

April 27, 2026

The Honorable Katie Hobbs
Office of the Governor
1700 W. Washington St.
Phoenix, AZ 85007

Re: Request to Deny Resolution Copper Tailings Facility on State Trust Lands

Dear Governor Hobbs:

On behalf of the undersigned Tribal advocacy groups, environmental organizations, faith leaders, and community groups across Arizona, we urge you to deny any application by foreign-owned mining company Resolution Copper to purchase, lease, or otherwise acquire Arizona state trust land for the construction of a massive toxic mining-waste storage facility.

On March 13, 2026, the federal government transferred 2,422 acres of public land located in Arizona's Tonto National Forest, including Oak Flat, to Resolution Copper. With the land now under Resolution Coppers' ownership, the company can move forward with plans to develop one of the largest underground copper mines in North America.¹ The proposed mine will create a 1.8-mile-wide, more than 1,000-foot-deep crater,² permanently destroying Oak Flat, an area listed on the National Register of Historic Places as a Traditional Cultural Place due to its significant historical, cultural, and religious value to Tribes in the region.³

However, construction and operation of the mine still depend on Resolution Copper acquiring roughly 8,200 acres of Arizona state trust land known as "Skunk Camp" to permanently store nearly 1.4 billion tons of toxic mining waste.⁴ Arizona law gives the State Land Department clear authority to decline to initiate or approve any sale or lease of state trust land for this project. State trust lands must be managed for the benefit of trust beneficiaries, and the State Land Commissioner is authorized to determine whether a proposed disposition is in the best interest of the trust and its beneficiaries. Ariz. Const. art. X, §§ 1-4; A.R.S. § 37-132(A)(5), (7). The Commissioner may order a sale only where the interests of the State will not be prejudiced, and such decisions are subject to review through the Board of Appeals. A.R.S. §§ 37-236(A), (C), 37-215. Because ASLD has already concluded that the Skunk Camp tailings facility would devalue surrounding trust land and harm trust revenues, the State Land Commissioner has discretion to decline to initiate or approve any disposition of this parcel, including offering it for public auction or long-term commercial lease.⁵ The Commissioner serves at the pleasure of the Governor,

underscoring the Governor's authority to ensure that trust lands are managed in the best interest of Arizona and its beneficiaries. A.R.S. § 37-131(B).

Valuable State Trust Lands Would Become a Dangerous Toxic Waste Dump

Resolution Copper's proposed mine tailings storage area would be one of the largest in the world, spanning more than 14 square miles of Arizona state trust land in the Dripping Springs Valley that Resolution Copper would need to acquire for the facility.⁶ The storage area would be anchored by a nearly three-mile-long, 500-foot-high dam designed to permanently store approximately 1.4 billion tons of toxic mining waste.^{7,8,9}

The Arizona State Land Department has expressed serious concerns that this tailings storage facility would significantly devalue surrounding Arizona state trust land where residential housing is proposed, undermining critical funding for Arizona public schools and other public services.¹⁰ Further, a tailings dam failure would be catastrophic, flooding downstream communities such as Kearny, Hayden, and Winkelman with toxic waste, and contaminating the Gila River watershed for hundreds of miles.^{11,12,13}

The Project Would Harm Native American Religious Practices and Threatens Arizona's Water Supplies

Allowing Resolution Copper to acquire state trust land for its tailing facility would enable the broader mining project to move forward at full scale, bringing severe consequences for Arizonans. The mine will permanently destroy Oak Flat, irreparably harming the ability of Native Americans to practice their religion and maintain their traditional ways of life, which they have carried out in this place since time immemorial.

Tribes in Arizona have long opposed the mine, along with the Inter-Tribal Association of Arizona, the National Congress of American Indians, Tribal Nations across the country, and numerous faith leaders and community allies.^{14,15}

In addition, the mine is expected to consume more than 250 billion gallons of groundwater over its lifetime — enough to supply a city of about 140,000 people annually for 40 years.^{16,17} Pumping at this scale is projected to lower water tables by nearly 200 feet, causing significant land subsidence, reducing flows or drying up sacred springs, damaging more than a dozen groundwater-dependent ecosystems, and threatening existing and future housing developments in the area.^{18,19}

At a time when Arizona faces unprecedented drought conditions and looming cuts to already strained water supplies, creating such a massive new water demand is deeply concerning. The Arizona State Land Department has warned that Resolution Copper's groundwater withdrawals could cause irreversible subsidence and earth fissures in the

East Salt River Valley,²⁰ jeopardizing much-needed residential development on nearby state trust lands and putting billions of dollars in potential state revenue at risk.

Foreign Interests Should Not Benefit off the Backs of Arizonans

Resolution Copper is jointly owned by the world's two largest foreign mining conglomerates, BHP and Rio Tinto, both of which generate a majority of their revenue through the export of minerals to the People's Republic of China (PRC).^{21, 22} Rio Tinto's largest shareholder is Chinalco, a PRC state-owned company, and the company has publicly stated that China is "the most profitable destination for almost any mine in the world to sell its copper."^{23, 24} Resolution Copper has made no binding commitments to keep the copper in the United States, and there is no requirement that the copper benefit Arizonans or other American taxpayers with processing jobs, royalties paid, or increased mineral reserves, despite it being extracted from public lands.

Taken together, the facts paint a stark reality: Arizonans would bear the environmental risks, water depletion, and long-term liabilities of this project, while foreign investors reap the profits. Your Administration has the authority to protect Arizona families and preserve the integrity of state trust lands by rejecting this dangerous mine tailings facility proposal. We urge you to stand with Arizonans and deny any proposal that would turn Arizona's state trust lands into a permanent dumping ground for foreign-owned mining operations.

Sincerely,

Center for Biological Diversity
Apache Stronghold
Arizona Mining Reform Coalition
Earthworks
Sierra Club Grand Canyon Chapter
Chispa Arizona
Latino Outdoors
Concerned Citizens Retired Miners Coalition
Arizona Faith Network
National Council of Jewish Women Arizona
Patagonia Area Resource Alliance
Franciscan Action Network – Phoenix Justice Circle
Brophy Native American Club
Brophy Student Climate Coalition
Archaeology Southwest
The Wilderness Society
Arizona Interfaith Power & Light
Western Watersheds Project
Maricopa Bird Alliance

Wild Arizona
WildEarth Guardians
Arizonans for Community Choice
Access Fund
Poder Latinx
Arizona Asian American, Native Hawaiian & Pacific Islander Advocates
Investor Advocates for Social Justice
Western Shoshone Defense Project
Lower San Pedro Watershed Alliance
Multicultural Alliance for a Safe Environment
Kahtoola, Inc.
Rewilding Institute
Coalition for Sonoran Desert Protection
Fuerte Arts Movement
Save the Scenic Santa Ritas
Sky Island Alliance
Sustainable Tucson
Tucson Bird Alliance
Tidewater Coalition Foundation
A Community Voice - ACORN
A2 (Anthropocene Alliance)
Black Hills Clean Water Alliance
Central Arizona Climbers Association
Citizens Committee for Flood Relief
No Desert Data Center Coalition
Development Center for Appropriate Technology
Environment Arizona Research and Policy Center
Gila Resources Information Project
Great Old Broads for Wilderness/Tucson Broadband
Great Old Broads for Wilderness/Sonoran Broadband
Hózhó Protectors
Kids Climate Action Network
Malach Consulting
Mi Familia Vota
Save Our Sky Blue Waters
Weber Sustainability Consulting

cc: Kris Mayes, Attorney General of Arizona

Robyn Sahid, Commissioner, Arizona State Land Department

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- ¹ U.S. Forest Service, *Final Environmental Impact Statement for the Resolution Copper Mining Project and Land Exchange*, January 2021, <https://www.resolutionmineeis.us/>
- ² U.S. Forest Service, *FEIS*, supra note 1, vol. 1 at ES-4.
- ³ Nez, N. Chí'chil Bitdagoteel Historic District, Traditional Cultural Property, National Register of Historic Places. NPS Form 10-900. Phoenix, Arizona: U.S. Forest Service, Tonto National Forest, January 2016, <https://www.resolutionmineeis.us/documents/nez-2016>
- ⁴ U.S. Forest Service, *FEIS*, supra note 1, vol. 1 at ES-26. and vol.2, Alternative 6 – Skunk Camp.
- ⁵ Arizona State Land Department, *Comments on Resolution Copper Draft Environmental Impact Statement* (Nov. 7, 2019), reprinted in U.S. Forest Service, *Resolution Copper Project Final Environmental Impact Statement*, Appendix R (Comment Analysis and Response Report), at R-43, available at <https://drive.google.com/file/d/1Sv35l6BfglsQBpu6Nfdqtt8Xc-X1rYyG/view>
- ⁶ U.S. Forest Serv., *Final Environmental Impact Statement for the Resolution Copper Project and Land Exchange*, vol. 1, at 131-132 tbl. 2.2.8-1 (Jan. 2021) (identifying Skunk Camp tailings storage facility as approximately 9,218 acres at the fence line, with 14,938 acres total disturbance), <https://www.resolutionmineeis.us/sites/default/files/feis/resolution-final-eis-vol-1.pdf>
- ⁷ U.S. Forest Service, *FEIS*, supra note 1.
- ⁸ Gabriel Pietrorazio, *Government report: Oak Flat would be “directly and permanently damaged” by Resolution Copper*, KJZZ (Mar. 19, 2025), <https://www.kjzz.org/tribal-natural-resources/2025-03-19/government-report-oak-flat-would-be-directly-and-permanently-damaged-by-resolution-copper>
- ⁹ U.S. Forest Service, *FEIS*, Supra Note 6.
- ¹⁰ Arizona State Land Department, *Comments*, Supra Note 5
- ¹¹ Gannett Fleming, *Tailings Storage Facility Failure Modes and Effects Analysis* (2020) <https://www.resolutionmineeis.us/sites/default/files/references/gannett-fleming-2020.pdf>
- ¹² Henry Muñoz, *Resolution Copper’s Ticking Time Bomb: Tailings, Floods, and the Risk No One Wants to Talk About*, HECHO (Feb. 10, 2026), <https://www.hechoonline.org/blog/resolution-coppers-ticking-time-bomb-tailings-floods-and-the-risk-no-one-wants-to-talk-about>
- ¹³ Steven H. Emerman, *Analysis of the Proposed Rio Tinto Resolution Copper Mine, Arizona* (report to U.S. House of Representatives, Natural Resources Committee, Subcommittee for Indigenous Peoples of the United States, Mar. 9, 2020) <https://drive.google.com/file/d/1YFI0LST31wSJCIm04hP9t7dTIFoWEhMR/view?usp=sharing>
- ¹⁴ Inter Tribal Association of Arizona, *Testimony for the Record Before the U.S. House Committee on Natural Resources, Subcommittee for Indigenous Peoples of the United States* (Apr. 13, 2021), <https://docs.house.gov/meetings/II/II24/20210413/111424/HHRG-117-II24-20210413-SD045.pdf>
- ¹⁵ Letter from conservation, Indigenous, religious, and business groups to President Joseph R. Biden, Jr. (Feb. 9, 2021), https://www.biologicaldiversity.org/campaigns/oak_flat/pdfs/Oak_Flat_letter_to_Biden.pdf
- ¹⁶ Abbot, D. “New Study: Resolution Copper Mine Will Use 250 Billion Gallons of Water as Drought Ravages Arizona,” *Arizona Mirror*, Oct. 1, 2021, <https://azmirror.com/2021/10/01/new-study-resolution-copper-mine-will-use-250-billion-gallons-of-water-as-drought-ravages-arizona/>
- ¹⁷ James Wells, Ph.D., P.G., *The Proposed Resolution Copper Mine and Arizona’s Water Future* (Aug. 2021), <https://npr.brightspotcdn.com/10/1f/24b661be4fe28899bf896fd6b8a8/james-wells-hydrological-report-2021.pdf>
- ¹⁸ U.S. Forest Service, *Resolution Copper Project and Land Exchange Draft Environmental Impact Statement* vol. 1, at ES-23–24 (Aug. 2019), <https://drive.google.com/file/d/1LN0lBgRyKZZVgcQ02SJV26A13JyFzW9o/view>
- ¹⁹ Wells, *Arizona’s Water Future*, supra note 10

²⁰ Arizona State Land Department. Letter to Governor Katie Hobbs, RE: Arizona State Land Department’s Objection to the Resolution Copper Project and Land Exchange and Project-Specific Forest Plan Amendment, Aug. 4, 2025,

https://static1.squarespace.com/static/556e05ade4b0b54303ce3544/t/689e109c69dfd40e26bd9edc/1755189404665/8.4.25+Final_ASLD+Objection.pdf

²¹ Resolution Copper, “About Us,” accessed March 5, 2026, <https://resolutioncopper.com/about-us/>

²² MarketScreener, “Rio Tinto PLC — Company Profile” and “BHP Group Limited — Company Profile,” accessed March 5, 2026, <https://www.marketscreener.com/quote/stock/RIO-TINTO-PLC-9590196/company/> and <https://www.marketscreener.com/quote/stock/BHP-GROUP-LIMITED-6492795/company/>

²³ Australian Consulate-General Guangzhou, “Chinalco's Acquisition of Shares in Rio Tinto,” Aug. 29, 2008, <https://guangzhou.china.embassy.gov.au/gzho/MediaEN815.html>

²⁴ Rio Tinto, comment letter to the U.S. Department of Commerce (BIS-2025-0010), April 1, 2025, https://downloads.regulations.gov/BIS-2025-0010-0076/attachment_1.pdf