



March 3, 2021

Tom Torres  
Acting Supervisor  
U.S. Forest Service  
Tonto National Forest  
2324 E. McDowell Road  
Phoenix, AZ 85006

Ref: *Resolution Copper Mining Project and Land Exchange  
Tonto National Forest, Pinal County, Arizona  
ACHP Project Number: 012344*

Dear Mr. Torres:

The Advisory Council on Historic Preservation (ACHP) is aware that the United States Department of Agriculture (USDA) directed the Forest Service (FS), Tonto National Forest (TNF) to withdraw the Notice of Availability and rescind the Final Environmental Impact Statement (FEIS) and draft Record of Decision (ROD) for the Resolution Copper Mining Project and Land Exchange on March 1, 2021. We understand this step was taken in response to the input received from multiple parties and the public and that the FS intends to conduct additional consultation with Indian tribes and evaluate its required environmental, cultural, and archaeological analyses for the project. We are encouraged by this decision as it allows the FS to further consider the potential effects of this project and to renew consultation with Indian tribes concerned about the effects to historic properties of significant religious and cultural significance to them.

FS leadership has advised us that the decision to withdraw the FEIS has halted the statutory requirement to transfer the land for this project following the publication of the FEIS. As you know, the ACHP is currently in the process of developing its comments to the Secretary of Agriculture in accordance with Section 106 of the National Historic Preservation Act following its termination of consultation for this undertaking on February 11, 2021. Because the land will not be transferred next week, the ACHP intends to avail itself of the 45-day time limit provided in the Section 106 implementing regulations to issue its comments. Therefore, pursuant to 36 CFR § 800.7(c)(2), the ACHP shall provide its comments to the Secretary no later than March 29, 2021.

The ACHP remains committed to supporting the FS in meeting its Section 106 compliance responsibilities. If you or your staff have any questions or require further clarification, please contact Mr.

Christopher Daniel, Program Analyst, at 202-517-0223 or via e-mail at [cdaniel@achp.gov](mailto:cdaniel@achp.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Reid J. Nelson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Reid J. Nelson  
Director  
Office of Federal Agency Programs