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Injunction Sought to Block Oak Flat Land Trade for Massive Arizona Copper Mine

PHOENIX— Tribal and conservation groups asked a federal judge today to block a land trade that would hand over thousands of acres in the Tonto National Forest in central Arizona to multinational mining company Rio Tinto for the massive Resolution Copper mine. The Oak Flat area, considered sacred by Apache and other Native people, would be destroyed by the mine.

“This land exchange is based on a bogus environmental review that was rammed through under intense political pressure from the previous administration,” said Roger Featherstone, director of the Arizona Mining Reform Coalition. “We’re asking the court to halt the exchange and restore the process that should have been followed to protect Oak Flat and thousands of additional acres of precious land from Resolution Copper’s failed experiment.”

Today’s [motion for a preliminary injunction](#), filed in U.S. District Court in Phoenix, says the Trump administration violated federal law by failing to properly analyze and mitigate the proposed Resolution Copper mine’s potential damage to waters, national forest land and wildlife. Conservation groups [sued the U.S. Forest Service](#) last month to stop the land exchange.

“This land exchange must be stopped to prevent the irreversible destruction of Oak Flat and its diverse natural and cultural resources,” said Sandy Bahr, director of Sierra Club’s Grand Canyon Chapter. “We must not allow this foreign mining company to take ownership of these lands and create a deep crater where once there was Oak Flat.”

The Trump administration fast-tracked the Jan. 15 publication of a final [environmental analysis](#), triggering the land exchange with Rio Tinto so it can build the Resolution Copper mine at Oak Flat. Unless the court puts it on hold, the land exchange is scheduled to be completed by March 16.

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ARIZONA MINING REFORM COALITION

“As soon as the land exchange is signed over, the public loses,” said Pete Dronkers, southwest circuit rider with Earthworks. “Resolution Copper can make nice statements about using the Oak Flat campground for a little longer, but the reality is that they can do whatever they want, whenever they want, on the land moving forward if it is approved, escaping the environmental laws of the federal government and shutting out the public from the broader region.”

Oak Flat has been used for centuries by Apache and other Native people for ceremony, sustenance and habitation, and ceremonies are still conducted there. Several tribes consider it sacred, including the nearby San Carlos Apache Tribe, which filed suit Jan. 15 to challenge the land exchange.

“We can’t allow this corrupt land swap to go through and we’re hopeful the court will agree that laws have been broken,” said Randy Serraglio, a conservation advocate with the Center for Biological Diversity. “It’s imperative that the courts and the Biden administration have enough time to take a closer look at this half-baked environmental review and make the right decision to protect Oak Flat.”

Oak Flat is also a popular campground and recreation area, with stunning scenery and world-renowned rock climbing. It and the surrounding lands are important habitat for a diverse array of wildlife, including migratory and endangered birds as well as endangered plants and fish.

“The land exchange trading away Oak Flat should never have become law,” said Curt Shannon, policy analyst with Access Fund. “The legislation authorizing the exchange couldn’t pass through Congress for 10 years running on its own merits. That’s an excellent indicator that the land exchange was never in the public’s best interest.”

The mine would eventually cause the surface above it to collapse into a crater more than a mile wide and 1,000 feet deep, which would completely decimate the area. The 1.4 billion tons of toxic waste the mine would produce would be dumped on thousands of acres of nearby wildlands, turning a vibrant landscape into an industrial wasteland and threatening to contaminate groundwater and surface water in the area. The mine would use a vast amount of groundwater annually, equal to the amount used by the entire city of Tempe, Arizona.

The plaintiffs in the lawsuit are the Arizona Mining Reform Coalition, the Inter Tribal Association of Arizona, Earthworks, the Center for Biological Diversity, Access Fund and the Grand Canyon Chapter of the Sierra Club. The plaintiffs are represented by the Western Mining Action Project, a public-interest law firm specializing in mining issues in the West.

The Inter Tribal Association of Arizona, Inc. (“ITAA”), is an intertribal, nonprofit organization composed of 21 federally recognized Tribes with lands located primarily in Arizona, as well as in California, New Mexico, and Nevada. The ITAA’s Member Tribes have worked together since 1952 to provide a united voice for Tribes on matters of common concern and have stood in united opposition to the Resolution Copper Mine and Land Exchange for over 15 years. The representatives of ITAA are the highest elected tribal officials from each of the Member Indian Tribes, including tribal chairpersons, presidents, and governors.

The Arizona Mining Reform Coalition is comprised of Arizona groups and individuals that work to ensure that responsible mining contributes to healthy communities, a healthy environment, and, when all costs are factored in, is a net benefit to Arizona. The Arizona Mining Reform Coalition expects the mining industry to clean up after itself,

comply fully with the spirit of safeguards in place to protect Arizona, and to interact in a transparent and open manner with Arizona citizens.

The Sierra Club is one of the largest and most influential grassroots environmental organizations in the U.S., with more than 3.5 million members and supporters. In addition to protecting every person's right to get outdoors and access the healing power of nature, the Sierra Club works to promote clean energy, safeguard the health of our communities, protect wildlife, and preserve our remaining wild places through grassroots activism, public education, lobbying, and legal action. The Grand Canyon Chapter of the Sierra Club, representing 16,000 members, has a long history of public education and advocacy to protect Oak Flat and other lands affected by this proposed mine. Its members recreate in these areas and enjoy hiking, camping, backpacking, climbing, wildlife viewing, and more.

Earthworks is a national nonprofit organization dedicated to protecting communities and the environment from the impacts of mineral development while seeking just, equitable, and sustainable solutions.

Access Fund is the national advocacy organization that keeps climbing areas open and conserves the climbing environment. Founded in 1991, Access Fund supports and represents millions of climbers nationwide in all forms of climbing: rock climbing, ice climbing, mountaineering, and bouldering. Six core programs support the mission on national and local levels: climbing policy and advocacy, stewardship and conservation, local support and mobilization, land acquisition and protection, risk management and landowner support, and education. For more information, visit www.accessfund.org.

The Center for Biological Diversity is a national, nonprofit conservation organization with more than 1.7 million members and online activists dedicated to the protection of endangered species and wild places.