

**Resolution Copper Project and Land Exchange  
Environmental Impact Statement**

USDA Forest Service  
Tonto National Forest  
Arizona

October 20, 2020

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# **Process Memorandum to File**

## **Post-DEIS Assessment of Mitigation**

This document is deliberative and is prepared by the third-party contractor in compliance with the National Environmental Policy Act and other laws, regulations, and policies to document ongoing process and analysis steps. This document does not take the place of any Line Officer's decision space related to this project.

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## Purpose of Process Memorandum

The draft EIS (DEIS) for the Resolution Copper Project was released in August 2019 and included a mitigation and monitoring strategy (appendix J). The mitigations discussed in this appendix were analyzed for effectiveness at reducing impacts for each resource in the “Mitigation Effectiveness” subsections of chapter 3 of the DEIS.

Each mitigation measure included in appendix J included the following information:

- Unique identification number
- Title of mitigation/monitoring measure
- Description/overview of measure
- Source of measure
- Resource affected/impacts being mitigated
- Alternatives to which the measure is applicable

As noted in chapter 2 of the DEIS: “It is important to note that the full suite of mitigation measures and monitoring actions would not be known until many or most of the required permits have been issued, which often contain required measures intended to avoid or reduce environmental effects. It is fully expected that a more detailed and complete monitoring plan would be contained in the FEIS and ROD and ultimately included in the final GPO.” (p. 102)

The purpose of this memorandum is to detail the steps taken between the DEIS and final EIS (FEIS) to further reevaluate potential mitigations for the project, leading to the mitigation and monitoring measures included in the revised appendix J of the FEIS.

## Key Process Steps

Key process steps to evaluate mitigation between DEIS and FEIS include the following:

- Comments on the DEIS were received from the public and agencies related to mitigation. Comment coding and analysis was completed in January 2020.
- Mitigation concepts resulting from public comments on the DEIS were consolidated into two lists and provided to Resolution Copper Mining, LLC (Resolution Copper) for consideration in March 2020 and May 2020. Both lists were discussed with Resolution Copper in June 2020.
- Existing mitigations were further developed as part of technical workgroups convened to review and respond to public comments. These further developments include:
  - Mitigation and monitoring related to anticipated impacts to groundwater-dependent ecosystems and public water supplies near the mine site (Water Resources Workgroup, January to July 2020);

- Mitigation and monitoring related to anticipated impacts to groundwater quality near the preferred alternative tailings storage facility in Dripping Spring Wash (Water Resources Workgroup, January to July 2020); and
- Revisions to the Subsidence Monitoring Plan (Geology, Subsidence, and Seismicity Workgroup, January to March 2020).
- A comprehensive recreation mitigation package was developed by the Tonto National Forest, based in part on a mitigation proposal submitted by the Recreation User Group (RUG), prior to the DEIS.
- Resolution Copper responded to the conceptual mitigation lists with a suite of mitigations to which they would commit. Resolution Copper also brought forward additional mitigations developed in consultation with the Town of Superior and Arizona Game and Fish Department (AGFD).
- Resolution Copper committed to additional conservation measures as part of consultation with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act.
- Resolution Copper committed to additional mitigation measures as part of the Programmatic Agreement developed as part of consultation under Section 106 of the National Historic Preservation Act.
- The Tonto National Forest identified additional mitigations to be required of Resolution Copper, not already brought forward.

## **Mitigation Concepts from Public Comments on the DEIS**

Approximately 361 mitigation-related comments were evaluated specifically as part of the public comments on the DEIS, of which roughly 281 comments contained some type of suggestion for mitigation. The full list of the comments with mitigation suggestions is included as Attachment 1.

Of the 281 comments brought forward for consideration:

- 86 were submitted by individuals
- 108 were submitted by non-governmental organizations
- 5 were submitted by businesses; and
- 82 were submitted by governmental representatives or agencies. These include:
  - Arizona Game and Fish Department (58 comments)
  - Arizona State Land Department (2 comments)
  - Members of Arizona State House of Representatives (2 comments)
  - Bureau of Land Management (2 comments)
  - U.S. Environmental Protection Agency (2 comments)

- Gila County Board of Supervisors (1 comment)
- San Carlos Apache Tribe (3 comments)
- Superior Unified School District (5 comments)
- Town of Miami (1 comment)
- Town of Superior (6 comments)

Of the 281 mitigation-related comments, 36 were not brought forward for consideration:

- 17 of these comments lacked specificity, or were superseded by more specific comments;
- 12 of these comments referred to mitigations already included in the DEIS;
- 5 of these comments were specific only to alternatives other than the preferred alternative, with the intention of being revisited if the preferred alternative changed for the FEIS, or if they were pertinent to the selected alternative changed for the Record of Decision.
- 2 of these comments referred to actions already required by regulation.

The remaining 245 comments were consolidated into two lists to reduce redundancy and overlap:

- 176 comments were included in a consolidated list provided to Resolution Copper on March 5, 2020 (Attachment 2, Project Record #0004859). This list contained 85 separate mitigation concepts for consideration.
- 69 comments were included in a supplemental consolidated list provided to Resolution Copper on May 5, 2020 (Attachment 3, Project Record #00004860). This list contained 58 additional mitigation concepts for consideration.

## **Water-Related Monitoring Plans**

In January 2020, following receipt of public comments on the DEIS, a new Water Resources Workgroup was convened, encompassing the participants of the DEIS Groundwater Modeling Workgroup and other workgroups dealing with water quality issues and surface water issues. The reconvened Workgroup assisted the Tonto National Forest in assessing the public comments related to water resources, including groundwater modeling, water quality and water quality modeling, and monitoring and mitigation. The Workgroup made several requests for additional data, clarification, and analysis from the modelers, in order to inform the responses to the comments and the analysis.

In response to discussions of the Water Resources Workgroup, Resolution Copper provided an updated Monitoring and Mitigation Plan for Groundwater Dependent Ecosystems and Water Wells, dated September 21, 2020 (Project Record #0004824). This plan replaced a previous version dated April 29, 2019 (Project Record #0003161), which was included in appendix J of the DEIS as mitigation measure “RC-211: Seeps and Spring Monitoring and Mitigation Plan (GDE plan)”. Appendix J of the FEIS includes the updated mitigation and monitoring strategy.

Resolution Copper also developed a water quality monitoring plan for the aquifer downstream from the preferred alternative tailings storage facility, dated August 28, 2020 (Project Record #0004823). Appendix J of the FEIS includes this monitoring plan; no previous plan had been considered for the DEIS.

## **Revised Subsidence Monitoring Plan**

Similar to the Water Resources Workgroup, the Tonto National Forest reconvened the Geology and Subsidence Workgroup after receipt of public comments on the DEIS, in order to assist in evaluation and review of the comments and to develop new analysis in response to the comments. The Workgroup collaboratively reviewed and reworked the Subsidence Monitoring Plan to address Forest Service concerns and concerns raised in public comments.

The Subsidence Monitoring Plan was incorporated into the DEIS as an Applicant-Committed Environmental Protection Measure, as it was incorporated into the mine plan of operations. The step of collaborating on a revised plan was mandated by the Forest Service in appendix J of the DEIS (“FS- 222: Subsidence Monitoring Plan”). The revised Subsidence Monitoring Plan, dated August 2020, incorporated more specific triggers and responses to monitoring results (Project Record #0004403).

Appendix J of the FEIS includes the revised monitoring plan. In addition, the Forest Service determined that several additional requirements were warranted and under the authority of the Forest Service to require. These are also included in appendix J of the FEIS.

## **Recreation Mitigation Plan**

The “Superior, Arizona Recreation Project Conceptual Plan” (hereafter RUG Trail Plan) was prepared in March 2019 by WestLand Resources on behalf of Resolution Copper for the Recreation User Group (RUG). RUG, a subcommittee of the Community Working Group of Superior, Arizona, engaged volunteers in a multi-year effort to design recreational trail systems in and adjacent to the town of Superior that would meet the needs and interests of different stakeholders. RUG’s vision was to not only replace the recreation opportunities lost due to the proposed copper mine, but also to identify recreation opportunities in the adjacent landscape that would promote the local area as a premier outdoor recreation destination (Project Record #0003079). These measures were included in the DEIS as “RC-214: Implement RUG and Superior Trail Network Plan”.

A preliminary evaluation of the RUG Trail Plan was completed in June 2019 by SWCA Environmental Consultants (SWCA) for inclusion in the DEIS (Project Record #0003225). Tonto National Forest staff reviewed the preliminary evaluation along with new information during discussions held in April and May 2020. The outcomes of these deliberations resulted in a revised memorandum that reflects the outcomes of both the preliminary evaluation and the subsequent discussions and analysis performed by the Forest Service during summer 2020. The set of measures found to be legitimate, practicable, and effective as a result of this evaluation process are recommended for inclusion in the FEIS and decision document for the Resolution Copper Project. The evaluation can be found in “Process

Memorandum to File – Final, A Mitigation Effectiveness Evaluation of the Superior, Arizona Recreation Project Conceptual Plan (March 2019) Submitted by the Recreation User Group (RUG), a subcommittee of the Community Working Group (CWG) of Superior, Arizona” (Project Record #0003225).

The final recommendations are for 9.32 miles of motorized trails (which includes the Inconceivables Road), and 11.25 miles of non-motorized trails.

## **Resolution Copper Mitigation Commitments**

Resolution Copper responded to the March 2020 and May 2020 mitigation lists developed from public comments, with written commitments to undertake mitigation measures. Submittals by Resolution Copper include the following:

- June 19, 2020 (Cost/Benefit table with Resolution Copper commitment to offset direct costs to Town of Superior) [Project Record #0003886]
- August 20, 2020 (Response to potential traffic mitigations) [Project Record #0004406 and 0004438]
- August 21, 2020 (Castleberry Campground Conceptual Design) [Project Record #0004830]
- August 21, 2020 (Response to AGFD comments, including updated Wildlife Management Plan) [Project Record #0004831]
- August 31, 2020 (Part 1 of consolidated mitigation responses) [Project Record #0004838]
- September 2, 2020 (Part 2 of consolidated mitigation responses) [Project Record #0004839]
- September 14, 2020 (Queen Creek Climbing Mitigation and Access Plan) [Project Record #0004835]
- September 15 and September 21, 2020 (Part 3 of consolidated mitigation responses) [Project Records #0004840 and 0004841]
- October 2, 2020 (Inconceivables Access Plan) [Project Record #0004908]
- October 16, October 20, and October 22, 2020 (Part 4 of consolidated mitigation responses) [Project Records #0004842, 0004843, and 0004848]
- October 29, November 2, and November 9, 2020 (Updates to mitigation responses Parts 1, 2, and 3) [Project Records #0004850, 0004851, 0004852]

The outcomes of these various responses are summarized in Attachment 4.

## **Section 7 Conservation Measures**

Consultation with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act was initiated with acceptance of a final Biological Assessment from the Tonto National Forest

(Project Record #0004446). Two additional submittals to supplement the Biological Assessment were submitted in September 2020 (Project Record #0004409) and October 2020 (SWCA 2020; Project Record #0004857).

These submittals contained several best practices anticipated to be conducted to minimize effects on threatened endangered species, including Arizona hedgehog cactus, Gila chub, yellow-billed cuckoo, and southwestern willow flycatcher.

- The conservation measures contained in the June 2020 Biological Assessment are being considered Applicant-Committed Environmental Protection Measures—which are integral parts of the project design and non-discretionary to implement. These are identified in FEIS section 3.3 “Soils, Vegetation, and Reclamation” and 3.8 “Wildlife and Special Status Wildlife Species”, and the impacts assessed in the “Environmental Consequences” sections of the FEIS take these into account as part of the project.
- The September 2020 supplemental Biological Assessment contained details of a new conservation measure brought forward to reduce impacts on Arizona hedgehog cactus. This measure conserves 100 acres of cactus habitat at JI Ranch (Project Record #0004837). This conservation measure is also assumed to be an Applicant-Committed Environmental Protection Measure in section 3.3 of the FEIS; however, because it was developed during the process specifically in response to the analysis of impacts, it is also discussed as a mitigation measure in appendix J.
- The October 2020 supplemental Biological Assessment contained details of vegetation management techniques and procedures that would take place below power lines; these are considered Applicant-Committed Environmental Protection Measures.

## Section 106 Mitigations

The Forest Service determined that due to the complexity of the project, a Programmatic Agreement (PA) would be negotiated with the Advisory Council on Historic Preservation (ACHP) to fulfill the agency’s responsibilities under Section 106 of the National Historic Preservation Act. The Forest Service has developed its PA in consultation with the State Historic Preservation Office, ACHP, Tribes, and other consulting parties, which can be found in appendix O of the FEIS. The PA outlines the roles and responsibilities of parties, the procedure for identification and evaluation of historic properties, assessment for effects, and each party’s responsibilities under the Section 106 process.

Several mitigation measures that would be the responsibility of Resolution Copper were developed and incorporated into the PA. These measures are included in appendix J:

- Oak Flat Historic Properties Treatment Plan (HPTP). This measure requires the treatment of historic properties on the Oak Flat Federal Parcel that would be exchanged with Resolution Copper, to begin prior to the transfer and continue after the transfer, if needed.
- GPO Research Design. This measure requires an overarching document to guide treatment of historic properties for different project areas not covered by the Oak Flat HPTP (West Plant

Site, MARRCO corridor, tailing storage facility). Specific treatment plans would be prepared as needed in alignment with the concepts and guidelines in the GPO Research Design.

- Resource salvage would take place within the Oak Flat Federal Parcel, the tailings storage facility footprint, and the tailings pipeline/power line corridor, with priority given to tribes for traditional and cultural use.
- Emory Oak Collaborative Tribal Restoration Initiative. Resolution Copper will fund this multi-year restorative fieldwork program for Emory oak groves located in the Tonto National Forest and the Coconino National Forest. The program is designed to restore and protect Emory oak groves that are accessed by Apache communities for traditional subsistence gathering and ensure their sustainability for future generations.
- Tribal Cultural Heritage Fund. Resolution Copper will establish a cultural heritage foundation for long-term funding of cultural heritage projects.
- Long-term funding. Resolution Copper will establish a foundation or foundations for funding the continuation of the Tribal Monitor Program, long-term maintenance and monitoring of the Emory Oak initiative, and development of a Tribal Youth Program.
- Community Development Fund. Resolution Copper will establish a fund for the rehabilitation of historic buildings within designated nearby communities.
- Archaeological Database Funds. Resolution Copper will fund the creation and/or enhancement of existing electronic archaeological databases to assist the State of Arizona with management of cultural resource assets.
- Access to Oak Flat. Resolution Copper will ensure access to the Oak Flat campground to tribes for as long as safety allows. Part of this measure requires the development of an Oak Flat Campground Management Plan.
- Castleberry Campground. Resolution Copper will establish an alternative campground site on private property owned by Resolution Copper.
- Visual, Atmospheric, Auditory, Socioeconomic, and Cumulative Effects Mitigation Plan. Additional mitigation plan(s) will be prepared after the publication of the FEIS that describe mitigation measures to address visual, atmospheric, auditory, and cumulative effects on historic properties.
- Tribal Education Fund. Resolution Copper will establish a fund dedicated to scholarships for tribal members pursuing post-high school education, at a college, university, vocational school, or accredited two-year program.

## **Forest Service Consideration of Mitigation Concepts**

After receipt of all commitments from Resolution Copper on mitigation concepts brought forward, the Forest Service and NEPA team met internally to review remaining concepts not yet addressed, to determine if any of these could be required under Forest Service (or other) authorities. The following measures were brought forward into appendix J of the FEIS as “potential future” measures; these



measures were found to have some merit or usefulness to offset impacts, but are beyond the authority of the Forest Service to require and have not voluntarily been committed to by Resolution Copper. They are included in the FEIS in the event of changed future circumstances.

The “potential future” measures brought forward into appendix J include:

- Create and maintain a public information repository, such as a community website, where all information on project monitoring and related matters is readily available in a timely manner, including water quality monitoring data. (Measures M-G1, M-W6). *Rationale for including as a potential future measure: There is merit in having a central clearinghouse of project-specific information for the public to access, restricted primarily to information submitted to government agencies as required under permits, but no single agency (including the Forest Service) is in a position to undertake that responsibility.*
- Purchase and transfer to Federal ownership a considerable portion of the lands suggested as “Preserve” in the Superstition Area Land Plan, an inclusive, 105-square mile study conducted by Superstition Area Land Trust (SALT) in the early 2000s, with particular emphasis on adding land that would serve as a buffer between the south border of the Superstition Wilderness Area and Phoenix. (Measure M-L2). *Rationale for including as a potential future measure: Congressional intent was that the land exchange was to take place, and mitigation for impacts caused by the exchange of land is not required; regardless, the Forest Service is already requiring a robust mitigation package that will offset recreational impacts associated with the loss of Federal land base upon which recreation can occur. While not necessary to offset the impacts from the Resolution Copper Project, this potential mitigation expresses a long-term vision for maintaining regional open space and an enhanced recreational land base.*
- Fund the extension of the Legends of Superior Trails (LOST) Queen Creek segment south across the base of Apache Leap. (Measure M-R27). *Rationale for including as a potential future measure: The Forest Service is already requiring a robust mitigation package to offset recreational impacts (motorized trails, not motorized trails, and camping). The proposed trail is not identified in the management plan for the Apache Leap Special Management Area and would require additional specific proposals and appropriate NEPA clearance to implement. However, this potential mitigation could be compatible with the long-term regional trail system, including the Forest Service recommended recreational mitigation package (FS-RC-03).*
- Commitment by Resolution Copper to the reactivation of the MARRCO corridor rail system, with commercial and tourist service as a partial socioeconomic mitigation that will also benefit the project. A spur for a combination train station, welcome center, training center, and mining museum should be located parallel to Main Street near the Lone Tree Gate. (Measure M-S6). *Rationale for including as a potential future measure: Resolution Copper dismissed this mitigation measure for operational and safety concerns. However, they also noted, “Approval and construction of the proposed action does not foreclose potential other uses of the corridor in the future after sufficient discussion and analysis to address safety issues. Resolution Copper would work with the Town of Superior and other stakeholders if such uses were proposed in the future.”*

- Compensatory mitigation for reduced property values caused by the tailings storage facility. (Measure M-S26). *Rationale for including as a potential future measure: Impacts assigned to the tailings storage facility in public comments are not necessarily borne out by the EIS analysis. For instance, noise and traffic impacts associated with the tailings storage facility do not exceed any designated thresholds. However, the one situation in which nearby landowners may experience substantial impact is the potential for tailings seepage to impact downstream private wells. While the EIS predictions indicate that in most cases the numeric Arizona aquifer water quality standards would be met—and state permitting requirements would ensure this is the case—increases in other constituents such as sulfate and total dissolved solids could still degrade water quality and impact downstream property owners. Resolution Copper dismissed this mitigation measure but also noted that “Resolution Copper has already purchased properties in the footprint and vicinity of the Skunk Camp Tailings Storage Facility to address this concern.” This mitigation measure is being included as similar future remedies could be warranted.*
- Continue collaboration on a voluntary compensatory plan, beyond what is legally mandated, to achieve a no net loss of habitat. (Measure M-WL47). *Rationale for including as a potential future measure: Many aspects of the project design and mitigation will already replace habitat impacted by the mine or will prevent impacts from occurring. This includes preventing riparian and aquatic impacts associated with springs and perennial streams through water replacement if needed, reestablishment of habitat through reclamation, new riparian habitat brought forward as part of the compensatory mitigation under the Section 404 permit, as well as the offered lands coming into Federal ownership that contain desirable habitat. Though there is no legal mandate or regulatory requirement, the goal expressed in the mitigation measure—no net loss of habitat—is an aspirational goal that would have long-term benefits to wildlife in the region. Future mitigations could be considered to bring the project closer to this goal.*
- Arizona Water Company requests that appropriate funding or bonding be in place to ensure the project will not cause any significant water level declines or water quality impacts. (Measure M-W32). *Rationale for including as a potential future measure: The EIS analysis discloses that water quality impacts and significant water level declines are not anticipated in any areas associated with Arizona Water Company water supply systems. However, Resolution Copper notes: “if there are unique situations where water users will be impacted because of well siting requirements, for example, Resolution will work with these impacted stakeholders to mitigate effects of a water level decline caused by the project.” This mitigation measure is being included in the event remedies in the future could be warranted.*
- Replace access if Forest Road 2438 is closed due to subsidence (Measures M-R23, M-R37). *Rationale for including as a potential future measure: This potential mitigation was*

*provided by Resolution Copper in responses to the Forest Service on mitigation suggestions raised in public comments.*

- *Divert existing flows across the subsidence area to preserve downstream flows (Measure M-W26). Rationale for including as a potential future measure: Resolution Copper indicated in their responses to the Forest Service on mitigation suggestions raised in public comments, that to the extent practicable and before subsidence starts, Resolution Copper will evaluate the practicability of implementing diversion around the subsidence area.*
- *Commitment to continue and possibly expand existing apprenticeship program (Measure M-S21). Rationale for including as a potential future measure: In responses to the Tonto National Forest on mitigation suggestions raised in public comments, Resolution Copper notes that the current program may be used to form the basis of a future program that can be expanded as Resolution Copper identifies specific skills needed for construction and operations.*

The remainder of the mitigation measures discussed were not brought forward for inclusion in the FEIS. The rationale for dismissing these measures is included in Attachment 5.

**ATTACHMENT 1 – PUBLIC COMMENTS EVALUATED FOR  
MITIGATION CONCEPTS**

<b>Comment ID</b>	<b>Inclusion on mitigation lists</b>
11-2	Included in March 2, 2020 mitigation list as item M-PH2
1058-1	Included in March 2, 2020 mitigation list as item M-R9
1120-1	Included in May 4, 2020 mitigation list as item M-W23
1122-3	Included in May 4, 2020 mitigation list as item M-S28
1130-1	Included in May 4, 2020 mitigation list as item M-G7
1137-1	Included in May 4, 2020 mitigation list as item M-L9
1137-2	Included in May 4, 2020 mitigation list as item M-L7
1137-3	Included in May 4, 2020 mitigation list as item M-L8
1137-4	Included in May 4, 2020 mitigation list as item M-L10
1137-6	Included in May 4, 2020 mitigation list as item M-L13
1137-7	Included in May 4, 2020 mitigation list as item M-L12
1137-8	Included in May 4, 2020 mitigation list as item M-L14
1158-14	Included in March 2, 2020 mitigation list as item M-W16
1158-15	Included in May 4, 2020 mitigation list as item M-AQ5
1158-16	Included in May 4, 2020 mitigation list as items M-AQ4; M-W33
1158-18	Included in March 2, 2020 mitigation list as item M-PH1
1158-20	Included in March 2, 2020 mitigation list as item M-T3
1158-21	Included in May 4, 2020 mitigation list as item M-W22
1158-22	Not included in mitigation list because suggested item is already proposed in DEIS.
1158-25	Included in March 2, 2020 mitigation list as item M-G3
1158-28	Included in March 2, 2020 mitigation list as item M-N3
1158-29	Included in March 2, 2020 mitigation list as item M-T3
1158-30	Included in May 4, 2020 mitigation list as item M-W24
1158-35	Not included in mitigation list because suggested item is already proposed in DEIS; also see M-W18
1158-39	Not included in mitigation list because suggested item is already proposed in DEIS.
1158-40	Not included in mitigation list because suggested item is already proposed in DEIS.
1158-42	Included in March 2, 2020 mitigation list as item M-W5
1158-42	Included in March 2, 2020 mitigation list as item M-W20
1158-47	Included in March 2, 2020 mitigation list as item M-PH2
1158-51	Included in March 2, 2020 mitigation list as item M-S8
1158-7	Included in March 2, 2020 mitigation list as item M-R9
1158-9	Included in May 4, 2020 mitigation list as item M-PH9
1188-22	Included in March 2, 2020 mitigation list as item M-L4
1188-23	Included in May 4, 2020 mitigation list as item M-L15

<b>Comment ID</b>	<b>Inclusion on mitigation lists</b>
1266-1	Included in March 2, 2020 mitigation list as item M-R17
1286-5	Included in March 2, 2020 mitigation list as item M-S6
1286-6	Included in March 2, 2020 mitigation list as item M-R18
1286-7	Included in March 2, 2020 mitigation list as item M-S17
1286-8	Included in March 2, 2020 mitigation list as item M-S4
1286-8	Included in March 2, 2020 mitigation list as item M-S10
1286-9	Included in March 2, 2020 mitigation list as item M-S13
1311-10	Not included in mitigation list because suggestion would not be applicable to the preferred alternative.
1311-12	Included in May 4, 2020 mitigation list as item M-RAZ4
1311-13	Included in May 4, 2020 mitigation list as item M-RAZ1
1311-17	Included in May 4, 2020 mitigation list as item M-RAZ2
1311-19	Not included in mitigation list because suggestion would not be applicable to the preferred alternative.
1311-22	Included in May 4, 2020 mitigation list as item M-RAZ4
1311-6	Not included in mitigation list because suggestion would not be applicable to the preferred alternative.
1311-7	Included in May 4, 2020 mitigation list as item M-RAZ4
1311-9	Not included in mitigation list because suggestion would not be applicable to the preferred alternative.
1321-5	Included in March 2, 2020 mitigation list as item M-R8
1329-5	Not included in mitigation list because suggestion lacks specificity.
1343-3	Included in March 2, 2020 mitigation list as item M-R17
1356-4	Included in March 2, 2020 mitigation list as item M-WL11
1356-4	Included in March 2, 2020 mitigation list as item M-WL30
1356-5	Not included in mitigation list because suggested item is already proposed in DEIS.
1356-6	Included in March 2, 2020 mitigation list as item M-N1
1360-9	Included in March 2, 2020 mitigation list as item M-R14
1361-1	Included in March 2, 2020 mitigation list as item M-PH1
1361-2	Included in March 2, 2020 mitigation list as item M-W6
1361-2	Included in March 2, 2020 mitigation list as item M-W21
1361-3	Included in May 4, 2020 mitigation list as item M-G5
1361-5	Included in March 2, 2020 mitigation list as item M-PH2
1389-15	Included in March 2, 2020 mitigation list as item M-WS2
1389-17	Included in May 4, 2020 mitigation list as item M-G6
1389-18	Included in March 2, 2020 mitigation list as item M-PH2

<b>Comment ID</b>	<b>Inclusion on mitigation lists</b>
1389-19	Included in March 2, 2020 mitigation list as item M-PH3
1389-2	Included in March 2, 2020 mitigation list as item M-C1
1389-2	Included in March 2, 2020 mitigation list as item M-S13
1389-2	Included in March 2, 2020 mitigation list as item M-S18
1389-2	Included in March 2, 2020 mitigation list as item M-S23
1389-22	Included in March 2, 2020 mitigation list as item M-W2
1389-23	Included in May 4, 2020 mitigation list as item M-W26
1389-26	Included in March 2, 2020 mitigation list as item M-R1
1389-26	Included in March 2, 2020 mitigation list as item M-R17
1389-27	Included in March 2, 2020 mitigation list as item M-R3
1389-29	Included in May 4, 2020 mitigation list as item M-RAZ3
1389-30	Included in March 2, 2020 mitigation list as item M-R26
1389-31	Included in March 2, 2020 mitigation list as item M-W7
1389-32	Included in March 2, 2020 mitigation list as item M-WL11
1389-33	Included in March 2, 2020 mitigation list as item M-V3
1389-34	Included in March 2, 2020 mitigation list as item M-N2
1389-36	Included in March 2, 2020 mitigation list as item M-S8
1389-36	Included in March 2, 2020 mitigation list as item M-T3
1389-37	Included in March 2, 2020 mitigation list as item M-T3
1389-38	Included in March 2, 2020 mitigation list as item M-WS4
1389-39	Included in March 2, 2020 mitigation list as item M-S6
1389-40	Included in March 2, 2020 mitigation list as item M-S6
1389-41	Included in March 2, 2020 mitigation list as item M-N3
1389-42	Included in May 4, 2020 mitigation list as item M-PH10
1389-9	Included in March 2, 2020 mitigation list as item M-S10
1392-2	Not included in mitigation list because suggested item is already proposed in DEIS; also see M-WL2
1392-3	Included in March 2, 2020 mitigation list as item M-R1
1392-3	Included in March 2, 2020 mitigation list as item M-R17
1392-4	Included in March 2, 2020 mitigation list as item M-C1
1392-5	Included in March 2, 2020 mitigation list as item M-S13
1392-6	Included in March 2, 2020 mitigation list as item M-S1
1392-6	Included in March 2, 2020 mitigation list as item M-S21
1392-8	Included in March 2, 2020 mitigation list as item M-W8
1392-9	Included in May 4, 2020 mitigation list as item M-S27

<b>Comment ID</b>	<b>Inclusion on mitigation lists</b>
1404-4	Included in March 2, 2020 mitigation list as item M-AQ1
1429-1	Included in March 2, 2020 mitigation list as item M-R1
1429-1	Included in March 2, 2020 mitigation list as item M-R13
1429-1	Included in March 2, 2020 mitigation list as item M-R17
1429-2	Included in March 2, 2020 mitigation list as item M-R2
1429-2	Included in March 2, 2020 mitigation list as item M-R18
1429-2	Included in March 2, 2020 mitigation list as item M-R26
1429-2	Included in March 2, 2020 mitigation list as item M-R27
1429-4	Included in March 2, 2020 mitigation list as item M-R19
1429-4	Included in March 2, 2020 mitigation list as item M-R24
14-3	Included in March 2, 2020 mitigation list as item M-R13
1438-5	Included in March 2, 2020 mitigation list as item M-AQ1
14-4	Included in March 2, 2020 mitigation list as item M-S15
1441-12	Not included in mitigation list because suggested item is already proposed in DEIS.
1441-14	Included in March 2, 2020 mitigation list as item M-WL23
1441-15	Included in March 2, 2020 mitigation list as item M-W3
1441-17	Included in March 2, 2020 mitigation list as item M-WL25
1441-18	Included in March 2, 2020 mitigation list as item M-L1
1441-19	Included in May 4, 2020 mitigation list as item M-W30
1441-20	Included in May 4, 2020 mitigation list as item M-R37
1441-21	Included in May 4, 2020 mitigation list as item M-L15
1441-3	Included in March 2, 2020 mitigation list as item M-WL1
1441-3	Included in March 2, 2020 mitigation list as item M-WL35
1441-6	Not included in mitigation list because suggestion lacks specificity.
1441-8	Included in May 4, 2020 mitigation list as item M-L11
1489-1	Included in March 2, 2020 mitigation list as item M-R17
1489-3	Included in March 2, 2020 mitigation list as item M-R9
149-1	Included in May 4, 2020 mitigation list as item M-PH8
1524-1	Included in March 2, 2020 mitigation list as item M-W16
1524-2	Not included in mitigation list because suggested item is already proposed in DEIS; also see M-W18
1524-3	Included in March 2, 2020 mitigation list as item M-R9
15-3	Included in May 4, 2020 mitigation list as items M-C4; M-C5
1540-1	Included in March 2, 2020 mitigation list as item M-S8
1540-4	Included in March 2, 2020 mitigation list as item M-S8



<b>Comment ID</b>	<b>Inclusion on mitigation lists</b>
1540-7	Included in May 4, 2020 mitigation list as item M-W27
1544-17	Included in March 2, 2020 mitigation list as item M-PH2
20-1	Included in May 4, 2020 mitigation list as item M-W22
21-1	Included in May 4, 2020 mitigation list as item M-W22
22-1	Included in May 4, 2020 mitigation list as item M-W23
247-1	Included in March 2, 2020 mitigation list as item M-L3
258-2	Included in March 2, 2020 mitigation list as item M-S22
261-10	Included in March 2, 2020 mitigation list as item M-R13
261-13	Included in March 2, 2020 mitigation list as item M-S13
261-3	Included in March 2, 2020 mitigation list as item M-W2
261-6	Included in March 2, 2020 mitigation list as item M-S4
261-8	Included in March 2, 2020 mitigation list as item M-T3
261-9	Included in March 2, 2020 mitigation list as item M-R20
270-1	Included in March 2, 2020 mitigation list as item M-R9
273-1	Included in May 4, 2020 mitigation list as item M-W22
283-6	Included in March 2, 2020 mitigation list as item M-T3
28449-33	Not included in mitigation list because suggested item is already part of regulatory requirements.
28449-58	Included in May 4, 2020 mitigation list as item M-WL49
28824-2	Included in March 2, 2020 mitigation list as item M-S20
300-2	Included in March 2, 2020 mitigation list as item M-R20
300-2	Included in March 2, 2020 mitigation list as item M-R28
30075-102	Not included in mitigation list because suggestion would not be applicable to the preferred alternative.
30075-103	Not included in mitigation list because suggestion lacks specificity.
30075-104	Included in May 4, 2020 mitigation list as item M-WL39
30075-105	Not included in mitigation list because suggestion lacks specificity.
30075-106	Not included in mitigation list because comments lack specificity and are superseded by other more specific comments.
30075-107	Not included in mitigation list because comments lack specificity and are superseded by other more specific comments.
30075-108	Not included in mitigation list because comments lack specificity and are superseded by other more specific comments.
30075-109	Not included in mitigation list because suggestion lacks specificity.
30075-110	Not included in mitigation list because suggestion lacks specificity.
30075-111	Included in March 2, 2020 mitigation list as item M-R23

<b>Comment ID</b>	<b>Inclusion on mitigation lists</b>
30075-112	Not included in mitigation list because comments lack specificity and are superseded by other more specific comments.
30075-113	Included in March 2, 2020 mitigation list as item M-WL3
30075-113	Included in March 2, 2020 mitigation list as item M-WL36
30075-114	Included in May 4, 2020 mitigation list as item M-WL43
30075-115	Included in March 2, 2020 mitigation list as item M-WL32
30075-116	Not included in mitigation list because comments lack specificity and are superseded by other more specific comments.
30075-117	Included in May 4, 2020 mitigation list as item M-WL41
30075-118	Included in March 2, 2020 mitigation list as item M-WL23
30075-119	Included in March 2, 2020 mitigation list as item M-WL7
30075-119	Included in March 2, 2020 mitigation list as item M-WL38
30075-120	Included in March 2, 2020 mitigation list as item M-WL4
30075-121	Not included in mitigation list because comments lack specificity and are superseded by other more specific comments.
30075-122	Not included in mitigation list because comments lack specificity and are superseded by other more specific comments.
30075-123	Included in March 2, 2020 mitigation list as item M-WL23
30075-124	Included in May 4, 2020 mitigation list as item M-V4
30075-125	Included in March 2, 2020 mitigation list as item M-WL23
30075-126	Included in March 2, 2020 mitigation list as item M-WL23
30075-127	Included in March 2, 2020 mitigation list as item M-WL33
30075-128	Included in March 2, 2020 mitigation list as item M-WL23
30075-129	Not included in mitigation list because suggested item is already proposed in DEIS.
30075-133	Included in March 2, 2020 mitigation list as item M-WL2
30075-14	Included in May 4, 2020 mitigation list as item M-WL47
30075-16	Not included in mitigation list because comments lack specificity and are superseded by other more specific comments.
30075-21	Not included in mitigation list because suggested item is already proposed in DEIS.
30075-30	Not included in mitigation list because suggested item is already proposed in DEIS.
30075-39	Included in March 2, 2020 mitigation list as item M-WL28
30075-40	Included in March 2, 2020 mitigation list as item M-WL28
30075-46	Included in May 4, 2020 mitigation list as item M-WL40
30075-49	Included in March 2, 2020 mitigation list as item M-WL28
30075-56	Included in May 4, 2020 mitigation list as item M-WL46 (mistakenly shown as M-WL45 in list)
30075-70	Included in May 4, 2020 mitigation list as item M-WL42

<b>Comment ID</b>	<b>Inclusion on mitigation lists</b>
30075-75	Included in May 4, 2020 mitigation list as item M-WL40
30075-76	Not included in mitigation list because comments lack specificity and are superseded by other more specific comments.
30075-78	Included in March 2, 2020 mitigation list as item M-V1
30075-80	Included in May 4, 2020 mitigation list as item M-WL45
30075-81	Included in March 2, 2020 mitigation list as item M-WL5
30075-81	Included in March 2, 2020 mitigation list as item M-WL37
30075-81	Included in March 2, 2020 mitigation list as item M-WL36
30075-81	Included in March 2, 2020 mitigation list as item M-WL14
30075-82	Included in March 2, 2020 mitigation list as item M-WL31
30075-83	Included in March 2, 2020 mitigation list as item M-WL31
30075-84	Included in March 2, 2020 mitigation list as item M-WL25
30075-85	Included in March 2, 2020 mitigation list as item M-WL23
30075-86	Included in May 4, 2020 mitigation list as item M-R31
30075-92	Included in March 2, 2020 mitigation list as item M-R17
30075-93	Included in May 4, 2020 mitigation list as item M-R35
30075-98	Included in March 2, 2020 mitigation list as item M-WL25
30075-99	Included in March 2, 2020 mitigation list as item M-WL34
30078-30	Included in May 4, 2020 mitigation list as item M-W28
30078-31	Included in May 4, 2020 mitigation list as item M-W28
30078-32	Included in May 4, 2020 mitigation list as item M-W28
307-2	Included in March 2, 2020 mitigation list as item M-S22
317-10	Included in March 2, 2020 mitigation list as item M-S6
317-11	Included in March 2, 2020 mitigation list as item M-T5
317-12	Included in March 2, 2020 mitigation list as item M-S1
317-12	Included in March 2, 2020 mitigation list as item M-S4
317-13	Included in March 2, 2020 mitigation list as item M-S8
317-13	Included in March 2, 2020 mitigation list as item M-T3
317-4	Included in March 2, 2020 mitigation list as item M-S22
317-5	Not included in mitigation list because suggested item is already part of regulatory requirements.
317-6	Included in March 2, 2020 mitigation list as item M-R1
317-6	Included in March 2, 2020 mitigation list as item M-R17
317-7	Included in March 2, 2020 mitigation list as item M-C1
317-9	Included in March 2, 2020 mitigation list as item M-N3
319-6	Included in March 2, 2020 mitigation list as item M-L2

<b>Comment ID</b>	<b>Inclusion on mitigation lists</b>
322-1	Included in May 4, 2020 mitigation list as item M-S29
322-3	Included in March 2, 2020 mitigation list as item M-S1
322-5	Included in March 2, 2020 mitigation list as item M-W2
322-6	Included in March 2, 2020 mitigation list as item M-T3
322-8	Not included in mitigation list because suggestion lacks specificity.
323-3	Included in March 2, 2020 mitigation list as item M-S22
324-1	Included in March 2, 2020 mitigation list as item M-S8
324-2	Included in March 2, 2020 mitigation list as item M-S23
324-4	Included in March 2, 2020 mitigation list as item M-S4
324-5	Included in March 2, 2020 mitigation list as item M-R2
324-6	Included in March 2, 2020 mitigation list as item M-V2
324-7	Included in March 2, 2020 mitigation list as item M-R13
324-8	Included in March 2, 2020 mitigation list as item M-C1
493-1	Included in May 4, 2020 mitigation list as item M-W23
524-24	Included in May 4, 2020 mitigation list as item M-PH7
524-7	Included in May 4, 2020 mitigation list as item M-W28
555-22	Included in March 2, 2020 mitigation list as item M-WS2
555-24	Included in March 2, 2020 mitigation list as item M-G1
555-26	Included in March 2, 2020 mitigation list as item M-G1
555-27	Included in May 4, 2020 mitigation list as item M-W32
555-6	Included in March 2, 2020 mitigation list as item M-PH5
562-7	Included in May 4, 2020 mitigation list as item M-W31
562-9	Included in May 4, 2020 mitigation list as item M-PH6
60-3	Included in March 2, 2020 mitigation list as item M-W10
751-1	Included in March 2, 2020 mitigation list as item M-R5
8031-48	Included in May 4, 2020 mitigation list as item M-EJ1
8032-144	Included in May 4, 2020 mitigation list as item M-EJ1
8032-17	Included in May 4, 2020 mitigation list as item M-R34
8032-204	Included in March 2, 2020 mitigation list as item M-W3
8032-279	Included in May 4, 2020 mitigation list as item M-N4
8032-283	Included in March 2, 2020 mitigation list as item M-G2
8032-317	Included in March 2, 2020 mitigation list as item M-T3
8032-320	Not included in mitigation lists as carpooling was not proposed as mitigation in the DEIS.
8032-322	Included in May 4, 2020 mitigation list as item M-S26

<b>Comment ID</b>	<b>Inclusion on mitigation lists</b>
822-1	Included in March 2, 2020 mitigation list as item M-R9
861-1	Included in March 2, 2020 mitigation list as item M-R9
861-2	Included in March 2, 2020 mitigation list as item M-R9
862-2	Included in May 4, 2020 mitigation list as item M-R33
866-17	Included in March 2, 2020 mitigation list as item M-W16
876-1	Included in March 2, 2020 mitigation list as item M-R9
904-1	Included in May 4, 2020 mitigation list as item M-R36
91-2	Included in March 2, 2020 mitigation list as item M-WS3
91-3	Included in March 2, 2020 mitigation list as item M-WS3
92-1	Included in May 4, 2020 mitigation list as item M-W22
923-2	Included in March 2, 2020 mitigation list as item M-S22
929-2	Included in March 2, 2020 mitigation list as item M-W2
929-3	Included in March 2, 2020 mitigation list as item M-WL11
929-4	Included in March 2, 2020 mitigation list as item M-S13
929-5	Included in March 2, 2020 mitigation list as item M-S4
929-6	Included in March 2, 2020 mitigation list as item M-S11
929-8	Not included in mitigation list because suggestion lacks specificity.

**ATTACHMENT 2 – CONSOLIDATED MITIGATION LIST  
PROVIDED TO RESOLUTION COPPER – MARCH 2020**

## MITIGATION PROPOSALS FROM DRAFT EIS PUBLIC COMMENTS

MARCH 2, 2020

### Overview

A total of 361 comments were coded as being related to mitigation. Of these, roughly 175 comments contained some suggestion for mitigation, though many of these comments were non-specific and general. The following is a summary of those mitigation proposals included in public comments that are specific enough to carry forward for consideration; the comments have been combined and condensed as much as possible into 85 individual mitigation suggestions. These fall under the following categories:

- General monitoring and reporting (3 proposals)
- Air quality – Greenhouse gases (1 proposal)
- Cultural resources – Museum (1 proposal)
- Lands (4 proposals)
- Noise (2 proposals)
- Public Health & Safety (4 proposals)
- Recreation – Campground (4 proposals)
- Recreation – Climbing (2 proposals)
- Recreation – Trails and Access (9 proposals)
- Recreation – Other (3 proposals)
- Socioeconomic – Housing (2 proposals)
- Socioeconomic – Workforce (3 proposals)
- Socioeconomic – Town of Superior; long-term funding (7 proposals)
- Socioeconomic – Rail (1 proposal)
- Transportation (2 proposals)
- Vegetation (3 proposals)
- Water Supply (3 proposals)
- Water – Compensatory; in-lieu mitigation; Queen Creek (3 proposals)
- Water – Monitoring (7 proposals)
- Water – Devil’s Canyon (1 proposal)
- Wildlife – Plans (1 proposal)
- Wildlife – Aquatics (2 proposals)

- Wildlife – Avian and Bat (8 proposals)
- Wildlife – Lighting (2 proposals)
- Wildlife – Exclusions (2 proposals)
- Wildlife – Species-specific mitigations (5 proposals)

#### General Monitoring and Reporting

- (M-G1). Create and maintain a public information repository, such as a community website, where all information on the investigation and related matters is readily available in a timely manner.
- (M-G2). Establish procedures for submittal of complaints relating to noise, light, loss of scenic value, and for mitigating actions to be taken in response to the complaints.
- (M-G3). Post-mining monitoring should continue until impacts are no longer occurring, plus another 15 years.

#### Air Quality – Greenhouse Gases

- (M-AQ1) - Develop mitigation to minimize greenhouse gas emissions or reach a net-zero carbon footprint.

#### Cultural Resources – Museum

- (M-C1) - Creation and maintenance of a Cultural Heritage and Mining Museum or fund, depicting the mining history and the story of Superior.
  - Specific proposal to purchase the old Harding School.
  - Specific request for funding to maintain museum.

#### Lands

- (M-L1). Implement mitigation through partnership with The Nature Conservancy on 7B Ranch to partially address the impacts of the tailings at Skunk Camp.
- (M-L2). Purchase and transfer to federal ownership a considerable portion of the lands suggested as "Preserve" in the Superstition Area Land Plan, an inclusive, 105-square mile study conducted by SALT in the early 2000's - with particular emphasis on adding land that would serve as a buffer between the south border of the Superstition Wilderness Area and Phoenix.
- (M-L3). Purchase a few hundred acres of private property to open up 38 square miles of public land, including the Needles Eye Wilderness area, in Gila County on Route 77.
- (M-L4). Acquire sufficient acreage within the lower San Pedro River watershed in order to achieve "no net loss" of habitat value from the proposed project. One possible location, currently owned by BHP, is the "Broken Hills Property".



## Noise

- (M-N1). Require [construction] work be completed at night in order to reduce traffic relocations, thus reducing noise pollution.
- (M-N2). Mitigate noise and vibration impacts to residences near tailings facilities by rerouting access roads, purchase of affected properties, and establish a noise complaint phone number or similar procedure.]
- (M-N3). With two trains arriving and departing at night, this has the potential to increase nighttime noise in and around Superior. Noise control measures should be incorporated into this option so that there is minimal noise increase. [If train to Superior isn't incorporated into Preferred Alternative, this can be ignored]

## Public Health & Safety

- (M-PH1). Near immediate reporting of spills or other reportable activities
- (M-PH2). Emergency Action Planning for all mine operations, not just tailings storage facilities. Note that FS-229 requires Emergency Action Plan for TSF.
- (M-PH3). Develop failure modes and effects analysis and emergency action plan for the selected tailings facilities before completion of FEIS. Note that FS-227 requires the FMEA and FS-229 requires the Emergency Action Plan for TSF.
- (M-PH5). Dispose of tailings as a hazardous waste, or put in place protective measures to prevent runoff with the predicted pH of 2.13.

## Recreation – Campground

- (M-R1). Include a fund or endowment to cover the construction and maintenance of a campground.
- (M-R2). Fund the development of the Castleberry Ranch into a full-service campground with ongoing maintenance funded by the endowment.
- (M-R3). Transfer Castleberry campground management to the Town of Superior.
- (M-R5). Develop new campground near small unmaintained road with a cattle guard near westbound highway 60 mile marker 230.

## Recreation – Climbing

- (M-R8). Provide new climbing areas, as well as access to areas that will not be directly affected, but access to them is.
- (M-R9). Replace access roads that are removed so that access to rock climbing in these areas is not lost.

## Recreation – Trails

- (M-R17). Incorporate the RUG plan.
- (M-R18). Incorporate Superior Waters & Trails proposal.

- (M-R19). Mitigation for Forest Road 315 must include a re-route that will allow 4x4 traffic to the east of the mine site near Devil's Canyon and which links up with the 315-route south of the mine site.
- (M-R20). Develop comprehensive trails plan and ensure funding for construction and maintenance.
- (M-R23). Include mitigation to create or enhance public access to the areas south, east and west of the Oak Flat where TNF lands were exchanged with Resolution Copper through new/improved roads/routes, and provide access to Devil's Canyon, Oak Creek and/or eastern portions of Apache Leap.
- (M-R24). All efforts possible must be taken to assure that the northern pipeline design and construction does not negatively impact Devil's Canyon. Include an option to later include a parallel trail with the pipeline.
- (M-R26). Allow recreational access to the Queen Creek Canyon segment of the LOST trail (old Highway 60) including the historic Queen Creek tunnel in perpetuity.
- (M-R27). Fund the extension of the LOST Queen Creek segment south across the base of Apache Leap.
- (M-R28). Develop horse watering tanks with solar pumps along trails.

#### Recreation – Other

- (M-R13). The property on which the RUG trail system is located must either be bonded for full value against mineral exploration involving drilling or other disruption and mineral exploitation or the mineral rights must be signed over to the Town of Superior (i.e., Bronco Creek claims)
- (M-R14). Fund new recreation facilities including trails, campgrounds, park/pool facility, and school playgrounds.
- (M-S20). Offset the estimated \$70,000 in wildlife related tourism from the loss of Oak Flat and Skunk Camp.

#### Socioeconomic – Housing

- (M-S1). Develop mitigation for low income housing assistance; ensure low-income housing is available
- (M-S4). BHP to turn its Superior properties over to Superior to be incorporated into a land bank that for additional housing for local employees.

#### Socioeconomic – Rail

- (M-S6). Resolution Copper should commit to the reactivation of the rail system, with commercial and tourist service as a partial socioeconomic mitigation that will also benefit the project. A spur for a combination train station, welcome center, training center, and mining museum should be located parallel to Main St. near the Lone Tree Gate.

## Socioeconomic – Town of Superior; Long-term Funding

- (M-S8). Require an independent third-party to establish a method for studying and documenting potential socioeconomic impacts, then provide adequate funding to mitigate these impacts. Resolution to make up any difference in costs versus revenues attributable to the Resolution project. Require both parties to agree upon an accounting and reporting structure. Mitigation relating to roads, utility infrastructure, housing, public safety, and water quality and quantity.
- (M-S10). Invest directly in the school system on a continual basis.
- (M-S11). The Superior/RCC Public Safety Contract should be a long-term agreement, based on current projected tax increases.
- (M-S13). Creation of an endowed foundation to allow the Town government and local nonprofits to maintain and increase services; further explore the concept of establishing a community fund or foundation to provide long-term support for local projects and initiatives aimed at mitigating mine-related impacts and enhancing the quality of life in the region.
- (M-S15). Bonding for potential socioeconomic impacts.
- (M-S17). Fund the Community Working Group and ongoing monitoring through the life of the mine and until reclamation is complete.
- (M-S18). Extend (as relevant) and negotiate new agreements with the Town of Superior to fund specific needs and projects based on mine development and operation impacts.

## Socioeconomics – Workforce

- (M-S21). Creation/expansion of an apprenticeship program.
- (M-S22). Develop a workforce training program.
- (M-S23). Establish numeric or percentage targets for local hiring and for using local suppliers and services.

## Transportation

- (M-T3). Develop traffic mitigation to prevent drop in LOS to "inadequate" levels, monitor traffic at affected intersections during construction, and contribute to road repair and maintenance.
  - Specific suggestion of SR177/US60 intersection
  - Specific suggestion of Skyline Road; this includes mitigation of effects caused by access to state land (there's a gate now to prevent access, that would be lost)
  - Specific inclusion of both Town of Superior and Town of Miami
  - Specific suggestion of mitigating impact on school bus/student safety
  - Specific suggestion to put this in the form of a traffic management plan
  - Specific suggestion to analyze passing lanes on SR77
  - Specific suggestion to upgrade Dripping Springs Wash Road
- (M-T5). Study the increased traffic, street maintenance, and public safety costs to the Town of Superior.

## Vegetation

- (M-V3). Comprehensive revegetation plans should be required for the subsidence crater, the tailings slurry pipeline corridor, and the tailings facility as part of scenic resources mitigation. Such plans are noted as FS-226 for Soils and Vegetation for the tailings facility and should be referenced here and expanded to include the pipeline corridor and subsidence area, and to incorporate construction revegetation as well as end-of-mine revegetation.
- (M-V1). Develop a vegetation plan that includes monitoring to avoid invasive species in disturbance areas.
- (M-V2). Plant native shrubbery and trees west of Apache Leap and east of Picket Post Mountain that would be equivalent to the loss of natural habitat in the Oak Flat region.

## Water Supply

- (M-WS3). Contract out the delivery of water to Top-of-the-World to a utility, such as Arizona Water, and have the water delivery system to Top-of-the-World in place before any mining activity is allowed to begin that could impact our GDE. Install fire hydrants along with water delivery system in Top-of-the-World.
- (M-WS2). Include mitigation requiring replacement of affected residential wells, with Resolution Copper funding assurance. Develop mitigation to monitor drinking water wells and provide contingency for alternative water sources.
- (M-WS4). Develop monitoring and mitigation measures that protect the resources of the Arboretum including RCM's provision for a secondary water source for the Arboretum to ensure preservation of well water levels and water quality in the event of emergencies.

## Water – Compensatory; In-Lieu Mitigation; Queen Creek

- (M-W2). Implement of the strategies developed in the 1999 Restoration and Management Plan for Queen Creek and subsequent action plans developed by the Town of Superior.
- (M-W3). Review opportunities for in lieu compensation for impacted WOUS. Develop water resource mitigation that considers the relative ecological value of impacted waters, with habitat replacement occurring in closer proximity to impacted areas.
- (M-W16). Include mitigation requiring water levels be maintained at current levels, and replacement of water lost in fractured Queen Creek bed by pumping water into Queen Creek above Magma Bridge.

## Water – Monitoring

- (M-W5). Develop mitigation specifying that any water quality impacts trigger mine operation shutdown.
- (M-W20). Water quality monitoring should remain in place until impacts are no longer measured - plus 15 additional years.

- (M-W6). Make water quality monitoring data publicly available on a website.
- (M-W21). Ensure that sampling is completed when streams are flowing.
- (M-W7). Commit to continuing the Community Monitoring Program through development, operation and closure of the mine, and for some reasonable period of time thereafter. Expand the program as necessary to include members from affected communities, and water sampling from areas potentially affected by the Skunk Camp tailings site - if selected.
- (M-W8). Include mitigation and bonding to monitor tailings and water for "decades" after mine closure; include mitigation and bonding to monitor water loss or reductions post-closure.
- (M-W10). Monitor water quality every mile between the Project area [Skunk Camp] and the Gila River.

#### Water – Devil’s Canyon

- (M-W18). Mitigate the impacts of reduced runoff reaching Devil's Canyon to ensure no water loss; mitigate the impacts of reduced runoff reaching Devil's Canyon by bringing water to the canyon to preserve flow.

#### Wildlife – Plans

- (M-WL23). Develop Wildlife Management Plan in coordination with AGFD, USFWS and USFS biologists.
  - Concentrate on BMPs and site designs to minimize light pollution; traffic controls to reduce speed, and reduce dust; staff training to avoid wildlife collisions/mortality; and traffic management to reduce conflicts with local outdoor recreation.
  - Follow AGFD and FWS guidance for mitigation of impacts on wildlife.
  - Include measures in the Wildlife Plan and in App J of the DEIS to limit the spread of non-native, invasive plant species through landscaping with drought-tolerant species that are native to Arizona.
  - Include measures in the Wildlife Plan and in App J of the DEIS to minimize the potential introduction or spread of exotic invasive species, including aquatic and terrestrial plants, animals, insects and pathogens.
  - Include in the Wildlife Plan and App J of the DEIS: Artificial night lighting, which may be intensified by the collection mirrors, may attract insects and the species that prey on them (e.g. bats). It could also impair the ability of nocturnal animals to navigate, and may negatively affect reptile populations. It is recommended to use only the minimum amount of light needed for safety. Narrow spectrum bulbs should be used as often as possible to lower the range of species affected by lighting. All lighting should be shielded, canted, or cut to ensure that light reaches only areas needing illumination.
  - Include in the Wildlife Plan and in App J of the DEIS. "If trenching will occur, trenching and backfilling crews should be close together to minimize the amount of open trenches at any given time. Avoid leaving trenches open overnight. Where trenches

cannot be backfilled immediately, escape ramps should be constructed at least every 90 meters. Escape ramps can be short lateral trenches or wooden planks sloping to the surface. The slope should be less than 45 degrees (1:1). Trenches that have been left open overnight should be inspected and animals removed prior to backfilling."

#### Wildlife – Avian and Bat

- (M-WL1). Include criteria for electrocution and bird strike prevention to Appendix J CA-185.
- (M-WL3). To mitigate impacts to migratory and breeding birds, initiate construction outside breeding periods for species that use Saguaros (SGCN: elf owl, Gila woodpecker, gilded flicker, white-winged dove).
- (M-WL36). Develop an Avian and Bat Protection Plan in coordination with AGFD.
- (M-WL4). Mitigate impacts to avian species by using existing transmission lines and access routes for construction, and installing and maintaining power line facilities in a way that will reduce raptor collisions and electrocution.
- (M-WL5). Construction should be initiated outside of the breeding season for most bats.
- (M-WL37). Buffers around bat hibernacula based on wind direction patterns, adjacent land use, and surrounding vegetation should be maintained.
- (M-WL7). Conduct pre-closure [bat] surveys multiple years and visits/year to document species presence/absence and develop appropriate closure methods in coordination with AGFD, BCI and USFS biologists.
- (M-WL38). Implement wildlife exclusion measures pre-closure to minimize wildlife entrapment and mortality during closure; consider seasonal timing of closure on any sites with potential maternity roosts.

#### Wildlife – Aquatics

- (M-WL2). Develop an "Aquatic Species and Habitat Biomonitoring and Response Strategy" (physical and chemical parameters) for incorporation into the EIS.
- (M-WL35). Add language specific to preventing loss of riparian habitat for power lines and the pipeline to Appendix J CA-187.

#### Wildlife – Lighting

- (M-WL11). Use all possible methods to minimize light impacts, including downward-pointing lighting; reduce lighting around complex.
- (M-WL14). Lighting should be reduced in flyways to prevent potential impacts to foraging behavior.

#### Wildlife – Enclosures

- (M-WL25). Include escape ramps, hazing, and monitoring of site for any mortality along with exclusion fencing for any ponds.

- (M-WL28). Develop an effective bird hazing protocol to prevent avian exposure to acidified and metalliferous waters.

#### Wildlife – Species-specific mitigations

- (M-WL30). Capture and relocate endangered animals.
- (M-WL31). Include mitigation stating that handling and transportation of Sonoran Desert tortoise and Gila monster will only be conducted by a trained biological monitor.
- (M-WL32). Work with AGFD to develop and implement kit fox mitigation plan.
- (M-WL33). Include mitigation to address impacts to burrowing owls, following AGFD guidance.
- (M-WL34). Ensure that Reptile and Sonoran Desert Tortoise Plan measures are taken, it should be made clear that even though it may be a voluntary agreement, due to the Forest requirements, it will be assured.

**ATTACHMENT 3 – CONSOLIDATED MITIGATION LIST  
PROVIDED TO RESOLUTION COPPER – MAY 2020**



## SUPPLEMENTAL MITIGATION PROPOSALS FROM DRAFT EIS PUBLIC COMMENTS

MAY 4, 2020

### Overview

On March 5, 2020 a list was provided to Resolution Copper containing a series of 85 mitigation suggestions gleaned from roughly 361 individual public comments on the Draft EIS. Those comments were identified from the initial codes assigned by the comment analysis team.

The public comments have been re-screened in preparation to drafting the responses to comments. An additional 74 comments were identified that potentially contained mitigation suggestions that had not been captured in the March 5 list. The suggestions from these additional comments are provided below.

An additional 58 mitigation suggestions have been identified. In many cases, these additional suggestions are related to mitigation suggestions provided on March 5. Where this is the case, the original suggestion has been noted.

- General monitoring and reporting (3 proposals)
- Air quality (2 proposals)
- Cultural resources (2 proposal)
- Environmental justice (1 proposal)
- Lands (9 proposals)
- Noise (1 proposal)
- Public Health & Safety (6 proposals)
- Recreation (6 proposals)
- Recreation – Arizona National Scenic Trail (4 proposals)
- Socioeconomic (4 proposals)
- Vegetation (1 proposal)
- Water Supply (6 proposals)
- Water –Queen Creek (1 proposal)
- Water – Monitoring (1 proposal)
- Water – Devil’s Canyon (2 proposals)
- Wildlife – Plans (4 proposals)
- Wildlife – Avian and Bat (3 proposals)
- Wildlife – Aquatics (1 proposal)
- Wildlife – Species-specific mitigations (1 proposal)

## General Monitoring and Reporting

- (M-G5). Mitigation plans should force a cessation of mining activities until problems are fixed.

*Notes: 1) The comment points to a variety of resources this would apply to, including air quality, water quality, wildlife corridors, and resident and migrating wildlife species;*

*2) We recognize that triggers/actions are likely to be defined primarily by state permitting requirements for air quality and water quality; and*

*3) With respect to water supply and subsidence, in particular, the ongoing workgroup discussions have (or will) include discussion of the question of appropriate triggers, including cessation of mining.*

- (M-G6). Request to take all measures possible to identify and mitigate any public health and safety, water resource, socioeconomic, and quality-of-life impacts of concern to Kearny, Winkelman, Dripping Springs, and other locations in Gila County.
- (M-G7). This comment is being provided in its entirety, as the best way to convey the request. Emphasis from original.

*“Require a 5 BILLION DOLLAR non-refundable cash deposit, paid in full, to be held by a specific United States agency to be used for the following. Payments from interest of the sum to be dispersed on a bi-annual basis to the affected parties/entities from the mine's operation. These payments would be made on an equitable basis depending on need, size of entity, property at stake/risk, etc. These entities could be the Town of Superior/residents, Native American Tribes, residents of Oak Flat/Top of the World, Queen Valley, Pinal County, USFS and Tonto National Forest, etc. These payments would not take the place of any other mitigations but would be over and above. At the end of the mine's operation the principal would be used as additional funds for clean up and restoration of the area and other payments to affected entities. Obviously this proposal would require more detail than I may provide in this comment section. At the end of the mine's operation, title/deed/ownership of the land originally involved in the land swap would automatically revert back to it's original owners for a token payment amount of the smallest amount possible to make the swap legal. I propose \$1.00. The 5 Billion Dollar deposit would be required before any further mining operations would be allowed to continue. Given profit statements, fund dispersed to shareholders, operating capital, etc, this amount should not be considered excessive by any means.”*

## Air Quality

- (M-AQ4). The length of the overland portion of the conveyor at the West Plant Site should be minimized and enclosed to reduce possible dust in the area.
- (M-AQ5). The stockpiled ore needs to be enclosed (as opposed to "covered") to reduce dust in the area.

## Cultural Resources

The development of cultural and tribal mitigations is being undertaken through a separate and extensive process, both through Section 106 consultation and separate discussions as required under the NDAA. Very few of the ideas currently being developed arose from the public comments.

- (M-C4). Provide jobs for tribal members through the tribal monitoring program.
- (M-C5). Allow unfettered access to Emory Oak resources.

## Environmental Justice

- (M-EJ1). Provide a reasonable and reasonably complete suite of plans and options to avoid and mitigate the adverse impacts on environmental justice communities.

*Notes: 1) It is recognized that this mitigation suggestion is too generic to be directly actionable; and 2) that many of the specific socioeconomic mitigation suggestions possibly are pertinent to environmental justice communities. However, this suggestion has been included in order to identify that mitigating impacts to environmental justice communities in particular were a focus of the public comments.*

## Lands

The March 5 list of mitigation suggestions included item M-L1, calling for a partnership with The Nature Conservancy for management of 7B Ranch. The following include more specific requests from letter from The Nature Conservancy (Letter 1137) and Audubon Arizona (Letter 1441).

- (M-L10). Staff a position with a new BLM employee, preferably operating somewhere in the greater San Pedro Watershed.
- (M-L11). Develop a strategy (prior to FEIS) to facilitate Interior's assumption of management of 7B Ranch and Appleton Ranch.
- (M-L7). Fencing repair and replacement, and additional cultural site fencing.
- (M-L8). Retire degraded irrigation ditches and berms; remove dilapidated structures and access roads.
- (M-L9). Undertake bosque restoration prior to BLM assuming ownership.

The March 5 list of mitigation suggestions also included Item M-L4, calling for additional acreage within the lower San Pedro watershed be obtained to achieve a "no net loss" in habitat value. The BHP "Broken Hills Property" was one specific suggestion. Below are additional related suggestions.

- (M-L12). Restoration and Enhancement of H&E Farm property owned by The Nature Conservancy.
- (M-L13). Specific to the BHP Property: 1) protection of riparian forest, wetlands, and springs; 2) restricting development of these areas; 3) limiting water use and/or withdrawals; 4) active

management of this property for wildlife; and 5) partnering with conservation organizations to hold and manage these lands in fee or hold conservation easements.

- (M-L14). Address the tailings at the Grand Reef Mine.
- (M-L15). Set up an endowment to fund long-term management of the Lower San Pedro River sites, as well as the Appleton Ranch parcel, by non-profits. These sites would not have sufficient funding for a federal agency to manage them for ecological purposes.

### Noise

- (M-N4). Mitigate noise to residents along Dripping Springs Road.  
*Note: This is a more specific version of M-N2 from the March 5 mitigation list.*

### Public Health & Safety

- (M-PH10). The subsidence area boundary should be fenced off to prevent cattle from entering the area if there is a safety hazard to the mine or the livestock.
- (M-PH6). All components of the pipeline should be engineered and constructed pursuant to best management practices to reduce the possibility of a breach or spill occurring on Arizona State Trust land. These design methods may include using thick single-walled or double-walled pipe sections lined with high-density polyethylene, installing a comprehensive pipeline monitoring network, and peer-review of the construction and design.
- (M-PH7). Continue ITRB reviews with public transparency through subsequent design, construction, operations, and closure of the selected tailings alternative.
- (M-PH8). Address potential rock/boulder slide that sits on the northern slope of the mountain between Milepost 228, going east to Queen Creek Tunnel.  
*Note: This comment was specifically brought forward through the Subsidence/Geology/Seismic workgroup, for consideration in the revised Subsidence Monitoring Plan.*
- (M-PH9). Subsidence monitoring should be made available in real-time through a website.  
*Note: This comment is similar to item M-G1 brought forward in the March 5 mitigation list.*
- (M-PH11). Conduct InSAR monitoring of any areas of potential subsidence, including the Oak Flat area and Desert Wellfield area.  
*Note: Remote sensing of subsidence has already been conducted at Oak Flat and has been brought forward through the Subsidence/Geology/Seismic workgroup, for consideration in the revised Subsidence Monitoring Plan. The potential to use InSAR also has been raised in the context of the Desert Wellfield potential subsidence and may be further discussed with the Water Resources Workgroup.*

## Recreation

- (M-R31). Access routes established for the tailings pipeline corridor should remain open to the public for access to the east side of Oak Flat so long as the access does not interfere with operations or public and worker safety.  
*Note: This is related to items M-R23 and M-R24 from the March 5 mitigation list.*
- (M-R33). For climbing, replacement of the USFS roads that are lost with reasonable alternative alignments/replacements and improvements. Specific reference to Upper and Lower Devils Canyon, the Mine Area and Apache Leap. Include parking lots and trailheads along with the roads.  
*Note: This is related to items M-R8 and M-R9 from the March 5 mitigation list.*
- (M-R34). Further details are requested on the Inconceivables mitigation potential.  
*Note: This is related to items M-R8 and M-R9 from the March 5 mitigation list.*
- (M-R35). Identify funding strategies for the Superior Trail Network.  
*Note: This is related to item M-R18 from the March 5 mitigation list.*
- (M-R36). Keep the Hackberry Creek off-road trail open.
- (M-R37). With respect to measure RC-216 (page J-17 in DEIS: “Develop access to Oak Flat Campground while safe per MSHA regulations”): Include alternative vehicular access for parking and trails to Devils Canyon on Forest Service lands upstream of the Grotto area as a part of access mitigation.

## Recreation – Arizona National Scenic Trail

- (M-RAZ1). If the pipelines cross over the AZNST they should contain sound deadening materials.
- (M-RAZ2). Further details are needed for the crossings of the AZNST by any project components; with respect to crossings of the MARRCO Corridor, formally grant permission for users of AZNST to cross the corridor.
- (M-RAZ3). Incorporate construction measures into any road crossings, pipeline crossings, or reroutes of the AZNST to minimize impediments to trail use and minimize visual impacts on trail users.
- (M-RAZ4). Any construction closures should not last longer than one hour if there are AZNST users waiting to continue, and safety procedures must be a high priority.

## Socioeconomics

- (M-S26). Compensatory mitigation for reduced property values (applies to impacts from water supply impacts from water quantity or water quality changes, impacts from traffic, and impacts from proximity to tailings/mine facilities).

- (M-S27). Establish a fund with a percentage of profits to the Town of Superior, as Superior will be impacted the most by the mine, but receives no or little tax income.  
*Note: This is related to a number of items on the March 5 mitigation list, including M-S13 and M-S15.*
- (M-S28). With respect to ranching impacts, develop timely, economically viable alternatives for the ranchers who want it.
- (M-S29). Establish a longer-term agreement or an education to offset this loss of funding to schools.  
*Note: This is related to item M-S10 on the March 5 mitigation list.*

### Vegetation

- (M-V4). From AGFD: comply with the Arizona Native Plant Law regulations. Determine if a Native Plant Inventory should be conducted to identify, record, and coordinate plant salvage efforts for species that are Protected under the Arizona Native Plant Law.

### Water Supply

A number of additional comments are related to the potential mitigation to replace residential wells if impacted by drawdown (item M-WS2 on the March 5 mitigation list). Note that these comments are also slated to be part of the discussion on mitigation and monitoring that will take place with the Water Resources Workgroup.

- (M-W22). Ensure that mitigation of water supplies replaces the full value of what is lost (“restitution” is the term used by the commenter); is fully funded and in place prior to loss of water supply to avoid delays; and has clear triggers with data gathered relative to possibly affected wells provided to ADWR, Forest Service, the well owners, the Town of Superior, and Top-of-the World on an annual basis.
- (M-W23). The water supply mitigation agreed to right now is specific to possible drawdown impacts the mine site. Additional requests were made by the public for similar mitigation to be put in place near the Desert Wellfield (due to drawdown impacts), and residents along Dripping Springs Wash (due to water quality impacts).
- (M-W24). The mitigation should be extended to include not just replacement of water supplies, but compensation for other impacts due to groundwater drawdown, such as increased pumping costs.
- (M-W27). Financial resources should be set aside to mitigate the impact of land subsidence due to groundwater pumping.
- (M-W31). Partially mitigate impacts by withdrawing the Phoenix AMA Long-term storage credits from within the Area of Impact of storage.
- (M-W32). Arizona Water Company requests that appropriate funding or bonding be in place to ensure the project will not cause any significant water level declines or water quality impacts.

### Water – Queen Creek

- (M-W33). Place new shafts and exhaust raises well away from the centerline of Queen Creek by an appropriate distance, say 500 feet.

*Note: This mitigation suggestion is related to M-W16 from the March 5 mitigation list, which is concerned about lost water in Queen Creek due to fracturing.*

### Water – Monitoring

A number of additional comments are related to the potential monitoring and mitigation of GDEs. Note that these comments are also slated to be part of the discussion on mitigation and monitoring that will take place with the Water Resources Workgroup.

- (M-W28). More detail is needed in the monitoring and mitigation plan, including:
  - Exactly how we intend to differentiate the impacts from mine dewatering from other variables
  - Whether GDEs reliant on shallow fracture flow (as determined by the Forest Service for the DEIS) would be exempt from monitoring and mitigation requirements.
  - Clear quantitative triggers for each GDE (i.e., groundwater decline of greater than X feet over Y monitoring events).

### Water – Devil’s Canyon

- (M-W26). Divert existing flows across the subsidence area around or away from this site, to preserve downstream flows, if possible.  
*Note: This is related to item M-W18 from the March 5 mitigation list.*
- M-W30). More specifics are needed for mitigation and avoidance at crossings of Devils Canyon for Alternative 6 pipeline routes (north and south).

### Wildlife – Plans

A number of measures were previously captured under the overarching requirement to develop a Wildlife Management Plan (M-WL23) in the March 5 mitigation list. The comments below likely fall under the same category.

- (M-WL39). From AGFD: 1) consider referencing the ERT and clarify ERT reports will be updated every 6 months to ensure the latest conditions/species are assessed over the life of the project; 2) consider coordinating with the Project Evaluation Program before, during, and after construction to assist with mitigation.
- (M-WL41). From AGFD: develop an Aquatic Species and Habitat Biomonitoring and Response Strategy (detailing physical and chemical parameters to sample)
- (M-WL45). From AGFD: consider the need, intensity, direction, duration, and spectrum of lighting. Options to consider include: eliminate any upward facing lights, use minimum needed for safety, shield, canter or cut lighting to ensure light only reaches areas needing illumination

and reduce glow, light only high stretches of roads (i.e. crossings, etc.), do not install lighting in areas of wildlife linkage or connectivity.

*Note: This item is also related to item M-WL11 from the March 5 mitigation list.*

- (M-WL47). From AGFD: continue collaboration on a voluntary compensatory plan, beyond what is legally mandated, to achieve a no net loss of habitat.

#### Wildlife – Avian and Bat

- (M-WL42). From AGFD: Conduct nesting bird surveys no later than one week prior to any disturbance. The description of actions to be taken should include procedures for what to do if an active nest is discovered. In addition, if adult birds are present and nesting, ground and vegetation disturbing activities must be avoided until the young have fledged.

*Note: This item is related to items M-WL36 and M-WL3 from the March 5 mitigation list.*

- (M-WL43). From AGFD: Mitigate loss of habitat for bats, specifically roosting/maternity roost areas. Identify mines/adits/shafts with known bat roosting areas. If activities are adjacent to bat roosting/maternity sites, develop BMPs to reduce human encroachment.

*Note: This item is related to item M-WL7 from the March 5 mitigation list.*

- (M-WL45). From AGFD: Identify the actions to be taken if a new breeding pair of Golden Eagles appears in the project vicinity.

#### Wildlife – Aquatics

- (M-WL40). Stock tanks should be surveyed to determine what species are impacted and a mitigation plan should be developed if T&E species are identified.

#### Wildlife – Species-specific mitigations

- (M-WL49). Provide more detail on “establishing tortoise crossings for concentrate and tailings pipeline corridors in areas containing habitat” (Applicant-Committed Environmental Protection Measures, Section 3.8, DEIS p. 458).



**ATTACHMENT 4 – SUMMARY OF RESOLUTION COPPER  
RESPONSES TO CONSOLIDATED MITIGATION LISTS**

Mitigation Measure	Date submitted to RCM	Resolution Copper Submittal	New Resolution Copper Mitigation or ACEPM Commitment/ Included in FEIS	No new Resolution Copper commitment/ Covered or partially covered by existing ACEPMs, mitigations, regulations, or design features	No new Resolution Copper commitment	Description of New Commitment included in Appendix J
M-AQ1	Mar 2020	8/31/20 (Part 1)	X			SRP Solar Participation Agreement [RC-AQ-01]
M-AQ4	May 2020	8/31/20 (Part 1)			X	
M-AQ5	May 2020	8/31/20 (Part 1)		X		
M-C1	Mar 2020	8/31/20 (Part 1)	X (PA measure)	X		Community Development Fund [FS-SO-01]
M-C4	May 2020	8/31/20 (Part 1)	X (PA measure)			Establish foundations for long-term funding, including the Tribal Monitor Program [FS-SO-02]
M-C5	May 2020	8/31/20 (Part 1)	X (PA measure)			Emory Oak Collaborative Tribal Restoration Initiative [FS-CR-05]
M-EJ1	May 2020	8/31/20 (Part 1)		X		
M-G1	Mar 2020	8/31/20 (Part 1)			X	Create and maintain a public information repository [PF-WR-01]
M-G2	Mar 2020	8/31/20 (Part 1)		X		Maintain existing hotline for complaints [RC-PH-04]
M-G3	Mar 2020	8/31/20 (Part 1)			X	
M-G5	May 2020	8/31/20 (Part 1)		X		
M-G6	May 2020	8/31/20 (Part 1)		X		
M-G7	May 2020	8/31/20 (Part 1)		X		
M-L1	Mar 2020	8/31/20 (Part 1)	X (404 CMP measure)			404 Compensatory Mitigation Plan (specifically H&E parcel) [FS-WR-02]
M-L2	Mar 2020	8/31/20 (Part 1)			X	Purchase lands in “the Preserve” [PF-RC-01]

Mitigation Measure	Date submitted to RCM	Resolution Copper Submittal	New Resolution Copper Mitigation or ACEPM Commitment/ Included in FEIS	No new Resolution Copper commitment/ Covered or partially covered by existing ACEPMs, mitigations, regulations, or design features	No new Resolution Copper commitment	Description of New Commitment included in Appendix J
M-L3	Mar 2020	8/31/20 (Part 1)			X	
M-L4	Mar 2020	8/31/20 (Part 1)	X (404 CMP measure)			404 Compensatory Mitigation Plan (specifically H&E parcel) [FS-WR-02]
M-L7	May 2020	8/31/20 (Part 1)	X			Interim management of 7B Ranch by TNC [RC-SV-04]
M-L8	May 2020	8/31/20 (Part 1)		X		
M-L9	May 2020	8/31/20 (Part 1)	X			Interim management of 7B Ranch by TNC [RC-SV-04]
M-L10	May 2020	8/31/20 (Part 1)			X	
M-L11	May 2020	8/31/20 (Part 1)	X			Interim management of 7B Ranch by TNC [RC-SV-04]
M-L12	May 2020	8/31/20 (Part 1)	X (404 CMP measure)			404 Compensatory Mitigation Plan (specifically H&E parcel) [FS-WR-02]
M-L13	May 2020	8/31/20 (Part 1)			X	
M-L14	May 2020	8/31/20 (Part 1)			X	
M-L15	May 2020	8/31/20 (Part 1)	X			Interim management of 7B Ranch by TNC [RC-SV-04]
M-N1	Mar 2020	8/31/20 (Part 1)			X	
M-N2/M-N4	Mar 2020; May 2020	8/31/20 (Part 1)	X			Dripping Springs Wash Road mitigations [RC-NV-01]
M-N3	Mar 2020	8/31/20 (Part 1)			X	
M-PH1	Mar 2020	8/31/20 (Part 1)		X		
M-PH2	Mar 2020	8/31/20 (Part 1)		X		
M-PH3	Mar 2020	8/31/20 (Part 1)		X		

Mitigation Measure	Date submitted to RCM	Resolution Copper Submittal	New Resolution Copper Mitigation or ACEPM Commitment/ Included in FEIS	No new Resolution Copper commitment/ Covered or partially covered by existing ACEPMs, mitigations, regulations, or design features	No new Resolution Copper commitment	Description of New Commitment included in Appendix J
M-PH5	Mar 2020	8/31/20 (Part 1)		X		
M-PH6	May 2020	8/31/20 (Part 1)	X			Skunk Camp Pipeline Protection and Integrity Plan [FS-PH-03]
M-PH7	May 2020	8/31/20 (Part 1)	X			Adhere to Global Tailings Standard [RC-PH-05]
M-PH8	May 2020	8/31/20 (Part 1)		X		
M-PH9	May 2020	8/31/20 (Part 1)		X		
M-PH10	May 2020	8/31/20 (Part 1)	X			Revised Reclamation and Closure Plans [FS-SV-03]
M-PH11	May 2020	8/31/20 (Part 1)	X			Subsidence Monitoring Plan [FS-GS-01]
M-R1/M-R2	Mar 2020	8/31/20 (Part 1); 8/21/20 (Castleberry)	X (PA measure)			Establish an alternative campground site (Castleberry) to mitigate the loss of Oak Flat Campground [FS-RC-04]
M-R3	Mar 2020	8/31/20 (Part 1)			X	
M-R5	Mar 2020	8/31/20 (Part 1)			X	
M-V4	May 2020	8/31/20 (Part 1); 8/21/20 (AGFD)		X		
M-WL1	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)	X (WMP measure)			Revised Wildlife Management Plan [FS-WI-01]
M-WL2/M-WL41	Mar 2020; May 2020	8/31/20 (Part 1); 8/21/20 (AGFD)		X		
M-WL3	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)	X (WMP measure; Section 7 measure)			Revised Wildlife Management Plan [FS-WI-01]

Mitigation Measure	Date submitted to RCM	Resolution Copper Submittal	New Resolution Copper Mitigation or ACEPM Commitment/ Included in FEIS	No new Resolution Copper commitment/ Covered or partially covered by existing ACEPMs, mitigations, regulations, or design features	No new Resolution Copper commitment	Description of New Commitment included in Appendix J
M-WL4	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)	X (WMP measure)			Revised Wildlife Management Plan [FS-WI-01]
M-WL5	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)		X		
M-WL7	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)		X		
M-WL11/M-WL45	Mar 2020; May 2020	8/31/20 (Part 1); 8/21/20 (AGFD)	X (WMP measure)			Revised Wildlife Management Plan [FS-WI-01]
M-WL14	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)	X (WMP measure)			Revised Wildlife Management Plan [FS-WI-01]
M-WL23	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)	X (WMP measure)			Revised Wildlife Management Plan [FS-WI-01]
M-WL25	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)	X (WMP measure)			Revised Wildlife Management Plan [FS-WI-01]
M-WL28	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)	X (WMP measure)			Revised Wildlife Management Plan [FS-WI-01]
M-WL30	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)			X	
M-WL31	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)		X		
M-WL32	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)	X (WMP measure)			Revised Wildlife Management Plan [FS-WI-01]
M-WL33	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)		X		

Mitigation Measure	Date submitted to RCM	Resolution Copper Submittal	New Resolution Copper Mitigation or ACEPM Commitment/ Included in FEIS	No new Resolution Copper commitment/ Covered or partially covered by existing ACEPMs, mitigations, regulations, or design features	No new Resolution Copper commitment	Description of New Commitment included in Appendix J
M-WL34	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)	X (WMP measure)			Reptile and Sonoran Desert Tortoise (ESA-CCA) Plan [FS-WI-02]
M-WL35	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)		X		
M-WL36	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)	X (WMP measure)			Revised Wildlife Management Plan [FS-WI-01]
M-WL37	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)		X		
M-WL38	Mar 2020	8/31/20 (Part 1); 8/21/20 (AGFD)		X		
M-WL39	May 2020	8/31/20 (Part 1); 8/21/20 (AGFD)			X	
M-WL40	May 2020	8/31/20 (Part 1); 8/21/20 (AGFD)		X		
M-WL42	May 2020	8/31/20 (Part 1); 8/21/20 (AGFD)	X (Section 7 measure)			Revised Wildlife Management Plan [FS-WI-01]
M-WL43	May 2020	8/31/20 (Part 1); 8/21/20 (AGFD)		X		
M-WL47	May 2020	8/31/20 (Part 1); 8/21/20 (AGFD)			X	Voluntary achievement of “no net loss” of habitat [PF-WI-01]
M-WL49	May 2020	8/31/20 (Part 1); 8/21/20 (AGFD)	X (WMP measure; Section 7 measure)			Revised Wildlife Management Plan [FS-WI-01]
M-R8/M-R9/M-R33	Mar 2020; May 2020	9/2/20 (Part 2); 9/10/20 (Climbing Plan)	X			Mitigation for impacts on climbing resources [RC-RC-05]

Mitigation Measure	Date submitted to RCM	Resolution Copper Submittal	New Resolution Copper Mitigation or ACEPM Commitment/ Included in FEIS	No new Resolution Copper commitment/ Covered or partially covered by existing ACEPMs, mitigations, regulations, or design features	No new Resolution Copper commitment	Description of New Commitment included in Appendix J
M-R13	Mar 2020	9/2/20 (Part 2)			X	
M-R14	Mar 2020	9/2/20 (Part 2); 8/21/20 (Castleberry)	X			Mitigation for adverse impacts to recreational trails (Forest multi-use trail plan) [FS-RC-03] Establish an alternative campground site (Castleberry) to mitigate the loss of Oak Flat Campground [FS-RC-04] Resolution Copper social investment program [RC-SO-04]
M-R17	Mar 2020	9/2/20 (Part 2)	X			Mitigation for adverse impacts to recreational trails (Forest multi-use trail plan) [FS-RC-03]
M-R18	Mar 2020	9/2/20 (Part 2)	X (404 CMP measure)			404 Compensatory Mitigation Plan (specifically Queen Creek parcel) [FS-WR-02]
M-R19	Mar 2020	9/2/20 (Part 2)	X			Mitigation for adverse impacts to recreational trails (Forest multi-use trail plan) [FS-RC-03]
M-R20	Mar 2020	9/2/20 (Part 2)	X			Mitigation for adverse impacts to recreational trails (Forest multi-use trail plan) [FS-RC-03]

Mitigation Measure	Date submitted to RCM	Resolution Copper Submittal	New Resolution Copper Mitigation or ACEPM Commitment/ Included in FEIS	No new Resolution Copper commitment/ Covered or partially covered by existing ACEPMs, mitigations, regulations, or design features	No new Resolution Copper commitment	Description of New Commitment included in Appendix J
M-R23	Mar 2020	9/2/20 (Part 2)	X			Mitigation for adverse impacts to recreational trails (Forest multi-use trail plan) [FS-RC-03] Mitigation for impacts on climbing resources [RC-RC-05] Replace access if Forest Road 2438 is closed due to subsidence [PF-TA-01]
M-R24	Mar 2020	9/2/20 (Part 2)		X		
M-R26	Mar 2020	9/2/20 (Part 2)			X	
M-R27	Mar 2020	9/2/20 (Part 2)			X	Fund extension of the LOST Queen Creek segment [PF-RC-03]
M-R28	Mar 2020	9/2/20 (Part 2)			X	
M-R31	May 2020	9/2/20 (Part 2)		X		
M-R34	May 2020	9/2/20 (Part 2); 10/2/20 (Inconceivables Access Plan)	X			Mitigation for impacts on climbing resources [RC-RC-05]
M-R35	May 2020	9/2/20 (Part 2)	X			Mitigation for adverse impacts to recreational trails (Forest multi-use trail plan) [FS-RC-03]
M-R36	May 2020	9/2/20 (Part 2)			X	



Mitigation Measure	Date submitted to RCM	Resolution Copper Submittal	New Resolution Copper Mitigation or ACEPM Commitment/ Included in FEIS	No new Resolution Copper commitment/ Covered or partially covered by existing ACEPMs, mitigations, regulations, or design features	No new Resolution Copper commitment	Description of New Commitment included in Appendix J
M-R37	May 2020	9/2/20 (Part 2); 9/10/20 (Climbing Plan)	X			Mitigation for impacts on climbing resources [RC-RC-05] Replace access if Forest Road 2438 is closed due to subsidence [PF-TA-01]
M-RAZ1	May 2020	9/2/20 (Part 2)		X		
M-RAZ2	May 2020	9/2/20 (Part 2)	X (RUP measure)			Revised Road Use Plan [FS-TA-01]
M-RAZ3	May 2020	9/2/20 (Part 2)	X (RUP measure)			Revised Road Use Plan [FS-TA-01]
M-RAZ4	May 2020	9/2/20 (Part 2)	X (RUP measure)			Revised Road Use Plan [FS-TA-01]
M-S1	Mar 2020	9/2/20 (Part 2)	X			Establish a regional economic development entity for Copper Triangle communities (Superior, Hayden, Winkelman, Kearney) [RC-SO-03]
M-S6	Mar 2020	9/2/20 (Part 2)			X	Develop MARRCO Corridor for tourism; reactivate rail [PF-RC-02]
M-S8	Mar 2020	9/2/20 (Part 2)		X		
M-S10	Mar 2020	9/15/20 (Part 3)			X	
M-S11	Mar 2020	9/15/20 (Part 3); 6/19/20 (Cost/Benefit table)	X			Agreement with Town of Superior to cover direct costs [RC-SO-06]
M-S13	Mar 2020	8/31/20 (Part 1-C13); 9/15/20 (Part 3)	X			Establish a regional economic development entity for Copper Triangle communities (Superior, Hayden, Winkelman, Kearney, and Globe/Miami) [RC-SO-03]

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M-S15	Mar 2020	9/15/20 (Part 3)			X	
M-S17	Mar 2020	9/15/20 (Part 3)	X			Continue funding Community Working Group [RC-SO-05]
M-S18	Mar 2020	9/15/20 (Part 3)			X	
M-S20	Mar 2020	9/15/20 (Part 3)	X			Mitigation for public access to JI Ranch through Arizona Game and Fish cooperative agreement [RC-RC-06]
M-S21	Mar 2020	9/15/20 (Part 3)	X			Commitment to continue and possibly expand existing apprenticeship program [PF-SO-02]
M-S22	Mar 2020	9/15/20 (Part 3)	X	X		Establish a regional economic development entity for Copper Triangle communities (Superior, Hayden, Winkelman, Kearney, and Globe/Miami) [RC-SO-03]
M-S23	Mar 2020	9/15/20 (Part 3)		X		
M-S26	May 2020	9/15/20 (Part 3)			X	Mitigation for reduction in property values [PF-SO-01]
M-S27	May 2020	9/15/20 (Part 3)	X	X		Establish a regional economic development entity for Copper Triangle communities (Superior, Hayden, Winkelman, Kearney, and Globe/Miami) [RC-SO-03]
M-S28	May 2020	9/15/20 (Part 3)	X			Mitigation for impacts to ranching and grazing leases [RC-LG-01]

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M-S29	May 2020	9/15/20 (Part 3)		X		
M-T3	Mar 2020	9/15/20 (Part 3)	X	X		Dripping Springs Wash Road mitigations [RC-NV-01]
M-T5	Mar 2020	9/15/20 (Part 3)			X	
M-V1	Mar 2020	9/15/20 (Part 3)		X		
M-V2	Mar 2020	9/15/20 (Part 3)			X	
M-V3	Mar 2020	9/15/20 (Part 3)	X			Revised Reclamation and Closure Plans [FS-SV-03]
M-S4	Mar 2020	9/21/20 (Part 3)			X	
M-W2	Mar 2020	10/16/20 (Part 4)	X (404 CMP measure)			404 Compensatory Mitigation Plan (specifically Queen Creek parcel) [FS-WR-02]
M-W5	Mar 2020	10/16/20 (Part 4); 10/22/20 (Part 4)			X	
M-W6	Mar 2020	10/16/20 (Part 4)			X	Create and maintain public information repository [PF-WR-01]
M-W7	Mar 2020	10/16/20 (Part 4)	X			Continue funding Community Working Group [RC-SO-05]
M-W8	Mar 2020	10/16/20 (Part 4)		X		
M-W10	Mar 2020	10/16/20 (Part 4)	X			Skunk Camp Water Quality Monitoring Plan [RC-WR-03]
M-W18	Mar 2020	10/16/20 (Part 4)		X		
M-W20	Mar 2020	10/16/20 (Part 4)		X		
M-W21	Mar 2020	10/16/20 (Part 4)		X		

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M-W22	May 2020	10/16/20 (Part 4)		X		
M-W23	May 2020	10/16/20 (Part 4)		X		
M-W24	May 2020	10/16/20 (Part 4)		X		
M-W26	May 2020	10/16/20 (Part 4)	X			Divert existing flows across the subsidence area to preserve downstream flows [PF-WR-02]
M-W27	May 2020	10/16/20 (Part 4)			X	
M-W28	May 2020	10/16/20 (Part 4); 9/1/20 (GDE plan)	X			Revised 2020 Monitoring and Mitigation for Groundwater Dependent Ecosystems and Wells [FS-WR-1]
M-W30	May 2020	10/16/20 (Part 4)	X			Skunk Camp Pipeline Protection and Integrity Plan [FS-PH-03]
M-W31	May 2020	10/16/20 (Part 4)			X	
M-W32	May 2020	10/22/20 (Part 4)			X	Mitigation of effects of water level declines [PF-WR-03]
M-W33	May 2020	10/16/20 (Part 4)		X		
M-WS2	Mar 2020	10/16/20 (Part 4)		X		
M-WS3	Mar 2020	10/16/20 (Part 4)		X		
M-WS4	Mar 2020	10/16/20 (Part 4)		X		
M-W16	Mar 2020	10/20/20 (Part 4)	X			Replacement of water in Queen Creek [FS-WR-04]

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TR-12 (Main Street/US 60 WB turn lane; traffic signal)		8/20/20			X	Mitigation for adverse impacts on existing transportation facilities [PF-TA-02]
Jl Ranch		8/25/20 (WestLand Jl Ranch memo)	X (Section 7 measure)			Jl Ranch [FS-SV-02]
PA measures		Final PA	X (PA measures)			Implementation of Oak Flat HPTP [FS-CR-01] GPO Research Design [FS-CR-02] Visual, Atmospheric, Auditory, Socioeconomic, and Cumulative Effects Mitigation Plan [FS-CR-03] Resource salvage [FS-SV-01] Emory Oak Collaborative Tribal Restoration Initiative [FS-CR-05] Tribal Cultural Heritage Fund [FS-CR-06] Establish foundations for long-term funding, including the Tribal Monitor Program [FS-SO-02]; Community Development Fund [FS-SO-01] Archaeological Database Funds [FS-CR-07] Access to Oak Flat Campground [FS-RC-02] Establish an alternative campground site (Castleberry) to mitigate the loss of Oak Flat Campground [FS-RC-04] Tribal Education Fund [FS-CR-08]

**ATTACHMENT 5 – RATIONALE FOR MITIGATION MEASURES  
DISMISSED BY FOREST SERVICE**

(M-G3). Post-mining monitoring should continue until impacts are no longer occurring, plus another 15 years.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: Post-closure monitoring is governed by several regulations, or these requirements are redundant with reclamation plans already in place.

(M-L3). Purchase a few hundred acres of private property to provide public access to 38 square miles of public land, including the Needles Eye Wilderness area, in Gila County on Route 77.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: Congressional intent was that the land exchange was to take place, and mitigation for any impacts caused by the exchange of land is not required; regardless, the Forest Service is already requiring a robust mitigation package that will offset recreational impacts associated with the loss of Federal land base upon which recreation can occur.

(M-N1). Require [construction] work be completed at night in order to reduce traffic relocations, thus reducing noise pollution.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: Requiring construction work at night might not effectively reduce either noise or traffic impacts and has the potential to even exacerbate impacts by causing more noise during nighttime hours.

(M-N3). With two trains arriving and departing at night, this has the potential to increase nighttime noise in and around Superior. Noise control measures should be incorporated into this option so that there is minimal noise increase.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: Train traffic through Superior would only take place under Alternative 4, or if that mine component were applied to another alternative. Currently, there is no strong reason or desire to apply the filter plant relocation to the preferred alternative. Therefore, these impacts would not occur under the preferred alternative.

(M-R3). Transfer Castleberry campground management to the Town of Superior.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: The Town of Superior has not expressed interest in this proposal. This mitigation applies to private lands and the decision of management of those lands lies with Resolution Copper. The Castleberry campground offsets impacts associated with recreation, but specific management of the campground has no effect on the mitigation benefit.

(M-R5). Develop new campground near small unmaintained road with a cattle guard near westbound U.S. Route 60 mile marker 230.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: Mitigation has already been proposed to offset the loss of camping opportunities and other recreational impacts; in addition, a campground at this location appears to be impracticable.

(M-R26). Allow recreational access to the Queen Creek Canyon segment of the LOST trail (old Highway 60) including the historic Queen Creek tunnel in perpetuity.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: This mitigation applies to private lands and the decision of management of those lands lies with Resolution Copper. Further, there appears to be no impact to offset, as the trail and tunnel are currently open and accessible.

(M-R28). Develop horse watering tanks with solar pumps along trails.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: This proposal would not mitigate a specific impact that is anticipated to occur because of the project. Mitigation has already been proposed to offset the loss of recreational opportunities, including equestrian activities.

(M-R13). The property on which the RUG trail system is located must either be bonded for full value against mineral exploration involving drilling or other disruption and mineral exploitation or the mineral rights must be signed over to the Town of Superior (i.e., Bronco Creek claims).

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: Mining claims on these lands are subject to mineral regulation, just as all other Forest Service lands not withdrawn from mineral entry. The Forest Service cannot compel divestment of mineral rights from one entity to another. Competing uses of the land would be determined between private parties or based on regulation and Forest management direction.

(M-S4). BHP to turn its Superior properties over to Superior to be incorporated into a land bank for additional housing options for local employees.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: Potential impacts to regional housing supplies are addressed through other mitigation measures. This mitigation applies to private lands and the decision of management of those lands lies with the private landowner.

(M-S10). Invest directly in the school system on a continual basis.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS



- Rationale: This mitigation proposal does not directly offset anticipated impacts. In addition, general socioeconomic impacts are addressed through a variety of other measures.

(M-S15). Bonding for potential socioeconomic impacts.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: Bonding or financial assurance is incorporated into a variety of other regulatory processes as described in detail in the EIS. There is no regulatory or legal basis to bond for general socioeconomic impacts.

(M-S18). Extend (as relevant) and negotiate new agreements with the Town of Superior to fund specific needs and projects based on mine development and operation impacts.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: Many financial impacts are already offset through agreements with the Town of Superior, and other regional funding mitigations. Extending these agreements may indeed occur but would be at the discretion of Resolution Copper.

(M-T5). Study the increased traffic, street maintenance, and public safety costs to the Town of Superior.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: Increases in street maintenance and public safety costs are already covered by agreements with the Town of Superior to directly offset Resolution-related costs. Other traffic impacts were remedied by changes in the mine site access. Potential mitigations with respect to traffic have been carried forward in appendix J of the FEIS, and these include future monitoring to assess impacts.

(M-V2). Plant native shrubbery and trees west of Apache Leap and east of Picketpost Mountain that would be equivalent to the loss of natural habitat in the Oak Flat region.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: Congressional intent was that the land exchange was to take place, and mitigation for any impacts caused by the exchange of land is not required; regardless, many aspects of the project design and mitigation will already replace habitat impacted by the mine, or will prevent impacts from occurring. This includes preventing riparian and aquatic impacts associated with springs and perennial streams through water replacement if needed, reestablishment of habitat through reclamation, new riparian habitat brought forward as part of the compensatory mitigation under the Section 404 permit, as well as the offered lands coming into Federal ownership that contain desirable habitat. Further, the wholesale planting of vegetation in the areas described is likely not appropriate for the land use or is impracticable.

(M-W5). Develop mitigation specifying that any water quality impacts trigger mine operation shutdown.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: Regulatory triggers will already be in place with respect to water quality monitoring and potential exceedances of water quality thresholds, through the Aquifer Protection Permit and Arizona Pollutant Discharge Elimination System permit. Even so, a blanket requirement to shut down the mine upon water quality exceedances may not be effective at mitigating impacts, and may even be detrimental (for instance, if seepage control pumps are shut down).

(M-WL30). Capture and relocate endangered animals.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: Capturing and relocating animals protected under the Endangered Species Act is not a legal activity under most circumstances and does not align with the intent of the Act or the outcomes of Section 7 consultation.

(M-AQ4). The length of the overland portion of the conveyor at the West Plant Site should be minimized and enclosed to reduce possible dust in the area.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: The length of the overland portion of the conveyor has already been minimized to the extent possible based on topographic constraints, and there are operational concerns with enclosing the conveyor. In addition, other emission reduction techniques are already being applied and are effective at maintaining air quality standards at the facility fence line.

(M-L10). Staff a position with a new Bureau of Land Management (BLM) employee, preferably operating somewhere in the greater San Pedro Watershed.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: Staffing a BLM position in southern Arizona does not offset any impacts associated with the Resolution Copper Project.

(M-L13). Specific to the BHP property: 1) protection of riparian forest, wetlands, and springs; 2) restricting development of these areas; 3) limiting water use and/or withdrawals; 4) active management of this property for wildlife; and 5) partnering with conservation organizations to hold and manage these lands in fee or hold conservation easements.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: This mitigation applies to private lands and the decision of management of those lands lies with the landowner. The impacts in question are already mitigated through the Section 404 Compensatory Mitigation Plan.

(M-L14). Address the tailings at the Grand Reef Mine.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: This mitigation applies to private lands and the decision of management of those lands lies with the landowner. The impacts in question are already mitigated through the Section 404 Compensatory Mitigation Plan.

(M-R36). Keep the Hackberry Creek off-road trail open.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: The location of this trail—between the subsidence crater and the boundary of the Apache Leap Special Management Area—likely makes it impracticable to keep open once operations begin.

(M-W27). Financial resources should be set aside to mitigate the impact of land subsidence due to groundwater pumping.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: Impacts from subsidence disclosed in the EIS do not anticipate large amounts of subsidence, nor is subsidence anticipated far from the Desert Wellfield pumping. The actual damages that this mitigation proposal would offset are not clear, as regional subsidence is slow, gradual, and does not necessarily lead to structural damage.

(M-W31). Partially mitigate impacts by withdrawing the Phoenix AMA long-term storage credits from within the Area of Impact of storage.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: Long-term storage credits will be used as per Arizona Department of Water Resources regulations and requirements; if withdrawal is not allowable under Arizona water law, then it would not be implemented. Otherwise, the presumption is that use of long-term storage credits is beneficial to the aquifer as a whole.

(M-WL39). 1) consider referencing the ERT and clarify ERT reports will be updated every 6 months to ensure the latest conditions/species are assessed over the life of the project; 2) consider coordinating with the Project Evaluation Program before, during, and after construction to assist with mitigation.

- Forest Service decision: Mitigation not appropriate to move forward as part of EIS
- Rationale: This comment originated with the Arizona Game and Fish Department. The Revised Wildlife Management Plan was developed by Resolution Copper in collaboration with AGFD and already incorporates numerous touch points with the AGFD to address specific impacts if they occur. Numerous data sources were used for the EIS analysis to develop species lists and impacts, including data obtained directly from AGFD.