HUDBAY

April 1, 2022

SENT VIA E-MAIL

Eric Shepp, P.E.
Deputy Director and Floodplain Administrator
Regional Flood Control District
201 N. Stone Avenue, 9th Floor
Tucson, AZ 85701

RE: Follow up on Rosemont Copper Company's ("Rosemont") Notice of Exempt Activities

Dear Mr. Shepp:

Thank you for your letter dated March 28, 2022. To clarify, the work Rosemont intends to perform in designated floodplains under the March 10, 2022 notice is directly related to the planned tailings and waste rock facilities identified in the figures provided to the Flood Control District ("FCD") as part of our notice. This work will be entirely on Rosemont's private property and, per the County's Floodplain Ordinance and state statute, no permit or other written authorization from the FCD is required.

Most importantly, I would like to clearly express my desire to work amicably with the FCD and the County on this project. We would be happy to share stormwater diversion plans and other plans with you as they are developed, regardless of whether they are subject to County regulation. We would also be willing to regularly meet with the FCD to discuss any comments or suggestions that you or your staff would like to provide.

As stated in my prior letter, if work in designated floodplains on non-exempt facilities is eventually required, we will seek a floodplain use permit prior to performing that work.

I understand your request for additional information about the project and our plans for stormwater management. The plans I previously provided show the project at full buildout. This was done intentionally to provide meaningful information to the FCD on the overall project. The earthworks activities we intend to conduct on Rosemont's private land this year are relatively simple and require very little design work. Consequently, we do not have engineering drawings. As mentioned above, we are willing to provide stormwater management plans to the FCD as we advance through the design process.

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I am providing another set of plans along with this letter. These plans provide additional detail about the tailings and waste rock facilities, including the phases of their construction and typical cross sections. Please note that we are still early in the design process and our current plans are likely to change over the next few years. We will be happy to provide updated plans to the FCD as they are developed.

You also mentioned the need to consider adverse impacts on adjacent parcels. Diversions for construction of tailings and waste rock facilities are allowed by the Floodplain Ordinance without a permit or authorization from the FCD. Nonetheless, we do not plan to create any significant diversions at this time and will ensure that our work has no adverse impacts on neighboring or downstream properties.

On the question of what level of detail FCD requires for notices under the Floodplain Ordinance and state statute, it would be very helpful for us to review a copy of what other mining companies have submitted prior to their construction of tailings and waste rock facilities. If you are able to share any such submittals, we will give them due consideration.

If you have any comments on the attached plans, or any additional comments on the plans previously provided, please send them to me by Monday, April 11, 2022.

I look forward to your response and to developing a mutually beneficial working relationship with the FCD.

Sincerely,

Javier Del Rio
Vice President, South America and USA