

Kimberly MacMillan

From: **David Taylor** <dtaylor@nndoj.org>

Date: Wed, May 4, 2011 at 5:44 PM

Subject: Navajo Nation Comments to the Northern Arizona Proposed Withdrawal Draft EIS

To: "NAZproposedwithdrawal@azblm.org" <NAZproposedwithdrawal@azblm.org>

Dear Mr. Florence:

Attached you will find the comments of the Navajo Nation to the Northern Arizona Proposed Withdrawal Draft Environmental Impact Statement. Please contact the undersigned should you have any questions.

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Navajo Nation Department of Justice
P.O. Box 2010
Window Rock, AZ 86515
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NAVAJO NATION ENVIRONMENTAL PROTECTION AGENCY
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Ben Shelly
PRESIDENT

Rex Lee Jim
VICE-PRESIDENT

May 4, 2011

Scott Florence, District Manager,
Bureau of Land Management,
Arizona Strip District Office,
345 East Riverside Drive,
St. George, Utah 84790-6714.

Subject: Comments to the Northern Arizona Proposed Withdrawal Draft Environmental Impact Statement

Mr. Florence:

The Navajo Nation hereby submits the following comments to the Northern Arizona Proposed Withdrawal Draft Environmental Impact Statement (DEIS). The Navajo Nation hereby registers its support for Alternative B, the Proposed Action: "the proposed withdrawal would be implemented and the entire 1,010,776 acres of federal locatable mineral estate within the three parcels would be withdrawn for 20 years from operation of the Mining Law, subject to valid existing rights. On mining claims where valid existing rights are determined to exist, drilling and mining activities would continue to be processed by the BLM or the Forest Service."

However, in registering this comment the Navajo Nation would like to also state its Fundamental Position remains that there will be no uranium mining or processing within the Navajo Nation, until our expressed concerns have been adequately addressed. The Navajo Nation concerns regarding Uranium Mining and Processing have been codified in the Dine' Natural Resources Protection Act of 2005, CAP-18-05; and have been provided in testimony to the U.S. House of Representatives, Committee on Oversight and Government Reform, Hearing on the Legacy of Uranium Mining Impacts on the Navajo Nation," October 2007.

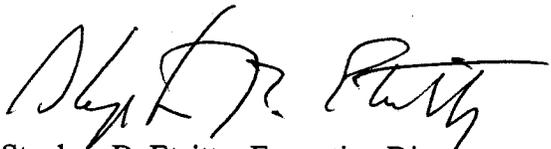
Furthermore, if the U.S. Department of the Interior (USDO I) intends to allow for limited uranium mining and milling for those mining claims where valid existing rights are determined to exist; then the USDO I must be willing to provide adequate resources and technical support to the Navajo Nation for the following:

- improved emergency planning and response capabilities to address any potential releases of hazardous and radioactive substances along identified transport routes; especially any transport routes that traverse any part of the Navajo Nation;

- enhanced government-to-government consultation on any subsequent federal decisions that could impact Navajo Nation resources, but not limited to environmental air quality permits, cultural resources determinations, endangered species determinations, and water resources;
- and enhanced federal policy implementation that supports the role of the Navajo Nation in any subsequent decisions that the State of Arizona may make regarding uranium mining and processing.

If you have any questions about these comments, please contact Stephen B. Etsitty, Executive Director, Navajo Nation Environmental Protection Agency.

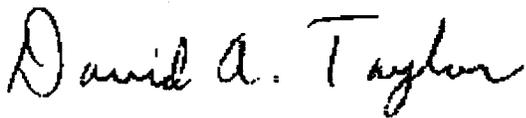
Sincerely,



Stephen B. Etsitty, Executive Director
Navajo Nation Environmental Protection Agency

Very truly yours,

NAVAJO NATION DEPARTMENT OF JUSTICE
HARRISON TSOSIE, ATTORNEY GENERAL



David A. Taylor, Principal Attorney
NATURAL RESOURCES UNIT