

# MOHAVE COUNTY BOARD of SUPERVISORS

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## **BUSTER D. JOHNSON** SUPERVISOR DISTRICT 3

Statement by Supervisor Buster Johnson, Mohave County, Arizona

Before the House Natural Resources Committee

HR 1373

June 5, 2019

Chairman Grijalva, Ranking Member Bishop, it is an honor to appear before you to represent Mohave County, the county most impacted by the Chairman's bill.

Public service is in my view, a noble thing. After nearly 23 years of service to the people of my county, the one thing upon which I pride myself more than anything else is keeping my word; honoring the commitments, which others and I have made to the people of Arizona and to the United States.

Keeping your word as a public official is more important than taking a stand or being "right" on an issue. There are two professions where you don't have to be right and you can still keep your job at least for a season; One is predicting the weather and the other is politics. I respect two things as a Supervisor: the commitments and promises made by others, some of whom served before me and honoring my own commitments and promises.

Which brings me to the bill before us. Fundamentally, it is a direct attempt to undue the commitment given in 1984 to the people of Arizona by former House Interior Committee Chairman Morris Udall, Senator Barry Goldwater, Senator Dennis DeConcini, Congressman Bob Stump, then freshmen House member and later Senator John McCain along with Utah's former Senators Jake Garn and Orrin Hatch and former Chairman of this Committee, James V Hansen, also from Utah.

Before his death, Senator McCain shared that Chairman Udall required of both industry and environmentalists compromises that lead to the creation of over 1 million acres of BLM and Forest Service Wilderness as buffers to the Grand Canyon National Park in exchange for releasing lands to multiple use those BLM lands north of the Colorado River outside the Park on the Arizona Strip in Mohave County and National Forest lands south of the Grand Canyon National Park in Coconino County.

Validation of the 1984 compromise comes from the statements of numerous individuals who were privy to it including two witnesses who were stakeholders upon whom Chairman Udall relied to gain passage of the 1984. Mr. Russ Butcher, who served as southwest director of the National Park and Conservation society and Bill Lamb who served as BLM area Manager of the Arizona Strip shared testimony, which I respectfully request, be included in the record of this Hearing.

That this agreement was real is evidenced by the fact that hard rock mining was allowed in every subsequent BLM and Forest Service Resource Management Plan (RMP) and Forest Plan up until the withdrawal.

Here is what the District Manager, Bill Lamb said about his role in opening up these lands for mining as part of this 1984 Agreement which led to passage of the 1984 Arizona Wilderness Act:

### Arizona Strip 1984 Wilderness Designation Negotiation

By Bill Lamb

Former District Manager of the Arizona Strip BLM District

From 1982 to 1992

In 1982 I was assigned to be the District Manager for the BLM Arizona Strip District. At that time there were serious negotiations going on with the environmental organizations, uranium mining proponents and the BLM to work out an arrangement where lands could be designated for wilderness and yet provide for responsible uranium development. I worked closely with the Congressional Delegations in both Utah and Arizona, the Sierra Club, National Parks and Recreation Association and others groups including the local residents to find a workable solution to the wilderness vs. uranium issue. With a clear understanding by all stakeholders that any conflict between wilderness and mining would be resolved, a wilderness bill was passed creating the Arizona Wilderness Act of 1984. After some 27 years it seems that those negotiations and agreements have been forgotten where the long hours, days and months of negotiations through field trips, face to face meeting, conference calls and written communications brought about a compromise that provided a balanced use of the Arizona Strip. These efforts would be lost with the mineral withdrawal proposed for the area. The responsible uranium mining after establishment of the wilderness in 1984 has not had any negative impacts on the wilderness areas or the Grand Canyon National Park. A trip to the mining sites has shown that restoration is complete and natural where any evidence of mining cannot be found. A withdrawal from mining entry is in direct conflict with the good-faith effort put forth by the stakeholders and a mockery of the stakeholder negotiation process. I believe a withdrawal would have a negative effect on the local economy where uranium mining would create jobs during a time when the economy is in need of a boost. Uranium mining poses no threat to the pristine nature of the Arizona Strip where the mining operations in breccia pipe formations can be restored to their natural condition after a short extraction time frame.

Bill Lamb

Centerville, Utah

The testimony of National Parks and Conservation Association Southwest Regional Director Butcher is likewise, so compelling that I want to share portions of it with the Committee

Testimony submitted to the House Subcommittee on National Parks, Forests and Public Lands  
April 8, 2010

My name is Russell D. Butcher. I reside in San Diego County, California. For more than 45 years, my career, which has focused on parkland and wildlife conservation and on environmental negotiating, has included serving on the staffs of such nonprofit advocacy organizations as the National Parks Conservation Association (NPCA), National Audubon Society, and Save-the-Redwoods League. From 1984-1990, I served as a member of the U.S. Bureau of Land Management's Arizona Strip District Advisory Council. And I have authored a number of books, most recently including guidebooks to the national park system and the national wildlife refuge system.

In the early 1980s, as the Pacific Southwest regional director for NPCA, I became concerned about alleged threats to the integrity of Grand Canyon National Park and the Colorado River from uranium mining activities near the park on the 1/ Arizona Strip" - a New Jersey-size area that extends northward from the canyon to the Utah state line.

Following a first-hand examination of mine sites in the Kanab Creek area being developed by the then active company, Energy Fuels Nuclear (EFN), I was convinced that these particular activities were extremely unlikely to pose any credible risk of environmental harm to either the park or the river. Two reasons stood out: (1) Contrary to my preconception, development of these sites did not involve open-pit mining operations, as typically occurs in copper mining, for example. Instead, only a small footprint of surface disturbance, encompassing perhaps as much as 20 acres, was associated with accessing a subsurface, narrow, vertically aligned uranium ore-bearing geological structure known as a breccia pipe. (2) EFN officials expressed an unqualified and emphatic commitment to raising the bar extremely high in terms of conducting their mineral extraction and post-mining reclamation activities in the most environmentally sensitive and exemplary manner possible. Judging by what I saw - both on the ground and from the air, their words of reassurance were borne out by their actions. In short, there was no justification, in my opinion, for becoming alarmed over these relatively small-scale resource extraction activities on public lands administered by the U.S. Bureau of Land Management (BLM).

Late in the 1980. I revisited the most active EFN site - the Pigeon Mine. What I saw came as a pleasant surprise: Not only was the entrance to the mine itself completely sealed, but all visual evidence of the limited mine-related surface disturbances and the access road had been superbly well restored. In fact, I felt that if I were to bring someone who knew nothing about the former mining activities to the site, that person would logically assume that this was undisturbed wilderness. More than 20 years have since elapsed. By now I have to assume that the shrubby high-desert vegetation has continued to grow and thrive, making the area appear even more as if it had never been disturbed by man.

Now here we are at the start of the second decade-of-the- 21st century, with alarm again being raised over the renewed commercial interest in extracting high-grade uranium on BLM and U.S. Forest Service lands adjacent to Grand Canyon National Park. new sense of alarm, I believe, is in large part based upon the sheer number of mineral claims - totaling approximately 5,000 - that have been filed with the federal government.

It is important, however, to factor in the answer to what I believe is a relevant question: What percentage of those mineralized claims would ever likely prove to contain an economically viable deposit of uranium ore? The answer: Only a very small percentage - roughly one out of every 35 claims for a total of perhaps 125 sites containing uranium of sufficient quality and quantity to merit a company's financial investment to extract the uranium ore. Add to this small percentage the fact that the footprint of surface disturbance is both on a small scale and capable of being easily reclaimed after the mining activity has ceased.

Regarding a risk of dissolved uranium contamination of underground waters caused by mining activity, it is worth noting a statement in a February 18, 2010, news release issued by the U.S. Geological Survey: "II Analysis of historical water-quality data for more than 1,000 water samples from 428 sites in northern Arizona shows that dissolved uranium concentrations in areas without mining were generally similar to those with active or reclaimed mines."

To sum up my personal opinion regarding breccia pipe uranium mining on public lands surrounding Grand Canyon National Park, while such activities must be carried out with extreme care and due diligence, as was demonstrated by EFN in the late 20th century, I continue to view such activities as posing no credible threat of environmental harm to either Grand Canyon National Park or the Colorado River that flows through it. In the unlikely event that a particular mine proposal appears to pose a specific risk of degrading the quality of visitor experience or impairing the quality of waters or other natural resources within the park, every effort should then be made by the land-management agency, in close consultation and cooperation with the National Park Service, to avoid any such potentially harmful impacts.

Consequently, on the merits I can see no credible justification for a 1.1 million-acre withdrawal from mineral entry of lands to the north and south of the park. Furthermore, such a withdrawal from mineral entry directly contradicts the good-faith intentions and understandings of all the stakeholders who in 1984 successfully negotiated the designation of BLM and Forest Service wilderness areas on the Arizona Strip that were ultimately approved by Congress and signed into law. The wilderness study areas not placed in the National Wilderness Preservation System were released back into multiple use status, including the mining of uranium. As one of the persons who actively participated in that collaborative process, I can state unequivocally that we achieved the negotiated compromise on the basis of allowing such activities as mineral extraction to go forward under appropriate federal oversight on the released lands.

Respectfully submitted,

Russell D. Butcher

In summary, As we meet here today, this nation's nuclear power plants are inexplicably importing 98 percent of the fuel needed to power those plants from foreign sources; much of it from Russia and Kazakhstan. Nuclear power provides 20 percent of this country's daily requirement for energy. As one who is deeply concerned about climate change, I know the Chairman shares my view that nuclear power is a clean safe way to provide electricity to our people. What I do not understand is why America's utilities are importing so much even though we have vast supplies of it right in our own back yard in northern Arizona. The U.S. military and our domestic uranium producers have raised this issue with the Commerce department and the President is expected to make a decision shortly to address that imbalance and restore health to our domestic industry. Such a finding would mean that this Arizona resource would be

needed simply to protect legitimate American National Security concerns. Arizona is thus part of the solution to America's nuclear fuel imbalance and we should prepare to play a constructive role. As the supervisor who represents the county where the uranium and Grand Canyon are located I can tell you that if I had even the slightest indication that mining would affect the Canyon or the health of the people I represent I would be adamantly opposed to it but the Canyon and people are protected and the economic benefit of over \$29 billion and the security of our Nation are what is at stake.