

AGENDA MATERIAL
DATE 12-16-25 ITEM NO. PA13
SAVE THE SCENIC
SANTA RITAS
ASSOCIATION

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December 12, 2025

Ms. Melissa Manriquez
Clerk of the Pima County Board of Supervisors
130 W. Congress Street
Tucson, AZ 85701

Via Email: COB_mail@pima.gov

RE: Ordinance No. 2025-32 to regulate certain unpaved county roads to maintain health standards for Air Quality

Dear Chairman Scott and Members of the Board:

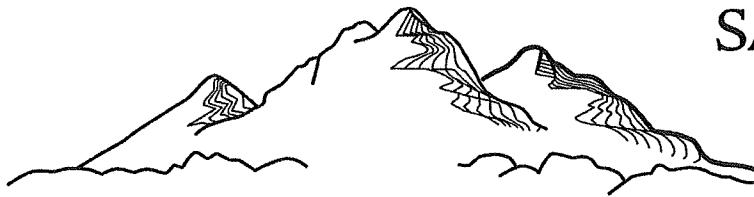
We respectfully request that the Board, the County Attorney's Office and County Staff carefully review the following four issues that are related to the proposed ordinance.

1. Toronto-based Hudbay Minerals, Inc. has not approved construction of the Copper World mining complex.
2. The City of Phoenix has an ordinance that requires permits and limits on heavy trucks.
3. The Santa Rita Road is not a major arterial street.
4. The Santa Rita Experimental Range is required by state law to be operated for "ecological and rangeland research."

Hudbay has not approved construction of the Copper World Mine

Hudbay has repeatedly stated in public filings with the Canadian regulators, and most recently in a Nov. 12, 2025 press release, that its board of directors expects to "sanction", or approve, construction of the Copper World project in 2026. Approval will only be granted after publication of the regulatory-required Definitive Feasibility Study ("DFS").

"Feasibility activities for Copper World are underway with expected completion of a DFS in mid-2026," Hudbay's Nov. 23 press release states. "The Company expects to make a Copper World sanction decision in 2026."



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At this point, Copper World is a speculative project and there is no guarantee whatsoever that it will ever be constructed. There is also no guarantee of economic benefits for potential business operations related to Copper World, including trucking interests.

The ordinance's potential limit on the number of daily trucks across seven miles of the unpaved Santa Rita Road to Copper World's mine site to reduce airborne dust pollution does not prohibit Hudbay from opening and operating the mine nor does it deny all economically beneficial or productive use of land.

Phoenix ordinance requires permits and limits on heavy trucks

The City of Phoenix has enacted an ordinance that requires permits for heavy trucks hauling fill or excavation on streets and highways within the city under certain conditions. The ordinance states the permit shall include "those conditions as may be reasonably necessary to prevent creation of a nuisance or hazard to the public."

Sec. 36-88.07

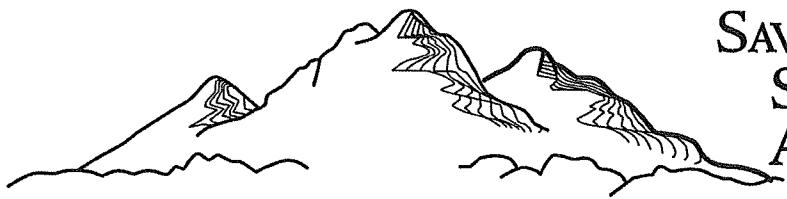
"It shall be unlawful to haul or cause to be hauled fill or excavation by truck on streets and highways within the City of Phoenix when the quantity of fill or excavation to be hauled exceeds ten thousand cubic yards, or when the duration of the haul is for more than twenty working days, i.e., Monday through Friday inclusive, except upon written application for and the issuance of a haul permit by the Planning and Development Director."

The city requires companies subject to the permit to submit a "Haul Plan" for approval. The Haul Plan places limits on the number of daily truck trips. The Phoenix ordinance imposes permitting requirements and imposes travel restrictions on trucks that otherwise meet the standards set forth in the federal Surface Transportation Assistance Act.

We strongly encourage Pima County to carefully review the Phoenix ordinance and consider adopting relevant provisions in the county's draft ordinance. Expanding the draft ordinance to include nuisances and hazards to the public may strengthen the ordinance and provide additional protections for public health.

The Santa Rita Road is not a major arterial street

The Arizona Trucking Association stated in a Dec. 9 letter submitted to the board that the Santa Rita Road meets the definition of a "Major Arterial Street." The ATA provided no supporting evidence. This statement appears intended to undermine the county's authority under ARS S28-1106(C) to limit truck traffic on its roads, which states:



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C. A local authority with respect to highways under its jurisdiction may prohibit by ordinance or resolution the operation of trucks or other commercial vehicles or may impose limitations as to the weight of vehicles on designated highways. The local authority shall place uniform signs designed by the department on the highway to designate the prohibitions and limitations.

The ATA's unsubstantiated claim that the Santa Rita Road is a major arterial street apparently is an attempt to shoehorn the unpaved portion of the Santa Rita Road under ARS S28-1106 (E), which places restrictions on what the county can impose.

*E. Notwithstanding subsections C and D of this section, for ordinances or resolutions that are enacted pursuant to this section on and after January 1, 2020 the director or a local authority **may only restrict or prohibit a vehicle of legal size from operating on a highway that is a major arterial street that** connects two or more local jurisdictions if the department or the local authority conducts a test drive or applies a vehicle template on the highway that shows that a vehicle of a legal size may not safely operate on the highway.*

Our research has found no evidence to support ATA's contention that the Santa Rita Road is a major arterial street. In fact, the Arizona Department of Transportation has repeatedly classified the Santa Rita Road as a "rural minor collector".

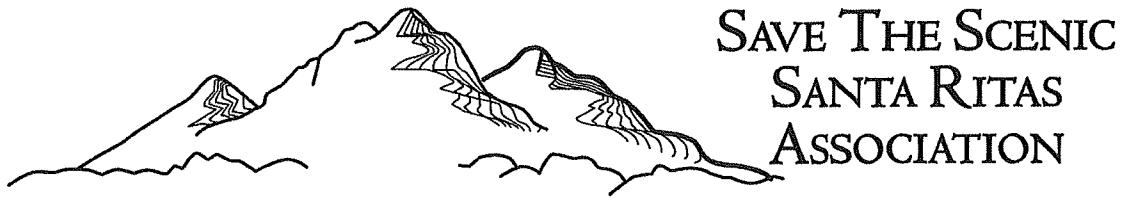
1. ADOT's 2010 Sahuarita traffic study classified the unpaved portion of the Santa Rita Road as a rural minor collector:

See https://apps.azdot.gov/ADOTLibrary/Multimodal_Planning_Division/Planning_Assistance_for_Rural_Areas_Studies/PARA-Sahuarita_Area_Transportation_Study-FR-1008.pdf (Page 7)

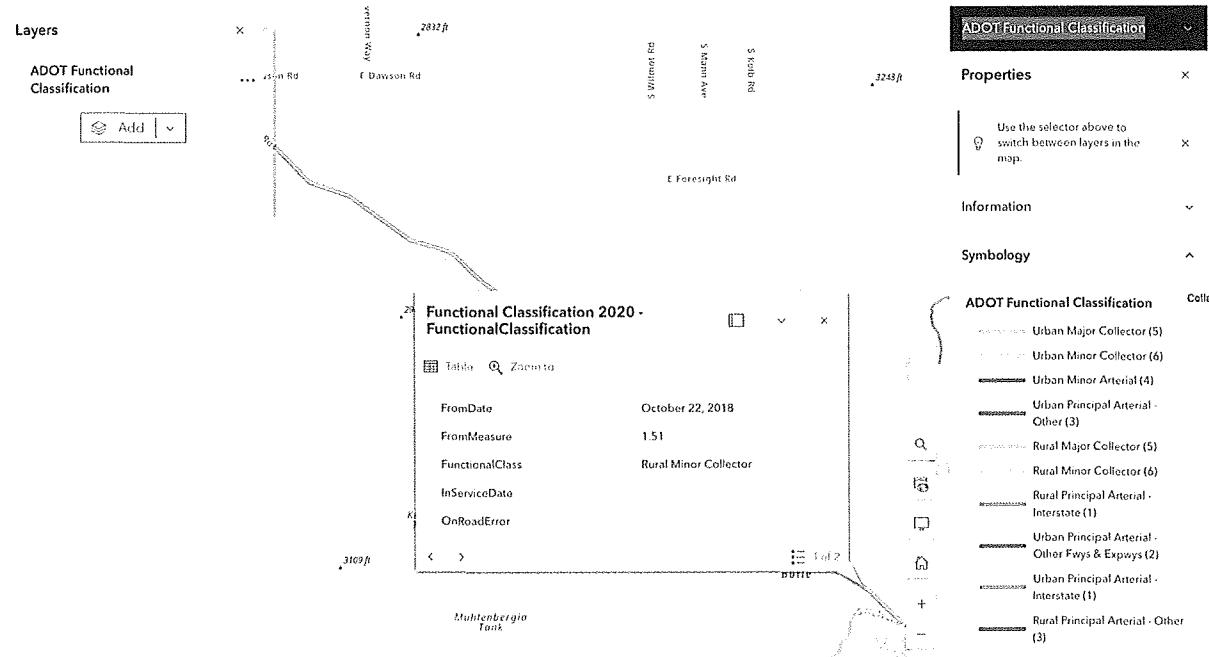
2. In a 2014 report submitted to the Federal Highway Administration, ADOT classified the Santa Rita Road as a minor collector:

<https://apps.azdot.gov/files/maps/functional-classification/cities-towns-places/tucson-fc-map.pdf>

3. ADOT's 2020 "Functional Classification" map shows the unpaved portion of the Santa Rita Road as a rural minor collector.



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The evidence clearly shows the unpaved section of the Santa Rita Road is a rural minor collector and not subject to ARS S28-1106 (E). The daily truck limits would not force a company to access another route, but only reduce the daily frequency on the route to protect public health and natural resources.

The Santa Rita Experimental Range is required by state law to be operated for ecological and rangeland research

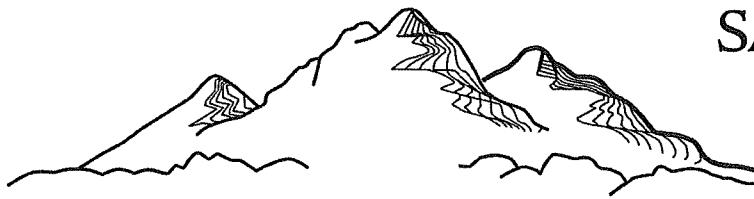
The 52,000-acre Santa Rita Experimental Range was created in 1902 by the federal government to study the impact of cattle grazing on arid lands.

In 1989, federal government transferred to Pima County the right-of-way for 36 miles of dirt roads on the SRER, including the Santa Rita Road. The right-of-way was granted in perpetuity and gives the county the “right to construct, maintain, operate and terminate” the roads.

In 1991, the federal government transferred the SRER to Arizona State Land Department to be managed by the University of Arizona. In preparation for the transfer of the SRER to the state, the Legislature passed a statute in 1988 requiring the SRER to be operated for “ecological and rangeland research.”

The state statute codified the intent of the federal government to ensure that the SRER would continue its vital research function. Arizona Senator Dennis DeConcini clearly described the

Save the Scenic Santa Ritas (SSSR) is a nonprofit organization founded in 1996 to protect our area from environmental degradation caused by mining and mineral exploration activities.



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Senate's intent for the SRER prior to passage of the Arizona-Idaho Conservation Act of 1991 which approved the land transfer.

"The Santa Rita Lands are very important for long-term range research. The State legislation provides for the continuation of this research by the University of Arizona. Under the provisions of the new State law, its use for research can only be changed by an act of the State Legislature. I applaud the leadership in the Arizona State Legislature for this action, and, in particular, the efforts of State Senator John Hays, the sponsor of the legislation. I hope the State legislature will never make a decision to overturn this legislation."

<https://www.dropbox.com/scl/fi/0ge660wz8fg59l8tel2z1/GPO-CRECB-1988-pt21-3-1.pdf?rlkey=uprpjj6z0mx5jro1moxu7rsog&e=2&dl=0> (Page 30277)

The SRER has a long history as an extremely important center for open space research. The SRER website states:

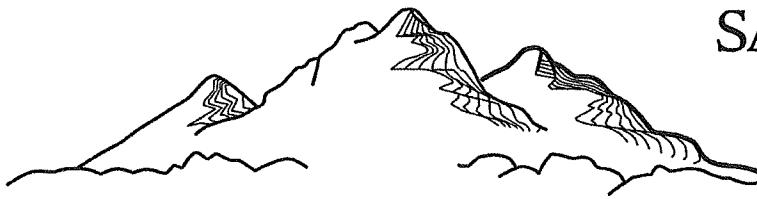
Accumulated information on the ecology of the semidesert system at SRER is more complete than for any other tract of comparable size and diversity (Martin and Reynolds 1973). The research results have worldwide applicability to other semidesert regions. Research conducted on SRER and other experimental ranges addressed the need to build a sound body of scientific knowledge to further the restoration, protection, and management of rangelands in the arid Southwest.

Beginning in 2012, the National Ecological Observatory Network (NEON) established a 30-year research program on the SRER measuring atmospheric and ecosystem gas exchanges, invertebrates, reptiles, birds, mammals, and soil properties.

Pima County recognizes SRER as a key scientific research area and the Range is part of the broader Sonoran Desert Conservation Plan (SDCP) and Multi-species Conservation Plan (MSCP). These plans support goals for biodiversity, open space, and ecological research in the upper Santa Cruz Valley.

Pima County's control of roads on the SRER combined with the high-value, ecological research being conducted on the SRER provides further legal support for Pima County to limit the number of heavy trucks traveling across the Santa Rita Road.

This road was never intended to become an industrial throughway with unlimited diesel-powered heavy trucks traveling 24/7, 365 days a year for decades. Pima County should take all necessary steps to maintain its rural character and function as an unpaved ranch road to facilitate ecological and rangeland research on the SRER.



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Pima County clearly has a legitimate interest in protecting its air quality and the ecological value of the Santa Rita Experimental Range. A reasonable limit on daily truck traffic across unpaved roads on the Range does not create an economic burden that outweighs the county's legitimate interest in clear air and protection of conservation land.

Thank you for the opportunity to present our comments.

A handwritten signature in black ink that reads "John Dougherty".

John Dougherty
Executive Director, Save the Scenic Santa Ritas Association