From:	Diamond, Jane
To:	Brush, Jason; Goldmann, Elizabeth; Leidy, Robert
Subject:	FW: Rosemont Copper Company Comments responding to Nov 7, 2013 letter: EPA to Corps
Date:	Monday, December 16, 2013 10:24:00 AM
Attachments:	Letter to Colonel Colloton re EPA Evaluation - 13Dec2013.pdf Rosemont.404Mitigation.EPA.assessment[1].pdf
Importance:	High

I haven't yet read.

From: Blumenfeld, Jared
Sent: Monday, December 16, 2013 10:13 AM
To: Diamond, Jane; Scott, Jeff
Subject: Fw: Rosemont Copper Company Comments responding to Nov 7, 2013 letter: EPA to Corps
Importance: High

Jared Blumenfeld, EPA

From: Jamie Sturgess <jsturgess@rosemontcopper.com>
Sent: Friday, December 13, 2013 3:06:34 PM
To: Blumenfeld, Jared
Subject: Rosemont Copper Company Comments responding to Nov 7, 2013 letter: EPA to Corps

December 13, 2013

Jared Blumenfeld
Regional Administrator
Region 9
US EPA

Jared:

Today was a milestone day for the Rosemont Copper Company, as the Final EIS Notice of Availability has been published in the Federal Register.

This NOA allows the Army Corps of Engineers to formally proceed with processing the 404 permit application Rosemont has submitted, and which your agency has recently opined on.

In addition, a Draft Record of Decision was made available to the public by the US Forest Service, with a public comment/objection period starting January 1, 2014 and lasting some 45 days from then.

We are both aware of ongoing discussions between the CEQ and the several federal agencies related to those proceedings.

This note is to provide you advance courtesy copy of the Rosemont response to the Nov 7, 2013 letter from EPA to the Corps related to the mitigation plans available to the EPA at that time.

For your convenience, I enclose a copy of the conclusion from todays Rosemont letter.

Perhaps we could meet and discuss where and how we might provide leadership to bring the different perspectives on the Rosemont project closer together.

I will try and schedule such a meeting for early in the new year.

Best regards for the Holidays and for the New Year

Jamie Sturgess

Senior Vice President

Augusta Resource Corporation /Rosemont Copper Company

303 300 0134 office

(Conclusion from letter of Dec 13, 2013 Rosemont to US Corps of Engineers)

V. Conclusion

Rosemont remains committed to meeting and maintaining compliance with all regulatory requirements for the Project, and understands that the scale and nature of the Project demands solid mitigation planning, execution, and agency oversight. However, Rosemont also believes that its plans should be applied, measured, and judged on their true merits, on their full scope, and on their full potential to meet the individual regulatory requirements the law requires. The rules are clear that agencies are to use the best science available, not simply speculation about what could happen hundreds of years into the future.

The statements made in EPA's November 7 letter appear to ignore regulatory guidance, Guidelines, or agency requirements, and in fact seem premature by inappropriately exaggerating impacts of the Project without the benefit of consideration of the FEIS, Draft Record of Decision conditions, Biological Opinion conservation measures, or voluntary conservation and mitigation measures. Having these documents available should provide a common understanding of the Project and facilitate the analysis and discussions.

Rosemont looks forward to your visit early next year, which will give us the opportunity to provide you with a Project briefing along with a tour. Rosemont believes that a site visit would be helpful to give you context regarding the Project, the overall setting of the area, the proposed mitigation sites, and the proximity of the specific areas referenced in the EPA letter. We will continue to work with your staff to schedule this visit.