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14 February 2014

Southwestern Region
333 Broadway SE
Albuquerque, New Mexico 87102 (via email to objections-southwestern-regional-office@fs.fed.us)

Subject: Objections to the Final Environmental Impact Statement (FEIS) and Draft Record of Decision (DROD) for the Rosemont Copper Project

References:

- (a) Cover letter by the Coronado National Forest with the the Rosemont Copper Project FEIS and DROD of 13 December 2013

1. Required Information for these Objections.

This letter contains some of the many possible objections to the Rosemont Copper Project FEIS and DROD contained in ref (a). Based on the instructions in ref (a), the following is provided:

a. Objector's Name, address and phone number:

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Tubac, Arizona, 85646
Phone: 520-398.857

b. Verification signature of authorship of this letter:



c. Identification of the lead objector: There is only one objector with this letter.

d. Name of the proposed project, name and title of the Responsible Official, and the name(s) of the National Forest(s) and/or Ranger District(s) on which the proposed project will be implemented:

Proposed Project: Rosemont Copper

Name and Title of Responsible Official: Jim Upchurch

Name of National Forest, Ranger District: Coronado National Forest, Nogales Ranger District

- e. Description of the proposed project addressed by the objections including specific issues related as discussed in ref (a) is included in each Objection herein.

See Part I for a “new” Objection not adequately discussed in the FEIS or DROD.
See Part II, Issues 1 and 2, for two specific issues and the Objections.

- f. Statement that demonstrates connection between prior specific written comments on the particular proposed act and content of the objection as discussed in ref (a) are included in each Objection herein. See Part I for a New Objection and Part II, Issues 1 and 2 previously submitted comments that have not been adequately resolved.

2. Organization of these Objections.

- a. Part I that follows this cover letter summarizes the Objections herein. An Objection to a new, emergent critical issue, not previously discussed in prior submissions, is included in Part I,

New Issue – **“Objections to Impacts from any Take-over of Augusta Resources Company.”**

- b. Part II contains the Objections to two issues and meets the requirements of ref (a) and include the required information discussed above in 1.e and 1.f. The Objections in Part II are in Sections

Issue 1 – Objections to the “Connected Actions” Involved with the Utilities Rights of Way

Issue 2 – Objections to a “Post Construction Utility Maintenance Road”

- c. Part III contains the References discussed in these Objections as Exhibits A to F.

2. General Comments to this Process.

Only a very small portion of my earlier comments found in Exhibits A to F have been addressed by these three Objections primarily due to the unnecessary complexity of the FEIS Appendix G and its absolutely inadequate responses to my prior submissions, primarily found in Exhibits E and F.

The overly “generic” or vanilla-white responses to my comments previously submitted by this Objector were in most all cases non-responsive.

There was no explanation as to why the Forest Service did not accept or even reply to many specific comments that provided viable suggestions to reduce the significant environmental impacts of this project.¹

In one case, a half-page response was provided for over 66 pages of comments submitted by the public. I was unable to correlate my comments with my submissions and the Forest Service responses.

¹ These “significant” impacts were summarized in the Draft EIS and their titles are included in Part III in Exhibit A, paragraph 1.C below. The FEIS has NOT resolved most of these and the mitigations proposed in the DROD have minimal reductions of their impacts.

After many hours of trying to create a table to correlate my comments with the Forest Service responses, it was very obvious that my inputs (and probably the inputs of hundred of other public commenters) just were not considered, understood or probably not even read by the Forest Service. Many of mine comments have no correlation with the Forest Service's responses.

The only conclusion one can reach from such actions, or, maybe inaction, is that the Forest Service had already made up its mind and "to hell with the public" and what the public wants. As **most of my comments were intended to decrease impacts with potentially viable alternatives to be considered, the lack of such consideration by the Forest Service is deplorable.**

The Appendix G to the FEIS was impossible to use and to make meaningful correlations between prior comments and the Forest Service's responses. Without a searchable Appendix G, the format then did not permit analysis of its contents, even for this one individual's prior submitted comments.

In most cases, the Forest Service responses are "not responsive" at all to the comments submitted, in particular, with respect to the inadequacies in the Draft EIS for this project.

4. Conclusion.

Because of the inadequate responses in Appendix G, and the lack of responses to my specific improvements to reduce environmental impacts, completely responsive Objections were impossible to prepare. I have included only three, each of which should be easy to implement.

First, I have concluded that my New Issue Objection to Impacts from any Take-over of Augusta Resources result in a "time out" until resolved, similar to prior actions done by the Forest Service similar competitive actions

Second, I have concluded that the "connected actions" arguments during the Rosemont Transmission line siting case resulted in a incomplete and biased (and probably not legal) proceedings that was clarified in the FEIS/DRD, with a rehearing being the only alternative to ensure the ACC ROW permit has been legally granted and approved.

Third, I have concluded that a simple removal of the "construction" utility road in the Santa Rita Experimental Range be removed upon completion of construction of the water and electrical utilities in the utility corridor. This has obvious benefits by early restoration of over 11 miles and 547 acres of disturbed land in the experimental range with significant reductions of environmental impacts. This is such a simple and obvious beneficial change, approval, as indicated herein, is reasonable and prudent.

5. Recommendation.

It is recommended that the Forest Service:

- (1) Issue a “stop order” in order to call a time-out because of the unknown impacts and unintended consequences that will occur if Augusta Resources is removed from this project due to a hostile takeover.**
- (2) Request the Arizona Corporation Commission to re-consider its Transmission Line ROW permit (CEC) granted because of testimony being denied of the parties because of the “connected actions” between the Rosemont Mine and the Rosemont Transmission line not considered during the hearings.**
- (3) Modify the FEIS and DROD to change the “utility maintenance road” to a “utility construction road” that will be restored to its natural state upon completion of the water and electrical utility corridor with short spurs used for access to water pumping well equipment, especially for the 11.5 miles within the Santa Rita Experimental Range.**

I am always available to assist in understanding my comments and please feel free to contact me using the contact information herein.

Respectfully submitted,

A handwritten signature in black ink that reads "Marshall Magruder". The signature is written in a cursive, flowing style.

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