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**10 June 2024**

**From:** Marshall Magruder  
**To:** Kerwin S. Dewberry, Forest Supervisor, Coronado National Forest  
(ATTN: Hermosa Critical Mineral Project)  
300 West Congress Street  
Tucson, Arizona 85701

**Subject: Recommended EIS Alternatives, Scoping Comment #1**

**References:**

- (a) *Federal Register*, Notice of Intent to Prepare an Environmental Impact Statement, 10 May 2024, Vol 89, No 92, pp. 40462-40464.
- (b) South32 Hermosa Inc., Critical Minerals Exploration and Mine Plan of Operation Dec. 1 2023, revised 16 April 2024 (MPO)
- (c) Arizona Corporation Commission Order No. 79005 (28 July 2023), Power Plant and Transmission Line Siting Committee Case No. 218 (Line Siting Case 218).

**Background.** In accordance with refs (a) and (b), the MPO proposes both (1) initial “short-term” and (2) “long-term” final temporary transportation access roads between the South32 Mine and a proposed Remote Operations Center (ROC) proposed in Nogales. The transmission line, approved in ref (c), specifies only the “long-term” (Flux Canyon Road) access road in the National Forest. At present, North and South Harshaw Road are now used. Further south on Harshaw to Soldier Basin Road to SR 82 to the ROC or Duquesne Road to SR 82 to the ROC could be used. The present Flux Canyon Road is too primitive for proposed vehicles.

**Discussion.** The MPO proposes two transportation access roads:

- (1) **short-term** temporary North Harshaw Road (FS Road 49) via the Town of Patagonia then along SR 82 via Nogales to the proposed ROC and
- (2) **two long-term** permanent road via Flux Canyon (FS 812) to SR 82 via Nogales to the ROC

**Two new Alternatives** for the long-term permanent road should also be considered:

- (a) South Harshaw (FR 49) to Soldier Basin Road to SR 82 via Nogales to the ROC or
- (b) South Harshaw (FR 49) to Duquesne Road (FR 61) to SR 82, near the Red School House, via Nogales to the ROC

If either Alternative long-term access road is approved; changes to Flux Canyon Road are unnecessary. After significant modifications, Flux Canyon Road (FS Road 812) to SR 82 is proposed in the MPO to be the permanent access road through the project’s life.

There are key environmental differences between Flux Canyon and South Harshaw-Soldier Basin/Duquesne access roads. *Both* should be reviewed the EIS analysis. Specific road EIS road comments are in my Scoping Comments #2 filed this date.

**EIS Alternatives.** The EIS should consider the direct and cumulative environmental impacts of the two different transportation access roads as EIS Alternatives.

Please study two additional Alternative that does NOT include Flux Canyon Road with the only long-term transportation road include Soldier Basin or Duquesne (FS 49- FR 61) for the life of the project. The extensive modifications, in MPO Appendix A for Flux Canyon Road, are unnecessary.

Please consider either EIS Alternatives, without a Flux Canyon Road, with the below benefits for permanent access to include:

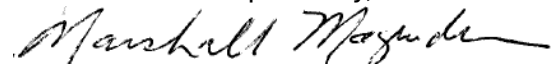
- (a) Save the cost for major Flux Canyon Road construction proposed in the MPO.
- (b) Funding for Flux Canyon Road changes may yet to be determined by Santa Cruz County, Forest Service, and/or South32. This avoids deciding to fund that road.
- (c) Continues already established Forest Service roads to avoid busy SR 82 traffic by not adding a creating a new major road in the National Forest.
- (d) Eliminates the modifications of the SR 82 and Flux Canyon Road intersection.
- (e) Reduces heavy truck traffic on Patagonia Highway, SR 82, an Arizona Scenic Highway, locally known as the late Annie McGreevy Memorial Scenic Highway.
- (f) Reduces scenic impacts of a transmission line along SR 82 if routed along either Soldier Basin or via Harshaw (FR 49)-Duquesne (FR 61) Roads to join SR 82, closer to Nogales.
- (g) Reduces total residential interferences to an area with fewer residential homes.
- (h) Eliminates electromagnetic-caused corrosion impacts on parallel El Paso Gas line.
- (i) Reduces interference on SR 82 including multiple residential cross-road access to Nogales International Airport traffic, vehicles towing boats to the Patagonia Recreational State Park, visitor traffic to world-famous birding and wildlife areas, tourists visiting Patagonia and guest ranches and Circle Z and T4 horse trails.
- (j) Reduces miles of heavy trucks carrying explosives, toxic materials including manganese, and other hazardous materials near residences on scenic road SR 82.
- (k) Reduces numerous steep hills that require heavy trucks to shift down and slow thus impeding other vehicles along SR 82, with limited passing lanes and less total noise for near-road residents. SR 82 may need safety downhill cut-offs for runaway trucks.
- (l) Controlled speed limits, especially in school and residential zones, with air braking probations to reduce noise.
- (m) Reduces total residential interferences in fewer residential areas.

**Recommendation:** That the EIS include the three Alternatives and No Action:

- (1) **Alternative 1**, with both short-term and long-term transportation access roads as now described in the MPO proposed in refs (a), (b) and (c).
- (2) **New Alternative 2**, with only one long-term transportation access road via Soldier Basin with a parallel transmission line, possibly underground near residential areas. The CEC will need to be partially modified by the Arizona Corporation Commission.
- (3) **New Alternative 3**, with only one long-term transportation access road (FS 56-FS 61) with a parallel transmission line, possibly underground near residential areas. The CEC will need to be partially modified by the Arizona Corporation Commission.
- (4) **No Action Alternative**, as required.

Thank you for your consideration to review these additional project benefits.

Respectfully,

A handwritten signature in black ink that reads "Marshall Magruder". The signature is written in a cursive style with a long, sweeping underline.

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