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FOR IMMEDIATE RELEASE

Tribe Files Motion for Preliminary Injunction and Declaratory Relief In Case Against Forest Service Regarding Resolution Copper Mine Destruction of Oak Flat

February 22, 2021

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San Carlos Apache Reservation – The San Carlos Apache Tribe (“Tribe”) filed a motion for a preliminary injunction and declaratory relief to stop the Forest Service from trading sacred tribal sites at *Chich'il Bildagoteel*, also known as Oak Flat, to foreign mining companies seeking to construct the Resolution Copper Mine.

"The Forest Service violated federal laws in its rush to strip existing environmental and cultural protections so that they may trade the Chich'il Bildagoteel to mining companies," said San Carlos Apache Tribal Chairman Terry Rambler. *"We will fight this desecration of our culture every step of the way."*

The Forest Service is required to trade 2,400 acres of public land, including *Chich'il Bildagoteel*, to the Resolution Copper Company within 60 days of the publication of a Final Environmental Impact Statement (FEIS) under an amendment to the 2015 National Defense Authorization Act. A FEIS was published on January 15.

Chich'il Bildagoteel, located 60 miles east of Phoenix, is recognized as a Traditional Cultural Property in the National Register of Historic Places and is identified as a "sacred site" under federal laws and policies. *Chich'il Bildagoteel* is within the Tribe's aboriginal homeland.

"Resolution's mining operations will permanently damage, destroy, and irreparably harm profound religious, cultural, and historically significant resources of the San Carlos and other Indian tribes, nations, and communities in Arizona," the request for injunction filed in U.S. District Court in Phoenix states. *"The mine will transform Oak Flat into a crater, one that swallows and destroys sacred Apache traditional sites."*

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*Re: Tribe Files Motion for Preliminary Injunction
& Declaratory Relief*

February 22, 2021

Page 2 of 2

In January, the Tribe filed a federal lawsuit seeking to stop the land trade after the Forest Service published the FEIS just five days before the Trump administration left office.

The FEIS was published without the concurrence of the federal Advisory Council on Historic Preservation (ACHP) to develop a plan to mitigate the destruction of sacred sites.

The Tribe's motion also states that the Forest Service is violating federal law by failing to publish the public and private lands' appraisals for the proposed land exchange. The Forest Service has indicated that the appraisal information will not be available until March 21, 2021, after the March 15 mandated deadline for the exchange to occur.

The failure to publish the appraisals for public review is "*arbitrary, capricious and an abuse of discretion*," the Tribe's motion states.

[Editors Note: The San Carlos Tribe's lawsuit is one of 3 lawsuits pending in federal court to stop the environmental and cultural devastation of the proposed Resolution Copper Mine. The plaintiffs in the other suits are a coalition of stakeholders led by the Arizona Mining Reform Coalition, together with the Inter-Tribal Association of Arizona and a number of environmental groups, and the Apache Stronghold, a community-based nonprofit seeking to protect native sites such as *Chich'il Bildagoteel*.]

33