

New Mexico Water Quality Commission

Attn: Pam Castaneda


I am the Mayor of the Town of Silver City having held this office through four elections beginning in 2006. I am writing to express my support of the Water Quality Commission (WCC) developing rules for the protection of water that may be impacted by copper mining activities. There are well over 100 documents already filed on the current proposed rules. I have reviewed several and do not intend to review them all. As Freeport McMoRan (FMI) states in the brief received by the WCC on December 12, 2012, "This new regulatory paradigm will provide the copper industry with far greater certainty on the regulatory requirements, which will assist it in the planning for the future and ensuring that its actions conform to the law." Obviously knowledge of any issues that affect ones business is critically important to successful planning for the future and decrease in costs associated with reactive regulations. The Town of Silver City is the largest water supplier within Grant County and operates numerous wells just north of the mining operations; we feel that these rules must protect our water resources while not providing an abundance of unproven requirements on the industry that will harm the viability of these mining operations and may not be proven protect water quality. We cannot and should not jeopardize our water while at the same time we do not need to give this industry a reason to leave New Mexico. The statutory requirements of the WCC are clear, "specify in regulations the measures to be taken to prevent water pollution and to monitor water quality." We have been informed that the proposal currently on the table is a codification of the current practices, as well as being the most stringent regulatory framework in the country regarding copper mining and water regulation. Accepting this as fact, with the statutory requirement that this commission and these regulations prevent water pollution and monitor water quality, I have no objection.

Although the applicable statutes don't consider an economic impact of any copper mining in the consideration of the regulations, I think it is important to understand why this topic is

important to our area beyond quality water now and in the future. The copper mining industry has a well over 100 year history in Grant County and many of our local families are multiple generation miners. With Silver City being the largest municipality within Grant County we have seen the effect of mining within our community and our residents have enjoyed the economic benefits afforded by having this industry within our region. Historically the area has been very dependent upon the economic benefits of copper mining. Our area prospers and slows with the ebb and flow of the industry. For many of the past 100 years mining has been the largest employer within Grant County. Silver City has been a leader in innovation in this state for well over our 100 year history. We had the first independent school system, the first municipal water system the first downtown in NM build to last out of masonry. The local naturally occurring minerals in our area from copper, gold, silver and others has provided sustainability to this region. In a publication I read from the late 1800s, let all of New Mexico be like Grant County and we can honestly say that NM is a great state.

In closing we trust that the WCC will perform its statutorily imposed responsibility and that sufficient safeguards are in place to ensure compliance. With the new Copper Rules implemented, Silver City will enjoy many more years of clean water and a healthy economy.

Respectfully,

A handwritten signature in black ink that reads "James R. Marshall". The signature is written in a cursive, slightly slanted style.

James Marshall, Mayor

Town of Silver City