



Rosemont Copper: An Argument for Reforming the Process Used to Permit Mining Projects

by David F. Briggs

Last week two events made the news, whose ultimate outcome will potentially impact the citizens of southeastern Arizona. One was disappointing, while the other offered hope. On Monday, September 16, the Coronado National Forest announced its decision to delay the controversial Rosemont Copper project for another six months. Although this was disappointing to Rosemont Copper's supporters and Arizonans, who will benefit from this important project, there appears to be light at the end of tunnel. Under new Forest Service regulations (36 CFR 218), once the Draft Record of Decision is released with the Final Environment Impact Statement in November, the Forest Service is required under law to issue a final decision in 120 days. This procedural change also makes it less likely for the courts to issue an injunction as a result of litigation that will undoubtedly follow any decision that allows this project to move forward.

The other news event occurred on Wednesday, September 18, when the U. S. House of Representatives passed the National Strategic and Critical Minerals Production Act of 2013 (H. R. 761). This bill is designed to restore our ability to supply the minerals we require for our economic and national security needs while maintaining the protections provided under our nation's environmental laws. In light of the numerous delays experienced by the Rosemont Copper project over the last six years, this is very encouraging news, because it establishes a statutory limit of thirty months on the period required to permit a mining project under the National Environmental Policy Act. It also places time limits on filing civil suits that challenge the actions by federal agencies, eliminates reimbursement of legal expenses under the Equal Access to Justice Act and encourages the courts to deal with these cases in an expeditious manner.

The necessity to modify the current permitting process becomes apparent when one considers the impact repeated delays have had on our ability to supply the minerals we require to ensure our national security and to maintain and improve our infrastructure and standard of living. Permitting mining projects has become so cumbersome, it threatens our ability to attract the

investment capital required to find and develop the natural resources required to fulfill the needs of present and future generations of Americans.

Unnecessary costs resulting from our open-ended permitting process significantly reduce the U. S. mining industry's ability to compete in the international marketplace. It also wastes valuable resources, which could be better used to create productive employment opportunities for America's workers.

Today, less than half of the minerals used by the U. S. manufacturing sector are derived from domestic sources. This dependence on foreign sources for minerals has left our national security needs vulnerable to decisions made by foreign governments. It has also contributed to our nation's large trade deficits, needlessly sending billions of dollars abroad, which could have been invested in our economic future.

As this legislation moves through the U. S. Senate over the coming months, I urge our elected representatives to put aside partisan differences and take a serious look at this bill's potential to reduce our nation's reliance on foreign sources for the minerals we use, revitalize our domestic minerals supply chain and create incentives for investment and employment opportunities throughout the natural resource and manufacturing sectors of our nation's economy.

Disclaimer: David F. Briggs is a resident of Pima county and a geologist, who has intermittently worked on the Rosemont Copper project since 2006. The opinions expressed in this article are those of the author and do not necessarily reflect those of Rosemont Copper.

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Originally published by Wry Heat in the Tucson Citizen on September 23, 2013.