

**OPENING STATEMENT**

I want to thank all our witnesses for being here today, especially considering the difficulties the coronavirus outbreak has caused for all of us.

Today, we will examine the detrimental effects that proposed mining operations will have on tribal historical cultural and sacred sites located in Southeastern Arizona.

A few weeks ago, we had a hearing on the destruction of sacred sites that is occurring during the construction of the border wall on the Southern border.

Unfortunately, the destruction of those sacred sites is not a unique case.

We are here again today to discuss the disregard for the rights of Native Americans and the destruction of their sacred sites – this time for the construction of a new dangerous and destructive copper mine near the town of Superior, AZ.

The legislative language that enabled this mining operation has a history dating back to the 108<sup>th</sup> Congress in 2005 – and Tribal opposition has been there since the very beginning.

That’s because the land this mine would destroy includes the *Chi’chil Bitdagoteel* (**Chi-chill-bil-dah-go-tell**) Historic District,” known more broadly by its English translation, “Oak Flat.”

Located in the Tonto National Forest, the historic Oak Flat area is a sacred site to many Tribal nations where they conduct religious and cultural ceremonies and gather traditional medicines and food.

This land is sacred not only to the San Carlos Apache Tribe which is represented here today, but to the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, the Yavapai-Prescott Indian Tribe, the Gila River Indian Community, the Salt River Pima-Maricopa Indian Community, the Hopi Tribe, and the Pueblo of Zuni.

This land's sacred status has been broadly recognized, including by the National Park Service when it listed Oak Flat on the National Register of Historic Places in 2016.

In fact, the area had been explicitly protected from mining interests since 1955 when President Dwight D. Eisenhower withdrew it from potential development.

In 2014, a rider on the National Defense Authorization Act authorized a land exchange giving Oak Flat to a multinational mining conglomerate called Resolution Copper, which is owned by Rio Tinto and BHP.

The language in the NDAA required that the Forest Service produce an Environmental Impact Statement – or “EIS” – to evaluate the effects of the mining plan before the exchange occurred.

However, it also stipulated that the land is to be removed from the Forest Service’s jurisdiction and placed into the hands of Resolution Copper within 60 days of the completion of the EIS, *regardless of the findings*.

This is absurd and completely backwards – the NEPA process should have been followed before any land exchange was agreed to, not after.

Instead, today we will be examining a Draft EIS that – despite demonstrating some of the damage this mine will do to our environment and sacred land – will not be able to stop this project from moving forward.

The Draft EIS describes Resolution Copper’s plan to extract 1.4 billion tons of copper ore from Oak Flat using a destructive mining technique known as “panel caving.”

This technique will create a massive crater that will directly and permanently damage the Oak Flat area.

The crater is projected to start to appear in year 6 of active mining and will ultimately be between 800 and 1,115 feet deep and roughly 1.8 miles across.

Picture that. This mine will create a hole that is *twice as deep* as the Washington Monument is tall, that will stretch the distance between the U.S. Capitol and the Lincoln Memorial.

And in this crater of destruction will be the sacred site and of the Apache people.

In this crater will be ancient Emory oak groves, which have been used by tribal members for millennia.

In this crater will be ancestral burial grounds of the Indigenous Peoples of southeastern Arizona.

As there has never been a complete survey of the area, it is difficult to know exactly how many cultural resources may be destroyed or swallowed up by this crater.

But it is not hard to know the hurt and trauma this will inflict on the Native people who hold this place sacred.

In addition to destruction of sacred sites, this mine will have environmental impacts that would last for centuries.

Unchecked groundwater pumping would deplete the area of water resources, contributing to a water shortage crisis that Arizona is already grappling with and depleting sacred springs in the area.

The operation will also produce 1.37 billion tons of toxic tailings, which will be pumped through pipelines to a yet-to-be-determined storage facility.

All in all, this mine is an environmental and human rights disaster in the making, and the land exchange should not be allowed to move forward.

Thank you again for being here, and I look forward to hearing your testimony today.

I would now like to recognize the Ranking Member for any opening remarks.