




MEMORANDUM

Date: April 23, 2025

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: Jan Leshner 
County Administrator

Re: **Hudbay Copper World Project Update**

The last comprehensive update I provided to the Board on Hudbay's Copper World project was on [March 19, 2024](#). Since then, the Board has received two additional updates specifically related to Copper World's air quality permit ([July 16, 2024](#)) and its aquifer protection permit ([September 26, 2024](#)).

Project Permitting Status

The Arizona Department of Environmental Quality (ADEQ) issued Hudbay its aquifer protection permit on August 29, 2024, and its air quality permit on January 2, 2025. Hudbay considers the issuance of the air quality permit a milestone for the company as it was the final major permit required for the development and operation of Copper World. Hudbay's focus now turns to completing a "Definitive Feasibility Study," which is expected to be completed the first half of 2026. Hudbay's decision on whether to proceed with the project is expected once this study is completed.

On January 31, 2025, Save the Scenic Santa Ritas, Farmers Investment Co., and the Center for Biological Diversity filed an appeal seeking to revoke ADEQ's approval of the project's air quality permit. The groups allege that the permit fails to adequately control air pollution from the mine site and also ignores the air pollution likely to result from Hudbay's use of Santa Rita Road, an unpaved road that bisects the Santa Rita Experimental Range.

According to ADEQ, an informal settlement conference took place on March 27, 2025 but was unsuccessful. A formal hearing is expected to take place over the next few months, with the specific date to be determined.

Santa Rita Road Dust Mitigation

As SSSR and others noted in their appeal of Hudbay's air quality permit, the permit does not cover areas outside the boundaries of the Copper World Project, including the dust associated with traffic on Santa Rita Road. The comments the County submitted to ADEQ on the draft air quality permit included a "Request that Copper World develop a dust mitigation plan for Santa Rita Road....in coordination with Pima County Department of Environmental Quality (PDEQ) since the road and utility corridor are outside of the Draft Permit area, and increased

fugitive dust from increased Copper World traffic may contribute to exceedances of the National Ambient Air Quality Standards and lead to a nonattainment area designation.”

In response to this request, Hudbay convened a Santa Rita Road Dust Mitigation Working Group kick-off meeting on February 11, 2025. Invitees included ADEQ, PDEQ, Pima County Department of Transportation (PDOT), the Town of Sahuarita, the Arizona State Land Department (ASLD), and the University of Arizona’s Santa Rita Experimental Range. The meeting discussion included how dust from Santa Rita Road was affecting each of the invitees as well as potential short- and long-term solutions to address it.

A long-term solution to the air quality impacts may be paving the road. However, other environmental impacts associated with this solution will be considered prior to making a final determination. If Hudbay were to pave the road the County would be willing to maintain it as long as the newly paved road meets County standards. As a shorter-term measure Hudbay plans to treat Santa Rita Road with a dust palliative, for which they have already received approval from ASLD. Hudbay planned to grade the road in early April in preparation for the dust suppressant application slated for mid-April. PDEQ Air Compliance will monitor the road and dust conditions prior to and after the dust suppressant application to assess its effectiveness. A follow-up meeting of the Working Group will be scheduled once the effectiveness of the dust palliative can be determined.

On March 31, 2025 staff of County Administration, PDOT, and PDEQ met with SSSR and Sahuarita Town Councilmember Kim Lisk, to discuss issues related to the increased dust along Santa Rita Road, including statutory limitations for unpaved roads and speed limits as well as the Dust Mitigation Working Group meeting and the short- and long-term solutions discussed there. SSSR emphasized to County staff that wildlife and conservation must be considered should the paving project move forward.

Pima County Blasting Permit

On March 11, 2025 an application for a blasting permit (P25BL00001) was submitted to Pima County for the Copper World project, as drilling and blasting will be required for rock excavation. The proposed blasting is set to occur April 29, 2025 on property owned by Hudbay (parcel 305-58-0110). The application was found to be in accordance with Pima County Zoning Code Chapter 8.60 (Blasting Regulations) and was approved on March 19, 2025. Once the fee has been paid this permit will be issued and valid for 30 calendar days.

Dark Sky - Lighting Complaint

PDEQ received a lighting complaint on February 13, 2025 from a constituent in Green Valley. The nature of the complaint was excessive lighting in an E1a zone. There are two excessive bright lights that appear to be coming from Hudbay’s Copper World site. The complainant further alleges an infringement on the dark sky requirements and the potential that nocturnal wildlife will be impacted. While mining activities are exempt from Pima County lighting

requirements, PDEQ did provide the complaint information to Hudbay and Hudbay responded that they will explore options, including shielding the lights to mitigate impacts.

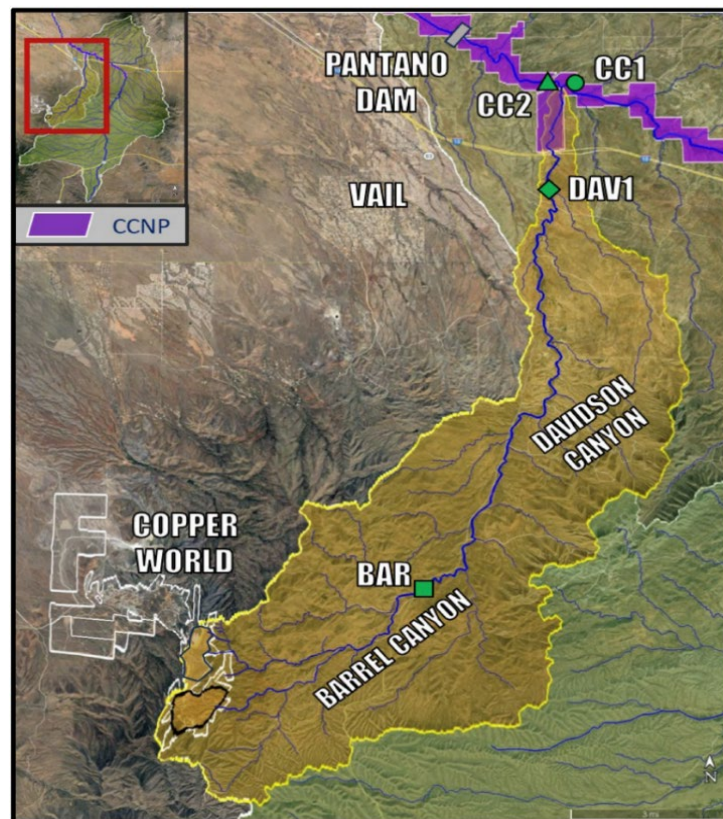
In addition to this initial response, Hudbay provided the following statement on April 14, 2025: Hudbay understands the importance of dark skies in Southern Arizona and has been a leader in developing mine lighting plans with minimal light emissions. We also received a complaint about lighting in the first quarter and believe it was from the same individual. We received the complaint through our Copper World website (www.copperworldaz.com) and responded a few days later. Our limited, night-time activity associated with the image had already been completed by the time we received the complaint. Certainly, the image is unusual given the more typical lighting from Imeris. We plan to have our comprehensive, state-of-the-art lighting plan in place before night-time operations begin on a regular basis.

PDEQ will follow up with Hudbay regarding the lighting complaint in 60 days.

Water Quality Monitoring

A component of the County's opposition to the Rosemont Mine project on the east side of the Santa Rita Mountains was its effect on the water supply to Davidson Canyon and Cienega Creek, due to the mine pit depth intersecting the water table. The resulting pit lake would create a regional evaporative sink in the watershed, with the potential to permanently reduce or eliminate perennial flow. To better characterize the groundwater flow conditions and the risk to these vital aquatic areas, the Flood Control District (District) contacted Dr. Jennifer McIntosh at the University of Arizona's Department of Hydrology and Atmospheric Sciences. In 2015, the District began funding Dr. McIntosh's students to quantify recharge and flow sources of Cienega Creek, including contributions of Barrel and Davidson Canyon, using precipitation, groundwater and streamflow isotopic analysis.

After ADEQ listed Davidson Canyon as "impaired," student work focused on monitoring of trace metals in both base flow and storm flow at monitoring locations shown in green on the map, below. The District and the County believe the ADEQ's listing determination was based on insufficient base flow results, so the purpose of the sampling is to provide additional baseline flow conditions. This new data augments the data used by ADEQ and may warrant reconsideration to restore "Outstanding Arizona Water" status to Davidson Canyon.



More recently, there were unanticipated increases in metal contaminants in the water, including dissolved copper, lead, arsenic, and zinc. Although high concentrations occur primarily in storm flow, the elevated concentrations of contaminants in base flow samples have been found as well, suggesting a degradation in the water quality.

Dr. McIntosh hypothesizes that the increased metals concentrations might be related to growing disturbance of the metalliferous soil associated with ground preparations for the Copper World Project. The below series of photos show the increased disturbance of the mountaintop during this sampling period showing increased metal concentrations.



While mountaintop disturbances associated with the Copper World Project cannot be directly connected to the increased metal concentrations, the fact that the work is being performed in a sub-watershed that is hydrologically connected to Davidson Canyon cannot be discounted. Similarly, earlier occurrences of water degradation are also being reviewed and compared to the time period when work was being performed for the former Rosemont Mine project.

The District plans to continue monitoring the sites' water quality and will share this information with Hudbay and ADEQ. The District is also considering which other watersheds may be impacted by the ground disturbing activities on the west side the mountains, including watersheds that may impact Green Valley, Sahuarita, and the Farmers Investment Company's pecan groves.

Please note that Hudbay objects to the sharing of this information with the Board prior to their full review of the data. Because this information has already been presented in several forums, I am sharing it with the Board now. If after reviewing the data Hudbay has a plausible alternative hypothesis for the causes of the water quality degradation, I will transmit such to the Board and ADEQ.

S.544 - Mining Regulatory Clarity Act

On March 31, 2025, County staff met with Senator Ruben Gallego's office to discuss S.544, the *Mining Regulatory Clarity Act*, under consideration by the Senate Energy and Natural Resources Committee, of which Sen. Gallego is a member. The Board [passed a resolution](#) opposing the 2023 version of this legislation, and while the 2024 version addresses the

Board's concern regarding "nuisance claims," it does not address any of the other concerns raised by the Board.

This legislation would overturn the *Rosemont* decision by giving mining companies the statutory right to use and occupy all public lands within their plan of operations whether a valid mining claim exists or not, essentially rendering claim validity requirements meaningless. It not only continues to treat mining as the highest and best use of public lands regardless of other uses, it also creates a new statutory right for mining companies to use and occupy public lands for any activity falling under an expansive definition of "operations." This means uses like pipelines, powerlines, and roads that are currently subject to an agency's discretion would become non-discretionary. As part of the mining plan of operations these ancillary uses, which exclusively benefit private mining companies, would also be given preference over all other public land uses.

This legislation is not needed because mining companies already have expansive rights to file as many valid millsites as needed to cover waste dumping, a point the Court emphasized in the *Rosemont* decision. At the urging of Pima County, other local governments, and tribes, Sen. Gallego voted against S.544, which passed out of Committee by a vote of 14-6 and will likely next go to the Senate floor for consideration. The House companion measure (HR 1366) has also been introduced but no hearings or markups have been held on the House bill to-date.

Staff will continue to monitor the various aspects of this project and keep the Board updated.

JKL/anc

c: Carmine DeBonis Jr., Deputy County Administrator
Steve Holmes, Deputy County Administrator
Scott DiBiase, Director, Pima County Department of Environmental Quality
Kris Gade, Director, Conservation Lands and Resources
Chris Poirier, Director, Development Services
Eric Shepp, Director, Regional Flood Control District
Kathryn Skinner, Director, Transportation
Nicole Fyffe, Senior Advisor, County Administrator's Office