



COUNTY ADMINISTRATOR'S OFFICE

PIMA COUNTY GOVERNMENTAL CENTER
130 W. CONGRESS, FLOOR 10, TUCSON, AZ 85701-1317
(520) 724-8661 FAX (520) 724-8171

C.H. HUCKELBERRY

County Administrator

September 11, 2012

Mr. Jim Upchurch
Forest Service Supervisor
Coronado National Forest
300 W. Congress Street
Tucson, Arizona 85701

Re: **June 8, 2012 Letter from Pima County's Chief Building Official Regarding Outdoor Lighting and Rosemont Mine**

Dear Mr. Upchurch:

In a disclosure filing of Augusta Resources to Canadian Securities Administrators dated August 28, 2012, they stated Rosemont has no obligation to comply with the 2012 City of Tucson/Pima County Outdoor Lighting Code. Such is an incorrect assertion.

The attached June 8, 2012 Letter from County Chief Building Official Yves Khawam provides the necessary statutory citations requiring Rosemont Mine to comply with the City of Tucson/Pima County Outdoor Lighting Code. Such should also be reflected in the Draft Environmental Impact Statement (DEIS).

Our dark skies are essential to preserve the significant and economically beneficial astronomy industry in southern Arizona. Not complying with the Outdoor Lighting Code designed to preserve our dark skies has a significant adverse impact on our existing and vibrant optics industry.

The DEIS for Rosemont's mine plan should indicate required compliance with the current Outdoor Lighting Code for fixed and portable outdoor lighting contemplated for use by Augusta Resources when exploiting the Rosemont mineral deposit.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Huckelberry", is written over the printed name and title.

C.H. Huckelberry
County Administrator

CHH/dph

Attachment

Mr. Jim Upchurch

**Re: June 8, 2012 Letter from Pima County's Chief Building Official Regarding Outdoor
Lighting and Rosemont Mine**

September 11, 2012

Page 2

c: The Honorable Chairman and Members, Pima County Board of Supervisors
 Dr. Yves Khawam, Chief Building Official
 Hyman Kaplan, Chair, Outdoor Lighting Code Committee
 Robin Greenstreet, President and CEO, International Dark-Sky Association

June 8, 2012

Jim Upchurch, Forest Service Supervisor
Coronado National Forest
300 W. Congress Street
Tucson, Arizona 85701

RE: Augusta Resources Mining Proposal at Rosemont Regarding Outdoor Lighting

Dear Mr. Upchurch:

This letter serves to officially inform you that outdoor lighting regulations adopted by Pima County apply to mines so that you may add the requirement under your Rosemont permit requirement list for Pima County.

Outdoor lighting is regulated by Pima County under A.R.S. §11-861 and §11-251(35), the latter of which provides counties authority to adopt and enforce standards for shielding and filtration of commercial outdoor portable or permanent light fixtures in proximity to astronomical observatories. The 2012 City of Tucson/Pima County Outdoor Lighting Code has been adopted under these Statutes and comprises standards for shielding and filtration accomplished through regulating fixture geometry, lumen output and spectra. Mines are not exempt from standards for shielding and filtration adopted under A.R.S. §11-251(35).

Contrary to the claim in the Rosemont Mine Outdoor Lighting Pima County Outdoor Lighting Code Technical Memo (M3-PN08036), the 2012 City of Tucson/Pima County Outdoor Lighting Code applies to the Rosemont site including all developed areas and roadways. More specifically, Rosemont is required to comply with this code and/or subsequently adopted editions for all fixed and portable outdoor lighting.

Hence Rosemont is required to submit for a County outdoor lighting permit and obtain final inspection approval thereto prior to placing any lighting into service.

Sincerely,



Yves Khawam, PhD
Chief Building Official

c. Melinda Roth, Cooperating Agency Coordinator for the Rosemont NEPA process