

Save Oak Flat From Copper Mining

Executive Summary

There is an opportunity to honor and protect a deeply sacred place for the native San Carlos Apache people of Arizona while also protecting an area 2-miles in diameter from a mining project that will do more harm than good for all people in the region. The Resolution Copper Project, just 40 miles east of Phoenix, would exhaust 250 billion gallons of water from an already strained Arizona water supply, and permanently damage the area known as Oak Flat or Chi'chil Bildagoteel by the Indigenous community. The potential for the project itself comes about after a dozen failed attempts to push a land exchange between Resolution Copper and the Federal Government finally succeeded as a last-minute addition to the 2015 National Defense Authorization Act.

Advocates of the Resolution Copper Project tout job creation and increased copper production to meet the growing demand for metal in the U.S. The truth is that jobs created by the mine would be dangerous, low-wage, and unstable. The economic stimulation brought by the mine would dissipate after the extraction of the copper ore is complete and bring about a resulting financial and environmental crisis in the region. Additionally, the Resolution Mining Project would be carried out by foreign corporations that have not committed to keeping the copper ore from the mine in the U.S. and are expected to ship it abroad for refinement. In June of 2022, the Bureau of Land Management (BLM) released a Review of Hydrology Aspects of the Resolution Copper Project Environmental Impact Statement which further exposed the water-related concerns around the mining project.

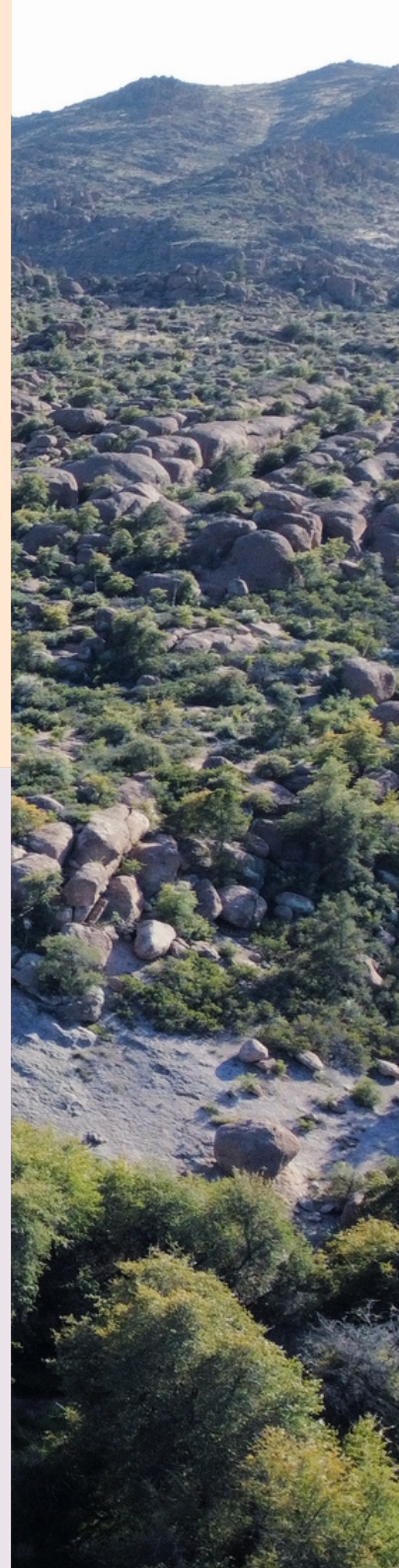
Oak Flat must be saved from being destroyed by the Resolution Copper Project. The San Carlos Apache people have legitimate spiritual and religious claims to the area. The proposed Resolution Copper project would not come close to justifying its negative impact on the region with the short-lived economic benefits that it would bring to the surrounding area.

Challenge

The Apache have lived in the southeastern region of Arizona for millennia and endured genocide, boarding school kidnappings to push cultural erasure, and land theft for generations. The area is home to rock paintings and petroglyphs of profound significance to the Native American community. For the Apache Tribe and other Indigenous people, Oak Flat is what the Vatican is to Catholics, a deeply spiritual place for community members. In 1852, the government promised to “designate, settle, and adjust their territorial boundaries to adjust for places like Oak Flat which hold such significance.” Unsurprisingly, the treaty wasn’t honored, and these lands’ boundaries were never set. In the 1950s, President Dwight D. Eisenhower reserved some of the land at Oak Flat, which later was placed on the National Register of Historic Places.

After a dozen failed attempts to pass in House and Senate, the Southeast Arizona Land Exchange was snuck into the FY 2015 National Defense Authorization Act (NDAA) to the dismay of the majority of the Senate and House. First introduced in 2005, the bill failed in every Congress that which it was introduced with bipartisan opposition. In December of 2014, during the last 48 hours of the lame-duck session, the land exchange was slipped into the NDAA without debate.

There are many counterarguments that those in support of the Resolution Copper Project highlight. They claim that the mine would supply 25% of American copper demand. Supporters claim that the copper mine is necessary to meet this copper demand to adjust for green technology, given that green alternatives, such as electric vehicles, use three times more copper in their production than traditional vehicles. Copper, however, is not a scarce commodity or precious metal and has a high recycling value, with almost 75 percent of U.S. copper used coming from recycled copper scraps. The U.S. Geological Survey backs this assessment in its 2016 report stating that copper resources are twice as large as the projected needed amount through 2050. Even if this copper was needed to meet U.S. demand, as previously stated, the companies that own Resolution Copper have not committed to keeping the copper ore that the project seeks to extract from Oak Flat in the U.S. and will likely ship it abroad to China for refinement. Resolution Copper is owned by Rio Tinto, a foreign-owned mining conglomerate, whose majority shareholder is the Chinalco holding company for the State-owned Assets Supervision and Administration Commission of the State Council (SASAC) of the People’s Republic of China. With China accounting for 36% of total world copper refining operations, it is clear that the only winner in the current proposed plan for Resolution Copper’s mining project would be the Chinese government.



250B

The expected gallons of water the mine will use, straining an already limited supply

12

The number of failed land exchange attempts made by the Resolution Copper Project between the House and Senate

40K

Acres of land that will be permanently scarred by mining activity



Solution

Greenlighting a mining operation in the Oak Flat area will not provide relief and opportunity to surrounding communities nor will it give the United States any advantage in copper production over our leading competitor, China. Oak Flat must be saved by repealing the Southeast Arizona Land Exchange between Resolution Copper and the federal government. If not, these sacred lands located within the Tonto National Forest will be destroyed by the creation of the largest copper mine in North America at the hands of a foreign-owned company. In addition to this necessary legislative solution, it is imperative that the Forest Service start the FEIS for the Resolution Copper Project over again after the BLM report exposed the inadequacies of the statement's analyses and reporting on hydrology impacts of the project. It is immoral to desecrate and destroy sacred Oak Flat, not to mention a violation of the U.S.'s trust obligations to tribes. The Resolution Copper Project will deplete and contaminate water supplies and create a permanent toxic waste dump to extract copper when there is more than enough copper to meet the current and future domestic needs. Preserving Oak Flat would conserve water supplies, protect sacred sites and landmarks for the Apache people, prevent disproportionate health impacts on surrounding communities, and keep the devastating threat of tailings dam failure away.

The economic costs of the proposed Resolution Copper Mine far outweigh any potential benefits in the U.S. The damage created by the nearly 40,000-acre footprint of the mine to the region's water, culture, environment, and infrastructure would serve as a drag on the local and state economies for generations to come. It will be impossible to diversify or revitalize the local economy once the region becomes an enormous toxic Superfund site created by these foreign companies. The rescinded Final Environmental Impact Statement (FEIS) on the mine confirmed that its mining methods would result in a 1,000-foot deep, 1.8-mile-wide crater that will obliterate Oak Flat. The nearly 40,000-acre footprint of the mine will also destroy dozens of sacred springs and hundreds of other traditional cultural properties, including burial sites, petroglyphs, cultural landscapes, and medicinal plants. Apache and other Indigenous people will no longer be able to access this holy place. To add insult to injury, in the BLM's review of the Final Environmental Impact Statement (FEIS), reviewers state that the mining methods section of the FEIS does not even sufficiently present or discuss why other known mining methods were not appropriate for the project location.

The mine will devastate Arizona's water supply for future generations. The water demands of the proposed mine will deplete, destroy, and poison approximately 250 billion gallons of water from the limited and precious water resources in an area that is already suffering from 27 years of exceptional long-term drought conditions. The proposed mine will require at least 775,000 acre-feet of water. Of the water used, 70% must be pumped from an extensive network of new extraction wells in the East Salt River Valley just east of Phoenix. The Arizona State Land Department (ASLD) warned that Resolution Copper's heavy groundwater pumping will result "in the loss of the development of at least 3,440 acres of State Trust land." Additional findings from the BLM reviewers found that the factors known to be associated with climate change, such as higher average temperatures, decreased precipitation, higher evapotranspiration, more frequent and potentially more severe flooding, increase in forest fires due to dry vegetation, increased groundwater pumping due to the reduction of surface flows, and salinity, were not thoroughly addressed within the FEIS."

The tailings dam, the structure implemented to hold back toxic sludge byproduct from the mineral extraction process planned for this copper mine project, would need to be about 60 stories high to contain the immense amount of sludge created while extracting the copper ore. The tailings dam will permanently damage groundwater and surface water quality when it fails. The tailings dam will sit there in perpetuity, so this is inevitable. Rio Tinto suffered tailings dam failure in one of their mining operations, the Mariana Mining Operation in Brazil, which killed 19 people and destroyed around 200 homes on November 5th, 2015. The BLM report on the Resolution Copper Project emphasizes this concern in concluding that more frequent and more severe flood events that could result from climate change have not been addressed. These more severe flood events could cause erosion and breach of the tailings pile.

The economic and health threats faced by the region from the Resolution Copper Project are not new. These threats were previously experienced with the Magma Copper Mine, which operated periodically from 1911 to 1996, and other smaller mining operations dating back to the 1880s. The working conditions, poor wages, and resulting health impacts on miners and surrounding residents were a heavy and disproportionate burden for the community to bear. The brief economic stimulation brought by the mining operation left no meaningful or sustained economic drivers after the mine abruptly shut down.

Policy Recommendations

- H.R.1351 - Save Oak Flat From Foreign Mining Act: Repeal the Southeast Arizona Land Exchange included as section 3003 in the FY 2015 National Defense Authorization Act.
- New Final Environmental Impact Statement on the Resolution Copper Project