



Oak Flat is an Important Cultural Site for Nine Tribes

The Resolution Copper Mine will Impact Hundreds of Tribal Traditional Cultural Properties

Testimony of T. J. Ferguson, Maren P. Hopkins, and Chip Colwell
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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

U.S. House of Representatives Natural Resources Committee
Subcommittee on Indigenous Peoples of the United States
Tuesday, April 13, 2021

We support H.R. 1884 that would provide needed long-term protection for Oak Flat and encourage the enactment of this legislation as soon as possible for the reasons below. Our testimony is based on the results on an ethnographic overview we conducted in 2014 and 2015, which produced a report entitled *Ethnographic and Ethnohistoric Study of the Superior Area, Arizona*. This study was done under contract to Resolution Copper, and supervised by the USDA Forest Service to provide information needed for compliance with the National Historic Preservation Act. The tribal liaison and forest archaeologist for the Tonto National Forest participated in much of the fieldwork of the study, and reviewed a draft of our report. The study included a thorough review of published and archival literature, and extensive fieldwork and ethnographic interviews with elders of multiple tribes to identify and assess tribal traditional cultural properties.

We worked with nine Indian tribes in Arizona to identify cultural sites potentially impacted by the development of the Resolution Copper Mine, and assess the eligibility of those sites for inclusion in the National Register of Historic Places. We found that Oak Flat is a sacred place for many Western Apache people, and that it is also an important traditional cultural property for the

¹ Anthropological Research, LLC, is owned by Maren P. Hopkins and T. J. Ferguson. The company specializes in providing professional services needed for compliance with the National Historic Preservation Act, National Environmental Policy Act, and the Native American Graves Protection and Repatriation Act. The company is based in Tucson, Arizona, and works throughout the Southwest. T. J. Ferguson, the principal investigator for the ethnographic overview, is a professor emeritus at the University of Arizona, with more than forty years of professional experience and many published books and journal articles about historic preservation. Maren P. Hopkins, a registered professional archaeologist, has fifteen years of experience in conducting historic preservation research in the Southwest, and is the author of numerous technical reports, book chapters, and journal articles about archaeology, ethnography, and the relevance of collaboration in historic preservation research. Chip Cowell received his Ph.D. in anthropology from Indiana University in 2004, and has published 12 books and many journal articles on Native American history and culture.

the other tribes that participated in the study. Oak Flat lies at the center of a regional cultural landscape, and the fact that this sacred site will be physically destroyed by the development of the Resolution Copper Mine is of great concern to all of the tribes we worked with. In addition to Oak Flat, our study identified 403 traditional cultural properties eligible for inclusion in the National Register of Historic Places in the project area that are important tribal cultural resources. While some of these traditional cultural properties are unique to certain tribes, most of the sites are historically and culturally significant to multiple tribes.

The nine tribes that we worked with include:

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| San Carlos Apache Tribe | Gila River Indian Community |
| Tonto Apache Tribe | Salt River Pima-Maricopa Indian Community |
| White Mountain Apache Tribe | Hopi Tribe |
| Yavapai-Apache Nation | Pueblo of Zuni |
| Yavapai-Prescott Indian Tribe | |

Sixty-five members of the San Carlos Apache Tribe, White Mountain Apache Tribe, and Tonto Apache Tribe participated in our research, and many interviews of tribal elders were conducted with the help of the San Carlos Apache people we worked with. We found that Oak Flat, known as Chich'il Biłdagoteel in the Apache language, is the home to specific Diyin (Apache Holy beings), including the Gáán Lichíí (Red Mountain Spirits). Vincent Randall of the Yavapai-Apache Nation told us that “Chich'il Biłdagoteel is a Diyin gózáa,” meaning that it is a Holy Place. He explained that “the items you remove from a holy place are more special, they have more power. They carry the power of the place. Anything you take out of here has already been blessed a long, long time ago.” Linda Evans said that “everything from here is blessed.” This makes the plants collected by Apache people at Chich'il Biłdagoteel to be particularly efficacious in traditional religious practices (Figure 1).

Apache sacred places are closely connected to the clans who migrated through different areas. Thus, Chich'il Biłdagoteel (Oak Flat) is considered sacred as a clan origin place and past residence for many but not all tribal members. Chich'il Biłdagoteel is associated with traditions rooted in the history of the T'iis Tsebán (Pinal People) and the Tsé Binesti'é (Aravaipa People). Eighty years ago, the area around Chich'il Biłdagoteel



Figure 1. An Apache research participant discusses cultural traditions related to a plant at Chich'il Biłdagoteel. Photograph by Maren P. Hopkins, April 30, 2014.

was documented by anthropologist Grenville Goodwin as a place where Western Apache people settled during the period of clan migration. Sunrise Dances and sweat baths still take place at Chich'il Bıldagoteel on a seasonal basis. These ceremonies are carried out at Chich'il Bıldagoteel because it is a place of power, and it connects individuals and communities to diyih (supernatural or spiritual power). The significance of Chich'il Bıldagoteel was recognized by the Department of the Interior when it listed this traditional cultural property on the National Register of Historic Places.

The Apache clan members who value Chich'il Bıldagoteel (Oak Flat) as a sacred site are greatly concerned about the destruction of this place if the Resolution Copper Mine is developed. The subsidence from the removal of copper ore from beneath Oak Flat would result in a crater almost 1,000 feet deep and 1.8 miles in diameter. This would physically destroy Chich'il Bıldagoteel, and prevent the Apache people from continuing their traditional cultural practices at this sacred site (Figure 2). It would also prevent the Apache people from being able to use Oak flat as a physical monument that commemorates numerous layers of their history and culture.

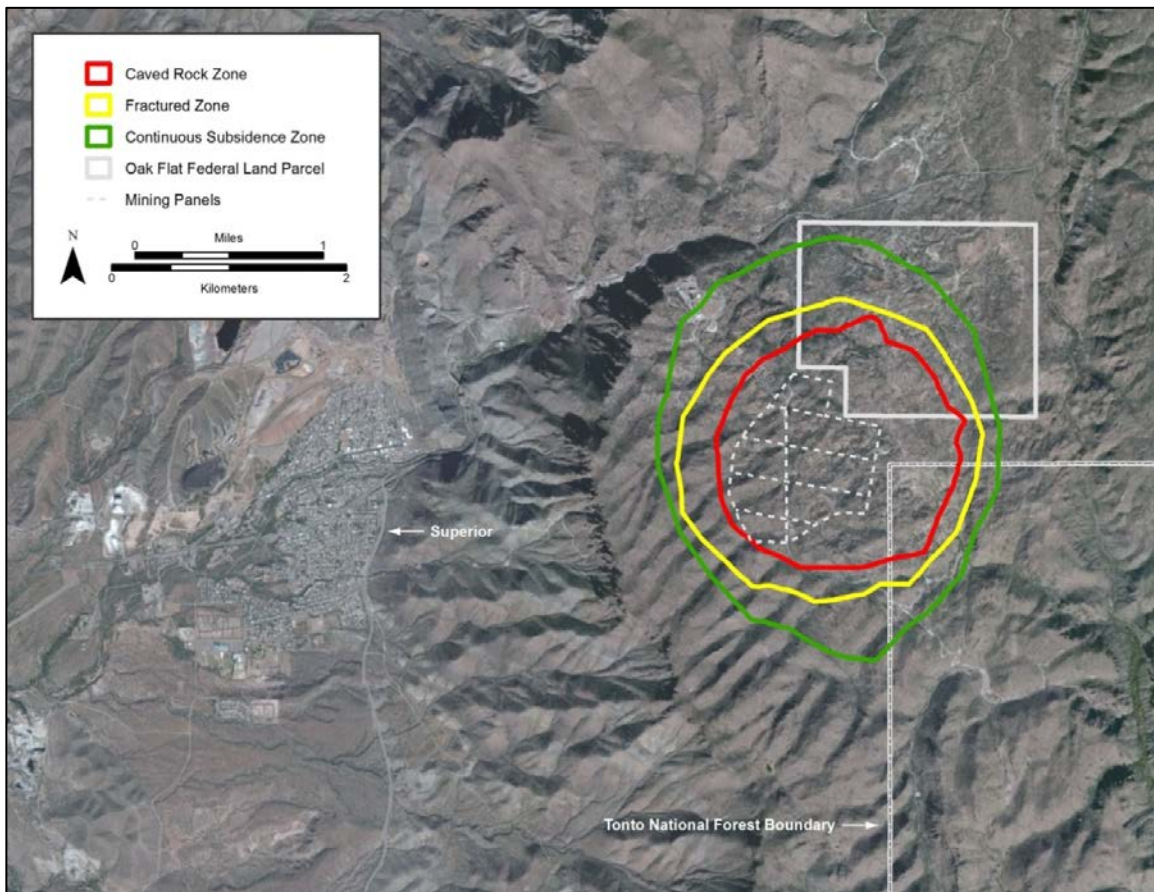


Figure 2. The red line on this aerial photograph indicates the area that would be totally destroyed by subsidence at Oak Flat.

The proposed Resolution Copper Mine would impact many areas beyond Chich'il Bıldagoteel. Pipelines, tailing dumps, road construction, and other mine infrastructure would impact a large area surrounding Oak Flat. Our reconnaissance of this area documented 377

additional Western Apache traditional cultural properties eligible for inclusion in the National Register of Historic Places. Of these, there are 24 traditional cultural properties with specifically documented significance and 354 traditional cultural properties that are categorically significant, including landforms and resource collection areas with Apache place names, Apache camps, ancestral archaeological sites, petroglyph sites, and trails. In addition to these historic properties, there are 46 known springs in the study area that are important to the Apache, and tribal elders and project participants also identified dozens of plants, minerals, and animals in the study area that possess traditional cultural significance. Part of the mine footprint is within the judicially determined aboriginal lands of the Western Apache people.

Named Apache places in the project area include Bìih Bitu'é, Chich'il Bìłch'igoteel, Chich'il Níntíí, Di'iyú Biyi, Diba'eh Des'áá, Dibé Daszi, Dził Deniné, Dził Nteel, Dziłgizh Ha'itin, Gáán Bidził, Gáán Bik'oh, Gáán Daszií, Ha kíí, Hashbidi Bitu'é, Łbaiyé Sítiné, Nidìłchí Dihíí, Nolghínìłgaiyé, T'iis Tséba, Tégotsugé, Tsé Disj'ág, Tsé Yahijíí, Tséghá Tsik'ed, Tséyaa Godotl'izh, Tséyaa Gogeschin, Tú Łitsogí, and Tú Nahikaadi. Place names are an integral part of Apache culture that mark special places on the land to commemorate historical events, perpetuate collective memories, and provide moral instruction through storytelling.

While Oak Flat has special significance to the Apache people, it is also an important cultural site for seven other tribes in Arizona. The three Yavapai tribes in Arizona—the Yavapai-Apache Nation, Fort McDowell Yavapai Nation, and Yavapai-Prescott Indian Tribe—know Oak Flat by the name of Gohwhy Gah Edahpbah. Gohwhy Gah Edahpbah is a historic district that is significant as a Yavapai traditional band area, a site associated with Yavapai raiding, a food gathering area, and a habitation area. The proposed mine is within and surrounded by Yavapai traditional lands, sacred sites, resource collection areas. Part of the mine footprint is within the judicially determined aboriginal lands of the Yavapai people.

Oak Flat and the surrounding area are also important to the O'odham people who today are members of the Gila River Indian Community and Salt River Pima-Maricopa Indian Community. The southwestern portion of the study area for our ethnographic overview is within the judicially determined aboriginal lands of the O'odham (Pima). Our research with six O'odham tribal members documented that O'odham traditional cultural properties in the mine area include campsites, gathering sites, artistic locales, ceremonial grounds, and other places that figure into the traditions associated with O'odham beliefs about tribal origin, cultural history, and worldview. O'odham songs and place names are one way that the O'odham people retain their connection with traditional places, and how they transmit knowledge about places between generations. O'odham place names are descriptive and embedded with cultural meaning. For example, Mo'o 'lalik (Picketpost Mountain) is visible from the ridge known as Apache Leap at the western edge of Oak Flat and thus is part of this cultural landscape. Mo'o 'lalik translates into English as 'Place where the Head Rolled Down,' and it has this name because of a large rock outcrop located low on the north side that resembles the head of a person lying on his back and gazing toward the sky. It looks like the head rolled off the top of the mountain. Mo'o 'lalik is near an old O'odham trail that runs up Queen Creek Canyon and past Oak Flat. This mountain has been well known to the O'odham since ancient times, and the name was remembered by O'odham living in Florence, Arizona, in the 1990s.

The O’odham people have a number of cultural sites that are categorically important because of the values and traditions associated with them, including ancestral habitation sites, human burials, traditional trails, and petroglyphs. During our study, we identified 364 O’odham traditional cultural properties in the study area that are eligible for inclusion in the National Register of Historic Places. These include ancestral sites, petroglyphs, landforms, and water sources with historical and traditional cultural significance.

The Hopi Tribe values Oak Flat as a traditional cultural property and historic district associated with Hopi ancestral settlements, resource collection, and the migration histories of the Hopi clans, all of which constitute significant events in Hopi history and in their ongoing cultural beliefs and practices. During our study, we identified 363 Hopi traditional cultural properties in our study area that are eligible for inclusion in the National Register of Historic Places. These include ancestral habitation sites, petroglyphs, collection areas, and water sources with historical and traditional cultural significance. The Hopi people consider all ancestral sites to be “footprints” that provide physical evidence of the migrations of their ancestors. The Hopi people consider numerous plants, animals, minerals, stones, and water sources within the study area to have cultural significance, and they believe that the earth should be treated with reverence and respect. The 15 Hopi people we worked with identified 46 springs in the study area that have cultural, emotional, and spiritual values for the Hopi.

We worked with four research participants from the Pueblo of Zuni of New Mexico. In addition to Oak Flat, they identified 360 Zuni traditional cultural properties in the study area that are eligible for inclusion in the National Register of Historic Places. These include ancestral habitation sites, petroglyphs, landforms, and water sources with historical and traditional cultural significance. The Zuni people also value the springs in the study area that have cultural, emotional, and spiritual values. The Zuni consider these water sources to be sacred places.

In conclusion, all nine tribes we worked with consider Oak Flat to be a significant traditional cultural property—a historic site complemented by an additional 403 traditional cultural properties in the surrounding area. These cultural properties are important in the retention and transmission of traditional tribal culture and values. The proposed destruction of Oak Flat is akin to tearing out pages from a history book in the library. Once gone, Oak Flat cannot be replaced, and the ten tribes that value this historic site will find it harder to maintain their traditional land-based religious and cultural practices. The development of the Resolution Copper Mine, and the destruction of Oak Flat, will cause tremendous emotional trauma and cultural harm for all of the tribes that revere and use Oak Flat as a sacred site.