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**State of Arizona
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Sheriff Tim**

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REFERENCE: Proposed closure of US 191 from Morenci to Alpine of 85 miles

As the Sheriff of Greenlee County, I have several concerns that I would like to address and for you to take into consideration reference the proposed closure of US 191 from Morenci to Alpine of 85 miles. The majority of the highway closure directly affects the safety and livelihood of my constituents, the citizens that I have been elected to protect and serve. It also affects the many visitors and hunters that would still access the area and that I have a duty through Search and Rescue operations to provide lifesaving missions. This would prohibit my Office and my Search and Rescue from access to perform our duties.

There are numerous homeowners and ranchers living on Upper Eagle Creek, Juan Miller Road, Tule Springs Road, Pine Flat Road, Josh Ranch, and very limited dirt road access from other counties to be able to access their homes and ranches along the Blue, Red Hill Road, and FS 24 Road. There are also properties all along these routes that people would not be able to access their private property including Granville properties. A business with a lodge, restaurant, and fuel that would not have any access at Hannagan Meadows would be affected as well. Firefighting operations would be extremely hindered and there would be no access to the Strayhorse firefighting station.

Town of Duncan council, Town of Clifton council, Greenlee County Board of Supervisors, and many other organizations with concerns of tourism, economy, growth, pleasure, etc... agree to 100% opposition to the proposed highway closure. Another major safety concern is that Clifton and Morenci would be completely locked in when a road closure from accidents or flooding would occur at the San Francisco River bridge at US 191 in Clifton. When the levy gates close there would be absolutely no way in or out for residents. The proposal is also contrary to ADOT's recommendations of a community or subdivisions to not only have one point of ingress/egress. However ADOT would be doing this to at least two communities which is very dangerous. The very date of November 9, 2017 you reported on this possible proposed future closure to the Town of Clifton, I had a community partnership meeting with Freeport-McMoRan (FMI) earlier that afternoon. You advised the Town Council that FMI initiated this idea during a meeting with you in the Spring of 2015 stating that the open pit is getting "deeper and wider". I

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asked a direct question during the earlier meeting to FMI with many stakeholders in the room and the answer was FMI has always made US 191 highway access through the mine a priority and has a track record of obtaining the permits and paying for the costs to reroute US 191 through their mine to keep the highway open; and assured this would occur in the future. They made it clear the decision to close a highway was solely the decision of ADOT and they do not have any authority to open or close a state highway. Could you please advise of the follow-up conversation with FMI to ascertain the miscommunication from your Spring 2015 meeting?

Our Constitution protects citizens from being illegally deprived of their homes, businesses, and livelihood. A small excerpt from the Declaration of Independence states, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,...". This act of closing a highway and prohibiting entry or access to these law-abiding citizens is in direct contradiction to the fact they are equal and do have Rights, which shall not be infringed by the Government (ADOT). The Preamble to the United States Constitution states, "*We the People* of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.", therefore this highway closure would *violate* the citizens' general welfare and *remove* the blessing of their liberty from them and their posterity. Furthermore, The 4th Amendment to the United States Constitution also protects the people from illegal seizure, which will occur when the Government (ADOT) prohibits people any access to their homes and properties; in essence an illegal seizure.

As you recall, I discussed a comment you made after the November 9, 2017 Town of Clifton meeting of "sensitive species" and confirming Federal funding for this highway. The fact the Federal Government continues to force the Mexican Gray Wolf into this area regardless of the "voice of the people", I certainly hope this is not a *backdoor approach* to close this wilderness off to people and make it the haven some Federal agendas are trying to force.

Lastly, as the Sheriff of Greenlee County, in order to provide Law Enforcement service & Search and Rescue operations, we will remove any barricades or stop any work from denying access to our citizens and to our Office from performing our duties.

Thank you for your attention and consideration with these and the many other stakeholder concerns reference the possible closure of US 191 from Morenci to Alpine of 85 miles.

Respectfully,

Sheriff Tim Sumner
Greenlee County

CC:

Honorable Governor Doug Ducey, State of Arizona
Chairman David Gomez, Greenlee County Board of Supervisors
Chairman-Elect Richard Lunt, Greenlee County Board of Supervisors
Mayor Felix Callicotte, Town of Clifton
Mayor Billy Waters, Town of Duncan
Sheriff Joseph Deadman Jr., Apache County

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