

**RAÚL M. GRIJALVA**  
7TH DISTRICT OF ARIZONA

NATURAL RESOURCES COMMITTEE  
RANKING MEMBER

COMMITTEE ON EDUCATION AND THE WORKFORCE

SUBCOMMITTEE ON EARLY CHILDHOOD, ELEMENTARY, AND  
SECONDARY EDUCATION

SUBCOMMITTEE ON HIGHER EDUCATION AND WORKFORCE  
DEVELOPMENT

CONGRESSIONAL PROGRESSIVE CAUCUS  
CHAIR EMERITUS

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

**WEBSITE:** <http://grijalva.house.gov/>

1203 Longworth HOB  
Washington, DC 20515  
Phone (202) 225-2435 | Fax (202) 225-1541

101 W. Irvington Rd, Building 4  
Tucson, AZ 85714  
Phone: (520) 622-6788 | Fax (520) 622-0198

146 N. State Ave.  
P.O. Box 4105  
Somerton, AZ 85350  
Phone: (928) 343-7933 | Fax (928) 343-7949

Virtual Office  
Tolleson, AZ 85353  
Phone: (623) 536-3388

May 16, 2024

Mr. Randy Moore  
Chief  
U.S. Forest Service  
1400 Independence Avenue, SW  
Washington, D.C. 20250

Dear Chief Moore,

I am writing regarding the Notice of Intent to prepare an Environmental Impact Statement (EIS) on the proposed Hermosa Critical Minerals Exploration and Mine Plan of Operations (Hermosa project), submitted by South32 Hermosa Inc. (South32, proponent). I respectfully ask that you extend the public review and comment period for the scoping phase of the EIS to a minimum of 60, preferably 90 total days.

The Hermosa project is the first critical minerals project covered under the Fixing America's Surface Transportation Act Title 41 (FAST-41) permitting dashboard. While FAST-41 sets a 45-day time limit on most public comment periods, the statute explicitly allows a lead agency to extend a comment period beyond 45 days for "good cause." Mining has more harmful impacts than any other FAST-41 covered sector, and the Hermosa project, in particular, is an especially large, complex, and controversial project that warrants robust public review and input. Local governments and community members have expressed serious concerns about the noticed 30-day timeline for public comment and have good cause for an extended scoping period.

In written letters to the Forest Service, both Santa Cruz County and the Town of Patagonia<sup>1</sup> have requested 60- and 90-day public comment periods for the EIS scoping, respectively. Santa Cruz County, where the project would be located, is predominantly Hispanic, and 78 percent of the residents speak Spanish as a first language. While the official FAST-41 permitting dashboard and the Forest Service project webpage provide details on the permitting process, the project, and the 219-page proposed Mining Plan of Operations, these materials are available exclusively in English. This presents a serious barrier to public participation in the National Environmental

---

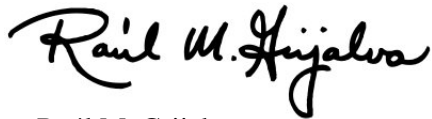
<sup>1</sup> Both Santa Cruz County and the Town of Patagonia are cooperating agencies on the Hermosa project under the National Environmental Protection Act.

Protection Act (NEPA) review process in Santa Cruz County, which has not been adequately addressed by the Forest Service's two planned bilingual public scoping meetings during the 30-day comment period.

Additional bilingual public education and interactive workshops over an extended public comment period, as detailed in the county's letter, are necessary to ensure all residents can fully understand and participate in the NEPA review of the Hermosa project. While there will be additional opportunities for public comment on later phases of the EIS, public input during the scoping process is critical for shaping the analyses and alternatives considered during the environmental review. As proposed, the Hermosa project could have significant environmental, economic, and public health impacts in the area. The public must be given the chance to fully understand these impacts and give informed public comment.

I hope that you will give this request all appropriate consideration. Thank you for your attention to this matter. If you have any questions, please feel free to contact Sarina Weiss at [Sarina.Weiss@mail.house.gov](mailto:Sarina.Weiss@mail.house.gov) on the staff of the House Natural Resources Committee.

Sincerely,

A handwritten signature in black ink that reads "Raúl M. Grijalva". The signature is written in a cursive, flowing style.

Raúl M. Grijalva  
Member of Congress