



SAVE THE SCENIC SANTA RITAS ASSOCIATION

October 19, 2017

VIA EMAIL AND U.S. MAIL

Ms. Rosi Sherrill, Project Manager
Arizona Department of Environmental Quality
Surface Water Section
1110 West Washington Street
MC5415A-1
Phoenix, AZ 85007

ls7@azdeq.gov

RE: Public Notice of Preliminary Decision to Issue an Addendum to a State Water Quality Certification of a Federal Action to Rosemont Copper Company, Application No. SPL-2008-00816-MB; LT No. 68057

Dear Ms. Sherrill:

We write to request an extension of the public comment period for ADEQ's preliminary decision to issue an addendum to the State Water Quality Certification to Rosemont Copper Company, in order to allow the public to submit comments for 60 days from the date that ADEQ makes public the materially relevant information on which the preliminary decision was based. Relatedly, we request that ADEQ immediately make available that materially relevant information—specifically, Rosemont's mitigation proposal.

The public comment period for ADEQ's preliminary decision opened on October 6 and is set to close 30 days later on November 6, 2017. However, ADEQ has not yet provided to the public any information on the mitigation proposal submitted by the Rosemont Copper Project. Closing the public comment period on November 6 is unreasonable, as it appears that ADEQ's preliminary decision is based entirely on that mitigation proposal. In sum, it is impossible for the public to comment on ADEQ's decision if ADEQ does not provide the public with the underlying document on which it based its preliminary decision.

Failure to post for public review the materially relevant information on which ADEQ has based its preliminary decision and failure to give the public a reasonable amount of time to review that information would violate the spirit, if not the letter, of the Arizona Administrative Procedure Act and its Regulatory Bill of Rights, the purpose of which is "to ensure fair and open regulation by state

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agencies” *See generally*, A.R.S. § 41-1001.01. Accordingly, we ask ADEQ to immediately post Rosemont’s mitigation proposal on its website so that the public can access, review, and comment on the document and ADEQ’s decision based thereon. Further, we ask ADEQ to extend the public comment period to expire 60 days after it posts the mitigation proposal for public review.

Sincerely,



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