



SOCIETY FOR AMERICAN ARCHAEOLOGY

February 26, 2021

Vice-Chairman Rick Gonzalez
Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington, DC 20001

Dear Vice-Chairman Gonzalez,

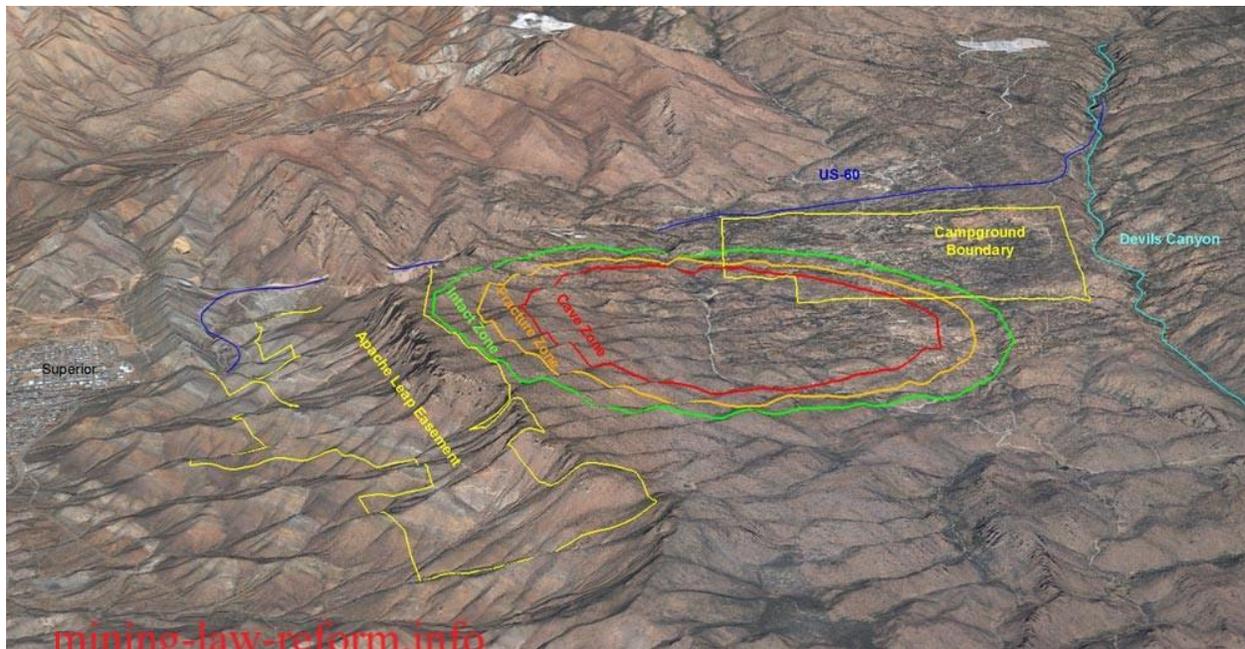
The Society for American Archaeology (SAA) thanks the Advisory Council (ACHP) for inviting public input on its formal comments on the Resolution Copper Mining Project and Land Exchange in the Tonto National Forest, Pinal County, Arizona, and the project's Final Environmental Impact Statement (EIS).

The SAA is an international organization that, since its founding in 1934, has been dedicated to research about and interpretation and protection of the archaeological heritage of the Americas. With nearly 7,000 members, SAA represents professional and avocational archaeologists, archaeology students in colleges and universities, and archaeologists working at Tribal agencies, museums, government agencies, and the private sector. SAA has members throughout the U.S., as well as in many nations around the world.

The Resolution Copper Mining Project and Land Exchange, as authorized under the 2015 National Defense Authorization Act, mandates that 2422 acres of the Tonto National Forest be transferred to Resolution Copper, a joint venture between Rio Tinto and BHP Billiton, in exchange for 5459 acres of environmentally and culturally important parcels elsewhere in Arizona. The acreage to be deeded to Resolution Copper includes the historic Oak Flat campground, which was withdrawn from mineral extraction in 1955 by the Eisenhower Administration, and is adjacent to the escarpment known as Apache Leap.

The cultural and historic significance of the Apache Leap and Oak Flat area to the San Carlos Apache, the Zuni, and other tribes, cannot be overstated. These lands play vital cultural and religious roles in the lives of their peoples. There are few areas of greater archaeological significance to them in the entire Southwest. The numerous known and as-yet unrecorded sites and resources, located both above and below the surface of the earth, currently enjoy protection under numerous federal statutes, including the National Historic Preservation Act, the Archaeological Resources Protection Act, the National Environmental Policy Act, and the Native American Graves Protection and Repatriation Act, among others.

The SAA has, along with numerous other preservation groups and Native American Tribes, opposed the Resolution Copper project for many years for two primary reasons. The first is the undertaking's impact on irreplaceable heritage and spiritual resources. As you can see from the satellite map below, the project, if carried out, would result in the certain loss of a significant portion of the historic Oak Flat campground, along with many known and potentially unknown National Register-eligible archaeological sites. If a substantial amount of subsidence from the panel cave mine occurs, the possibility exists that nearly a third more of the campground area could be rendered forever unsafe for human use.



The second reason is the manner in which the land exchange was facilitated. The language of the legislation required the USFS, no later than 60 days upon the completion of a Final Environmental Impact Statement (EIS) and issuance of the Record of Decision (ROD), to exchange this land with Resolution Copper for the other parcels *regardless* of the outcome of the development of the EIS. This congressional mandate turned the Department of Agriculture's environmental review obligations under NEPA, along with the project's required Section 106 review process, into a meaningless, time-limited rubber-stamp of Resolution Copper's plan of mining operations. To make matters worse, it is our understanding that the outgoing Trump administration may have accelerated the development of the EIS by more than a year, further diminishing the prospects for effective consultation and mitigation work.

The SAA acknowledges the sincere efforts and positive steps that have been made by the USFS, ACHP, Resolution Copper and other groups, such as the approximately 800 acres set aside as a Special Management Area to protect the Apache Leap escarpment itself. We also acknowledge that Resolution Copper has stated that it will take precautions to protect cultural resources threatened by the mine. We cannot ignore, however, that the firm is partially owned by Rio

Tinto, the global mining conglomerate that deliberately destroyed the Juu'kan Gorge site in Australia, a group of rock shelters that date back to 46,000 years ago and is sacred to Aboriginal peoples there.

While the 2015 National Defense Authorization Act requires the USFS to proceed, it is the SAA's opinion that the EIS should be withdrawn, and that the ACHP take this opportunity to express its opposition to Secretary of Agriculture Vilsack in the strongest possible terms.

Sincerely,

A handwritten signature in cursive script that reads "Joe Watkins". The signature is written in black ink and is positioned above the typed name.

Joe E. Watkins, Ph.D., RPA
President