

Kimberly MacMillan

From: **Melissa Upshaw** <mupshaw@azleg.gov>

Date: Fri, Mar 25, 2011 at 11:23 AM

Subject: Rep. Albert Hale's Letter to Secretary Ken Salazar -- re: Uranium Mining Withdrawal DEIS comments

To: NAZproposedwithdrawal@azblm.org

Good morning Mr. Florence,

Please find attached a copy of Rep. Hale's letter to Secretary Ken Salazar regarding Comments on the Northern Arizona Proposed Withdrawal Draft Environmental Impact Statement (DEIS). The original copy will be mailed today.

Please let me know if you have any questions .

Thank you and have a peaceful day.

Sincerely,

Melissa C. Upshaw

Administrative Assistant to Representatives:

Albert A. Hale, LD 2 and Ruben Gallego, LD 16

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March 25, 2011

The Honorable Ken Salazar
Secretary of the Interior
1849 C Street NW
Washington, DC 20240

RE: Comments on the Northern Arizona Proposed Withdrawal Draft Environmental Impact Statement (DEIS).

Dear Mr. Secretary:

I am writing to urge your approval of the proposed 20-year ban on new mining claims on more than one-million acres of public land watersheds that drain into the tribal lands of Havasupai and Navajo people and which surround Grand Canyon National Park. I support Alternative B because it best serves the long-term interests of the people of Arizona, as well as our nation, by preventing additional harm to the Grand Canyon region and its people, which will surely occur if new uranium mines are allowed.

We have yet to remediate the damage caused by past uranium mining activities that continue to contaminate water and windblown dust, threatening the lives of thousands of people who suffer from this unjust legacy. Early in my career, I worked with former Secretary of the Interior Stewart Udall in seeking compensation for uranium miners whose lives were cut short by exposure to unsafe levels of radioactivity. Later, while serving as President of the Navajo Nation, I worked to secure federal recognition and funding to clean up the hundreds of mine and mill sites that plague the Navajo people.

For the past eight years, I have been serving in the Arizona State Legislature, representing people living in Legislative District 2, through which uranium ore is currently being hauled between a mine located within the proposed withdrawal area and a mill site in southern Utah. I commend communities that I represent in signing onto the Western Navajo Agency Council's December 18, 2010 resolution "in support of Secretary of the Interior Ken Salazar's propose 20-year mineral withdrawal" and agree with their recognition that the proposed action is consistent with the Diné Natural Resource Protection Act of 2005 that banned all uranium mining and milling within the Navajo Nation.

Letter to Secretary Salazar

March 25, 2011

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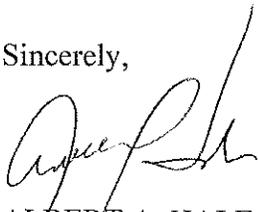
In addition, I support Alternative B because it would have the least impact on "American Indian resources" (DEIS 4.12), "cultural resources" (DEIS 4.11), and "social conditions" (DEIS 4.15), which include public health and safety and "environmental justice." As acknowledged on page 4-211 of the DEIS, "The Navajo Cultural Landscape, which encompasses the entire Coconino Plateau, a Navajo traditional use area, a Hopi traditional use area, and the Havasupai traditional use range are also at high risk for disturbance" if uranium mining is allowed to continue. It further states that cumulative impacts under Alternative A (no withdrawal) "could desecrate traditional cultural and sacred places" and even exploratory drilling could disturb, harm, or "kill" sacred sites (DEIS, p. 4-212).

The DEIS is deficient when it fails to take into account the legacy of harm and cumulative impacts caused by past uranium activities near Navajo communities in its assessment of environmental injustice impacts (DEIS, p. 4-239). It concludes that "there are other non-environmental justice communities within the study area that could be exposed to the same health risks; therefore, these effects are not expected to be disproportionate...to tribal environmental justice communities." Non-tribal communities, such as St. George, Orderville, and Hildale cited in the DEIS, and non-environmental justice communities have been unaffected by several decades of uranium mining that occurred on Navajo lands, beginning in the 1950s. Unlike Navajo communities, they are not currently suffering from the pre-existing cumulative impacts of past uranium activities.

Navajo people will therefore be disproportionately affected by the cumulative impacts of new uranium mining. The National Environmental Policy Act requires the consideration of "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency...undertakes such other activities" [40 CFR 1508.7]. The DEIS should acknowledge that implementing Alternative A will cause significant impacts to Navajo people because it will result in "Disproportionately high and adverse environmental health impacts to an identified minority or low-income population that appreciably exceed those to the general population around the project area" (DEIS, p. 4-232).

Thank you for your leadership in proposing to withdraw more than a million acres of land from new uranium claims and for taking my comments into consideration when making your final decision.

Sincerely,



ALBERT A. HALE
State Representative