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Don't trust this mining company to protect Oak Flat. Look what it did in Australia

Opinion: As we recently witnessed in Australia, Rio Tinto's promises to protect sacred sites are meaningless. Congress must pass the Save Oak Flat Act instead.

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On Sept. 11, the CEO and two other top executives at the international mining giant Rio Tinto announced they would step down following public outrage at the company's destruction of a 46,000-year-old Aboriginal heritage site in Australia known as Juukan Gorge.

Back in May, the company had blown up the rock shelters – they housed Aboriginal artifacts dating back 28,000 years – to gain access to millions of dollars' worth of iron ore.

Although the departure of the company's leading figures and its issuance of a public apology may look like accountability to some observers, the destruction of Juukan Gorge was no unforeseen accident. It is part of Rio Tinto's business model and demonstrates exactly what we should expect at the other sites that Rio Tinto owns in our country – including Arizona.

Tribes spoke up. Rio Tinto still got the OK

For seven years, opposition to the Juukan Gorge project had been strong among the Puutu Kunti Kurrama and the Pinikura peoples, who were vocal about the deep, ongoing cultural and historical connections they maintained with the site.

Nevertheless, the Australian government approved the project in 2013 by accepting Rio Tinto's Section 18 application under that country's Aboriginal Heritage Act, which granted Rio Tinto the authority to damage, disturb or destroy any Aboriginal sites near the project.

Using the government's support as cover, Rio Tinto claimed that the destruction of Juukan Gorge had been unintentional and that the incident merely “fell short of the Standards and internal guidance that Rio Tinto sets for itself.”

The public outcry was swift, but the company didn't immediately do more than promise to try harder next time. The company's responsible figures only stepped aside after months of mounting public criticism and shareholder objections.

Arizona tribes experienced the same

For members of the San Carlos Apache Tribe in central Arizona, this entire chain of events is too familiar. In 2014, Congress passed the Southeastern Arizona Land Exchange, an industry-friendly sweetheart deal that authorized the transfer of 2,422 acres of land in Arizona's Tonto National Forest to Rio Tinto's Resolution Copper Mining to allow the company to start mining copper there.

The parcel in question is among the worst possible places to establish a copper mine. The area includes the Chí'chil Bįldagoteel Historic District, known also as Oak Flat, which has served as a culturally significant and sacred site to many tribal nations in the region for the past 1,500 years.

The San Carlos Apache Tribe, 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 have visited its Emory oak groves to conduct ceremonies and gather traditional medicines for millennia.

Despite being fully aware of Oak Flat's status as a sacred site, Rio Tinto lobbied for and successfully acquired the land exchange with the sole purpose of extracting minerals from the site, which sits upon what is estimated to be one of the largest undeveloped copper deposits in the world.

Mine will irreparably harm Oak Flat

Although the agreement requires the U.S Forest Service to assess the impacts of the proposed activities by preparing an environmental impact statement (EIS) under the National Environmental Policy Act, the land is to be placed into the hands of the mining company regardless of the findings.

The draft EIS that the U.S. Department of Agriculture published notes that the Chí'chil Bįldagoteel Historic District will be irreparably damaged by Rio Tinto's destructive panel-caving techniques, which will produce a crater roughly 1.8 miles wide. Again, under the terms of the land transfer, this finding will do nothing to prevent the project from going forward.

Members of the San Carlos Apache Tribe have been fighting Rio Tinto's advances on their ancestral homelands for more than a decade, knowing well the history of the U.S. government's history of broken treaty promises.

Wendsler Nosie, Sr., the founder of the nonprofit Apache Stronghold, testified before the House Committee on Natural Resources' Subcommittee for Indigenous Peoples of the United States in March, stating that "the destruction to our lands and our sacred sites has occurred consistently over the past century in direct violation of treaty promises and the trust obligation owed to Indian tribes."

"The U.S. government has consistently failed to uphold these promises or too often fails to act to protect our rights associated with such places like Chi'Chil Bildagoteel," Nosie said.

Don't trust Rio Tinto. Protect the land

Beyond the treaty itself, there are generational and spiritual consequences to the damage likely to occur at Oak Flat.

As Naelyn Pike, youth organizer for Apache Stronghold, testified before the Natural Resources Committee in March, "Our [Apache] people lived, prayed, and died in the Oak Flat and Tonto National Forest area for centuries. Apache Leap was given its name after Apache warriors leaped to their death rather than be killed by the United States Cavalry. These areas make us who we are today."

As we recently witnessed in Australia, Rio Tinto's promises to protect sacred sites are meaningless. Congress must pass the Save Oak Flat Act to protect the site in perpetuity. The alternative is to cross our fingers and hope we don't see a repeat of Juukan Gorge by destroying a similarly historic and spiritually significant site in our own country.

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