



**SAN XAVIER DISTRICT
OF THE
TOHONO O'ODHAM NATION**

2018 WEST SAN XAVIER ROAD • TUCSON, ARIZONA 85746
TELEPHONE: (520) 573-4000 • FAX: (520) 573-4089

**RESOLUTION OF THE SAN XAVIER DISTRICT COUNCIL
(Opposing Construction of the Proposed Rosemont Mine)**

Resolution No. SXDC 09-08-01

- WHEREAS, the San Xavier District (District) of the Tohono O'odham Nation (Nation) is located within eastern Pima County; and,
- WHEREAS, the District supports Pima County's Sonoran Desert Conservation Plan; and,
- 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 acceptable 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 Systems, and Sonoran Desert Conservation Plan, prevention of water quality and quantity impacts, concurrent reclamation, visual impacts, and an environment 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's Comprehensive Land Use Plan, 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, including the Asarco Mine on District lands, places undue costs and adverse impacts to District members and the tax payers of Pima County with few local tax benefits, and is therefore unacceptable; and,
- WHEREAS, a recent study of 70 Environmental Impact Statements for modern-era hard rock mines found that water quality impacts from hard rock mines are consistently underestimated and therefore the mitigation is consistently inadequate; and,
- WHEREAS, water quality impacts to Davidson Canyon and Cienega Creek would be detrimental to rare riparian habitat along the creeks, the endangered species within the creeks, and the high quality water supply to the Tucson Basin; and,



- WHEREAS, according to Pima County, Augusta has not yet shown how the Rosemont Mine will conform to the Clean Water Act, Stormwater and Section 474 permit requirements for the deposition of dredge and fill material in waters 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, the 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.

NOW THEREFORE BE IT RESOLVED, that the San Xavier District Council hereby supports and joins Pima County in their opposition to the proposed Rosemont Mine on the following conditions:

1. The Pima County Board of Supervisors supports the withdrawal of all Pima County natural reserve parks from mineral entry, as well as Federal lands included in National Parks , Monuments, and Forest within Pima County.
2. The Pima County Board of Supervisors supports the inclusion of these lands (Rosemont) for conservation purposes into the National Forest Federal Land and Water Conservation Funds.
3. The Pima County Board of Supervisors 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.
4. That a known Hohokam site contained within the proposed mining site will be impacted and forever lost.

BE IT FINALLY RESOLVED, that the San Xavier District Council hereby respectfully requests the Tohono O'odham Legislative Council to enact a supporting resolution to this same effect.

CERTIFICATION

The foregoing resolution was passed by the San Xavier District Council at a meeting held on the 2nd day of September, 2008, at which time a quorum was present with a vote of 4 FOR; 0 AGAINST; 0 NOT VOTING; 1 ABSENT. Pursuant to the powers vested in the Council by the Tohono O'odham Constitution, Article IX, Section 5, as adopted and approved on 6 March 1986.



San Xavier District

Austin G. Nunez, Chairman

ATTEST

Ernie Reyes, Secretary
San Xavier District Council

MOTION: Janice Felix
SECOND: Eleanor Hunter