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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA
Phoenix Division

Apache Stronghold,)	No. 2:21-cv-00050-CDB
a 501(c)(3) nonprofit organization,)	
)	
Plaintiff,)	DECLARATION OF
)	NAELYN PIKE
v.)	
)	
United States of America,)	
)	
Sonny Perdue, Secretary, U.S.)	
Department of Agriculture (USDA),)	
)	
Vicki Christensen, Chief, Forest Service,)	
USDA,)	
)	
Neil Bosworth, Supervisor, Tonto)	
National Forest, USDA,)	
)	
And)	
)	
Tom Torres, Acting Supervisor, Tonto)	
National Forest, USDA,)	
)	
Defendants.)	

I, Naelyn Pike, under the penalties of perjury in accordance with the laws of the United States of America, hereby declare:

1. I am a member of the San Carlos Apache Tribe and reside on the San Carlos Apache Reservation in rural Southeast Arizona. I am Chiricahua Apache, and my family has lived in what is now Southeastern Arizona since time immemorial.

2. Chi'Chil Biłdagoteel (“Oak Flat”) is Apache sacred and religious land and has been since time immemorial. I exercise my religion there and my religious beliefs are centered in and on the land of Oak Flat.

3. I make this Declaration today to advocate for the protection of my Apache peoples’ land, our Apache religion, our Apache religious beliefs, and our traditional Apache homeland on behalf of the next generation and the generations yet to come, and to stop the terrible plans of the foreign mining corporations Rio Tinto, BHP Billiton, and their new local company Resolution Copper, to take and destroy Oak Flat and destroy our Apache religious lives.



Naelyn Pike (Photo: Apache Stronghold).

4. The essence of an Apache woman is our traditional land and our religious connection to to Nahgosan, Mother Earth, which includes the sacred places like Oak Flat.

5. At least eight Apache clans and two Western Apache bands have documented history in what is today known as Oak Flat and Apache Leap. Apache people are deeply connected to our traditions and to the land that we have called home since first put here by Usen, the Creator. Our religious beliefs entwine with land, water, plants, and animal. My people have lived, prayed, and died in Oak Flat and Tonto National Forest for centuries.

6. The United States Calvary had forced my people from the land and onto the reservation in the late 1800s as prisoners of war. While we had to leave our sacred places at gunpoint, these areas still retain their spiritual, cultural, and historical connection to the

Apache people. Today we continue cultural and religious practice and have the right to continue our religious freedom now, and in the future, as it was given to us by Usen.

7. Just the other day, the Forest Service publicly stated for the first time that the Forest Service will publish the Final Environmental Impact Statement (“Final EIS” or “FEIS”) for the Southeast Arizona Land Exchange and Resolution Copper Mine (“SALE-RCM”) on this coming Friday, January 15, 2021.¹

8. We have the right to go back to these places because San Carlos is where we were forced to by the U.S. Army and placed as prisoners of war after the Apache defense of our homeland in the 1800s. San Carlos—that’s not my Apache home. My ancestors that were forced to leave home were placed in Old San Carlos, where settlers from back east called “Hell’s 40 Acres” because it was a place where no human beings could live. This was a place for my ancestors to live the rest of their lives as prisoner and now that name is called tribal member. My ancestors lived and roamed in Oak Flat and Mount Graham before law was created and boundaries were set not allowing them to go back. I am a descendent of those who were prisoners that continues to fight for the freedom to pray and be free just as those before me since time immemorial.

¹ “Trump To Approve Land Swap For Rio Tinto's Resolution Copper Project,” Ernest Scheyder, Reuters (January 4, 2021) (“The U.S. Forest Service will publish a final environmental impact statement for the mine on Jan. 15, a necessary step to complete the land exchange, said Tom Torres, acting supervisor of the Tonto National Forest, where the mine would be built.”). Article accessed on January 10, 2021, for citation at <https://www.msn.com/en-gb/news/world/trump-to-approve-land-swap-for-rio-tintos-resolution-copper-project/ar-BB1ct2gu>.

9. That is why I'm fighting for my Apache home, for Chi'Chil Biłdagoteel ("Oak Flat") and Dzil Nchaa Si'An (known to settlers and their descendants today as "Mount Graham").

10. I am fighting for those Apache places because those places—you can be born there, you can live there, take the medicinal plants, eat the food and drink the water, have Apache religious ceremonies, and be free, and live that essence of life of who we are—is a God-given gift that our creator has given to us for sacred religious purposes that we believe in as we must as God expects us to, and it must be protected for that reason. And also that the future of our children can still have the ability to pray where they should and to be able to still believe in the spiritual things that live there and know we can connect to Usen, as it was taught to me by my great-grandmother.



Apache Religious Sunrise Ceremony at Oak Flat
(Photograph with family permission ©).

11. In Apache religion, Usen gives the gift of life and the bearing of children to the female. In this gift our people celebrate the beginning, and the first women who gave life to our people. This is the Sunrise Ceremony that our young Apache girls do when they have their first menstrual. This is what I did on Mount Graham and my sister, Nizhoni Pike did at Oak Flat. The sunrise ceremony is given to us as a right of passage that sets a path for our life in the future. It doesn't just bring life and blessing to the girls but for all of Usen's creation.



Apache Religious Sunrise Ceremony at Oak Flat
(Photograph with family permission ©).

12. We believe that the place the ceremony takes place is the life thread forever connecting the place and the girls who have their ceremony there, and their direct connection to the land. The destruction of Oak Flat will not only destroy the land, water,

plants, animals, cultural history, historical artifacts, and Apache religious beliefs seated there, but it will also harm these girls' life and their connection to their rebirth.



Apache Religious Sunrise Ceremony at Oak Flat
(Photograph with family permission ©).



Apache Religious Sunrise Ceremony at Oak Flat
(Photograph with family permission ©).

13. True unity is accepting one another's diversity, because each and every one of us is beautiful as the Creator has made us in His image. We all have a story. I have my own story. My mom has her story. Those before us have a story. This mine will not allow the future to have a story. But, as long as we understand each other's stories and we accept that beautiful diversity in all people, because we are human beings in this world, the one thing we can understand is that we all have one issue on which we can relate: living in peace together.



Traditional Apache Religious 'Changing Woman' Sunrise Dance Ceremony at Chi'Chil Bıldagoteel ("Oak Flat")

(Photograph with family permission. © Robin Silver Photography).

Respectfully submitted,

/s/Naelyn Pike
Naelyn Pike

Date: January 10, 2021