

RESOLUTION COPPER PROJECT AND LAND  
EXCHANGE EIS PUBLIC MEETING

Held at:  
SUPERIOR HIGH SCHOOL  
100 Mary Drive  
Superior, Arizona

April 4, 2016  
5:00 - 8:00 p.m. (MDT)

Comments taken by:  
Charlotte Lacey, RPR

1 MS. ROZELLE: All right. Thank you. So I'm  
2 trying not to move around. I think that's the problem.

3 All right. As I said, we want to keep this  
4 informal and ask for your help in doing so. And so begin  
5 by taking questions and comments if you'd like to make  
6 some tonight. There's going to be ample time and several  
7 ways, if you want to try to make your comments. If you  
8 would like to make a formal comment tonight, please see  
9 the court reporter out in the lobby. And you can do that  
10 during the Q and A period, or you can do it afterwards.  
11 But that would be a way to make formal comments. If you  
12 choose to make comments from the floor, then we have two  
13 note takers.

14 Jill is actually getting down the questions,  
15 and she'll be showing it up here. And these questions,  
16 there's a running Q and A on the website. And so we'll be  
17 adding any new questions that come from these meetings to  
18 the website. But also, we also have -- is it  
19 Charlotte? -- Charlotte taking notes of everything that's  
20 said. So several different ways we're getting it down.

21 But just reminding you about the formal  
22 comment, please see, I believe it's Alisa out in the  
23 lobby.

24 So the way we'll do the questions is I'll  
25 just kind of go around the room and say, "Are there any

1 over here? Are there any over here? Is there anyone over  
2 here?" And I'd like two or three of you to come on up.  
3 There's some seats up at the front. So I just want to  
4 have somebody on deck all the time so we can keep moving.

5 And ask your question, and Mark or Tom or  
6 someone else will be answering it, and I'll let you have  
7 one follow-up if you need to, and then I'll ask you to  
8 wait until everybody's had a chance to ask a question.

9 If you do have a comment, I'm going to ask  
10 you to keep it to about three minutes. And I'd appreciate  
11 it if you'd do that. I've got a little timer here, and  
12 I'll just let you know when you're getting close. That's  
13 how we'll do that.

14 And I think, though, one thing we learned  
15 the other night -- because this is our second meeting --  
16 is there's lots of individuals around the room that want  
17 to talk about very specific things that you might want to  
18 talk about. So I'll check and see how we're doing about  
19 45 minutes to an hour if we're still doing questions and  
20 see if you want to wrap that part up and spend time  
21 talking individually. Or we can keep moving with  
22 questions. We'll see.

23 All right. So maybe we'll get some lights  
24 on up here. So do I have any questions from this section?

25 Yes, sir. If you'll come up and maybe come

1 up here. We've got a couple more -- yeah. Why don't you  
2 all -- you two ladies come on and sit down. And that  
3 microphone works, and this one right here. As soon as  
4 we're down to the last person, I'll ask for a few more to  
5 come up.

6 So go ahead.

7 AUDIENCE MEMBER: I noticed in your video  
8 presentation and printed material you mentioned the  
9 subsidence site, east plant site, west plant site, tailing  
10 site, pipeline location, filter plant site. But you're  
11 not talked about the location of the dirty groundwater.

12 MS. ROZELLE: All right. Mark.

13 MR. NELSON: Hopefully it wasn't me causing  
14 that feedback.

15 So the groundwater wells will basically be  
16 located along that Tonto corridor.

17 AUDIENCE MEMBER: Will they be private --  
18 public land, or are they under control of the Forest  
19 Department?

20 MR. NELSON: There's a mixture of land  
21 ownership along that Tonto corridor. There is a section  
22 of that that is in Forest Service land.

23 AUDIENCE MEMBER: They will be doing an EIS  
24 on those sites?

25 MR. NELSON: That -- we will be analyzing

1 the effects to the Tonto corridor, including the effects  
2 of those wells will be analyzed as well.

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

4 AUDIENCE MEMBER: I saw, on the map, where  
5 there was a magma. Is that what is located along Arizona  
6 Farms Road? There's a huge berm on the north side of that  
7 road. Does Resolution have anything to do with that? I  
8 mean, is that part of this scoping process? Because you  
9 have a magma on the map. What -- where is that located?

10 MR. NELSON: The mar co-corridor. Is that  
11 what you're referring to?

12 MS. ROZELLE: Do you want to pull that map  
13 up? Would that be helpful? Yeah. Let's get that map up  
14 so we can...

15 MR. NELSON: That one?

16 AUDIENCE MEMBER: Yes. Where it ends down  
17 here, this magma.

18 MR. NELSON: Oh.

19 AUDIENCE MEMBER: Down by San Tan Valley.

20 MR. NELSON: Okay.

21 AUDIENCE MEMBER: There's a huge berm out  
22 there, and it looks like it's a -- like it could be for  
23 water or some sort of -- something going down there from  
24 the mines perhaps. Is that where the water is being  
25 blended?

1 MR. NELSON: I do not what that berm is for.

2 AUDIENCE MEMBER: Okay.

3 MR. NELSON: We can find out that answer for  
4 you.

5 MS. ROZELLE: So it's down -- it's right  
6 down there where --

7 AUDIENCE MEMBER: It's on Arizona Farms Road  
8 as you're headed towards San Tan Valley.

9 MS. ROZELLE: All right. So we've heard  
10 your question. We'll get you an answer to that.

11 AUDIENCE MEMBER: Okay.

12 MS. ROZELLE: Thank you.

13 And, while she's coming up, did I see some  
14 other hands back here?

15 Yes. Yeah. The three of you come on up.

16 Yeah. That's fine. Yeah.

17 Yes, ma'am. Go ahead.

18 AUDIENCE MEMBER: What I want to know is has  
19 Resolution talked to you about what they're going to do  
20 after they have that deep crater? What are their plans?  
21 Are they going to reclaim it, or what are they doing with  
22 it? It's just going to be a deep crater. What else are  
23 they going to do with it?

24 MR. NELSON: My understanding is that  
25 there's no plan to backfill that or try to duplicate

1 approximate original contours.

2 AUDIENCE MEMBER: All right.

3 MR. NELSON: And even though that -- that  
4 area will be private land after the land exchange is  
5 completed. And so that area will be private land prior to  
6 any Forest Service approval of a plan of operations for  
7 Forest Service lands. But we will analyze that area and  
8 look at alternatives, through this period of reclamation,  
9 for areas during the EIS.

10 AUDIENCE MEMBER: My second question is how  
11 long will it be before they -- before the crater starts to  
12 drop? Have they said anything?

13 MR. NELSON: You know, I do not know the  
14 answer to that question. You mean how long after they  
15 stop mining? Is that your question?

16 AUDIENCE MEMBER: The one in Oak Flats.

17 MR. NELSON: You know, one thing, in  
18 general, is that we're just starting our EIS analysis.  
19 We've engaged a great team. We have a lot of work to do.  
20 But at this stage in the process, we're trying to identify  
21 issues for study, which includes how long until the  
22 subsidence starts. But it -- you know, our role is to  
23 complete an independent analysis, an unbiased analysis.  
24 And that's going to take time. So, at this point, we  
25 really can't answer questions about effects like that.

1 AUDIENCE MEMBER: Thank you.

2 MS. ROZELLE: Go ahead, sir.

3 AUDIENCE MEMBER: Good evening. Thank you  
4 for caring for Mother Earth. We all live on it.

5 My name is Moji Agha. I am an environmental  
6 and human rights peace activist. I'm a Sufi monk, and I  
7 travel around the country creating circles of nonviolence  
8 for members of collaboratives. And we have a circle in  
9 this area. And I have some fliers for the upcoming  
10 meetings.

11 And I became aware that there is a cancer  
12 cluster. There are some preliminary data that are -- have  
13 been already looked at. And there appears to be a cancer  
14 cluster in this whole region. And, from the standpoint of  
15 public health, when you have a end product called  
16 cancer -- brain cancers, lots of them, all kinds of rare  
17 cancers -- to me -- and my background is in psychology.  
18 I'm a full-time activist. I'm not a practicing scientist  
19 anymore, or a therapist. But when we have cancers, a  
20 pattern of cancer, occurring over years and years and  
21 decades, that tells me the mining and other kind of  
22 pollution that already exist in this area, polluting  
23 water, dirt -- you know, soil, earth, and fauna and -- the  
24 plants and animals and -- upon which we feed, then, one  
25 needs to pay attention to what -- first of all, document



1 this, in my opinion, horrendous catastrophe; second, take  
2 into consideration what if -- yet other mine with  
3 horrendously larger scale would act and have multiplying  
4 pollution effects. And we are talking about cancer. And  
5 it -- I've talked with people of every age range in the  
6 past several weeks, from older people, from younger  
7 people, children. And so I first wanted to bring that to  
8 your attention. Hopefully you will -- you will look at it  
9 as a, quote/unquote, one of those significant issues.

10 Second, has there been a -- an  
11 independent -- I mean -- or, actually, a number of  
12 independent scientific studies, not funded by the  
13 industry, to look at why the cancer that already exists is  
14 happening. Document its existence, for one thing, as a  
15 public health issue, as something that requires the entry  
16 of the Centers for Disease Control and Prevention. And,  
17 second, have -- have really unbiased independent  
18 scientists look at this issue, and not just the effect of  
19 a particular, you know, chemical with cancer, but the  
20 multiplying, many layers that goes in order to create  
21 especially a pattern of rare cancers, brain cancers,  
22 cancers that -- that our body, the immune system, usually  
23 has defenses against.

24 MS. ROZELLE: So -- and just to summarize,  
25 there are a couple of questions you asked were -- is the

1 public health aspect of the whole study, particularly look  
2 at the incidence of cancers and the patterns and what --  
3 how that may be related to what's happened in the past?  
4 And then I heard comments that we've gotten down with  
5 regard to just a general concern about that whole issue.  
6 Okay.

7 AUDIENCE MEMBER: Okay. Do you -- is part  
8 of your process focusing on cancer as a significant issue?

9 MS. ROZELLE: Let me ask Mark if he can  
10 answer that, and...

11 MR. NELSON: You know, this is a great  
12 example of why we -- why we want to do public involvement  
13 and why we want to, you know, visit with you all and learn  
14 more about the issues that are out there. This is -- the  
15 issue of, you know, possible -- possible cancer cluster in  
16 this area and the possible effects of past mine  
17 disturbance and that sort of thing in the Superior area is  
18 something I didn't know about. And we learned initially  
19 last Thursday. And I really appreciate you bringing it  
20 up.

21 So it's a great example of the issue. With  
22 respect to has a study been done on what may be causing  
23 that, I don't know the answer. That's not a study that  
24 the Forest Service has authority to do. We don't have  
25 authority to go out and, for example, do public health

1 surveys and public health studies in the community. But  
2 there are federal agencies that, you know, may well look  
3 at that. EPA would be one agency that -- that may be able  
4 to answer your questions with respect to what's happened  
5 in the past. When we do an environmental impact  
6 statement, we characterize the affected environment. And  
7 so, to some extent, we will be characterizing things like  
8 background metals concentrations and soils and that sort  
9 of thing, because we can't understand the effects of the  
10 proposed action unless we understand where we start from.

11 Now, we will analyze public health issues.  
12 And you bring up a big -- you know, an important one in  
13 terms of, you know, for example, would the proposed  
14 project increase the -- the chances of the general public  
15 being affected by cancer at some point in their life.

16 AUDIENCE MEMBER: And animals.

17 MR. NELSON: And -- yes, animals too.  
18 Although animals are harder to analyze. There are  
19 carcinogens. Cadmium and arsenic are carcinogens which  
20 can sometimes occur as trace -- trace elements in ore  
21 deposits and in different types of mine tailings. We will  
22 want to look at the concentrations of those. So, yeah,  
23 it's a great example of an issue. I really appreciate you  
24 bringing it up. And we will put that on our list of  
25 things look into it. But then I would encourage you to

1 look -- look to other government agencies to take a look  
2 at what's happened to date, other legislators who --

3 AUDIENCE MEMBER: Do you have a  
4 collaboration between different agencies so that you  
5 don't -- so that you don't come across, at least, as  
6 saying that, oh, this is not our department. We're not  
7 paying attention to it. This is an integrated issue that  
8 needs to be looked by the EPA, by the Forest Service, by  
9 the Centers for Disease Control and --

10 MS. ROZELLE: Yes.

11 AUDIENCE MEMBER: -- Prevention --

12 MS. ROZELLE: Yes, they do.

13 AUDIENCE MEMBER: -- by responsible  
14 universities that are not funded by the industry.

15 MS. ROZELLE: Let him answer.

16 AUDIENCE MEMBER: Okay. Thank you.

17 MR. NELSON: We will engage cooperating  
18 agencies to help us with the EIS. We haven't identified  
19 the cooperators yet. But the specific -- I think the  
20 specific study you're looking for is not something that  
21 would be a part of our analysis, just the study of the  
22 latest issues to date and what may have caused that  
23 cluster -- or apparent cancer cluster. But we will  
24 characterize concentrations of potential contaminants and  
25 then look at areas that affected now and look at how it

1 may be affected by, for example, wind discursion of  
2 dusts -- dust from tailings piles or other sources that  
3 would be associated with that.

4 Let's maybe visit -- visit after the  
5 meeting. I'd love to visit with you more about this.

6 AUDIENCE MEMBER: Sure. I will submit  
7 formal comments tomorrow at the -- at the Globe meeting.

8 MR. NELSON: Okay.

9 MS. ROZELLE: Okay.

10 AUDIENCE MEMBER: And I have some fliers for  
11 the upcoming meeting circle of nonviolence and  
12 collaboration, including its cancer awareness and support  
13 together, which is a public -- like a peer support group  
14 for victims of cancer and their families and -- and other  
15 people affected by it.

16 MR. NELSON: Great. Thank you very much.

17 AUDIENCE MEMBER: Thank you for your time.

18 MS. ROZELLE: All right. So anyone else?  
19 Come on up front.

20 AUDIENCE MEMBER: Hi. My name is Cindy  
21 Tool, and I drove up here from Tucson. Mark, you and I  
22 spoke on the phone.

23 I'm here for a couple of reasons. One is to  
24 ask questions and learn more about the mine, and the other  
25 is to ask, again, for a public meeting to be held in

1 Tucson, Arizona. We haven't received an answer yet. I've  
2 been working with kids in at least three different  
3 schools, from middle schools, elementary schools, high  
4 schools, who are very interested in this project. One of  
5 the groups from Safford Middle -- United School, a group  
6 of fifth graders, is doing something called Project  
7 Citizen, where they're studying mining in Arizona and  
8 giving presentations on it. They really want to come to  
9 one of these meetings and ask you questions, but, given  
10 that's it's a two-hour drive from Tucson, a three-hour  
11 meeting, and a two-hour return drive, asking students to  
12 make a seven-hour trip on a school night is really  
13 unacceptable. And they really, really want to have a  
14 meeting in -- in Tucson. And, as well, I've gotten 500  
15 postcards signed from people in Tucson just in the last  
16 two days who oppose this project who want to have a public  
17 meeting in Tucson to ask more questions.

18 And so I have asked, via written letters,  
19 via phone, and now in person, if we're going to be able to  
20 have a public meeting in Tucson. And I'm hoping I can get  
21 an answer to that today. Right now.

22 MR. NELSON: Wow. 500 postcards.

23 (Applause)

24 MR. TORRES: So, number one, we're aware of  
25 the request -- the request was two parts; one, can we

1 extend the scoping period to longer than 60 days, and then  
2 secondly was to have additional public meetings, one in  
3 Tucson and one in Phoenix.

4 So, number one, we're aware of the great  
5 amount of detail involved in the public trying to  
6 understand this project. If you look at our website that  
7 was on the slide earlier, there's numerous technical  
8 reports that have already been completed. There's the  
9 general mine plan of operations itself and all the maps  
10 and all the appendices. It takes quite a while to get  
11 through that.

12 And so Neil and I have talked about that  
13 part of the request already. And, in order to be as open  
14 and transparent and responsible, we're here to say today  
15 that we'll extend the scoping period to 120 days.

16 AUDIENCE MEMBER: Thank you very much.

17 (Applause)

18 MR. TORRES: The second part of your  
19 request, to have a meeting -- two meetings, one in Tucson  
20 and one in Phoenix, is one that we're not prepared to  
21 answer today. What we want to do is get through the four  
22 scoping meetings that are already planned, one tomorrow in  
23 Globe and one Wednesday in Gilbert, and get a sense of  
24 the -- of the issues and comments that we've received.  
25 And then, at that point, we'll make a decision on whether

1 additional public meetings are -- are warranted. The one  
2 thing I would say to that, you mentioned the students and  
3 stuff. I think it's great that they're involved and they  
4 want to share their perspectives. There are other  
5 opportunities to -- to listen to those perspectives. You  
6 know, if you want to bring up the students to meet with  
7 myself or Mark during some time, we'd be willing to do  
8 that. But -- so, anyway, we want to get through the four  
9 public meetings, as planned, before we make a decision on  
10 whether other meetings will be scheduled.

11 AUDIENCE MEMBER: I have a follow-up. So  
12 one of the reasons that it's difficult for the students to  
13 come up is they're from a low-income school district, a  
14 school district that doesn't have the funding to provide  
15 bussing, and nor do the parents. So it would be really a  
16 lot easier, instead of trying to get 20 to 50 young  
17 students to come to a meeting here, for you guys to come  
18 to us. And, given that the land exchange also deals with  
19 land that's down by Benson, it would make a lot more sense  
20 to have a meeting in Tucson to deal with the totality of  
21 these issues.

22 And the other thing is, you know, there's a  
23 lot of confusion those students have. And reading those  
24 documents is not really going to cut it for fifth graders.  
25 They're going to have actual questions that are easier



1 done in person. So that's another reason.

2 And, with the National Defense Authorization  
3 Act taking away our right to be fully engaged in this  
4 process, the decision is predetermined. I'm wondering,  
5 can you explain to us what the appeal and objections  
6 process is going to be like at the end of this NEPA  
7 process? Are we going to have our normal right to appeal  
8 and object to this and litigate it, or has that right been  
9 taken away from us?

10 (Applause)

11 MR. NELSON: So our current plan -- and, as  
12 I mentioned, this is a great, great audience, and we  
13 really appreciate you -- everyone's interest and  
14 engagement. And I can tell you've really studied the  
15 issues. And, you know, I think those of us who read the  
16 National Defense Authorization Act when it passed, we all  
17 looked at that section, at least weird folks like me and  
18 Ann that think about NEPA, and we said, Oh, my gosh. How  
19 are we going to do the objection process? Because what --  
20 for those of you that don't know, the National Defense  
21 Authorization Act requires the Forest Service to exchange  
22 the land 60 days after the final EIS is published. And if  
23 we -- after the final EIS is published, we have no  
24 discretion about that date or about that action.

25 Our current is to issue two separate records

1 of decision. One record of decision would address the  
2 land exchange. The other record of decision would address  
3 the proposed plan of operations. We have what are called  
4 218 -- objection regulations 36 CFR 218. Those provide  
5 for an opportunity for the public to object to a draft  
6 decision. We -- we will publish the final EIS and the  
7 draft decision. The public has 45 days to object to that  
8 draft decision. And then the regional forester, in  
9 Albuquerque, has to respond to those objections within  
10 45 days.

11 So, in the case of the -- the land exchange  
12 record of decision, the public will have 45 days, the  
13 standard objection period, required by the 218 rights.  
14 And then the regional forester's going to have to work his  
15 tail off, because he's going to have to respond to those  
16 objections within 15 days in order for us to comply with  
17 both the forest service's objection regulation 36 CFR 218  
18 and the National Defense Authorization Act.

19 At that point, a final record of decision  
20 will be signed, and the lands would be exchanged. As far  
21 as litigation after that point, that's public knowledge.  
22 You can always do that.

23 AUDIENCE MEMBER: One more question. Will I  
24 have to get back in line?

25 MS. ROZELLE: Yes, if you will. Thank you

1 very much.

2 MR. NELSON: I will take them. Thank you.  
3 Thanks for coming.

4 MS. ROZELLE: Yes, ma'am.

5 AUDIENCE MEMBER: I noticed that the  
6 comparable line that's showing from Australia is tight  
7 compared to this mine. Is there anything that you will be  
8 able to compare to the size of this mine in the EIS, or  
9 are you just out there in something -- new territory?

10 MR. NELSON: Well, you know, that -- that's  
11 a picture that I have in my files. And that's actually a  
12 picture that was provided by Resolution Copper. It's in  
13 an appendix of the -- of the proposed mine operations. If  
14 you're interested in the subsidence issue, take a look at  
15 that appendix and take a look through the table of  
16 contents. It will take you straight to it.

17 There are some large blockades that are  
18 larger than that -- than that photo that I don't have  
19 photos of. So, you know, we're going to -- we're going to  
20 take a look a close look at that. That's something we  
21 have to get our -- our expert mining engineers. Some of  
22 folks from Ballard provide that corkboard that look at two  
23 things; one is to look at kind of predictive models. But  
24 predictive models can always be wrong. And so we also  
25 want to look at analog sites, every place in the world

1 where they've got some of these mines.

2 AUDIENCE MEMBER: So are they --

3 MR. NELSON: So we're going to be taking a  
4 look at that.

5 AUDIENCE MEMBER: Are there mines this size?

6 MR. NELSON: Generally speaking, there are.  
7 There are very large copper mines.

8 AUDIENCE MEMBER: With the -- with the panel  
9 caving?

10 MR. NELSON: Yeah.

11 AUDIENCE MEMBER: Okay. And then will the  
12 EIS analyze other possible methods of extracting that ore  
13 besides panel caving?

14 MR. NELSON: That's a -- that's a great  
15 question. And, as I mentioned, once that land is  
16 exchanged, the Forest Service will no longer have  
17 regulatory jurisdiction for that Oak Flat plot. So we  
18 will have no authority to tell Resolution how they may or  
19 may not mine that deposit. But the EIS process does  
20 require us to analyze alternatives. So the EIS will be  
21 looking at that subsidence issue and will analyze it  
22 ultimately.

23 AUDIENCE MEMBER: Thank you.

24 MS. ROZELLE: Yes, sir.

25 AUDIENCE MEMBER: Thank you. Thanks very

1 much for your presentation. I thought it was really good  
2 at laying out the scope of the scoping process. I did  
3 take issue with one statement you had. You talked about  
4 Resolution's proposal, and you say how copper is very  
5 important. And you emphasized that. And I think you  
6 should consider, in further presentations, maybe -- maybe  
7 getting rid of that statement, 'cause it does seem to  
8 suggest a little bit of a bias. Certainly water is  
9 important, air is important, religion is important,  
10 et cetera. Unless you care to mention all those things.  
11 But just a commentary on the presentation. Otherwise,  
12 thank you very much for that job on the scoping process.

13 I do have some questions, but they're...

14 And the other thing, in the presentation,  
15 you talk about economic impacts. I want to be certain  
16 that you're also looking at negative impacting points, the  
17 impact to the -- damage to tourism, the -- the health  
18 problems that are going to arise from the massive air and  
19 water pollution, et cetera. The export of the -- this  
20 commodity overseas, the profits going to foreign  
21 corporations, et cetera, loss of American jobs, et cetera.  
22 So that's -- I think, also, maybe something to consider,  
23 when you talk about economic influence, just acknowledge  
24 that there are some obvious negative economic impacts,  
25 because just suggesting that there are economic impacts

1 makes it sound like they're all positive.

2           And then the tailings. Are you looking at  
3 alternative tailing sites? That's a really important  
4 question. I know Resolution gave you a specific proposal,  
5 but I -- I fear for the people in these communities here  
6 that are sandwiched between this giant mine, this  
7 underground toxic funnel of the tailings pile here. Are  
8 there alternatives? Are you looking at that? Or are you  
9 only being directed by Resolution on where the tailings  
10 are going to go?

11           When we talk about the land exchange not  
12 being so much in the scope of your work because it's a  
13 done deal by that awful rider that passed, I would  
14 challenge you on that. I think it is within the scope of  
15 your work. And I think what's really important, regarding  
16 the land exchange, is an assessment of the values of the  
17 land. When you look at Oak Flat as a whole, how does it  
18 appraise on many different levels; culturally,  
19 environmentally, the value of the land, the value of the  
20 copper, versus the disparate, fragmented, washed-out  
21 riparian areas all over the state that got swapped for  
22 this really precious place that has a lot of value. So I  
23 do hope you do take that seriously and you make a decision  
24 about the land swap, that you're really looking into the  
25 appraisals, 'cause I think the American people got really

1 ripped off on this.

2                   And I'm a business owner from Tucson. I  
3 lost hours of work to come here because it seemed like the  
4 only option. I really encourage you to have a Tucson  
5 meeting. There are hundreds of people that are very  
6 concerned about this. This could be the largest copper  
7 mine in North America if it's built out to its fullest  
8 extent. Not many people know that. It does have very  
9 serious implications for all of Arizona. It has regional  
10 implications. It has national implications. And they're  
11 not all good. And I think you owe that to the people of  
12 Tucson, to the people of Phoenix.

13                   And then, lastly, you certainly owe that to  
14 the people of San Carlos, the White Mountains, the  
15 indigenous communities around here that are clearly  
16 invested in this issue. And a question for you. Have you  
17 reached out to them? Have you considered a scoping  
18 meeting in San Carlos? And if not, why not?

19                   (Applause)

20                   MS. ROZELLE: Is that a question you'd like  
21 an answer to?

22                   AUDIENCE MEMBER: I would like an answer to  
23 that. And --

24                   MS. ROZELLE: Go ahead.

25                   AUDIENCE MEMBER: And just along those

1 lines, when you do -- when you do go down that road, I  
2 really encourage you to find the resources to adequately  
3 address those concerns. I don't know that the Forest  
4 Service, per se, alone is capable of doing that. I think  
5 it's essential, talking to the people that have expressed  
6 concern about the loss of this important place here.  
7 And -- and I don't think you can do that without really  
8 engaging in that. And I also think it's not just about  
9 the land. It's about their relationship to the land. So  
10 I think you need to study the impacts on those people if  
11 that is destroyed. Thank you.

12 MR. TORRES: All right. Let me answer the  
13 question about have we reached out to the Native American  
14 tribes. We have reached out to -- so let me back up just  
15 one second.

16 The federal government has a unique  
17 responsibility for conducting -- consulting, I should say,  
18 is the proper term -- consulting with identified Native  
19 American tribes in the community. We have reached out to  
20 each one of the Native tribes, the tribes in Arizona, and  
21 asked them specifically would they like to host us to come  
22 out and provide a scoping meeting similar to this at their  
23 reservation or wherever they would like.

24 So the answer to that question is yes, we  
25 have reached out. To date, we have not received a reply



1 yet. But I will say that this coming Wednesday, Neil --  
2 Neil Bosworth, my boss, and I and Mark will be sitting  
3 down with Sharon Rambler from the San Carlos tribe and  
4 talking about how we're going to consult on this project  
5 moving forward. And the scoping question is going to be  
6 one that we're going to -- we're going to re-ask, I guess.  
7 So that's the answer to that one.

8 MS. ROZELLE: And there was another question  
9 about are you going to look at alternatives to the  
10 proposed tailings.

11 MR. NELSON: Yeah. With respect to  
12 alternatives for the tailings, when I mentioned the --  
13 because Resolution's proposing to mine copper, it -- it  
14 triggers our 36 CFR subpart A regulations, our regulations  
15 for locatable minerals. And so those regulations really  
16 constrain the decision space for Neil. Neil can either  
17 approve their plan of operations as proposed or he  
18 could -- he can require modifications to that plan of  
19 operations prior to approval. And the regs say that the  
20 purpose of those modifications would be to comply with our  
21 Forest Service regulations, which include things like  
22 environmental protection. That section requires that they  
23 comply with the water act, air act, state groundwater  
24 standards, et cetera.

25 And so Neil does not have the discretion to

1 categorically prohibit Resolution from using those Forest  
2 Service lands for disposal of tailings. But it gives him  
3 a tremendous amount of authority to modify that -- that  
4 proposed facility, including the design of the facility,  
5 configuration of the facility, even the location of the  
6 facility. And a good example is -- is a mine called the  
7 Mountain Ore Mine in Montana, which is a proposed mine.  
8 They started the EIS process for that proposed mine in  
9 2004. And then, in January, they just finally arrived at  
10 a record of decision. And, in that case, the Forest  
11 Service required the company to move the tailings facility  
12 to an entirely different location prior to approving the  
13 plan of operation.

14                   So it's a -- it's a bit different when  
15 you -- when you try to understand the range of discretion  
16 that Neil has. He can't say absolutely no, it's not going  
17 to happen anywhere. But he has a lot to say about the  
18 environmental protection measures that they employ, the --  
19 the configuration of the facility, the location of the  
20 facility. So we'll absolutely be looking at alternatives  
21 to what they're proposing.

22                   AUDIENCE MEMBER: Thank you. And how about  
23 the --

24                   MS. ROZELLE: You can come back if you have  
25 another question.

1                   AUDIENCE MEMBER: Okay. Can you answer the  
2 question about the appraisals?

3                   MR. TORRES: So let me answer that question.  
4 So one of the things that I want to make clear is that the  
5 appraisal part of the properties involved are being  
6 handled at -- by a different team other than this team.  
7 That's intentional, because the authority for handling the  
8 appraisals rests with our regional appraiser. He's the  
9 guy up in Albuquerque who's specially trained in managing  
10 that and understanding the complexities of the appraisal  
11 process. I think you asked sort of what standards are  
12 used to guide the appraisal process in the future. And  
13 I'm looking at my notes here. It's actually described in  
14 the legislation itself. And those standards are Uniform  
15 Appraisal Standards for Federal Land Acquisition. And so  
16 what we're doing right now is we're trying to get sort of  
17 a sense of what those properties include. So we're  
18 actually visiting each one of those sites to get a better  
19 handle on the condition and what some of the preexisting  
20 conditions might look like. And so that information will  
21 be shared and developed with -- well, it will be used in  
22 that formal appraisal process that's being conducted by  
23 our Albuquerque office. And so I -- we can't go into a  
24 lot of details on the specifics, because it takes somebody  
25 very specially trained in that appraisal process and

1 certified appraisal -- appraisers and things like that.  
2 So, if there are further questions about the appraisal  
3 itself, we're happy to take them with us and share that  
4 with our -- with our regional appraiser and get answers to  
5 specific questions.

6 AUDIENCE MEMBER: Hi. My name Leslie Glass.  
7 I also came up from Tucson, took off work to be here.

8 This process --

9 MS. ROZELLE: Do you want to come a little  
10 closer.

11 AUDIENCE MEMBER: Okay. I've got, like, 12  
12 pages of questions and concerns.

13 MS. ROZELLE: Uh-huh.

14 AUDIENCE MEMBER: And the entire process for  
15 the public scoping period was very overwhelming for me  
16 when I looked at the general procedure offered by  
17 Resolution Copper. So I thought I would start with the  
18 very first question that I had in my mind when I was  
19 reading through it.

20 The land exchange authorized an exchange of  
21 2,422 acres of national forest public land to Resolution  
22 Copper, yet the introduction of the project on the Tonto  
23 National Forest project website states, "The project would  
24 occur on a mixture of private, state, and national  
25 forestlands. The Resolution Copper project would create

1 one of the largest copper mines in North America," which  
2 we know. What my question is, there is an estimated  
3 surface disturbance of 6,951 acres, which is approximately  
4 11 square miles. How did Resolution Copper obtain the  
5 rights to those additional public lands -- public, state,  
6 and federal lands?

7 MR. NELSON: So, yeah, you're correct.  
8 Their proposed line encompasses Forest Service lands, land  
9 that's currently private, some state land, and then the  
10 Oak Flat parcel, which is currently Forest Service but  
11 will become private land 60 days after the final EIS is  
12 published. And so, in the presentation, when I talk about  
13 4,400 acres of Forest Service disturbance, that's  
14 disturbance on land that will remain Forest Service land  
15 after the land exchange is completed. It does not include  
16 disturbance on the Oak Flat parcel or the disturbance on  
17 lands that are currently privately owned. So I think the  
18 number you're referring to is the total disturbance on all  
19 different types.

20 AUDIENCE MEMBER: Exactly. But as -- as an  
21 American citizen, what if I am opposed to the additional  
22 use of those public lands for the mine tailing site, for  
23 example? Is that a -- I mean, is --

24 MR. NELSON: That's -- that's a comment --

25 AUDIENCE MEMBER: -- is that a deal?

1                   MR. NELSON: That's a comment that -- that,  
2 you know, we do care about and appreciate you taking time  
3 off of work and coming up. And I'm sure willing to visit  
4 any time about your other 12 pages of questions. I'll  
5 give you my -- I'll give you my phone number, maybe, if  
6 that will help.

7                   But, you know, that goes back to the days of  
8 Ulysses S. Grant and the 1872 mining law. And the 1872  
9 mining law gave miners the right to go out on federal  
10 lands and look for mineral deposits and, if they find  
11 them, to mine those deposits and use that land for -- for  
12 associated activities like mineral processing and other  
13 things. That law was passed about 25 years before anyone  
14 had ever thought of designating Forest Service lands. It  
15 was called the Forest Resolution, at the time, which was  
16 in 1896. And so when they did that first act that  
17 established the forest preserves, that act, in order to  
18 get passed, provided for that continuing right of access,  
19 for miners, to those lands. And it only applies to lands  
20 that have been in federal -- federal ownership since that  
21 time. So, for example, lands that we acquire -- for  
22 example, the lands that will be acquired in the land  
23 exchange will not be open to mining. So it doesn't affect  
24 all Forest Service lands everywhere. But that old law --  
25 old law from 1872 still applies to lands in the Superior

1 area.

2 AUDIENCE MEMBER: Okay. And I had another  
3 quick question. When you were talking about NEPA and you  
4 said that NEPA cannot override current federal law. Well,  
5 how can the land exchange override current federal law,  
6 such as Presidential proclamation and that type of thing.  
7 I'm sure -- you know, the Indian Burial Act. I'm  
8 concerned about subsistence and burials, you know, the  
9 people who have been buried there through -- throughout,  
10 you know, the centuries.

11 MR. TORRES: Let me -- let me handle the  
12 first part of your question about the Presidential  
13 proclamation. As many folks might know, a certain amount  
14 of acreage around Oak Flats were declared withdrawn from  
15 mineral entry by President Eisenhower in the 1950s some  
16 time. And the National Defense Authorization Act that was  
17 just passed December of 2014 modified that withdrawal and  
18 will make it available for mineral entry and conversion to  
19 private property at the conclusion of the land exchange  
20 unless we get different legislation. You know, that  
21 question was brought up in -- in Queen Valley on Thursday.  
22 What if we get new legislation? We know that there are  
23 two pending bills, one in the Senate, one in the House,  
24 right now that seek to change the National Defense  
25 Authorization Act. If that law -- one of those -- those

1 bills are consolidated and a law is passed, we will follow  
2 that law. And so that's the answer to the question about  
3 the mineral withdrawal area; there's -- there's a new law  
4 that gives new requirements and authorization for -- for  
5 conversion to private property and mineral withdrawal.

6 MS. ROZELLE: And I encourage you to check  
7 the website to see if some of your other questions might  
8 be answered.

9 AUDIENCE MEMBER: I've only scratched the  
10 surface.

11 MS. ROZELLE: Yes. But there's a line.  
12 Okay. Go ahead.

13 AUDIENCE MEMBER: (Speaking in Apache.)  
14 The First Amendment, United States  
15 Constitution, gives me the freedom, the right, to speak at  
16 a public meeting in my language, which is my first Apache  
17 language.

18 I grew up in Bylas, the other side, the  
19 other side of where Freeport is. That's my home.

20 That gentleman talked about cancer. I'm a  
21 survivor of cancer. My brother is a survivor of cancer.  
22 Just at the end of my home, as tribal chairwoman, former  
23 chairwoman, we were going to start on that. But it never  
24 materialized. And, yes, we do have a problem with cancer.  
25 There are lots of other mitigating factors that contribute



1 to that, not just mining alone.

2 But I want to make a point before I go on.  
3 Gentleman was talking about -- or the ladies -- come to  
4 Phoenix. Come to Tucson. Why? We Apaches are in your  
5 backyard. We should be the first people to have this  
6 public hearing in our yard.

7 (Applause)

8 AUDIENCE MEMBER: Remember that.

9 (Applause)

10 AUDIENCE MEMBER: Tucson, 500 cards.  
11 Phoenix, how many cards? And what do they have to do with  
12 our people? They don't care about us. Other young lady  
13 talk about burial grounds. Did you know, forester people,  
14 that the burial grounds, the grounds for sunrise dance,  
15 and the grounds of the holy ground should not coexist. As  
16 far as I'm concerned, those crosses that you have are  
17 exploitation of my culture.

18 I was raised and bred -- and I know you're  
19 unhappy. But give me a few minutes. Okay?

20 I was born and bred in the Apache culture.  
21 A lot of the people that support Oak Flats never said a  
22 single word about Oak Flats to me when I was growing up.  
23 Never. I wish they had. My parents drove down past Oak  
24 Flats many, many times. My dad was a medicine man. His  
25 dad, my grandpa, was a medicine man. They never said

1 nothing about Crown Dancers at Oak Flats. They never said  
2 nothing about having dances over there or burial grounds  
3 over there. But you know what? Our people roam -- roam  
4 all over the Southwest, and then some. So I'm sure  
5 there's burial grounds all over the place when -- even the  
6 house that you're living in. Underneath it, there could  
7 be someone burred. But these are things that we don't  
8 consider -- and I know what you said about questions and  
9 how it should be quality questions. But I just had to  
10 speak my mind about a lot of the other stuff that people  
11 were talking about.

12 An informational meeting in San Carlos, even  
13 biased, would be good. Resolution Copper has been out  
14 there, and they have given their information. Not  
15 everybody supports Oak Flats mining, just like not  
16 everybody supports Donald Trump, you know.

17 And I already talked about the coexistence.  
18 There never should be a coexistence. So the EIS needs to  
19 accurately characterize those aspects of Western -- Apache  
20 Western culture.

21 One of the other things that I'd like to ask  
22 is, in the EIS, let us know how that impacts water  
23 quality. We always hear it's going to contaminate  
24 San Carlos water. It's going to contaminate it. Well,  
25 outline it. Let us know.

1                   And then, finally, I have a question. How  
2 did you select a Apache interpreter? Did you announce it?

3                   MR. NELSON: No. SWCA, who is our  
4 consultant for the incumbent EIS, identified an Apache  
5 interpreter.

6                   Donna, do you want to answer that question  
7 for us?

8                   Donna did it. This is Donna. She's  
9 awesome.

10                  DONNA: I'm not sure after the "Donna did  
11 it" comment.

12                  So we were asked to get both a Spanish and  
13 an Apache interpreter for these meetings. We did request  
14 those. We had a lady that came to our last meeting, on  
15 Thursday evening, in Queen Valley. She was scheduled to  
16 be here tonight, as is the rest of the nights of meeting.  
17 But something happened, and she was not able to make it.

18                  AUDIENCE MEMBER: She knew I was coming.

19                  MR. NELSON: You identified her through an  
20 interpretation --

21                  DONNA: Yes.

22                  MR. NELSON: -- company.

23                  DONNA: We went through multiple interpreter  
24 companies throughout Arizona, and we found two companies  
25 that did have Apache interpreters. And those were the two

1 that we used -- that we collected from. We mainly went  
2 off who was able to guarantee that they could provide one  
3 for all four meetings.

4 AUDIENCE MEMBER: In one of the readings --  
5 I can't remember which one, but the ones you provided  
6 tonight -- there's a sentence in there that says that you  
7 will be very independent and objective, I think. Maybe  
8 not necessarily those words, but that was the concept.  
9 Well, mind you, with that woman, I don't see anything  
10 objective, because you could have, as well, told me --  
11 might as well have told me to interpret as well. I used  
12 to interpret in federal court in Phoenix, so --

13 MS. ROZELLE: If you want to talk to us  
14 afterwards and give us your information.

15 Do you have one more question?

16 AUDIENCE MEMBER: I have one more question,  
17 yes.

18 The other thing is that I used my Apache  
19 language to -- for a point. It's very, very important,  
20 you know -- apparently -- I have three grandsons in the  
21 United States Navy, Air Force, and the Marine Corps. My  
22 husband was a Vietnam vet. And he was shot in Vietnam and  
23 came home with a Purple Heart. I'm very, very proud of  
24 them. Very proud of them. That flag sits in our tribal  
25 office. We also have the tribal flag the same way.

1 But -- and I stand -- I was at a rodeo yesterday. Put my  
2 hand over my heart as I heard the national anthem. I may  
3 be Apache, but I'm also an American citizen. And it  
4 frustrates me, makes me cry, when people don't acknowledge  
5 that. We all have our differences with the United States  
6 Government, Arizona Government, even with one another as  
7 neighbors. But we should respect our citizenship as  
8 American people. That should be number one. I'm Native  
9 American. I'm Apache first. But I still respect that  
10 flag.

11 The other thing is -- along with that is the  
12 Apache language. And, you know, we have years of -- of --  
13 years of horrible things that happened, for lack of a  
14 better term at the moment. When you get -- when you turn  
15 65, these things kind of happen.

16 But the point that I'm trying to make is  
17 that language is so important. A child first utters the  
18 word "Mom." That's all of us. As Apache women, we are  
19 the ones that are right next to the Creator in terms of  
20 life, in terms of raising our children. And language is  
21 important.

22 So, in your EIS plan, I'd like to encourage  
23 you that Resolution Copper also develops culture programs,  
24 language programs for our youth, because I'm going to tell  
25 you that our language is dying, and we need to do

1 something about our language.

2 Thank you very much for taking your time.

3 MR. NELSON: Thank you very much.

4 (Applause)

5 AUDIENCE MEMBER: My name is Tony Lopez.

6 First of all, the picture you put up there with the  
7 tailings, pretty good job, I guess, if you don't know  
8 about tailings, 'cause you took us some neat pictures.  
9 Should have gone down to the bottom and showed a true  
10 picture of tailings. But those tailings go to  
11 Miami-Globe. You know, it's a joke.

12 But anyway, my main concern is about cancer  
13 and the alarming rate of cancer in Superior. And what's  
14 happened is the disturbance of the tailings over here,  
15 where you're going to put all your equipment -- or  
16 Resolution is going to put all their equipment, for the  
17 plants and all this, they're being re-disturbed. This  
18 will rerelease pollutants in the air and escalate the  
19 cancer rate.

20 Now, my question is since you guys are so,  
21 you know -- I don't know -- gung ho on NEPA studies --  
22 right? Well, when this first started, the opposition  
23 against Resolution, ten years-plus ago -- Resolution was  
24 saying, oh, give us Oak Flat, and we'll do our legal  
25 studies properly and any which way after that. Yeah.

1 Well, good thing we didn't. Because what I'm asking is  
2 why weren't there any legal studies done years before you  
3 started disturbing the grounds up here? Because you added  
4 to the cancer and to the pollution problem. You have done  
5 more damage, in the just last few years of digging --

6 MS. ROZELLE: Who is "you," sir?

7 AUDIENCE MEMBER: Resolution. Rio Tinto,  
8 actually, you know, the foreign company you work for.

9 But, you know, this -- this has got to stop  
10 or be investigated, because we need -- we need, you know,  
11 closure on this. We need the CDC to come down here and  
12 evaluate too. The EPA -- I'm working with someone with  
13 the EPA right now. That doesn't mean anything. You know,  
14 the EPA has been sued so many times.

15 But getting a neutral party -- you're the  
16 forest department. I ask you. Get a neutral party to  
17 come down here and investigate. Call me a liar. Prove me  
18 wrong. But don't sit here and, you know, praise NEPA so  
19 fluidly, you know.

20 I mean, you know -- and the other thing is  
21 about the water situation and what you're going to do with  
22 it. How you're using it. Are you going to -- you know,  
23 are you going to -- you know, the mine is considered first  
24 in a drought, 15-year drought, 6,800 feet of water that  
25 they're going to use.

1 I mean, these are just things that need to  
2 be looked at before any further consideration. Stopping  
3 them here in Superior is my -- is my hope and dream. But  
4 stopping them in Oak Flats now -- Oak Flats now, that's  
5 going to continue to snowball into Superior and destroy  
6 us. So we want it stopped. Please consider that. Thank  
7 you.

8 (Applause)

9 MS. ROZELLE: Go ahead.

10 MR. TORRES: Can I respond to one of the  
11 points that Tony made, just briefly?

12 MS. ROZELLE: Yes.

13 MR. TORRES: So someone mentioned -- or  
14 asked the question why no studies were done. I think you  
15 were talk about the west plant site. What I can say is,  
16 for every action that was approved and is ongoing on  
17 forestlands right now, including the pre-feasibility work  
18 out there to the -- to the east plant site, is including  
19 the proposed baseline data acquisition. Those -- so that  
20 one's underway. The pre-feasibility study was analyzed  
21 under a environmental analysis several years ago.

22 And so, Tony, at least on federal lands, on  
23 forestlands, those studies were conducted. I just wanted  
24 to make that point.

25 MR. NELSON: Yeah. I think part of the



1 answer to your question is also the -- the National  
2 Environmental Policy Act applies to federal decisions,  
3 which -- which means things that the federal government  
4 goes and does, or also anything that requires federal  
5 money or federal approval for federal authorization.

6 So, for example, reclamation of the tailings  
7 left by the land by Resolution Copper didn't trigger one  
8 of those requirements that would have -- would have.

9 AUDIENCE MEMBER: Exactly. Given Oak Flats  
10 would have been given up and allowed to proceed later on,  
11 quote/unquote. That's what I'm saying.

12 MR. NELSON: Good comments. Thank you.

13 MS. ROZELLE: Yes, sir. Question?

14 AUDIENCE MEMBER: My name is Tom Wright. I  
15 have laryngitis. So I'm just going to have to get through  
16 this the best that I can.

17 I have several different questions and  
18 comments. I've been to these sort of NEPA scoping  
19 meetings, special meetings, public hearings, whatever you  
20 want to call them, for 40 years. So I know how it goes.  
21 Generally, in these issues in the past, it's come down to  
22 choice. Are we going to do this, or are we not? And the  
23 public has a fair say in that. It's a decision that  
24 should be made based on the studies and public input.  
25 And, in this case -- not you guys' fault -- but that's

1 really being made a mockery of here. We have no say,  
2 because whatever we say is going to be rendered void and  
3 meaningless. So I have no particular faith in this  
4 process. But, nevertheless, I'm here.

5 So a few questions. I don't really expect  
6 answers. These are just going to be kind of bullet  
7 points, because -- because I understand these are scoping  
8 sessions.

9 Number one, will there be any independent  
10 analysis of Resolution Copper's economic projections for  
11 jobs in this area? If there's not going to be any  
12 independent analysis, I'd love to hear it on the news,  
13 just whatever, say, okay. We'll go with that. Sure. No  
14 questions.

15 How much of the work is going to be done by  
16 outside consultants? How much is going to be robotic  
17 work?

18 MS. ROZELLE: Do you not want answers to  
19 these questions? Is that -- I couldn't quite --

20 AUDIENCE MEMBER: I'm sorry?

21 MS. ROZELLE: Did you not want answers?

22 AUDIENCE MEMBER: I'm not expecting answers  
23 to these comments --

24 MS. ROZELLE: This is part of your comment.

25 AUDIENCE MEMBER: -- questions tonight.

1 MS. ROZELLE: Okay. Go ahead.

2 AUDIENCE MEMBER: I'm asking questions about  
3 the extent of the independent analysis --

4 MS. ROZELLE: Okay.

5 AUDIENCE MEMBER: -- of the numbers and if  
6 that's going to be a part of the EIS process here.

7 Next question, this particular -- this  
8 operation's going to consume a lot of power. It takes a  
9 lot of power to operate a mine. To get the slurry  
10 downhill, to transport everything, that's a lot of power.  
11 Where is the power coming from? Where is it being  
12 generated? How is it going to be brought to the site?  
13 Are those part of the scoping for this meeting? Because  
14 the actions we're talking about here, they involve a whole  
15 spiderweb of related activities. And I'm not sure if  
16 they're included in the scope of the EIS or not. That's a  
17 question.

18 Regarding the location of the tailings pile,  
19 my only question is -- I think I know the answer to this  
20 one, but, for the record, does the legislation that was  
21 passed a little over a year ago dictate where that  
22 tailings pile is going to be, or does it leave options  
23 open, or does it address it at all? Is there any legal  
24 congressional mandate that that tailings pile be there?

25 Next -- next -- going down the list here.

1 What happens to -- actually, put it this way. Is it  
2 within the scope of the EIS to ask about socioeconomic  
3 issues to this area? What happens to Superior after the  
4 mine shuts down and it's bracketed, on one side, by a  
5 massive pit and, on the other side, by a huge tailings  
6 pile? Now, that kind of blows any chance that Superior  
7 has, or this region in general has, to become the sort of  
8 outdoor mecca that Moab, Utah, has become, or the sort of  
9 town that, more locally, Bisbee and Jerome have become.  
10 They all have pasts related to mining. But they form  
11 numerous older layers. Are these issues going to be  
12 addressed?

13                   And, finally, I would like to get a copy of  
14 the executive order from the Eisenhower Administration.  
15 I've searched the Web. I could never find a copy of it.  
16 I'd like to get one.

17                   That's all I have.

18                   MS. ROZELLE: Thank you very much.

19                   All right. Yes, sir.

20                   AUDIENCE MEMBER: Hello. My name is John  
21 Craig. I'm from Queen Valley. And so you can finally  
22 figure out why I'm here. But the -- the one gentleman  
23 brought this up, and it was never put up here, Jill. And  
24 it was have you thought about the jobs being lost if this  
25 mine project goes forward? And -- and, where I live, in

1 Queen Valley, there's a lot of people that come from Gold  
2 Canyon and Arizonian, the RV parks, they all come for  
3 recreational areas in Tonto National Forest. Basically,  
4 it's the area north of Hewitt Station Road. They go  
5 there, and they go to Oak Flats. If this mine project  
6 goes forward, those areas will be lost, permanently, to  
7 any recreational possibilities in the future. It's not  
8 just while the mine is going on. It's a permanent  
9 stoppage of that whole area. And that's why a lot of  
10 those people moved into those areas, so that they could  
11 enjoy Tonto National Forest. There's restaurants, the RV  
12 parks, the Arizonian. Those -- those people will all  
13 suffer if this mine project goes forward.

14           And my other question -- and so I want that  
15 to be a significant thing, because all we hear about is  
16 all the jobs it's going to create. I'm talking about the  
17 jobs that are going to be lost because of this. And  
18 they'll be permanently lost, they're not just -- not when  
19 the whistle blows and the mine stops. These are  
20 permanently lost jobs.

21           The other question I have is do you take  
22 into account the past environmental records of Rio Tinto  
23 and BHP Billiton? BHP Billiton, as you know, Mark, had  
24 a -- San Marco mine in Brazil with a tailing pile upstream  
25 from a small community. That tailing pile was smaller

1 than this tailing pile. It broke and killed 22 people.  
2 That isn't what the people in Queen Valley envisioned when  
3 they bought their homes out there. So does that get taken  
4 into account when you make your decision on this project?

5 MR. NELSON: Yeah. So -- so two questions  
6 there. The first one is a great one. And I've heard a  
7 few -- few comments like this related to, you know, are we  
8 going to look at both beneficial and adverse effects? The  
9 NEPA process requires us to look at both beneficial and  
10 adverse effects and to disclose those. So, you know, in  
11 other words, from the -- from the perspective of potential  
12 adverse effects to socioeconomics, that's something that  
13 we certainly will be analyzing.

14 Your question about the record of the mining  
15 company, their past environmental record, in my  
16 experience, that's not something that is taken into  
17 account. We have to assume that -- that the operator is  
18 going to comply with the environmental laws of the U.S.,  
19 environmental regulations of the Forest Service. So  
20 that's generally the way we would look at that.

21 Now, with respect to tailings stability  
22 itself, we're going to look -- look at that very closely  
23 in terms of risk, what risk is there and what approaches  
24 can be taken to mitigate that risk or reduce that risk.  
25 But the fact that BHP had a tailings failure last year,

1 you know, BHP tailings failure, very, very big deal in  
2 Brazil, that, in and of itself, will not be weighed in our  
3 analysis.

4 AUDIENCE MEMBER: Well, it should weigh into  
5 the fact that, you know, maybe they don't have their  
6 designs quite right.

7 MR. NELSON: Right. Yeah.

8 AUDIENCE MEMBER: And if you start taking  
9 their word for everything that's going on -- I mean,  
10 the -- Rio Tinto has been fined numerous times for water  
11 pollution all over the United States. And we keep  
12 hearing, oh, they've got to comply with the Clean Water  
13 Act and whatnot like that. But, time and time again, they  
14 get fined for water pollution.

15 MR. NELSON: Those are good points. Thank  
16 you, John.

17 MS. ROZELLE: I think you'll have to move,  
18 because I think that microphone is not working.

19 AUDIENCE MEMBER: Yes. My name is Manuel  
20 Dan. I just recently relocated in Queen Valley.

21 Again, I think I'm going a little bit on  
22 Mr. Mendez. Do we have a -- Superior right now, you  
23 people -- I was born here, but I moved to Mesa because I  
24 was sick and that. But I care about -- I care a lot for  
25 this town.

1           This town has done a lot of research. We  
2 have found doctors who are treating -- as somebody told  
3 you -- 350 in Queen Valley. As a matter of fact, we found  
4 out two more had cancer in Superior. If you haven't read,  
5 in Superior, a lot of people are getting cancer, believe  
6 it or not, from one end of town to the other end of town.

7           And my main concern is -- I can't really  
8 believe everybody's looking at this mine. It's going to  
9 be a disaster to this community and the surrounding  
10 community. Hurts the Native American's culture. Hurts  
11 the Oak Flat reparation. The water, they're going to use  
12 a lot of that. The tailings, what I'm trying to get to  
13 you people right now, the tailings. And you have avoided  
14 these questions. I know you guys are paid by Resolution.  
15 You guys -- right now, the tailings has arsenic, lead.  
16 And arsenic, in Pinal, Superior, close to 200 homes, 80  
17 people have families that have died of arsenic or cancer  
18 there. And a brother -- a brother was buried a few months  
19 ago. Now a sister is going to be buried of cancer. About  
20 57 years old.

21           You've got to realize, this time, we'll  
22 survive. You don't need this company that's going to  
23 become a hazard, a destruction to this community. Wake  
24 up, people. Wake up. They promise you jobs. Last time  
25 they built, I think they had about 20 people from



1 Superior. They take them all from Canadian peoples here.

2 Resolution -- look at the groundwater.

3 I might look -- the only reason -- at my  
4 age, a lot of people I see here -- when we started, we had  
5 older people here. Same with -- that's a waste. That was  
6 before Resolution. They're in a grave.

7 Right now most of us have one foot in the  
8 grave. But what I'm looking at, myself, is the future,  
9 the kids, in the community, the young ones have not been  
10 born yet, going to have breast cancer, lung cancer,  
11 miscarriages. This is what I care about. The little  
12 kids. Look at -- we're 50, 60. We're up. But we can sit  
13 here say, hey, wait a minute. Let's take care of our kids  
14 in this community. You know, you want to see little kids  
15 suffer of cancer? Who's paying that bill? With this  
16 foreign company, doesn't even care. Doesn't even care, by  
17 being zoning this community, paying taxing of a rich mine,  
18 they're going to say -- they give you \$75,000, hearing --  
19 oh, yeah, here you go. Thank you for 75,000. That could  
20 billions of -- hundreds of millions of dollars could be  
21 given to this community. But wake up. Wake up, please,  
22 before it's too late. Respect the Oak Flats, respect the  
23 Native Americans and the community of Superior, the rate  
24 of cancer. And I'm telling you it's not stopping there.  
25 We're running out of time. We need somebody to come in

1 here and test the people. Test the people. They said  
2 that when they find arsenic on 97 percent, 37 percent on  
3 the property, and they detected it in their homes, they  
4 didn't even bother, the company, to go test their homes.  
5 That's how much they care about you. You want to die?  
6 It's your life. Thank you.

7 (Applause)

8 AUDIENCE MEMBER: My name is Freddy, and I'm  
9 one of the residents and a avid outdoorsman.

10 First, Mark, can I ask -- can you go back to  
11 the presentation, at the beginning. You had a picture of  
12 Benson Spring. I just want to bring something...

13 Can you kind of tell the audience what this  
14 project was about and when it happened? And the reason  
15 why is because I've got a question pertaining to that. I  
16 mean, that's in the Hewitt Station Road just --

17 MR. NELSON: Right.

18 AUDIENCE MEMBER: -- north?

19 MR. NELSON: Yeah. That's a -- that's a  
20 spring that is in the area of the proposed tailings  
21 facility. So, yeah, it's a nice area. That's why I put  
22 that --

23 AUDIENCE MEMBER: Okay. But --

24 MR. NELSON: -- put that picture up there.

25 AUDIENCE MEMBER: There's more to that.

1 President Theodore Roosevelt made a statement saying that  
2 wildlife cannot speak for themselves. Yeah. We must  
3 speak and will speak for them. And the reason why I say  
4 that is because, in 2001, the Arizona Cattlemen and the  
5 Arizona Bull Hunters and Game & Fish went in partnership.  
6 Now, I don't know if the Tonto National Forest was part of  
7 that. They called it -- I believe it was called the Bison  
8 Stream Enclosure. And the reason why they did that is  
9 because the -- of the water being available for wildlife  
10 and stock.

11 Now, my concern is that the tailings --  
12 proposed tailings is going to be right on top of it. Now,  
13 what is it that Resolution Copper company and Tonto  
14 National Forest -- are they collaborating with the Arizona  
15 Game & Fish Department and the Nuclear Foundation and any  
16 other wildlife agencies to do an analysis and do a study  
17 that went into effect, this tailing pile's impact to the  
18 water springs -- not just only the Benson Spring, but  
19 you've got also Grover Springs. You've got the Paradise  
20 Spring. And you've got other springs in that area.

21 And my concern is that -- I'm just speaking  
22 just for future generations, generations of potential  
23 young hunters that want to go out there and enjoy the  
24 land. What's going to happen? What's going on? What can  
25 we guys do? What can Arizona Game & -- Resolution and

1 Game & Fish and Tonto National do about this? I don't see  
2 no representation here from Arizona Game or any other  
3 agency. Now, is that going to be more -- more  
4 different -- they're going to be involved? Are they going  
5 to be able to initiate a proposed analysis on that?  
6 That's one of the questions. Would you be able to help me  
7 out with that or help out the audience?

8 MR. NELSON: That's -- that's a great  
9 question. That relates to what we call cooperating  
10 agencies. In a large environmental impact statement like  
11 this, there will generally be a lot of cooperating  
12 agencies involved. We're currently just starting the  
13 process of engaging those cooperating agencies. Arizona  
14 Game & Fish will be one of the cooperating agencies that  
15 we're going to engage and ask them if they'd like to be  
16 involved.

17 And what, you know, we're doing right now is  
18 public scoping. We also do internal scoping where --  
19 where, you know, folks like Leanne and Raul and Carrie and  
20 all of us put our heads together and then we'll work with  
21 the cooperating agencies and, as you mentioned, Arizona  
22 Game & Fish and, you know, kind of pick their brains  
23 about, you know, what are their concerns. And what you  
24 bring up with Benson Spring is a very valid concern. And,  
25 you know, those are the -- those are the types of issues

1 that -- that drive alternatives and -- for example, an  
2 alternative to locate tailings in an area where they're  
3 not going to affect Benson Springs. It's something that  
4 we will be looking at in the EIS process.

5 AUDIENCE MEMBER: And can I tell you there's  
6 one that -- I think -- I spoke to Anna that one of your  
7 maps that you have on display over there would be a  
8 proposed tailings. It doesn't give any detailed  
9 information about what roads, forest roads, it's going to  
10 affect to inform more of the public what land it's going  
11 to affect and what concerns and what are available and the  
12 whole area, total circumference of that, I think it's  
13 important that we need to be more informed than that. And  
14 who would give the final analysis and report on the study  
15 on wildlife or the impact if this proposed tailing was to  
16 take place?

17 MR. NELSON: Forest Service will do that in  
18 what's called the biological evaluation. We'll consult  
19 with Arizona Game & Fish team. Arizona Game & Fish,  
20 assuming that they want to become a cooperating agency,  
21 you know, they would be involved in review of that report.  
22 It will be a collaborative effort. But that ultimately  
23 the Forest Service is responsible for the EIS.

24 AUDIENCE MEMBER: Okay. I would suggest,  
25 also, then, when you do the presentation, that you mention

1 about Benson Spring, that you give the detailed  
2 information to the public and what -- why it was put  
3 together.

4 Thank you very much.

5 MR. NELSON: Thank you.

6 (Applause)

7 MS. ROZELLE: Thank you.

8 AUDIENCE MEMBER: Good evening, Mark, Tom.  
9 I might have talked to you guys in Albuquerque about a  
10 month ago.

11 First of all, I'm going to acknowledge --  
12 (speaking Apache).

13 You know, it's very important that we  
14 understand, all of us in this room, how religious this is.  
15 Because one of the things that's really important to us is  
16 that fact that spirituality means a lot to us. And I'm  
17 not here to degrade anybody. I'm not here to abuse  
18 anybody in any sort of way, because we're all in this boat  
19 together now. Your children are my children; my children  
20 are your children. And, in Apache, we have a Hahtin.  
21 This is our holy medicine. And when you speak in public  
22 and we speak to the people, we speak from the heart. And  
23 even though we may have our disagreements, but we treat  
24 everybody like family, because when we're family, then  
25 answers come, because that means that we work with each

1 other. But, when we segregate and we say something  
2 different, then we hurt that process.

3 And when it comes to religion, nobody has  
4 control over religion. God will give that blessed gift to  
5 whoever it may be, and from that point on, it challenges  
6 every one of us if we believe in God's creation, because  
7 what we have to remember here, no matter what religion we  
8 practice, because this is what God gave the world to us.

9 And so, with me, you know, I come here --  
10 and I've always taken that position. I'm not employed  
11 with Resolution Copper. I do not take money from  
12 Resolution Copper, because it's important to have that  
13 sort of balance for people and decisions.

14 I'm also a former chair, and I've also been  
15 in the tribal government since the '80s. And I've been in  
16 the government since I was 21 years old. So I go back  
17 almost 36 years representing the tribe. And I came during  
18 the time of transition, when government leaders were  
19 leaving and what they were worried about. They talked  
20 about, from the government to prophecy, about this day.  
21 And I never expected that I would live in this day where  
22 now we're experiencing what we are experiencing today.

23 And one of the things that's really  
24 important to me, that all of us should agree with me here,  
25 is water. Water is the giver of life. No matter the

1 magnitude of what we're looking at, water is the access to  
2 the future for our children. You and I, everyone in this  
3 room, we've already lived our lives. We've already  
4 enjoyed what God created for us. I know this is on  
5 religion. And the important thing that we need to  
6 understand, that that plays a part as far as the decision  
7 you guys make.

8           Now, groundwater, aquifer, and deep water,  
9 those are the more crucial elements for the state, for the  
10 country and for our people in the next generations to  
11 come. And then in all directions it's going to be  
12 affected.

13           And people talked about, here, about the  
14 animal. As an Apache people, we need to recognize, and we  
15 always have recognized, that they're a part of what God  
16 created, and they have a right to this earth, just as we  
17 do. And then the people -- yes, at one time, it was the  
18 Apaches. But now it's all of us -- that's why we have to  
19 unify in the statements that we make here today through  
20 you, because it's going to set precedents for the future.  
21 That's what worries me the most with what's happening  
22 today.

23           Then comes religion. You know, again, it  
24 comes down to people who want to make remarks about  
25 religion. But the fact it's that not for us. It is God's



1 responsibility, his decision to make that decision when we  
2 leave this earth. It's not for me to stop any other  
3 religions. That's why all region is welcome up there.  
4 And I would hope that we would be welcome to their  
5 churches too. Because there's only one God. And God  
6 created all this for all of us.

7 (Applause)

8 AUDIENCE MEMBER: That's -- and that's what  
9 you're dealing with that we're going to face as people.  
10 Resolution Copper's not going to be here. They're not.  
11 You can -- no one stays. If you look at all these other  
12 mines. You just look at what happened in the corners of  
13 the copper triangle.

14 Now, they say a lot of jobs. I've had a lot  
15 of people who have had hardships when the mines shut down;  
16 divorces, drugs, alcohol, changing of careers. And you  
17 talk about 40 years up there. So how is the United States  
18 going to subsidize that?

19 And then last, but not least, you know, a  
20 lot of people tell me, well, Winston, nosy, what are you  
21 going to do? The land exchange is already done. You've  
22 already lost.

23 And I said, no. Not when it comes to faith  
24 and hope and believe in your Creator, that people here  
25 need to make a difference. People here need to start

1 standing up. Then you also need to stand in support. And  
2 that's something that's really important, because that's  
3 what's going to lead to what changes can occur for  
4 tomorrow. As I understand it -- and my only question is,  
5 what you were saying earlier, you're going to do all this  
6 work, but the land exchange is going to happen.

7 You know, so what is it you Forest Service  
8 are going to do for the future? Now, for the people here,  
9 what they need to understand, is that this sets precedents  
10 throughout -- throughout -- all over the country. That's  
11 why -- over 500 nations, Apache.

12 If we're talking about federal land -- and  
13 we live on federal land. And so if our language, our  
14 culture can be taken away and wiped away, then our  
15 children have no protection for the future. And that's in  
16 the hands of the United States. And then that's what all  
17 our people have fought for, for freedom of voice and  
18 freedom of religion.

19 So what you're going to do here is really  
20 important. But what is it -- where is it going to really  
21 go? Because the big problem we have here -- and I'd like  
22 to see it on there -- is the exemptions that your bosses  
23 take. Talking about McCain.

24 MS. ROZELLE: Excuse me, sir.

25 AUDIENCE MEMBER: Yes.

1 MS. ROZELLE: I've let you go twice as  
2 long --

3 AUDIENCE MEMBER: Okay.

4 MS. ROZELLE: -- as anyone else.

5 AUDIENCE MEMBER: All right. I'll finish  
6 up.

7 Okay. And that's -- your project and all  
8 those, because that is where the failure does come from,  
9 because what the Tribe has always asked for was  
10 administrative process, from day one. And we've never got  
11 it.

12 So those errors and mistakes is what you  
13 guys need to try to fix with your bosses. If not, let us  
14 know, because we elected them to office. And they need to  
15 start protecting the United States nation.

16 So -- but I'll be submitting my personal --  
17 but, again, you know -- thank you for talking to me.  
18 Thank you.

19 MR. NELSON: Thank you.

20 (Applause)

21 AUDIENCE MEMBER: Thanks for letting me  
22 speak. My name is Anna Jeffries. I live here. I'm from  
23 here. I was born here.

24 You know, I used to always think of the  
25 Forest Department as somebody that, as an organization,

1 that really cared about the land, you know, that really  
2 took good care of it. And I feel very blessed that I am  
3 from the -- that I am from here, because the beauty and  
4 the spiritually, everything about this area is very, very  
5 special, and it's very, very important.

6 And I'm just wondering how you feel, as the  
7 Forest Department -- how do you feel that all that is  
8 there, that unique beauty, the riparian area, the  
9 culture -- the cultural significance, all the memories  
10 that the people from Superior have there, the rock  
11 climbing, everything, all the wonderful things about Oak  
12 Flat and this area, is that really worth this mine? I  
13 mean, I want to know how you guys feel about it. Is it  
14 worth that price for a foreign mining company? You know.

15 My late husband's family moved to the --  
16 they homesteaded out at Hewitt Station Road, the Jeffries.  
17 And they came there in 1910.

18 And I was just out there today talking to  
19 Uncle Bill about the area and how he grew up there, grew  
20 up out there and, now, how he's looking at that whole,  
21 entire area being just flooded with tailings that aren't  
22 even going to have a lining under them, you know. It's --  
23 it's just a terrible, terrible thing what this mine wants  
24 to do.

25 And what am I going to tell my grandkids?

1 You know? I mean, I have six grandkids now. What am I  
2 going to tell my great-grandkids how I -- you know, how  
3 this place was totally destroyed, this beautiful, unique  
4 area. I take photos in the -- of Oak Flats in that area,  
5 the petroglyphs, the springs, all of the beautiful places,  
6 because I worry so much that some day you won't know what  
7 it looks like any more.

8 I look at -- I look at the mess at Ray Mine  
9 and think, God, I wonder what it looked like out there  
10 before that, you know.

11 And I guess that's -- that's basically all I  
12 wanted to know from you guys is how -- you know, do you  
13 really feel that this is worth it? And how closely are  
14 you working with Resolution Copper, Rio Tinto? Are they  
15 involved in a lot of the environmental process testing and  
16 stuff like that? I'd like to know an answer to that.

17 Thank you.

18 MR. TORRES: So is it worth it? That's a  
19 tough question, because, you know, just at the foundation  
20 of where the -- what the Forest Service stands for is  
21 conservation. And conservation has -- is included in the  
22 Forest Service mandate as a multiple-use conservation.  
23 So, you know, at heart we have the balance of ecological  
24 value. But we also have a responsibility to provide for  
25 development, economic activities, et cetera. If you look

1 back at the history of the Forest Service, since 1905,  
2 since it's been set up, a place with people can make a  
3 living.

4           Think about some of the extractive  
5 industries that are involved on public lands; cattle  
6 grazing, for example, wood fiber production in terms of  
7 timber sales and logging and stuff like that. So the  
8 Forest Service has a long history of trying to balance  
9 those ecological values with those -- those demands  
10 from -- from industry, quite frankly, in some cases,  
11 particularly with regard to mining.

12           So when you ask is it worth it, that's part  
13 of the reason -- that's part of the reason why we do an  
14 EIS is to balance those -- those competing interests and  
15 to put those in front of the decision-makers to influence  
16 what can be changed on the ground.

17           Now, with regards to the mining, like Mark  
18 mentioned, our hands are -- I don't want to say tied. But  
19 we have limited discretion about what we can and can't do.  
20 What we can do, with regard to mining, maybe we can't say  
21 no, but we can definitely influence the how. Some  
22 mitigation measures to protect to the maximum extent  
23 possible, impacts to wildlife, water, visual qualities,  
24 et cetera. That's where we have the greatest amount of  
25 discretion, and that's what we're going to be looking at

1 as we move through this process trying to identify where  
2 those opportunities exist.

3 AUDIENCE MEMBER: Yeah. But when you  
4 consider exactly what it is they want to do, you know, the  
5 big crater to the east of us and then the tailings to the  
6 west of us. That's -- that's grossly huge. I mean,  
7 considering what we would lose, including the water,  
8 everything -- everything. The whole integrity of Superior  
9 would be gone. The beauty.

10 And I worry that, because of the -- the  
11 ground subsidence, you know, it's -- there's a lot of  
12 rocks up there. And when the ground starts moving  
13 around -- and when it rains for just two days, we've got  
14 rock slides coming down. Well, underneath, when it's  
15 coming down and then there's going to be pockets of air,  
16 and then there's fault lines -- I know there's fault lines  
17 in Apache league. I -- I'm worried it's going to fall  
18 into my backyard. I really am.

19 And, also, too, you didn't answer the  
20 question about the -- you know, how much influence,  
21 actually, does Resolution Copper or Rio Tinto have  
22 involved in your EIS process, your environmental studies.

23 MS. ROZELLE: If you could answer that, and  
24 then...

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

1 Resolution Copper has provided huge amount of --

2 MS. ROZELLE: I don't think your mic is on.  
3 There. Try again.

4 MR. NELSON: Better?

5 MS. ROZELLE: Yes.

6 MR. NELSON: Resolution has provided a huge  
7 amount of environmental baseline data, and that data is  
8 available on our website.

9 AUDIENCE MEMBER: Uh-huh.

10 MR. NELSON: One of the very first things  
11 that our consulting team is going to do, led by the SWCA  
12 and the various expert subcontractors they've brought in,  
13 is to examine that data, validate that data, and look --  
14 look for data gaps, as they relate to the key issues. And  
15 so Resolution has been collecting environmental data for  
16 years.

17 AUDIENCE MEMBER: Why --

18 MS. ROZELLE: Excuse me.

19 AUDIENCE MEMBER: It's that like a conflict  
20 of interest, though, to have them do it? I mean, isn't  
21 that kind of a conflict of interest for them to be out,  
22 you know --

23 MS. ROZELLE: I don't think that's what --

24 AUDIENCE MEMBER: -- providing data --

25 MS. ROZELLE: -- he said.



1 MR. NELSON: That's why it's so important  
2 that we -- you know, that we carefully examine that  
3 data --

4 AUDIENCE MEMBER: Okay.

5 MR. NELSON: -- and validate that data and  
6 go through that process and make sure --

7 AUDIENCE MEMBER: Okay.

8 MR. NELSON: -- that the data are valid.

9 AUDIENCE MEMBER: And who's helping you guys  
10 do that?

11 MR. NELSON: Because if we identify data  
12 gaps, we will collect additional data.

13 AUDIENCE MEMBER: Okay.

14 MR. NELSON: But, you know, things like  
15 groundwater data takes -- takes years to collect. We need  
16 to --

17 MS. ROZELLE: That's why --

18 MR. NELSON: -- first identify -- you know,  
19 first examine the data that's been submitted and take it  
20 from there as far as what additional data we need.

21 MS. ROZELLE: I think that's why it's called  
22 third party.

23 AUDIENCE MEMBER: Okay.

24 MS. ROZELLE: To look at. And then -- okay.

25 AUDIENCE MEMBER: Thank you.

1 MS. ROZELLE: Okay. I'm just going to --  
2 I've got four people up here who haven't had a chance yet.  
3 I did say I would check in with you. So if there's  
4 anybody who still wants to ask a question, come on up.  
5 And I'm going to ask you to really stick to the three  
6 minutes.

7 Go ahead.

8 AUDIENCE MEMBER: Thank you. I'm very  
9 thankful to be here and be a part of a meeting again.

10 My name is Karen Kitcheyan Jones. If I had  
11 the gift of speaking the language regarding introduction,  
12 I would gladly have done it that way.

13 I am born of my mother's clan, which our  
14 children automatically take, and I am born for my father's  
15 clan. I am a grandmother. I'm a mother. I'm a sister of  
16 our community.

17 My first concern was regarding the choosing  
18 of our interpreter, which Ms. Kitcheyan had it ruled out  
19 already regarding the decision. And I, too, strongly  
20 disagree with the decision that was made.

21 I wanted to share, also, that, within my  
22 household, at our dinner table, questions have arisen  
23 regarding clarity based on truth. And I gladly share the  
24 truth regarding our practice as a people.

25 The first thing I want to point out is that,

1 in 2012, our family heard of the first sunrise dance that  
2 happened at Oak Flats. And through social media, it's  
3 been portrayed that this livelihood would definitely be  
4 threatened, should the project continue.

5 Well, as I speak to you, the season of  
6 sunrise ceremonies, which is an out-coming ceremony for  
7 our young girls, has begun. And we have ten existing  
8 ceremonial grounds that are within the boundaries of the  
9 San Carlos Apache Tribe that accommodate families who  
10 celebrate the ceremony.

11 Another misconception that social media has  
12 truly taken advantage of is acorn picking. Our people  
13 have harvested acorns in the Oak Flats region in the past,  
14 but we have other areas, such Ash Creek, Klondyke, Payson,  
15 only to name a few, that other families have been able to  
16 travel to to harvest, seasonally, the acorn staple that  
17 our people have on their table for the season. And we're  
18 not threatened, in any way, regarding the acorn  
19 altogether.

20 And just to make it on record that it's  
21 unfortunate that the history of native peoples, throughout  
22 the country, have been badly mistreated by the government  
23 of the dominant society, but, in no way, do I give them  
24 responsibility to cripple my family to believe that they  
25 will strip us of our culture, our traditions, or our

1 language, because, as a grandmother and mother and sister  
2 of my family, I would not allow that to happen.

3 And, again, thank you for welcoming me to  
4 make my statement.

5 MR. NELSON: Thank you very much.

6 (Applause)

7 MS. ROZELLE: Yes, sir.

8 AUDIENCE MEMBER: Hi. My name is Curt  
9 Segar. I live in town here. And I would just like to get  
10 a black-and-white answer from you. You say you have the  
11 power to approve the project as is or modify it, but you  
12 don't have the power to stop it.

13 MR. NELSON: Right.

14 AUDIENCE MEMBER: So you can't stop this?

15 MR. NELSON: (Shakes head.)

16 AUDIENCE MEMBER: Okay. And then another  
17 comment I have, I haven't heard any mention of light or  
18 noise pollution from this plant, pipeline. I can't  
19 imagine pumping rock and water through a steel pipeline  
20 quietly. Industry has a tendency to light up everything  
21 like a supermax prison. And I'm wondering how a pipeline  
22 lit up from here to Queen Valley is going to differ from  
23 the interstate in view and how -- the noise of 24/7  
24 pumping and processing, has that been taken into account?  
25 'Cause I haven't heard anybody mention it.

1 MR. NELSON: Well, that's a -- those are  
2 really good issues.

3 AUDIENCE MEMBER: 'Cause you can always turn  
4 your face away, but you can't stop your hearing. And if  
5 it blocks out the sky that's a big --

6 MR. NELSON: Yeah.

7 AUDIENCE MEMBER: I don't like that.

8 MR. NELSON: You know, I appreciate you  
9 bringing those up. That's exactly the type of thing that  
10 we want to learn.

11 AUDIENCE MEMBER: Nobody's mentioned it.

12 MR. NELSON: We haven't started our analysis  
13 yet. We're scoping our analysis. We're trying to  
14 identify what are the issues that we can analyze. Light,  
15 noise.

16 AUDIENCE MEMBER: Especially noise from the  
17 pipeline. Sounds loud to me.

18 MR. NELSON: Excellent issues that we need  
19 to add onto our list.

20 AUDIENCE MEMBER: And that's going affect,  
21 you know, recreation, wildlife, you know, the reputation  
22 Arizona has for stargazing. And, again, affects  
23 recreational opportunities forever.

24 And my other question is, is who's going to  
25 be responsible for the maintenance of this tailings dump

1 in perpetuity? You know, they erode. They blow. So you  
2 have, you know, toxic dust or whatever blowing about if  
3 someone doesn't maintain it. And how do you maintain a  
4 7-mile by 1-mile tailings pile to begin with? But, you  
5 know, if you look at history, they're going to dump it,  
6 and then they're going to walk away from it. And they're  
7 going to leave, basically, the feds holding the bag.

8 Superior was making some noise about  
9 annexing that land. But somebody's going to get left  
10 holding the bag. It's not going to be them. So I wonder  
11 if the environmental impact of the future forever  
12 maintenance of the tailings has been considered. It  
13 doesn't sound like it has.

14 MR. NELSON: It hasn't yet, but it  
15 absolutely will be. And, as I mentioned in the  
16 presentation, we need to take a long-term effect. You  
17 know, we're looking at a mine with a -- with 10 years  
18 construction, 40 or so years of operation, followed by  
19 reclamation 50 years from now.

20 AUDIENCE MEMBER: And then you have forever  
21 after that though.

22 MR. NELSON: There's a lot of companies that  
23 don't last 50 years.

24 AUDIENCE MEMBER: Right. But then there's  
25 forever after the 50 years.

1 MR. NELSON: Right. That's what we refer to  
2 as --

3 AUDIENCE MEMBER: Which they don't care  
4 about.

5 MR. NELSON: You know, we talked about  
6 closure and then post-closure. And so we'll look at that  
7 very closely in the EIS. And then we also require a  
8 reclamation bond to include -- include -- traditionally,  
9 reclamation bonds have always included the -- kind of the  
10 immediate reclamation.

11 AUDIENCE MEMBER: And, traditionally,  
12 they've been given back before they were needed.

13 MR. NELSON: And we've learned a lot about  
14 reclamation bonds. You know, in the early 2000s, the  
15 Forest Service had about a dozen mines go bankrupt  
16 during -- during the last down cycle in the metals market.  
17 We've learned a lot. But one of the things we've learned  
18 is that we need to have -- have solid reclamation bonds  
19 that are accurately calculated. And then we also need to  
20 look at post-closure bonds to provide for things like  
21 long-term water treatment, long-term maintenance of that  
22 facility, erosion control, monitoring, et cetera.

23 And just this last year, the Forest Service  
24 worked hard and finally gained authority to require  
25 reclamations trusts. And the way a reclamations trust

1 work is that a mining company would be required to put  
2 enough money into a trust fund that the interest off of  
3 that fund would provide for long-term care and maintenance  
4 for that, say, 50 to a hundred years.

5 So those are really challenging questions.  
6 And, you know -- you know, you're right on the money in  
7 terms of those concerns. And it's things that folks like  
8 me, who work in the environmental field, have kind of  
9 learned the hard way over past decades, you know. We're  
10 taking some actions to handle that better through things  
11 like these long-term reclamation trusts. Yeah.  
12 Absolutely -- absolutely right on that issue.

13 MS. ROZELLE: Yes, sir.

14 AUDIENCE MEMBER: Thank you for being here.  
15 My name is Scott Bly. I'm a resident of Queen Valley.

16 Many times Queen Valley has had the  
17 opportunity to host people from Resolution Copper. And  
18 there's one thing that is continually put forth by  
19 Resolution Copper. And that is you needn't worry about  
20 environmental problems, because government entities will  
21 be there to protect you from any ambitions that we have  
22 that could be dangerous to your health or for your  
23 community. Are you that entity? They seem to think you  
24 are.

25 MR. NELSON: We -- we are one of the



1 entities. In order to cause surface disturbance in Forest  
2 Service lands, they're required to get a Forest Service  
3 land operation, which is just the name of the permit that  
4 Forest Service issues for -- for -- to authorize  
5 operations on Forest Service lands. And, as I mentioned,  
6 our requirements for environmental protection require them  
7 to apply the Clean Air Act, Clean Water Act, et cetera.  
8 But there's other areas that the Department of  
9 Environmental Quality has delegated authority from EPA to  
10 the Clean Water Act. And so they're the agency that will  
11 have to issue surface water -- surface water discharge  
12 permits, storm water discharge permits. There's air  
13 quality permits that are necessary that are administered  
14 by the State and by Pinal County. There's reclamation  
15 permits that are produced by the -- also by the State.

16 So there's a lot of different permits in  
17 there. There's a lot of agencies that will be involved.

18 AUDIENCE MEMBER: Will they be doing scoping  
19 such as you are?

20 MR. NELSON: You know, I don't know the  
21 details of the processes for those agencies.

22 AUDIENCE MEMBER: So is the EPA itself  
23 involved in this?

24 MR. NELSON: The EPA will definitely be  
25 involved. We haven't figured out the extent of their

1 involvement yet. EPA is always involved in environmental  
2 impact statements. We have to do a draft EIS so they have  
3 the opportunity to, essentially, grade the EIS. So  
4 they're required, by law, to be involved in that. They'll  
5 be involved in scoping when we do the agency scoping. EPA  
6 has a lot of great experts on mine environmental issues,  
7 and particularly knowledgeable about these long-term mine  
8 closure issues.

9 AUDIENCE MEMBER: Before I get the stop  
10 sign, I'm just going to --

11 MS. ROZELLE: One more question.

12 AUDIENCE MEMBER: The people at Resolution  
13 speak with much more certainty than the Forest Service  
14 does about your ability to protect the people in these  
15 communities. And I find it surprising that there is no --  
16 there is no defined place other than where the tailings  
17 pile is planned for. Now, in terms of Queen Valley, no  
18 matter all the things out here, I think it will be  
19 disastrous for Queen Valley. I'm certain of it.

20 So it seems to me that we should be able to  
21 it hear from the Forest Service as to whether or not-- I'm  
22 a little surprised that there are no other sites put  
23 forward by you, which is what Resolution Copper told me,  
24 that you would have alternative sites. But it doesn't  
25 seem that you do.

1                   MR. NELSON: Remember that we're just  
2 starting the EIS process. And the first stage of the EIS  
3 process is scoping. Where we learn the issues and we  
4 scope the issues and figure out what we need to address in  
5 the EIS. And so after we identify issues, then we start  
6 the alternatives assessment period. And so scoping will  
7 likely continue throughout this year. And then early next  
8 year, we'll start, actively, the question of what  
9 alternatives. That's what we're going to look at. And,  
10 as I mentioned, we're going to look at alternatives that  
11 meet the purpose for the proposed federal action. Comply  
12 with the Forest Service regulations and our decision  
13 phase, and then address the issues. And so, at that time,  
14 I think it's very likely that we're going to be looking at  
15 alternative locations for the tailings facility. We  
16 haven't done the assessment yet, so it would be premature  
17 for us to try and come up with something that might be an  
18 alternative.

19                   AUDIENCE MEMBER: Thank you.

20                   MR. NELSON: Thank you.

21                   MS. ROZELLE: Thank you.

22                   AUDIENCE MEMBER: Hi, guys.

23                   MR. NELSON: Hi.

24                   AUDIENCE MEMBER: As you know, I'm with the  
25 access fund, and the access fund is the national

1 organization that protects the interest of recreational  
2 areas mostly used for rock climbing when they're  
3 threatened by development. And just two days ago we had  
4 the third annual Queen Creek bouldering contest out at Oak  
5 Flat. And I would like to thank Tonto for helping us get  
6 the permits that we needed to do that. It was -- it was a  
7 great event. So thank you very much for that.

8 I have a bunch of comments on scoping that  
9 I've submitted separately. But there's a couple things  
10 I'd like to hit on that I think are very important. And  
11 it touches on things that other people have already said  
12 tonight. We've already heard about looking at maybe  
13 negative socioeconomic things related to loss of jobs and  
14 environmental problems and so on. But it's also -- you  
15 know, and this is my -- near and dear to me. It's also a  
16 great recreational area. And I would like, when you're  
17 looking at socioeconomic impacts of the mine, to consider  
18 that outdoor recreation has more than twice as many  
19 dollars of positive impact to the state of Arizona every  
20 year, as the entire mining industry does. According to  
21 the Outdoor Industry Association, it's over \$10 billion in  
22 direct revenue to the state of Arizona. The Arizona  
23 Mining Association quotes a number little bit less than --  
24 than \$5 billion. And they're counting direct and  
25 indirect, whereas the OIA is just counting direct. So if

1 you did an apples-to-apples analysis, it might be even  
2 more than that.

3           So the point being here that -- and other  
4 people have made this point too when you're doing your  
5 economic analysis of the mine, I think it's very important  
6 that you project it out well beyond the time when the mine  
7 closes, because, whatever the economic benefit is to the  
8 mine, it will be great for a short period of time. But  
9 after that, it will be zero, or maybe it will be negative.  
10 Maybe there will be money that will have to be spent to  
11 clean things up and do remediation and so on.

12           But the outdoor recreation that Arizona  
13 enjoys so much benefit from could go on. It's  
14 sustainable. It could go on in perpetuity. And so we  
15 would like that to be balanced in your socioeconomic  
16 analysis.

17           The second thing I'd like to bring up is Tom  
18 asked the question earlier about the power for -- for the  
19 mine. And if you look in the mining plan of operation,  
20 it's in there. I mean, it's on page 164 of the copy of  
21 the mining plan of operation that I have at section 3.5.1,  
22 if you're interested. And Salt River Project is planning  
23 to build 230-kilovolt transmission lines, an additional  
24 substation, 69-kilovolt transmission lines for the offload  
25 facility. And those are major environmental projects in

1 and of themselves. And I want to make sure that the  
2 environmental impacts of those projects, to supply the  
3 power to the project, are also adequately studied. Thank  
4 you.

5 MR. NELSON: Good comments. Thank you.

6 MS. ROZELLE: Yes, ma'am.

7 AUDIENCE MEMBER: Okay. I've heard  
8 conflicting things from you about what your role will be  
9 in assessing public health. I've heard you say it is our  
10 job to assess health also, also, it's not our job to do it  
11 to that extent. So I'm just curious what the clear line  
12 is of what extent you do address public health. And if  
13 it's not to the fullest extent, then why you don't  
14 consider human health a valid part of the environment.

15 MR. NELSON: Yeah. That's a good question.

16 (Applause)

17 MR. NELSON: We will assess the potential  
18 effects of the proposed project on public health. And  
19 there's certainly potential adverse affects to public  
20 health. There's also, interestingly, potential beneficial  
21 related to increased access to health insurance, that sort  
22 of thing.

23 So, like all these issues, we need to look  
24 at both adverse and beneficial effects. But our role is  
25 to look at the effects of the proposed project on public

1 health. I think you were referring to more legacy issues,  
2 contamination in the Superior area, and that sort of  
3 thing. Legacy issues associated with past mining. We'll  
4 look at that a small amount when we -- when we address the  
5 affected environment for the baseline for our study. But,  
6 you know, in terms of a detailed look at potential causes  
7 of, you know, possible cancer clusters in the Superior  
8 area, for example, that's beyond our regulatory  
9 jurisdiction to look at, and it's, frankly, beyond our  
10 area of expertise. And so there's other federal  
11 government agencies that -- that would have that  
12 expertise.

13 AUDIENCE MEMBER: It's not just what he  
14 said. But also people have brought up arsenic in the  
15 water and several people have had environmental things  
16 that aren't jut like possible outlier -- outlier -- like,  
17 they're very valid, direct-connected environmental  
18 impacts. So I still don't feel satisfied with the answer.

19 MR. NELSON: Yeah. We'll absolutely look --  
20 absolutely look at, for example, in terms of understanding  
21 the affected environment, our baseline. We want to look  
22 at what is the current groundwater quality. And then  
23 we'll look at their proposed mining operations as well as  
24 we can do it, try and estimate it predict how that project  
25 may affect groundwater quality.

1           AUDIENCE MEMBER: So, in order for it to be  
2 included under the scope of your study, who needs to  
3 present findings to you that are taken as something to  
4 investigate? Or -- I just -- I still don't see where the  
5 clear line falls of where public health is investigated.

6           MR. NELSON: You mean public health for,  
7 like, legacy pollution?

8           AUDIENCE MEMBER: Yes.

9           MR. NELSON: The EPA would be a great place  
10 to start, the Superfund movement.

11          AUDIENCE MEMBER: EPA would provide you --

12          MR. NELSON: Comprehensive Environmental  
13 Response, Compensation, and Liability Act. It's called  
14 Superfund. And EPA has, you know, a program designed to  
15 look specifically if it involved other mining towns in  
16 Arizona. So they're the agency that would look at legacy  
17 effects to the environment from former mines.

18          AUDIENCE MEMBER: So the human health issue  
19 is not really a primary concern.

20          MR. NELSON: No. I mean for human health.  
21 They would look specifically at the human health risk  
22 assessments, psychological risk assessments. But that's  
23 really their role is to look at legacy and private  
24 property.

25          AUDIENCE MEMBER: Okay.



1                   AUDIENCE MEMBER: I have a couple of  
2 questions that I would love if you had answers to right  
3 now.

4                   The first one is, as you've mentioned, when  
5 the EIS is -- becomes final, it's kind of a big deal,  
6 because then, in 60 days, land exchange happens. And so I  
7 wondered if the Forest Service would consider releasing a  
8 scoping report as soon as it's available, before the draft  
9 EIS, and even go as far as considering another public  
10 comment period on the scoping report.

11                   I know I put you on the spot.

12                   MR. TORRES: No. No. That's a great  
13 question.

14                   MR. NELSON: One thing we discussed with  
15 Marty and Jill, who is another one of our public  
16 environment specialists, is, you know, traditionally, we  
17 do the EIS after the public scoping. And then we get to  
18 the draft EIS, and we release the draft EIS for public  
19 comments. And one thing that we want to do in this  
20 project is to make sure that we provide for public  
21 involvement throughout the process. And you bring up an  
22 excellent -- excellent time for that public involvement,  
23 at the -- at the end of scoping, when we've screened all  
24 the issues of you folks and develop our lists of  
25 significant issues.

1           And, you know, a second time that would be  
2 excellent would be when we're working on developing  
3 alternatives to address those issues. We still don't have  
4 a detailed plan for how we're going to do that. But just  
5 last week we were talking about that. We're not thinking  
6 about another public comment period. We're thinking of  
7 more of a workshop approach, public workshop approach,  
8 where we can get together again and talk about those  
9 things. So it's a great comment.

10           AUDIENCE MEMBER: Great. Yeah.

11           And that sort of leads to my follow-up  
12 question. I live up the hill, in Globe, and I -- I have  
13 some concern that, you know -- I was happy to hear that  
14 the public scoping period had been extended to the  
15 120 days, because, you know, I e-mailed some friends today  
16 who also live in Globe who I know are very interested in  
17 this project. And I said, "You know there's a meeting  
18 tomorrow at the Elk's Club, right?"

19           And she said, "No. I had no idea."

20           And so I'm wondering what you have done,  
21 what you will do to make sure -- 'cause I've heard her  
22 enthusiasm tonight about hearing these comments. And  
23 that's been really encouraging. And so I would love to  
24 hear about what you are going to do and what you did to  
25 get folks out to these meetings. 'Cause this has been a

1 great information session, however, I would love for folks  
2 to have the information accessible to them before being  
3 asked to give comment about this. Right? So if you could  
4 address that, I'd appreciate it.

5 MR. NELSON: Yeah. We -- we -- the first --  
6 the very first formal step of the EIS is process is  
7 publication, which we did on March 18th. And, at the same  
8 time, we did a mailing list for people who are interested  
9 in the Resolution project. It's always -- we're always --  
10 we're always increasing the number of people on that list.  
11 We develop that list, in large part, from our previous  
12 analysis, which is the baseline, hydrological and  
13 geotechnical activities, environmental, whatever we're  
14 working on.

15 So on that same day, March 18th, we sent out  
16 about 7,000 public notices. About 6,000 were via e-mail.  
17 The rest were regular mail for folks we either didn't have  
18 e-mails for or who had asked to be notified by regular  
19 mail.

20 We also published legal notices in about a  
21 dozen newspapers located across Eastern Arizona. We  
22 targeted Superior, Globe, Phoenix. And then we also  
23 targeted communities that were located near the various  
24 land exchange parcels. At the same time, we brought our  
25 project website online. And the project website is going

1 to be a great resource, moving forward. There's a lot of  
2 things on there now. But our intent is to keep improving  
3 that and, you know, adding additional frequently asked  
4 questions, adding new documents, for example, the final  
5 scoping report, when it's ready, so that that can -- those  
6 types of things can be available to the public.

7 Also, on that website, we have a comment  
8 form and an area where people can sign up for our mailing  
9 list. So we'll continue to get better at that. But  
10 that's what we did on launching.

11 AUDIENCE MEMBER: Great. And I hope you do  
12 look at other methods of outreach, 'cause in -- you know,  
13 in our communities up here, it's not like Tucson. We  
14 don't have the infrastructure, you know -- let's say the  
15 information -- I don't know if infrastructure right. But  
16 just information for -- it's really by word of mouth. And  
17 so I hope you'll consider that going forward, getting  
18 people to these meetings, because if you are really  
19 wanting to hear the feedback, I think there's probably a  
20 couple steps further that need to be taken thinking about  
21 your audience and taking those into consideration.

22 MR. NELSON: Yeah. Thanks for talking to  
23 the folks you know in Globe.

24 AUDIENCE MEMBER: Yeah. They'll be here  
25 tomorrow.

1 MS. ROZELLE: So anyone who hasn't asked a  
2 question yet, or made a comment?

3 Yes, sir. Come on up.

4 AUDIENCE MEMBER: Yes, ma'am.

5 Been through this process before with  
6 Carlotta. And we're saying words that -- we won't even go  
7 into that.

8 You mentioned that, basically, they -- with  
9 the land exchange, that's going to be their private land,  
10 so they can do anything they want with it. And it's not  
11 up to you to limit their activities in any way. But, you  
12 know, in light of the fact that, in Arizona, the number  
13 one industry is tourism. And, if they make that massive  
14 thousand-foot hole you don't -- it doesn't just affect  
15 their property. That affects the Forest Service property  
16 all around there. Is that -- I mean, you're saying you  
17 can't do anything about that?

18 MR. NELSON: We only have regulatory  
19 authority to -- to regulate mining activities that occur  
20 on forestlands.

21 AUDIENCE MEMBER: So visual affects are not  
22 a valid --

23 MR. NELSON: No. We don't have any  
24 authority to regulate mining activity on private land.  
25 But that's not to say that the activity won't be

1 regulated. It's just we will have no authority to  
2 regulate it.

3 AUDIENCE MEMBER: I think there are ways of  
4 mining without that hole. And, for instance, Jack  
5 McGregor, who was a -- Europe -- it's all foreign money.  
6 These aren't Americans. He, in one-fifth candor, which  
7 didn't occur very often, mentioned that he could have  
8 filled -- they could fill the pit up for 12 more cents a  
9 pound. And he said why should he? Because nobody  
10 requires it. And -- and, I mean, you could, it seems,  
11 require them to mine it in a responsible manner where you  
12 don't leave a pit. They can backfill that as they go, is  
13 my understanding. They chose to not do that because it's  
14 cheaper.

15 So that's why my biggest question is can you  
16 require them to mine it in a responsible manner where it  
17 doesn't affect the larger area, which -- you know, drive  
18 by any mine, drive by Clifton Morenci. Who would ever  
19 want to go see that? People don't want to look at a train  
20 wreck. That's what that is.

21 MR. NELSON: We will analyze the proposed  
22 mining methods in the EIS, and we will look at  
23 alternatives that would cause less affect to the surface.  
24 But we don't have -- we will not, after the land is  
25 transferred, we will not have any regulatory authority to

1 require them to do that.

2 AUDIENCE MEMBER: Yeah. That was my  
3 basic -- I mean, and I assume you're making those same  
4 statements that we were told that you require them to have  
5 all the permits before they start mining kind of thing.

6 MR. NELSON: Right.

7 AUDIENCE MEMBER: They didn't -- they went  
8 right on anyways.

9 MR. NELSON: Well --

10 AUDIENCE MEMBER: And still don't have  
11 permits, and they're still doing it.

12 MR. NELSON: Yeah. Our regulation to  
13 require the operator, in this instance Resolution Copper,  
14 to comply with all other environmental laws.

15 AUDIENCE MEMBER: Yeah. That's what we were  
16 told.

17 MR. NELSON: So they have to have all  
18 permits.

19 AUDIENCE MEMBER: Yeah. We were told that  
20 too.

21 You know, we went to the supreme court, won,  
22 and they're still doing that.

23 MR. NELSON: Thank you.

24 AUDIENCE MEMBER: I just have a couple of  
25 questions.

1           First of all, you know, like on the business  
2 end of it, you said you're going to assess the value that  
3 Oak Flat has in comparison to other properties, right? As  
4 far as the exchange. And I'm just wondering, okay, the  
5 Forest Department was in charge of all the resources  
6 there, right? Am I correct in saying that?

7           MR. NELSON: At Oak Flat?

8           AUDIENCE MEMBER: Yes. The mineral value.

9           The amount of copper that you said was going  
10 to be mined was this incredible amount of copper, right?

11          MR. NELSON: Right.

12          AUDIENCE MEMBER: Okay? It's just an  
13 incredible amount. And I'm just thinking if two foreign  
14 companies come into American soil and they're going to  
15 take these resources, and I'm thinking to myself, as a  
16 businessman, you know, what do we gain? Do we just change  
17 land for land and say, well, it's equal? Or do we really  
18 look at what we're really giving up, as far as the value  
19 of the copper. You know, which is -- I've been told it's  
20 a trillion dollars. So how is it good business to let  
21 somebody have that and not get something else in return  
22 besides a couple of other pieces of land somewhere else in  
23 Arizona? I'm going, like, I think we're getting the short  
24 end of it. I mean, this is a lot, a lot of money. So how  
25 does that help our state of Arizona? See, I know the



1 Forest Department needs a lot of money right now. I mean,  
2 that's -- I think everybody does. But, I mean, we could  
3 use that money to, you know, expand our wildlife  
4 management and other things, right?

5 So my question is are you going to look into  
6 what's fair trade as far as business is concerned, or are  
7 we just going to accept whatever they want to give us?

8 MR. TORRES: So I hate to say that, 'cause  
9 that's something we're going to have to get back to you  
10 on. But that's something that -- earlier, I mentioned  
11 that the appraisal process and the intricate details of  
12 how the properties are going to be evaluated are something  
13 not being managed by this team. And I don't want to be  
14 premature and try to answer that question with any level  
15 of specificity.

16 But that is -- that is a great comment.  
17 We've heard that comment from others. And we'll take that  
18 into account, and we'll report it, and it will be part of  
19 the record. That will be answered at some point in the  
20 future.

21 AUDIENCE MEMBER: Okay. Thank you.

22 MS. ROZELLE: Yes, sir.

23 AUDIENCE MEMBER: Roy Chavez, Superior,  
24 Arizona.

25 Just one real quick question after last

1 Thursday's meeting in Queen Creek [sic]. I had mentioned  
2 the fact that those residents that will now be impacted  
3 with the additional 560 acres that Rio Tinto purchased  
4 south/southwest of Florence Junction, near the communities  
5 of San Tan and Copper Basin, after last week, when I  
6 mentioned this in regards to sharing that information not  
7 only with you, but the public. That I don't think many  
8 people know about this, that that's the plans for locating  
9 and building the filtration plant for the concentrate and  
10 also the loading facilities for the concentrate to  
11 inevitably leave -- leave the United States and go to  
12 Mexico and finally China.

13           Really, in thinking about this, Mark, would  
14 the Forest Service be responsible for notifying those  
15 people in that area in a similar way as a scoping meeting  
16 or would that be better for Pinal County and State trust  
17 land? I was thinking about that, because you don't have  
18 jurisdiction there, I don't believe, because it's -- it is  
19 State trust land. It's surrounded by State trust. It's  
20 also now privately owned. And I know Pinal County  
21 Planning and Development is conducting public hearings at  
22 this point, but I don't really see the message getting out  
23 there.

24           MR. NELSON: Well, it's a good question, you  
25 know. We were talking about what we did to get the

1 scoping process going. And one of the things we did was,  
2 at SWCA's recommendation, we had some people from Queen  
3 Valley on the -- on our mailing list, but not everybody.  
4 And so we did go through the property records and try to  
5 identify everybody in Queen Valley, because they would be  
6 close to that proposed mining facility. And we made sure  
7 to mail them an information mailer. We also did that with  
8 identifying people who lived near the proposed land  
9 exchange parcels, and we mailed them a letter.

10 In terms of the environmental impact  
11 statement, we are going to analyze effects to private  
12 land, state land, and federal land, even though we only  
13 have regulatory jurisdiction for federal land.

14 And so we'll have to think about your  
15 suggestion. It may be that we need to do some additional  
16 notifications in that area just so those people can  
17 provide input into the issues during this public scoping  
18 process.

19 AUDIENCE MEMBER: And just to add, I would  
20 hope that Pinal County Board of Supervisors and the Pinal  
21 County Planning Department is doing as much as possible to  
22 advise those people in the more populated urban area of  
23 the cause and effects that facility. Now we're talking  
24 almost 30 miles of impacting public and private lands.

25 MR. NELSON: Yeah. We did notify all the

1 county governments -- all the county governments for  
2 scoping process.

3 MS. ROZELLE: Okay. All right. So we've  
4 got, looks like, two folks who would like a follow-up  
5 question. I'll ask you, please, to keep it to questions  
6 and, as a -- go ahead.

7 AUDIENCE MEMBER: Thank you. And thank you.  
8 I am in appreciation of how tough a situation you are in.

9 I have one question, a quick one. I -- you  
10 keep saying that are at the beginning of a scoping  
11 process. However, you say that you cannot, at the end of  
12 this process -- and, by definition, you don't know what  
13 you're going to learn -- that you don't have the capacity  
14 to say we don't recommend this project to go forward. Is  
15 that correct?

16 MR. NELSON: Yeah. But the forest  
17 supervisor, he's the person who makes the decisions in our  
18 group. He does not have the authority to prohibit --  
19 categorically prohibit Resolution --

20 AUDIENCE MEMBER: Regardless of the --  
21 regardless of the impacts, regardless of all the -- all  
22 the stuff, he doesn't have a --

23 MR. NELSON: Well, our -- our regulations  
24 require that they comply with all environmental laws.

25 AUDIENCE MEMBER: Okay.

1 MR. NELSON: And so Resolution Copper must  
2 comply with all environmental laws. Otherwise, they  
3 wouldn't be in compliance with --

4 AUDIENCE MEMBER: Okay.

5 MR. NELSON: -- Forest Service regulations.

6 AUDIENCE MEMBER: Now, what if there's a --  
7 I'm sorry.

8 MR. NELSON: He does have the authority to  
9 require them to comply with our regulations, which also  
10 incorporates environmental laws.

11 But, if they are complying with all the  
12 environmental law and our Forest Service mining  
13 regulations, Neil does not have the authority to say, no,  
14 you can't do this.

15 AUDIENCE MEMBER: Okay. I'm assuming that  
16 the basic law that allows miners, as you called it, to go  
17 and mine public lands is 150 years old. Right? At that  
18 time, most of the people in the United States, women,  
19 people of color, certainly our Native American brothers  
20 and sisters, had not been franchised. And the -- the law  
21 was -- was passed when the legislators had absolutely no  
22 idea about the extent of the violations that is going to  
23 occur. They were thinking about some people with an axe  
24 and a shovel. They had no idea. The idea -- the notion  
25 of environmental protection really didn't exist back then.

1           So I make a proposal that the law that you  
2 keep referring to -- and I understand the forest  
3 supervisor doesn't have that. But that needs to be looked  
4 at from a mortal perspective, from the religious  
5 perspective, from the cultural perspective, and from a  
6 rational, legal perspective. Because people at that time  
7 did not consider Native American even full humans. They  
8 were called, quote/unquote, savages. Women were  
9 considered equal to -- to insane and retarded people.

10           So I hope you pay attention to this. I have  
11 some of these fliers regarding the cancer issue.

12           Thank you.

13           MS. ROZELLE: Yes. Thank you.

14           AUDIENCE MEMBER: My name is Sylvia Barrett,  
15 and I live in Queen Creek, but I am from Superior.  
16 Superior is my hometown. My great-mother, my  
17 grandparents, my father, my brother, cousins, aunts, and  
18 uncles are all buried in the cemetery here. And here's  
19 what bothers me. I also work for Magma Copper. I worked  
20 underground. I was one of the first seven women hired to  
21 work underground. So I know that there's a lot of ground  
22 movement. I know that there are fissures down there that  
23 no one seems to really talk about. And what bothers me is  
24 that I know that once the mining operations cease, there  
25 are 50 years of ground movement. Even without that

1 50 years of ground movement, eventually will be destroyed,  
2 because there is going to be so much ground movement, and  
3 there's no way to stop it. And what do you say? Oops.  
4 Sorry.

5 But here's what bothers me. Has Resolution  
6 taken into account -- because that they must know that  
7 Superior is going to be destroyed. Have they taken into  
8 account of what they are going to do with the cemetery?  
9 Because, as we know, Barcelona and Senora once existed.  
10 And now there is the open pit mine.

11 Superior will also be destroyed. And I want  
12 to know where my loved ones are going to end up. And that  
13 is something I really, really wish you guys would ask. I  
14 know people -- a lot of people don't want to know. But I  
15 want to know.

16 Thank you.

17 MR. NELSON: Thank you. That's an issue we  
18 can take a look at in the EIS.

19 MS. ROZELLE: All right. Thank you all so  
20 much. And, for those of you who still might be interested  
21 in talking with anybody individually, please do so. I  
22 think we have to be out of here in maybe about 20 minutes.  
23 But please stay. And the website, I encourage you to look  
24 at that. It will be continually updated.

25 And, Tom and Mark, any final words?

1 Tom?

2 MR. TORRES: Well, for those of you who are  
3 here to the bitter end, thank you for staying. We really  
4 appreciate it.

5 I'll just talk loud. How's that?

6 Thank you for being here. We really  
7 appreciate your comments. I know some of you have a bit  
8 of maybe distrust in the process. But I just ask you to  
9 be patient, and we're going to do our honest best to be  
10 transparent, to provide independent analysis, and continue  
11 down the path that -- in the best way we can.

12 So, again, thank you all.

13 (Applause)

14 (The meeting adjourned at 8:23 p.m.)

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