

## **Tucson Audubon's Letter Concerning the Resolution Copper Land Exchange**

The Tucson Audubon Society Board of Directors discussed the Resolution Copper Land Exchange at its April 2005 meeting. While the Board appreciates the approach to conservation that Resolution has demonstrated by voluntarily identifying lands throughout Arizona to be included in the exchange, the Tucson Audubon Society is unable to support the exchange, as proposed, at this time.

### **The following points summarize our concerns.**

1) We are concerned that the draft bill proposed by Resolution Copper (dated 3/2/05) does not adequately address the need for Resolution Copper to comply with all federal environmental laws, specifically the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(1)).

We recommend that Resolution Copper (“Resolution”) modify its bill to include compliance with these laws. Specifically, we recommend that Resolution utilize language similar to that found in the “Pima County Adjustment Act” (H.R. 4943), Sections 2(g) and 2(h) to ensure compliance with these laws.

2) It is unclear to us if Resolution has or could acquire water rights sufficient for its operation, what the impact of the mining operation would be on local area water supplies, and how they would dispose of the wastewater associated with the operation.

We recommend that Resolution clarify its intent regarding water use and disposal.

In summary, until the draft bill is modified such that Resolution is required to comply with federal environmental law, and water issues are satisfactorily clarified, the Tucson Audubon Society cannot support the proposed land exchange. We wish to continue our dialog with representatives of Resolution and sincerely hope that Resolution will address the aforementioned issues such that we might work toward a land exchange proposal that the Tucson Audubon Society can fully support.