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12 Attorneys for Plaintiffs
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16 IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA
17 PRESCOTT DIVISION

18 CENTER FOR BIOLOGICAL DIVERSITY;
GRAND CANYON TRUST; and
19 SIERRA CLUB,

20 Plaintiffs

21 vs.

22 RICHARD STAHN, in his official capacity as
District Ranger for the Tusayan Ranger
District, on the Kaibab National Forest; and
23 UNITED STATES FOREST SERVICE, an
agency in the U.S. Department of Agriculture,
24

25 Defendants.
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CIV 08-8031-PCT-MHM

SECOND DECLARATION OF
TAYLOR McKINNON

1 I, Taylor McKinnon, declare as follows:

2 1. I am a resident of Flagstaff, Arizona, where I have lived most of my life. I
3 graduated from Prescott College in 1997 with a BA in environmental studies. I am
4 currently employed as a Public Lands Advocate for the Center for Biological Diversity, and
5 am also a member of the Center for Biological Diversity.

6 2. On March 29, 2008 at approximately 1:00 p.m., I visited one of the sites
7 where Vane Minerals is conducting exploratory drilling for uranium pursuant to the
8 December 20, 2007 Decision Memo at issue in this case. I visited the "CP-3" site, which is
9 accessed by Forest Service Road 682 and is found in the northeast portion of the project
10 area, approximately 2 miles south of Grand Canyon National Park. The drilling site was
11 located where Forest Road 682 crosses Deer Tank Wash, approximately one and a third
12 miles west of the junction of Forest Road 682 and Highway 64. The drilling site was
13 located in the bottom of Deer Tank Wash, approximately twenty or thirty yards north of the
14 road.

15 3. At the CP-3 site, I observed one drill rig, with a green plastic hose that
16 stretched from the drill rig to an open tractor trailer. Also on site was a flat bed truck, a
17 small SUV, a tanker truck and one RV. An employee of Del Rio Drilling was staying in
18 the RV. We discussed the drilling operation. He explained that the drilling had been
19 completed on Friday, March 28th and that the open tractor trailer was being used to store
20 drilling wastes. My understanding based on viewing this site and my discussion with the
21 employee is that the green hose was being used to transport the uranium drilling waste
22 from the drill rig to the tractor trailer for temporary storage purposes. I do not know if this
23 trailer was being used to store all or a portion of the drilling waste. A photo of this, taken
24 by me at approximately 1:00 pm on March 29, 2008, is attached hereto as Exhibit A.

25 4. The December 20, 2007 Decision Memo and February 6, 2008 Amendment
26 require Vane Minerals to use a "portable tank" in place of a fluid waste pit at CP-3 and a
27 few other sites. Pltfs' Exhibit 1 at 3; Pltfs' Exhibit 3 at 1. The tractor trailer being used for
28 storing the drilling fluids and residue at the CP-3 site is not a "portable tank" that should be

1 used for storing this type of liquid fluid and residue. Instead, these types of tractor trailers
2 are commonly used to haul solid materials, such as gravel. See e.g.,
3 http://en.wikipedia.org/wiki/Dump_truck#Semi_trailer_bottom_dump_truck

4 5. At the CP-3 site, it was clear to me that the uranium drilling waste that had
5 been transported from the drill rig to the tractor trailer had been leaking from the trailer
6 onto the ground, and had also spilled over the top of the trailer onto the ground in the
7 bottom of Deer Tank Wash. The residue formed a white-yellow dried mud flow extending
8 about twenty feet downhill from beneath the trailer. This can be seen in additional photos
9 taken by me at the CP-3 site on March 29, 2008, attached hereto as Exhibits B-C.

10 6. The February 6, 2008 Amendment to the December 20, 2007 Decision Memo
11 requires open fluid waste pits to be netted on the top to prevent access to the pits by birds.
12 Pltfs' Exhibit 3 at 1. The Decision Memo also requires open fluid waste pits to be fenced
13 along the sides to protect wildlife. Pltfs' Exhibit 1 at 3. Even though drilling fluid had
14 spilled onto the ground at the site, there was no fencing or netting placed over the spilled
15 waste, allowing wildlife and birds easy access to it. See Exhibit C, attached hereto. In
16 addition, there was no netting or cover over the tractor trailer, again allowing birds open
17 access to the drilling fluids and residue. See Exhibits D-E, attached hereto.

18 7. On March 28, 2008, I attended a Congressional field hearing in Flagstaff,
19 Arizona regarding a bill sponsored by Congressional Representative Raul Grijalva, which
20 would ban mineral exploration from a million acres near the Grand Canyon. Witnesses at
21 the hearing who support the bill included representatives from the Navajo, Havasupai,
22 Hualapai, Hopi and Kaibab Piute Indian tribes, and others. The Supervisor of Grand
23 Canyon National Park expressed significant concerns related to uranium development near
24 the Park. A news article summarizing the field hearing is attached as Exhibit F.

25 8. Attached hereto as Exhibit G is a guest opinion by Representative Raul
26 Grijalva that was recently published in the Tucson Citizen.

1 9. Attached hereto as Exhibit H is a March 30, 2008, editorial of the Arizona
2 Republic regarding uranium exploration and mining near the Grand Canyon and the March
3 28, 2008, Congressional field hearing.

4 10. Attached as Exhibit I is a March 24, 2008 letter-testimony from Abe
5 Springer, a professor of hydrogeology at Northern Arizona University, supporting the bill
6 sponsored by Representative Raul Grijalva and explaining area groundwater and aquifers.

7 11. Attached as Exhibit J is a March 28, 2008 statement of Chris Shuey, director
8 of the Uranium Impact Assessment Program at the Southwest Research and Information
9 Center, at the request of the Congressional Subcommittee conducting the March 28, 2008,
10 Congressional field hearing.

11 12. Attached as Exhibit K is a March 17, 2008 letter from the Arizona Game and
12 Fish Commission to Senator John McCain and other members of the Arizona congressional
13 delegation opposing uranium development near Grand Canyon and supporting legislative
14 efforts to withdraw those lands from availability for mineral entry.

15 13. Attached as Exhibit L is the March 28, 2008, written testimony of Stephen
16 Martin, Superintendent of Grand Canyon National Park, concerning the impacts of
17 proposed uranium mining near Grand Canyon National Park.

18 In accordance with 28 U.S.C. § 1746 and under penalty of perjury, I swear that the
19 foregoing information is true and correct.

20 Executed on this 2nd day of April, 2008, in Flagstaff, Arizona.

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Taylor McKinnon
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