

May 14, 2015 Community Meeting  
Skull Valley Community Center

**\*\*Special thanks to Ida Downing and the Skull Valley Historical Society for organizing use of the building and sound system. \*\***

**Present:**

116 members of the public

Rowle Simmons, Yavapai County District 1 Supervisor

Rem Hawes, BLM Field Manager

Steve Mauk, Director, Yavapai County Public Works

Joe Huot, Public Works Special Projects

**BLM-Provided Information:**

Mr Rem Hawes introduced himself, provided background information on management of BLM lands in this area, and then summarized what he knew about the plans of Kirkland Mining Company.

The area of interest is an L-shaped island of BLM public land on which a kitty litter mine operated in the 1970's and 80's. That operation closed in 1985. The BLM Resource Management Plan and Environmental Impact Statement published in the 2000's identified this area as open for mineral development. Mr Hawes explained that scattered isolated land parcels, such as this one, are not as important to protect, unless there is special habitat or cultural resources. This L shaped parcel was determined to not be important to keep in the public trust; thus it could be sold, traded, exchanged, and opened to mining.

The old kitty litter mine took coarse absorbent material; the leftovers are the same material, but much finer ("fines"). These "fines" exist in a large stockpile that looks like a sand dune. The Kirkland Mining Company has presented to the BLM an application and a Mining Plan of Operation to remove and sell the stockpile of "fines" for use in concrete. The application specifies between 42,000 and 48,000 tons of "fines" to be removed from a 2.6 acre area.

The BLM has not yet completed analysis of the application. No decision has been made, and no timeframe started, though it was noted that the mining company expects to start in about 2 months. This operation is small enough (less than 5 acres) to be eligible for a NEPA (National Environmental Policy Act) "Categorical Exclusion" ; however, the BLM, and specifically Field Manager Rem Hawes, can choose to deny the Categorical Exclusion, and instead order an Environmental Analysis before approving the plan. The Environmental Analysis would be performed by a team of BLM experts in coordination with the Environmental Protection Agency (EPA) and include such considerations as air quality, water quantity and quality, soil, archeological resources, grazing, wildlife habitat, and community impact.

Mr Hawes expressed interest in the economics of the project within the community e.g. does it benefit the community as a whole? Nobody spoke up in favor of the mine, and several citizens spoke plainly that they could see no benefit at all to the community.

Mr Hawes stated that based on what is heard tonight, he will decide between Categorical Exclusion and Environmental Analysis.

**Mining law distinguishes between two types:**

**1. Saleable minerals:** sand, gravel, decorative rock, building materials. The BLM has a certain amount of discretion over this type of operation -- they can influence and steer . The current application from Kirkland Mining Company to remove the “fines” stockpile falls under this type. Royalties are paid into US Treasury. There has been an expressed demand (i.e. a buyer) for this material, and verbal commitments made. No money has changed hands.

**2. Locatable minerals:** metals, precious stone. If the area is less than 5 acres, exploration and extraction for locatable minerals is automatically allowed per mining law, and BLM has no discretion. No royalty.

Mr Hawes confirmed our understanding that Kirkland Mining Company is actively developing a plan to mine the entire area. No additional applications have been submitted yet. They are “well situated” to choose to apply under EITHER Saleable Minerals OR Locatable Minerals law.

**Yavapai County Inputs:**

Supervisor Rowle Simmons explained that the County has NO control over the mine, other than road-related considerations (Iron Springs Road). The Kirkland Mining Company has approached the County with the idea of placing a weigh station (scale) and turnlane on the side of the road. This would require a Special Use Permit. Mr Mauk pointed out that if denied such permit, the company could always push their scales back onto BLM land where, again, the County would have no jurisdiction. Several community members had run the numbers and estimated about 33-50 trucks per day pulling into, and out of, the mine onto Iron Springs Road.

**Questions from the community:**

The preponderance of questions and commentary centered around issues of air quality. Old-timers in the room recalled the “huge plume of dust” that emanated from the old kitty litter operations. They remembered that a layer of dust covered everything for several miles around, and that ranchers had to move their cattle because the animals would not eat the grass covered in dust. A mother with an asthmatic son worried he would not be able to breathe. A veteran with health issues related to Agent Orange exposure vowed to fight this mine with every breath he had. A neighbor showed the chemical analysis of the stockpile material provided by Kirkland Mining Company and pointed out that these materials (silica and alumina) are known to be hazardous, and thus have OSHA Material Safety Data Sheets (MSDS) associated with them. Further concern was expressed over the

possibility that the material contains Erionite, which is described as many times more toxic than asbestos. It was stated that Erionite, which is NOT dangerous unless airborne particles are breathed in, has been found within 6 miles of the mine site.

Click [HERE](#) for a publication on Erionite

<http://www.earthmagazine.org/article/dangerous-dust-erionite-asbestos-mineral-causing-cancer-epidemic-turkey-found-least-13>

A related line of questions was on how thoroughly the BLM would monitor this operation. Would the public be assured of protection? Mr Hawes replied that “spot checks” would be done, but that the company itself would be responsible for most compliance monitoring and reporting.

Another major area of inquiry and comments from the public centered around water issues, both water quantity and water quality. It was pointed out (and supported by current photographs) that the stockpile is currently stabilized by the effects of time and nature. Plants grow on it, even a few mesquite trees. In contrast, a photograph was shown from 2004 of a plume of dust coming off the pile in a microburst of wind. Destabilizing will create dust. To the extent that water trucks could be used to mitigate dust problems, where will that water come from and how will it affect local residential wells? How could runoff of a destabilized pile affect water quality?

Finally, several citizens spoke of the natural resources of this tiny area including fascinating geology and riparian habitat with the associated plant and wildlife. Pictures were shown of owls nesting, and eagle nest, a bear print.

Toward the end of the meeting, several commitments were made by officials present:

1. Mr Rem Hawes said that as a result of this meeting he had decided to require an Environmental Analysis for the current application. He stated, “I am impressed with the turnout, and with amount and variety of input.”
2. Supervisor Rowle Simmons committed to placing an item on the agenda for the June 1 Board of Supervisors meeting (9:00 am at Fair St building in Prescott) to approve a Board resolution for a letter to the BLM supporting an Environmental Analysis for the current application, and possibly other language. Mr Hawes stated that this letter should be sent to his boss, and that he would provide contact information to Supervisor Simmons.

*Meeting notes provided by Allison Dixon 5/15/15*