



PATAGONIA AREA RESOURCE ALLIANCE

**www.PatagoniaAlliance.org
PO Box 1044 * Patagonia, AZ 85624**



January 24, 2024

Full Committee Chairman Bruce Westerman
Full Committee Ranking Member Raul Grijalva
Sub-Committee Ranking Member Alexandria Ocasio-Cortez

RE: HR6862

Greetings Representatives Westerman, Grijalva, and Ocasio-Cortez:

I write to you in opposition to H.R. 6862 (Rep Lamborn), a bill to amend the FAST Act to include certain mineral production activities as a covered project. This bill would codify Trump-era regulations that make all mining eligible for FAST-41. FAST-41's project-specific permitting timetables do not conform with the well-documented risks mining poses to land, waters, public health, and other resources, especially with tribal consultation requirements.

I live in Patagonia, AZ where an Australian mining company is currently operating the only mine project that is designated as a FAST-41 project; a designation received in July 2023. As a frontline community, we are very concerned about the impacts of 21st century industrialized mining activity in an area of rapidly declining groundwater and increasing drought. WATER IS LIFE - DON'T MINE IT AWAY!

The Town of Patagonia and Santa Cruz County are part of the Madrean Archipelago a region identified by scientists as one of the top regions in the world most in need of research and protection for species survival. These mountains are home to more than 100 federally designated endangered, sensitive, threatened species.

“Effective democratic governance depends upon informed public participation, and several international conventions and policy guidelines call for enhanced public participation in environmental management. Yet, large-scale resource development projects generally receive insufficient oversight by, and engagement with, civil society. And in the absence of effective supervision and public engagement, corporate and government vigilance can weaken, complacency increases, environmental and social standards decline, and risks increase. Such insufficient oversight, lower standards, and complacency can result in acute and catastrophic damage, such as oil spills, chemical explosions, mine disaster, over harvest and stock collapse; long-term, chronic environmental degradation; and social tension, mistrust, litigation, and even violence between local people and industry.” [United Nations Environment Program Citizens’ Advisory Councils to Enhance Civil Society Oversight of Resource Industries](#) by Richard Steiner.

Patagonia Area Resource Alliance (PARA) works to hold federal and state agencies to the laws and regulations on exploratory and mining activities in the Patagonia Mountains and the Sonoita Creek watershed; collaborates with Strategic Partners to (i) assure that any mining activities meet the highest science-based standards and (ii) protect the water, land, and wildlife of the Patagonia Mountains from the negative impacts of modern industrialized mining; and supports the expansion of the nature based restorative economy that depends on the remarkable biodiversity and cultural heritage of our region.

PARA is currently involved in two legal actions with respect to state water permits because AZ Department of Environmental Quality is not following state statutes nor complying with Clean Water Act regulations. PARA wrote to EPA in July and October of 2023 requesting the federal agency exercise its oversight of the state agency.

PARA is one of the organizations involved in a lawsuit against the Coronado National Forest for its failure to perform a cumulative impacts analysis. PARA is also aware of several FOIAs to the Forest Service that have not yet been responded to. In the summers of 2021 and 2022, the Town of Patagonia asked the Coronado Forest Service to conduct a comprehensive groundwater study. The Coronado provided an unsatisfactory response. How can any Plan of Operations be approved without knowing the impact that this massive activity will have on a unique hydrologic system?

PARA is working with the Town and the County on the process of drafting a Community Protection & Benefits Agreement. Both the Town of Patagonia and Santa Cruz County are designated as Participating Agents in this FAST41 process for this project. WHO is the point of contact for how this process should work for the community and to be able to address issues and concerns as they arise. It is important for all information to be publicly available as this project moves through the NEPA process. When will we be able to review the Plan of Operations that has been accepted by the Coronado National Forest?

I end this letter with the same statement I opened with: I write to you in opposition to H.R. 6862 (Rep Lamborn), a bill to amend the FAST Act to include certain mineral production activities as a covered project. This bill would codify Trump-era regulations that make all mining eligible for FAST-41. FAST-41's project-specific permitting timetables do not conform with the well-documented risks mining poses to land, waters, public health, and other resources, especially with tribal consultation requirements.

Patagonia Area Resource Alliance

A handwritten signature in cursive script that reads "Carolyn Shafer".

Carolyn Shafer
Board Co-Chair and Mission Coordinator