

Kimberly MacMillan

From: **Ted Jensen** <tedjensen@cablone.net>

Date: Wed, May 4, 2011 at 1:56 AM

Subject: Arizona Strip Mining Closure, 2300 (AZ9100) AZA-035138

To: azasminerals@blm.gov

Cc: Ted.Jensen@srpnet.com

Attached are my comments regarding the Arizona Strip Mining Closure [2300 (AZ9100) AZA-035138].
Thank you.

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May 3, 2011

United States Department of Interior
Arizona Strip District Office

Subject: Northern Arizona Proposed Withdrawal Project, 2300 (AZ9100) AZA-

Thank you for the opportunity to provide comments regarding the closure of the Arizona Strip to all mining. I offer my comments with a sincere intent of helping to ensure a complete, accurate and unbiased report be given to Secretary Ken Salazar. In turn, he can make a decision fully informed and allow politics to come into play through other means.

Many good people will be impacted by this report and pending decision. As government employees we are obligated to ethical behavior as outlined by The Office of Government Ethics. Secretary Salazar deserves an accurate report that he can trust to be prepared by ethical personnel. To allow misleading, inaccurate, or intentionally leaving out details is unethical. The final decision is Secretary Ken Salazar's call and not those preparing the report.

Comments:

My comments are divided into categories and are noted below:

1. **Other alternatives:**
 - a. Add an additional alternative to honor existing claims but not allow any further claims. Existing alternatives state they will honor valid existing rights but when you read the fine print, this basically kills all claims given valid claims must have been proven. The alternatives provided do not address the cost to reimburse those negatively impacted with closure action. Many good people honestly invested extensive time and money into their claims. Liability precedence exists for compensation of proven damages. Direct liability damages will be in the hundreds of millions of dollars and indirect damages will further magnify the liability. These costs need to be included in the alternatives.
2. **Accuracy or mistake concerns:**
 - a. Missing from background history are the Nevada nuclear downwinder radiation impacts on the area. The Northern Segregation area is within a heavy radiation fallout area. This radiation is still there including in the trees. Controlled burns on the Kaibab and even on the Grand Canyon Park release this radiation and is carried to Colorado River. This is an important perspective given impacts upon perceptions of pure wilderness.
 - b. Missing from the study is the previous withdrawal of lands with the expansion of the Grand Canyon boundaries to allow for a greater buffer zone. Additional Grand Canyon buffer area were added with the addition

- of the Grand Canyon – Parashant National Monuments and designated wilderness areas in the Vermilions and Kanab Creek areas.
- c. Missing is a description of the compromises and agreements reached with the addition of the Grand Canyon – Parashant National Monument. This provided a huge buffer area to the Grand Canyon. President Clinton and Secretary Bruce Babbitt added this monument and agreement was reached to allow the remainder of the Arizona Strip to be open for exploration. The North Segregation area is within this open area and now those agreements are being ignored.
 - d. Impacts on economic conditions appears incomplete or inaccurate. On page 4-240 it states that there will be no impact on jobs or population in Fredonia. How was this statement of opinion incorporated? Within your study it states that Coconino County has witnessed a 20% growth but Fredonia has a negative 14.2% growth rate. Note this an effective difference of 34.2% as compared to the rest of Coconino County. The town of Fredonia has lost its logging industry, tourist activity is being further restricted, ranching all but stopped, and other agendas are slowly killing this town. The loss of even one more job may tip this town over. To discount the economic impact is wrong. In turn, economic impacts are not carried into the Executive Summary section. One of the most important categories involving people is inappropriately discounted as “no impact”.
 - e. As previously stated, the economic impacts for compensating those with claims and investment are not addressed within alternatives. This will amount in the hundreds of millions of dollars.
 - f. It appears the measurement magnitude scales (minor and major) are incorporating land areas that are not really subject to mining. Not all claims will even be explored, yet, area impact measurements appear to include these areas. This dramatically skews the summary results and is very misleading.
 - g. If scale logic is used in one area, then they should be applied in others. For example, why is there no air quality magnitude scales used in the Impacts upon Air Quality (ES-13).
 - h. Section regarding Impacts on Culture Resources includes misleading “if” statement (page ES-13). It states “if direct mitigation is not possible then the summary rating becomes very bad. This actually implies there will be no control and existing laws will be broken and mining controls will be nonexistent. With this logic, nothing is safe anywhere.
 - i. On page executive summary (page ES-13) describes a disturbance to a Traditional Cultural Place will occur. What does this mean and where is this place? I looked and could not find it in the body of the report. Why is Traditional Cultural Place capitalized for emphasis or is it a formal name? If an emphasis, why?
 - j. In Minerals section it states that alternatives are “subject to valid existing rights”. This needs to clearly state that this means all but very few claims will be considered valid and in effect closes the Arizona Strip.

- k. It seems wrong that Fredonia did not qualify for Environmental Justice status (pg 3-248). The town is in a state of near total welfare. Those with jobs have to travel to Las Vegas, Page, and other areas.
- 3. Report format concerns:**
- a. Executive summary includes a statement of purpose for each of the different study categories and then later restates the categories with study results. The executive summary document length can be cut in half by just combining these sections. For example, Air Quality concerns (pg. ES-2) portion should be combined with Impacts on Air Quality (pg. ES-13). Also, by stating the concerns without the details can be very misleading. It is misleading to allow for unsupported statements to be made and then add clarifications or ratings later.
 - b. The Introduction section should simply state it is the Introduction. On page 1-1 it states the introduction as follows: Introduction: Purpose Of And Need For Action. This is not an unbiased statement and implies closure.
 - c. The comparison to the Blanding uranium processing to mining impacts on the Arizona Strip is very misleading (see page 3-242). They are very different and the mining process has much less radiation impacts if any as compared to downwinder impacts already in the area.
- 4. Perspective concerns.**
- a. The Executive Summary states that alternatives are subject to valid existing rights (page ES-1). Missing is a clarification that this really means most claims will be void and only those with drilled verified results are considered valid.
 - b. The initial basis for the closure was the downstream water quality concerns. The open forums led by Representative Grijalva clearly expressed this a primary concern. On the last page it states that impacts on the Colorado water is none to negligible. This is a major component of the study and deserves much emphasis or additional weight, yet, this critical study result is all but buried on the last page.
 - c. Statements regarding economic impacts fail to fully look at how vulnerable Fredonia, Paiute Tribe, and other low income communities are to complete failure. The negative growth rate combined with withdrawal of all mining may destroy this area. Logging and ranching have all but been stopped due to other environmental good intentions. Please note that tourist business is very weak and the most important tourist draw, the Grand Canyon North Rim is closed for fifty percent of the year (October to May 15).

In summary, I hope these comments help support the development of an accurate and unbiased report for Secretary Salazar. A key ingredient is missing and that is taking care of those that will be negatively impacted. If decision is made to close this area, please include provisions of helping the good people of Fredonia and surrounding area. They have suffered enough with the better good of mankind agendas which included killing many good people with downwinder radiation. They deserve a fair shake and a fair report for this decision.