



H.R. 687 and S.B. 339 – Resolution Copper Project Native American Summary

Background

- The closest Native American reservation is the San Carlos Apache Tribe which is located approximately 30 miles to the east of the mine site. The mine site is not on tribal reservation land.
 - It should be noted that there are several large mines and the communities of Globe and Miami located between Resolution Copper and the San Carlos Apache Tribe reservation
- Resolution Copper filed a plan of operation and Environmental Assessment (EA) with the Forest Service in 2008 to conduct Prefeasibility Study activities (exploratory drilling, road construction, etc.) in the area of the mine. The San Carlos Apache Tribe and others appealed the Forest Service's Finding of No Significant Impact (FONSI) on the same cultural basis that they are opposing the land exchange bills. The Forest Service FONSI was upheld on appeal with the following "finding":

“The EA, FONSI and project record support that effort was made to insure access and accommodation of traditional practices like acorn gathering and other ceremonial uses under EO13007 and AIRFA. Several attempts were made to identify sacred sites and effects to ceremonial use of sacred sites. Without adequate additional information being provided from the Tribes the Forest made an appropriate determination that adverse affects to the physical integrity of a site would not occur.”

In the previously mentioned appeal to the Forest Service on Resolution Copper's Prefeasibility Study activities, the Forest Service did consult with the Tribe on a Government to Government basis and found that:

“Based on the information that was included in the project records, EA, and the Decision Notice, the FS has met its responsibility for engaging in meaningful, good faith, government-to-government consultation with the Tribes in compliance with NHPA, the 36 CFR 800 regulations, and the Region's Programmatic Agreement.”

- Arizona Congressional delegation members including Reps. Paul Gosar and Ann Kirkpatrick and Senator John McCain, have met with Tribal leadership on numerous occasions and have also encouraged Tribal leadership to meet with Resolution Copper. Unfortunately, the Tribe has chosen to ignore those encouragements and rejected or ignored all invitations, the last of which Resolution Copper extended to Chairman Terry Rambler in a December 18, 2012 letter. The Chairman has not responded. However, in an April 8, 2011 response to a letter sent by Resolution Copper to Chairman Rambler March 11, 2011, the Chairman stated “we do not feel that a meeting between (Resolution Copper) and the Tribe at this time would be of benefit to either party.”
- At the June 14th Natural Resources Legislative Hearing, **Harrison Talgo Sr., former Chairman and Councilmember of the San Carlos Apache Tribe, came to testify in support of the bill.**

He shared with the Committee the immense struggles that his community faces, and insisted that the mine move forward with respect, cooperation, and good faith from all parties.

- Several members of the San Carlos Apache Tribe are working for Resolution Copper on a daily basis.
- The bill specifically protects Apache Leap, a site that is special to the San Carlos Apache.
- Multiple archeological studies and mitigation plans have been conducted and prepared respectively and will be fully vetted and reviewed as part of the overall mine permitting process.