



Douglas A. Ducey
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera
Director

November 28, 2017

Reading File: SWGP17-0333

Katherine Arnold, Director, Environment
Rosemont Copper Company
5255 E. Williams Circle, Suite 1065
Tucson, Arizona 85711

Re: Clean Water Act § 401 Water Quality Certification Addendum for Sonoita Creek Ranch Mitigation

Dear Ms. Arnold:

The Arizona Department of Environmental Quality (ADEQ) received your application for an addendum to a Clean Water Act (CWA) § 401 Water Quality Certification on September 25, 2017. You submitted this document in accordance with § 401(a) of the CWA (33 U.S.C. §1251 et seq.) and the A.R.S. § 49-202.

Enclosed please find the issued CWA § 401 Water Quality Certification Addendum for the Sonoita Creek Ranch Mitigation project to be conducted under the U.S. Army Corps of Engineers Individual Permit for Rosemont Copper. Subject to the conditions in the Certification, the proposed activities are not expected to have a negative impact to the chemical, physical or biological integrity of the impacted waterbodies.

During the public notice comment period for this addendum, ADEQ received comments from Pima County, Save the Scenic Santa Ritas Association and numerous citizens. ADEQ justly reviewed and considered all comments submitted and determined that there are no changes to the certification.

This determination is an appealable agency action under A.R.S. § 41-1092, and therefore, per A.R.S. § 49-202(H), you may appeal any conditions imposed on this certification. You have the right to request a hearing and file an appeal under A.R.S. § 41-1092.03. To do this you must file a Request for Hearing or Notice of Appeal within thirty (30) days of receipt of this notice. A request for Hearing or Notice of Appeal is filed when it is received by ADEQ's Hearing Administrator as follows:

Hearing Administrator
Office of Administrative Counsel
Arizona Department of Environmental Quality
1110 West Washington Street
Phoenix, AZ 85007

Main Office

1110 W. Washington Street • Phoenix, AZ 85007
(602) 771-2300

Southern Regional Office

400 W. Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

www.azdeq.gov

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The Request or Notice must contain the following:

1. The name of the party that is filing the appeal;
2. The address of the party that is filing the appeal;
3. The action being appealed; and
4. A concise statement of the reasons for the appeal.

Upon proper filing of a Request for Hearing or Notice of Appeal, ADEQ will serve a Notice of Hearing on all parties to the appeal. If you file a timely Request for Hearing or Notice of Appeal, you have the right to request an informal settlement conference with ADEQ under A.R.S. § 41-1092.06. This request must be made in writing no later than 20 days before a scheduled hearing and must be filed with the Hearing Administrator at the above address.

Failure to comply with the CWA § 404 permit, ADEQ's CWA § 401 Water Quality Certification and/or other applicable water quality permits or requirements may result in non-compliance with Arizona Surface Water Quality Standards (Arizona Administrative Code, Title 18, Chapter 1, Article 11) and may result in an enforcement action pursuant to A.R.S. Title 49, Chapter 2, Article 4. Thank you for your efforts to comply with Arizona's environmental requirements. Should you have any comments or questions regarding this matter, please do not hesitate to contact me.

Sincerely,



Krista Osterberg
Surface Water Section

electronic copies: U.S. Army Corps of Engineers, Regulatory Branch – Attn: William James
USEPA, Wetlands Regulatory Office