



# SAVE THE SCENIC SANTA RITAS ASSOCIATION

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April 10, 2023

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

Re: Rosemont Copper Company's Application No. 53-122457

Dear Commissioner Sahid:

Save the Scenic Santa RitAs is a Tucson-based nonprofit conservation organization with a mission of protecting the Santa Rita Mountains from environmental damage. SSSR respectfully requests the Arizona State Land Department **deny a pending request** by Rosemont Copper Company for the department to sell at auction two noncontiguous parcels of State Trust land totaling 200 acres. These parcels are located on the northwest side of the Santa Rita Mountains, approximately 30 miles southeast of Tucson. (T18S, R15E Section 11 NW4 and T17S, R15E Section 35 NW4NW4)

Rosemont Copper, which is a subsidiary of Toronto-based Hudbay Minerals Inc., submitted Application No. 53-122457 for 160 acres of state trust land that it intends to permanently dump mine waste known as tailings. Rosemont subsequently amended the written application verbally, requesting an additional 40 acres be included in Application 53-122457.

Rosemont wants to add the State Trust Land to its sprawling Copper World/Rosemont open pit mining complex, which is proposed to straddle the east and west flanks of the northern half of the Santa Rita Mountains. This mining project, if it goes forward, will have substantial negative impact on the value of all nearby property, including Arizona State Trust land.

In addition, **we request immediate access to review the complete appraisals for the two parcels.** There is no question that the value of this land to Rosemont is far higher than the \$1,500 per acre the company estimated in its written application. The value of this property should be based on the economic benefit that Rosemont will derive from acquiring the 200 acres to dump mining waste. The more land Rosemont can acquire to dump waste, the more copper Rosemont can extract from a series of open pit mines, and the more revenue and profits the company can generate. Acquiring the State Trust Land will very likely be worth many millions of dollars to Rosemont. To appraise the property without considering the economic value of the land to Rosemont and subsequently sell

the land as if it was low-value grazing land, in our view, would constitute an unconstitutional gift to a private entity.

We also understand from information provided by Pima County that the State Land Department's Board of Appeals will hear an appeal from Rosemont Copper relating to Application No. 53-122457 during the board's upcoming April 13 meeting. The Board of Appeals agenda [posted on your website](#) does not include specific information about Rosemont's appeal. Agenda item 4(C) is for "Land Sales" and includes a reference to "(See attached \*)." However, no attachment is provided so it is impossible for the public to review what Land Sales are under consideration by the Board of Appeals.

This opaque policy prevents the public from fully understanding what the Department is doing with the public's land. SSSR has been seeking information from the State Land Department regarding Rosemont's efforts to acquire these two State Trust Land parcels for nearly a year. Initially, the department responded in a timely manner but has since refused to produce any records in response to SSSR's Jan. 18, 2023, public records request. The last records the department released to SSSR were dated in early October. This is unacceptable and a clear violation of the intent of the state public records law.

Now, we learn from Pima County that some or all of Rosemont's requests to auction State Trust Land are being considered by the Board of Appeals without the board providing the public **any** information it needs to meaningfully comment and participate in a statutorily prescribed process.

**Therefore, we request that you immediately provide, complete detailed information concerning Rosemont's pending appeal and ensure that full information is posted on the Board of Appeals agenda well before the April 13 meeting.**

In our view, Rosemont's acquisition of these parcels would be wholly inconsistent with the State Land Department's mission to "responsibly manage the Trust in alignment with the interests of the beneficiaries and Arizona's future." The sale of these parcels to Rosemont will have a serious negative impact on the value of nearby State Trust Land, including the Santa Rita Experimental Range.

Allowing State Trust Land to be used as a waste dump will have an extremely negative impact on groundwater in the immediate area because it will facilitate mining operations. Rosemont intends to extract groundwater from wells it owns in Sahuarita and transport it through a Right-of-Way across State Trust Land on the Santa Rita Experimental Range. Rosemont's pumping would increase groundwater withdrawals in the Tucson Active Management Area by 11.5 percent by using an average of 13,153 acre-feet of water annually for 44 years. This is the amount of water that is used annually by about 41,000 households totaling approximately 102,600 people. The depletion of groundwater in the area will negatively impact the value of State Trust Land.

Your predecessor addressed the negative impact that large-scale copper mining operations can have on the value of the State Land Trust in a letter sent to the U.S. Forest Service in connection

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with the Draft Environmental Impact Statement for the proposed Resolution Mine near Superior. The ASLD determined that the sale of state Trust Land to Resolution would result in substantial ground water depletion that would negatively impact the value of the State Land Trust by more than \$536 million. (See attachment 1) The department is faced with an identical situation with Rosemont's request to purchase state Land.

The 52,000-acre Santa Rita Experimental Range was created in 1902 and is currently managed by the University of Arizona. Its mission is to advance research and education on the ecology and management of desert rangelands. According to its website, it "serves as critical open space that supports threatened and endangered species." It is also one of 81 operational sites of the National Ecological Observatory Network. Rosemont's proposed Copper World project would compromise the over 100-year research legacy of the SRER. The State Land Department must not be in the business of undermining the ability of the University of Arizona to conduct fundamental research that is directly related to its mission as a Land Grant Institution by slicing up the range with a Right-of-Way that Rosemont intends to use to construct high-voltage power lines, a water line and an accompanying road. **We request that Land Department revoke the Right-of-Way that it recently issued to Rosemont that was done without public input.**

The 40-acre parcel is adjacent to a low-density, high-value residential neighborhood and an elementary school. There is additional state land in the immediate area that could be eventually sold to developers at market price that would benefit the Land Trust. Allowing Rosemont to purchase this land for a massive waste dump will reduce the value of State Trust Land that could be sold for residential development. The 40-acre parcel also includes an environmentally sensitive riparian area called Sycamore Canyon. This land should be protected for its unique and rare natural qualities and not destroyed by mining waste.

To stay true to its mission, the Arizona State Land Department must not move ahead with the auction of the 200 acres at this time and instead hold this land for future use that is compatible with low-density residential development and the scientific mission of the Santa Rita Experimental Range.

We strongly encourage the department and the Board of Appeals to ensure that the public can meaningfully participate in the process concerning not only Rosemont's pending application but all proposals to sell or lease State Trust Land.

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Thank you in advance for your consideration, and we look forward to hearing your timely responses to our requests for additional information and actions, as well as the termination of the sale of the 200 acres requested in Application No. 53-122457.

If you have any questions or need further information, I can be reached at: 707.529.2880.

Sincerely,

Thomas Nelson, Ph.D., President  
Save the Scenic Santa Ritas  
707.529.2880  
tnelson@scenicsantaritas.org

attachments