



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

October 16, 2015

Governor Stephen Roe Lewis
Gila River Indian Community
P.O. Box 97
Sacaton, AZ 85247

Dear Governor Lewis:

I am writing to extend an invitation for a government-to-government consultation meeting between the United States Environmental Protection Agency, Region 9 (EPA) and the Gila River Indian Community regarding the proposed Florence Copper Production Test Facility (PTF) in Florence, AZ. EPA has completed its public notice processes for the proposed PTF's Class III Underground Injection Control (UIC) permit and for our Section 106 review under the National Historic Preservation Act (NHPA). With the completion of these public processes, the Agency is concluding its NHPA Section 106 consultation for the proposed undertaking (i.e., the proposed PTF) and will soon be making a final UIC permit decision. As such, I am extending this offer for a consultation meeting prior to EPA's final permit determination.

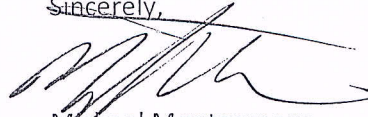
Since initiating consultation in May 2012, EPA and the Community have had a range of interactions and opportunities to receive and discuss input regarding the proposed PTF and EPA's consideration of Florence Copper's UIC permit application. Over these last three years, the Community has provided EPA with valuable input on many aspects of the proposed PTF, including the cultural and historic resources located in the PTF project area. The Community's recent input on NHPA issues related to the PTF, along with other input EPA received during the public comment period, guided our finalization of the Historic Properties Memorandum of Agreement (MOA). This MOA is being transmitted separately by EPA to all consulting parties. As we note in our transmittal letter, implementation of the undertaking, if permitted, in accordance with the MOA will assure compliance under NHPA Section 106.

If you are interested in holding a face-to-face consultation meeting on the proposed PTF, I can arrange to visit with you and other designated consultation representatives at your Governance Center in Sacaton, AZ. One available option for EPA would be November 9th or November 10th as I have tentative plans to be in Phoenix during those days. If neither of those days is convenient, we can identify an alternate date for the consultation meeting.

Please note that this consultation is being conducted in accordance with the EPA Policy on Consultation and Coordination with Indian Tribes. Information about this consultation is posted on EPA's Tribal Consultation Opportunities Tracking System. After our consultation meeting, and prior to EPA's final UIC permit decision, we will provide written feedback on how the Community's input was considered in the final action.

I have asked David Albright, Manager of the Drinking Water Protection Section, to be EPA's point of contact for working with your staff to arrange this consultation. He can be reached at (415) 972-3971. Please also feel free to contact me at (415) 972-3438.

~~Sincerely,~~

A handwritten signature in black ink, appearing to read 'M. Montgomery', with a long horizontal flourish extending to the right.

Michael Montgomery
Acting Water Division Director