Save Oak Flat From Copper Mining

Executive Summary

There is an opportunity to honor and protect a deeply sacred place for the native Apache people of Arizona while also conserving 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 60 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 five failed attempts to push a land exchange between Resolution Copper and the Federal Government finally succeeded as a part of 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 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 will likely ship it abroad.

Oak Flat must be saved from being destroyed by the Resolution Copper Project. The 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 five failed attempts to pass in Congress, 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. Still, as previously stated, the Australian company that owns Resolution Copper has not committed to keeping the copper ore that it seeks to extract from Oak Flat in the U.S. and will likely ship it abroad. Mine supporters also claim that the copper mine is necessary to meet the copper demand needs 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 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 issued a 2016 report stating that copper resources are twice as large as the projected needed amount through 2050.

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

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

Acres of land that will be permanently scarred by mining activity
The economic costs of the proposed Resolution Copper Mine far outweigh any potential benefits. 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 foreign companies. The rescinded Final Environmental Impact Statement (FEIS) on the mine confirmed that it 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.

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 exceptional 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."

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 could permanently damage groundwater and surface water quality when it fails. The tailings dam will sit there in perpetuity, so this is inevitable. The same Australian parent company of the Resolution Copper Project 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 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 shut down.

**Solution**

Greenlighting a mining operation in the Oak Flat area will not provide relief and opportunity to surrounding communities. 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. 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 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.

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**Policy Recommendations**

- **HR 1884, The Save Oak Flat Act**
  - Repeal the Southeast Arizona Land Exchange included as section 3003 in the FY 2015 National Defense Authorization Act