

RESOLUTION COPPER PROJECT AND LAND
EXCHANGE EIS PUBLIC MEETING

Held at:

ELKS LODGE

1775 East Maple Street

Globe, Arizona

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5:00 - 8:00 p.m. (MDT)

Comments taken by:

Charlotte Lacey, RPR

1 MS. ROZELLE: As I said earlier, we're going
2 to keep this informal and ask you to help us do that. So,
3 first, we'd like to take questions. And then, if you've
4 got comments, that's okay too.

5 As -- as Mark said, there's going to be
6 ample time. Now we've got 120 days altogether and lots of
7 different ways. And I want to remind you, if you want to
8 make a formal comment tonight for the record, you need to
9 see the lady over in this corner. Otherwise, anything
10 that you mention or the comments or the questions or
11 whatever, we will be taking them down. Over here,
12 Charlotte's going to take them down, and -- very detailed.
13 Jill's going to keep track of questions up here, 'cause
14 one of the things we'll do is add these questions to those
15 on the website with answers if they're not already there.
16 So that's what's going to be happening up here.

17 The way I want to do the questions is I'll
18 just kind of go around the room. I'll need to have three
19 or four of you come on up and sit here and be ready. And
20 you'll have a chance to ask a question. And if you have a
21 follow-up, you can do that. And then I'll ask you to wait
22 until everybody has had a chance. If you come back again,
23 you may do that.

24 Also, I see some folks here from previous
25 meetings. I'll just ask you if you'd just let those who

1 are here for the first time perhaps go first, and then
2 you-all can all join in if you would like.

3 The informal comments, if you choose to make
4 them, we'll limit them to three minutes. And I've got a
5 little timer going. And you'll see me do this when you've
6 got about 30 seconds left and this when you're about done.
7 So appreciate you helping me with that.

8 So I saw one hand. Come on up. Please
9 sit -- you can come on up and come to this microphone.
10 Couple of other people. Come on up, sir. If you wouldn't
11 mind sitting up here. And anyone else want to come on up
12 and be ready. Just come on up when there's an open space,
13 and you can sit over here is fine.

14 So go ahead.

15 AUDIENCE MEMBER: My name is Fernando
16 Shipley. I'm a resident of Globe.

17 My question was regarding the -- you talked
18 about the appraised value of the land exchange, and I was
19 kind of curious as to criteria how you come up with the
20 value of the land. Is it based on the needs of the Forest
21 Service, or is it based on how much the land would sell
22 for to private individuals? I'm just kind of curious as
23 to how that number is come up with.

24 MR. TORRES: So I'll try and answer that.
25 The precise process is complicated. And, luckily, we have

1 Rebecca Hoffman here tonight. She's got significant
2 experience with that. And she's going to explain what we
3 know about the appraisal.

4 MS. HOFFMAN: So, thanks, Tom.

5 So, as -- as Tom said, the appraisal process
6 is really complicated, and we actually don't handle the
7 appraisal process here. We have a regional appraiser in
8 the Washington office, appraiser in the Forest Service.
9 And they'll work with an independent appraise contractor
10 to follow the standards.

11 And there's two standards that they have to
12 follow. It's the Uniform Standards of Professional
13 Appraisal Practice and the Uniform Appraisal Standards of
14 Federal Land Acquisitions. And that really lines out how
15 we appraise federal land. And so it takes into account a
16 large variety of characteristics of the -- of the parcels.

17 So it's a really long, complicated process,
18 and it's an independent one from our group, but they do
19 take into -- all the effects and characteristics of the
20 parcels.

21 MS. ROZELLE: You can have a follow-up
22 question. Do you have one? Yeah.

23 AUDIENCE MEMBER: Well, the reason I ask is
24 because I'm thinking, as the Forest Service, if I were a
25 Forest guy, I would think I would have priorities of what

1 important to me; and it may be wildlife, may be rivers,
2 may be riparian area. We all just -- you know, you take
3 those kind of opinions and decide whatever is valuable to
4 you. So is the value based on that, or is it based on
5 what I could sell it for developing a car lot? Because
6 those are very different things. And, if I'm going to put
7 a multimillion dollar golf course out there, and it's
8 going to be a different value. And that's what I'm
9 wondering; what is -- how is -- what is given more weight?
10 That's kind of what I'm curious.

11 MR. BOSWORTH: Okay. So I'm just going to
12 say one thing. First of all, it's not up to the Forest
13 Service. It's public land. You know, the Forest Service
14 just manages the land. It's public land. So that's how
15 it's going to be appraised, and that's the code that
16 Rebecca mentioned earlier is from the public's
17 perspective, not necessarily what the Forest Service
18 thinks is great.

19 Do you want to talk a little bit more about
20 that?

21 MS. HOFFMAN: Well, so -- kind of.

22 But, when the Forest Service traditionally
23 appraises land that is exchanged in and out, they do
24 highest and best use. And it's not highest and best use
25 as federal, you know -- it's highest and best use if that

1 land was developed for the best value of that land. So
2 it's not a Forest Service, what we think of. It's for the
3 public. So it takes in all those accounts, so not just
4 money, you know, all of the benefits of that land.

5 I can't go into the appraisal process so
6 much because I'm not an appraiser. So I don't want to say
7 something that's wrong. But it is -- it's not
8 just natural versus economic. It's all balanced in there.

9 MR. BOSWORTH: So the appraisal process is
10 ultimately going to be handled out of our regional office
11 in Albuquerque. We'll have a chief appraiser, who will be
12 ultimately responsible for that. And that will be
13 somewhat separate from my decision authority in this
14 project. That will be kind of a separate deal that goes
15 through there under a different authority, the chief
16 appraiser.

17 And that's part of the reason we're fumbling
18 around with answers a little bit on that. It's -- it's
19 really handled by them, and they're not here right now.

20 MS. ROZELLE: Go ahead, Tom.

21 MR. TORRES: So this question has been
22 raised at each one of the previous public meetings. And
23 so we've documented this issue, this question. And what
24 we're going to do, after -- at the conclusion of our
25 meetings is document these questions and provide more

1 detailed answers. I know we're being sort of cryptic
2 right now, but that -- it's not purposeful. It's because
3 we don't have the expertise to answer it fully right now.
4 But, in the near future, when these meetings are over, we
5 will have questions and answers on the website that Mark
6 referenced that will have greater -- greater detail.

7 MS. ROZELLE: You had a question, sir?

8 AUDIENCE MEMBER: Just a comment. Okay? I
9 was over at the meeting -- that first meeting over at
10 Superior. And I commented on being positive about
11 economic development.

12 I'm going to go back a few years. I sent my
13 son away because he was able to go, at 17 years old, to
14 the United States Marine Corps. And, as of now, he turned
15 21, and he's in the Pacific somewhere, and I'd like for
16 him to come back to a job. I hope you guys understand
17 that. And that's my personal opinion.

18 And I'm a San Carlos Apache. My name is
19 John Wesley. I'm from Bylas. Thank you.

20 MR. NELSON: Thank you very much, sir.

21 MS. ROZELLE: All right. Other questions or
22 comments?

23 Please come on forward. Yes, sir.

24 AUDIENCE MEMBER: Hello, Neil, Tom. Good to
25 see you again. Thank you guys for doing this for the

1 public. I think it's well worth it.

2 I have a question directed at Mark. You
3 gave some conflicting information, and I'd like for you to
4 clarify that.

5 Earlier in your presentation, you stated
6 that the Forest Service has no jurisdiction over state and
7 private land, but then, later on in your presentation, you
8 said you're going to do a full analysis on the projects on
9 state and federal land. So those two conflict with each
10 other.

11 So would you explain why the resources and
12 time would be used for the people on private and state
13 land when, in fact, you have no jurisdiction over those
14 areas? Thank you.

15 MR. NELSON: Yeah. That's a good question.
16 And that relates to the NEPA regulations, the Council on
17 Environmental Quality regulations.

18 Ann, would you like to address that
19 question?

20 ANN: Sure. I usually, traditionally don't
21 use a microphone because I can project my voice. If you'd
22 like me to, I will, but I have a habit of shouting into
23 it.

24 Part of the analysis is to look at the
25 cumulative effects of other activities that are going on

1 outside of the project area and the effects of the project
2 area onto those outside entities.

3 So, as we know, a lot of migratory birds
4 don't stay in one place, and so we look at the effects of
5 the bird population based on actions in one place. As we
6 know, water doesn't stop at arbitrary boundaries, whether
7 those are federal boundaries or state boundaries. So one
8 of the things we'll look at is what are the effects to
9 those private lands? What are the effects to state land?
10 But we'll stop at telling the state or private land what
11 they should do based on those effects. So that's where
12 Neil's authorization stops.

13 So we can look at anything from house values
14 adjacent to tailings, to wildlife corridors that go across
15 state land and federal land. But Neil does not have the
16 authority to tell the State how to manage the wildlife
17 when it's on their side or to tell County, the county
18 adjusters, how to levy taxes for a property value based on
19 that.

20 So that's where there is -- still want to
21 understand the big, holistic picture of the effects of
22 this mine. But we can't do anything to force or to coerce
23 any actions happening outside of our authority.

24 Did I get it for you, Mr. Cook? Okay.

25 MS. ROZELLE: Thank you.

1 Other questions or comments?

2 Yes, ma'am. Come on up. And anyone else,
3 come on up and be ready.

4 Go ahead.

5 AUDIENCE MEMBER: Hi. My name is Linda
6 Gross. I did a little research before I came here, and I
7 ran across a really good article by the Wall Street
8 Journal. It was recent, and it was on these megaprojects
9 that -- that do these huge tailings and the recent failure
10 in Brazil of their tailings dam.

11 At the time, according to the article, there
12 wasn't any signs of failure, improper building, or
13 anything of the dam, and yet it failed. They talk about
14 the design being an upstream design. I believe I have
15 that right. And it's the most common type of tailings
16 dam.

17 So I'd like to know what the plan here is
18 and if you will look at it and take that concern into
19 consideration.

20 MR. NELSON: Yeah. That -- that was a great
21 article. I read that article today. I don't know if
22 anyone else read it. Was it the Wall Street Journal?

23 AUDIENCE MEMBER: Yeah.

24 MR. NELSON: On tailings dams and talking
25 about the rate of tailings dam failures. And it's,

1 frankly, a lot. On average, a tailings dam fails
2 somewhere in the world every year.

3 In last -- what was it? -- November, there
4 was a tailings dam that failed in Brazil. It killed 19
5 people. It wiped out the town downstream from the
6 tailings dam. The tailings flowed downstream 400 miles
7 until they reached the ocean. And the plume could be seen
8 on satellite photography. An unbelievable failure.

9 And there was another one about a year
10 prior, a little over a year prior, at the Mount Polley
11 mine in Canada.

12 And so, you know, that's a huge concern for
13 us. And the proposed tailings dam that Resolution has
14 included in its plan of operations is much larger than the
15 tailings dam that failed in Brazil. And you think about,
16 you know, even if it's a very slight risk, that the
17 environmental costs of a failure like that even a hundred
18 years in the future are just tremendous. So we have to
19 look very closely at that.

20 Resolution has proposed a dam that would be
21 built using upstream construction, which is, in terms of
22 the record of failures, the most dangerous type of
23 tailings facility to construct. So we're going to look
24 at -- very closely at that.

25 And, you know, one of the purposes of the

1 baseline environmental assessment, we call it. It's a
2 proposal for baseline hydrological and geotechnical data
3 gathering activities in that proposed tailings area.
4 Resolution has proposed to drill wells, put in
5 geotechnical bore holes, dig trenches to understand the
6 geotechnical properties of the soils there. That's really
7 important for us to assess that site.

8 The other thing, we will look very carefully
9 at alternatives to that -- to that proposed tailings dam
10 construction method and overall configuration in design of
11 that facility.

12 You know, they did a study -- the Canadians
13 did a study after the Mount Polley tailings dam failure,
14 and one of the conclusions of that study was that we need
15 to get away from building tailings dams that store both
16 water and tailings, and we need to look more towards
17 storing tailings that don't contain so much water, because
18 that water can cause instability in the tailings dam. And
19 can -- one of -- one thing they call that is dry stack
20 tailings or filtered tailings. And those of you that are
21 familiar with Rosemont Copper, that's what they proposed
22 there.

23 An interesting thing, to me, and something
24 that I thought was a great asset that our SWCA team
25 brought, after the Canadians studied the Mount Polley

1 tailings dam failure, they pointed to a tailings dam at
2 the Greens Creek Mine in Alaska as an example of how
3 tailings should be stored. And the Greens Creek Mine is a
4 mine up in the Tongass National Forest near Juneau,
5 Alaska. And our engineering team actually worked on that
6 project.

7 And so, you know, we're going to have to
8 look very carefully at those issues. And that's a great
9 question and a really important thing to address.

10 MS. ROZELLE: Good. Thank you.

11 Go ahead.

12 AUDIENCE MEMBER: So I have one question,
13 but now I have a -- I'll ask my follow-up question first.
14 Is that all right? Because I wanted to follow up on
15 something you just said.

16 So if there's so much uncertainty about the
17 tailing situation and what that's going to look like and
18 where it's going to be, how can you justify proceeding
19 with the analysis of the mine if there's this other huge
20 question mark that has this tremendous impact not just on
21 what the mine looks like but whether it can go forward?
22 You can't have a mine without thousands of acres of
23 tailings somewhere. So, you know, how can you move
24 forward until you settle that issue?

25 MR. NELSON: That's really --

1 (Applause)

2 MR. NELSON: That's good. The purpose of
3 the EIS process -- and what you've brought up is an
4 example of what will absolutely be a significant issue for
5 analysis in the EIS. And the purpose of this process is
6 to work through those issues and look at alternatives to
7 that. And so the way an alternative would be developed is
8 by working through the process and looking at other
9 potential locations, other potential designs or
10 configurations, other potential technologies or types of
11 tailings disposal.

12 AUDIENCE MEMBER: I guess the reason I asked
13 that question, isn't there a separate NEPA process for the
14 tailings situation that's already underway and has to be
15 resolved at some point before --

16 MR. NELSON: That's something that has been
17 an issue of confusion. That's a baseline EA. And the
18 purpose of the baseline EA is any -- we have a permit
19 called a plan of operations. And that's just the Forest
20 Service permit to authorize surface-disturbing activities
21 on forest lands that are associated with locatable
22 minerals operations like this one.

23 And so any time a mining company such as
24 Resolution or even an independent prospector or miner
25 wants to go out and do minerals development work on Forest

1 Service land that would cause surface disturbance, they
2 have to get a plan of operations. They have to be
3 approved by the Forest Service permit.

4 Today, the two previous plans of operations
5 have been approved for the Resolution Copper project. One
6 was for Kennecott, which is a subsidiary of Rio Tinto, to
7 do exploration drilling in the Oak Flat area. I think
8 that was approved around 2000.

9 Another one was approved in 2010 for
10 additional exploration drilling and what they call
11 development drilling, which is more closely spaced
12 drilling.

13 The baseline plan of operations is a third
14 proposal, but that's only for installation of those
15 groundwater wells and geotechnical borings, collection of
16 baseline data. There's nothing associated with that
17 decision which relates to the actual location of the
18 tailings facility or the design of the tailings facility.
19 That's just the permit that's necessary for us to approve
20 Resolution to go put in those wells.

21 And so the National Defense Authorization
22 Act requires one EIS to be done for the land exchange, the
23 proposed plan of authorizations, and all other federal
24 authorizations that would be associated with Resolution's
25 proposed mine. And so this EIS will include the proposed

1 tailings facility, the land exchange, all other
2 authorizations that are necessary, for example, power
3 lines or any other right-of-ways that may be necessary.

4 AUDIENCE MEMBER: Okay. So the question I
5 was really going to ask is more straightforward and less
6 technical than all that.

7 So I couldn't help but notice that the
8 example that you used -- the photo that you used for the
9 tailings facility was from the Sierrita Mine.

10 MR. NELSON: Right. Which is down near
11 Tucson.

12 AUDIENCE MEMBER: And, actually, that mine
13 recently now said it's going to close, and it's going to
14 throw about 500 people out of work. And I wonder if your
15 economic analysis of this project is going to really be an
16 economic analysis of the real economic impacts that mining
17 would have or if it's just going to accept and regurgitate
18 the exaggerated benefits that the company presents to the
19 public which ignore the boom-and-bust cycle that
20 continually happens with mining, continually throw people
21 out of work and destroys communities in Arizona.

22 MR. NELSON: All right. So we're going
23 to --

24 (Applause)

25 MR. NELSON: We're going to work, to the

1 best of our ability, as Tom mentioned, to do a
2 comprehensive and an independent and an objective analysis
3 of the socioeconomic effects. And we're going to look at
4 socioeconomic effects through the entire life of the mine,
5 not just at the height of production or the height of
6 construction but throughout the mining cycle.

7 And they proposed the mine life of about
8 40 years. And, at that point, things would really change.

9 And so you bring up a good point that we
10 really need to look at the full mining life when we do
11 that socioeconomic analysis.

12 MS. ROZELLE: Yes, sir. Come on. Would you
13 like a microphone or no?

14 AUDIENCE MEMBER: I think they can probably
15 hear me. My name is Terry Wheeler. I'm here in Globe.
16 And I was wondering how many -- do you have any idea how
17 many tailings have failed in North America or what
18 percentage of tailings dams that have been constructed in
19 North America have failed? Do you have any idea of the
20 impact of failed tailings dams in North America?

21 MR. NELSON: In North America?

22 AUDIENCE MEMBER: Yeah.

23 MR. NELSON: I don't know that statistic. I
24 know that the most recent tailings dam failure on the
25 Tonto National Forest was in the late 1990s at the Pinto

1 Valley Mine. So it's not something that never happens.
2 It's just there's a lot of environmental risk factors.
3 And we're going to have to work through those. And the
4 tailings dam is just one of those factors.

5 AUDIENCE MEMBER: All right.

6 MS. ROZELLE: Yes, sir. Go ahead. And come
7 on up. I know that there are some folks who want to speak
8 who spoke last night.

9 AUDIENCE MEMBER: I'd just like to make a
10 comment. You know, the benefit -- you know, the benefits
11 of mining, we'd all be wrong. It affects everything,
12 everybody. I mean, there's good, and there is bad. And
13 there's a bad part, but still, in the sense, there's a lot
14 of rules, regulations that Resolution and other contract
15 companies have to abide by to understand that we are here
16 on Mother Earth, and we've got to take care of it.

17 And, in a sense, you know, all these
18 companies that work for Resolution, you know, they've got
19 stringent rules, guides. They have a crew, a lift crew,
20 that regulates what's going on, make sure all the
21 processes are done right, and check all the paperwork,
22 make sure everything is topnotch. If not, you know, they
23 shop for contractors. But they've got to do all the
24 paperwork, all the benefits. And the good and the bad.
25 And, you know, there's a lot of paperwork that's involved.

1 And that's what's good about regulations. Like I said,
2 all the benefits, even good for all of us. You know, good
3 to know.

4 Thank you.

5 MR. NELSON: Thank you.

6 MS. ROZELLE: All right. Yes, ma'am, come
7 on up. And -- in the back, we're getting people that have
8 already done -- haven't had a chance yet.

9 AUDIENCE MEMBER: Good evening, and thank
10 you for allowing me to express my support for Resolution
11 Copper. My name is Kimberly Oddonetto. My husband,
12 Michael, and I own Oddonetto Construction. It has been a
13 family business for the past 32 years, and the mining
14 projects that we complete account for 90 percent of our
15 business.

16 We currently have over 60 employees from our
17 local area, including Globe-Miami, Superior, and the
18 San Carlos and White Mountain Apache Tribes. Our
19 employees depend on our company for employment. Our
20 company and our employees depend on Resolution Copper and
21 the jobs that they are creating. Many of our employees
22 are currently working on reclamation projects at the
23 Resolution Copper Mine.

24 As life expectancy of the other current
25 mines are coming to an end, there is a huge need to fill

1 that void with quality jobs. Our local communities are in
2 great need of these quality jobs in order to survive.
3 Resolution Copper will create these opportunities and will
4 ultimately save our community.

5 I ask that you assess the economic impact of
6 this project on potential employment and opportunities for
7 not only the residents of Superior but the Globe-Miami and
8 the San Carlos Apache Tribe during maximum production of
9 the Resolution Copper Mine.

10 Thank you for your time.

11 MR. NELSON: Thank you.

12 (Applause)

13 MS. ROZELLE: All right. Thank you.

14 Yes, ma'am.

15 AUDIENCE MEMBER: Hi. I'm Diana Wheeler.

16 This is a question most likely that sounds pretty stupid,
17 but back when I lived in Long Beach, California, my
18 father-in-law was a geologist, and Long Beach started to
19 sink as they were bringing the oil up, and the town
20 started dropping. So as the oil started -- so as they
21 started bringing the oil up, he pumped water in and
22 brought the city back up.

23 Why can't you try doing the same thing as
24 you're taking the ore out and put something in? In fact,
25 take the tailings and put them back in, because they're a

1 solid block, and you won't have the drop. Or put
2 something in there. I can't imagine that something can't
3 be slurried in as you are bringing the ore out of that
4 cavity.

5 Just a thought.

6 MR. NELSON: That's neat. That's neat.
7 Thank you for -- thank you for sharing that. That's --
8 wow. What a neat job your father-in-law must have had
9 back in Long Beach.

10 We will look, in the EIS, at alternatives
11 for their proposed blockade process and look at
12 alternatives that potentially could alleviate the
13 subsidence.

14 There are mines in the -- in the U.S. that
15 use some type of cut-and-fill mining. And those mines, in
16 many cases, do put tailings back into the subsurface,
17 either tailings or cemented tailings.

18 The mining method is ultimately related to
19 the characteristics of ore body itself and, of course, the
20 economics of the process. And so we're going to work
21 through that and look at alternatives, but an important
22 thing to keep in mind is that, after the land exchange
23 takes place, the Forest Service will have no authority to
24 regulate mining activities on that Oak Flat parcel at all.

25 You know, I think that, in the EIS process,

1 if we did come up with some good ways to mitigate
2 subsidence, that Resolution would take a really close look
3 at that. But it would be something they would need to do
4 voluntarily. We would not have the authority to compel
5 them to do that.

6 MS. ROZELLE: Yes, ma'am. Go ahead.

7 AUDIENCE MEMBER: I have a comment, and I
8 have a quick question after that.

9 I just -- I'm going to turn and talk to my
10 friends in the audience. I talked to you last night.

11 I think it's so important for us, especially
12 here in Globe-Miami and San Carlos, to feel like we can be
13 both grateful for the role that Resolution has played in
14 our community. We can be grateful for the money they give
15 to our food bank, to our robotics clubs, and just their
16 involvement in our community. We can be grateful that our
17 friends and family have jobs because of Resolution, and,
18 at the same time, we can ask the best of them. I think
19 that's what they want.

20 And so I just -- yeah. I just wanted to
21 share that before I ask my question, which is related,
22 because I think, if I was going to -- I grew up in Montana
23 near Butte. There's a copper mine there too. And that
24 one is an open-pit mine, which I realize is different from
25 block cave, but when I think of a hole in the ground that

1 comes after a mine, that's what I think of. And that's a
2 big hole in the ground full of toxic water.

3 And I remember my high school biology
4 teacher used to make a joke about there being a guy out
5 there who had to shoo the ducks away because the ducks
6 couldn't land on the water. I don't know whether or not
7 that was true.

8 But -- so my question was about, when you
9 have this crater -- and I'm going to submit my comments
10 formally -- I think -- I think we can do better than a big
11 crater. I think Resolution can do better than a big
12 crater. But, so, say, we have this crater. What happens
13 to the crater after the mine closes? Does it fill up with
14 water? Does someone have to shoo the ducks away?

15 MR. NELSON: That's a great question.

16 And have other folks have been in Butte?
17 Butte has a large open-pit mine right in the center of
18 town with, what, over a billion gallons of water with a pH
19 of about 3, very strongly acidic. Yeah. There's a story
20 of, what, a flock of snow geese that landed on the lake?

21 AUDIENCE MEMBER: So you heard the story
22 about the birds too. It's not just me. Okay. Wasn't
23 just my biology teacher.

24 MR. NELSON: It's a huge issue. And that's
25 caused by acid rock drainage. And Resolution's ore is

1 strongly acid generated. And they've put a proposal
2 together to manage that acid generation in the tailings
3 facility through some submerging, where the sulfide --
4 they're going to float the pyrite out of the tailings and
5 produce two types of tailings. One would have almost no
6 pyrite in it, and one would contain all the pyrite and be
7 extremely reactive and potentially cause acid rock
8 drainage.

9 Our SWCA team brought in a person who I
10 think is just a world-class mining geochemist, Dr. Mark
11 Williamson, who goes all over the world. I worked with
12 him 20 years ago. And just an incredible guy we were
13 going to really lean on to help understand this issue.

14 But the subsidence, they're going to draw
15 down that water to de-water the mine. And after they stop
16 mining, that water's slowly going to recover.

17 AUDIENCE MEMBER: Yeah.

18 MR. NELSON: So we're going to have to --
19 have to somehow analyze and, as best we can, try to
20 predict, one, where that water table will end up
21 equilibrating. So if that water table equilibrates closer
22 to the current surface than a thousand feet, there would
23 be a lake in that area. Otherwise, there would not be a
24 lake.

25 And in the wall rock, in the area where

1 they're going to mine, there's still going to be the
2 acid-generating minerals that are not extracted and not
3 placed into that management tailings dam.

4 And so we're going to need to really try to
5 understand, would acid generation form at depth? And, as
6 that water table recovers, would that water, at 6 or
7 7,000 feet, mix with the more near surface water?

8 AUDIENCE MEMBER: Uh-huh.

9 MR. NELSON: There's kind of two
10 convections. It's caused by heat. It's hot at depth.
11 I've heard -- maybe some of the Resolution people know
12 here. About 170 degrees at depth, 6 or 7,000 feet. So
13 warm water rises, right? And so there would be that --
14 that force causing the water to rise. But acid rock
15 drainage, it has very high total dissolved solids. So
16 it's more dense than water, and that would cause that
17 water to maybe stay down at depth, so you could end up
18 with good-quality water.

19 But, at this point, we just don't know. And
20 so what you bring up is a great issue, and, yes, please
21 include that in your written comments. And we'll work
22 with Dr. Williamson to find a way to analyze that issue.

23 AUDIENCE MEMBER: And so, in the current
24 mine plan of operations, what is outlined for this
25 subsidence after mining stops?

1 MR. NELSON: There's -- there's no specific
2 reclamation plan that I'm aware of to manage that water.

3 AUDIENCE MEMBER: Okay.

4 MR. NELSON: But, you know, that may be an
5 example of something that we can work through in the EIS
6 process and maybe identify some mitigations that will help
7 alleviate that issue.

8 AUDIENCE MEMBER: Okay. Thank you.

9 AUDIENCE MEMBER: My name is John Craig.
10 I'm from Queen Valley, so I naturally have some concerns.

11 The dam that -- that broke in Brazil was
12 about a third as big as the one that's going to be above
13 Queen Valley, the same distance as that village was, from
14 Queen Valley. So we know it can happen. And one of the
15 owners of Resolution Copper was the owner of that mine
16 also. So how confident are you that they know how to do
17 this? Because, I mean, you couldn't talk to people in
18 Brazil that they know how to do it, because they just got
19 flooded out. So are you confident that they can -- they
20 can build a tailings pile like this and -- and not have it
21 break?

22 And Andrew Robertson, a Vancouver-based
23 consultant who has designed a number of very large
24 tailings dams said that our dams and dumps are among the
25 most high-risk structures on Earth.

1 So my question is, you know, the model of
2 the Forest Service is to care for the land and serve the
3 people. So how can you justify letting a tailing pile
4 like this go on Forest Service land?

5 And another point that I thought -- and it
6 brings back the mentality of the mining company, the
7 Samarco Mine, which is owned by Vale and BHP Billiton, --
8 after the collapse, have said that the dam was Samarco's
9 responsibility, not theirs.

10 Well, they own Samarco.

11 So this goes back to the mentality of the
12 mine. It goes back to, you know, Resolution Copper and
13 Rio Tinto and BHP Billiton, you know. So if something
14 happens, your guys going to -- your guys going to -- where
15 do we go? You know.

16 And, as far as the acid rock drainage, it
17 always happens on sulfide tailing piles. It -- that's --
18 that's a known fact. So isn't it more when -- when water
19 will be polluted downstream, not if it will be. It's when
20 it will be. Isn't that more of an accurate opinion?

21 MR. NELSON: So that's a lot of questions.

22 AUDIENCE MEMBER: Okay.

23 MR. NELSON: Let me try and get the
24 questions.

25 First, do we trust Resolution that they can

1 build that, as designed, and that it will be stable?

2 We're going to take a really hard look at
3 what they've proposed, and we're going to do our own
4 independent objective analysis, and we're going to bring
5 in the best possible team we can find to -- to look at
6 that design, see how it can be approved.

7 So, you know, in that process, we're
8 absolutely not going to just take it as they proposed and
9 say, oh, gosh, that must be okay. We're going to work
10 very hard at this to identify those type of issues.

11 And, you know, I've had the opportunity to
12 work with Dr. Robertson. Not work with him but to work on
13 a number of projects that he came in and consulted. And
14 he is one of the top experts in mining and environmental
15 issues I've ever known. And, boy, when Dr. Robertson says
16 that these are high-risk structures and we need to take a
17 close look, I'm going to listen. We're all going to
18 listen.

19 And I think that's something they learned,
20 in Canada, when they did that Mount Polley study and some
21 of the kind of innovative thinking where we need to stop
22 storing both water and tailings together and look at
23 technology such as dry stack. You know, those are really
24 important issues that we're going to work through.

25 The last question regarding acid rock

1 drainage, acid rock drainage is something that's been
2 going on for millennia. There's mines in -- I think in
3 Spain. Actually, the Rio Tinto area of Spain that's been
4 generating acid rock drainage for millennia. So it's
5 something that people have really worked hard to try and
6 find ways to manage. And one of the best possible ways
7 that people have come up with to manage acid rock drainage
8 is to submerge it.

9 Pyrite is iron and sulfur, and, when it
10 oxidizes, it forms sulfuric acid. And when you keep that
11 rock submerged, it prevents the acid generation from
12 occurring.

13 And so that's a component of Resolution's
14 current proposal, to separate out the pyrite from the
15 tailings and to store it permanently under submerged
16 conditions.

17 And so, you know, we really have to apply
18 lessons learned and come up with the best possible ways
19 that we can mitigate this.

20 AUDIENCE MEMBER: How can you do that and
21 dry stacking at the same time?

22 MR. NELSON: That's an issue with dry
23 stacking. And so people look at things like cover systems
24 to prevent infiltration of water into the pile after the
25 dry stack has been put in place.

1 And so, yeah, you know, you're bringing up
2 issues that are right on. They're great issues. And I
3 really appreciate it. We'll add those to our analyses.
4 And we'll have to keep talking. As the process goes on,
5 we'll -- we'll get together and talk about issues and key
6 issues and then hopefully get together and talk about
7 alternatives.

8 AUDIENCE MEMBER: Okay. Thank you.

9 MR. BOSWORTH: So I'm going to -- you
10 skipped to the middle question.

11 MR. NELSON: Oh. I'm sorry.

12 MR. BOSWORTH: Well, he had like 50
13 questions. It's okay.

14 But one of them that I keyed on in, he said
15 how can this -- how can we allow this to happen on
16 National Forest System land?

17 AUDIENCE MEMBER: Right.

18 MR. BOSWORTH: And so I just wanted to talk
19 a little bit about that.

20 So the Forest Service is multiply engaged
21 agency. You probably heard the same answer, right? But
22 it's something we've struggled with for a hundred years
23 of -- or over a hundred years of, how do you draw that
24 line between providing the ecosystem services, clean
25 water, clean air, wildlife, recreation, all those things,

1 along with the other part of our mandated work, which is
2 mining range, you know, timber, you know, providing timber
3 for houses. That was a big part of what the Forest
4 Service was developed for. Range, another big part of
5 what the Forest Service was developed and created for.

6 So we -- we're constantly trying to find
7 that line, find that line of providing these services to
8 the public and also make sure that we're true
9 conversationists and we're going to continue to provide
10 those services in the future. And we're going to do that
11 with this project.

12 AUDIENCE MEMBER: Okay. Thanks.

13 MS. ROZELLE: All right. Do you have some
14 questions?

15 AUDIENCE MEMBER: Good evening.

16 Hello, Mr. Bosworth. We didn't have the
17 privilege of having you last night.

18 My name is Moji Agha. I am a Sufi monk and
19 a psychologist turned full-time human rights and
20 environmental and peace activist. I travel around the
21 country and create circles of nonviolence community
22 collaboratives.

23 One of the projects that I became aware of,
24 when I arrived in this area, is the issue of this mine and
25 what is being done. And I noted, also, people were

1 talking about we have cancer.

2 So one of the projects that came out of the
3 circle of nonviolence community collaborative around this
4 area -- and I have some fliers for the upcoming meeting
5 and whatnot -- is called Copper Country Cancer Cluster
6 Campaign. And I've been horrified to find out about the
7 range of cancers that have been -- people are dying from,
8 have died from.

9 And we -- I was, at one level, encouraged
10 that you said, Mr. Nelson, that you have -- that that --
11 that you didn't know about the -- the public health
12 aspects of this until we did -- you know, the hapless
13 citizens brought it to your attention.

14 And you also said that the Resolution has
15 provided environmental information. Now, if Resolution
16 was a -- why did Resolution did not give you heads up
17 about the already existing cancer cluster in this area?
18 How come the public health was left out of your
19 consciousness until -- until a few days ago?

20 And, to me, that's a measure of how, when
21 private companies that want profit -- it's like -- we have
22 the -- the biggest example of the tobacco industry. For
23 years, the tobacco industry swore and hired so-called
24 scientists to prove -- and they proved, scientifically --
25 that nicotine was not -- was not hazardous.

1 So what I would implore with you, as people
2 who are charged with protecting the overall welfare of the
3 people, I -- it's horrible for people to have jobs but
4 then die from those jobs.

5 So they -- the -- yes, let me just finish.
6 You don't have a huge line here.

7 So the public health issue is a moral issue,
8 which is a -- a economic issue, environmental issue. It
9 intertwines throughout all the issues. And so, for an
10 agency with your -- the record of a hundred years to not
11 have thought about the public health aspect of this and
12 have already some idea about the extent and the scope of
13 the cancer that already exists here -- including very rare
14 cancers, brain cancers, the immune system cancers -- and
15 these cancers do not happen just, you know -- they're not
16 garden-variety pollution cancers.

17 So -- so when you say that you don't have a
18 chance -- you don't have a choice but to approve the mine,
19 you're saying that on the basis of a 150-year-old mining
20 law, 1872. And, at that time, most of the population of
21 the United States did not have the franchise, including
22 women. And the people who were --

23 Just 30 more seconds, please.

24 MS. ROZELLE: Actually, I'm going to
25 ask -- you can come back. But just to be fair, because

1 I've had to cut other people, and there are some people
2 who would like to come down.

3 AUDIENCE MEMBER: Well, let me just -- I
4 don't see anybody lined up.

5 MS. ROZELLE: Behind you.

6 If you would just step up, please.

7 AUDIENCE MEMBER: Oh. Okay.

8 MS. ROZELLE: Yeah.

9 AUDIENCE MEMBER: Okay. Thank you. I'll
10 come back.

11 MS. ROZELLE: Thank you.

12 All right. Roger.

13 AUDIENCE MEMBER: Roger Featherstone,
14 director of the Arizona Mine Reform Coalition.

15 I want to go in a couple different
16 directions, mostly on economics. But I want to get back
17 to this issue of the tailings and what happens when the
18 characterization shows that this is not a suitable area
19 and -- and Rio Tinto needs to go back to square one.

20 I understand the reluctance of the agency to
21 say they can't say no to this proposal, but, on the other
22 hand, the agency cannot approve a permit that would
23 violate state -- or not necessarily state, but federal
24 laws.

25 So, if and when this tailings facility

1 proves to not be able to be built without violating
2 federal law, then I guess I just want to know, from the
3 Forest, what would be the alternatives, basically?

4 My view would be, of course, you could not
5 permit this thing, and you couldn't go through with --
6 with signing a record of decision until Rio Tinto could
7 assure the government and the public that they would not
8 be violating federal law. And, in this case, most
9 probably, that would mean a whole different tailing
10 facility, or at least extreme measures, like double or
11 triple lining or that kind of thing.

12 So that would be the first one.

13 The second, going on to areas of economics,
14 will the Forest Service need to analyze both the economics
15 and, for that matter, the environmental and especially the
16 climate change aspects of the transportation, basically,
17 from the processing facility to the final destination for
18 smelting, which -- which would be overseas? In other
19 words, would you have to address the aspects of -- of
20 the -- of the transportation corridor, basically, from
21 here to the final smelting?

22 And then --

23 MS. ROZELLE: Hey, Roger, maybe we could
24 just get those two answered, because I think -- I can
25 remember the last one about the economics and the

1 smelting.

2 Do you want to try that one?

3 MR. NELSON: Well, the first one was --

4 MS. ROZELLE: Did you get the first one?

5 Okay. Here they are.

6 MR. NELSON: Yeah, you know, we're going to
7 do our own independent, objective analysis of their
8 proposal. And so we're years away from even being able to
9 assess whether or not their proposed tailings facility
10 would comply with things like Clean Water Act, Clean Air
11 Act. And so it's really difficult to answer that
12 hypothetical, what if we got to that point and there were
13 clear violations of that?

14 And so I think the best thing for us to do,
15 on that one, is work through the analysis and cross that
16 bridge when we get to it.

17 AUDIENCE MEMBER: I guess the point I was
18 trying to make in that kind of leading question is that
19 the Forest Service does have the authority to say no to a
20 bad tailings facility. And, obviously, you can't build a
21 mine unless you have a place to dump the toxic waste.

22 MR. NELSON: Right. Our requirements
23 require an operator to comply with all other environmental
24 laws. That's in 36 CFR 28, including the Clean Water Act,
25 the Clean Air Act. And that's the type of thing that Neil

1 has the discretion to address is required modifications to
2 the proposed plan of operations. He can require
3 modifications that are necessary to comply with Forest
4 Service regulations, and the operator must comply with the
5 Forest Service regulations.

6 MS. ROZELLE: So do you want to try the
7 second one?

8 MR. NELSON: Which was?

9 MS. ROZELLE: Does the Forest Service need
10 to analyze the economics and environmental impacts for
11 transportation to the final smelting destination?

12 MR. NELSON: You know, we don't have an
13 answer to that, but it's a really good question. At this
14 point, Resolution has not included any information about
15 where it would be smelted. I think there's three
16 operating smelters in the U.S. with -- with capacity that
17 may or may not be available to process that ore and --
18 and, of course, that's also going to relate to the cost of
19 smelting that ore. And there's other smelters elsewhere
20 in the world that they may ship that concentrate to.

21 So we're going to have to think through
22 that. And it's a great question, you know, would we
23 analyze the -- it's what would be called an indirect
24 effect. Would we analyze the indirect effect of
25 transportation and environmental issues associated with

1 smelting?

2 And I don't have an answer for you tonight,
3 but it's a good issue, and one we're going to have to work
4 through.

5 MS. ROZELLE: You had one more question.

6 AUDIENCE MEMBER: Should I do it now, or
7 should I wait for other people and come back?

8 MS. ROZELLE: Is it just one?

9 AUDIENCE MEMBER: Yeah. But it might be
10 kind of complicated.

11 MS. ROZELLE: Okay. Come back.

12 (Laughter)

13 MS. ROZELLE: I'm starting to get to know
14 Roger.

15 Hi.

16 AUDIENCE MEMBER: Hi.

17 My questions are specifically related to
18 water sustainability. Resolution Copper mining operations
19 will be drawing water from multiple water sources,
20 including Central Arizona Project, CAP, water, and the GPO
21 indicates that the mine will be heavily reliant,
22 62 percent, on banked CAP water. And I am wondering how,
23 or if, there is going to be analysis on the sustainability
24 of that large-use water over the life expectancy of the
25 mine and, also, how that impacts communities such as mine,

1 in the Marana area, that also relies on CAP water.

2 MR. NELSON: Yeah, I think that's a great
3 issue.

4 And, Jill, you got that one down?

5 And, yeah, something that -- something that
6 makes a lot of sense that should be in the analysis.

7 MS. ROZELLE: And everybody knows CAP water
8 means Central Arizona Project water. Okay.

9 AUDIENCE MEMBER: And banked CAP water,
10 which is basically a reserve in the event of drought.

11 And, also, I failed to mention, I'm
12 wondering if, you know, drought predictions and climate
13 change predictions will also be taken into account,
14 because we are in the desert. We are importing water as
15 it is. How is that sustainable?

16 MR. NELSON: Yeah. Great question. And
17 climate change will be assessed in the EIS. We're
18 required to address climate change. But those are going
19 to be really challenging analyses to complete.

20 AUDIENCE MEMBER: But they will be
21 completed?

22 MR. NELSON: Yes.

23 AUDIENCE MEMBER: By independent --

24 MR. NELSON: Yes.

25 AUDIENCE MEMBER: -- non-biased --

1 MR. NELSON: Yes.

2 AUDIENCE MEMBER: -- non-government agents?

3 (Applause)

4 MS. ROZELLE: Thank you.

5 Yes. The -- a new one.

6 And then, next, you.

7 AUDIENCE MEMBER: I want to see if you can
8 raise this mic or not, but...

9 (Laughter)

10 AUDIENCE MEMBER: I'm a third-generation
11 rancher, miner. We built these communities, these towns.
12 We care about them. You know, everybody talks bad about
13 the tailings. Tailings come, tailings go. They fail.
14 But nobody talks about the miles of tailings that haven't
15 failed. Okay? You guys need to look at the economical
16 impact that this will bring to our community.

17 My great-granddad, he mined. Another one
18 ranched. Hopefully my kids will do the same thing.

19 Airplanes fail. Does that mean we stop
20 building them? No. We just build it better.

21 Resolution, I believe, will build things
22 better. We've had the privilege of having several of the
23 Natives working for us at Resolution Copper. Their need
24 and want to train people, I've got to deal with that
25 firsthand. And the excitement they see. The only thing

1 they're nervous about is when it's going to end.

2 Well, if it lasts 20 years, that's 20 more
3 years than what we've had already.

4 So without the money they've put into the
5 community, what would we have then? Nothing. So, you
6 know, I feel fortunate that Resolution is wanting to spend
7 their money here on us.

8 So thank you.

9 MR. NELSON: Thank you.

10 MS. ROZELLE: Thank you.

11 (Applause)

12 MS. ROZELLE: And, again, remind you all, if
13 you want to make a formal comment for the record, go over
14 to that corner. Anything that you're commenting on or
15 saying tonight, we are getting notes on that as well.

16 So, yes, go ahead.

17 AUDIENCE MEMBER: Again, thank you.

18 After last night's meeting, I brought it to
19 the attention to the group in Superior, as I want to bring
20 it to the attention to the group here in Globe, that
21 social media has portrayed that our community is
22 threatened, that Oak Flats is the only place we harvest
23 acorns. And that's not the truth. We have many other
24 areas that our people go to to harvest acorns.

25 And our sunrise ceremonies, the first that

1 we've ever remembered having in Oak Flats was 2012. And
2 we have -- our sunrise ceremonies season has begun, and we
3 have, at this time, ten ceremonial grounds that our people
4 utilize through the season from spring to fall.

5 Today, I decided to go visit an elder
6 relative in Bylas, and I shared with family today that --
7 what happened at the meeting last night and what was
8 brought to the topic of discussion. And, of course, their
9 concerns were genuine regarding water and regarding
10 tailings that -- what happens on the outside boundaries
11 has effect on us too regarding our safety of coming and
12 going to the neighboring communities.

13 So the one that was most important, though,
14 was brought to the attention to the elder was that, in the
15 past, many of our elders have been abused by even our own
16 local people, unfortunately, making it be known that this
17 is their truth when it really is not the truth regarding
18 the sacredness or the cultural significance of the area
19 itself.

20 So, since the question had been brought up
21 at the round table discussion today, what percent of the
22 cultural -- since Oak Flats has been identified as a
23 historical land, based on cultural and traditional
24 significance, what percent of the sacred claim have as a
25 determining factor of the project altogether?

1 MR. NELSON: So you mean how will that
2 designation of the traditional cultural property affect
3 the EIS process?

4 AUDIENCE MEMBER: Yes. Is there a
5 percentage you will be -- what I was asked is what percent
6 of that, of claiming that it's sacred, will be used to
7 finalize this project? Because what they're more
8 concerned about, the elders that I spoke with today, was
9 because of how, in the past, our elders were misused and
10 abused of information only to claim leverage on what their
11 claim is.

12 MR. NELSON: Okay. I think I can answer
13 that question.

14 That designation of the traditional cultural
15 property will not ultimately affect the land exchange or
16 the mine proposal. It certainly raises public awareness
17 of that issue. And it makes people more aware of cultural
18 issues up there than they were before.

19 From the Forest Service's standpoint,
20 we -- we would manage those resources the same way,
21 whether or not it was listed on the National Register or
22 not.

23 Neil, do you want to maybe add to that?

24 MR. BOSWORTH: Well, I don't know if the --
25 the percentage part is throwing me off when you talk about

1 acres. So the TCP, the traditional cultural property
2 designation, is a very large area that encompasses the
3 entire area that would be exchanged. So that's -- I don't
4 know if that answers that question.

5 But the -- as far as how it will affect this
6 proposal, it -- the TCP -- the TCP does not necessarily
7 protect -- have any additional protections for it. And
8 all it does is -- it does give us a kind of a starting
9 point with the tribes that feel this is, you know,
10 culturally significant to have those discussions and talk
11 about mitigation or, if there is possible mitigation, all
12 the sort of things we're going to do through tribal
13 consultation.

14 But a TCP does not give additional
15 protections for a site.

16 AUDIENCE MEMBER: Okay. Okay. Yeah.
17 Because, like I said, the topic came up about how our
18 local people abuse our elders in presenting them in a
19 formal fashion that this is what the claim is when, after
20 all, it's not.

21 So it's like, what percent of that claim is
22 going to be added onto all the other decisions that are
23 going to be made to consider that a determining factor of
24 the overall decision?

25 MR. BOSWORTH: It's not. Yeah. So it's not

1 going to -- you can't quantify like that, you know, as far
2 as what -- how to -- what percentage is going to factor
3 into the decision. It's really not. And the decision's
4 going to be -- ultimately, it's going to be looking at the
5 best way to approve this project. That's pretty much what
6 the law says I'll do, and with certain mitigations in mind
7 to -- for employees to try to alleviate some of the
8 concerns that we've talked about tonight.

9 And I -- it's pretty much impossible for
10 me -- Mark is really smart. But it's pretty much
11 impossible for me to actually quantify a percentage of the
12 decisions based on what I'm going go through to come to
13 this answer.

14 Does that -- am I --

15 AUDIENCE MEMBER: Yes. Because that's the
16 very reason why a lot of the elders stay away from the
17 topic, because there's no majority claim other than the
18 tribal government saying, by our vote, we've declared it,
19 based on just a specific group of people making their
20 claims. So that was a major concern regarding the elders
21 I visited with today based on the information I got last
22 night, taking it back home.

23 And tomorrow's meeting with Chairman
24 Rambler, will that be public?

25 MR. BOSWORTH: No.

1 AUDIENCE MEMBER: Okay. We're happy,
2 though, that you're going to be meeting with him, because
3 we know, in the past, they've not come to the round table
4 discussion regarding Resolution's invitation to discuss --

5 MR. BOSWORTH: So --

6 AUDIENCE MEMBER: -- the project itself.

7 MR. BOSWORTH: I don't want to say no. You
8 can't -- you know, you can't just say no. The reason is,
9 is a lot of times, when we discuss our sensitive topics to
10 the tribes we talk to, that's why it's not public meeting.
11 It's not a public meeting. It's a personal, private
12 meeting, based on consultation with the tribes.

13 AUDIENCE MEMBER: Okay. I -- I just -- I
14 was told to ask, too, because it was announced.

15 Thank you.

16 MS. ROZELLE: Thank you very much. Thank
17 you.

18 Yes, ma'am. Come on up.

19 AUDIENCE MEMBER: Good evening, gentlemen.
20 How are you this evening?

21 MR. NELSON: Good. How are you?

22 AUDIENCE MEMBER: Good.

23 And hello to everybody behind me.

24 My name is Kathy Wesley Kitcheyan. And my
25 maternal clan is Hyama Chiricahua Apache. And, in our

1 culture, you claim your mother's clan, and your father's
2 clan is secondary. My father's clan is Tu Ligai, which
3 means white water. So, having said that, now I can
4 address the crowd.

5 And I want to say, before I forget,
6 Mr. Nelson, that I am very glad to hear you use the word
7 "objective," because I was beginning to feel a little bit
8 worried, coming home last night, because just looking at
9 you guys and listening to your responses last night kind
10 of didn't seem objective. So I'm glad to hear that.

11 And I do expect that because, may I remind
12 you, as well, that, in all situations, relationships,
13 business relationships, whatever, there is two sides to
14 every story. And the entire nation, and at the
15 international level as well, people have not listened to
16 the other side of it.

17 You know, you believe, you were told Oak
18 Flats is sacred. And I told you last night, I was raised
19 in a very traditional home. I have lots of aunties and
20 uncles, elders, that I never heard them say anything about
21 Oak Flats being sacred.

22 It's nice that they have sunrise dances
23 there. But what's not nice is that you had to have a
24 dance, you had to use that in order to politicize our
25 political issue. That's not right. In our way, if you do

1 something opposite to your teachings, there are natural
2 consequences to pay.

3 And I want to talk about the burial grounds
4 that was mentioned.

5 One activist constantly says the
6 grandmother, and Grandmother is buried there. I went
7 straight to the source of that family name, and they said
8 they have no idea, no knowledge of an ancestor being
9 buried there. Similar to what Karen just spoke about, you
10 should not put words in the mouth of our elders. That is
11 the most disrespectful thing that a person can do in any
12 culture.

13 Finally, I just want to let you know that
14 San Carlos has always done some type of mining. If you
15 don't know where Tractor Supply is, that was an Apache
16 village. Miners were there. My family lived there. And
17 I have a brother that retired from the mine. I have
18 family members that have been in the mining business. My
19 husband as well. And our tribal flag has a pick and an ax
20 to honor the mining industry.

21 In my front yard -- in my front yard, there
22 sits a training facility sponsored by Freeport. They're
23 developing the skills of young people to prepare them for
24 the mining industry. How can you contradict yourself? I
25 mean, what -- what is so bad about Resolution Copper?

1 Everybody makes choices in this world. They
2 choose to be -- sit where you're sitting or be a cowboy
3 like this handsome gentleman over here.

4 (Laughter)

5 AUDIENCE MEMBER: Or they -- you know,
6 anything that they choose to be. And there's consequences
7 in everything. It doesn't matter. You can be very
8 careful but not -- like I said last night -- cancer was
9 brought up. The fact that we have -- we live next door to
10 a mine doesn't necessarily mean everybody's going to get
11 cancer.

12 I'm a cancer survivor. My brother is a
13 cancer survivor. And, if my mother was here -- because
14 she testified at the water rights meeting in Tucson
15 Federal Court years ago -- she would have said it's
16 because of all that BS that's floating from that other
17 mine down Gila River. Because our house was on the banks
18 of the Gila River. And I swam in the Gila River. That
19 was my playground.

20 And so what I'm saying is that we can
21 coexist, you know, with mining, no matter -- no matter
22 where we're at.

23 Finally, a leader talked last night. We had
24 the pleasure of having a leader in our midst last night at
25 the Superior meeting. And he talked about the sacredness

1 of water. I think water is sacred to everybody, every
2 culture, including the White culture.

3 And -- but he failed to mention that he's
4 the chairman of the Tribal water committee, and they lease
5 water, millions of water, to Freeport every year. That is
6 something that you should also consider in preparing this
7 report as well.

8 Finally, to the audience, if -- if you
9 support Resolution Copper -- and I really like what that
10 gentleman said about it's our way of life. I'm a retired
11 educator, and I've touched the lives of hundreds and
12 hundreds of children in San Carlos. And some of those
13 kids today are walking the streets with nothing but
14 hopelessness on their faces because they don't have a job.
15 They don't have an education.

16 In the first grade, just before I left, in
17 the hallway, there was a little first grader who told his
18 friends, on a Friday afternoon, "Hey, guys, I'm ready to
19 go party." First grader. "Let's go get something to
20 drink." That's not -- I don't want that.

21 We need to work together so that when this
22 mining industry, Resolution Copper, comes here to stay,
23 there will be equality in employment from that end of the
24 reservation to that end of Copper Corridor. But we need
25 to be proactive. I don't see that.

1 Last night there was lots of people from
2 Tucson. They wanted a meeting in Tucson. What for? They
3 should have had that meeting in San Carlos to begin with.
4 And I'm going to ask you that.

5 For the record, I, Kathy Wesley Kitcheyan, a
6 member of the San Carlos Apache Tribe, with traditional
7 values and one that is a fluent speaker, on behalf of my
8 64 grandchildren, 34 nieces and nephews, 18
9 great-grandchildren, that you come to San Carlos, because
10 we need this meeting out at San Carlos too.

11 Thank you.

12 MR. NELSON: Thank you.

13 (Applause)

14 AUDIENCE MEMBER: I've got a couple of
15 questions to ask. The first one is I've been to Oak Flat
16 a couple of times. And I saw elders there, and I saw
17 hundreds of San Carlos Apache Indians that supported Oak
18 Flat. They said that that was their holy land. They said
19 that's been their holy land for 700 years. So this mine
20 is going to last for 60 years, and that has been sacred
21 and holy for 700 years for some of the tribe.

22 I don't know who's speaking here. I don't
23 know the difference. I can't understand why they don't
24 feel the same. I'm new to Arizona, but from what I've
25 seen and what I've observed the two times that I was over

1 at Oak Flat, I didn't see this. I saw something totally
2 different. They care about Oak Flat. And I'm sick and
3 tired of looking up on the Internet and looking at the
4 same thing over and over, from Resolution and from the
5 McCain campaign, that the Apaches do not care about Oak
6 Flat. I've seen different.

7 And, you know, water is a real precious
8 commodity here in Arizona. And I'd like to know -- well,
9 never mind. That's okay. That's all I have. Thank you.

10 MS. ROZELLE: All right. Yes. Roy.

11 AUDIENCE MEMBER: Roy Chavez, lifetime
12 resident of Superior, interim mayor, and former
13 underground miner at the Magma BHP mine.

14 Just a recap from yesterday, I just shared
15 with you -- and I don't know if this audience knows it.
16 But you do have, on the proposed mining operations map,
17 it's included now that there's 560 acres of land that's
18 located just east of the Copper Basin area in San Tan, and
19 that's where the plan of development now, the final plan
20 for the filtration of the concentrate and also the loading
21 facility. That was a piece of private real estate that is
22 zoned in the residential development area that we have
23 commonly been informed as the Superstition Vistas and
24 Rio Tinto purchased that, in the last year, under the.
25 And, at this point, I was sharing with you guys yesterday,

1 that the oversight for the project to be developed there
2 is an industrial -- they're requesting industrial
3 rezoning.

4 I spoke to Pinal County today, and it still
5 has yet to go to the board of supervisors. However, they
6 did hold a couple of planning and zoning meetings in
7 September, October, November. And there's nothing been
8 done since.

9 I asked yesterday, is that going to be
10 included, and I'm assuming that it will be included in --
11 in visiting the entire operation, because, now, the impact
12 to both public and private lands is entailing close to
13 30 miles from gone canyon, Devil's Canyon now to the
14 outskirts of Copper Basin I found that out.

15 In reference to the sacredness of Oak
16 Flat -- and one of the comments that I've presented in the
17 past is it's sacred to all of us that are there,
18 especially those of us in Superior and Globe-Miami area.
19 It's a site, a recreational site, but it is also a site
20 that is, to me, is very spiritual in its own essence. And
21 I think that's an important part of the integrity of -- of
22 the landmass. And I'm sure, you know, you guys are
23 understanding that and have been made well aware of it.

24 The only other thing I wanted to make as a
25 comment -- and, really, my first was -- was not -- was

1 still a question, Mark and Neil, about the oversight of
2 that 560 acres, which is actually now privatized. It was
3 in the state trust land area of the state. And the only
4 other public meetings -- there were only three people at
5 those public meetings when Pinal County P&Z was looking at
6 this. And they still have not yet approved the industrial
7 zoning. But I'm trying to find out exactly when the next
8 P&Z -- the next board of supervisors meeting is, because
9 it will be a public hearing for decision.

10 But the last comment I wanted to make is
11 that, unfortunately, this is a political issue. But there
12 are laws and mandates that we have asked for over
13 17 years. I've been involved in this since 1998, when I
14 was mayor and Rio Tinto came to Superior to talk to me
15 about the mine. And all we've asked for is what this is
16 doing today is getting public comment, getting input,
17 getting analysis, whether it's the environment or
18 socioeconomics or Native American issues. But that's all
19 in the law of NEPA. And that's all we've asked for.

20 But I want the people -- the public to
21 understand that the NEPA process does not start until a
22 mining plan of operation has been submitted. And, quite
23 honestly, the legislation took a political course, if you
24 want to talk about politics, that was vile. And the
25 legislation was -- we're here today because of the way the

1 legislation was approved. But it is law, and we have to
2 abide by that.

3 And, finally, we have two bills, one in the
4 House, one in the Senate, to repeal the deal. I mentioned
5 this at Queen Valley the other day to you all. But
6 hopefully we can repeal the deal and take a good hard
7 analysis look at this so that there can be more public
8 comment. And this is a national issue, not just a
9 Globe-Miami, Superior issue.

10 MR. NELSON: Thank you.

11 MS. ROZELLE: So anyone who hasn't had a
12 chance to make a comment or ask a question?

13 MR. TORRES: Marty, I want to make a -- hey,
14 Marty.

15 MS. ROZELLE: Sure.

16 MR. TORRES: I just want to make a quick
17 comment since Roy was up here. I failed to mention, in my
18 opening remarks, anything about the model that's out in
19 front of the building. And that model was -- was shared
20 with us by Roy and the concerned citizens in the Retired
21 Miners Association. They shared that with us a few weeks
22 ago. And it seems to depict the -- the proposed action,
23 as represented in the mine plan of operations shows. So
24 Roy and his group was good enough to share it with us, and
25 it provides a little better perspective, better than the

1 paper maps that we have.

2 So, Roy, I forgot to mention that during my
3 remarks. So I just wanted to point that out, that that's
4 owned by them, and we're grateful that it's here to
5 provide information.

6 MS. ROZELLE: Thanks.

7 Yes.

8 AUDIENCE MEMBER: Hi. My name is Theresa.
9 Neil, Tom, nice to see you gentlemen.

10 This is probably not as substantive as what
11 you're looking for, but it's basically just to perhaps
12 shed a little bit of light on the monk's comments.

13 I've been a practicing
14 chiropractor/acupuncturist for many years, and I share
15 your concerns about the health issues. What I don't know,
16 in your research, when you're worried about so much about
17 this cancer corridor, whatever your acronym was --

18 AUDIENCE MEMBER: Cluster.

19 AUDIENCE MEMBER: Cluster.

20 A few of the things I think that you may
21 not -- you may or may not be aware of is that, in this
22 particular area, we also had downwinders, and we had a
23 strain of Agent Orange in the late '60s that also were
24 contaminants, besides -- I think if you're looking to
25 study the cancer-causing property of mines, you need to do

1 a geography area that eliminates those two particular
2 factors and then see if it's really significant.

3 That's my only comment.

4 MS. ROZELLE: Thank you.

5 So anything new? Anybody new.

6 Okay. Go ahead.

7 AUDIENCE MEMBER: Thank you.

8 I -- what I was saying is that my
9 understanding of Supervisor Bosworth saying that you will
10 have to approve this is regardless of what you learned
11 from this process.

12 Now, if that's the case, are we just going
13 through the motions? Is this just a PR exercise? Or do
14 you learn something from this which may substantially
15 alter your opinion that, based on 1872's mining law, you
16 have to approve this? With a little bit of tinkering and
17 little bit of mitigation.

18 Now, I am -- I want to address as a moral
19 issue.

20 MS. ROZELLE: I'm sorry. Did you want an
21 answer to that question? Or --

22 AUDIENCE MEMBER: I think it was a comment.

23 MS. ROZELLE: Okay. Go ahead.

24 AUDIENCE MEMBER: It was an observation.

25 MS. ROZELLE: All right. Go ahead.

1 AUDIENCE MEMBER: The law that we are
2 talking about -- and based my understanding, on the basis
3 of that law, you're saying that the Forest Service has to
4 approve this.

5 Oh. Let me -- maybe that's a good question.
6 Is that correct? Do you feel bound to say yes to this
7 regardless of what you learned from the process?

8 MR. BOSWORTH: So there's -- there is some,
9 you know, Mark talked about the decisions basis, a little
10 bit different for minerals and anything else. So, for
11 most projects, we will have, during the EIS or NEA, we
12 will have a no-action alternative, and I can select an
13 alternative for most projects and say, no, we're not doing
14 this.

15 Timber sale, I look at all the alternatives.
16 I say, I just can't live with any of them; I'm going to
17 say no, we're not doing it.

18 Mining, I don't have that opportunity. They
19 sent down regulations saying that, essentially, no action,
20 we still look it and then we use it more as a baseline.
21 But I cannot say no to a mine based on the general mining
22 law.

23 So -- but there is some flexibility. And I
24 can say how it's going to happen. I can put some caveats
25 in there. I can, based on everything we're hearing from

1 these last meetings, based on all the analysis that's
2 going to take place, all the models that are going to be
3 run, we can go back and say, you know what? This is -- we
4 need to make these kinds of changes and work with the
5 mining company to do that.

6 AUDIENCE MEMBER: Thank you. That goes to
7 the moral and cultural dimension of the -- of a law that
8 is 150 years old that was legislated by, at the time,
9 150 years ago when most people in this country, including
10 women, were not seen as equal to white men and that the
11 law, the mentality of the law, a lot of times they used
12 the term -- the founding father's intent is used in
13 constitutional issues.

14 At the time, people who -- did white men
15 who -- who legislated this 150-year-old, almost, law into
16 law had no idea what mining means 100 years hence. They
17 were thinking about picks and, you know, like a shovel.
18 That level.

19 So the substance of law has changed. And I
20 would like to propose, as a moral matter, that, as an
21 agency, executive agency, you're responsible to implement
22 the law and be cognizant of whether this law is actually
23 useful.

24 If -- my suggestion is that you are as
25 an -- as a -- as a member of the executive branch, you are

1 obligated to say this law is offensive at one level for it
2 to be approved and be obeyed as -- as -- as something that
3 the Forest Service has no choice.

4 I think that you need to go to that level of
5 analysis, legal analysis, constitutional analysis, because
6 that -- that law is no longer applicable to today's
7 technological environment. It was approved, further, by
8 less than 50 percent of the -- of the population of this
9 country. Women and people of color had no franchise in
10 it. But we are now being affected, everybody is being
11 affected by the implementation of that law, which you are
12 responsible for.

13 MS. ROZELLE: Thank you.

14 AUDIENCE MEMBER: Thank you.

15 I have these fliers, by the way, for the
16 circles of nonviolence meetings.

17 AUDIENCE MEMBER: Neil, I promise this will
18 be my last time. I need to do a little disclosure first.
19 My name is David Cook. I'm running for the state
20 legislature in our district, and this mine would be in
21 that district. I most definitely plan to be on the water
22 and natural resources committee when that happens and if
23 the voters choose so.

24 With that being said, I have family that
25 work at Resolution, that live in Superior. My wife was

1 born and raised in Superior. Her family -- her father
2 retired from the Magma Railroad. They're all miners.
3 Without a doubt, they support this.

4 But I heard a comment later that I've got to
5 get up and say something about.

6 I want to thank all the people that are not
7 from this area, that are not from the state of Arizona,
8 they do not live in the community, for being here tonight
9 in whatever public meeting you may have. I strongly
10 encourage you to do one thing I've heard tonight.

11 But what I heard was a question about some
12 of the people that got up here and spoke. There was one
13 person in particular that I'm going to get up and tell
14 you-all this, because I think we're friends.

15 Kathy Wesley Kitcheyan is undoubtedly one of
16 the most honest people I've ever known. I've known her
17 family for over ten years. What she has said here is
18 true. And what I've heard is where are these people?
19 Where are these people?

20 I've seen Kathy speak at women's
21 conferences, out there to talk about jobs and education on
22 the reservation. And, without one doubt, I'm here to
23 stand up and testify that her word is solid and golden and
24 should be respected in all methods.

25 MR. NELSON: Thank you.

1 MS. ROZELLE: All right.

2 Yes. And then you go ahead.

3 AUDIENCE MEMBER: I have a couple of
4 questions. First of all, I do support the mining project,
5 so that's a disclosure. But I believe in responsible
6 mining, so I don't want to have a mine at all costs and
7 have my kids glow in the dark sometime in the future.

8 So my question is I would assume NEPA does
9 actually enforce something to make sure the mine is
10 actually complying and keeping us safe. Is that true?

11 MR. NELSON: It's actually our Forest
12 Service mining regulation that include those requirements,
13 not NEPA itself. But the Forest Service mining
14 regulations do require the operator to comply with all
15 other environmental laws.

16 AUDIENCE MEMBER: But somebody's policing
17 it; somebody's looking at the -- to develop, to test, and,
18 if they're not complying, then we're making them comply or
19 we're shutting them down.

20 MR. NELSON: Yeah. That's a good question
21 that we didn't address yet tonight. We're working through
22 the approval process for a plan of operations now. And
23 once a plan of operations is approved, then the Forest
24 Service has a responsibility to administer that plan of
25 operations, which includes routine inspections,

1 examination of environmental monitoring data, and --

2 AUDIENCE MEMBER: And there's going to be
3 independent audits --

4 MR. NELSON: -- to take -- to take
5 corrective actions in the event that the company's not
6 following the plan of operations or if something totally
7 unforeseen occurs that causes a significant environmental
8 issue, Neil has the authority to require a modification of
9 the plan of operations, which could trigger a whole new
10 NEPA process.

11 AUDIENCE MEMBER: Okay. And then my next
12 question is, we were talking, earlier, about a mine to
13 do -- out of operation, you know, 60, 70, 80 years from
14 now, something happens. Is there a requirement that these
15 companies put money aside for the future in the event
16 something were to go wrong?

17 MR. NELSON: Yes. Our Forest Service
18 Regulation 228.13 requires -- you probably didn't need
19 that crazy detail.

20 AUDIENCE MEMBER: Neil's shaking his head.

21 MS. ROZELLE: He just can't help it. I
22 don't think he can help it.

23 MR. NELSON: -- requires the -- requires the
24 operator to submit a reclamation bond. Traditionally,
25 reclamation bonds has been for kind of obvious

1 reclamation; re-sloping the tailings pile, building
2 covers, re-vegetating, you know.

3 But what we've learned, in the past couple
4 of decades, with mine reclamation, is that there are --
5 especially at large mines, like this mine, there are kind
6 of long-term issues that we call post-closure issues. And
7 so the Forest Service has been working really hard at
8 this. In fact, we had 12 large mines go bankrupt in the
9 early 2000s, during the last downturn in the mining cycle.
10 We learned a lot from it, as have other agencies that
11 regulate mining.

12 And so we now just work through a process to
13 gain authority to require post-closure trusts, reclamation
14 trusts, where, in addition to that traditional reclamation
15 bond to cover the -- kind of the major construction that's
16 done to reclaim a mine, the long-term trust would fund
17 ongoing long-term maintenance of that facility, monitoring
18 of that facility, and lingering water treatment.

19 It's a good question and something we didn't
20 have a chance to talk about.

21 AUDIENCE MEMBER: All right. Thank you.

22 AUDIENCE MEMBER: Thanks.

23 Just a follow-up on that real quick. But,
24 of course, you did say, before that, the private land that
25 the company owns is going to be, you know, outside of some

1 of that regulatory purview. And, of course, that's the
2 reason that Resolution went to Congress to get this sleazy
3 land exchange deal --

4 (Applause)

5 AUDIENCE MEMBER: -- so that they could
6 evade environmental regulation on that land. Evasion of
7 that environmental regulation was one of their motivations
8 for getting that legislation passed.

9 So my question is that's -- that's one of
10 the main reasons why there's an effort in Congress right
11 now to overturn that legislation. And, if those bills
12 pass, if they pass and the land swap legislation is
13 overturned, how does that affect this EIS process?

14 MR. BOSWORTH: So -- okay. So there was two
15 questions in there, right? Can you just repeat the last
16 part?

17 AUDIENCE MEMBER: The question is, you know,
18 I made a statement about why -- why the company seeks
19 to --

20 MR. BOSWORTH: Yeah. That's the comment --

21 AUDIENCE MEMBER: And the question is if
22 these bills pass and the land swap legislation is actually
23 overturned, is actually repealed, then how does that
24 affect the process that we're involved in over the next
25 few years?

1 MR. BOSWORTH: So what that would change
2 is -- there's two -- there's -- it's a little more
3 complicated. The fact is we got the mining plan of
4 operation before the bill -- before the law was passed.
5 They were planning on mining on private land that they
6 have -- or not private; private and federal land, 'cause
7 they have a right to it -- outside of the withdrawal area.
8 And that would continue unless -- you know, who knows what
9 law gets passed in the future.

10 If any repeal happens, it will be for the
11 land exchange and the withdrawn area around Oak Flat. And
12 so that would just be removed from the mining plan of
13 operation, and it would continue -- I'm assuming. If they
14 wanted to continue -- outside of that area.

15 AUDIENCE MEMBER: So you're saying that you
16 would just sort of excise the Oak Flat area from the scope
17 of your analysis partway through the process? Is that
18 what you're saying?

19 MR. BOSWORTH: You know, Mark, correct me if
20 I'm wrong, but, actually, the original mine plan of
21 operation we got did not include Oak Flat. It was
22 everything outside of it. Then -- so we got the mining
23 plan of operation from them like two years ago now. We
24 reviewed it for almost a year before we said, okay, we
25 feel this is adequate. We've had some conversations back

1 and forth. We feel this is adequate to start NEPA.

2 Right around that time that we did that and
3 we came to that determination, the bill got passed and was
4 signed into law. So we were already moving forward with
5 the mining plan of operation from Resolution Copper for
6 everything outside of it.

7 Now, since then, they have amended the
8 mining plan of operation to include the Oak Flat area.

9 MR. NELSON: Maybe, Jill, could you bring up
10 the slide that you made showing the subsidence language.
11 I think that will help us explain.

12 AUDIENCE MEMBER: That's why there's a big
13 concern because it feels to a lot of us like this is a
14 moving target and, like, how can you do this in-depth
15 analysis with definitive conclusions of a moving target.
16 See what I'm saying?

17 MR. NELSON: Well, so this is the slide
18 that -- oops. This is the slide that shows the Oak Flat
19 area. And you can kind of get an idea of the proposed
20 surface disturbance that would be associated with their
21 mine based on this yellow line, which is what they're
22 predicting to be the cave drop zone and the fracture zone.
23 This whole area is Oak Flat.

24 AUDIENCE MEMBER: Yeah. I've seen this
25 slide many times.

1 MR. NELSON: The Oak Flat withdrawal area is
2 this white line. And that little black outline is that
3 Oak Flat Campground itself.

4 Prior to the land exchange legislation, all
5 of this area was Forest Service -- was Forest Service land
6 open to minimal entry under the 1872 mining law.

7 So, without the land exchange, as Neil
8 mentioned, they submitted that proposed plan of operations
9 a year or so before the bill passed.

10 If the bill had not passed, they could have
11 mined within this whole area, and Neil would have his same
12 limited jurisdiction to say no with this whole area, with
13 the exception of that Oak Flat withdrawal area outlined in
14 white.

15 So now that they were able to get that law
16 passed, it gives them a couple of things. One, it gives
17 them the opportunity to mine into that Oak Flat withdrawal
18 area.

19 AUDIENCE MEMBER: I understand all that.

20 MR. NELSON: It also removes this from the
21 Forest Service regulatory jurisdiction --

22 AUDIENCE MEMBER: But the question -- the
23 question is so now you're -- so without a -- so the mine
24 plan of operations has been amended now to include the Oak
25 Flat area, and so the analysis is evolving to do that as

1 well, and it will evolve backwards if the bill's passed --
2 see, that's my question. How can you analyze a moving
3 target?

4 MR. BOSWORTH: We're not going to be able to
5 make decisions on our analysis based on what's going to
6 happen. You know, so what we got is we got a law.

7 AUDIENCE MEMBER: No. I'm asking you what
8 will happen if those bills pass? I mean, how does the
9 NEPA process react to that new reality?

10 MR. BOSWORTH: So what we would do is we
11 would get a new mining plan of operations.

12 AUDIENCE MEMBER: Okay. So start over?
13 That's what you're saying?

14 MR. BOSWORTH: Pretty much, yeah. I mean,
15 there would be --

16 AUDIENCE MEMBER: Okay. There's an answer.
17 Thank you. Thank you, Neil. I appreciate that. Took a
18 while to get there.

19 All right. So here's another question. If
20 you -- so are you going to survey for -- are you going to
21 survey the springs in the area, survey the endangered
22 species in the area, survey various other, you know,
23 natural resources in the area? And what does that look
24 like, you know, including, you know, new species that have
25 been listed recently, that sort of thing? I mean, what

1 does that survey work look like? And then I'm done.

2 MR. NELSON: Based -- Resolution Copper has
3 done a lot of baseline survey work to date, and those
4 survey reports are available on our project Web page.
5 Once we -- once we work through the scoping process, our
6 Forest Service ID team, which Raul leads, along with our
7 SWCA specialists, are going to examine that baseline data.
8 And they're going to do a couple of things. They're going
9 to validate that data, so check it and make sure the data
10 are accurate and valid and representative, which may --
11 which may include some additional sampling. And it kind
12 of depends on resource area.

13 For example, if they provided a cultural
14 survey, we may need to go in and, at random, look at some
15 percentage of the survey areas to make sure their work is
16 correct for water quality data. We would do different
17 types of validations.

18 And then the second thing that they're going
19 to do that's very important and dependent upon the results
20 of scoping, once we understand the issues associated with
21 the project, is -- is make sure we have the right type of
22 data to answer the questions that need to be answered in
23 the EIS, which we call a data gaps analysis.

24 And if we find data gaps that we don't have
25 adequate, valid baseline data to support our analyses,

1 there very well could be additional survey work done.

2 MS. ROZELLE: Okay. Thank you.

3 So, Roger, you get the final question of the
4 night.

5 MR. NELSON: And this is the doozy you were
6 thinking up, right?

7 AUDIENCE MEMBER: Yeah. I've had a lot of
8 time to work -- no.

9 I just want to follow up. Based on the
10 survey of wildlife and that kind of stuff on -- at Oak
11 Flat that we have done and in my comparison with what Rio
12 Tinto has submitted, there's a world of difference. So I
13 think you guys are going to need to do your own
14 independent analysis because -- anyhow. I'll leave it at
15 that.

16 A couple things then. One was covered. I
17 wanted to follow a little bit about bonding for the
18 reclamation. Basically, when you look at the design,
19 especially for the tailings, we're talking about perpetual
20 treatment. We are talking about active management costing
21 dollars, fairly large dollars, for hundreds of years
22 perhaps.

23 And -- and I -- I've looked at a lot of
24 EIS's in the past, and I've looked at a lot of mining
25 plans. And the bonding mechanism almost always is

1 lowballed. So we really, when you do the economic
2 analysis, you need to really look at that perpetual
3 treatment, the treatment of water for hundreds of years,
4 realizing that Rio Tinto's model worldwide is to cut and
5 run. I mean, they're not planning on being around once
6 the profits are gone. So there's that.

7 And then I think the other economic issue
8 that needs to be looked at quite a bit is the cost of
9 water. Especially Rio Tinto was talking about aqueous
10 submersion of the more toxic is relative to the less toxic
11 tailing. And that, again, is what's the cost of that
12 water? What's the cost of water that Rio Tinto plans on
13 using for this mine? And what's the drawback
14 from -- we're -- in Arizona now, we're in a situation
15 where we either have water for mines or we have water for
16 people. This mine is projected, by Rio Tinto, uses the
17 same amount of water that the city of Tempe uses. And
18 when you get down to a choice between those two, is
19 there -- are those economics going to be covered in the
20 analysis? The water that Rio Tinto wants to use, what's
21 the impact to the state of Arizona socially and
22 economically on that?

23 And then, finally, staying in the
24 socioeconomical, we've heard, at both previous meetings,
25 there may be economic benefits to this project. But

1 there's also economic -- it would destroy recreational
2 opportunities, which are dollars. It was pointed out last
3 night that the recreation, the outdoor industry in
4 Arizona, puts twice as much money into the state's economy
5 as mining. And so we need to look at loss of property
6 values, the loss of recreational use.

7 And then we also need to look at -- take a
8 close look at economic projections from Rio Tinto are
9 based on a mine working 24 hours a day, 7 days a week, 365
10 days a year for 40 years. And no mine in the history of
11 the world has ever done that. So we need to really take a
12 look at all sides of the economic issue here.

13 MS. ROZELLE: Thank you very much.

14 MR. NELSON: Yeah. Good comments.

15 MS. ROZELLE: All right. Thank you, and
16 we're going to stay up until 8:30 -- did you have
17 something new?

18 AUDIENCE MEMBER: Yes.

19 MS. ROZELLE: All right.

20 AUDIENCE MEMBER: Thank you for your
21 indulgence. I'm just fulfilling my Constitutional as well
22 as moral responsibilities. Do you have -- since you're --
23 since you just only take questions --

24 MS. ROZELLE: No. No. No. No. I've said
25 several times she's taking down everything that's being

1 said. Okay?

2 AUDIENCE MEMBER: Okay. Are you considering
3 creating an inter -- because the purview of analysis that
4 you have to take, the analyses that you have to take spans
5 the Centers for Disease Control, the EPA, and other
6 federal and state agencies. Are you planning -- are you
7 considering creating an interagency, if you will,
8 super-team to coordinate and to collaborate across
9 agencies?

10 MS. ROZELLE: Okay. So that's your
11 question?

12 AUDIENCE MEMBER: And a suggestion.

13 MR. BOSWORTH: I don't remember if we've
14 ever referred to them as a super-team. But what we do is
15 we're working informally and formally with other agencies,
16 state, federal agencies, and some of them more formally,
17 you know, if they have cooperating agency status. And
18 that would be stuff like the EPA, where it's -- you know,
19 they know about this project. BOM, same thing. Arizona
20 Game & Fish, Department of Water Resources, ADEQ, these
21 different agencies we are going to be working with on
22 these projects, since there's overlapping expertise and
23 overlapping jurisdictions regarding permitting and those
24 kinds of things. So yes.

25 AUDIENCE MEMBER: Are you saying that you

1 are just doing it one by one? How about one that includes
2 the representative of all the agencies that have
3 responsibilities?

4 MR. BOSWORTH: Well, so -- I think the
5 answer to your question is yes. We will be -- it's not --
6 we don't -- we don't have time to do the EIS with one
7 agency and then redo it with another agency. We're going
8 to be working with them all at the same time.

9 AUDIENCE MEMBER: So you have a coordinating
10 collaboration team --

11 MR. BOSWORTH: Yeah.

12 AUDIENCE MEMBER: -- across all agencies,
13 represented -- where all agencies are represented?

14 MR. BOSWORTH: Yes.

15 AUDIENCE MEMBER: Okay.

16 MS. ROZELLE: And they're called cooperating
17 agencies.

18 MR. BOSWORTH: Yes.

19 MS. ROZELLE: Okay.

20 MR. BOSWORTH: And we actually have
21 regulations that allow for that.

22 MS. ROZELLE: All right. Thank you for
23 staying with us till the end, and please continue -- if
24 you'd like to speak to any of the experts, anyone from the
25 Forest. Remember, if you want to make a comment -- and

1 the website is also a good place to keep up with.

2 Thank you very much for coming, and we'll
3 see you next time.

4 (The meeting concluded at 8:01 p.m.)

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