

Kearny Mayor signs letter to President in support of Resolution Copper without City of Kearny's approval *City Council vote for the Project does not pass*



By Molly Peters

On Monday, April 19, Kearny held an eventful town meeting with potential repercussions concerning the proposed Resolution Copper mine at Oak Flat. At times contentious, the meeting was packed with information and testimony from invited guests, including Dr. Wendler Nosie Sr, former Chairman of the San Carlos Apache, Henry Munoz, Chairperson of the Concerned Citizens and Retired Miners Coalition, and Curt Shannon, a policy analyst with the Access Fund, who each offered powerful testimony against

the mining project. Those in attendance also heard from a representative of Resolution Copper, Hesston Klenk, although he did not appear on the agenda.

Though many were openly concerned with Kearny's water crisis, the biggest issue that night was a vote on whether the town would sign on in support of the proposed Resolution Copper mine at Oak Flat. When Mr. Shannon, Mr. Munoz, and Dr. Nosie spoke, they raised environmental, recreational, economic, and religious concerns with the

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project. Oak Flat (Chi'chil Bildagoteel) is highly sacred for the Apache and other western tribes, and the proposed mine would not only destroy sacred land, preventing free religious practice, it would leave the water and surrounding area contaminated for many generations to come.

Dr. Nosie pointed out that Resolution Copper received an exemption from Congress which released them from following the National Environmental Policy Act (NEPA), meaning that once the land is transferred, Resolution Copper will not be bound by environmental law for their actions there. He appealed to the morality of the council members, saying, "Reach down to your conscience, because you have that conscience to make the right decision. And I would not want to be a part of destroying your religion. That's the last (thing) that would ever occur in my mind... That's what's happening to us."

Mr. Klenk, Resolution Copper's representative, spoke as well, in support of the project. He made frequent reference to the Final Environmental Impact Survey (FEIS), which was released by the US Forest Service in January. However, he failed to mention that the government rescinded the FEIS on March 1, rendering the document invalid and putting the land transfer on hold indefinitely. The Forest Service has yet to release a new version of the final document.

The Mayor of Kearny, Jamie Ramsey, had previously signed on to a letter addressed to President Biden on March 17, 2021, affirming support for Resolution Copper, without the knowledge or approval of the town council. The letter claimed that the land exchange had the support of 10 of 11 local tribes, but it was not signed by any tribal representatives and offered no proof or official confirmation of tribal support. It merely states that the opposition of one tribe is "un-



fair," and it goes on to say: "Delaying the release of these FEIS and including additional tribal consultation will only create more consternation in a process that has entailed more than seven years of earnest and arduous work." Signatories of the letter were Mila Besich, Mayor of Superior, Jamie Ramsey, Mayor of Kearny, Sammy Gonzales, Mayor of Miami, Dean Hetrick, Mayor of Hayden, Louis Bracamonte, Mayor of Winkelman, Woody Kline, Supervisor of Gila County, and Jeff Serdy & Kevin Cavanaugh, Supervisors of Pinal County.

When it came time for the council to vote on whether to officially support Resolution Copper, new information came to light. Brian Coleman, who had just been elected to the council and sworn in that evening, revealed that he is employed by Resolution Copper and said that he may have to recuse himself from the vote due to the conflict of interest. When he previously served on the local school board, he recused himself from a vote to accept a donation of \$19,900 from Resolution Copper last fall.

Stephen Cooper, the town attorney, explained that under normal circumstances, there would be time to investigate potential conflicts of interest, but since Councilman Coleman had just been seated that evening, there was no time to offer an informed judgment on whether he could ethically vote to support his employer in his capacity as town councilman. As such, Mr. Co-

per advised abstaining from the vote to avoid any potential legal repercussions. Councilman Coleman agreed to abstain from voting.

When Mayor Ramsey was unable to get another councilmember to second her motion for a vote, even after calling multiple times, she turned to Councilman Coleman and said, "Are you sure you want to abstain?" Facing pressure, he went back on his word and decided to vote despite the potential consequences, saying, "I will issue a vote, because I think this is so important to our community."

After Councilman Coleman agreed to vote despite the apparent conflict of interest, the motion tied 3-3 (the seventh councilmember, Rudy Flores, was not present for the meeting). It did not pass. It appears that the Kearny town council will be attempting another vote on supporting Resolution Copper at their next town meeting, which will take place on May 17 at 7pm. Town meetings are open to the public, and anyone interested in attending can do so. Councilman Coleman stated in an interview on April 23 that he would consult with the town attorney prior to any further votes regarding Resolution Copper, in order to determine if he can legally participate. It remains to be seen whether there will be any legal consequences for the vote he already cast. For now, the town of Kearny holds no official position on the proposed Resolution Copper mine at Oak Flat.