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October 25, 2011

The Honorable Tom Vilsack, Secretary  
U.S. Department of Agriculture  
1400 Independence Ave., S.W.  
Washington, DC 20250

Dear Secretary Vilsack:

I am writing to call your attention to serious issues with the public involvement process that the Coronado National Forest is undertaking with respect to the Draft Environmental Impact Statement (DEIS) for the proposed Rosemont Copper Mine in the Santa Rita Mountains south of Tucson and to request your immediate involvement.

Attached is a copy of a letter sent to the Coronado National Forest by Chairman Ned Norris of the Tohono O'odham Indian Nation. In this letter, Chairman Norris expresses significant concerns about how the public meetings for the Rosemont DEIS are being planned and executed. As the Chairman's letter notes, he finds it, "troubling that Rosemont Copper and its PR firm arranged these public meetings, not the Forest Service."

The Chairman is absolutely correct. This is indeed troubling, particularly, as the Chairman also points out, given the earlier criticism of both the Forest Service and Rosemont Copper by Judge Frank Zapata of the Federal District Court in Tucson for an "appearance of impropriety" as a result of Rosemont's participation in Forest Service meetings that were closed to the public. It seems to me that Rosemont's participation in the planning of the public meetings provides confirmation of impropriety.

The fact that Rosemont's representatives are directly involved in the planning of these public meetings raises obvious questions as to how much influence Rosemont has had in the overall timing, location and structure of these meetings – all important factors in determining a successful public involvement process. Rosemont's involvement could at least in part explain why these public hearings are being expedited in violation of 40 C.F.R. 1506.6(c) (2), a regulation that calls for 15 days between the delivery of the DEIS and a public hearing about it. Southern Arizonans and others are just receiving their copies of this massive document this week, just days before the first originally scheduled hearing.

Further, all but one of the meetings were scheduled on Saturday afternoons, in direct conflict with several important southern Arizona events. This includes the Empire Ranch Foundation's well publicized annual celebration, the annual pecan festival and the National Park Service's BioBlitz.



At his press conference announcing the release of the DEIS on Friday, October 14<sup>th</sup>, the Forest Supervisor explained, in response to a question, that he was aware of the BioBlitz but had chosen to go forward with the hearing on October 22<sup>nd</sup> anyway. Yet shortly after Chairman Norris conveyed his objections to the Forest Supervisor regarding how these meetings were being handled and made it clear that they were not going forward on tribal land because of those objections, the Forest Supervisor announced that he was rescheduling both of the meetings that were to be held on tribal land because of the BioBlitz and another event scheduled near the time of the final public meeting. Chairman Norris neither asked for nor in any way supports an explanation that does not honestly reflect the reason for the rescheduling of those meetings.

The public's trust that the Forest Service will conduct a transparent and meaningful public involvement process is certainly compromised when it appears that Rosemont and its agents are allowed to rig this process.

That is why you must immediately take action to restore the public faith and confidence in this process. The current public comment period for the Rosemont Copper DEIS must be immediately suspended and a new public information process without Rosemont's involvement and with consultation and regard for community events must be redesigned. Only then should the public comment be reinitiated.

This is the only way that public confidence will be restored in this process.

Thank you for your consideration and I look forward to hearing from you.

Sincerely,



Raúl M. Grijalva  
Member of Congress

cc: The Honorable Nancy Sutley, Chairman, Council on Environmental Quality  
Jay Jensen, Associate Director, Natural Resources, Council on Environmental Quality