

Action No. 2008-00816-MB; Cultural Resources Inventory of the Sonoita Creek Ranch  
Property, Santa Cruz County, Arizona and the U.S. Army Corps of Engineers  
Determination of No Adverse Effect to Historic Properties

Recent Correspondence with the Tohono O'odham Nation



**DEPARTMENT OF THE ARMY**  
SOUTH PACIFIC DIVISION, U.S. ARMY CORPS OF ENGINEERS  
Phillip Burton Federal Building  
Post Office Box 36023  
450 Golden Gate Avenue  
SAN FRANCISCO, CALIFORNIA 94102

September 28, 2018

RE: Action No. 2008-00816-MB; Addendum Report for the Cultural Resources Inventory of the Sonoita Creek Ranch Property, Santa Cruz County, Arizona

Peter Steere  
Tribal Historic Preservation Officer  
Tohono O'odham Nation  
P.O. Box 837  
Sells, AZ 85634

Dear Mr. Steere:

In accordance with the National Historic Preservation Act of 1966, as amended, and all applicable regulations, we are requesting your review and comment on the determination of effect that issuance of a Department of the Army (DA) permit would have on cultural resources within the proposed project area. Rosemont Copper Company (Rosemont) proposes to develop the Rosemont Copper Project (Project) on lands under the administration of the Coronado National Forest. As part of Project-related compensatory mitigation mandated by the U.S. Army Corps of Engineers (Corps), Rosemont has acquired four parcels of private land within the Santa Cruz River Watershed. The core of the mitigation activities for the permit application review process involves stream, floodplain, and upland restoration activities within the Rail X Ranch and Sonoita Creek Ranch. The proposed scope of work includes rehabilitation of Sonoita Creek and tributary channels within both parcels, reestablishment of floodplain benches and uplands that buffer the channel, and pond enhancement for native species.

In August and October of 2017, the Corps consulted with the Arizona State Historic Preservation Officer (SHPO) and all other Consulting Parties identified per the Memorandum of Agreement, including Tribes, regarding our determination of no adverse effect to historic properties from the proposed scope of work at the Sonoita Creek Ranch compensatory mitigation site. The SHPO concurred with the Corps' recommendations of cultural resources NRHP-eligibility status and determination of effect on September 1, 2017 (Log Number SHPO-2017-1129 [138705]). The Corps also received responses from several other Consulting Parties providing concurrence with the determination of effect. The Corps did not receive any objections to the determination of no adverse effect to historic properties at the Sonoita Creek Ranch compensatory mitigation site.

Following the cultural resources inventory of the main area of potential effects (APE) parcels to support the creek and floodplain rehabilitation, the locations of two proposed fence lines were finalized. These are a wildlife-exclusion fence separating the restored floodplain habitat from State Route 82 to the west and a wildlife-friendly fence along the eastern side of the parcels designed to permit wildlife to enter the restored area while excluding livestock. The final plans for the two fence lines show that not all of the proposed areas of new fence construction were surveyed in 2017 by WestLand Resources, Inc. (WestLand). Unsurveyed areas where fences will be constructed were defined as an addendum to the APE.

Rosemont contracted with WestLand to survey the additional fence line construction areas (any areas not surveyed in 2017). The addendum to the APE totals 65.59 acres and consists of four non-contiguous corridors of varying widths comprised of both private (55.06 acres) and Arizona Department of Transportation- (ADOT-) owned land (10.53 acres). These corridors measure between 845 and 2,758 m long and are located along and east of State Route 82 between Sonoita and Patagonia, Santa Cruz County, Arizona. The attached document is an addendum report to the cultural resources study conducted by WestLand in 2017 (Stone and Hooper 2017).

WestLand's supplemental survey resulted in the identification of new segments of three previously recorded linear sites (AZ EE:4:43(ASM), AZ EE:6:95(ASM), AZ EE:9:196) and six isolated cultural occurrences (IOs). Collectively, the sites and non-site resources represent human use and occupation of the general area from the Prehistoric period through the Historic period. The three sites are all associated with Euroamerican land use for transportation infrastructure and utilities during the Late Historic period. One site, AZ EE:6:95(ASM), is an in-use natural gas pipeline exempt from Section 106 review by federal agencies. The other two sites within the APE are determined eligible for inclusion in the National Register of Historic Places (NRHP).

One site not in the addendum APE but occurring in the original 2017 APE (AZ EE:6:128[ASM]) lies within 30 m (100 feet) of the proposed wildlife-exclusion fence. Potential effects to this site were also assessed, and WestLand recommended that the site will not be impacted provided Rosemont flags the site boundary to ensure that construction crews do not cross the site area while accessing the fence line. As such, if a Corps' permit is issued for the proposed action a special condition requiring fencing of the site boundary will be included within the authorization.

All new fence line construction has been designed to avoid the historic properties. In one location, the wildlife-friendly fence crosses the southern end of the extension to Segment 1 of AZ EE:4:43(ASM) that was recorded in 2018. At this location, the fence is already in existence, and the only project activity will be the replacement of the upper and lower barbed wire strands with smooth wire strands. At this location, all fence replacement will be carried out by hand, and no vehicles will be driven across the railroad grade.

The Corps recognizes the government-to-government relationship our agency has with your Tribe. Therefore, we are providing this information for your review of our determination of **no adverse effect to historic properties** by the Sonoita Creek mitigation project. A copy of WestLand's addendum report is included as an enclosure to this letter. As you are aware, it contains information considered sensitive, which is protected under federal law.

If you have questions or concerns, or require additional information regarding this project, please contact Chris Parrish at (505) 342-3374 or [christopher.m.parrish@usace.army.mil](mailto:christopher.m.parrish@usace.army.mil).

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Parrish" with a large flourish at the end. Below the signature, the initials "FOR" are written in a similar cursive style.

Edwin "Stu" Townsley  
Chief, Operations and Regulatory  
South Pacific Division

Enclosure



**DEPARTMENT OF THE ARMY**  
SOUTH PACIFIC DIVISION, U.S. ARMY CORPS OF ENGINEERS  
Phillip Burton Federal Building  
Post Office Box 36023  
450 Golden Gate Avenue  
SAN FRANCISCO, CALIFORNIA 94102

October 1, 2018

RE: Action No. 2008-00816-MB; Addendum Report for the Cultural Resources Inventory of the Sonoita Creek Ranch Property, Santa Cruz County, Arizona

Honorable Edward Manuel  
Chairman  
Tohono O'odham Nation  
P.O. Box 837  
Sells, AZ 85634

Dear Chairman Manuel:

In accordance with the National Historic Preservation Act of 1966, as amended, and all applicable regulations, we are requesting your review and comment on the determination of effect that issuance of a Department of the Army (DA) permit would have on cultural resources within the proposed project area. Rosemont Copper Company (Rosemont) proposes to develop the Rosemont Copper Project (Project) on lands under the administration of the Coronado National Forest. As part of Project-related compensatory mitigation mandated by the U.S. Army Corps of Engineers (Corps), Rosemont has acquired four parcels of private land within the Santa Cruz River Watershed. The core of the mitigation activities for the permit application review process involves stream, floodplain, and upland restoration activities within the Rail X Ranch and Sonoita Creek Ranch. The proposed scope of work includes rehabilitation of Sonoita Creek and tributary channels within both parcels, reestablishment of floodplain benches and uplands that buffer the channel, and pond enhancement for native species.

In August and October of 2017, the Corps consulted with the Arizona State Historic Preservation Officer (SHPO) and all other Consulting Parties identified per the Memorandum of Agreement, including Tribes, regarding our determination of no adverse effect to historic properties from the proposed scope of work at the Sonoita Creek Ranch compensatory mitigation site. The SHPO concurred with the Corps' recommendations of cultural resources NRHP-eligibility status and determination of effect on September 1, 2017 (Log Number SHPO-2017-1129 [138705]). The Corps also received responses from several other Consulting Parties providing concurrence with the determination of effect. The Corps did not receive any objections to the determination of no adverse effect to historic properties at the Sonoita Creek Ranch compensatory mitigation site.

Following the cultural resources inventory of the main area of potential effects (APE) parcels to support the creek and floodplain rehabilitation, the locations of two proposed fence lines were finalized. These are a wildlife-exclusion fence separating the restored floodplain habitat from State Route 82 to the west and a wildlife-friendly fence along the eastern side of the parcels designed to permit wildlife to enter the restored area while excluding livestock. The final plans for the two fence lines show that not all of the proposed areas of new fence construction were surveyed in 2017 by WestLand Resources, Inc. (WestLand). Unsurveyed areas where fences will be constructed were defined as an addendum to the APE.

Rosemont contracted with WestLand to survey the additional fence line construction areas (any areas not surveyed in 2017). The addendum to the APE totals 65.59 acres and consists of four non-contiguous corridors of varying widths comprised of both private (55.06 acres) and Arizona Department of Transportation- (ADOT-) owned land (10.53 acres). These corridors measure between 845 and 2,758 m long and are located along and east of State Route 82 between Sonoita and Patagonia, Santa Cruz County, Arizona. The attached document is an addendum report to the cultural resources study conducted by WestLand in 2017 (Stone and Hooper 2017).

WestLand's supplemental survey resulted in the identification of new segments of three previously recorded linear sites (AZ EE:4:43(ASM), AZ EE:6:95(ASM), AZ EE:9:196) and six isolated cultural occurrences (IOs). Collectively, the sites and non-site resources represent human use and occupation of the general area from the Prehistoric period through the Historic period. The three sites are all associated with Euroamerican land use for transportation infrastructure and utilities during the Late Historic period. One site, AZ EE:6:95(ASM), is an in-use natural gas pipeline exempt from Section 106 review by federal agencies. The other two sites within the APE are determined eligible for inclusion in the National Register of Historic Places (NRHP).

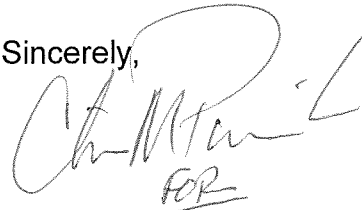
One site not in the addendum APE but occurring in the original 2017 APE (AZ EE:6:128[ASM]) lies within 30 m (100 feet) of the proposed wildlife-exclusion fence. Potential effects to this site were also assessed, and WestLand recommended that the site will not be impacted provided Rosemont flags the site boundary to ensure that construction crews do not cross the site area while accessing the fence line. As such, if a Corps' permit is issued for the proposed action a special condition requiring fencing of the site boundary will be included within the authorization.

All new fence line construction has been designed to avoid the historic properties. In one location, the wildlife-friendly fence crosses the southern end of the extension to Segment 1 of AZ EE:4:43(ASM) that was recorded in 2018. At this location, the fence is already in existence, and the only project activity will be the replacement of the upper and lower barbed wire strands with smooth wire strands. At this location, all fence replacement will be carried out by hand, and no vehicles will be driven across the railroad grade.

The Corps recognizes the government-to-government relationship our agency has with your Tribe. Therefore, we are providing this information for your review of our determination of **no adverse effect to historic properties** by the Sonoita Creek mitigation project. A copy of WestLand's addendum report has been sent to Mr. Peter Steere, Tribal Historic Preservation Officer.

If you have questions or concerns, or require additional information regarding this project, please contact Chris Parrish at (505) 342-3374 or [christopher.m.parrish@usace.army.mil](mailto:christopher.m.parrish@usace.army.mil).

Sincerely,

A handwritten signature in black ink, appearing to read "Edwin Townsley". Below the signature, the letters "FOR" are written in a smaller, simpler font.

Edwin "Stu" Townsley  
Chief, Operations and Regulatory  
South Pacific Division

Enclosure

**From:** [Peter Steere](#)  
**To:** [Parrish, Christopher M CIV USARMY CESPA \(US\)](#)  
**Cc:** [Heidi McIntosh](#); [Stu Gillespie](#); [James Cogswell](#); [kdewberry@fs.fed.us](mailto:kdewberry@fs.fed.us); [David S. Mehalic \(dmehalic@fs.fed.us\)](mailto:David.S.Mehalic_(dmehalic@fs.fed.us)); [Ethelbah-Gatewood, Doreen - FS \(dethelbahgatewood@fs.fed.us\)](mailto:Ethelbah-Gatewood, Doreen - FS_(dethelbahgatewood@fs.fed.us)); [Joshua Rees](#)  
**Subject:** [Non-DoD Source] Addendum report for Cultural Resources Inventory of the Sonoita Creek Ranch property  
**Date:** Wednesday, October 24, 2018 3:33:19 PM

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MEMORANDUM

DATE: October 24, 2018

TO: Chris Parrish, Archaeologist U.S. Army Corps of Engineers

FROM: Peter L. Steere, THPO, Tohono O'odham Nation

RE: Addendum Report for the Cultural Resources Inventory of the Sonoita Creek Ranch Property, Santa Cruz County, Arizona

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Thank you for consulting with the Tohono O'odham Nation on this project.

The Tohono O'odham Nation's Tribal Historic Preservation Office does not concur with the recommendation of "no adverse effect" for the Sonoita Creek Project.

No cultural landscape study has been completed. Since the project will alter the current Sonoita Creek drainage by various rehabilitation activities, a cultural landscape study needs to be completed to evaluate the impacts of the proposed changes.

The Tohono O'odham Nation is also concerned about the proposed rehabilitation activities proposed for Sonoita Creek.

There appear to be many hydrological issues that need to be addressed.

The proposed rehabilitation may not work or have its intended goals and objectives.



**From:** Parrish, Christopher M CIV USARMY CESPA (US)  
**To:** "[Peter Steere](#)"  
**Subject:** RE: Addendum report for Cultural Resources Inventory of the Sonoita Creek Ranch property  
**Date:** Tuesday, October 30, 2018 4:44:00 PM

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Hello Peter,

Thank you again for the comments provided on 24-Oct-2018 regarding the Corps' determination of no adverse effect to historic properties from the proposed rehabilitation measures at the Sonoita Creek Ranch property in Santa Cruz County. As discussed at the annual MOA meeting in Tucson today, you provided verbal concurrence that the Corps' determination of no adverse effect to historic properties (concurrent with by the SHPO on 23-October) is in fact appropriate due to the avoidance of impacts by the design of the compensatory mitigation and its overall scope/purpose.

You also reiterated the concerns that others (e.g. Dr. Kondolf) have raised regarding the efficacy of the Habitat Mitigation and Monitoring Plan and potential hydrologic issues. And upon acknowledgement that neither of us are hydrologists, we agreed that these issues are, at least in this case, beyond the scope of the Section 106 process for determining effects to historic properties.

Thank you for taking the time after the meeting today to have a quick conversation about these issues, and I request that you please provide confirmation that I have accurately characterized the substance of our discussion.

cp

Chris M. Parrish  
*Cultural Resources Specialist*  
Regulatory Division  
U.S. Army Corps of Engineers, Albuquerque District  
4101 Jefferson Plaza NE  
Albuquerque, NM 87109  
(505) 342-3374

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**From:** Peter Steere [mailto:[Peter.Steere@tonation-nsn.gov](mailto:Peter.Steere@tonation-nsn.gov)]  
**Sent:** Wednesday, October 24, 2018 3:33 PM  
**To:** Parrish, Christopher M CIV USARMY CESPA (US) <[Christopher.M.Parrish@usace.army.mil](mailto:Christopher.M.Parrish@usace.army.mil)>  
**Cc:** Heidi McIntosh <[hmcintosh@earthjustice.org](mailto:hmcintosh@earthjustice.org)>; Stu Gillespie <[sgillespie@earthjustice.org](mailto:sgillespie@earthjustice.org)>; James Cogswell <[jcogswell@azstateparks.gov](mailto:jcogswell@azstateparks.gov)>; kdewberry@fs.fed.us; David S Mehalic ([dmehalic@fs.fed.us](mailto:dmehalic@fs.fed.us)) <[dmehalic@fs.fed.us](mailto:dmehalic@fs.fed.us)>; Ethelbah-Gatewood, Doreen - FS ([dethelbahgatewood@fs.fed.us](mailto:dethelbahgatewood@fs.fed.us)) <[dethelbahgatewood@fs.fed.us](mailto:dethelbahgatewood@fs.fed.us)>; Joshua Rees <[Joshua.Rees@tonation-nsn.gov](mailto:Joshua.Rees@tonation-nsn.gov)>  
**Subject:** [Non-DoD Source] Addendum report for Cultural Resources Inventory of the Sonoita Creek Ranch property

MEMORANDUM

DATE: October 24, 2018

TO: Chris Parrish, Archaeologist U.S. Army Corps of Engineers

FROM: Peter L. Steere, THPO, Tohono O'odham Nation

RE: Addendum Report for the Cultural Resources Inventory of the Sonoita Creek Ranch Property, Santa Cruz County, Arizona

---

Thank you for consulting with the Tohono O'odham Nation on this project.

The Tohono O'odham Nation's Tribal Historic Preservation Office does not concur with the recommendation of "no adverse effect" for the Sonoita Creek Project.

No cultural landscape study has been completed. Since the project will alter the current Sonoita Creek drainage by various rehabilitation activities, a cultural landscape study needs to be completed to evaluate the impacts of the proposed changes.

The Tohono O'odham Nation is also concerned about the proposed rehabilitation activities proposed for Sonoita Creek.

There appear to be many hydrological issues that need to be addressed.

The proposed rehabilitation may not work or have its intended goals and objectives.

**From:** Parrish, Christopher M CIV USARMY CESPA (US)  
**To:** ["Peter Steere"](#)  
**Subject:** Sonoita Creek Mitigation Site  
**Date:** Friday, November 9, 2018 7:35:00 AM  
**Attachments:** [2017-1129 COE Sonoita Creek NAE.pdf](#)

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Good Morning Peter,

I'm following up on my 30 Oct email and our phone conversation this past Wednesday (7 Nov). During that conversation, and our previous discussion after the annual MOA meeting in Tucson, you agreed that the proposed activities for the compensatory mitigation site at Sonoita Creek will not adversely impact cultural resources, and that the concerns related to its review by hydrologists related to functional lift of the aquatic resource are beyond the scope of Section 106 and our determination of no adverse effect to historic properties. Please respond to this email to confirm these communications.

I have attached the SHPO concurrence of our determination of effect, and it is worth noting we have received responses from other consulting parties supporting our findings. We did not receive any other objections to our determination of no adverse effect to historic properties.

I want to thank you for the candid discussions we have been able to engage in throughout the consultation process regarding the Corps' review of the permit application for this project. It's greatly appreciated.

cp

Chris Parrish  
Cultural Resources Specialist  
U.S. Army Corps of Engineers, Albuquerque District  
4101 Jefferson Plaza NE  
Albuquerque, NM 87109  
Office: (505) 342-3374  
Cell: (505) 231-3586

From: PeterSteere [<mailto:Peter.Steere@tonation-nsn.gov>] Sent: Friday, November 9, 2018 3:07 PM  
To: Parrish, Christopher M CIV USARMY CESA (US) <Christopher.M.Parrish@usace.army.mil>  
Cc: Kathryn Leonard <kleonard@azstateparks.gov>; James Cogswell <jcogswell@azstateparks.gov>; Barnaby Lewis <Barnaby.Lewis2@gric.nsn.us>; Anton, Shane <Shane.Anton@SRPMIC-nsn.gov>; Elaine F. Peters <EPeters@ak-chin.nsn.us>; Heidi McIntosh <hmcintosh@earthjustice.org>; Stu Gillespie <sgillespie@earthjustice.org>; Joshua Rees <Joshua.Rees@tonation-nsn.gov>  
Subject: [Non-DoD Source] RE: Sonoita Creek Mitigation Site

MEMORANDUM

DATE: November 9, 2018  
TO: Chris Parrish, Archaeologist, U.S. Army Corps of Engineers  
FROM: Peter L. Steere, THPO, Tohono O'odham Nation  
RE: Sonoita Creek Mitigation Site

---

Thank you for consulting with the Tohono O'odham Nation on this proposed Sonoita Creek Mitigation Project.

I agree that this proposed mitigation project will not directly impact known cultural sites, but by altering the drainage itself it will have an adverse effect on the cultural and natural landscape of the project area.

Cultural and natural resources are regarded by the Tohono O'odham Nation as part of the whole cultural and natural landscape.

Section 106 needs to consider the entire cultural and natural landscape not just individual cultural sites.

Therefore, while there will be no adverse effect on individual cultural sites, there will be an adverse effect on the cultural and natural landscape of the Sonoita Creek project area.

**From:** Parrish, Christopher M CIV USARMY CESPA (US)  
**To:** "Peter Steere"; "EdwardD.Manuel@tonation-nsn.gov"  
**Cc:** "kleonard@azstateparks.gov"; James Cogswell; "Barnaby.Lewis2@gric.nsn.us"; "Shane.Anton@SRPMIC-nsn.gov"; "EPeters@ak-chin.nsn.us"; Heidi McIntosh; Stu Gillespie; Joshua Rees; Kuz Annette B CIV USARMY CESPD (US); Townsley, E S (Stu) CIV USARMY CESPN (US); JAMES, William L CIV USARMY CELRD (US); Blouin, Maryann CIV USARMY CESPD (US); "Erin Davis"  
**Subject:** RE: Sonoita Creek Mitigation Site  
**Date:** Tuesday, November 20, 2018 9:32:00 AM  
**Attachments:** [Sonoita Creek Ranch Request for ACHP Opinion Notice to the Nation.pdf](#)

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Mr. Steere:

Attached is a letter responding to your October 24, 2018 and November 9, 2018 notifications regarding our determination of no adverse effect to historic properties from the proposed compensatory mitigation at the Sonoita Creek Ranch. The latter correspondence states that: "...while there will be no adverse effect on individual cultural sites, there will be an adverse effect on the cultural and natural landscape of the Sonoita Creek project area." In response to this assertion, the Corps is requesting an opinion from the Advisory Council on Historic Preservation per 36 CFR 800.5(c)(3) and our Revised Interim Guidance for Implementing Appendix C of 33 CFR Part 325 with the Revised Advisory Council on Historic Preservation Regulations at 36 CFR Part 800.

Also in accordance with those regulations, the Corps is notifying all consulting parties regarding the request for Council opinion. Once the Corps receives and considers the Council's opinion regarding this issue, we will notify all consulting parties of our decision on this matter.

Chris M. Parrish  
Cultural Resources Specialist  
Regulatory Division  
U.S. Army Corps of Engineers, Albuquerque District  
4101 Jefferson Plaza NE  
Albuquerque, NM 87109  
(505) 342-3374

-----Original Message-----

From: Peter Steere [<mailto:Peter.Steere@tonation-nsn.gov>]  
Sent: Friday, November 9, 2018 3:07 PM  
To: Parrish, Christopher M CIV USARMY CESPA (US) <Christopher.M.Parrish@usace.army.mil>  
Cc: Kathryn Leonard <kleonard@azstateparks.gov>; James Cogswell <jcogswell@azstateparks.gov>; Barnaby Lewis <Barnaby.Lewis2@gric.nsn.us>; Anton, Shane <Shane.Anton@SRPMIC-nsn.gov>; Elaine F. Peters <EPeters@ak-chin.nsn.us>; Heidi McIntosh <hmcintosh@earthjustice.org>; Stu Gillespie <sgillespie@earthjustice.org>; Joshua Rees <Joshua.Rees@tonation-nsn.gov>  
Subject: [Non-DoD Source] RE: Sonoita Creek Mitigation Site

#### MEMORANDUM

DATE: November 9, 2018  
TO: Chris Parrish, Archaeologist, U.S. Army Corps of Engineers  
FROM: Peter L. Steere, THPO, Tohono O'odham Nation  
RE: Sonoita Creek Mitigation Site

---

Thank you for consulting with the Tohono O'odham Nation on this proposed Sonoita Creek Mitigation Project.

I agree that this proposed mitigation project will not directly impact known cultural sites, but by altering the drainage itself it will have an adverse effect on the cultural and natural landscape of the project area.

Cultural and natural resources are regarded by the Tohono O'odham Nation as part of the whole cultural and natural landscape.

Section 106 needs to consider the entire cultural and natural landscape not just individual cultural sites.

Therefore, while there will be no adverse effect on individual cultural sites, there will be an adverse effect on the cultural and natural landscape of the Sonoita Creek project area.



## DEPARTMENT OF THE ARMY

SOUTH PACIFIC DIVISION, U.S. ARMY CORPS OF ENGINEERS  
Phillip Burton Federal Building  
Post Office Box 36023  
450 Golden Gate Avenue  
SAN FRANCISCO, CALIFORNIA 94102

November 20, 2018

RE: Action No. 2008-00816-MB; Notification of Request for an Advisory Council on Historic Preservation Opinion Regarding the U.S. Army Corps of Engineers Determination of No Adverse Effect to Historic Properties from the Proposed Sonoita Creek Ranch Compensatory Mitigation Site

Peter Steere  
Tribal Historic Preservation Officer  
Tohono O'odham Nation  
P.O. Box 837  
Sells, AZ 85634

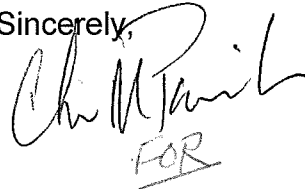
Dear Mr. Steere:

This letter is a follow-up to your communications dated October 24, 2018 and November 9, 2018 regarding an addendum survey and corresponding findings at the Sonoita Creek Ranch property. The U.S. Army Corps of Engineers ("Corps") determined that there would be no adverse effect to historic properties from the proposed additional activities (i.e. fence line construction) identified in the addendum report. Your initial notification states that you do not concur with the determination of no adverse effect to historic properties because a cultural landscape study is necessary to further evaluate the impacts from the proposed scope of work. In response to our subsequent communications after the October 24, 2018 correspondence, you provided a second notification that states: "...while there will be no adverse effect on individual cultural sites, there will be an adverse effect on the cultural and natural landscape of the Sonoita Creek project area."

Based on the scope and purpose of the proposed compensatory mitigation activities at this location, the Corps finds that additional studies are not necessary to further support the determination of no adverse effect to historic properties. The core of these proposed activities consists of the rehabilitation of Sonoita Creek and tributary channels, reestablishment of floodplain benches and uplands that buffer the channel, and pond enhancement for native species. The purpose of the proposed mitigation is to provide beneficial enhancements to the natural landscape, hydrology, and aquatic resource functions in this reach of Sonoita Creek. Furthermore, the types and various historical contexts represented by the cultural resources identified in the project area are not collectively, or in the majority, associated with a specific activity, event, person, or culture group, which are the key factors for consideration in identifying a cultural landscape.

As a result of this disagreement, the Corps is requesting an opinion from the Advisory Council on Historic Preservation (Council) per 36 CFR 800.5(c)(3) and our *Revised Interim Guidance for Implementing Appendix C of 33 CFR Part 325 with the Revised Advisory Council on Historic Preservation Regulations at 36 CFR Part 800*. Once the Corps receives and considers the Council's opinion regarding this issue, we will notify all consulting parties of our decision on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Edwin Townsley". Below the signature, the word "FOR" is written in a smaller, blocky font.

Edwin "Stu" Townsley  
Deputy District Engineer for Project  
Management  
San Francisco District

Action No. 2008-00816-MB; Cultural Resources Inventory of the Sonoita Creek Ranch  
Property, Santa Cruz County, Arizona and the U.S. Army Corps of Engineers  
Determination of No Adverse Effect to Historic Properties

Consultation Correspondence  
2017



SHPO - 2017-1129 (138705)  
ARIZONA STATE HISTORIC PRESERVATION OFFICE

DOE  
NAE

DEPARTMENT OF THE ARMY  
SOUTH PACIFIC DIVISION, U.S. ARMY CORPS OF ENGINEERS  
1455 MARKET STREET  
SAN FRANCISCO, CALIFORNIA 94103-1399



August 17, 2017

REPLY TO  
ATTENTION OF

Albuquerque Regulatory Division  
New Mexico/Texas Branch

SUBJECT: Action No. 2008-00816-MB; Cultural Resources Inventory of the Sonoita Creek Ranch Property, Santa Cruz County, Arizona

Ms. Kathryn Leonard  
State Historic Preservation Officer  
Arizona State Historic Preservation Office  
1100 W Washington Street  
Phoenix, AZ 85007

Dear Ms. Leonard:

In accordance with the National Historic Preservation Act of 1966, as amended, and all applicable regulations, we are requesting your review and comment on the determination of effect that issuance of a Department of the Army (DA) permit would have on cultural resources within the proposed project area. Hudbay Minerals (Hudbay) proposes to develop the Rosemont Copper Project (Project) on lands under the administration of the Coronado National Forest. As part of Project-related compensatory mitigation proposed to the U.S. Army Corps of Engineers (Corps), Hudbay has acquired the Sonoita Creek Ranch, which is located within the Santa Cruz Watershed. The core of the mitigation activities for the Project involves the restoration of Sonoita Creek, including the re-establishment of its historic floodplain and rehabilitation of the existing channel. The proposed scope of work also includes establishing new riparian habitat, enhancing existing habitat, and restoring flow channels through the historic floodplain. The proposed mitigation is located on private land and will be funded by the applicant.

The area of potential effect (APE) for mitigation activities includes two separate parcels of the Sonoita Creek Ranch property. Parcel 1 is an irregularly shaped parcel measuring 2,720 feet northwest-southeast by 1,920 feet northeast-southwest (in maximum dimension) and encompassing approximately 62.5 acres. Parcel 2 is an irregularly shaped parcel measuring 17,380 feet north/northeast-south/southwest by 2,125 feet northwest-southeast (in maximum dimension) and encompassing 472 acres. Rosemont contracted WestLand Resources (WestLand) to conduct a cultural resources inventory of the APE.

WestLand's cultural resources inventory resulted in the identification of 12 archaeological sites and 30 isolated occurrences within the APE. Eight of the sites



identified are previously discovered sites; the remaining four are newly discovered. In addition, WestLand confirmed that two additional previously recorded sites purported to occur within the APE, AZ EE:6:9/EE:6:107 (Arizona State Museum [ASM]) and AZ EE:6:108 (ASM), are, in fact, located to the east outside the APE. WestLand updated the site boundaries of these two sites to reflect their actual location and extent.

The archaeological sites and components recorded in the APE relate to prehistoric, protohistoric, and Early Historic Native American resource procurement/processing and habitation activities, as well as Historic period Euroamerican habitation, agriculture, transportation, and utility land-use activities. One site, AZ EE:6:95 (ASM), is an in-use natural gas pipeline that is exempt from Section 106 review by federal agencies (67 FR 9429, March 1, 2002 [ACHP]). Four sites and the 30 isolated occurrences are recommended ineligible. The sites recommended ineligible for the National Register of Historic Places (NRHP) include an artifact scatter consisting of fired brick and concrete fragments that suggests a collapsed structure (AZ EE:6:96 (ASM)), a historic agricultural site with five interconnected features, including two ponds, a concrete-lined irrigation canal, a concrete weir, and a wellhead (i.e. AZ EE:6:97 (ASM)); and two newly recorded historic water management/irrigation agriculture sites associated with the impoundment and dispersal of water (i.e. AZ EE:6:12 (ASM) and AZ EE:6:127 (ASM)). The remaining seven sites within the APE are recommended eligible for inclusion in the NRHP.

The following seven sites are recommended as eligible for inclusion to the NRHP under Criterion D for their information potential: AZ EE:4:43 (ASM); AZ EE:6:105 (ASM); AZ EE:6:106 (ASM); AZ EE:6:109 (ASM); AZ EE:6:128 (ASM); AZ EE:6:129 (ASM); and AZ EE:6:168 (ASM). AZ EE:4:43 (ASM) is the former grade of the New Mexico & Arizona Railroad and was initially recorded by Wright and Lite (ASM 2012). AZ EE:6:105 (ASM), AZ EE:6:106 (ASM), and AZ EE:6:109 (ASM) were previously recorded by Deni Seymour as protohistoric/historic Sobaipuri sites. AZ EE:9:168 (ASM) is an abandoned alignment of State Road (SR) 82. Of these, all but AZ EE:9:168 (ASM) will be avoided by construction activities at the Sonoita Creek mitigation site.

Regarding AZ EE:9:168(ASM), WestLand provides the following discussion regarding potential effects from the proposed construction activities:

The location and function of this abandoned road segment will not be impacted by project activities. Two features will be impacted, but both are common features (i.e., a culvert and a bank protection) that do not, in themselves, contain the kinds of information that contributes to the NRHP eligibility of the road as a whole. The features have been mapped, described, and documented in this report. Therefore, WestLand recommends that burial of the two features associated with this historic property will not alter the characteristics that qualify it for inclusion in the NRHP and thus does not constitute an adverse effect.

The Corps concurs with this assessment.

Regarding indirect effects, none of the properties are considered significant for architectural, engineering, or other visual characteristics. Furthermore, Rosemont proposes to restore the Sonoita Creek floodplain to its historical flow regime, which is expected to result in the gradual return of large portions of the APE to a riparian environment similar to that which would have characterized this area throughout most of prehistoric and historic times. Therefore, the Corps has determined that there will be no indirect adverse effect to the historic properties in the APE.

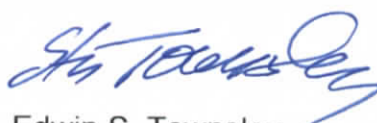
Pursuant to 36 CFR 800.13, should previously unknown artifacts or cultural resource manifestations be encountered during construction, work would cease in the immediate vicinity of the resource. A determination of significance would be made, and consultation would take place with your office to determine the best course of action.

In sum, we seek your concurrence in our determination of **no adverse effect to historic properties** by this project. A copy of WestLand's technical report is included as an enclosure to this letter.

If you have questions or concerns, or require additional information regarding this project, please contact Chris Parrish, Cultural Resources Specialist at (505) 342-3374 or [christopher.m.parrish@usace.army.mil](mailto:christopher.m.parrish@usace.army.mil).

**Building Strong!**

Sincerely,



Edwin S. Townsley  
Chief, Operations and Regulatory  
South Pacific Division

Encl

- NO ADVERSE EFFECT -

*Mary Ellen Walsh* 9/1/17  
ARIZONA STATE HISTORIC  
PRESERVATION OFFICE

*SHPO concurs with determinations of eligibility*



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS  
4101 JEFFERSON PLAZA NE  
ALBUQUERQUE, NM 87109

October 3, 2017

Regulatory Division  
New Mexico/Texas Branch

SUBJECT: Action No. 2008-00816-MB; Cultural Resources Inventory of the Sonoita Creek Ranch Property, Santa Cruz County, Arizona

Peter Steere  
Tribal Historic Preservation Officer  
Tohono O'odham Nation  
P.O. Box 837  
Sells, AZ 85634

Dear Mr. Steere:

In accordance with the National Historic Preservation Act of 1966, as amended, and all applicable regulations, we are requesting your review and comment on the determination of effect on historic properties within the proposed mitigation project area. Hudbay Minerals (Hudbay) proposes to develop the Rosemont Copper Project (Project) on lands under the administration of the Coronado National Forest. As part of Project-related compensatory mitigation proposed to the U.S. Army Corps of Engineers (Corps), Hudbay has acquired the Sonoita Creek Ranch, which is located within the Santa Cruz Watershed (see attached map). The core of the mitigation activities for the Project would involve the restoration of Sonoita Creek, including the re-establishment of its historic floodplain and rehabilitation of the existing channel. The proposed scope of work also includes establishing new riparian habitat, enhancing existing habitat, and restoring flow channels through the historic floodplain. The proposed mitigation is located on private land and will be funded by the applicant.

The area of potential effect (APE) for mitigation activities includes two separate parcels of the Sonoita Creek Ranch property. Parcel 1 is an irregularly shaped parcel measuring 2,720 feet northwest-southeast by 1,920 feet northeast-southwest (in maximum dimension) and encompassing approximately 62.5 acres. Parcel 2 is an irregularly shaped parcel measuring 17,380 feet north/northeast-south/southwest by 2,125 feet northwest-southeast (in maximum dimension) and encompassing 472 acres. Rosemont contracted Westland Resources (Westland) to conduct a cultural resources inventory of the APE.

Westland's cultural resources inventory resulted in the identification of 12 archaeological sites and 30 isolated occurrences within the APE. Eight of the sites identified are previously discovered sites; the remaining four are newly discovered. In addition, Westland confirmed that two additional previously recorded sites purported to occur within the APE, are, in fact, located beyond the APE. Westland updated the boundaries of these two sites to reflect their actual location and extent.

The archaeological sites and components recorded in the APE relate to prehistoric, protohistoric, and Early Historic Native American resource procurement/processing and habitation activities, as well as Historic period Euroamerican habitation, agriculture, transportation, and utility land-use activities. One site is an in-use natural gas pipeline that is exempt from Section 106 review by federal agencies (67 FR 9429, March 1, 2002 [ACHP]). Four sites and the 30 isolated occurrences are recommended ineligible. The sites recommended ineligible for the National Register of Historic Places (NRHP) include an artifact scatter consisting of fired brick and concrete fragments that suggests a collapsed structure, a historic agricultural site with five interconnected features, including two ponds, a concrete-lined irrigation canal, a concrete weir, and a wellhead; and two newly recorded historic water management/irrigation agriculture sites associated with the impoundment and dispersal of water.

The remaining seven sites within the APE are recommended eligible for inclusion in the NRHP under Criterion D for their information potential. These include a former grade of the New Mexico & Arizona Railroad, an abandoned alignment of State Road (SR) 82, a complex of mounded earth features associated with a scatter of historic artifacts, a scatter of historic artifacts associated with structural elements and midden areas, and three protohistoric/historic Sobaipuri sites. Of these, all but the abandoned alignment of SR 82 will be avoided by construction activities at the Sonoita Creek mitigation site.

In regard to the abandoned alignment of SR 82, Westland provides the following discussion addressing potential effects from the proposed construction activities:

The location and function of this abandoned road segment will not be impacted by project activities. Two features will be impacted, but both are common features (i.e., a culvert and a bank protection) that do not, in themselves, contain the kinds of information that contributes to the NRHP eligibility of the road as a whole. The features have been mapped, described, and documented in this report. Therefore, Westland recommends that burial of the two features associated with this historic property will not alter the characteristics that qualify it for inclusion in the NRHP and thus does not constitute an adverse effect.

The Corps concurs with this assessment.

Regarding indirect effects, none of the historic properties are considered significant for architectural, engineering, or other visual characteristics. Furthermore, Rosemont proposes to restore the Sonoita Creek floodplain to its historical flow regime, which is expected to result in the gradual return of large portions of the APE to a riparian environment similar to that which would have characterized this area throughout most of prehistoric and historic times. Therefore, the Corps has determined that there will be no indirect adverse effect to the historic properties in the APE.

The State Historic Preservation Officer concurred with the Corps recommendations of eligibility and determination of effect on September 1, 2017 (Log Number SHPO-2017-1129 [138705]).

The Corps recognizes the government-to-government relationship our agency has with your Tribe. Therefore, we are providing this information for your review of our determination of no adverse effect to historic properties by the Sonoita Creek mitigation project. Enclosed is a copy of the cultural resources survey report prepared and submitted by Westland Resources. As you are aware, it contains information considered sensitive, which is protected under federal law.

If you have questions or concerns, or require additional information regarding the Corps determination of effect for the Sonoita Creek Mitigation project, please contact me at (505) 342-3374 or [christopher.m.parrish@usace.army.mil](mailto:christopher.m.parrish@usace.army.mil) by November 3, 2017.

Sincerely,

PARRISH.CHRISTOPHER.M.1

Digitally signed by PARRISH.CHRISTOPHER.M.1  
DN: c=US, o=U.S. Government, ou=DoD, ou=PA, ou=USA,  
cn=PARRISH.CHRISTOPHER.M.1  
Date: 2017.10.03 13:30:11 -0600

Chris Parrish  
*Cultural Resource Specialist*  
Regulatory Division

Enclosure



Sustainability ~ Conservation ~ Historic Preservation

October 4, 2017

Edwin S. Townsley  
Chief, Operations and Regulatory  
South Pacific Division  
U.S. Army Corps of Engineers  
1455 Market St.  
San Francisco, CA 94103-1399

**Re: Action No. 2008-00816-MB Cultural Resources Inventory of the Sonoita Creek Ranch  
Proposed Compensatory Mitigation by Hudbay for the Rosemont Copper Project**

Dear Mr. Townsley:

I am in receipt of your letter dated September 20, 2017, referencing the subject project that requests concurrence with a determination of eligibility to the National Register of Historic Places of "12 archaeological sites and 30 isolated occurrences within the APE," as well as concurrence with a determination of "no adverse effect to historic properties" from this project.

I will not comment on this project or provide any concurrence with these determinations without any supporting documentation. I have not received the cultural resources inventory report for the two proposed mitigation parcels or any information regarding justification for determination of sites as eligible or ineligible for listing in the National Register, or copies of correspondence regarding consultation with Tribal Nations or the State Historic Preservation Office. Nor have I received any construction or restoration plans for Sonoita Creek from which I can make an independent evaluation of effect.

I understand that the Sonoita Creek Ranch mitigation project is currently not included in the Programmatic Agreement (PA) and Historic Properties Treatment Plan (HPTP) for the proposed Rosemont Mine project within Coronado National Forest. Because compensatory mitigation is a related action to the mine, I wonder why this undertaking was not addressed in the PA and HPTP.

Once we have received the supporting documents, we will review and comment on the eligibility of the various sites to the National Register and evaluate the effect of the proposed undertaking.

Sincerely,

Linda Mayro, Director  
Sustainability, Conservation, & Historic Preservation

CC: Christopher M. Parrish, US Army Corps of Engineers  
Roger Anyon, Pima County



DEPARTMENT OF THE ARMY  
SOUTH PACIFIC DIVISION, U.S. ARMY CORPS OF ENGINEERS  
1455 MARKET STREET  
SAN FRANCISCO, CALIFORNIA 94103-1399

September 20, 2017

REPLY TO  
ATTENTION OF

SUBJECT: Action No. 2008-00816-MB; Cultural Resources Inventory of the Sonoita Creek Ranch Property, Santa Cruz County, Arizona

Linda Mayro  
Cultural Resources Manager  
Pima County Cultural Resources and Historic Preservation Office  
201 N. Stone Ave.  
Tucson, AZ 85701

Dear Ms. Mayro:

In accordance with the National Historic Preservation Act of 1966, as amended, and all applicable regulations, we are requesting your review and comment on the determination of effect on historic properties within the proposed mitigation project area. Hudbay Minerals (Hudbay) proposes to develop the Rosemont Copper Project (Project) on lands under the administration of the Coronado National Forest. As part of Project-related compensatory mitigation proposed to the U.S. Army Corps of Engineers (Corps), Hudbay has acquired the Sonoita Creek Ranch, which is located within the Santa Cruz Watershed (see attached map). The core of the mitigation activities for the Project involves the restoration of Sonoita Creek, including the re-establishment of its historic floodplain and rehabilitation of the existing channel. The proposed scope of work also includes establishing new riparian habitat, enhancing existing habitat, and restoring flow channels through the historic floodplain. The proposed mitigation is located on private land and will be funded by the applicant.

The area of potential effect (APE) for mitigation activities includes two separate parcels of the Sonoita Creek Ranch property. Parcel 1 is an irregularly shaped parcel measuring 2,720 feet northwest-southeast by 1,920 feet northeast-southwest (in maximum dimension) and encompassing approximately 62.5 acres. Parcel 2 is an irregularly shaped parcel measuring 17,380 feet north/northeast-south/southwest by 2,125 feet northwest-southeast (in maximum dimension) and encompassing 472 acres. Rosemont contracted Westland Resources (Westland) to conduct a cultural resources inventory of the APE.

Westland's cultural resources inventory resulted in the identification of 12 archaeological sites and 30 isolated occurrences within the APE. Eight of the sites identified are previously discovered sites; the remaining four are newly discovered. In addition, Westland confirmed that two additional previously recorded sites purported to occur within the APE, are, in fact, located beyond the APE. Westland updated the boundaries of these two sites to reflect their actual location and extent.

The archaeological sites and components recorded in the APE relate to prehistoric, protohistoric, and Early Historic Native American resource procurement/processing and habitation activities, as well as Historic period Euroamerican habitation, agriculture, transportation, and utility land-use activities. One site is an in-use natural gas pipeline that is exempt from Section 106 review by federal agencies (67 FR 9429, March 1, 2002 [ACHP]). Four sites and the 30 isolated occurrences are recommended ineligible. The sites recommended ineligible for the National Register of Historic Places (NRHP) include an artifact scatter consisting of fired brick and concrete fragments that suggests a collapsed structure, a historic agricultural site with five interconnected features, including two ponds, a concrete-lined irrigation canal, a concrete weir, and a wellhead; and two newly recorded historic water management/irrigation agriculture sites associated with the impoundment and dispersal of water.

The remaining seven sites within the APE are recommended eligible for inclusion in the NRHP under Criterion D for their information potential. These include a former grade of the New Mexico & Arizona Railroad, an abandoned alignment of State Road (SR) 82, a complex of mounded earth features associated with a scatter of historic artifacts, a scatter of historic artifacts associated with structural elements and midden areas, and three protohistoric/historic Sobaipuri sites. Of these, all but the abandoned alignment of SR 82 will be avoided by construction activities at the Sonoita Creek mitigation site.

In regard to the abandoned alignment of SR 82, Westland provides the following discussion addressing potential effects from the proposed construction activities:

The location and function of this abandoned road segment will not be impacted by project activities. Two features will be impacted, but both are common features (i.e., a culvert and a bank protection) that do not, in themselves, contain the kinds of information that contributes to the NRHP eligibility of the road as a whole. The features have been mapped, described, and documented in this report. Therefore, Westland recommends that burial of the two features associated with this historic property will not alter the characteristics that qualify it for inclusion in the NRHP and thus does not constitute an adverse effect.

The Corps concurs with this assessment.

Regarding indirect effects, none of the historic properties are considered significant for architectural, engineering, or other visual characteristics. Furthermore, Rosemont proposes to restore the Sonoita Creek floodplain to its historical flow regime, which is expected to result in the gradual return of large portions of the APE to a riparian environment similar to that which would have characterized this area throughout most of prehistoric and historic times. Therefore, the Corps has determined that there will be no indirect adverse effect to the historic properties in the APE.

The State Historic Preservation Officer concurred with the Corps recommendations of eligibility and determination of effect on September 1, 2017 (Log Number SHPO-2017-1129 [138705]).



In sum, we are providing this information for your review of our determination of **no adverse effect to historic properties** by this project. If you have questions or concerns, or require additional information regarding the Corps determination of effect for the Sonoita Creek mitigation project, please contact Chris Parrish, Cultural Resources Specialist at (505) 342-3374 or [christopher.m.parrish@usace.army.mil](mailto:christopher.m.parrish@usace.army.mil) by October 20, 2017.

**Building Strong!**

Sincerely,

A handwritten signature in black ink, appearing to read "Edwin S. Townsley". The signature is stylized and cursive.

Edwin S. Townsley  
Chief, Operations and Regulatory  
South Pacific Division

Enclosure

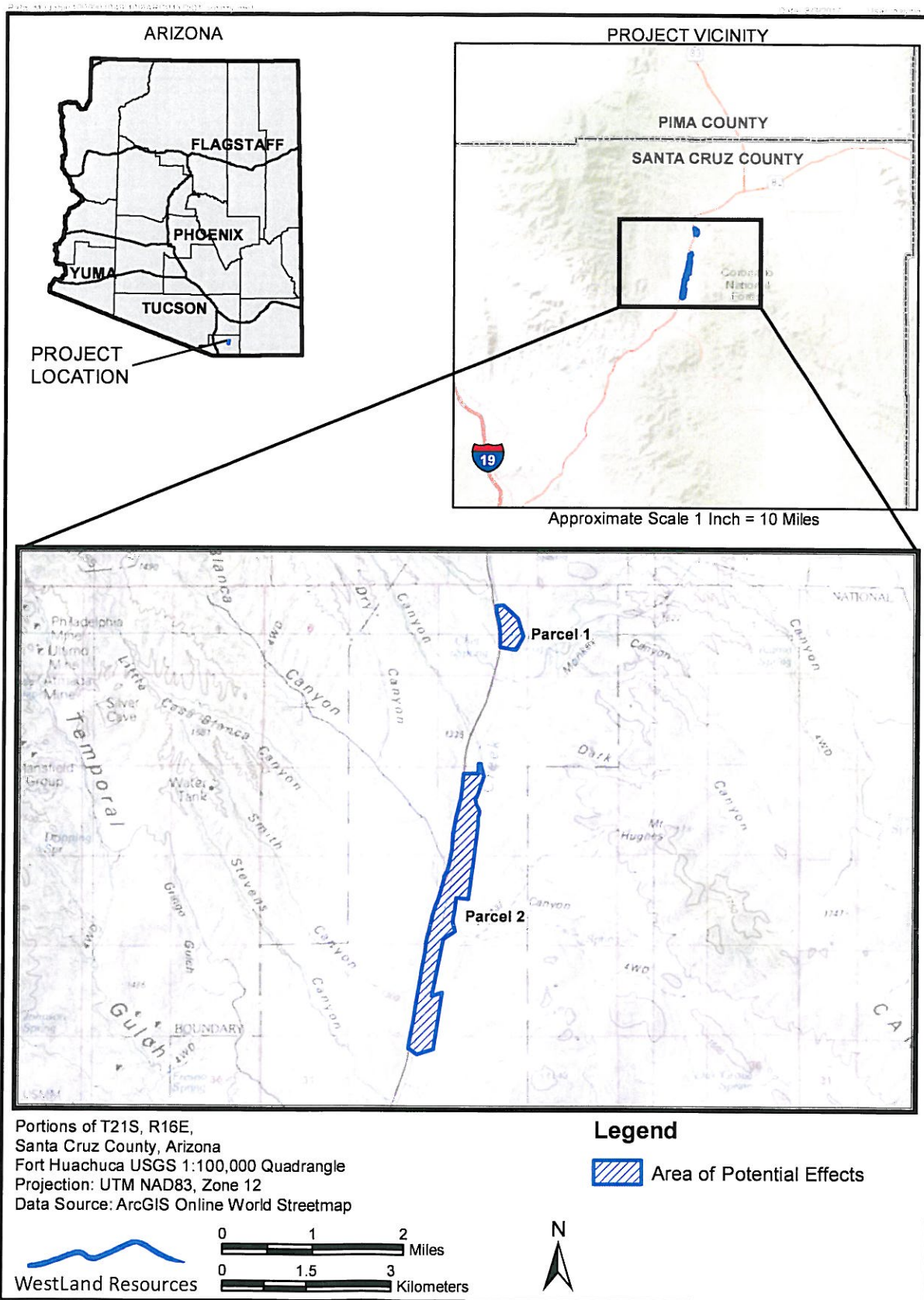


Figure 1. Vicinity map

## **Parrish, Christopher M CIV USARMY CESP (US)**

---

**From:** Linda Mayro <Linda.Mayro@pima.gov>  
**Sent:** Wednesday, October 04, 2017 1:16 PM  
**To:** Parrish, Christopher M CIV USARMY CESP (US)  
**Cc:** Roger Anyon  
**Subject:** [EXTERNAL] Sonoita Creek Arizona consultation  
**Attachments:** Sonoita Creek.COE.consultation10042017.pdf

Hello Chris -- Please see attached letter. Because we have no information, reports, construction plans, or supporting documentation, and correspondence about this project related to the proposed Rosemont Mine, we are unable to comment at this time.

Please be in touch with Roger Anyon after October 10, since we are both out of town.

Thanks,

---

Linda Mayro, Director

Sustainability-Conservation-Historic Preservation

201 N. Stone Ave. 6th Flr.

Tucson, AZ 85701

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Ph. 520.724.6451

Email: linda.mayro@pima.gov <mailto:linda.mayro@pima.gov>



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS  
4101 JEFFERSON PLAZA NE  
ALBUQUERQUE, NM 87109

October 4, 2017

Regulatory Division  
New Mexico/Texas Branch

SUBJECT: Action No. 2008-00816-MB; Habitat Mitigation and Monitoring Plan (HMMP) for the Sonoita Creek Ranch Property, Santa Cruz County, Arizona

Peter Steere  
Tribal Historic Preservation Officer  
Tohono O'odham Nation  
P.O. Box 837  
Sells, AZ 85634

Dear Mr. Steere:

As you are aware, Hudbay Minerals (Hudbay) proposes to develop the Rosemont Copper Project (Project) on lands under the administration of the Coronado National Forest. As part of Project-related compensatory mitigation proposed to the U.S. Army Corps of Engineers (Corps), Hudbay has acquired the Sonoita Creek Ranch, which is located within the Santa Cruz Watershed. The core of the mitigation activities for the Project would involve the restoration of Sonoita Creek, including the re-establishment of its historic floodplain and rehabilitation of the existing channel. The proposed scope of work also includes establishing new riparian habitat, enhancing existing habitat, and restoring flow channels through the historic floodplain. The proposed mitigation is located on private land and will be funded by the applicant.

Per your request, enclosed is a copy of the HMMP for the Sonoita Creek Ranch Property. If you have questions or concerns, or require additional information regarding the Corps determination of effect for the Sonoita Creek Mitigation project, please contact me at (505) 342-3374 or [christopher.m.parrish@usace.army.mil](mailto:christopher.m.parrish@usace.army.mil).

Sincerely,

PARRISH.CHRIST  
OPHER.M [REDACTED]

Digitally signed by  
PARRISH.CHRISTOPHER.M [REDACTED]  
DN: c=US, o=U.S. Government, ou=DoD,  
ou=PKI, ou=USA,  
cn=PARRISH.CHRISTOPHER.M [REDACTED]  
Date: 2017.10.04 10:34:08 -0600

Chris Parrish  
*Cultural Resource Specialist*  
Regulatory Division

Enclosure

**Parrish, Christopher M CIV USARMY CESP (US)**

---

**From:** Matthew Behrend <MBehrend@azland.gov>  
**Sent:** Tuesday, October 17, 2017 4:07 PM  
**To:** Parrish, Christopher M CIV USARMY CESP (US)  
**Subject:** [EXTERNAL] Sonoita Creek Ranch

Good afternoon,

ASLD concurs with the "NAE" finding for the Sonoita Creek Ranch Property (2008-00816-MB).

Thank you,

Matt

Matthew Behrend, M.A.

Cultural Resources Section Manager

Arizona State Land Department

1616 West Adams Street

Phoenix, AZ 85007

602.542.2679



United States  
Department of  
Agriculture

Forest  
Service

Coronado National Forest  
Supervisor's Office

300 West Congress St.  
Tucson, AZ 85701  
520-388-8300  
Fax: 520-388-8305

---

**File Code:** 2360  
**Date:** October 20, 2017

Edwin S. Townsley  
Chief, Operations and Regulatory South Pacific Division  
Department of the Army  
South Pacific Division Corps of Engineers  
1455 Market Street, PDO  
San Francisco CA 94103-1399

Dear Mr. Townsley:

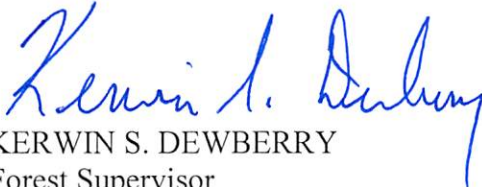
Thank you for your correspondence dated September 20, 2017 regarding Cultural Resources Inventory of the Sonoita Creek Ranch Property, Santa Cruz County, Arizona. Chris Parrish provided the Coronado National Forest a copy of the report for review, in connection with the Rosemont Copper Project.

The Forest Archaeologist reviewed the report and concurs the determinations of effect and eligibility.

We appreciate the opportunity to review this report and any other cultural resources inventory reports associated with Rosemont.

Please note, Jamie Kingsbury no longer works for the Coronado National Forest. Please address any future correspondence to Kerwin Dewberry, Forest Supervisor.

Sincerely,



KERWIN S. DEWBERRY  
Forest Supervisor

cc: Chris Parrish





**White Mountain Apache Tribe**  
**Office of Historic Preservation**  
**PO Box 1032**  
**Fort Apache, AZ 85926**  
**Ph: (928) 338-3033 Fax: (928) 338-6055**

**To:** Edwin S. Townsley, Chief, Operations and Regulatory South Pacific Division  
**Date:** October 22, 2017  
**Re:** Action No 2008-00816-MB Cultural Resource Survey of Sonoita Creek Ranch

.....

The White Mountain Apache Tribe Historic Preservation Office appreciates receiving information on the proposed project, dated September 20, 2017. In regards to this, please attend to the following checked items below.

**Please refer to the additional notes in regards to the proposed project:**

Thank you for allowing the White Mountain Apache tribe the opportunity to review and respond to the above proposed cultural resource inventory at the Sonoita Creek Ranch in regards to the restoration of the Ranch property, within Santa Cruz County, Arizona. We have determined the proposed project plans **will not have an impact** on the White Mountain Apache tribe's historic properties and/or traditional cultural properties.

Regardless, any/all ground disturbing activities should be monitored "if" there are reasons to believe that there are human remains and/or funerary objects present, and if such remains are encountered they shall be treated with respect and handled accordingly until such remains are repatriated to the affiliated tribe(s).

Thank you. We look forward to continued collaborations in the protection and preservation of places of cultural and historical importance.

Sincerely,

*Mark T. Altaha*

White Mountain Apache Tribe - THPO



**PLANNING & BUILDING**

375 W. Sahuarita Center Way  
Sahuarita, AZ 85629  
[sahuaritaAZ.gov](http://sahuaritaAZ.gov)

November 7, 2017

Edwin S. Townsley  
Chief, Operations and Regulatory  
Department of the Army  
South Pacific Division, U.S. Army Corps of Engineers  
1455 Market Street  
San Francisco, California 94103-1399

RE: Action No. 2008-00816-MB; Cultural Resources Inventory of the Sonoita Creek Ranch Property,  
Santa Cruz County, Arizona

Dear Mr. Townsley:

Thank you for the opportunity to review the project. At this time, the Town of Sahuarita does not have comments on the effects on historic properties of the proposed mitigation site. However, the Town suggests for the mitigation properties to be closer to the Rosemont Mine disturbance area.

Should you have any questions or would like to discuss, feel free to contact me at (520) 822-8851 or via email at [ohenderson@sahuaritaaz.gov](mailto:ohenderson@sahuaritaaz.gov)

Respectfully,

A handwritten signature in black ink, appearing to read "Orlanthia Henderson", is written over a light gray background.

Orlanthia Henderson  
Senior Planner  
Phone: (520) 822-8851  
Fax: (520) 822-8876  
Email: [ohenderson@sahuaritaaz.gov](mailto:ohenderson@sahuaritaaz.gov)

Cc: Christopher Parrish, U.S. Army Corps of Engineers





## **Parrish, Christopher M CIV USARMY CESP (US)**

---

**From:** Linda Mayro <Linda.Mayro@pima.gov>  
**Sent:** Wednesday, November 22, 2017 10:59 AM  
**To:** Cummings, Deanna L CIV USARMY CESP (US); Parrish, Christopher M CIV USARMY CESP (US); Roger Anyon  
**Cc:** JAMES, William L CIV USARMY CELRD (US)  
**Subject:** [EXTERNAL] RE: Sonoita Creek Arizona consultation

Deanna -- Thanks very much for the clarification on the permit deliberation and that the proponent would be constructing this as part of their permitted action should it be approved.

Linda

---

Linda Mayro, Director  
Sustainability-Conservation-Historic Preservation  
201 N. Stone Ave. 6th Flr.  
Tucson, AZ 85701

---

Ph. 520.724.6451  
Email: linda.mayro@pima.gov

-----Original Message-----

**From:** Cummings, Deanna L CIV USARMY CESP (US) [mailto:Deanna.L.Cummings@usace.army.mil]  
**Sent:** Wednesday, November 22, 2017 10:55 AM  
**To:** Linda Mayro <Linda.Mayro@pima.gov>; Parrish, Christopher M CIV USARMY CESP (US) <Christopher.M.Parrish@usace.army.mil>; Roger Anyon <Roger.Anyon@pima.gov>  
**Cc:** JAMES, William L CIV USARMY CELRD (US) <William.L.James@usace.army.mil>; Cummings, Deanna L CIV USARMY CESP (US) <Deanna.L.Cummings@usace.army.mil>  
**Subject:** RE: Sonoita Creek Arizona consultation

Linda:

The Corps is currently deliberating a permit decision of which the proposed mitigation is a part. The Section 106 process that has provided Pima County the opportunity to comment on the Corps' determination of no adverse effect to historic properties for the mitigation plan is a part of the deliberation process. Should we reach a decision to issue a permit, the mitigation would be constructed by the applicant and their contractors as a part of the permitted action. I must stress, however, the Corps has not yet made a decision and the commenting process we are conducting with you should not be construed as a permit decision in any way.

Thank you and have a good Thanksgiving. Deanna

Deanna L. Cummings  
Senior Regulatory Project Manager

Regulatory Program  
U.S. Army Corps of Engineers  
Albuquerque District

4101 Jefferson Plaza NE  
Albuquerque, NM 87109  
505-342-3280

Blocked<http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits.aspx>  
Like us on Facebook: Blocked<https://www.facebook.com/albuquerquedistrict>  
You are invited to complete our customer survey, located at the following link:  
Blocked[http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey).

-----Original Message-----

From: Linda Mayro [mailto:Linda.Mayro@pima.gov]  
Sent: Wednesday, November 22, 2017 10:38 AM  
To: Parrish, Christopher M CIV USARMY CESP (US) <Christopher.M.Parrish@usace.army.mil>; Roger Anyon <Roger.Anyon@pima.gov>  
Cc: Cummings, Deanna L CIV USARMY CESP (US) <Deanna.L.Cummings@usace.army.mil>; JAMES, William L CIV USARMY CELRD (US) <William.L.James@usace.army.mil>  
Subject: [EXTERNAL] RE: Sonoita Creek Arizona consultation

Hello Chris -- We will provide a response. So we understand the process and can reference it properly, will this construction be done by the Corps? and under 404 Permit?

Thanks and Happy Thanksgiving to you, too!

-----Original Message-----

From: Parrish, Christopher M CIV USARMY CESP (US) [mailto:Christopher.M.Parrish@usace.army.mil]  
Sent: Wednesday, November 22, 2017 9:36 AM  
To: Roger Anyon <Roger.Anyon@pima.gov>; Linda Mayro <Linda.Mayro@pima.gov>  
Cc: Cummings, Deanna L CIV USARMY CESP (US) <Deanna.L.Cummings@usace.army.mil>; JAMES, William L CIV USARMY CELRD (US) <William.L.James@usace.army.mil>  
Subject: RE: Sonoita Creek Arizona consultation

Hello Roger and Linda,

I am following up on the email chain below regarding the Sonoita Creek Ranch Mitigation Site and the Corps determination of no adverse effect to historic properties from the proposed scope of work. Is Pima County planning to provide a response to the Corps regarding this determination?

Happy Thanksgiving!

cp

-----Original Message-----

From: Roger Anyon [mailto:Roger.Anyon@pima.gov]  
Sent: Wednesday, October 11, 2017 9:53 AM  
To: Cummings, Deanna L CIV USARMY CESP (US) <Deanna.L.Cummings@usace.army.mil>; Linda Mayro <Linda.Mayro@pima.gov>  
Cc: Parrish, Christopher M CIV USARMY CESP (US) <Christopher.M.Parrish@usace.army.mil>  
Subject: [EXTERNAL] RE: Sonoita Creek Arizona consultation

Much appreciated. Thanks Deanna.

-----Original Message-----

From: Cummings, Deanna L CIV USARMY CESP (US) [mailto:Deanna.L.Cummings@usace.army.mil]  
Sent: Wednesday, October 11, 2017 8:51 AM  
To: Roger Anyon <Roger.Anyon@pima.gov>; Linda Mayro <Linda.Mayro@pima.gov>  
Cc: Parrish, Christopher M CIV USARMY CESP (US) <Christopher.M.Parrish@usace.army.mil>; Cummings, Deanna L CIV USARMY CESP (US) <Deanna.L.Cummings@usace.army.mil>  
Subject: RE: Sonoita Creek Arizona consultation

Roger:

You should receive a new link within a half hour. Please let me know if you don't.

Deanna

Deanna L. Cummings  
Senior Regulatory Project Manager

Regulatory Program  
U.S. Army Corps of Engineers  
Albuquerque District  
4101 Jefferson Plaza NE  
Albuquerque, NM 87109  
505-342-3280

BlockedBlockedBlocked<http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits.aspx>  
Like us on Facebook: BlockedBlockedBlocked<https://www.facebook.com/albuquerquedistrict>  
You are invited to complete our customer survey, located at the following link:  
BlockedBlockedBlocked[http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey).

-----Original Message-----

From: Roger Anyon [mailto:Roger.Anyon@pima.gov]  
Sent: Tuesday, October 10, 2017 5:41 PM  
To: Cummings, Deanna L CIV USARMY CESP (US) <Deanna.L.Cummings@usace.army.mil>; Linda Mayro <Linda.Mayro@pima.gov>  
Cc: Parrish, Christopher M CIV USARMY CESP (US) <Christopher.M.Parrish@usace.army.mil>  
Subject: [EXTERNAL] RE: Sonoita Creek Arizona consultation

Could you please send the link again. I tried downloading and the process failed and now I can't use the password a second time. Thank you.

Roger Anyon.

-----Original Message-----

From: Cummings, Deanna L CIV USARMY CESP (US) [mailto:Deanna.L.Cummings@usace.army.mil]  
Sent: Tuesday, October 10, 2017 2:41 PM  
To: Linda Mayro <Linda.Mayro@pima.gov>; Roger Anyon <Roger.Anyon@pima.gov>  
Cc: Parrish, Christopher M CIV USARMY CESP (US) <Christopher.M.Parrish@usace.army.mil>; Cummings, Deanna L CIV USARMY CESP (US) <Deanna.L.Cummings@usace.army.mil>  
Subject: RE: Sonoita Creek Arizona consultation

Linda and Roger:

I'm about to upload the documents to our safe file transfer process. You should receive an email from it with within instructions on how to access and download the documents in about a half hour or so. If you do not receive one this afternoon, at the latest tomorrow morning, please contact me and I will try again.

Thank you. Deanna

Deanna L. Cummings  
Senior Regulatory Project Manager

Regulatory Program  
U.S. Army Corps of Engineers  
Albuquerque District  
4101 Jefferson Plaza NE  
Albuquerque, NM 87109  
505-342-3280

BlockedBlockedBlockedBlocked<http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits.aspx>  
Like us on Facebook: BlockedBlockedBlockedBlocked<https://www.facebook.com/albuquerquedistrict>  
You are invited to complete our customer survey, located at the following link:  
BlockedBlockedBlockedBlocked[http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey).

-----Original Message-----

From: Parrish, Christopher M CIV USARMY CESPA (US)  
Sent: Thursday, October 05, 2017 8:44 AM  
To: Linda Mayro <Linda.Mayro@pima.gov>  
Cc: Roger Anyon <Roger.Anyon@pima.gov>; Cummings, Deanna L CIV USARMY CESPA (US) <Deanna.L.Cummings@usace.army.mil>  
Subject: RE: Sonoita Creek Arizona consultation

Hello Linda and Roger,

Deanna Cummings will provide a link to the AMRDEC safe site for downloading the cultural resources report and Habitat Mitigation and Monitoring Plan.

And thank you for the prompt response to our request for review and comment on our determination of no adverse effect to historic properties from the proposed compensatory mitigation activities at Sonoita Creek.

cp

Chris M. Parrish  
U.S. Army Corps of Engineers  
Albuquerque District  
Regulatory Project Manager/Archaeologist  
4101 Jefferson Plaza, NE  
Albuquerque, NM 87109  
Office: 505.342.3374  
Fax: 505.344.1415

Building Strong(r)

Please take our Customer Service Survey and let us know how we're doing!

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For more information about the Regulatory Program please visit:

BlockedBlockedBlockedBlocked<http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits.aspx>

-----Original Message-----

From: Linda Mayro [mailto:Linda.Mayro@pima.gov]

Sent: Wednesday, October 04, 2017 1:16 PM

To: Parrish, Christopher M CIV USARMY CESPA (US) <Christopher.M.Parrish@usace.army.mil>

Cc: Roger Anyon <Roger.Anyon@pima.gov>

Subject: [EXTERNAL] Sonoita Creek Arizona consultation

Hello Chris -- Please see attached letter. Because we have no information, reports, construction plans, or supporting documentation, and correspondence about this project related to the proposed Rosemont Mine, we are unable to comment at this time.

Please be in touch with Roger Anyon after October 10, since we are both out of town.

Thanks,

---

Linda Mayro, Director

Sustainability-Conservation-Historic Preservation

201 N. Stone Ave. 6th Flr.

Tucson, AZ 85701

---

Ph. 520.724.6451

Email: [linda.mayro@pima.gov](mailto:linda.mayro@pima.gov) <<mailto:linda.mayro@pima.gov>>



Received from Tribal Admin 12/05/17

E-mailed 12/14/17 (initial & date)

Scanned 12/12/17 (initial & date)

SAN CARLOS APACHE TRIBE  
Historic Preservation & Archaeology Department  
P.O. Box 0  
San Carlos Arizona 85550  
Tel. (928) 475-5797, [apachevern@yahoo.com](mailto:apachevern@yahoo.com)

**Tribal Consultation Response Letter**

**Date:** 11/20/2017 email: [Christopher.m.parrish@usace.army.mil](mailto:Christopher.m.parrish@usace.army.mil)

**Contact Name:** Chris Parrish, Cultural Resources Specialist  
**Company:** Dept. of Army-South Pacific Division-US Army Corps of Engineers  
**Address:** 1455 Market Street, San Francisco, California 94103-1399  
**Project Name/#:** Action No. 2008-00816 MB-Cultural Resources inventory of Sonoita Creek Ranch

**Dear Sir or Madam:**

Under Section 106 and 110 of the National Historic Preservation Act, we are replying to the above referenced project. Please see the appropriate marked circle, including the signatures of Vernelda Grant, Tribal Historic Preservation Officer (THPO), and the concurrence of the Chairman of the San Carlos Apache Tribe:

**NO INTEREST/NO FURTHER CONSULTATION/NO FUTURE UPDATES**  
We defer to the Tribe located nearest to the project area.

**CONCURRENCE WITH REPORT FINDINGS & THANK YOU**

**REQUEST ADDITIONAL INFORMATION**  
I require additional information in order to provide a finding of effect for this proposed undertaking, i.e. Project description \_\_\_ Map \_\_\_ Photos \_\_\_ Other \_\_\_\_\_

**NO EFFECT**  
I have determined that there are no properties of religious and cultural significance to the San Carlos Apache Tribe that are listed on the National Register within the area of potential effect or that the proposed project will have no effect on any such properties that may be present.

**NO ADVERSE EFFECT**  
Properties of cultural and religious significance within the area of effect have been identified that are eligible for listing in the National Register for which there would be no adverse effect as a result of the proposed project.

**ADVERSE EFFECT**  
I have identified properties of cultural and religious significance within the area of potential effect that are eligible for listing in the National Register. I believe the proposed project would cause an adverse effect on these properties. Please contact the THPO for further discussion.

We were taught traditionally not to disturb the natural world in a significant way, and that to do so may cause harm to oneself or one's family. Apache resources can be best protected by managing the land to be as natural as it was in pre-1870s settlement times. Please contact the THPO, if there is a change in any portion of the project, especially if Apache cultural resources are found at any phase of planning and construction. Thank you for contacting the San Carlos Apache Tribe, your time and effort is greatly appreciated.

**DIRECTOR/THPO:**  11/20/17  
Vernelda J. Grant, Tribal Historic Preservation Officer Date

**CONCURRENCE:**  11/27/17  
Terry Rambler, Tribal Chairman Date

Action No. 2008-00816-MB; Cultural Resources Inventory of the Sonoita Creek Ranch  
Property, Santa Cruz County, Arizona and the U.S. Army Corps of Engineers  
Determination of No Adverse Effect to Historic Properties

Consultation Correspondence  
2018



DEPARTMENT OF THE ARMY

SOUTH PACIFIC DIVISION, U.S. ARMY CORPS OF ENGINEERS  
Phillip Burton Federal Building  
Post Office Box 36023  
450 Golden Gate Avenue  
SAN FRANCISCO, CALIFORNIA 94102

September 27, 2018

RE: Action No. 2008-00816-MB; Addendum Report for the Cultural Resources Inventory of the Sonoita Creek Ranch Property, Santa Cruz County, Arizona

Ms. Kathryn Leonard  
*State Historic Preservation Officer*  
Arizona State Historic Preservation Officer  
1100 W Washington Street  
Phoenix, AZ 85007



Dear Ms. Leonard:

In accordance with the National Historic Preservation Act of 1966, as amended, and all applicable regulations, we are requesting your review and comment on the determination of effect that issuance of a Department of the Army (DA) permit would have on cultural resources within the proposed project area. Rosemont Copper Company (Rosemont) proposes to develop the Rosemont Copper Project (Project) on lands under the administration of the Coronado National Forest. As part of Project-related compensatory mitigation mandated by the U.S. Army Corps of Engineers (Corps), Rosemont has acquired four parcels of private land within the Santa Cruz River Watershed. The core of the mitigation activities for the permit application review process involves stream, floodplain, and upland restoration activities within the Rail X Ranch and Sonoita Creek Ranch. The proposed scope of work includes rehabilitation of Sonoita Creek and tributary channels within both parcels, reestablishment of floodplain benches and uplands that buffer the channel, and pond enhancement for native species.

In August and October of 2017, the Corps consulted with the Arizona State Historic Preservation Officer (SHPO) and all other Consulting Parties identified per the MOA, including Tribes, regarding our determination of no adverse effect to historic properties from the proposed scope of work at the Sonoita Creek Ranch compensatory mitigation site. Your office concurred with the Corps' recommendations of cultural resources NRHP-eligibility status and determination of effect on September 1, 2017 (Log Number SHPO-2017-1129 [138705]). The Corps also received responses from several other Consulting Parties that provided either concurrence with the determination of effect (e.g. USFS, Arizona State Land Office, San Carlos Apache Tribe) or a statement that no historic properties significant to a particular Tribe will be affected by the proposed scope of work (e.g. White Mountain Apache Tribe). The Corps did receive requests for additional information from the Tohono O'odham Nation (TON) and Pima



County, and the requested documents, which included the revised Habitat Mitigation and Monitoring Plan, were provided. The Corps did not receive any objections to the determination of no adverse effect to historic properties at the Sonoita Creek Ranch compensatory mitigation site.

Following the cultural resources inventory of the main area of potential effects (APE) parcels to support the creek and floodplain rehabilitation, the locations of two proposed fence lines were finalized. These are a wildlife-exclusion fence separating the restored floodplain habitat from State Route 82 to the west and a wildlife-friendly fence along the eastern side of the parcels designed to permit wildlife to enter the restored area while excluding livestock. The final plans for the two fence lines show that not all of the proposed areas of new fence construction were surveyed in 2017 by WestLand Resources, Inc. (WestLand). Unsurveyed areas where fences will be constructed were defined as an addendum to the APE.

Rosemont contracted with WestLand to survey the additional fence line construction areas (any areas not surveyed in 2017). The addendum to the APE totals 65.59 acres and consists of four non-contiguous corridors of varying widths comprised of both private (55.06 acres) and Arizona Department of Transportation- (ADOT-) owned land (10.53 acres). These corridors measure between 845 and 2,758 m long and are located along and east of State Route 82 between Sonoita and Patagonia, Santa Cruz County, Arizona. The attached document is an addendum report to the cultural resources study conducted by WestLand in 2017 (Stone and Hooper 2017).

WestLand's supplemental survey resulted in the identification of new segments of three previously recorded linear sites (AZ EE:4:43(ASM), AZ EE:6:95(ASM), AZ EE:9:196) and six isolated cultural occurrences (IOs). Collectively, the sites and non-site resources represent human use and occupation of the general area from the Prehistoric period through the Historic period. The three sites are all associated with Euroamerican land use for transportation infrastructure and utilities during the Late Historic period. One site, AZ EE:6:95(ASM), is an in-use natural gas pipeline exempt from Section 106 review by federal agencies. The other two sites within the APE are determined eligible for inclusion in the National Register of Historic Places (NRHP).

The 2017 recording of AZ EE:4:43(ASM) resulted in the documentation of seven discontinuous segments of the railroad grade/bed. Three features were also recorded. The segments, which were numbered from 1 to 7 starting in the southern portion of the APE and traveling north, totaled 5,483 linear feet (1,671 m). The three features consisted of the remnants of two wooden trestle bridges (Features 1 and 3) and a small waste pile/trash scatter (Feature 2).

The new survey effort resulted in the extension of Segment 1 of the site significantly further to the south. An additional feature was also discovered. This is the remnant of a small bridge that would have been supported by four low concrete piers, one in each corner of the span. The piers measure 4 feet (0.3 m) long (east-west), 20

inches (0.5 m) wide, and 20 inches (0.5 m) tall. The original span of the bridge would have been about 20 feet (6 m) long. None of the span remains, so the details of its construction are unknown. In addition to these structural elements of the railroad, several artifacts were also observed along the length of the extension of Segment 1. These include 2 shards of solarized amethyst bottle glass, 5 shards of aqua (clear green) bottle glass, 20 shards of clear bottle glass, 2 iron railroad spikes, and miscellaneous small fragments of rusted metal and milled lumber.

The 2017 recording of AZ EE:6:95(ASM) identified a single segment measuring 17,329 feet (5,282 m) long that traversed the entirety of Parcel 2 of the original APE. The site consists of a buried natural gas pipeline that manifests on the surface as a series of EPNG warning markers located along the centerline of the pipeline. Somewhere between Parcel 1 and Parcel 2 of the original APE, the pipeline makes a turn to the east and travels out of the Sonoita Creek Valley.

The 2018 fieldwork resulted in the recording of a small additional length of the pipeline as a separate segment at the far southern end of the addendum to the APE. The pipeline is indicated at this location by an EPNG warning marker, with additional markers visible to the north and south beyond the survey corridor. To the north, it is presumed to link to the segment recorded in 2017 (which is 900 m away). To the south, the pipeline continues in the direction of Patagonia and Nogales. The newly recorded segment, which was recorded only where it crosses the fence line survey corridor, measures 40 m long and 8 m wide.

Three segments of AZ EE:9:168(ASM) were recorded in 2017. The three segments were numbered sequentially from south to north and totaled 7,460 feet in length. The northernmost recorded segment, Segment 3, was recorded to a length of 5,780 feet. The road segments were characterized by a bituminous asphalt surface (heavily eroded or even absent in places) with widths varying from 20 to 24 feet. Along Segment 3 were two features: Feature 1, a 3,110-foot concrete bank reinforcement feature, and Feature 2, a concrete box culvert.

The northernmost segment recorded in 2017 (i.e. Segment 3) was extended to the north an additional 436 feet (133 m) as part of the addendum survey, bringing the total length of the segment to 6,216 feet. At the northern end of this segment, the road tapers and disappears under the grade of the current alignment of State Route 82. At the far northwestern corner of the 2018 addendum to the APE, a small portion the site re-enters the APE. This segment, designated as Segment 4, is only 6.5 feet (2 m) wide in the APE and only 164 feet (50 m) long; however, it continues north beyond the APE. No new features of the site were identified during the 2018 survey.

One site not in the addendum APE but occurring in the original 2017 APE (AZ EE:6:128[ASM]) lies within 30 m (100 feet) of the proposed wildlife-exclusion fence. Potential effects to this site were also assessed, and WestLand recommended that the site will not be impacted provided Rosemont flags the site boundary to ensure that construction crews do not cross the site area while accessing the fence line. As such, if

a Corps' permit is issued for the proposed action a special condition requiring fencing of the site boundary will be included within the authorization.

The six isolated occurrences are recommended not eligible following guidance from the SHPO that maintains that "IOs are, by default, generally not eligible for the National Register of Historic Places" (SHPO 2016:13). Three of the isolates represent Native American land use of the area during the Prehistoric period and the remaining three isolates reflect the historical and modern Euroamerican presence in this portion of the Sonoita Creek Valley.

All new fence line construction has been designed to avoid the historic properties. In one location, the wildlife-friendly fence crosses the southern end of the extension to Segment 1 of AZ EE:4:43(ASM) that was recorded in 2018. At this location, the fence is already in existence, and the only project activity will be the replacement of the upper and lower barbed wire strands with smooth wire strands. At this location, all fence replacement will be carried out by hand, and no vehicles will be driven across the railroad grade.

Regarding indirect effects from the proposed action, Westland's report provided the following:

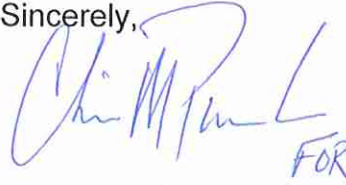
Three of the four archaeological sites considered here have been determined eligible for listing in the NRHP under Criterion (d) for their potential to contain important information about historical processes; the fourth is exempt from review. None of the three NRHP-eligible properties is considered significant for architectural, engineering, or other visual characteristics. However, for all three historic properties, there will be project impacts within their viewsheds. For this project, Rosemont proposes to construct an 8-foot-tall wildlife-exclusion fence made from steel posts and 8-inch steel mesh along the eastern side of the current alignment of State Route 82 and a wildlife-friendly fence made from four wire strands and steel t-posts along the other survey segments. These fences, by their nature, allow light to pass, and will not impede the visibility of any of the NRHP-eligible sites. Thus WestLand recommends that the fence lines will not cause indirect adverse effects to the historic properties in the APE.

The Corps concurs with this assessment regarding indirect effects, as well as the direct effects and avoidance recommendations provided within the addendum report. As such, we seek your review and comment regarding our determination of **no adverse effect to historic properties** by the proposed action. A copy of WestLand's addendum report is included as an enclosure to this letter.

Pursuant to 36 CFR 800.13, should previously unknown artifacts or cultural resource manifestations be encountered during construction, work would cease in the immediate vicinity of the resource. A determination of significance would be made, and consultation would take place with your office to determine the best course of action.

If you have questions or concerns, or require additional information regarding this project, please contact Chris Parrish at (505) 342-3374 or [christopher.m.parrish@usace.army.mil](mailto:christopher.m.parrish@usace.army.mil).

Sincerely,



Edwin "Stu" Townsley  
*Chief, Operations and Regulatory*  
South Pacific Division

Enclosure

10/23/18

Date

I CONCUR



**Kathryn Leonard**  
*State Historic Preservation Officer*



THE UNIVERSITY OF ARIZONA

# ARIZONA STATE MUSEUM

Arizona State Museum  
PO Box 210026  
Tucson AZ 85721-0026  
(520) 621-6281  
[www.statemuseum.arizona.edu](http://www.statemuseum.arizona.edu)

29 October 2018

Chris Parrish  
Department of the Army, South Pacific Division  
U.S. Army Corps of Engineers (Corps)  
Phillip Burton Federal Building  
Post Office Box 36023  
450 Golden Gate Ave.  
San Francisco, CA 94102

RE: Action No. 2008-00816-MB; Addendum Report for the Cultural Resources Inventory of the Sonoita Creek Ranch Property, Santa Cruz County, Arizona

Dear Mr. Parrish,

Arizona State Museum (ASM) has reviewed *Addendum to: A Cultural Resources Inventory of Approximately 534.5 Acres of the Sonoita Creek Ranch Property Along State Route 82, Northeast of Patagonia, Santa Cruz County, Arizona*, by B. Stone and J. Hooper of WestLand Resources, dated 18 September 2018. ASM concurs with the Corps recommendation of “no adverse effect”.

Please notify the consultant that ASM requests that the Arizona Antiquities Act be mentioned in the abstract and introduction, as not just federal legislation is involved in this project. This requested edit does not affect our concurrence.

Sincerely,

A handwritten signature in blue ink, appearing to read 'ST'.

Shannon Twilling, M.A.  
Arizona State Museum  
Arizona Antiquities Act Permits Office



Received from Tribal Admin 10/31/18 VN  
E-mailed 10/31/18 (initial & date) VN  
Scanned 10/31/18 (initial & date) VN

SAN CARLOS APACHE TRIBE  
Historic Preservation & Archaeology Department  
P.O. Box 0  
San Carlos Arizona 85550  
Tel. (928) 475-5797, [apachevern@yahoo.com](mailto:apachevern@yahoo.com)

### Tribal Consultation Response Letter

**Date:** October 17, 2018

**Contact Name:** Chris Parrish

(505) 342-3374/[christopher.m.parrish@usace.army.mil](mailto:christopher.m.parrish@usace.army.mil)

**Company:** Department of the Army

**Address:** P.O. Box 36023 450 Golden Gate Ave San Francisco, CA 94102

**Project Name/#:** ~~AACD, SHPO, and BLM are developing a Programmatic Agreement to address landscape-scale conservation project.~~

*2018-00816-MB; Addendum Report for Sonora Creek Ranch Property, Santa Cruz County, AZ*

**Dear Sir or Madam:**

Under Section 106 and 110 of the National Historic Preservation Act, we are replying to the above referenced project. Please see the appropriate marked circle, including the signatures of Vernelda Grant, Tribal Historic Preservation Officer (THPO), and the concurrence of the Chairman of the San Carlos Apache Tribe:

**NO INTEREST/NO FURTHER CONSULTATION/NO FUTURE UPDATES**

We defer to the Tribe located nearest to the project area.

**CONCURRENCE WITH REPORT FINDINGS & THANK YOU**

**REQUEST ADDITIONAL INFORMATION**

I require additional information in order to provide a finding of effect for this proposed undertaking, i.e. Project description \_\_\_ Map \_\_\_ Photos  Other *We differ to the Tribes located*

**NO EFFECT** *Closest to the proposed project area, i.e 4ST.*

I have determined that there are no properties of religious and cultural significance to the San Carlos Apache Tribe that are listed on the National Register within the area of potential effect or that the proposed project will have no effect on any such properties that may be present.

**NO ADVERSE EFFECT**

Properties of cultural and religious significance within the area of effect have been identified that are eligible for listing in the National Register for which there would be no adverse effect as a result of the proposed project.

**ADVERSE EFFECT**

I have identified properties of cultural and religious significance within the area of potential effect that are eligible for listing in the National Register. I believe the proposed project would cause an adverse effect on these properties. Please contact the THPO for further discussion.

We were taught traditionally not to disturb the natural world in a significant way, and that to do so may cause harm to oneself or one's family. Apache resources can be best protected by managing the land to be as natural as it was in pre-1870s settlement times. Please contact the THPO, if there is a change in any portion of the project, especially if Apache cultural resources are found at any phase of planning and construction. Thank you for contacting the San Carlos Apache Tribe, your time and effort is greatly appreciated.

**DIRECTOR/THPO:** \_\_\_\_\_

Vernelda J. Grant, Tribal Historic Preservation Officer

Date

*10/23/18*

**CONCURRENCE:** \_\_\_\_\_

Terry Rambler, Tribal Chairman

Date

*10/26/18*



# White Mountain Apache Tribe

Office of Historic Preservation

PO Box 1032

Fort Apache, AZ 85926

Ph: (928) 338-3033 Fax: (928) 338-6055

**To:** Edwin Townsley, Chief, Operations and Regulatory South Pacific Division

**Date:** November 01, 2018

**Re:** *Action No. 2008-00816-MB; Addendum Report Cultural Heritage Survey for Sonoita Creek*

.....

The White Mountain Apache Tribe Historic Preservation Office appreciates receiving information on the proposed project, dated November 01, 2018. In regards to this, please attend to the following statement below.

Thank you for allowing the White Mountain Apache tribe the opportunity to review and respond to the above Rosemont Copper Company proposed mitigation and rehabilitation activities within the Rail X Ranch and Sonoita Creek Ranch area, within the Coronado National Forest, in southern, Arizona, and we have determined the proposed project **"will not have an impact"** on the White Mountain Apache tribe's historic properties and/or traditional cultural properties.

Thank you for your continued collaborations in protecting and preserving places of cultural and historical importance. No further consultation will be necessary.

Sincerely,

*Mark T. Altaha*

White Mountain Apache Tribe - THPO

**From:** [Mehalic, David S -FS](#)  
**To:** [Parrish, Christopher M CIV USARMY CESPA \(US\)](#)  
**Cc:** [Baxter, Sarah - FS](#)  
**Subject:** [Non-DoD Source] RE: Action No. 2008-00816-MB; Addendum Report for the Cultural Resources Inventory of the Sonoita Creek Ranch Property, Santa Cruz County, Arizona  
**Date:** Wednesday, November 7, 2018 3:58:49 PM

---

Hello Chris-

Thank you for sharing this addendum report for Cultural Resources Inventory of the Sonoita Creek Ranch Property.

I concur with your determination that the proposed undertakings should result in no adverse effects to historic properties.

Best regards,

Dave

David Mehalic  
Forest Archaeologist  
Forest Service  
Coronado National Forest  
p: 520-388-8395  
c: 520-429-4851  
dmehalic@fs.fed.us  
300 W Congress St.  
Tucson, AZ 85701  
Blockedwww.fs.fed.us

Caring for the land and serving people

-----Original Message-----

From: Parrish, Christopher M CIV USARMY CESPA (US) [<mailto:Christopher.M.Parrish@usace.army.mil>]  
Sent: Thursday, September 27, 2018 2:58 PM  
To: Baxter, Sarah - FS <[sbaxter@fs.fed.us](mailto:sbaxter@fs.fed.us)>; Mehalic, David S -FS <[dmehalic@fs.fed.us](mailto:dmehalic@fs.fed.us)>  
Subject: Action No. 2008-00816-MB; Addendum Report for the Cultural Resources Inventory of the Sonoita Creek Ranch Property, Santa Cruz County, Arizona

Sarah/Dave,

Attached is the letter and corresponding cultural resources report that went out in hard copy to the SHPO today. We also sent a hard copy and letter to Kerwin.

Let me know if you have any questions.

cp

Chris Parrish  
Regulatory Project Manager  
U.S. Army Corps of Engineers, Albuquerque District  
4101 Jefferson Plaza NE  
Albuquerque, NM 87109  
(505) 342-3374