

In The Matter Of:

*Resolution Copper Project And Land Exchange Draft EIS
Public Hearing*

*Public Comments
October 8, 2019*



**G R I F F I N G R O U P
I N T E R N A T I O N A L**

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Phoenix, Arizona 85016

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RESOLUTION COPPER PROJECT AND)
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LAND EXCHANGE DRAFT EIS)
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PUBLIC HEARING)
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Queen Valley Recreational Hall
1478 East Queen Valley Drive
Queen Valley, Arizona

PUBLIC COMMENTS

October 8, 2019
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1 (Opening presentation and video.)

2

3 JIM MOORE: Hi. My name is Jim Moore and
4 I'm from Gilbert, Arizona. I've got three minutes to
5 talk here, so this will be pretty brief.

6 But my principal comment is around the
7 mining method that, you know, you're not looking at any
8 other method than block cave and my experience in the
9 business is there that there's been several open stope
10 type mining methods used with a -- what do they call
11 them -- in-place leach system. Typically this ore at
12 this mine is a primary sulfide and you don't use that.
13 It usually doesn't work on the leaching.

14 But the conditions in this mine are very
15 high temperatures, 170, 175 Fahrenheit, so a
16 thermophilic bacteria leach is actually possible and
17 it's been proven at a very large pilot plant scale test
18 work for this type of material.

19 So, with that in mind, there's a couple of
20 in-place leach methods that might be examined in the
21 future and it looks like there's plenty of time to do
22 that, since it's approximately ten years away from
23 production. And some of these early tests would only
24 take a few months to conduct. Plus there's already
25 some actual data out there on the ore that was similar

1 to this that's it's been done on and it's worked
2 successfully.

3 But just as a matter of a couple of points
4 of why you might look at something else was you could
5 actually bring the project to production sooner, since
6 you could start at the top of the mine, the ore body,
7 which they're very close to at the moment and work
8 down. There's a lot less water usage with leach
9 methods, since, say, you're looking at probably the
10 lower end of their example, 180,000 acre feet. Of
11 course, disturbance, there would be no surface
12 disturbance with an open stope mine because usually
13 in-place means most of the ore is left behind. Some of
14 it is taken out just to improve the permeability of the
15 material left in the stope for leaching.

16 So that would have to be treated at the
17 surface. It's usually only 10 to 20% of the ore. So a
18 much smaller tailings facility. Of course, any of the
19 potentially acid generated material in the tailings
20 would be much less. You would have much less acid
21 generation metals to deal with in the future treatment
22 of those facilities.

23 I'm looking at the magnitude of the
24 capital cost for this mine. I would gather you would
25 use much lower capital costs. Leaching systems are

1 typically lower cost to build than the concentrators
2 and, of course, you would have much a smaller mining
3 operations since you would only be extracting perhaps
4 10 to 15%.

5 Anyway, I'm done, so, thank you.

6 MORGUN FREJO: My name is Morgun,
7 M-o-r-g-u-n, Frejo, F-r-e-j-o. I come from the
8 diminution [sic] of outside of Gallup, New Mexico.

9 And I strongly disagree with this project.
10 I think it's a religious genocide on indigenous
11 communities and the people here. This country was
12 supposedly founded on religious freedom and the right
13 to believe and practice what we want to and yet this
14 copper project is, one, not only brought in by a
15 foreign company; but, two, wasn't even really sought
16 out to communicate with the indigenous people of the
17 land here.

18 You know, I've been blessed to help in
19 sunrise ceremonies of -- with a lot of my nieces here
20 and I've helped picked their cubana (phonetic), the
21 sticks to make their crown, the crown dancers' crowns
22 and help pick sage and cedar and a lot of the natural
23 resources that come from the area surrounding Oak Flat.

24 And if the project is proceeded with, the
25 whole area will be destroyed. Where are we going to

1 pray? I've never heard of a project being pushed
2 through a church, through a synagogue, through a
3 cemetery. I've never heard of a project done that way,
4 and yet this one is being proposed through this area.

5 The direct attacks on the holy ground
6 that's up there at Oak Flat where two of the crosses of
7 four were desecrated and taken out of the ground, that
8 was a direct attack on our religion. And that was
9 brought up to the National Forest agency and up to the
10 FBI as a hate crime. But yet this whole project is a
11 hate crime on the indigenous religion. We've been
12 pushed back for hundreds of years, telling us that
13 we're not able to practice what we believe.

14 You know, it hurts a lot to know that, you
15 know, my family will be directly attacked on because
16 one of -- one of my daughters has had her ceremony
17 there. That's where she became a woman and that's a
18 direct attack on her own life. So not only am I
19 standing up here in front of you all speaking for my
20 family, but also each and every one of you that live in
21 the surrounding area, because it's not just going to be
22 Oak Flat that's going to be under attack, that's going
23 to be affected. It's the surrounding areas of Globe,
24 Superior, down here in Queen Valley, all the way down
25 to the Metro Valley of Phoenix.

1 This directly affects all of us and it's
2 not just an indigenous issue or a community at issue.
3 It's a human rights issue. And it comes down to
4 morally making a decision on not only for yourselves,
5 but the people as a whole here. It comes down to a
6 moral decision of whether or not we're going to be
7 choosing corporations over human lives.

8 So thank you.

9 SYLVIA BARRETT: It's hard to follow an
10 emotional one, but I'll try.

11 Sylvia Barrett, S-y-l-v-i-a B-a-r-r-e-t-t.

12 Problem 1, there are six alternative
13 tailing sites. When I feel that after all this time
14 and all these studies, it could have been narrowed down
15 to maybe three sites, not counting the no-action
16 alternative.

17 Problem 2 for me is the modeling. Please
18 correct me if I am wrong, Resolution Copper with
19 WestLand Resources did the modeling and gave the
20 figures and stats to the U.S. Forest Service and SWCA.
21 WestLand Resources and the Forest Service looked at the
22 modeling and came up with the same conclusions that
23 Resolution came up with.

24 I fail to see how this is a fair and
25 unbiased process if Resolution Copper is doing the

1 figuring and the modeling. I understand this is just
2 the way things are done. But that for me does not mean
3 findings are accurate and/or truthful. Much of the
4 report is along the lines of "may occur" or "if." Too
5 much is unknown, like the hot water they hit that they
6 didn't know existed.

7 Mines are to be cared for in perpetuity.
8 To paraphrase groundtruthtrekking.org, current
9 regulations and plans require mines to prevent
10 contamination by containing waste. Mine operators must
11 put in place structures and systems to operate in
12 perpetuity. The closure mine [sic] in Alaska's Red Dog
13 Mine was 7 to 15 workers, water treatment, lime and
14 sludge work will cost over \$10,000,000 every year
15 forever. The Pebble Mine will need to be maintained
16 and managed perpetually far longer than the 11,500
17 years that the Native Alaskans have inhabited the
18 region. In reality, most of these bonds have already
19 proven to be inadequate over much shorter time frames.

20 Arizona is not Alaska, but the concerns
21 and questions should still be the same. What does
22 perpetuity mean for Resolution Copper, Rio Tinto, BHP?
23 How long are they willing to pay for perpetuity and how
24 many people will be employed for the in perpetuity part
25 of this project?

1 I would also like to suggest a report done
2 by Dr. Steven Emerman on this project and you can find
3 his work on the Arizona Mining Reform Coalition under
4 "Reports released showing problems with Resolution
5 Copper mine proposal and DEIS." Click on the "links"
6 and I believe they might show up in pink.

7 Thank you.

8 KOREY JELMIER: My name is Korey Hjelmair,
9 K-o-r-e-y H-j-e-l-m-e-i-r.

10 And I'm here to say that I strongly
11 believe that there should have been a no-action
12 alternative. If you take a look at so many of the
13 issues raised in this statement, they're simply too
14 many to even account for in three minutes. The fact
15 that destroying a two-mile area that is a world class
16 rock climbing community, Native heritage site and part
17 of our glorious national forest is simply
18 unconscionable.

19 Then you go into the water that this mine
20 will take. It is highly likely that this mine will
21 take much more water than this report has mentioned.
22 So if your aquifer is going to take 125 years to
23 replenish, what are we giving to our future
24 generations? What did we give away so that this entity
25 could come and take all of the resources out of our

1 ground? This will have a two-mile crater, visible from
2 space.

3 And, I'm sorry, I don't think any of that
4 is worth the possibility of going forward. I think
5 it's much too dangerous. And take a look at it, we
6 have 175 degree water that has just been discovered,
7 did any of that get accounted for? And what else is
8 not going to be accounted for? Is Resolution Copper
9 going to be able to financially make this viable? I
10 think that there are so many things raised in this
11 statement that deem the answer no. And if any of that
12 is a possibility, I do not think we should be moving
13 forward with this.

14 Thank you.

15 DR. LIAN BIGHORSE: (Speaking Native
16 language) Dr. Lian Bighorse. (Speaking Native
17 language.)

18 Hello. My name is Dr. Lian Bighorse and I
19 grew up on the San Carlos Apache Reservation. These
20 are some of my children. This is Lizeth. And this is
21 Soliel, and I have a son outside. His name is Felipe.

22 And I would like to express that
23 traditionally this is the ancestral homeland of the
24 Apache people and that's not accounted for in this EIS.
25 So just the history of the land, our people are from

1 here, and we've also always cared for this area. And
2 it wasn't until the 1880s when our people were rounded
3 up and imprisoned on the San Carlos Apache Reservation.
4 And during that time is when mining began in this area.

5 Now, there's a whole lot of injustice we
6 can talk about and the genocide. But in my little two
7 minutes here, I want to express how important this area
8 is for me and for my children. We go to Oak Flat all
9 the time. My children run and they play there. My
10 son, he's standing outside and he told me not to let
11 you guys know that he has forts out there, because he
12 thinks that you guys are going to try to destroy them.

13 And every time we go to Oak Flat, the
14 first thing he does is he jumps out of the car and he
15 says, "I've got to go check my forts and make sure
16 they're not destroyed." And as a mother that hurts.
17 It really hurts, because he already knows. He knows by
18 the conversations that we've had that, you know,
19 something or someone, there's people out there that
20 want to take away his homeland.

21 My daughter here, she's nine years old and
22 she already tells me that she wants her womanhood
23 ceremony at Oak Flat. So, you know, that's a -- when
24 she becomes a woman, will we even have that option?
25 Will the land still be there? There's going to be a

1 big crater there. And for history, for our -- my
2 family, for generations to come, how will we tell the
3 story of Oak Flat, if it's not there?

4 It's a blatant attack on our religion, on
5 our spirituality, on our culture, on our traditions and
6 who we are as a people. Not only that, I mean, the
7 land and the water, the contamination. I work in the
8 health field, so if there's any jobs coming, it's going
9 to be for doctors and those people that have to care
10 for the people that are going to be sick from the
11 contamination of this mine.

12 I do want to express that, you know, this
13 is going to affect my community for generations to come
14 and if you live in this area, it's going to affect your
15 generations to come too. So please think about the
16 children when you make decisions. (Speaking Native
17 language.)

18 VANESSA NOSIE: (Speaking Native
19 language.)

20 Hello. My name is Vanessa Nosie,
21 V-a-n-e-s-s-a N-o-s-i-e.

22 Well, I'm kind of emotional because that's
23 my older sister that just talked. And I look at my
24 little niece and I look at my little nephew and it
25 really tears my heart apart, because I'm a mother of

1 three girls. And my -- all three of my girls were able
2 to have their coming of age ceremony.

3 And where my oldest daughter chose was
4 Mount Graham, (speaking Native language), which is
5 outside of Safford and we were relocated and put on the
6 San Carlos Reservation from our sacred land over there.
7 And then my middle daughter had her coming of age
8 ceremony at Oak Flat. And then my youngest daughter,
9 she felt the need to conduct it at both. She started
10 the beginning process of her woman -- of her coming of
11 age ceremony at Oak Flat and then finished it off at
12 Mount Graham. So it hurts me to see my sister worried
13 if she's going to be able to give a life for her
14 daughter culturally.

15 In the presentation it said we are -- this
16 lady over here said we need to talk about the impacts
17 of the DEIS. Well, when you talk about environmental
18 injustice, when you talk about the environmental
19 impacts, that is an impact on my culture. That is an
20 impact on my religion. Because without the natural
21 resources, without the water, without the medicine, the
22 medicinal plants, the stuff that we use in these
23 ceremonies is going to be gone.

24 So that means that my daughters' lives are
25 going to be severed in half. When you have a coming of

1 age ceremony, that paves a life from the creation
2 stories on how we exist to when they become an old
3 woman and they go back up to the Creator. Now what
4 happens to my daughter? Her life is going to be cut in
5 half if Resolution Copper goes through?

6 You know, they talk about how the scenery
7 is going be very small from Superstition Mountain.
8 What about here? It's in your guys' front yard. You
9 guys are going to face it every single day when you
10 wake up. You guys are going to breathe the air of
11 contamination of chemicals. You guys' water is going
12 to be contaminated.

13 So I'm standing here not only as an
14 Apache, as indigenous woman, and as mother, but I'm
15 standing here to protect all of you guys too, every
16 single one of you. You all have a story. You all have
17 a life.

18 Neil, look at these people. They're going
19 to be able to pass down their stories and their
20 generations. What am I going to be able to pass down?
21 And why aren't their lives just as important? Why
22 isn't my life just as important?

23 So remember those moral decisions. I
24 would never want anything to happen to your guys'
25 family, so don't let anything happen to my family, my

1 religion, my niece that stood here, remember her.

2 (Speaking Native language.)

3 ANNA JEFFREY: My name is Anna Jeffrey,
4 A-n-n-a J-e-f-f-r-e-y. I'm from Superior. I was born
5 there. I grew up there. I've become very close to the
6 Apache people, to these people sitting right here. And
7 it wasn't until Oak Flat was in danger of being
8 destroyed that I even met them. But that doesn't stop
9 me from growing up there and imagining Apaches standing
10 on the mountain. I can see them in my mind's eye. I
11 knew they were there first. I could see the remnants
12 of everything they did there.

13 I've been going to Oak Flat all my life.
14 I remember the petroglyphs there and there used to
15 be -- it's all -- all these animals walking to one
16 direction. Some of them look like even pre-historic
17 animals. And I remember there was one -- a man with a
18 bow facing the opposite direction where the animals
19 were walking. Somebody has desecrated that, but I
20 remember it very, very well.

21 I talked to Ann Kirkpatrick once about
22 that. I said, "What about all that history, all that's
23 there that would be destroyed?" And she looked at me
24 really kind of just blankly and she says, with this
25 weird kind of smile, "Well, we'll just have to find a

1 way to move it."

2 You know, it's -- a lot of people go
3 through life and they just don't get it. They don't
4 see. They don't feel. They've missed out because all
5 they're concerned about is what they can get out of
6 this, which is really nothing, because in the long run,
7 it's going to take away from you.

8 Oak Flat is a true treasure. It's a --
9 it's a riparian area that I have visited, you know,
10 gosh, all my life. I couldn't even tell you how many
11 times I've been there. I've seen the animals. I've
12 seen their tracks and I've seen how the water has been
13 depleted.

14 And just real quick I want to say that
15 last night I woke up in the middle of the night and
16 turned on the TV and "Bury My Heart at Wounded Knee"
17 was on. And I thought to myself, my God, when are we
18 going to stop? When are we going to finally respect
19 the people that were here first and stop taking away
20 from them? When is that going to happen? It was a
21 profound moment for me for that to be on right at that
22 time last night and I recorded it. And everyone needs
23 to think about that.

24 You know, Neil, I know, bless your heart,
25 I know you want to do the right thing. I hope you do.

1 I pray for you.

2 Thank you.

3 DON STEUTER: Hi. I'm Don Steuter, D-o-n
4 S-t-e-u-t-e-r. I'm the Conservation Chair for the
5 Grand Canyon Chapter of the Sierra Club.

6 We've been opposed to this project since
7 it was first proposed probably 15 years ago or
8 whatever. And we've been opposed to it for the very
9 reasons, the things that you've been hearing tonight.
10 This slide presentation that we've been listening to
11 talked a lot about the environmental impacts, the Draft
12 Environmental Impact Statement did a very good job,
13 actually, of warning us and telling us about the down
14 sides of this project. Everything from the subsidence
15 area that we've been talking about tonight, to the
16 tailings dump site, wherever it ends up being located,
17 to the -- and the high water consumption that this mine
18 is going to take. It admits that there's going to be
19 groundwater contamination from the tailings dumps.
20 It's just a question of how much contamination that
21 there's going to be.

22 So the environmental impacts to this
23 project are -- they're simply extreme. They're off the
24 chart, compared to anything that we have been dealing
25 with on the Tonto National Forest in the 30 or so years

1 that I've been associated with the Sierra Club.

2 A few things that I would like to see in
3 the final EIS, to make it a better document, and I've
4 mentioned this before, and I think I'm crazy, but the
5 purpose of these statement says -- it was a very short
6 statement, the purpose of these statements is supposed
7 to talk about why do we need this project, in this
8 case, why do we need this copper? And I argue that we
9 don't need as much copper as we think that we do.
10 There's never really been a shortage of copper in
11 recent history, to my knowledge. But, in effect, this
12 mine might be that it depresses copper prices to the
13 point where it actually does more harm to the copper
14 industry than it helps, who knows.

15 But think about it, car radiators used to
16 be made exclusively out of copper. You don't see
17 copper radiators any more. Air conditioning coils,
18 they're moving away from copper. They're going to
19 aluminum. There's cheaper and better alternatives.
20 Houses are no longer plumbed in copper. We used to
21 have substitutes on cell -- not on the topic -- but we
22 need copper for electric cars, for motors and so forth.
23 But they're working on new alternatives for that too.
24 We might be doing the industry a favor if we don't
25 permit this mine.

1 Another thing that I would like to see
2 addressed in the final Environmental Impact Statement
3 is the fate of the Dripping Springs community that is
4 located right below the Skunk Camp tailings dump, if
5 the tailing site is located there. That community
6 is -- I don't know how many people live there, 30 or 40
7 people. They live there, three or four miles from the
8 dam of that tailings dump. If it were built there,
9 they would have absolutely no warning time to get out,
10 if there was ever a dam failure.

11 So the question being is Resolution Copper
12 going to do anything to mitigate that or to move that
13 community out of harm's way, what's going to happen?

14 The last thing is the tailings pipeline
15 and/or conveyors, I'm still not clear how the Forest
16 Service is going to handle those. If they go across
17 the Forest Service land, if it's going to get a special
18 use permit permitted underneath the general plan of
19 operations, that's all kind of a gray zone to me. And
20 I expect that that's going to be dealt with, I hope, in
21 the final EIS.

22 Thank you.

23 CHRIS SPIDLE: Hello. My name's Chris
24 Spidle, C-h-r-i-s S-p-i-d-l-e. I live in Scottsdale
25 and my business for the last 20-some years has been

1 involved with the contracting processes that the U.S.
2 government uses to award contracts. I've spent the
3 last 15 years overseas advising small companies, small
4 local companies on how to get the contracts and do it
5 legally.

6 This project needs to be shut down right
7 now. This meeting should be brought to a halt. There
8 should be no more work done on this project because the
9 way that the contract was awarded, unfortunately,
10 involves a violation of federal law.

11 Back in the early 2000s, Nature
12 Conservancy was given hundreds of thousands of dollars
13 to rehabilitate the 7B Ranch which is 70% of the land
14 swap. And that rehabilitation is a lot like putting a
15 coat of paint on a dilapidated house to raise the
16 value. Nature Conservancy is a great organization. It
17 has a great Board of Directors. Unfortunately, SWCA
18 stands for Steven W. Carothers. And Steve W.
19 Carothers has been a member of the Board of Directors
20 of Nature Conservancy since 1988. So he therefore has
21 an organizational conflict of interest.

22 SWCA should not be doing the environmental
23 impact study because how can you possibly be unbiased
24 and make your determinations correctly if you're
25 playing for both teams. That's a fact. It's my

1 opinion that this is an illegal contract. I don't
2 think anybody of the -- the employees of SWCA had
3 anything to do with it. I don't think they knew. I
4 don't think the Forest Service has done anything wrong
5 and I think they're doing an excellent job of carrying
6 out their duties.

7 However, at the core of this is the fact
8 that Mr. Carothers was a major part of this hundreds of
9 thousands of dollars that was received by Nature
10 Conservancy back in the early 2000s. And now he's kind
11 of directing the direction of the ship on how this
12 Draft Environmental Impact Statement goes.

13 Do you understand what I'm saying? This
14 contract should not have been awarded to somebody who
15 had an organization conflict of interest in accordance
16 with the Federal Acquisition Regulations, which I know
17 very well, all 1,934 pages of them.

18 And I'm serious, I would advise, if they
19 want to take my advice and I doubt they will, that SWCA
20 and the Forest Service close this meeting right now and
21 investigate how this came to be and if it's true, in
22 their mind, then they should start this whole DEIS over
23 again.

24 Thank you.

25 AMY HARWOOD: My name's Amy Harwood.

1 A-m-y H-a-r-w-o-o-d.

2 I'm here from Tucson. I woke up at Oak
3 Flat this morning, actually. I woke up before the sun
4 came up with some coyotes and birds and the land that
5 was beautiful. And the sun came up and I said some
6 prayers, as best I could. I said thanks to the Apache
7 people for sharing what they know about that place with
8 us and feeling how lucky we are to be able to ever know
9 that and be able to make a moral decision about what we
10 do and were there, that represents something better
11 than all of us.

12 And I took the time off of work to be
13 here, because you all refused to have a public meeting
14 in Tucson, which is a major mistake because there's a
15 lot people in Tucson that care and can't be here, can't
16 make it up for a meeting up here. But I took time off
17 of work to be able to be here because I wanted to say
18 to you, Mr. Bosworth, you do have the power to stop
19 this. You have the power to be on the right side of
20 history with this. I know you can't -- you know, the
21 land exchange made it so you have no-action
22 alternative, but you can slow this down. You can set
23 us up. You can help us. You can make it possible for
24 us to stop this thing and we are waiting on you to be
25 the one to do that and you do have the power.

1 I know the Forest Service hates land
2 exchanges. It's Congress taking away land that is
3 supposed to be in your hands to be taken care of for
4 the next generation and the generation after that. And
5 this is a result of bad politics. And you know that
6 and you don't want your history, your legacy, to
7 include this crap. You just -- we know you don't want
8 it. We know you will do the right thing and we're all
9 here to tell you, like, we'll have your back, so do it.

10 NANCY FREEMAN: I'm Nancy Freeman,
11 N-a-n-c-y F-r-e-e-m-a-n.

12 When I was driving here from North Tucson,
13 down 79, I just kept thinking there's all this
14 wasteland. There's all this wasteland. If that mining
15 company is willing to do it to all 7,000 feet, why
16 don't they spend that money finding a way to find the
17 metals they want in the -- in all of the wastelands
18 that are here? It really doesn't make sense that
19 they're destroying this property that we all enjoy. I
20 had actually been driving to New Mexico and I had
21 camped at Oak Flat before this whole big mess came up.

22 Recently I mentioned in the Superior
23 hearing that the mine is not technically feasible. And
24 that's why I was so glad to hear the first speaker,
25 that if we're going to do mines in beautiful places in

1 mountains, there's got to be a better way to do it.

2 But, in this case, they -- the mining
3 company -- and remember the Canadian mining company,
4 whereas, the 1872 mining law that the Forest Service is
5 always touting, says citizens, citizens can own the
6 mining claims. And these Canadians are not U.S.
7 citizens. And they will be paying no federal taxes and
8 no royalties. And they'll be taking the copper out of
9 our land and selling it back to the U.S. at market
10 price. Now what kind of deal is that?

11 Anyway, I mentioned recently at the
12 Superior hearing that the mine is not technically
13 feasible. And here's the facts: They have to drain
14 the whole region down to 7,000 feet and maintain it at
15 that depth because cave block mining cannot be done in
16 wet soil. This is information from Rio Tinto's own
17 report. So the -- the mine will -- to keep it dry,
18 will be a challenge. And one reason the mining -- it
19 would be a challenge is the mine site is covered with
20 lava flow, the Apache Tuff. The Tuff has been studied
21 by USGS several times. In 1975, they determined that
22 age of the Apache Leap Tuff as early Miocene, meaning
23 the low end of 23.5 million years.

24 ROGER FEATHERSTONE: Hi. I'm Roger
25 Featherstone, director of the Arizona Mining Reform

1 Coalition. R-o-g-e-r F-e-a-t-h-e-r-s-t-o-n-e.

2 We ask that this DEIS be withdrawn and
3 rewritten and a new comment period issued on the new
4 DEIS, because there's just so many holes in this
5 document. As big as it is, there's much that's
6 missing.

7 I want to kind of focus on purpose and
8 need tonight. From what I have glean from the DEIS,
9 that the purpose is to allow Resolution Copper to
10 fulfill a need to make unlimited profits for their
11 owners, Rio Tinto and BHP. And this is not what was
12 supposed to happen, according to the National
13 Environmental Policy Act.

14 Next week BHP, the minority owner of
15 Resolution Copper, will be holding their annual general
16 meeting in London. The company will crow about their
17 finances and rub their hands with glee as to how they
18 can make more money. They'll probably talk about this
19 project. They'll talk about other projects. They'll
20 shed crocodile tears about their involvement in the
21 tailings dam failure at the San Marco in Brazil, the
22 mine they co-own with Vale. And that was the worst --
23 worst mine spill, tailings spill so far in the world.
24 Activists from Brazil will be there to point out how
25 wrong the company is, about how well they've done

1 cleaning this up and how their efforts have fallen
2 short. BHP will respond by saying they pledge to do
3 better and to follow the law.

4 Yet if this initial tailings dam choice --
5 this site is chosen, the near west facility, those of
6 us sitting in this room, if that tailing dam burst, we
7 would have 18 minutes to get out of the Valley, 18
8 minutes. That's how close this site would be.
9 Somebody talked about the Skunk Camp site, that site is
10 15 minutes from the community to Dripping Springs.
11 And if this tailings dam burst, 1.5 billion tons of
12 toxic waste would flood this town or Dripping Springs
13 or any of the other locations.

14 All five tailings facilities proposals
15 would be illegal in Brazil, in Chile and even in the
16 United States. Why does BHP remain involved in a
17 project that can't meet the law?

18 When you get right down to it, the purpose
19 of the Forest Service is to protect our land, air and
20 water. And the need is to protect Arizona's
21 communities and environment, not what's in the DEIS.

22 And then, lastly, I'll point out, so far
23 there's been about 75 people that have testified during
24 this public portion and so far only two have spoken in
25 favor of this project, both of who are intimately tied

1 with the company.

2 Thank you.

3 WENDSLER NOISE, SENIOR: Good evening.

4 My name is Wendsler Nosie, Senior, W-e-n-d-s-l-e-r
5 N-o-s-i-e.

6 I just ask you to bear with me, because
7 this is my life. This is not -- it's not a game that
8 we're playing here.

9 First of all, I want to say San Carlos is
10 not -- there's no public hearing at San Carlos as well
11 and a lot of our people are not able to make it here.
12 But we're able to do the Forest Service's job and
13 collect statements from our people to submit it to you
14 tonight and also a statement from the Stronghold on our
15 position on this report.

16 And I would like to have Baase, you know,
17 give it to Bosworth because this is a future --
18 Bosworth, what you're receiving from my granddaughter
19 here is the future of our children. You need to take
20 that under consideration of what you're going to do to
21 the future.

22 And, second, but not least, the most
23 important part is that there's no religion. The
24 religion was never ever addressed or talked to or
25 brought into the report. We faced a chemical warfare.

1 Our people jumped to their death and our people were
2 force marched from the area to old San Carlos. And we
3 were held there as prisoners of war. Our people were
4 not able to leave until 1974, until President Nixon
5 gave us the Self-Determination Act to where Indian
6 tribes could begin to speak for themselves. We didn't
7 actually know what the voice meant until the 1980s.
8 But, in the meantime, the federal government got to
9 play with us and corporations got to play with us
10 during that time.

11 So in the prophecy it's about returning
12 home, coming home. My elders passed away with the
13 dream of going home one day. Because we were promised,
14 we were told that once we become civilized and
15 (unintelligible) of the Americans that they could
16 finally begin to give back some of the land to us.
17 That was all a total lie. Our people were lied to.
18 That's what all you people need to understand. And
19 like Amy said earlier about how -- how -- what
20 responsibilities Bosworth has now.

21 But we know for a fact it's in Congress.
22 We know for a fact it's those leaders. He's going to
23 have to do what he's going to do. More than likely,
24 he's going to allow this to go through because he has
25 to give that approval to the people higher up and those

1 are the people that we have let into office. Are they
2 here for you? Or they really here for all of us?

3 Because the one thing we have in common is
4 water. Water is life. All of these things don't mean
5 anything if there's no water and that's where we're
6 headed to. And that's something that religiously you
7 have to really think about.

8 So tonight, what I'm going to tell
9 Bosworth tonight is that I'm going to fulfill the dream
10 of my people. I'm going home. I'm going back to Oak
11 Flats. I'm going to go back and live there because
12 that was the promise of the government to our people
13 that we will return home to our sacred lands, our holy
14 lands.

15 So he's going to have the responsibility
16 to throw me in jail, exile me out of there or do what
17 they did to my people a hundred years ago. And they
18 really have the help of Resolution Copper taking us
19 down. But what I'm going to call for in this country
20 is religious people to stand with me, because this
21 isn't right. This is not right, morally.

22 So if that is in your heart and that's
23 what you believe, then we have to stand for what's left
24 in this world. Because if not, it's all being
25 destroyed by corporations. So the big evil that we see

1 that came across the ocean is not you people, it's
2 colonization that came here that's destroying
3 everything.

4 So in order to defend that, we have to go
5 home. So I'm going home when the winter season comes
6 and there's the new door for me to come back home to my
7 people. So I'm going to be back at Oak Flats and
8 that's what I'm going to leave you with because you
9 have something -- you guys have to deal, I'm going
10 home. I'm coming home.

11 MARK HORLINGS: Good evening. I'm Mark
12 Horlings, chair of the Maricopa Audubon Society. It's
13 M-a-r-k, last name is, H-o-r-l-i-n-g-s.

14 The Maricopa Audubon has been involved in
15 opposing this project since the early 2000s, both on
16 the merits and also because the land exchange is
17 basically an effort to circumvent the environmental
18 protections that should apply to the whole project.

19 I want to spend the little time I have
20 just on one small issue about the total water that's
21 going to be used. The Arizona Mines and Mining
22 Department has done one study over Arizona mines to
23 show how much water is used per pound of copper
24 produced. And Resolution Copper says they're going to
25 be able to do this for 15,000 acre feet a year. That

1 study indicated that it would take 10 times as much
2 water and there's no refutation of that study or a
3 discussion of that study in the Draft Environmental
4 Impact Statement. And when you look at the Draft
5 Environmental Impact Statement, it has net figures
6 only. You cannot tell how much total water is going to
7 be used. You cannot tell how much water is going to be
8 used in the mine, how much water is going to be used to
9 concentrate, how much water is going to be used to make
10 the slurry to take the waste away.

11 And there's also a figure in there that's
12 used repeatedly to say that 87,000 acre feet are going
13 come from the mine itself. There's an explanation for
14 why the report does that. But they do not include that
15 in their own figures as to the total amount of water
16 that is to be used. That amount should have been
17 included.

18 Number one, that water -- this is water
19 where they de-water the mine. That water is going down
20 to Apache Junction and being used for agricultural uses
21 right now. So if it's not being added and doesn't need
22 to be included that way, it's going to reduce the
23 supply of water that's going to be available for
24 agricultural uses.

25 And there's another reason that 87,000

1 needs to be looked at. It may disappear. One of
2 things hidden in the environmental impact statement is
3 that the water level near the shafts has dropped by
4 2,000 feet in the last 10 years. So that water not
5 only -- well, my time is up.

6 Thank you very much.

7 SANDY BAHR: Thank you.

8 First, I would like to say -- well, first
9 off, I will state who I am. Sandy Bahr, S-a-n-d-y
10 B-a-h-r. I'm the chapter director for Sierra Club in
11 Arizona.

12 And I wanted to thank everyone for coming
13 out and for all of the wonderful comments. And for the
14 15-plus years that many of us have been fighting what
15 is truly an abomination, destruction of Oak Flat, the
16 plants, the animals, the cultural resources, the
17 spiritual values, the great harm to the people. When
18 you take away someone's sense of place, when you sever
19 those connections to the land, it's an assault. It's
20 an assault. It is a wound that you can't heal. This
21 project cannot be mitigated.

22 I want to say that I think that the Draft
23 Environmental Impact Statement is deficient in many,
24 many way. But one big one is the mining method. You
25 can't just say it's unreasonable to look at other

1 methods of mining because there is no God-given right
2 for them to squeeze every bit of copper out of that
3 place, not even Congress is given a right for that.
4 And so I think you need to go back and look at that.
5 There's no right to destroy the place.

6 The Forest Service needs to look hard at
7 this company as well, whether they financially can
8 manage this. What happens if they get partway through,
9 six years in you already have subsidence and they can't
10 afford to continue. Copper prices bottom out. We've
11 seen it happen before and then we're left with
12 something that has been truly been devalued. So I'll
13 hope you'll take a really good hard look at that.

14 For Supervisor Bosworth, I think you can
15 say no. I think you can say no to this. They're
16 making it -- Congress made it as hard as possible to
17 say no, we get that. We get that the Forest Service
18 didn't want this land exchange, but find a way. You
19 can find a way to get to no with this proposal. This
20 is not in the public's interest. There's nothing about
21 this that is in the public's interest. It's an
22 inappropriate way to use this land, the method is
23 wrong, what they're doing to the water. When you look
24 at what is happening with water, not just here, not
25 just in this country, but around the world. You know,

1 this is a resource that we must value more. And my
2 time is up, so I just want to say one more time, find a
3 way to get to no.

4 SANDRA RAMBLER: Sandra Rambler (Speaking
5 Native language).

6 I'm a member of the Eagle Clan and born
7 from the rocks people and my family comes from Chi™chil
8 Bildagoteel, from Oak Flat. This is so emotional for
9 me because my great grandparents are buried there. I
10 can't imagine you going and having a foreign company
11 coming in and destroying their ancestors, for the
12 Lincoln Memorial or the Arlington Cemetery, because
13 there would be a big outrage. That is just not right.
14 We need to (unintelligible) BHP. They are murderers.
15 They are murderers. They've already killed so many
16 people causing cancer and they are going to continue to
17 kill and kill and kill.

18 To build a project that the federal
19 government -- to terminate the Native American people,
20 the indigenous people of this country. We were
21 persecuted and murdered and killed just because we were
22 here first. And that's a hate crime. But that's
23 perjurious. That's racism. How do you think we feel?
24 How do you think we feel as Apaches? Our heart hurts.
25 You're hurting us. You're hurting us. The federal

1 government has taken from us time and time again.
2 They've cut our reservation six times. How much more
3 are they going to take from us?

4 I'm worried about my children, my
5 grandchildren, my great-grandchildren that are going to
6 be here. My granddaughter had a ceremony at Oak Flat
7 and I have dreams there when we went back to San Carlos
8 to (unintelligible), that the mountain people that live
9 there, are the mountain people, the spirit dancers.
10 (Speaking Native language), that's Devil's Canyon.
11 That's what the white people named that. But as
12 Apache, as Apache mountain spirit dancers, but it's the
13 white people that gave it that name Devil's Canyon,
14 which it's not a devil's canyon -- they were religious
15 people that they thought we prayed to whatever we did.
16 But that's our church. That's our way of life.
17 Chi™chil Bildagoteel is Oak Flat.

18 They need to honor (unintelligible)
19 mountain right here. We have names for the whole area,
20 for all of these mountains that you guys don't know
21 because we are the original inhabitants of this country
22 and we are from here. We were not imported. We were
23 not -- we didn't come here by anything. We are from
24 here. And you are murdering us. Rio Tinto is nothing
25 but a murderer. And I will be standing right by

1 Wendsler at Oak Flat where my ancestors are buried.
2 And I'll be in my traditional attire when the bulldozer
3 comes. If that's the way I go, that's my destiny.
4 That's how strong I believe in being Apache and proud
5 to be Apache. And I thank Creator God for making me an
6 Apache.

7 Thank you.

8 ROY C. CHAVEZ: Good evening. My name is
9 Roy C. Chavez, R-o-y C-h-a-v-e-z, and I'm a life-long
10 resident of Superior, Arizona. I've served the town as
11 a former four-term mayor and also as a several-year
12 town manager, when this came up. I also worked in the
13 industry. I've worked for five, six different mines in
14 different levels of mining, from development,
15 construction, production, extraction underground. I
16 closed the mine in '96 with BHP underground. I've
17 worked open pit. I've worked smelters.

18 Anyway, this is a mining region. I
19 understand that. I just want to share with you that
20 Superior, Globe, Miami, all of these lovely little
21 mining towns were developed by the industry over 100
22 years ago and it's true the land was taken away by the
23 same government that made false promises.

24 They're doing it again right now to all of
25 us. They're lying. This is one of the four documents

1 of the EIS. We need more time, people. We need more
2 time to investigate this. The Concerned Citizens and
3 Retired Miners Coalition, in conjunction with Arizona
4 Mining Reform, with the San Carlos Apache Tribe,
5 Access, the Sierra Club, and many, many, many, many
6 others have been fighting this. I've been on this for
7 over 20 years. They came to me as mayor in 1998, two
8 years after the mine closed in '96, and said,
9 "Mr. Mayor, we're going to open the mine again." And I
10 said, "That sounds great." "But we're going to need
11 some land. We're going to need a land exchange and
12 we're going to take away the Oak Flat." I said, "What
13 are you doing?" "We're doing block cave mining."
14 Knowing mining, I said, "The hell you are. Not here.
15 Not here."

16 If any of you want to see -- go on -- go
17 on YouTube and look at -- look for the videos that
18 are -- that advertise Oak Flat, Apache Stronghold, just
19 go on those videos. Up there on -- just last week one
20 came out the other day.

21 But the point I'm trying to make is that
22 we need more time. This should have been done as we
23 requested over 15 years ago, the need for process. But
24 politically our leadership circumvented the normal
25 process for a land exchange to take place to determine

1 if it was in the best interest of the public. As Roger
2 just said, this project is not. And as long as it goes
3 on, further and further, the truths are coming out,
4 everything is surfacing, that they don't want anybody
5 to know.

6 This comment that was made earlier about
7 the contractor who's handling this study, you all
8 better think about that. Because it's just not
9 happening here, it's happening throughout the world.
10 And we better get with it and take care of it.

11 I just want to mention in my final
12 comment, Rio Tinto announced in July of this year that
13 they were backing out of this project to concentrate on
14 an Australian mine in the blind in Mongolia. We don't
15 even know if the company has any faith in this project.

16 BRYTNEE MILLER: Hi. My name is Brytnee
17 Miller. It's B-r-y-t-n-e-e M-i-l-l-e-r. And I work
18 for the Center for Biological Diversity as the Arizona
19 state campaigner. But most importantly, I'm an
20 indigenous woman. I'm a Dine woman.

21 And I want to mention that the other day I
22 was driving through the Morenci mine area and I don't
23 know how many of you all in this room have been there,
24 but driving through it is horrifying. It's horrific to
25 bear witness to what that looks like to watch as you

1 see these trees and the green and grass turn into
2 rubble right there. It's apocalyptic. You know, all
3 these movies that come out about the apocalypse, that's
4 what it looked like. That's what it felt like watching
5 the dirt fly over the car like, fearing to have the AC
6 on. You know, you could hear the earth screaming.

7 And last night I got to sleep at Oak Flat
8 as well with Amy. And after everyone went to sleep, I
9 sat under an oak tree for a while and reflected on some
10 of the stories that one our friends who came from San
11 Carlos was telling us, talking about, you know, the
12 land, the acorns, the moon, hummingbirds, all these
13 things and just being there. And you can feel that Oak
14 Flat is alive. Like she's alive and you feel that
15 there.

16 And I know that it's different styles of
17 mining and Morenci has been there since 1872. I just
18 -- I can't bear to think what it would be like if this
19 project goes through. And if this project goes
20 through, in regards to the DEIS, it violates the tribal
21 concerns and cultural impacts because you're hearing
22 from the people here the tribal concerns and the
23 cultural impacts of these places. Like how could you
24 sit here time and time again and disregard what they're
25 saying. Like I hope you're listening. And, you know,

1 if this project goes through, it perpetuates the
2 genocide and the rights, religion, sovereignty of
3 people for the past 525-plus years. And, you know, I
4 didn't get to grow up with my sacred places because of
5 some of those reasons. And, again, you've heard from
6 the children, the mothers, the elders, everyone in
7 between who's Apache, who this is their land. This
8 is -- since time immemorial, their ceremonial place,
9 this is where they go.

10 And I urge you to listen. I urge you to
11 break that cycle of human rights abuses that has been
12 committed on Native people for so long now. You have
13 that power to stop this. You have that power to put in
14 the words. So I urge you. I pray that you all listen.
15 That you listen to when people talk about what this
16 means. Because it's more than just words on a paper.
17 This goes a lot deeper than that.

18 (Speaking Native language.) Thank you.

19 BASSE PIKE: Hi. (Speaking Native
20 language.) My name is Baase Pike, B-a-a-s-e P-i-k-e. I
21 am 15 years old.

22 And I'd first like to state that I
23 disagree and -- about the mining at Oak Flat. What
24 this mine will do will destroy my religion and part of
25 my life. I am Vanessa Nosie's daughter, the youngest

1 one who connected Oak Flats with (Speaking Native
2 language) and Mount Graham.

3 And what this mine would do about Oak
4 Flat -- I'm sorry, about breaking Oak Flat, it will
5 destroy my life. It will destroy my sister's life. My
6 two other older cousins who had their dances there, it
7 will destroy their lives. And what happens to my
8 little cousins that want to have their dance there?
9 It's all about the future generation I want you to
10 think about and (unintelligible).

11 What I notice on the presentation when it
12 was talking with that, it was saying it would disturb
13 the historic and pre-historic stuff that's there, when,
14 actually, it's going to destroy stuff that -- or when
15 actually it's not historic and pre-historic because
16 it's right now in the present and in the future. I'm
17 here and I'm going to have children and I'm going to
18 have grandchildren that are going to be there, so it's
19 going to destroy -- so it's going to hurt it no matter
20 what. It's going to be a circle. It's going to just
21 destroy it. And what's the whole point of the religion
22 when you're going to destroy it.

23 There's no freedom of religion if you're
24 going to take my culture away, my land away, my
25 ancestors who are on there, you're going to take it

1 away. And it's going to break my heart. It's going to
2 break my grandparent's heart. It's going to break my
3 mom's heart. I'll be there with my grandparent,
4 Wendsler, to stand with him. It doesn't matter.
5 That's how much Oak Flat means to me. I know my
6 sisters will be there.

7 So it doesn't matter if you have to
8 physically remove me off there. I'm going to stand
9 there with my grandparent at Oak Flat to protect it.

10 And I know, Neil, that you can do it
11 something about it. We're behind you. We're 100
12 percent behind you. But if you're not going to do
13 anything, when I'm older I'm going to take your job.
14 So that if this ever happens again, I'll make the right
15 decision and so that no one has to go through what I
16 did. That's it.

17 (Speaking Native language.)

18 DUKE ROMERO: Good evening. My name's
19 Duke Romero, D-u-k-e R-o-m-e-r-o.

20 That's a hard one to follow. I'm here for
21 the same reason. You met my other half of my children.
22 Soliel is my daughter. She wants her dance there.
23 We're, as a family, making the preparations because we
24 don't know when it's going to come. So we have things
25 that we put away up there at Oak Flat getting ready for

1 this ceremony for our daughter. Also, my son, my
2 little son, I'm Picuris Pueblo. There's pueblo ruins
3 that run up and all down through this Tonto National
4 Forest that have ties to this area for hundreds and
5 hundreds, thousands of years, we've been traveling
6 through here, moving freely.

7 We know the area. We're the experts, you
8 know. My son's umbilical cord is buried at Oak Flat.
9 So when you destroy that place, you're taking his life
10 too. My baby son is 16 months old. You know, my
11 daughter's things that we're putting there, for getting
12 ready for the ceremony with my brother's -- my cousins,
13 they're put away up there and you're taking that.

14 You have the opportunity to change that,
15 you know, like a lot of people have come and said, you
16 have a legacy, you know, how you want your
17 grandchildren to remember you, your grandchildren. All
18 of these folks here have grandchildren. They talk
19 about this genocide, this environmental racism that's
20 happening. A lot of these people you haven't even
21 notified, the people in San Tan were notified three
22 days before the meeting. You're playing with people's
23 lives here.

24 So I ask you, you know, on behalf of my
25 children, their future, to please do the right thing.

1 My niece, you know, all three of them have had their
2 ties to that area and you're going to affect their
3 life.

4 And that's the warning to all of you here
5 is you might not know these spiritual ways of the
6 Apache, but you know life. You have grandchildren.
7 That's what we're talking about here. That's the
8 genocide, the children.

9 So thank you.

10 FRED MIRAMON: Hello. My name is Fred
11 Miramon, F-r-e-d M-i-r-a-m-o-n. I'm a resident from
12 Superior, Arizona.

13 I come here today to comment on the Draft
14 Environment Impact Statement, Section 31.3.10. I'm
15 going to say what it says. But, first of all, I want
16 to bring out something to your attention, most of you
17 commute, east going towards Globe up to the White
18 Mountains, and you've got to reach -- you've got to go
19 through the Queen Creek tunnel. I want you guys to
20 picture the slope on the north side, there's a cavity
21 or there's an island of boulders that looks like a
22 potential rock slide. Keep that in mind whenever you
23 travel the Highway 60 and 70, that's a major highway
24 hub. But keep that in mind.

25 Because what I'm going to address to you

1 right now is that on that section it addresses three
2 areas of interest. And the first one is the tailings
3 embankment safety. The second one is a fire risk. And
4 the third one is the potential for release or public
5 exposure to hazardous material. I believe the fourth
6 concern of interest must be included with a section.
7 The fourth thing of interest should point out the
8 potential of a rock boulder slide that sits on the
9 northern slope of the mountains between Mile Post 228,
10 going east, towards the Queen Creek tunnel.

11 Just as you enter the Queen Creek tunnel
12 it rests on the northern slope waiting to be bothered.
13 It has been visible for many years. It's located on a
14 Resolution Copper Company mining claim. They have six
15 claims on that location, Highway 60/70 going -- coming
16 from Globe, Arizona and other eastern cities is a major
17 highway hub. Additional components must be included on
18 the EIS reports and the analysis on subsidence that
19 would take place throughout the scope of this mining
20 project. These components, such as the water and the
21 mine and the old mine tailings that exist, open
22 underground and the large amounts of explosives used
23 for blasting with this new mining method of block
24 caving and the potential new development of an incline
25 conveyor drift to move rock from underground mining.

1 All these components would add more ground
2 stress to that area. And which ground movement can
3 arise to a ground instability. The rock boulder slide
4 sits close to the sensitive study area that was taken
5 place on this study. Sensitive receptors shall be
6 placed in this area and monitored for boulder movement
7 and ground movement. There must not be an oversight on
8 this potential rock boulder slide for the safety of
9 public commuters traveling on this section of the
10 highway.

11 And I asked a question: Who will be
12 monitoring this, Resolution Copper Company or the
13 Forest Department? It's important that that has to be
14 checked out periodically because of all the ground
15 movement that could cause major safety -- to the public
16 traveling through there.

17 All right. Thank you.

18 MICHAEL HING: Michael Hing,
19 M-i-c-h-a-e-l, last name, H-i-n-g. Probably some of
20 you know who I am. I'm the former mayor of the Town of
21 Superior.

22 And so I have quite a history of what's
23 going on. I've been out of the political realm for
24 quite a while, since they kicked me out of the office,
25 but that's all a process. And I know Chairman Nosie,

1 we respect each other. I know him very well. And the
2 people of San Carlos.

3 And, Neil, I know you've got a tough job.
4 You've got a really tough job. But I'm going to let
5 you know, you know, Mr. Chavez, yeah, he worked for me,
6 and, yes, I fired him, okay.

7 When the project first began, this is --
8 the project, actually, when I walked into my office the
9 year I was the mayor, he says, "We're going to go after
10 this huge ore body. It's huge." I said, "How huge is
11 it?" "It's big." And that was the beginning. He only
12 had one staff and it was himself. And then before you
13 know, it was two, three, and the rest is history.

14 But I just want to let you know, it's big.
15 It's a big project. Everybody talks about the
16 economics behind it. It's 600,000 tons of copper a
17 year; 600,000 tons. The Ray mine pit does 150,000
18 tons. 600,000 tons of copper out of a Superior hole,
19 that's incredible. So the magnitude is huge.

20 I sold the project to the Town of
21 Superior. I worked hard on selling that project. I
22 went in and even testified before Congress to a Senate
23 hearing to sell that project and I worked hard to do
24 that for all those years.

25 But, you know, a lot of things happened to

1 me in that time period. I began to see how companies
2 operate and you just start questioning things. I've
3 always said, told the company officials, even though
4 they said, "I'm here for the long haul," I think
5 there's been seven since I've left. You know, seven
6 leaders of that company. But I always told them to do
7 what's right and that has always been my question: Are
8 you doing what's right? That's what I'm telling the
9 Forest Service: Hey, if you need to hold back, study
10 this more, study it more. Because I could write a book
11 on my interactions with the company. It's incredible.

12 You know, people ask me: What's your
13 position? I don't know. It's in between. I'm asking
14 you to do what's right, to do what's right. And that's
15 all I'm asking because there's been a breakdown
16 initially with the San Carlos tribe. It's incredible
17 after that Senate hearing what was going on. And I
18 couldn't believe they didn't even talk to Chairman
19 Nosie about it.

20 So that's what I'm saying, there's been a
21 breakdown in communication and that's what needs to be
22 handled again. Start communicating and this will be a
23 big project for everyone. But it may not be a project
24 people expect, the easiest route.

25 I've held the company accountable because

1 I asked them to do these certain things, monitors,
2 testing. Oh, we don't do that. Talk about
3 reclamation. Well, hold them accountable to above
4 reclamation. No, we're just going to do what's
5 required. Man, I said, you want to sell this project,
6 you've got to go above and beyond. Just like they did
7 the reclamation in Superior. It's beautiful. And then
8 they stopped.

9 Okay. Hold the company accountable. The
10 project is going to go. I'm telling you people, it's
11 big. But, you know what, Neil, you've got a tough job.
12 You've got to put it all on the table. I mean, I've
13 been through the politicians from Washington, all the
14 way to the local level. It's not pretty. That's why
15 I'm not in to politics. I'm really sick of it. Okay.

16 Do the right thing. Okay.

17 THERESA NOSIE: Good evening. Theresa
18 Nosie. (Speaking Native language.)

19 My name is Theresa Nosie, T-h-e-r-e-s-a
20 N-o-s-i-e.

21 I'm here this evening to give you my
22 comment on the Draft EIS. And this is my
23 granddaughter, one of my many granddaughters, Soliel,
24 who wants to have her dance there and has been
25 preparing to have her sunrise dance, her coming of age

1 there.

2 When the Draft EIS came out, we looked at
3 it. We, of course, all of us looked at it and all of
4 us knew that it impacted us some way or another,
5 whether it was our water, whether it was the place that
6 we went for recreation or there were a lot of other
7 reasons why we're all here today.

8 But the one thing that is important to me,
9 as a grandmother and a mother, is that my children, my
10 grandchildren, they have a connection to a place, they
11 have a connection to this place, and they have decided
12 that that's where they're going to have their dance at.
13 And if it comes about that it's time for their dance
14 and that place is not there, it's detrimental to them.
15 It's detrimental to us.

16 If you look at the Draft EIS, all it does
17 is talk about cultural significance of the Native
18 people that live there. Well, if you go and look at
19 the definition of cultural significance, it has to do
20 with history about things that are there or there
21 before. And all of us know -- all of us know that
22 Apaches lived there and Yavapai people lived there and
23 the Aravaipa people and a lot of people lived there.
24 There's places that are shown that are there.

25 But that isn't the issue. You're saying

1 that you're going to take that and move it somewhere
2 else. Why would you take somebody's body and move it
3 somewhere else and say that that's okay. You know,
4 it's just like going to a graveyard and taking
5 somebody's body and moving it somewhere else and that
6 that's okay. Well, it's not okay.

7 And the other thing is you have not
8 addressed at all the value of this place to the people
9 that are going to take part in their ceremonies and
10 their religion, in their livelihood. You have no value
11 in the DEIS. You don't even talk about religion there.
12 I don't understand why you don't. Religious freedom is
13 given to people in the United States. People fight for
14 religious freedom. But you're not even discussing
15 religious freedom at all. And that means you're
16 discriminating. You're taking one religion over
17 another, especially when you leave it out.

18 My time's up.

19 CURT SHANNON: Hi. Good evening. My name
20 is Curt Shannon, C-u-r-t S-h-a-n-n-o-n. And I live in
21 Gold Canyon right now.

22 I first got involved with this project in
23 2004, 2005, when I heard there was going to be a large
24 copper mine built out there. I've been a rock climber
25 for about 40 years now. And if this mine goes through

1 as planned, it will be the largest loss of a climbing
2 resource in the history of the United States, so that
3 affects me very deeply.

4 But I'm not going to talk about my
5 personal loss, in that respect, I'm going to talk about
6 some other things. I just think philosophically that
7 the Forest Service should not permit any project,
8 particularly one that will cause significant cultural
9 and environmental damage, unless they have some
10 realistic expectation that the company seeking the
11 permit can actually successfully complete and operate
12 the project. And I don't think that's the case here.
13 It certainly isn't demonstrated in the DEIS.

14 So John Rickus, like 12 or 13 years ago,
15 he was the president of Resolution Copper at one point
16 in time, he said in congressional testimony that the
17 mine was going to take 40,000 acre water of feet per
18 year. And I think that should be used as a minimum
19 number. I think they were probably being a little bit
20 low on their estimates at that time. So where's that
21 water going to come from? Supposedly about half a
22 million acre feet have been banked by the mine.

23 But if it is 400,000 -- or 40,000 acre
24 feet per year, there's about 1.2 million acre feet that
25 are completely unaccounted for. They're going to have

1 to get it from somewhere, but where? It's not in the
2 DEIS. It doesn't say where they're going to get the
3 water. Well, probably they're going to pump it from
4 right here, from the ground in Pinal County. And, you
5 know, we're going deeper and deeper into a drought.
6 That water is going to be needed by communities like
7 this, by agricultural, by all kinds of other uses.

8 When you get to a Stage 1 reduction at
9 Hoover Dam and Lake Mead, CAP is going to be cut by an
10 additional 320,000 acre feet per year of water and
11 that's going to just exacerbate this problem.

12 I don't have much time left.

13 I want to talk about power. They say
14 they're going to take about 250 megawatts of power to
15 run the mine. Where are they going to get it? There's
16 just a little paragraph in the mine plan. And it says
17 they're going to get it from SRP. But they can't get
18 it from the Silver King substation. The 500 megawatt
19 line coming in there is already oversubscribed,
20 according to SRP. And there's a good chance that
21 they're going to need a whole lot more power than that.

22 If they run into more hot water, they
23 could take upwards of a gigawatt, maybe as much as two
24 gigawatts of power. And now you're talking about 25
25 percent of the entire generating capacity of SRP.

1 I just think there's all kinds of holes in
2 this project and I think a lot more work needs to be
3 done on the EIS.

4 PAUL SOLAMITO: Hello. My name's Paul
5 Solamito. I live in Queen Valley here in the Valley.
6 I think I'm the first one to speak in the Valley.

7 Anyway, I moved here about four years ago
8 and then we found out we're going to have -- try to
9 have the mining operation just above the dam over here
10 where all the tailings are trying to be put. And we
11 have a beautiful situation here in Queen Valley, with a
12 lot of residents, and I think there's a few of us here.

13 Who is here from Queen Valley? Yay.

14 We have a beautiful golf course. We
15 retired -- most of us are retired here. It's a
16 beautiful scenery. It's a nice place to live. And,
17 you know, I feel for Oak Flats, I really do. But I
18 also feel for Queen Valley. And we do have an
19 alternative that's been presented. And I think that
20 the Forest Department is doing good job trying to find
21 that alternative.

22 And I've been speaking with some people
23 today and they said that there's a possible chance that
24 Skunk -- is it Skunk Camp -- will be an alternative
25 location. I don't know if that's going to be a good

1 location, but it's not the location above our dam here
2 in Queen Valley. And people can be effected no matter
3 where this is going to be put and I think if it has to
4 be put somewhere we just have to decide what the best
5 place can be for it if it has to be by law. And so I
6 think the Forest Department is doing a good job on
7 trying to find out where the least impact will be and
8 they've got one going.

9 Now, also, I would like to say that the
10 water quality issue is a big issue. And that as a golf
11 member here, I'm assuming that I own a chunk of it, and
12 that I also own a chunk of the water rights that are
13 with this golf course.

14 So we're concerned about the quality of
15 water, if they do put it behind this dam over here of
16 ours and, you know, we need to protect that situation
17 and have it checked out thoroughly and make sure that
18 that water quality is kept because we have rights to
19 that water and we don't want a huge company overriding
20 those rights by contaminating our water supplies,
21 whether it be drinking water or agricultural water.

22 So I want to thank you for your time and
23 for listening and I would love for some other people to
24 get up here and talk.

25 DWIGHT METZGER: Dwight Metzger,

1 D-w-i-g-h-t M-e-t-z-g-e-r. At the risk of ending on
2 that last note, I feel compelled to say something, even
3 if I just ramble. I have two points I want to make.

4 The EIS is really flawed and you haven't
5 done your homework. At the core of this, this is a
6 land exchange trading public lands, giving it to a
7 foreign mining company for other lands. There has been
8 no assessment of the value of those lands and we as a
9 public can't comment on that value and if that's a fair
10 trade for us. If we were to claim ownership of those
11 lands as U.S. citizens we should have a right to say
12 whether that's a good deal or not.

13 The land exchange -- or the DEIS doesn't
14 even begin to address the very serious concerns that
15 the Apache people have that you will be destroying a
16 sacred site, destroying and impacting forever the
17 religion of the people. I don't know how you put a
18 value on that, but that's actually your job and you
19 should do that before you dare to put out a final
20 Environmental Impact Statement.

21 And the second point I want to get to kind
22 of addresses where the first -- the last speaker was
23 coming from and where I was coming from. Sitting back
24 there, I wanted nothing more than to just sit back
25 there and not do anything, not speak. It's kind

1 terrifying. And, you know, it would be a lot easier
2 just to sit there and not do anything. That is
3 something I get as white person with privilege. And
4 I'm saying that because in the years that I've worked
5 with the Apache people on this issue, I've changed so
6 much and it's been such a great gift of them. I thank
7 all of them that are here and showed up tonight to
8 speak to all of you people.

9 All of us colonizers here, all of us white
10 people here that are benefiting from the theft of this
11 land and the legacy that we have here. Unwittingly,
12 innocently, whatever, we're here. We're benefiting
13 from this. And these people are the original
14 inhabitants of this land are giving us a gift to try to
15 see things differently and try to change. It's such an
16 important opportunity. Think about it.

17 And Supervisor Bosworth, I know you're
18 taking a lot today and you have a hard job. Yeah, you
19 do; and we do. We do, all of us here, the people, you
20 know who -- I'm speaking to all of you people that look
21 like me, we're in the same situation. We have a hard
22 job. We've got to decolonize ourselves, our minds and
23 our hearts and change because we hold a key to this,
24 right.

25 Supervisor Bosworth, you hold the master

1 key to this project, but we all hold the key to this.
2 And we're asking you to -- we want you to be a leader
3 in this. We want you to -- time is up. We need you to
4 do that. We've got your back, as someone said earlier.
5 That's really important. That's what -- that's at the
6 core of this, this legacy of mining that has stolen the
7 land and ruined the water, it's going to just ruin this
8 earth.

9 Like, we have a chance right now to do the
10 right thing. I would just encourage you to do it.

11 Thank you.

12 CORINNE FREEMAN: Hello. My name is
13 Corinne Freeman and I just want to thank you for
14 letting me come and speak.

15 I just want to say that I have a message
16 for President Donald Trump and I have a message for
17 Senator Nancy Pelosi and the Congress, the 116th
18 Congress. I want them to rescind this. Send it back.
19 Send it back a hundred million years. Restore that Oak
20 Flats. No to -- no to Rio Tinto. No to BHP. You're
21 using up the water. You're destroying the land. This
22 is Apache land. This is where they come and do their
23 sacred services, their ceremonies. How dare you,
24 Congress. I'm speaking to you. Rescind this bill.
25 Sir, stop it. You're going to poison all of us by

1 putting this bill through. How dare you. How dare
2 you.

3 Thank you.

4 NANCY FREEMAN: When Apache -- when USDS
5 studies Apache -- a new path this last time, it was to
6 see how they could store nuclear waste and it was a pet
7 project connected to Yucca Mountain. So if they were
8 going to store water in there and, you know, they found
9 it was quite porous and so every time it rains that
10 land is going to be wet and it will not be minable.

11 Now the other thing is a very important
12 consideration is Peabody Coal on Dine, Navajo land,
13 they moved people. They dug up bodies. They dug up
14 artifacts. They said they would take care of them.
15 They sent them to a university somewhere and they just
16 didn't do anything appropriate with them. And here it
17 is 40 years later and the Dine are trying to get their
18 property back.

19 Now I'll end with this, this is something
20 to think about. A friend of mine said, "Well, Nancy,
21 our U.S. government is doing so much for Israel to get
22 their original land back, why aren't they doing
23 something for the Native Americans?"

24 SANDRA RAMBLER: You know, I brought some
25 papers to read and I wrote some notes on my phone but

1 I'll skip all that.

2 But it took 12 attempts by Resolution
3 Copper to get the Senate and the Congress members to
4 try to pass a bill. But it was in December of 2014
5 that they passed a National -- through the National
6 Defense Act, they put a rider on that bill and they
7 finally passed that land exchange. And that's what
8 we're fighting for.

9 And, Neil, you know, I pray for you. I
10 pray for you when I go to sleep at night. I pray for
11 you when I rise in the morning. I pray for you when I
12 go to Oak Flat. I pray that Creator will touch your
13 heart and let you understand and know that the decision
14 you make will have an impact throughout our country,
15 especially to the indigenous people. And I hope you do
16 the right thing, I really do. I don't hate you. I
17 don't dislike you. I just dislike what the federal
18 government is doing to us.

19 But you're a branch of the federal
20 government. You're an arm of the federal government
21 and I know you can do the right thing. I believe in
22 you. And I trust that you will. And that's our -- our
23 hope and our faith come from our Creator God to touch
24 your heart, give you that compassion, that peace and
25 sense of understanding to know where we come from.

1 It's just not right what they did and we
2 need to let Congress know they need to rescind their
3 decision. They need to rescind their decision. There
4 should have been a lot more done than what's happening
5 now. Now we're just playing catch-up after the fact.
6 ATF, you should know what that means, that's a federal
7 term "after the fact," all these things come in. And
8 now people are seeing the truth. They're coming out,
9 all these backroom deals that have been made, the
10 millions and millions of money Resolution Copper has
11 spent lobbying, paying people out, even some of our own
12 Native people, which is just not right. They have no
13 soul. They have no morals. They don't understand.
14 All they want is just money, money, money. That's it,
15 all for greed, power and lust.

16 And I leave that with you. I hope that
17 you do the right thing and I hope that my words are not
18 wasted here today or none of our words.

19 Thank you. (Speaking Native language.)

20 DALE VOLZ: My name is Dale Volz. That's
21 D-a-l-e, V, as in Victor, o-l-z. I'm just another
22 privileged white guy that happened to be standing back
23 there looking at this poster. And it shows us very
24 nicely what they've given to Resolution Copper. It
25 shows us what's being given to the Bureau of Land

1 Management. It shows us what is being given to the
2 U.S. Forest Service. It shows us what is being given
3 to the City of Superior. What is being given to the
4 Apache people for sacrificing their land and their
5 heritage? I think the DEIS needs more work.

6 Thank you.

7 WENDSLER NOSIE: Neil Bosworth -- oh,
8 Wendsler Nosie, Senior, former chairman, former
9 council. I have been with the tribe for 36 years and
10 have been at this fight from day one.

11 I think throughout the hearings you've
12 heard everything that could be said. And, you know, to
13 really make the people understand, you know it's a
14 hardship for us. It's always been a hardship. And we
15 don't want our children to go through that anymore and
16 that's why it's so important that we had our daughter
17 give you the paper because that's who you're deciding
18 for, you know, a whole generation that we're going to
19 have to live under these conditions.

20 And what people don't understand here is
21 that they're setting the precedence throughout the
22 Indian country, in this whole country, and they're
23 setting precedence about how much say we have on
24 federal land. All people have a say on federal land,
25 no matter where you live. I mean, it's really

1 important that we exercise those rights that we have to
2 say what's good and what's not.

3 And I know you have Native people working
4 for you, but I think you clearly see the difference
5 when you have Apache people working for you. If you
6 had Apache people working for you, you would have a lot
7 done. And I know that sometimes you get other tribes
8 to come in and do what they need to do, but they're
9 doing it just for a paycheck. And that's what's really
10 discouraging to me was because you should have had
11 tribal members. You should have had our people. And
12 look at our experience, significance. That's what you
13 have in front of you, right there, the religious
14 position that was left out totally.

15 And so I'm discouraged, you know, with
16 some of the Native people that work for you, because
17 that should have been the very first thing that they
18 should have made a big strong impact and they should
19 tell that.

20 You know, when you go to different
21 regions, you need to understand that having people that
22 live in those regions are very vital because we can
23 help all these people, economically, educationally,
24 healthwise. We're in a time now that we are all have
25 to work together. We can't be separate. Because if

1 we're calling this home, than we've got to treat it
2 like home. We've got to care for one another. Who
3 knows better than all of us here. So that's something
4 important that, you know, as leaders or people in
5 positions, they need to consider.

6 And, for me, I just want to end it by
7 telling you that I'm going home, because that's been
8 the prophecy of our people. You know, I'm not going
9 there to make trouble with you. I'm going home. I'm
10 going to give up this American way because I don't want
11 to be colonized. It's not that I don't want to be like
12 a white person. It's just the colonization, the method
13 that you guys live behind is what we're trying to stay
14 away from because it's destroying everything. It's
15 killing everything. That's what we see.

16 And so people here, you're living in a
17 region that we're old and we're new. Meaning that this
18 new way of an American life, we see it. It's new, but
19 it's scary because the old way has a lot of conditions
20 that can help save the future, but you're not paying
21 attention to it.

22 So, for me, and when I say, "I'm going
23 home," I'm actually going home. I'm going home. I'm
24 done with being a prisoner in San Carlos. I'm done
25 living in that frame. Because there's no reason why a

1 boundary should keep me away from where I originated
2 from and that's what these people are saying.

3 And so I know that Native people work with
4 you, so I hope they understand and understand the
5 importance of it and that's what they should be telling
6 you, what's happening.

7 So, again, I want to thank you. But I
8 know you have to make that decision and I know you've
9 got prayers behind you, you know, because it's death
10 that we're rewarded for what we've done here in this
11 world. It's not now, it's when we leave this world.

12 Thank you.

13 CHRIS SPIDLE: My name is Chris Spidle,
14 C-h-r-i-s S-p-i-d-l-e.

15 I thank the folks running this show, for
16 giving me another swing at the ball. I wanted to cover
17 some of the things that I went through quite rapidly.
18 What I said may have caught some people off guard and
19 may be a bit unclear about the sources of this
20 information.

21 Since the DEIS came out and I got a copy
22 of it, the day that it was at the Forest Service, I've
23 read most of it and I've conducted about 100 hours of
24 research, most of it online, to develop this
25 information. And I would like to give you the sources

1 of this information so that you can check it out for
2 yourself.

3 But before I do that, I would really like
4 to make sure that I'm very clear that there is nobody
5 in this room that's at fault for this. The SWCA
6 personnel have been very professional at every one of
7 these meetings and the way they've handled it. And you
8 have to admit that whether you agree with the DEIS or
9 not, it's very professionally done. And the Forest
10 Service has conducted themselves with the utmost
11 professionalism. John Skaggs and Donna Morey are two
12 of the people that I know from having dealt with them
13 and I'm sure that everybody else, even though I don't
14 know their name, has done a great job.

15 My point is that you can't have the wolf
16 guarding the henhouse. And, unfortunately, the guy who
17 founded the company, SWCA, and who is the CEO, has been
18 very deep into the major parcel in the land swap, the
19 7B Ranch, which represents about 70%.

20 A couple of the references that you might
21 want to look at, if you want to see his involvement
22 with Nature Conservancy, is just go to the Nature
23 Conservancy Arizona website and you'll find him listed
24 there as one of the members of the Board of Directors.
25 And in other places you can find there, he's been a

1 member of the Board of Directors since about 1988.

2 I'm certain that Steven Carothers is an
3 excellent environmental scientist. There's no question
4 about this and I'm not questioning the qualifications
5 of any of the people doing this. Unfortunately, this
6 contract was awarded as what they call a general
7 services account, a contract, a schedule. Where you go
8 on and post all of this information about your company
9 with your rates and so forth and if anybody in the
10 government wants to buy that thing that you sell, they
11 can go on and say, well, let me go buy a contract or
12 award a contract to these guys.

13 And that's what happened is that SWCA got
14 a contract from the U.S. Department of Agricultural.
15 Some contracting officer made the buy. He didn't know
16 that Steven Carothers was heavily involved in the 7B
17 Ranch. He didn't know about those kinds of conflicts
18 of interest. They weren't in front of him.

19 However, I'm calling it to everybody's
20 attention, the Forest Service and SWCA tonight that
21 this needs to be resolved. You can't have the wolf
22 guarding the henhouse. Either SWCA needs to go out or
23 the 7B Ranch has to go out. They can't co-exist in
24 this deal at the same time, in my opinion. And my
25 opinion is based upon decades of understanding the

1 Federal Acquisition Regulations.

2 So I hope that everybody understands that
3 I'm not picking fights with anybody. Everybody here is
4 very honorable. But you now have a piece of
5 information that you didn't have before and you are
6 required to act on it. And I would suggest that
7 everybody here contact the U.S. Department of
8 Agricultural's Inspector General in the morning and
9 inform them of this.

10 Thank you very much.

11 ROY CHAVEZ: Thank you.

12 Again, Roy Chavez, R-o-y C-h-a-v-e-z.

13 Because this is a meeting of record,
14 there's a few things that I need to clarify at this
15 point.

16 First of all, I want to recognize
17 Mr. Manny Ruiz. He was the mayor of Superior before I
18 was. So Manny served the community for many, many
19 years and is very, very, very good, diligent in a
20 respectful way.

21 But, first of all, I don't want to forget
22 here this list in my mind. This meeting in Queen
23 Valley should have been held in January or February,
24 when the majority of your residents, winter residents
25 are here. I think that's one thing that should have

1 happened.

2 Number two, there is going to be a third
3 meeting on Tuesday -- Thursday there will be a meeting
4 in Tempe, correct?

5 So there's still an opportunity to talk.
6 We can also ask for an extension, which I mentioned
7 earlier, an extension to the public comment period for
8 November 7th. There should have been a letter from the
9 community work group under Resolution Copper in
10 Superior, to ask for that recommendation to be
11 extended.

12 And I wanted to mention something
13 regarding the economy of mining. If the mining economy
14 was so good, why are all of the damn little mining
15 towns depleted? Senator McCain asked me -- he said,
16 "Roy, you need this project." This is when I was
17 mayor. "Roy, you need this project. This project, the
18 mines can help you guys. Look at how depleted and
19 dilapidated your community is." I looked at him right
20 in the eye and said, "John, we're that way because of
21 this industry."

22 We're involved in entitlement, not
23 environment and we need to empower ourselves. And we
24 need to take action. We need to accomplish that.

25 Economically, the mines provide about 5-

1 to \$6 billion a year through the state's economy.
2 Outdoor tourism, recreation, outdoor camping provides
3 between 11- to \$12 billion a year. We're cutting off
4 our nose to spite our face here, guys. That's a
5 beautiful recreational area. There's a lot of
6 significance to a lot of people, we cannot lose.

7 And, finally, for the record, Michael,
8 it's been a long time. You didn't fire me. You asked
9 for my resignation. You also needed two attorneys from
10 Rio Tinto to be in that meeting, I'll let the public
11 know now. The day the Town of Superior used two Rio
12 Tinto attorneys to attack my credibility and my
13 responsibility as town manager for the Town of
14 Superior, and the best thing I could say out of the
15 meeting is -- because I had a contract -- is you don't
16 want me working for you, I don't want to work for you.
17 And I think the results and the proof of losing that
18 capability of me serving the town is why we have this
19 problem that we have today.

20 Thank you all.

21 (Hearing comments concluded at 8:15 p.m.)

22

23

24

25