



PDO_KIRKMPO, BLM_AZ <blm_az_pdo_kirkmpo@blm.gov>

[EXTERNAL] Kirkland Mine EA Issues

1 message

Tue, Sep 4, 2018 at 3:24 PM

To: KIRKMPO@blm.gov

To whom it may Concern:

I object to the Kirkland Mine Plan for the following reasons.

The Draft EA for the Kirkland mine operation is insufficient and does not contain proper mitigation for the transportation of the material to the Drake concrete location.

One of the mitigations is to rail transportation and the rejection of the option was not properly analyzed. Using rail would eliminate traffic, noise, safety risk, air pollution and air quality on the proposed transportation route. All of these factors need to be considered in an integrated manner taking into account the 40-year life cycle of the operation. Given these factors the EA does not support a FONSI as it is written. The MLB must require this life cycle cost and effects analysis before the environmental process can be considered complete. It would appear the short-term aspects of the study are insufficient for the proposed justification and are being driven by start-up costs. Much of the cost is passed to the county taxpayers.

Any questions please call or email.
Sincerely,

Prescott, AZ 86305



[EXTERNAL] public comment Kirkland Mine Proposal1 message

Tue, Sep 4, 2018 at 5:36 PM

To: KIRKMPO@blm.gov

In looking over the Traffic Impact Statement by Lee Engineering, I see an analysis of the sight visibility for the Kirkland Mine driveway, but no analysis of the narrow, curvy road just south of location 4 (See fig 6 p. 20). Navigating that stretch of highway on Iron Springs road in a car demands attention to do it safely. I am very concerned about the possible maximum number of 160 Class A truck trips a day navigating that narrow curvy section mixed in with cars.

I am also greatly concerned about the Yarnell grade going South on Highway 89. There are a number of motorcycle groups who go way beyond the speed limit North and South on the grade. I see no analysis of the traffic amounts and patterns of the grade. No study seems to have been done analyzing the safety of a large amount of Class A trucks using the grade. Although the trucks do not ingress and egress on the grade, people visiting the Memorial do. There is only 1 lane going South on Highway 89 and I see no study or concern here for the 3.5 miles of 6% grade.

I see no analysis of accident reports on Iron Springs road or Highway 89 to determine if the above mentioned sections of road are indeed considered areas where more accidents occur pre-mine traffic. I also see no analysis of what adding an increase of 465% of class A trucks to these areas would do.

I am also concerned about the statement on page 3 (paragraph 3) of the Traffic Impact Statement by Lee Engineering, that "limited passing zones exist along this rural roadway as it winds through the Bradshaw Mountains and Prescott National Forest regions along areas of horizontal and vertical curves. This roadway can be considered a Class II two-lane facility type, where motorists do not necessarily expect to travel at high speeds." Using Lee Engineering's data from their Traffic Impact Statement (pg. 2 of 6) one sees that in fact people **do expect to travel at high speeds** with the average speed being 50.3 mph and in fact 5% of people are going 62.6 mph in this North bound 45mph posted area. There is similar data for the South bound lane. Driving this road many times a month, I can testify to the fact that people go quite fast. So, with few passing lanes, it is not difficult to see that the amount of traffic accidents will increase greatly. There has been no mention of Emergency Vehicles and how they will navigate the road with few passing lanes and the potential of 160 Class A trucks a day.

It was also mentioned at the July 7th meeting at Kirkland Elementary School by Lee Engineering (Check minutes) that there would be no appreciable sound increase for residents due to the mining. They also said that they believed the mountains would absorb the sound. That very well might be true with the volcanic Tuff rock able to absorb sound around the mine. But this is not the only sound issue. Lee Engineering did not investigate the sound produced by 160 Class A truck trips going through small towns and house outcroppings. For example, Yarnell is in a valley surrounded by Granite rocks not Tuff and homeowners 200 yards or closer to the highway hear every single car and truck that goes by. The sound echoes off the granite. If motorcycles or large trucks especially using Jake breaks go by, **everyone** in Yarnell hears it.

Mitigations: More complete safety studies need to be done. If the results come back that there are indeed safety issues not being addressed, then Kirkland Mining Company needs to put their product on rail to insure safety for those traveling the proposed routes. If Kirkland Mining Company does not have the money to do so, then they do not receive the permit by BLM to mine. It is Kirkland Mining Company's obligation to obtain the funds necessary to do business safely for all concerned in the area. Kirkland Mining Company in their own plan, have proposed to put the material to long-distance clients on rail so it would not be an unreasonable burden by the BLM to require the company to put all material on rail. There is a spur in Bagdad not 20 miles away, on a road that is traveled much less than Iron Springs Road and Highway 89, that in the past has been used to load Copper ore on rail.

Sincerely,

Yarnell Az, 85362



[EXTERNAL] found errors in previous letter sent today, please submit this one1 message

Tue, Sep 4, 2018 at 9:25 PM

To: KIRKMPO@blm.gov

Proposed Kirkland Mine

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Sincerely,

Yarnell Az, 85362



September 4, 2018

Rem Hawes, Field Manager
Shelby Cave, Geologist
Brian Buttazoni, Planning & Environmental Specialist
Hassayampa Field Office, Bureau of Land Management
21605 North 7th Ave.
Phoenix, AZ 85027

Via email to KIRKMPO@blm.gov

Re: Kirkland Pozzolan Mine Draft EA

Dear Mr. Hawes, Mrs. Cave, and Mr. Buttazoni,

Thank you for the opportunity to provide comment on the Kirkland Mining Company's ("KMC") Kirkland High Quality Pozzolan Mining and Reclamation Plan Draft Environmental Assessment ("EA"). Please accept these comments on behalf of the Center for Biological Diversity ("the Center"). We are a national, nonprofit wildlife conservation and public interest organization with more than 1.6 million members and online activists dedicated to the protection of endangered species, wildlife habitat, cultural sites, and wild places. The members and activists of the Center are concerned with the management of our federal public lands, including our public lands under BLM management, especially as that management relates to the recovery and viability of native species and habitats.

The area around the proposed Kirkland mine is formative in the philosophical materialization of the Center, as one of our four original founders was a Prescott College Graduate and explored much of this region. While we maintain a local constituency of members and supporters within Yavapai County, and have an office in Prescott, our national public lands are to be managed for the benefit of all Americans, and I therefore speak for all our members and supporters throughout the United States. The proposed Kirkland mine (also called "the project") has been met with fierce local resistance from the people who would be most affected by the cultural, ecological, and health impacts of mineral production and processing. The Center supports the efforts of the local resistance in Skull Valley and Kirkland, and urges the BLM to listen to the local voices whose residential water, home values, quality of life, and personal health will suffer if this mine is developed.

In the BLM's August 29, 2018 Press Release announcing the 60-day comment period on the Draft EA, the BLM stated that *"We're sorry, but providing comments to us is not about voting 'for' or 'against' a project."* The Center would like to apologize in reply, because the public process is in fact about voicing concerns about a proposal that would permanently destroy public lands, and therefore the public is entitled to be "against" this mine. For the BLM to state what is the role of public comment is an arrogant disregard of the real impact this mine would have on people's lives, property, and ways of life – not to mention the unnecessary destruction of 88 acres of public lands, wildlife, and scenic wonder. Residents of the area who will be directly negatively impacted have not been heard by the BLM.

The BLM has consistently argued that only "substantive comments" would be considered in the analysis. The Center would like to remind the BLM that in any analysis, an impacts significance *"varies with the setting of the proposed action,"* and therefore the impacts of this project must be analyzed at a context appropriate to the proposed action (40 CFR 1508.27(a)). This is a hugely significant local issue, and the weight of the local sentiment must be given attention by the BLM. In particular, the noise increases, loss of property value, impact to daily life, and loss of public land access experienced by homeowners and residents of Skull Valley is disproportionately higher than the general population in the region. The analysis of lost property value in the Draft EA does not come anywhere close to allaying the concerns of local landowners whose lives have been spent building their wealth around the land and homes they own near the mine site. It is likely that lost property values could lead to litigation under the Arizona Private Property Rights Protection Act (ARS 12-1134).

Many local citizens opposed to this mine feel genuinely betrayed by our government. Many will cite the BLM's own mission:

It is the mission of the Bureau of Land Management to sustain the health, diversity and productivity of the public lands for the use and enjoyment of present and future generations.

The public process experienced by the affected citizenry has been one where it has become clear that the BLM exists to serve the narrow interests of the mine proponent, and not the people of Skull Valley, or indeed the United States. According to federal regulations,

"The NEPA process is intended to help public officials make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment" (40 CFR 1500.1(c)).

We are dismayed by what we have observed - that the BLM has not adequately considered the numerous concerns and significant issues developed in substantive detail by the public, and

instead has allowed the mining industries own proponent, Westland Resources, to write the Draft EA. Clearly, the BLM has taken almost verbatim the work done by KMC's own consultant and released that as the work of the BLM. How does permitting the absolute and permanent destruction of currently near-pristine public land serve to "*protect, restore, and enhance the environment?*" How does this project serve to "*sustain the health, diversity and productivity of the public lands for the use and enjoyment of present and future generations?*" It does not, and the BLM has the authority to recognize this, and withhold approval of this proposal on the basis of it being an unnecessary degradation of public lands.

The Draft EA (page 58) states that "*On April 20, 2017, BLM made the determination that the HQP subject to the Project is a locatable mineral and subject to 43 CFR 3809 regulations and BLM Handbook 3809-1 (BLM Reference No. AZA-36808).*" The Center has challenged this determination in our scoping comments, and the Draft EA has not addressed those concerns in any meaningful way. Among other points raised in scoping, we contend that pozzolan is not considered a locatable material that the type present at Kirkland is not an uncommon variety, and that high quality pozzolanic action has not been publically verified for the tuff at this site. Of key importance, we argued in scoping that even though some properties of natural pozzolan may be desirable, it has not led previous courts to conclude such deposits fall within the authority of the General Mining Law of 1872 and its related regulations. Despite two FOIA requests, we have yet to receive even a redacted version of the "Burch Report" which evidently verified the quality of the pozzolan. Again, we restate that the public is being left in the dark on this crucial detail, and we stand by our assertions that we made during scoping that this project cannot be treated under the regulations governing implementation of mines under the 1872 mining law.¹

We encourage the BLM to provide answers to these questions in the Final EA:

- How does the Kirkland tuff exceed other comparable deposits in pozzolanic performance?
- What are the unique properties of the Kirkland tuff for which there are no readily available substitutes?
- What is the distinct and special value of the Kirkland tuff that exceeds ASTM standards and thus demands a higher market price?
- What is the distinct and special value of the Kirkland tuff that will lead to its use for purposes for which ordinary varieties of the mineral may be used?
- What evidence is there that a higher market price has been offered for the Kirkland tuff?

Without addressing these critical questions, we will continue to question the legal basis of this proposal.

¹ The Centers scoping comments are attached to this letter and we incorporate by reference the arguments we made therein.

The Proposed Kirkland Mine analysis requires a full EIS. The Draft EA states (page 2:26-28) that “*the Authorized Officer must determine if impacts are significant as defined by the Council on Environmental Quality (CEQ)*” at section 40 CFR 1508.27. The Center asserts that the proposed action is in fact significant based on the requirements of the federal code, specifically:

- 1) “*The degree to which the effects on the quality of the human environment are likely to be highly controversial*” (40 CFR 1508.27(b)(4)).
- 2) “*The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks*” (40 CFR 1508.27(b)(5)).
- 3) “*The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources*” (40 CFR 1508.27(b)(8)).

We will expand on these 3 significant issues here:

- 1) “*The degree to which the effects on the quality of the human environment are likely to be highly controversial*” (40 CFR 1508.27(b)(4)).

- a) Based off of a cursory review of public comments, the public is opposed to this mine by a ratio of about 100:1. This review of comments supplied to BLM by the public during project scoping clearly illustrates the dramatic degree to which this project is hugely controversial. Based off of public comment, the vast majority of the interested public is gravely concerned about this project for a variety of reasons, many of which the Center discussed in our own scoping comment. Many, if not most, of the comments supplied by the public were thoughtful and substantive. The local population is overwhelmingly concerned if not outright opposed to this operation. While the NEPA process is not a ‘vote’ the comments delivered do support the controversial nature of the proposal and as such warrant a finding of significance in this regard.

- b) Local governments are opposed to the project for safety and infrastructure concerns. The City of Prescott is generally very supportive of all forms of industrial development. At the August 28, 2018 City Council meeting² the mayor stated that the City’s position delivered to BLM on July 26, 2017 – one of concern – still stands as the official position. In that letter, the City stated that “*In sum, we (at the City) certainly understand and support regional commerce but the negative externalities associated with this prospective project are too numerous and impactful to garner our support.*” Additionally, Central Yavapai

² <https://www.dcourier.com/news/2018/sep/01/prescott-council-reaffirms-concerns-over-kirkland-/>

Metropolitan Planning Organization and Arizona Game and Fish Department also submitted comments expressing serious concerns. The amount of resistance from government organization is unusual. These examples also attest to the controversial nature of this mine.

c) The EA incorrectly states that “*The federal lands proposed for utilization have been the subject of years of prior mining and quarrying activity*” (Draft EA, page 1:21-22). In fact, only approximately 15 acres of the proposed 88 acre operation have been disturbed previously by mining or quarrying. The remaining 73 acres – which constitute 73% of the proposed project area – are in a condition as they have been for millennia, unaffected by surface disturbance of the kind proposed by Kirkland Mining Company. The public has strongly voiced its opposition to destroying undisturbed portions of the public lands for the sake of private profit, and the Center shares in this concern. The owner of KMC is not a resident of the affected area, and she does not use that land for recreation and other personal, non-consumptive uses. The loss of access to the public lands will be felt most by the local population who reside in the midst of predominantly State Trust and private lands which do not allow public access. The permanent destruction of the stunning and unique geologic features is a highly controversial issue at the local scale, making it subject to further analysis.

Because of the locally significant controversy over the proposed mine across 88 acres of public land, the Center requests formulation and analysis of an additional alternative where only the ~15 acres that are currently disturbed would be quarried. This would reduce the impacts of the most controversial project elements, including water use, road/traffic/safety impacts, duration and extent of noise/dust/visual impairment, loss of habitat and public land access, and loss of cultural important sites. We believe this is a reasonable alternative in that KMC would still be able to produce their desired products at the desired site, but offset the cumulative impacts by reducing the scale of the operation. Furthermore, we are disheartened that the BLM eliminated other alternatives but did not disclose them in the Draft EA.

2) “*The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks*” (40 CFR 1508.27(b)(5)).

a) The most significant unknown factor in this analysis is the presence of the carcinogenic mineral erionite. Numerous public comments brought forward this concern for analysis and the Draft EA simply states that none was found from the samples taken on site. This mineral has been confirmed in past geologic investigations in tuffs local to Kirkland (Eyde and Irvin 1979; Sheppard 1996)³, and recent research indicates that the mineral may occur in rock formations not previously identified by earlier investigations (Van Gosen et al. 2012). Because the BLM’s and KMC’s tests indicated a result contrary to established published information, we feel it is reasonable to question the accuracy of the information presented in the EA as well as the

³ Documents cited here are attached to this letter

methodology used in the assay. Members of the public who would be directly affected contend that the testing procedures used by BLM to assay for this mineral were not appropriate or completed to the degree needed to satisfactorily make such a determination. In particular, The Center incorporates through reference the comments recently submitted to BLM by Mrs. Helen Harrington, who provided a thoughtful assessment of the types of testing available and asserted that the test used by BLM was insufficient to detect erionite. The Draft EA has not satisfied the public's concerns over the presence of this dangerous mineral, and as such the risk is considered uncertain and unknown. Additional tests, including but not limited to the types described by Mrs. Harrington, are needed in order to alleviate the public's concerns.

b) A major point of concern for the public is the use of regional roadways to deliver ~80 truckloads/day of the potentially carcinogenic material to potential customers. Three routes have been offered by KMC, each with a range of concerns over affected sites. Thus far, no purchaser has been announced, and therefore the final routes to be used are not determined. This leaves the local effects of the trucking in a very uncertain state. Who will be affected by the traffic, congestion, interruption of regular services, exhaust and noise? That is uncertain because the BLM cannot say where the material will be hauled to. At the August 28, 2018 City Council Hearing, Councilwoman Scholl asked mine representatives if the effects of exhaust on students at Abia Judd School were analyzed, and there was no answer. Clearly, uncertainty taints this analysis and the public remains left in the dark on the real-world effects of such a dramatic increase in industrial traffic.

3) *“The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places **or may cause loss or destruction of significant scientific, cultural, or historical resources**”* (40 CFR 1508.27(b)(8)).

The project will destroy 88 acres of public lands, including approximately 73 acres that are currently not impacted by past mining activities. No amount of reclamation will ever recreate the stunning geological features, the scenery, and the habitat that would be lost to this sprawling open pit. On this area are approximately two-dozen archaeological or historical sites. Many of these sites are not eligible for listing on the *National Register of Historic Places*, but they are still among the only few such historical sites known on public lands in the immediate area. As described by members of the public in past comments, the site has been used by local academic institutions (Prescott College, Yavapai College) for school field trips focused on geology and ecology. Other regional sites featuring similar rocks and geologic processes are not available on public lands. The destruction of this site will be a permanent loss to the scientific study and appreciation of the unique geologic features, attendant ecological attributes, and the historical and culturally significant sites that occur there. The isolation of a few key cultural sites on pedestals surrounded by a deep pit is hardly a reasonable approach to saving the sites. Because of

the permanence of the loss of these invaluable resources, the BLM should analyze an alternative whereby only the currently disturbed ~15 acres are re-opened for mining.

Again, thank you for the opportunity to provide comment on the KMC mine. We are hopeful that the BLM will determine that the locally significant concerns are sufficient to reject this proposal. However, we are also realistic, and it seems that BLM is more interested in permitting an unpopular mine for the benefit of a few than making a bold decision for the protection of the many. This is truly saddening, that the wishes of the locals who would be most affected are not sufficient to stop this unfair use of an outdated mining law for the enrichment of an absentee landowner and claimholder. You have the power to make the right choice for the American people, and you have the support of the people behind you. You just need the courage.

Please add the attached documents⁴ to the official record, and keep me informed of developments in the proposed project and other opportunities for comment or in-person interaction. We also request that BLM organize a public field trip to the site as soon as possible. I look forward to receiving the Burch report and other information that we have requested but not yet received.

Sincerely,



Joe Trudeau, Southwest Advocate
Center for Biological Diversity
PO Box 1013, Prescott, AZ 86302
(603) 562-6226
jtrudeau@biologicaldiversity.org

⁴ Eyde, T.H, and G.W. Irvin. 1979. Arizona Zeolites. State of Arizona Department of Mineral Resources. Mineral Report No. 1.

Sheppard, R.A. 1996. Occurrences of erionite in sedimentary rocks of the western United States. USDI USGS Open File Report 96-018.

Van Gosen, B.S., T.A. Blitz, G. S. Plumlee, G. P. Meeker, and M.P. Pierson. Geologic occurrences of erionite in the United States: an emerging national public health concern for respiratory disease. *Environmental and Geochemical Health*. 35: 419-430.



PDO_KIRKMPO, BLM_AZ <blm_az_pdo_kirkmpo@blm.gov>

[EXTERNAL] Kirkland Mine

1 message

Tue, Sep 4, 2018 at 1:09 PM

To: KIRKMPO@blm.gov

To Brian Buttazoni and the Bureau of Land Management:

As a resident living along the proposed Iron Springs route, I vehemently oppose the volume of mining truck traffic that would pass our development and others. This will make for unsafe egress for at least 9 developments and neighborhoods onto Iron Springs Road. It is already often difficult to get out onto Iron Springs safely. Noise is also an issue since this is a 24 hour operation.

As a former teacher at Granite Mountain School, I am concerned for the safety of the children and families of Abia Judd and Granite Mountain Schools during drop-off and pick-up times. There are daily long lines extending out onto the Williamson Valley roadway at these times. This blocks the right lane. Thru traffic utilizes the left lane, including the bus traffic for both schools. The added congestion of trucks turning left near these school entrances, along with the possible impeding of fire trucks needing to enter the road at that intersection creates a dangerous situation.

I know that my plea is one of hundreds (maybe thousands), along with objections from Prescott city government. I ask that the BLM heed these objections and disallow Iron Springs as a route for the mining operations.

Thank You,

Wildwood
Prescott

Sent from my iPad



[EXTERNAL] Attn: Brian Buttazoni, Re. Kirkland Mine

1 message

Tue, Sep 4, 2018 at 2:32 PM

To: KIRKMPO@blm.gov

Dear Mr. Buttazoni,

Dear Mr. Buttazoni,

Last week I sent you a letter concerning the Kirkland Mine possibility. That letter concerned the possible increase in response time for persons living on Iron Springs Road west of the intersection of Iron Springs Road and Williamson Valley Road.

Since that letter I have done additional research. I have contacted Chief Light of the Prescott Fire Department regarding response time.

On August 21st I emailed Chief Dennis:

I am more "curious" about Iron Springs beyond the intersection. Beyond the intersection the road is two lane. In places there is little, if any room, for standard vehicles to pull completely off the road to yield to emergency vehicles.

My concern is that in responding beyond the intersection the large ore trucks may not have sufficient room to yield the road to emergency vehicles. Further, that ore trucks transiting in both directions may constitute a further "difficulty". Especially, if such happens at one of the several "narrow" sections of the road, i.e., where there is little room to pull over. In such a situation I am rather curious if emergency vehicles could successfully transit. And if they could how much would they have to reduce their response time?

The chief has responded that he shares my concern. He has also provided the following.

Email from Chief Light, August 27, 2018 regarding response times to Wildwood development:

FYI we measure to the 90th percentile when reporting response times versus averages. This approach gives more valid data because if you use averages the assumption is that half the calls are below that average whereas the other half are above that average.

For the district in which Wildwood rests we are reporting the following:

Call processing time (answering 911 call and unit selection): 1 minute and 28 seconds

Turnout time (crew readying themselves to respond): 1 minute and 33 seconds

Travel (departing station to arrival at curb of address): 8 minutes and 12 seconds

Total response time: 11 minutes and 13 seconds.

Keep in mind this is for "all risks" to include fire, EMS, and others within the geographical area that includes the Wildwood development. DL

Dennis B. Light

Fire Chief

[1700 Iron Springs Road | Prescott, AZ 86305](#)

[Ph: 928-777-1700 | Fax: 928-776-1890 |](#)

Note that the time for the crew to depart the station after dialing 911 is two (2+ to 3 minutes). This is the crucial number. My best information is that a fire doubles every 1 to 2 minutes (sometimes in less than a minute), depending on variables (fuel, weather conditions, location, etc.)

Thus, by the time the fire engines leave the station a fire has already doubled. A delay of an additional 30 seconds to a minute in response time added to the travel time may not seem like much, but it would essentially ensure a fire had doubled again. And this is a best case scenario, i.e., as it is based on the fire being within a half-mile of the station.

For a fire further away, any delay the fire is essentially guaranteed to be exponentially more serious.

If it was a house fire an additional 30 or so seconds navigating around and/or between ore trucks and the house is essentially gone. If a wildfire it has doubled twice – a half-acre fire is now two acres and growing.

The issue of comparing the size of the trucks to a school bus is a red herring.

The issue is not simply the size of the ore trucks, it is their proposed frequency, coupled to traveling in both directions through out the day. A situation that has the distinct possibility of creating a bottle neck at just the wrong time concerning emergency vehicles.

Is the mining company willing to assume responsibility should such a situation occur?

Respectfully,

[Prescott, AZ 86305](#)

PS: How many people or households are affected, i.e., those off of Iron Springs Road beyond the intersection of Williamson Valley Road? In terms of residences it is at least 2,000 (rough count from satellite images). Wildwood alone has near 200 residences. Thus, the number of people put at additional risk is in the thousands.



[EXTERNAL] Comments Kirkland Mine

1 message

Tue, Sep 4, 2018 at 1:23 PM

To: "KIRKMPO@blm.gov" <KIRKMPO@blm.gov>

Following are my comments concerning the Environmental assessment completed for BLM on the Kirkland Mine;

Socioeconomic factors are the social and economic experiences and realities that help mold one's personality, attitudes, and lifestyle. The factors can also define regions and neighborhoods.

Item 3.11 in the EA concerning Socioeconomics- As a long time Realtor specializing in Real Estate in Kirkland, Skull Valley, Wilhoit, Peeples Valley and Ruger Ranch I offer this assessment of your Socio-economic analysis.

Plenty of data was brought out in the report but most of it was irrelevant and Immaterial. Most of it could be described as “filler “ material. The report really doesn’t cover the impact that a mine can have on a community from both a sociological and an economic perspective.

While there were many details of the overall health of Yavapai County ranging from employment to the housing market, there was no professional assessment of the huge financial losses that would be incurred as a result of a loss of property values. Many studies have been completed to show that properties within a defined distance of a mining operation will be severely impacted by economic devaluation.

What are the factors that create devaluation of property close to a mine site. They include noise, dust, visual ,traffic, water depletion, etc. So it’s no wonder that those who own property close to the proposed Kirkland

mine or live just off the highway where the commodity will pass through will suffer property devaluation. As you travel from Congress to Prescott you will find hundreds of homes located close to the highway and they will be impacted by the large commercial truck noise and diesel emissions.

I was made aware that Williamson Valley Rd. alone has over 439 single family homes within 200 ft. along Route 3. Further South you have Skull Valley and Kirkland with a large number of homes close to the highway that will be subject to devaluation. Within 1 mile, as the crow flies, you have the 10,000 acre Ruger Ranch which has the possibility of 500 homes on it's mostly 36 acre parcels. These parcels averaged \$300,000 when sold, dropped to an average of \$50,000 in 2007 and have just recently increased on average to \$80,000. But with the potential for a mine so close, property sales have slowed dramatically and I've had to reduce some prices. As soon as I mention the possibility of a mine, some clients immediately walk away. Many potential buyers are looking at our rural landscape to get away from things the mine will bring....noise, dust, traffic, solitude etc.

Several property owners who had considered building have put their plans on hold. The EA did not take into consideration the significant economic losses that will occur if the Mine is allowed to proceed. Assuming that the current value of the Ruger Ranch properties are in the area of \$20,000,000, a modest devaluation of 10% would equal an economic loss of \$2,000,000. This would not count the loss of tax revenue as the current homes in Ruger Ranch average \$2750 in annual Yavapai County property taxes of which approx. 40% goes to the local Kirkland elementary school. Another significant loss of revenue will be the hundreds of construction workers who will not be employed if Ruger Ranch property owners decide not to build. Builders, framers, electricians, plumbers, septic and well personnel will not be employed.

Williamson Valley homes would lose even more. With the 439 homes subject to devaluation and priced at an average of \$400,000 dollars, just a slight 5% devaluation would incur a loss of \$9,000,000 in values. These reductions in value would have an adverse impact on the amount of tax revenues that go to schools, public safety, fire protection etc. And this

does not cover all the homes along various potential routes, so the economic loss would be significantly greater than the \$11,000,000 just on the two examples above.

This brings me to discuss the social-economic benefits of the mine. Unfortunately there aren't many positives. The mine will bring to market what Kirkland Mining Company (KMC) says is a product in high demand especially in the concrete arena. Additionally it will create a small number of local full time jobs, most likely less than 20. It is anticipated that the trucking company will not be local and consequently their employees will do little to help the local economy.

As a one timer Financial Planner, I can see little social-economic value to the mine. The minuses far outnumber the pluses in my opinion. And its not only the lopsided economic figures that are clearly convincing, but what economic value can you place on the large number of property owners who will see the biggest economic investment in their lives diminished in value. The economic loss is bad enough, but to live in an area or on a route where these large commercial trucks are driving past their homes 80 hours a week, severely impacting their social life, is unconscionable. The peace and tranquility they enjoy now will be lost to them forever over the 40 year projected life of the mine.

And for what?

Please let me know that you are in receipt of this email.

Sincerely,

Ruger Ranch Property Owners Association

Sent from [Mail](#) for Windows 10



[EXTERNAL] Kirkland Mine

1 message

Tue, Sep 4, 2018 at 6:23 AM

To: kirkmpo@blm.gov

I am once again going to write to oppose the transporting of the Kirkland Mine and the production and transporting of Pozzolan.

I have a feeling that once again money will talk, and the decision has already been made. May I ask if said officials are planning on moving their families to live along the proposed route, with the trucks passing through Skull Valley, continuing down Iron Springs Road on their way to the cement plant in Chino Valley?

Are they willing to put up with the heavy traffic? The heavily weighted trucks trying to stop, when a person tries to pull out of their community, only to look in their rear-view mirror and see said trucks barreling down on them, because they are coming off a hill. Trucks cannot stop on a dime, just because they have more tires, doesn't mean they can stop quicker (believe me, some people believe this).

I have nothing against trucks or the drivers, my husband drove trucks for many years, I have friends who make their living driving trucks. They will be listening to their dispatchers orders of delivering a product at a certain time, the more the load hauled the more they make. Think about their safety as they sit in their cabs, with the dust they have to come in contact with, will they know what they will be hauling can be hazardous?

Are said officials also willing to let their families, pets, visitors be exposed to the fine dust that will be in the air? A dust that is a carcinogenic? How are they going to explain to their children, that the deer, javelina, coyote, etc., that are lying on the side of the road dead, are because they (the officials) agreed to let the trucks come flying down the road.

How about the bicyclists that use Iron Springs Road? Did you think about their safety? Or the hikers that cross from one trail head to the other? All for what? To make more money?

I moved here from Pennsylvania because I fell in love with the trees, the mountains, the quiet, I live in Pine Lakes, one of the 55+ communities along Iron Springs Road. I don't want to have to sit on my porch and listen to Jake-breaks all day and night.

There is a railroad that goes from the mine area to Chino Valley, use it, Or if the cement company really thinks they need this harmful substance, yes it's harmful to our water, land, air, future generations of families and animals, tell them to build a new plant closer to said mine.

The town and area I moved from are still seeing the harmful results of fracking from drilling for natural gas. Beautiful country side was dug up, and all those trees and wildlife are now a thing of the past.

Before you vote to let this venture go through, stop to think if you yourself would want to listen to the traffic, see the dust flying in the air, watch the wildlife dwindle, then sit down and explain to your children and grandchildren why you decided this is a good thing.

Prescott, AZ 86305



PDO_KIRKMPO, BLM_AZ <blm_az_pdo_kirkmpo@blm.gov>

[EXTERNAL] Kirkland mine

1 message

Tue, Sep 4, 2018 at 4:38 PM

To: KIRKMPO@blm.gov

My wife and I live off Iron Springs Road, we do not support the Kirkland mine.

Prescott , AZ 86305



PDO_KIRKMPO, BLM_AZ <blm_az_pdo_kirkmpo@blm.gov>

[EXTERNAL] No on Kirkland Mine

1 message

Tue, Sep 4, 2018 at 3:59 PM

To: "kirkmpo@blm.gov" <kirkmpo@blm.gov>

I know the BLM strives to be a good neighbor in the communities they serve.

I am opposed of the Kirkland mine proposal for the routes on iron springs road for the following reasons.

Traffic safety due to two schools, firestation and four youth campus. 2 line road with steep grades that are travel by cyclist, slow moving vehicles and hikers. No shoulders on route

Health concerns with MY health(COPD) polluting the air with amorphous silica and asbestos erionites.

I live just off Iron Springs road and the noise level with increase twofold.

One concern i have is the statment that Areta Zouvas stated "we are not looking for a fight ,under no circumstance do we intend to back down". Sounds like she really is not concern with any comments or safety concerns of "her" neighbors. Another statement was "if the neighbors want to put their money where their mounth is". Don't appreciate that comment...the citizens of Prescott are smarter than that. We don't need to be bullied just the truth..Money does talk but so does the concerns of the citizens.

I moved to Prescottt for the beauty , the people and the healty environment.

Thank you for reading.



[EXTERNAL] Opposition to Kirkland Mine

1 message

Tue, Sep 4, 2018 at 6:38 PM

To: KIRKMPO@blm.gov

To the Attention of Mr. Shelby Cave:

I was unable to attend the previous public comment meetings, so I am writing to register my general opposition to the proposed Kirkland Mining Co. pozzolan mine in Skull Valley. I do not live in Kirkland / Skull Valley, but certainly sympathize with the residents of that area who will be negatively affected by the mine.

I live in the Williamson Valley area and travel that road multiple times per week into Prescott, as well as the Outer Loop Road and Hwy 89 both north and south.

In the six years I have lived there, traffic has continually increased, most recently in the form of construction-related traffic due to the increase in residential construction. Adding an unknown amount of heavy truck traffic transporting the mining products through our area imposes a burden on the area residents, additional traffic congestion and related safety concerns, not to mention increased wear and tear on city and county roads.

I have not seen any official estimates on the amount of traffic; one letter writer to the Daily Courier mentioned 80 dump trucks / day. I have no idea if that is accurate or not. Has the Kirkland Mining Company furnished any estimates on mine output and corresponding truck traffic? Has the daily tonnage or cubic yardage output been presented? I may have missed it but have not seen any statements on this.

I would make the following suggestions as to requirements to be imposed on the mine operators. I acknowledge that there are many legal, logistical and economic implications involved and I am generally ignorant of these details; as far as economic impacts on the mining company - so be it - cost of doing business.

1) The mining consultant states that there is no rail access. So build a spur to the mine!

Not that simple, I know; imminent domain issues, rights of way, negotiations with owners / operators of existing rail lines. But has this even been explored? Again, rail spur = cost of doing business. Would suggest a moratorium on mining operations until this has at least been thoroughly explored and the details publicly presented to the county and affected cities and towns for response.

2) Regarding truck traffic for mine output, as I mentioned above, what is the expected magnitude, near term and future projections? If trucks are found to be the only near-term option, pending rail spur option resolution, would suggest the following:

A) - Restrict truck traffic to off-hours, say 10PM or midnight to 5AM or 6AM.

B) - City of Prescott and possibly Chino Valley - impose a road use surcharge for the additional heavy truck traffic. Again legal implications here, but if this will provide an incentive to implement rail transport to the maximum extent, well worth trying.

I realize that the above suggestions are in part uninformed as to the many ramifications, but I hope this might stimulate additional dialogue and consideration. For the mining company to expect unfettered, unrestricted use of our city and county roads with a high volume of heavy truck traffic on a continuing basis, while offering no appreciable benefit to the affected rural and city areas is simply inconsiderate and unacceptable.

Thank you,

S

Prescott, AZ

Sent from my iPad



Kirkland High Quality Pozzolan Mine Draft Mining and Reclamation Plan of Operations

Draft Environmental Assessment
DOI-BLM-AZ-P010-2017-0017-EA



What is a substantive comment?

To state that you are in favor or opposed to a proposal, without an explanation of “because” or “why”, is considered non-substantive.

A ***substantive comment*** would:

- 1) Question, with reasonable basis, the accuracy of the information in the environmental analysis;
- 2) Question, with reasonable basis, the adequacy of, methodology for, or assumptions used for the environmental analysis;
- 3) Present new information relevant to the analysis;
- 4) Present reasonable alternatives other than those analyzed in the environmental document; and/or
- 5) Cause changes or revisions in one or more of the alternatives.

An ***effective*** substantive comment refers to a specific page number, section number, and line number in the environmental document.

Privacy Notice: Before including your address, phone number, email address, or any other personal identifying information in your comments, be advised that your entire comment(s), including personal identifying information, may be made publicly available at any time. While individuals may request that the BLM withhold personal identifying information from public view, the BLM cannot guarantee it will be able to do so. If you wish to withhold your personal information, you must state this prominently at the beginning of your comment(s). We will make all submissions from organizations and businesses available for public disclosure in their entirety.

Your first/last name:

Your email address:

Comments must be received by September 4, 2018. Comments can be mailed to:
BLM, Hassayampa Field Office, Attn: Brian Buttazoni, 21605 N 7th Avenue, Phoenix, Arizona 85027

Comment Number	Page Number	Section Number	Line Number	Substantive Comment
1	All	All	All	<p>I oppose the development of the Pozzolan mine. I have commented before, and was willing to see some negotiation to have less sound pollution year round. As I consider the state of Arizona's water supply, my latest opinion is to just refuse to develop this project for the sake of the owner's profit, or some small employment, at the cost of draining an aquifer.</p> <p>There is a lot of passion in saving our water supply in Arizona this year. We are on the tipping point. Pozzolan or volcanic "tuff" creates a carcinogenic hazard with dust, and would take tens of thousands of gallons of water PER DAY to help the truckloads of tuff keep the dust down with sprayers under the trucks. Our precious groundwater isn't even used for the mining process, just the transport! It's a plan that Arizona's water supply simply CANNOT afford. The term in hydrology is *mining water* that cannot be refilled. It's not worth it because someone bought a piece of land twenty years ago and now wants to make an enormous profit on it. And it's not worth it to the neighbors who would be harassed by the noise of mining 12 hours a day, all year round.</p>

If you have additional comments, add a new sheet of paper or additional comment form. Remember to include a comment number, page number, section number and line number.



PDO_KIRKMPO, BLM_AZ <blm_az_pdo_kirkmpo@blm.gov>

[EXTERNAL] Trucks on Iron Springs Rd.

1 message

Tue, Sep 4, 2018 at 6:44 PM

Reply-To:

To: "KIRKMPO@blm.gov" <KIRKMPO@blm.gov>

I am definitely opposed to the extra noise and traffic in our quiet community, just so someone can make some big bucks. They should bite the bullet and pay for additional rail service in that area instead of looking for a bigger profit at Prescott's expense. I'm sure they will make tons of money by building rail.



September 4, 2018

BLM
Hassayampa Field Office
21605 N. 7th Avenue
Phoenix, AZ 85027

Attn: Brian Buttazoni

RE: Comments Kirkland High Quality Pozzolan Mine Draft Environmental Analysis

Email: KIRKMPO@blm.gov

Dear Mr. Buttazoni:

These comments are submitted on behalf of Great Old Broads for Wilderness (Broads) and the Sierra Club Yavapai Group, Grand Canyon Chapter.

Founded in 1989, Broads are advocates, stewards and educators for wild lands. Broads believes that the continuing drive for corporations to seek out and extract resources from our public lands creates an ongoing battle for Broads and other like-minded organizations. These activities exact a high price on the land. They impair air and water quality, disrupt or destroy wildlife habitat, and disturb the natural quiet and scenic beauty of the land.

Founded in 1892, the Sierra Club is a national nonprofit organization with approximately 2.7 million members and supporters dedicated to exploring, enjoying, and protecting the wild places of the earth; to practicing and promoting the responsible use of the earth's ecosystems and resources; to educating and enlisting humanity to protect and restore the quality of the natural and human environment; and to using all lawful means to carry out these objectives. Sierra Club's Grand Canyon Chapter, organized in 1965, represents approximately 65,000 Arizona citizens desiring to protect Arizona's resources. The local Yavapai Group represents the interests of about 3,200 citizens in western Yavapai County. We have a significant interest in protecting and restoring the water quality in Arizona's rivers, lakes, and streams. We are concerned with protecting the health of our forests, rivers, and wildlife. Sierra Club – Yavapai Group has a long-standing interest in BLM managed lands. Our members have long enjoyed BLM land for hiking, trail riding, hunting, fishing, wildlife watching, and solitude. It is within that

context that we are submitting these comments. Our members and volunteers are deeply concerned that BLM lands are managed properly.

National Environmental Policy Act Requirements: The National Environmental Policy Act (NEPA) requires a “coherent and comprehensive up-front environmental analysis” to ensure an agency “will not act on **incomplete information** (emphasis added), only to regret its decision after it is too late to correct” (Blue Mountains Biodiversity Project v. Blackwood, 161 F.3d 1208, 1216 [9th Cir. 1998]).

NEPA thus requires federal agencies to analyze the direct, indirect, and cumulative impacts of the proposed action (42 U.S.C. § 4332[C]; 40 C.F.R. §§ 1508.7, 1508.8, 1508.25 [the scope of a proposed action must include connected, cumulative, and similar actions]; Sierra Club v. Bosworth, 2007 U.S. App. LEXIS 28013 [9th Cir. 2007]). Cumulative impacts include the impact on the environment that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 C.F.R. § 1508.7). A cumulative effects analysis must also provide detailed and quantifiable information and cannot rely on general statements and conclusions (Neighbors of Cuddy Mountain v. U.S. Forest Service, 137 F.3d 1372, 1380 [9th Cir. 1998]).

Scientific honesty and rationality are a NEPA requirement: “...the agency must use **high quality information** (emphasis added) and accurate scientific analysis...” (40 C.F.R. Sec. 1500.1(b)) “and must disclose any responsible opposing view.” (Id.1502.9(b)).

Summary of Issues: “Section 1508.14 “Human environment shall be interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment.” The National Environmental Policy Act (NEPA) was enacted to: “declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality.” Sec. 2 [42 U.S. Code § 4321]. You must take into consideration that humans are part of the environment.

In addition to the quarry site this, the proposed KMC project, will affect highway and railroad corridors that cover approximately 85 miles of existing paved roads (p. 73) and railroad corridors to be determined. You must not only analyze the potential socio-environmental impacts at the proposed quarry site, but also along these routes. You have failed to meet the purpose of NEPA and fully address impacts on humans and safety including traffic, noise, air quality, water usage, health, and property values incurred not only at the quarry site but in the adjacent and surrounding communities.

We insist that the proposed mining operation should minimize not only environmental and social impacts but also impacts on the human environment. Measures must be taken to reduce water and energy consumption, to minimize land disturbance and waste production, to minimize noise, to prevent pollution including water, air and soil at quarry site, to provide an alternate plan for shipping pozzolan using the existing railroad near the property and eliminating truck traffic impacts on regional roads, to protect nearby riparian habitat, wildlife, protect human health/safety, and cultural sites, to provide socioeconomic net benefits for Skull Valley and Kirkland, and to fully reclaim and restore the quarry site.

This is not a mine. It is a quarry and should operate according to BLM requirements for quarries. Although the 1872 Mining Act authorizes quarry operations on valid claims located on BLM Lands, the BLM does have considerable discretion as to how the quarrying will take place. We ask the BLM to require that the permit mitigate impacts to the extent that the surrounding communities, human beings, wildlife, and the environment are not degraded while generating profits for remote corporate interests.

High Quality Pozzolan (HQP): “The HQP from the Project area will be used in specialized industrial mineral applications . . .” (EA p. 2) We understand what the uses for HQP are and may be in the future. However, if KMC does not have customers for the HQP will they be stockpiling the product on the BLM or private premises for an undetermined number of years? Does KMC have a “plan B?” We are concerned that KMC does not have customers for the HQP and that the project will not support itself. According to the KMC geologist, the only difference between common and HQP is the additional \$25/ton cost of processing the common. Large amounts are found in Nevada and wherever there is diatomaceous earth. Prior to any project determination, it is incumbent upon BLM to conduct a complete and thorough review of each of the KMC owners, to ascertain if any had prior mine/quarry ownership and/or operations, including in other states, and if so, whether financial, environmental (including closure) or other problems of significance occurred pursuant to said activities. It is also incumbent upon BLM to require a bond in the full amount that reclamation will cost and financial assurances to protect taxpayers against any liability that could result from this project or its abandonment.

Truck and Quarrying Operation Noise: We do not believe you have adequately measured the noise levels of the heavy-duty trucks that will be traveling to and from the Project area. The proposed heavy-truck traffic will be travelling on steep grades including Iron Springs Road into Prescott. Noise from Jake brakes will be heard for miles down into the Prescott Basin. The noise from Jake Brakes was not taken into consideration in the analysis.

Again, humans are part of the environment. Proposed noise decibels (dB) passing residences, schools, and churches on the three possible routes range from 41.8 to 66.8 dB. The noise study should consider that increased ambient noise lowers property values by 0.57% per dB over a 40 dB threshold (Jon P. Nelson, PhD Pennsylvania State University Department of Economics in “Environment Evaluation and Cost Benefit News” cited at <http://www.noiseoff.org/document/juneau.pdf>). A typical municipal noise ordinance sets a high limit of 35 dB for residential areas (USEPA 1978). Also, both the BLM and Kirkland Mining

Company should recognize that the Arizona Private Property Rights Protection Act (AZ Rev Stat § 12-1134) permits a private property owner to litigate for compensation if land management decisions reduce the value of private property. Both the KMC and the BLM could be liable. Typically, urban noise ranges from 60 to 70 dB (USEPA 1978). With heavy-truck noise and mining operation noise, the local communities will go from rural noise levels to urban noise levels. Yet, you state in the EA that noise impacts range from minor to moderate. We believe that the human environment of the surrounding rural communities will be harmed by heavy-truck and Project Site noise. This is not acceptable. Unless there is quiet technology developed within the next 1 to 40 years, there is no way to mitigate heavy-truck and quarrying noise. The noise study must include the residential areas of Kirkland, Skull Valley, Hillside, Prescott, Chino Valley, Paulden, Yarnell, Peeples Valley, and Congress.

Truck Transportation: Shipping pozzolan by truck within a 350-mile radius will affect more than the local road in front of the quarry. BLM should evaluate the cumulative impacts, including significant safety concerns to human beings and wildlife, and road degradation, caused by high volume truck traffic. These issues will affect not only the adjacent communities, but the communities the truck traffic will pass through. Further, high volume truck traffic will certainly lead to the necessity of road improvements and maintenance at the cost to the tax payers.

The EA states that there will be no significant effects from the increase in truck traffic from the quarrying operation compared to total vehicles. This is comparing apples to oranges. Your transportation report from Lee Engineering does not state how many heavy-duty trucks currently utilize the proposed truck routes. The EA should state how many heavy-duty trucks like those that will haul product and/or water to and from the Project Site are currently using these roadways. After that determination, the EA must compare the current number of heavy-duty trucks to the number of additional heavy-duty trucks that will travel these routes. The analysis then will be able to numerically show whether or not there will be a significant increase in heavy-duty truck traffic.

Further, because humans are a part of the environment, there is a risk to health and safety. Road traffic is the single largest contributor of human exposure to air pollutants and noise in urban areas. Air pollution contributes to hospital admissions from cardiovascular and respiratory disease, often ending in mortality. Traffic emissions include carbon monoxide, nitrogen dioxide, ozone, sulfur dioxide, and toxins such as lead. Chronic effects of noise exposure may lead to psychosocial conditions and sleep disturbances. Increased traffic and noise near the Project area may lead to an increase in health problems for the human and wildlife populations living with in the area. An analysis of the effect of degraded air quality caused by truck emissions must be made at the school sites along the routes including Kirkland, Skull Valley, Hillside, Prescott, Chino Valley, and Yarnell.

The increases in vehicle and truck traffic projected in the 40-year life of the quarry operation, will lead to stress in worrying about safety for the residents of the immediate communities and along the proposed transportation routes. Worries about safety can lead to both physical and mental illness.

The EA does not address the safety of pedestrian, bicycle, or horse traffic. It is a long, steep grade from Skull Valley to Iron Springs with no passing lanes and only 3 places where passing is permitted (near Skull Valley Cemetery, near Ramsgate, and near Contreras Road). There are no passing lanes on the route to Hillside and downgrade passing lanes only at the top of Yarnell Grade and at the Hotshot trailhead parking lot and it is a one lane road without runaway truck ramps. Heavy-duty, slow-moving trucks will tend to have cars back up behind them, inducing the truck drivers to pull onto the shoulder to allow vehicles behind them to go around or the vehicle drivers will attempt risky and illegal passing of the trucks. The shoulders were not built to the same standards as the roadbed and ADOT had required the County to pave them because of the number of bicyclists on the road, which is part of the Skull Valley Loop, the annual Skull Valley Challenge Race, and a popular recreational bicycle route. It will be unsafe and potentially life-threatening to pedestrians, horseback riders, and bicyclists to share the road with the heavy-duty trucks. Potential truck traffic would closely pass 6 schools and would be at the street junctions of 2 others. Safety of our children is of the utmost concern. Also, truck traffic would closely pass up to 8 fire stations and many churches of all denominations. Trucking should be prohibited during school hours, when school buses are on the roads, church hours, and at night in residential areas. Truck traffic should be limited on all routes. KMC should be required to own and control all truck transportation to ensure compliance to the rigorous conditions needed to meet health and safety for the public.

Railroad Transportation: To mitigate the heavy-duty truck transportation concerns, pozzolan product should be shipped by rail, not by truck. In the EA and at the 7/11/18 Kirkland meeting, KMC stated that using the railyard at Kirkland would not be feasible. However, at the 8/28/18 Prescott City Council Study Session, KMC stated that from the very first they planned to use rail to ship to Southern California and Nevada (and that rail shipment within Arizona was too expensive). We contacted the BNSF Railway (Kirkland Attachment 1) and it appears from their reply that they are unfamiliar with the KMC proposal and have not been contacted by KMC. Freeport Mac-Moran stated to us that they own the loading facilities at Hillside (though they have not used them in many years). The BLM should evaluate the cumulative impacts of using rail to ship the pozzolan product and compare these impacts to truck shipping over local roads. The BSNF tracks pass directly through Drake Cement, also connects to Arizona Cement in Clarkdale, and connects to the transcontinental route from Ash Fork. To the south, the tracks connect to other major routes to Phoenix and California. Rail shipping may involve only an approximate one mile of road use by trucks to a yard in Kirkland, to be built west of the highway junction, for loading railcars. The Kirkland Mining Company would be required to upgrade that mile-section of sharp, curving, road, by widening and adding paved shoulders to make it safe for all users

Dust: We do not find what your rationale was for determining what number of samples would be tested for erionite at the Project area. We understand you only tested seven samples for erionite. This is not statistically valid. You need at least 20 samples for validity. Your analysis must be thorough and cover every possibility, not only where the dust is created, but at the surrounding area. Although you state that “no asbestos minerals or erionite crystals, fibrous or

otherwise, were identified within samples taken from the Project area . . . only a very small quantity . . . “of “crystalline silica was identified in the form of quartz (BLM2018b).” Nanoparticles are common in the mining environment. Inhalation of particles from the mining process could lead to respiratory illness especially in the immediate vicinity of the mining operation – in the communities of Kirkland and Skull Valley. It is mandatory that dust be kept 100% controlled. Area residents are worried that inhaling these fine particles might lead to cancer. Worry causes stress which can lead to other illnesses. Water is required for dust control. According to the BLM hydrologist the KMC-owned local wells are a concern, possibly creating a cone of depression, taking water from the other local wells. KMC proposes to truck in water located 4 miles north of the quarry to alleviate this problem. These new well sites need to be analyzed in the EA. Since groundwater flows according to gravity (north to south here) this may only be delaying the effect. This must be analyzed.

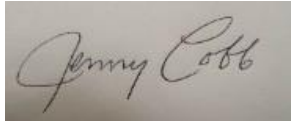
There must not be any dust emissions from overburden or stockpiling of product.

An Environmental Impact Statement is Required: Although the quarry area is relatively small, the proposed quarrying and transportation combined will affect thousands of citizens in several communities. Citizens have valuable information about places and resources that they value and the potential environmental, social, and economic effects that proposed federal actions may have on those places and resources. This is a very controversial proposal as evidenced by the standing room only meetings, the hundreds of letters to the BLM from citizens, hundreds of letters to the Yavapai County Supervisors, and Prescott City Council members, plus letters of concern from the City of Prescott, the Central Yavapai Metropolitan Planning Organization (CYMPO), and the Arizona Game and Fish Department. For this reason, an Environmental Impact Statement (EIS) should be prepared with alternatives for the community to evaluate. The EA considered alternatives but eliminated them not telling the public what they are (p. 27). The EIS must contain a no action alternative. Further, we request that the BLM conduct a public tour of the site.

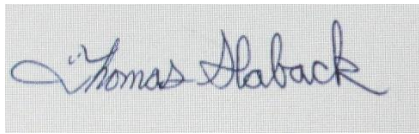
Summary: Sierra Club and Broads has a substantive interest in the KMC NEPA process which is to protect the physical and human/wildlife environment. This includes impacts on land, vegetation, visual aspects, air quality (including dust), water quality and usage, recreation, and the safety and health of human beings/wildlife. The NEPA process promises that environmental issues be mitigated, or the project cannot go forth.

Along with sustainability of public lands, we are equally concerned with human sustainability. The lives of people and wildlife adjacent to, and in the immediate vicinity of the proposed quarry, will be disrupted for an indefinite number of years. Years of stress due to noise, pollution, safety concerns, economic loss in the value of their homes and property, and depletion of water, cannot be recovered. Mining companies must recognize that environmental and human sustainability is of greater importance than the economic bottom line of their own projects – and not take any actions that will undermine the integrity of human beings, culture, society, environment and the way of life of the local community.

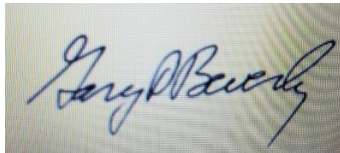
Environmental Partners for the wild,

A handwritten signature in cursive script that reads "Jenny Cobb".

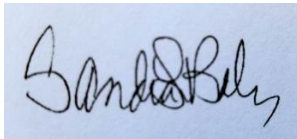
Jenny Cobb
Leader Yavapai-Prescott Broadband
Great Old Broads for Wilderness
649 West Robinson Drive Prescott, AZ 86303
cobbsrun@msn.com
928-925-1320

A handwritten signature in cursive script that reads "Thomas Slaback".

Thomas Slaback
Conservation Chair
Yavapai Group Sierra Club Grand Canyon Chapter
715 East Goodwin Street Prescott, AZ 86303
ThePrescottKid@cableone.net
928-778-4233

A handwritten signature in cursive script that reads "Gary Beverly".

Gary Beverly, PhD
Chair, Sierra Club – Yavapai Group
PO Box 176 Chino Valley, AZ 86323
gbverde@cableone.net

A handwritten signature in cursive script that reads "Sandy Bahr".

Sandy Bahr
Chapter Director Sierra Club – Grand Canyon (Arizona) Chapter
514 W Roosevelt St
Phoenix, AZ 85003
sandy.bahr@sierraclub.org



[EXTERNAL] Kirkland Mine Response to Draft EA

1 message

Gary Beverly <gbverde99@gmail.com>
To: KIRKMPO@blm.gov

Tue, Sep 4, 2018 at 9:11 PM

TO: BLM Hassayampa Field Office

Attention: Shelby Cave

RE: Draft Environmental Analysis for Kirkland Mine

From: Gary Beverly, PhD, Chair, Sierra Club - Yavapai Group, PO Box 176, Chino Valley, AZ 86323, 928-308-1003
(c), yavapaisierra@gmail.com

The following comments supplement our previous communication.

1. General Comment re page 3 section 1.5:

1.1 Overall the draft EA fails to adequately consider indirect, consequential, and cumulative effects (42 U.S.C. § 4332[C]; 40 C.F.R. §§ 1508.7, 1508.8, 1508.25). The EA and supporting technical analyses focus on the mine operations and inadequately analyze the impacts to the community. The EA should be withdrawn and revised for this and the other reasons listed below.

1.2 The comment process imposed on the public is an undue burden on public comment with the effect of discouraging comments. We have never before been subjected to this extremely awkward web form process. We refuse to use it. Further, requiring page, section, and line numbers is absurd.

2. Comment re Transportation, page 6 section 1.6.1:

The transportation analysis was prepared after the scoping comment period ended. As such, the transportation analysis has not enjoyed scrutiny by the public, who submitted more than twice the comments than any other topic. The result is a grossly inadequate analysis that must be revised before proceeding to the final EA. This fact constitutes sufficient grounds for withdrawing the EA because it is not an inadequate consideration of indirect, consequential, and cumulative effects (42 U.S.C. § 4332[C]; 40 C.F.R. §§ 1508.7, 1508.8, 1508.25) due to the lack of public comment. Additional comments on the transportation plan follow.

3. Comment re Recommended Alternative page 27 section 2.2:

3.1 We recommend the No Action alternative. The EA dismisses the No Action alternative because "it would not respond to KMC, LLC's Draft MRPO to develop and mine the HQP within the Project area." This is irrational because it does not justify why the BLM is required to permit private enterprise to degrade Federal lands and neighboring communities.

3.2 If a permit is granted, BLM must attach requirements that will fully mitigate the impacts of operations on the environment and on surrounding communities, including the full extent of transportation routes.

4. Comment re Noise page 47 section 3.7:

4.1 BLM and Kirkland Mining Company should recognize that the Arizona Private Property Rights Protection Act (AZ Rev Stat § 12-1134) permits a private property owner to litigate for compensation if land management decisions reduce the value of private property. This statement should be added to the EA.

4.2 Loss of property value has not been evaluated in the socio-economic section of the EA, which constitutes a failure to adequately consider indirect, consequential, and cumulative effects (42 U.S.C. § 4332[C]; 40 C.F.R. §§ 1508.7, 1508.8, 1508.25).

4.3 BLM should attach conditions to the permit for noise and safety mitigation by prohibiting mining and trucking operations while the church and local schools are being used.

5. Comment re Dust and Health page 39 section 3.5.2:

5.1 There is no justification that the limited number of samples for eronite (only 3??) is adequate for a large site. There is no basis to exclude the presence of eronite in the quarry.

5.2 The EA should include an analysis of dust control by paving instead of using water; the current analysis does not consider all the reasonable alternatives.

5.3 The EA should include an analysis of air quality effects on the Sycamore Wilderness Area, rated Class 1 under the Clean Air Act. Apparently this is dismissed because it is 44 miles away?

6. Comments re Transportation page 33 section 3.4:

6.1 The transportation analysis assumes that the option of adding a loading facility at the Kirkland Junction Rail Yard is speculative and not economically feasible. There is no analysis or proof of BLM's statement. This alternative must be analyzed because it would mitigate one of the most significant impacts and public concerns of the proposed quarry.

6.2 The transportation analysis did not distinguish between the impacts of cars and trucks. It isn't just the number of vehicles, but the impacts of the traffic volume and character. It must consider that the impacts to safety, roads, traffic, noise, schools, community, and publicly owned infrastructure are much greater for loaded trucks than for cars.

6.3 The Cumulative Effects Study Area for transportation is far too small. The transportation analysis does not fully examine the impacts throughout the length of the proposed routes; this represents an inadequate consideration of indirect, consequential, and cumulative effects (42 U.S.C. § 4332[C]; 40 C.F.R. §§ 1508.7, 1508.8, 1508.25). For example, Route 3 does not consider the impacts through the Town of Chino Valley or on five roundabouts. Route 1 does not consider impacts to Yarnell, People's Valley, and Congress, nor of the potentially significant safety concerns of the Yarnell Hill. This results in an undercount of schools and other high-traffic public areas.

6.4 The transportation analysis must explicitly address the comments received by the City of Prescott and other public commenters.

6.5 The EA should recognize that Federal Highway funds have been used to construct some of the highways impacted by the mine, so this must be adequately analyzed by BLM.

6.6 Heavy-duty, slow-moving trucks will tend to have cars back up behind them. There are two possible results: a) the truck pulls over (which is extremely unlikely because then the truck has to regain speed on a grade, the truck drivers tend to feel that they own the road, and they are on a schedule) and b) the loaded truck perseveres in slowly grinding up the hill causing following motorists to become frustrated and attempt risky and illegal passing that also endangers oncoming motorists. These safety concerns were not analyzed in the transportation analysis.

6.7 If a permit is issued, BLM should:

- a) Require trucks to pull over when 3 or more vehicles are behind them (state law says 5).
- b) Require no passing on County Rd 10 for at least one mile north and south of the mine access road, including all school bus stops on the truck routes.
- c) Require no truck traffic while school buses are active on transportation routes.
- d) Require an analysis of restricting times of truck operation - perhaps to evening hours only - to reduce impacts on the community. This is consistent with "The stockpiling process effectively separates the mine's shipping activities from its [sic] mining operations and allows required shipments to be made anytime throughout a 24-hour period." as stated on page 6 of the transportation analysis. The transportation analysis considered only the economic effects on the mine, not the impacts on the community, and it does not consider that customers do have stockpiling ability so 24-hour delivery is not necessary.
- e) Require the mine operator to provide and control transportation to the customer site. By relying on customer provided trucks, it will become impossible to comply with the rigorous conditions needed to assure community safety and quality of life. The "best management practices" listed in Table 2-2 are grossly inadequate. Merely requiring compliance with state law does not address the unique needs of the communities.
- f) The Yarnell Hill route is steep, one-lane, and there are no emergency escape ramps for trucks. This should be evaluated. The mine may need to construct escape ramps for public safety.
- g) Left and right turn lanes, and acceleration lanes, should be required on Route 10 for the mine access road, at the expense of the mine operator, for both safety and to minimize the impact on the Skull Valley community.

7. Comment re Reclamation (Financial Responsibility and Restoration) page 21 Section 2.1.10:

7.1 The mining permit should require a cash bond adequate to restore the mine at the completion of operations. There is absolutely no reason for taxpayers to assume any liability for restoration.

7.2 The permit must require the mining company to provide liability insurance sufficient to protect the public, the BLM, Yavapai County, and neighboring landowners from liability and loss.

7.3 KMC should be required to provide evidence of financial ability to construct and operate the mine in compliance with the permit. BLM should investigate KMC to verify a reputable business history with no evidence of fraud, bankruptcy, or illegal environmental degradation.

Gary Beverly, PhD
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SEPTEMBER 4, 2018

Shelby Cave, Geologist
Bureau of Land Management
Hassayampa Field Office
21605 N. 7th Ave.
Phoenix, AZ 85027

Re: Kirkland Mining Company proposal

Dear Mr. Cave:

Please accept my comments as Yavapai County Supervisor, District 1, on the proposal of the Kirkland Mining Company to mine high quality pozzolan near Kirkland, Arizona.

The proposed Kirkland pozzolan mine is located within my Yavapai County supervisor district, and directly affects the residents of my district. While I am generally in favor of clean, useful economic development within my county, my fundamental mission as a Yavapai County supervisor is to protect the health, safety and welfare of the citizens of my county. I have reviewed the preliminary plans for the Kirkland mine, and in the interest of protecting the health, safety and welfare of Yavapai County citizens, I insist that any approval of the proposal require Kirkland Mining Company effectively address the following issues:

Transportation: The BLM should require Kirkland Mining Company to use the least intrusive transportation route to move the mined pozzolan from mine to market. Kirkland Mining Company proposes three routes - Route 1, from the mine to Iron Springs road, then to US 89 south through Peebles Valley, Yarnell and Congress to US 93; Route 2, from the mine to Iron Springs road, then to the Hillside train siding; and, Route 3, from the mine to Iron Springs road north through the City of Prescott, then to US 89.

The BLM's approval must require Kirkland Mining Company to use only Route 2. Route 2 is the shortest route, and the least disruptive to the residents of the county. Route 3 is entirely unacceptable, as it will thoroughly disrupt the lives of the citizens of Prescott, Yavapai County's largest city. The BLM should not allow Kirkland Mining Company to, on a daily basis flood the streets of Prescott with hundreds of semi-trucks that the city cannot accommodate. Doing so will unleash a serious health and safety issue on the citizens of Prescott. Route 1 will likewise create serious safety and health problems for the residents of Peeples Valley, Yarnell and Congress, and is also unacceptable.

Noise: the BLM must require Kirkland Mining to develop and implement a noise abatement plan. The mine must operate from 7 AM to 5 PM on normal business days only, and equipment and operations should be sound muffled.

Dust: The BLM must require Kirkland Mining to develop and implement a strong dust abatement plan, both at the mine site and during transportation of mined material. No dust must leave the site during normal operations, and no dust or debris must be discharged from trucks transporting the material from the site, or from empty trucks returning to the site.

Yavapai County welcomes clean and useful economic development that respects the safe, quiet and clean lifestyle our citizens enjoy. As stewards of the public trust, we believe a major part of the BLM's mission is to protect the lives and lifestyle of the citizens surrounding land managed by the BLM. Should the BLM approve their application, we trust the BLM will take all necessary steps to ensure that Kirkland Mining Company's operation will maintain the safe, quiet and clean lifestyle that Yavapai County citizens enjoy.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Rowle P. Simmons', written over a horizontal line.

Supervisor Rowle P. Simmons
Yavapai County Board of Supervisors



[EXTERNAL] Kirkland Mine

1 message

Wed, Sep 5, 2018 at 7:54 AM

To: KIRKMPO@blm.gov

To:

Brian Buttazoni, Planning & Environmental Specialist
BLM, Phoenix District Office
[21605 N 7th Avenue](#)
Phoenix, AZ 85027

From:

Prescott, AZ 86303
(

Dear Mr. Buttazoni:

Re: Kirkland Mine

My understanding is that the *actual* final deadline for comments on the proposed Kirkland Mine extends beyond September 4, 2018. If correct, I hereby submit my comments on this day, September 5, 2018, on the Draft Environmental Assessment. While I have significant concerns regarding the project and contend that BLM not approve the project, my comment below focuses on a specific aspect of the traffic study, i.e., Haul Route 3, the route to Prescott.

The proposed project identifies that a total of 80 loaded trucks per day (loaded at a capacity of 25 tons) might leave the mine site and potentially use Haul Route 3. In addition, a peak use scenario describes that a total of 7 loaded trucks per hour could be leaving the mine site traveling to Prescott. While the traffic study acknowledges that the speed of loaded trucks on Haul Route 3 would be limited due to the elevation gain and curves, and that motorists would be required to travel behind these slower moving mine trucks, the traffic study fails to assess the actual rate of speed for the loaded trucks on the uphill grade to Prescott in the 50-mph speed limit zone. This failure of the traffic study is even more significant given the limited number of passing areas, across the center line, on the single-lane uphill grade.

The failure to properly assess the travel speed of loaded trucks on Haul Route 3, if the project is approved, could likely result in extremely dangerous traffic conditions, including the hazards of loaded trucks traveling significantly below the speed limit and frustrated motorists making unsafe passing attempts in either the limited legal passing areas or illegally passing in other areas. Head-on collisions could increase exponentially. In addition, these unsafe conditions would extend the hazards to pedestrians and bicyclists. This route is also part special events and is a popular recreational bicycle route. And slow-moving loaded trucks pulling over onto the shoulder to allow other vehicles to pass could pose an additional danger to these other roadway users. Moreover, loaded trucks slowing to pull over onto the shoulder will lose their momentum resulting in even lower truck speeds on the uphill grade.

Given the significant traffic hazards posed by loaded trucks using Haul Route 3, prior to any project determination, the proponent should be responsible for an additional independent traffic study that is reality based and comprised of the following:

- A comparable haul truck(s) as described in the first traffic study, and fully loaded to 25 tons, should be used in multiple trips to assess the actual rates of speed in the 50-mph zone on the uphill grade section of Haul Route 3;
- The time of travel for this additional traffic study should be set to a worse-case scenario, i.e., the peak travel period;

- The driver(s) of the truck(s) should be tasked with maintaining or attempting to maintain, with safety being a prime consideration, the legal speed limit at all times;
- the speed of the truck(s) should be either continuously monitored or recorded at specified intervals which would be compared to the legal speed limit in an analysis;
- A qualified observer like a law enforcement officer or specialist should be on board and monitor other travel events during the trips such as:
 - using the mirrors, the number of times multiple vehicles are backed-up behind the loaded haul truck and the number of vehicles each time;
 - the number of times the truck is passed (both legally and illegally);
 - for the number of illegal passings, especially dangerous illegal passings should be recorded; and
 - any accidents that occur.

Sincerely,

Concerned resident of Yavapai County