings closed to the public.

Supervisor Upchurch responded in a Jan. 14, 2011, letter to the groups, acknowledging that Rosemont has been and will continue to be involved in those agency meetings without any public participation on the committee. A senior Rosemont Copper executive was quoted in the media confirming that the company participated in the meetings.

“Regardless of one’s view about the mine itself, at stake is a fundamental principle of our democracy: whether a foreign company posed to reap significant wealth from the use of American taxpayers’ public lands and resources is permitted to exert its influence in closed-door meetings with no participation from the public most affected by its project,” said Gayle Hartmann of Save the Scenic Santa Ritas.

“Federal law requires that when projects like the Rosemont Mine are under consideration, government agencies have to operate in a fair and objective manner and protect the public interest. Unfortunately, the Coronado National Forest has failed to do that here and compromised the integrity of the process,” said Randy Serraglio of the Center. “The Forest Service has made matters worse by violating the Freedom of Information Act in not releasing documents that would shed more light on this matter.”

“The Federal Advisory Committee Act was designed to stop this kind of back-room wheeling and dealing. If Rosemont is willing to ‘walk its talk,’ then it should welcome an open discussion of the complex environmental and economic issues in the NEPA-environmental impact statement process. The U.S. Forest Service must place the interests of the American public before the foreign investors in this junior Canadian mining company, and ensure that decisions are made using the best scientific and economic data,” said Nan and Dick Walden of FICO.

[Editors Note: A copy the complaint is attached]

Background

The Rosemont area of the Santa Rita Mountains is home to a rich diversity of plants and animals, including several species that are imperiled and one that is found nowhere else. It is an important wildlife corridor connecting the Sky Island mountain ranges of southern Arizona. Many cherish this area for its wide array of recreational opportunities; a massive open-pit copper mine such as the one proposed by Rosemont Copper would destroy the permanent value of this public land in exchange for the short-term profit of a few.

Save the Scenic Santa Rita (SSSR) is a volunteer-based, nonprofit organization based in Tucson, Arizona. It was established in 1996 to protect the scenic, aesthetic,

recreational and wildlife values of the Santa Rita Mountains through education and outreach.

The Center for Biological Diversity is a national, nonprofit conservation organization with more than 320,000 members and online activists dedicated to the protection of endangered species and wild places.

Farmers Investment Co. (FICO) is a family-owned farm that grows pecans on approximately 7,000 acres it owns in the Upper Santa Cruz River Valley near Sahuarita, Arizona.