

TESTIMONY FOR THE RECORD

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Testimony on H.R. 1884 – To repeal section 3003 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015, and for other purposes. Also known as the "Save Oak Flat Act."

Subcommittee for Indigenous Peoples of the United States House of Representatives Natural Resources Committee 1324 Longworth House Office Building Washington, DC

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The **Concerned Citizens and Retired Miners Coalition** is a non-profit, grass roots, volunteer group of citizens whose members include local residents, former miners and friends of the Town of Superior. The Coalition is not opposed to mining, in fact, we strongly support responsible mining practices in and around our community of Superior, Arizona.

On behalf of the Concerned Citizens and Retired Miners Coalition, I appreciate the opportunity to express our views about the irreparable environmental and cultural impacts of the proposed Resolution Copper mining operation.

Summary

Oak Flat and Devil's (Ga'an) Canyon is recognized as one of the most unique, scenic, popular and unspoiled areas in the State of Arizona. It is easily accessible to millions of visitors from the Phoenix and Tucson metropolitan areas within a short drive. However, it's cultural, ecological and recreational aspects are being jeopardized by a proposed underground mine that is certain to fail. The Tonto National Forest is pushing through the environmental review of this project—feeling mandated to do so by Section 3003 of the 2015 NDAA—and has written an incomplete Final Environmental Impact Statement (FEIS) based upon an incomplete mining plan of operation provided by Resolution Copper Mining. We believe that Congress should stop the project until Resolution Copper Mining provides ALL of the missing information regarding their plan of operation so that the Forest Service can provide a comprehensive Environmental Impact Statement (EIS) that addresses the long-term consequences/impacts to the environment and community. We also believe that Congress must overturn the Oak Flat land exchange because

it is in the public interest to keep Oak Flat in the public domain.

Economic Development/Jobs

From a local perspective, this project began 20 years ago with a projected outcome of a new mining operation sustaining a much-needed economic base in Superior and the surrounding region. Throughout all these years, many different messages and information have been proposed by Resolution Copper Mining to local, county and State officials regarding their mining plan of operation. Taken for face value, these now appear to be “pie in the sky” as far as economic development and a sustainable revenue base. Though many local people initially supported the project, two decades later, many more people are questioning the validity of this project and what it will really bring—loss of public lands, jeopardizing our water quantity and quality, toxic waste, air pollution with no “real” jobs.

We don't believe that the proposed block-cave method of mining will create as many jobs as projected. It is general knowledge that the cut and fill method creates far more jobs; and as shown at the peak of production in the 60s and 70s at the Magma Mine, there were 1,400 employees as compared to 400 during the reopening in the 80s and 90s.

Additionally, the process of mining in the 21st century is very technologically advanced and requires specialized training. Resolution Copper Mining has not indicated that they will hire untrained, local labor. In fact, today's activity on the project reflects an influx of mining technicians from outside the community. We routinely see vehicles with license plates from Utah, Colorado and Mexico. We are seeing more and more articles regarding the development of robotic work for future mining activities. These robotic systems are being tested today in South American and Australian mining operations. It would be no surprise if many of the technical jobs that are available will be held by highly trained individuals sitting at a computer in another state—oreven another county—controlling our robotic work force remotely.

Thanks to autonomous robotics technology, even as mining production has increased, mining employment has decreased. Mining reform would create clean-up jobs, funded by a reclamation fee and royalties that cannot be outsourced. Montana's experience with mining reclamation suggests that a dollar spent on mining clean-up creates more jobs than a dollar spent on new mining.

Rio Tinto management has stated that they will not even fully commit to the Resolution Copper project for many years until they have completed a feasibility study to see if the project design and investment is worth it. Resolution Copper project director Andrew Lye said, “After the permitting process, a detailed feasibility study will be completed over a period of years to inform considerations on investment to proceed with the project.”

Resolution Copper's most optimistic projects for beginning operation is a decade away. There

is no need to rush the process or giving Oak Flat away with so many uncertainties about the project moving forward.

As referenced in Bloomberg Financial July 14, 2019, Rio Tinto, Resolution Copper Mining's parent company, is actually considering advancing the priority of a remote Western-Australia copper ore body discovery above the Resolution Project in Superior, Arizona. Rio Tinto has invested as many as "190 staff, about 12 drilling rigs and a gravel airstrip at the Western Australian discovery.

Recent information from The ACCESS Fund (outdoor recreation and monitoring non-profit) and reports from the Arizona Mining Association also indicates that in Arizona's current economy, outdoor recreation (fishing, camping, hiking, boating, rock climbing, birding, and other forms of eco-tourism) provides over 12 billion dollars annually in State revenue while all mining in the State provides approximately 5 million dollars. Recreation and tourism also generate many more jobs than mining. Referencing this mine project, would we not be killing the "goose that lays the golden egg"?

Mining without reform destroys the land and pollutes the water upon which recreation and tourism jobs rely.

Oak Flat

Oak Flat is sacred to Indigenous people, including the Apache, and is on the National Register of Historic Places (NRHP) as a traditional cultural property. It is a world-class recreational area, attracting climbers from all over the world, not to mention a place of biological diversity. Several endangered species will be harmed by the mine, including the Arizona hedgehog cactus, yellow-billed cuckoo and narrow-headed garter snake.

The Oak Flat Campground was recognized by the Eisenhower Administration as an important recreational resource in 1955 under Public Land Order 1229, as amended, and 760 acres of Oak Flat were specifically placed off limits to future mining activity. The Campground has tens of thousands of visitors each year who enjoy the peace and beauty of this world-class natural resource and brings needed tourist dollars into the surrounding areas of Superior and Globe. Ga'an Canyon and the waters of Queen Creek border the Oak Flat area. These important surface waters represent two of the crown jewels of Arizona's state trust lands, with some of the finest remaining riparian habitat in the State.

The Land Exchange Law is the first United States law that gives a Native American sacred site on public land to foreign mining companies. It benefits only two large foreign mining companies at the expense of religious freedoms, Arizona's clean water, the environment, recreation and economy.

“Forgiveness before permission” appears to be the train of thought for this Project and many others. This is basically giving away American taxpayer public resources to a foreign-owned operative for free, which in essence is fleecing all US citizens.

Water

No one would deny that the State of Arizona is currently facing a water dilemma (drought). For the past 21 years, southwest regional water runoff has diminished dramatically. No area of the State of Arizona is exempt from this fact. The Resolution Project has proposed several different figures for its water use. These number have fluctuated from as much as 60,000-acre feet annually to as little as 18,000-acre feet. Regardless of the amount, there is no guarantee that this resource will be available—especially into the future—when continued drought is projected. Communities within the mining region and all people throughout the central corridor of Arizona are truly concerned about how much water will be consumed and destroyed by this mining Project. Let us not forget that this type of mining is one of the most water-intensive industries on earth.

Superior and Oak Flat are in the Maricopa County Active Management Area, so whatever water is used for mining will affect the East Valley in addition to the local community. An in-depth analysis regarding the impact of any potential mine of this magnitude at Oak Flat to the water balance of the entire region should be conducted before this Project is even considered by Congress.

Queen Creek directly feeds into the main water supply for the Town of Superior (approximately 2,000-acre feet annually). Block cave mining extracts large masses of underground, stable earth which causes an uncontrolled shift of the water course and alters that water course to pull away from Queen Creek, depleting and disrupting the natural flow.

Serious consideration should be given to the following:

- How much water will the mine project actually use?
- How will water pollution from the mining activities be prevented
- Why is the Forest Service trying to fast-track the mine at Oak Flat without an adequate environmental review?
- Why was the NEPA process conducted only **after** the Oak Flat exchange bill?
- Why, if Resolution Copper has stated that the mine would meet 25% of the US demand for copper, is the partially processed material all going to China for final processing?
- Why are certain elected officials so adamant in their support for this un-American Project?

Conclusion

Given the above and all other information regarding the negativity of the proposed Resolution Copper mine and the long list of unanswered questions, we urge the US Congress to overturn the Oak Flat land exchange referenced in Section 3003 in the 2015 NDAA and require the US Forest Service to write a new Environmental Impact Statement **only after all** information, including Resolution Copper's promised feasibility study, is provided regarding the Resolution Copper Project.

Thank you for your time and consideration.