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Environment

## Biden administration cancels Twin Metals' leases to mine near BWCA

Dan Kraker Duluth January 27, 2022 5:12 AM



Morning fog lifts from Alton Lake in the Boundary Waters Canoe Area Wilderness. Twin Metals is proposing to build an underground copper-nickel mine close to the Boundary Waters Canoe Area Wilderness. Matt Sepic | MPR News 2019

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The Biden administration has [canceled two federal mineral leases](#) held by Twin Metals Minnesota, dealing a potentially fatal blow to the company's bid to build an underground mine for copper, nickel and precious metals on the doorstep of the Boundary Waters Canoe Area Wilderness.

Those leases, located along Birch Lake in the Superior National Forest, about 7 miles east of Ely and just south of the BWCA, are critical to Twin Metals' plans. They're required for the company to access the valuable minerals underground.

The Department of the Interior took the action after determining that the leases were improperly renewed by the Trump administration in 2019.

"The Department of the Interior takes seriously our obligations to steward public lands and waters on behalf of all Americans. We must be consistent in how we apply lease terms to ensure that no lessee receives special treatment," said Interior Secretary Deb Haaland in a statement.

"After a careful legal review, we found the leases

were improperly renewed in violation of applicable statutes and regulations, and we are taking action to cancel them."

[In a statement](#), Twin Metals called the announcement "disappointing, but not surprising given the series of actions the administration has taken to try and shut the door on copper-nickel mining in northeast Minnesota."

"We will challenge this attempt to stop our project and defend our valid existing mineral rights. We expect to prevail," the company added.

The Interior Department decision is the latest in a long legal back and forth over the mineral leases that's spanned three administrations.

[In December 2016, the Obama administration declined to renew the two leases](#), after a legal opinion from the Department of Interior held that Twin Metals did not have an automatic right to renew those leases, which date back to 1966.

But the following year, [the Trump administration issued a differing legal opinion](#), saying the government didn't have the power to deny Twin Metals its leases. The Bureau of Land Management subsequently [reinstated the leases](#) and [then renewed them](#) for an additional ten years.

With those leases in hand, [Twin Metals formally proposed its mining plans in 2019](#), a step that kicked off a multi-year environmental review and permitting process by state and federal regulators.

But the future of those plans is in serious doubt with this announcement from the Biden administration, which comes after [a new legal opinion released Wednesday](#) that overturns the Trump administration's actions.

In a statement the Minnesota DNR said the federal action "raises significant questions about the feasibility of Twin Metals' project as proposed." The

agency says it will carefully consider what this means for the state.

Environmental groups fighting the proposed mine, along with northeastern Minnesota businesses that had sued to overturn the leases, celebrated the decision.

"Today is a major win for Boundary Waters protection," [said Becky Rom](#), National Chair of the Campaign to Save the Boundary Waters.

"Twin Metals leases should never have been reinstated in the first place, and this announcement should stop the Twin Metals mine threat," she said.

For years the proposed Twin Metals mine has bitterly divided people in and around the small town of Ely.

Supporters have pushed for the hundreds of high-paying jobs the mine would create, and billions of dollars it would pump into the region's economy.

Opponents have argued pollution from the mine would devastate the Boundary Waters and the recreation-based economy it supports.

"This represents a major lifting of kind of that black cloud that's hung over Ely for maybe 10 years now, that copper-nickel has put there," said Steve Piragis, owner of Piragis Northwoods Company.

"We think this decision is awesome," said Jack Lee, executive director of the Voyageur Outward Bound school located outside Ely, near Twin Metals' proposed mine.

"The proposed Twin Metals mine would have very likely polluted the Boundary Waters. That would have ended our ability to serve our mission and serve all these young people. We've considered other locations, but there's nothing, nothing like the untouched, pure Boundary Waters," Lee said.

Supporters of Twin Metals said they were outraged and frustrated by the lease cancelation.

"We want our government officials, our regulators to follow the process. Nothing more, nothing less," said Brian Hanson, chair of Jobs for Minnesotans. "We want these projects to get reviewed using science, not undermined using politics."

In a separate effort, [the Biden administration has also proposed a 20-year moratorium](#) on new copper-nickel mining proposals within the watershed of the Boundary Waters, in the same area Twin Metals wants to dig. The government says it's taking that step because of the pollution risks mining poses to the Boundary Waters.

Mining supporters say that effort, combined with the Twin Metals lease cancelation, block projects that could provide important metals needed for wind turbines and electric car batteries.

"The Biden administration is talking out of both sides of its mouth," said Frank Ongaro, executive director of Mining Minnesota.

"On one hand, it wants domestic critical minerals for a supply chain to address climate change. And on the other hand, it's locking us out of the vast majority of the U.S. supply of these metals. That's extremely hypocritical."

Ongaro declined to speculate on the future of Twin Metals. But he says northeastern Minnesota is a patchwork quilt of federal, state and private mineral ownership. And it's difficult to develop an economically viable project without access to all of them.

Ongaro also points to the 750 high-paying mining jobs Twin Metals projected it would create, in addition to more than a thousand construction jobs to build the mine.

Chris Knopf, executive director of Friends of the Boundary Waters Wilderness, said he has a point. Knopf said the work of Twin Metals opponents like his group isn't over.

"All of us who want to protect the wilderness have a responsibility to help those gateway communities thrive."

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