

THE



OPI TRIBE

LeRoy N. Shingoitewa
CHAIRMAN

Herman G. Honanie
VICE-CHAIRMAN

October 24, 2011



Richard Reitz, District Ranger
Tonto National Forest, Globe Ranger District
7680 S. Six Shooter Canyon Rd.
Globe, Arizona 85501

Re: Resolution Copper Mining Magnetotelluric Geophysical Survey

Dear Ranger Reitz,

This letter is in response to your correspondence dated October 17, 2011, regarding an enclosed scoping document and Cultural Resource Monitoring Plan for Resolution Copper Mining LLC's proposed magnetotelluric geophysical survey on the Tonto National Forest. The Hopi Tribe claims cultural affiliation to prehistoric cultural groups on the Tonto National Forest. The Hopi Cultural Preservation Office supports the identification and avoidance of prehistoric archaeological sites, and we consider the prehistoric archaeological sites of our ancestors to be Traditional Cultural Properties. Therefore, we appreciate Tonto National Forest's solicitation of our input and your efforts to address our concerns.

And therefore, we request consultation on any proposal on Tonto National Forest with the potential to adversely affect prehistoric cultural resources. Enclosed is our letter dated July 26, 2011, regarding the ongoing legislative efforts to implement a land exchange in support of Resolution Copper Mining. Although, we understand there are no survey activities within the Oak Flat area, the proposed survey activities entirely surround the area. We have experienced the process by which surveys such as this, with determinations of "no historic properties affected," result in exploratory projects with determinations of "no historic properties affected," which in turn result in development including adverse effects to cultural resources significant to the Hopi Tribe. Therefore, we consider it likely that this process is related to the proposed legislative land exchange and may eventually result in direct and/or indirect adverse effects to cultural resources significant to the Hopi Tribe.

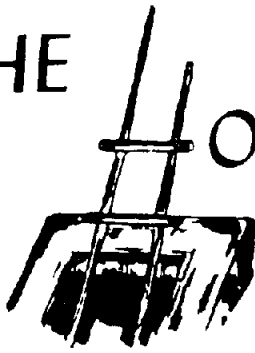
Please provide us with a copy of the monitoring report for review and comment. If you have any questions or need additional information, please contact Terry Morgart at the Hopi Cultural Preservation Office at 928-734-3619 or tmorgart@hopi.nsn.us. Thank you for your consideration.

Respectfully,

Leigh J. Kuwanwisiwma, Director
Hopi Cultural Preservation Office

Enclosure: July 26, 2011, letter
xc: Vern Grant, San Carlos Apache
Gene Blakenbaker, Scott Wood, Tonto National Forest
Arizona State Historic Preservation Office

THE



OPI TRIBE

LeRoy N. Shingoitewa
CHAIRMAN

Herman G. Honanie
VICE-CHAIRMAN

July 26, 2011

Doc Hastings, Chairman
U.S. House of Representatives
Natural Resources Committee
1203 Longworth House Office Building
Washington, D.C. 20515

Raul Grijalva, Ranking Minority Member
U.S. House of Representatives
Subcommittee on National Parks, Forest & Public Lands
1511 Longworth House Office Building
Washington, D.C. 20515

Edward Markey, Ranking Minority Member
U.S. House of Representatives
Natural Resources Committee
2108 Rayburn House Office Building
Washington, D.C. 20515

Don Young, Chairman
U.S. House of Representatives
Subcommittee on Indian & Alaska Native Affairs
2314 Rayburn House Office Building
Washington, D.C. 20515

Rob Bishop, Chairman
U.S. House of Representatives
123 Cannon House Office Building
Washington D.C. 20515

Dan Boren, Ranking Minority Member
U.S. House of Representatives
Subcommittee on Indian & Alaska Native Affairs
Washington D.C. 20515

Re: Opposition to H.R. 1904 – Southeast Arizona Land Exchange

Dear Chairmen and Representatives,

On behalf of the Hopi Tribe, I am writing to express our strong objection to the so called Southeast Arizona Land Exchange and Conservation Act of 2011. This legislation, like previous legislation not passed by Congress, would allow foreign-owned conglomerates, Rio Tinto PLC of the United Kingdom and BHP Billiton Ltd. of Australia, through their subsidiary, Resolution Copper Company, to acquire over 2,400 acres of public lands within the Tonto National Forest in Arizona to develop and operate an unprecedented mining project on the ancestral lands of the Western Apache People.

The lands Resolution Copper Company hopes to acquire from Congress for the mine are located just west of the San Carlos Apache Reservation, and within the important Oak Flat/Apache Leap/Gaan Canyon area, which is a geographic area of critical importance to the religion, culture and traditions of the San Carlos Apache Tribe, White Mountain Apache Tribe, Fort McDowell Yavapai Nation, the Hopi Tribe, and other Native Nations.

In the enclosed letters to Tonto National Forest, the Hopi Cultural Preservation Office stated and the Hopi Tribe hereby reiterates that we oppose the proposed legislated land exchange and the long term development of a mine at Oak Flat, and we believe that this proposal will adversely affect cultural and natural resources significant to the Hopi Tribe, the Apache peoples and all Americans.

If Congress passes this legislation, Resolution Copper Company will be able to mine these lands with virtual impunity using block cave mining, which is one of the cheapest mining techniques available today. This form of mining will result in destroying the landscape of this special place, along with the animals, plants and water that live there. This mining project should not be allowed to happen under any circumstances given its potential to desecrate this sacred place.

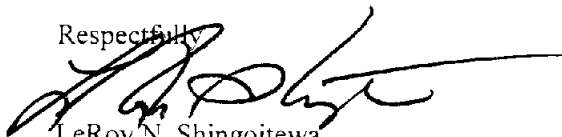
The environmental impacts of the proposed land exchange are also of great concern to us. This legislation contains "sham" National Environmental Policy Act (NEPA) provisions which are only required to be implemented after the Bill is passed, and does not mandate a true "hard look" that NEPA requires. It would allow Resolution Copper Company to move forward with this massive mining project without an independent agency first being required to study the project's potential effects on land, environment and water supply of the Oak Flat region.

If large mining companies like Resolution Copper company can simply go to Congress to get permission to destroy this sacred site, other big companies will likely do the same, both here in Arizona and elsewhere across the United States, leading to potentially devastating consequences for Indian tribes and communities everywhere.

As we have stated previously, this project proposes to mine sacred holy sites significant to the Apache peoples. We reiterate our support for the Apache Tribes' efforts to preserve their Traditional Cultural Properties, Apache Leap and Oak Flat, and we support the solidarity of other Native Americans and Americans that oppose the proposed land exchange. Like other Arizonans we again ask, Can we believe that our valuable Arizona lands will be protected from foreign companies? Furthermore, calling this proposed legislation a conservation act is a cynical and intentional distortion of the truth.

We therefore urge you to reject this harmful legislation. The United States should not transfer these lands to these foreign mining companies to facilitate a mining project that will provide benefits of foreign shareholders of BHP Billiton and Rio Tinto, while leaving America to deal with the mess and loss of this special place.

Respectfully



LeRoy N. Shingoitewa
Chairman, Hopi Tribe

Enclosures: Letters to Tonto National Forest: 1/26/06, 6/8/08 (2), 9/29/08, 4/13/09, 6/30/09, 3/29/10
February 23, 2006, letter to Desert Archaeology

cc: Terry Rambler, Chairman, Vern Grant, San Carlos Apache Tribe, P.O. Box O, San Carlos, AZ 85550
Jeff Bingaman, Chairman, U.S. Senate Energy & Natural Resources Committee,
703 Hart Senate Office Building, Washington, D.C. 20510