



May 10, 2023

Andrew Morley
Energy and Natural Resources Policy Director
Congressman Pete Stauber (MN-08)
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Washington, DC 20515
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RE: Comments in Support of House Concurrent Resolution 34 and Rep. Stauber's Bill, the "Superior National Forest Restoration Act."

Dear Mr. Morley:

Global Minerals Engineering fully supports HCR 34, which uses the provision enshrined in Section 204(c) of the Federal Lands Policy and Management Act, that allows the House and Senate to disapprove of mineral withdrawals over 5,000 acres. We also fully support the "Superior National Forest Restoration Act."

Global Minerals Engineering previously submitted comments on the Rainy River Watershed Mineral Withdrawal Application on January 18, 2022, and August 10, 2022. Herein I reiterate and elaborate on several points, testifying to the dangers to the U.S. economy, national security, and green energy goals that will result with the ban on leasing and development of strategic critical minerals in the Rainy River Watershed on federal land.

We were appalled by the reckless mineral withdrawal of 225,504 acres of the Superior National Forest within the Rainy River Watershed by the Secretary of the Interior. We have a world-class environmental review and permitting process in place in the United States and in Minnesota. Mineral exploration and mining taking place outside the Boundary Waters Canoe Area Wilderness (BWCAW) should be evaluated individually based on established State and Federal environmental review processes and regulatory tools. No broad, arbitrary restrictions on mining should be placed on any part of the Rainy River watershed that is outside the BWCAW and the long-established Mining Protection Area.

The mineral withdrawal is situated within the Duluth Complex mineral deposits in northeastern Minnesota, home to some of the largest copper, nickel, and cobalt resources in the world, along with platinum, palladium, titanium, vanadium, and gold. Within these undeveloped resources lies the world's 3rd largest nickel resource (95% of the U.S. resource), the world's 2nd largest copper resource (34% of the U.S. resource), 88% of the U.S. cobalt resource, and 75% of the U.S. platinum

group metals (PGMs) resource. In addition, the underlying bedrock of the Rainy River Watershed contains rare earth elements and lithium potential. Minnesota is poised to become a global leader in supplying these metals essential to our way of life, critical to our nation's defense and economic security, and necessary to build green energy technology, including electric vehicles. Minnesota is lucky to have this mineral resource available. Only Russia and South Africa have similar bedrock containing these Cu-Ni-PGMs metal resources.

Currently, the U.S. is highly reliant on imports of many mineral commodities whose production is concentrated in a few countries, including Africa, Russia, and China, where environmental and safety standards are substandard to those in place in the U.S., resulting in the most severe environmental damage to the planet and the worst violations of human rights. The demand for electric vehicles will trigger a global shortage of copper, nickel, and cobalt and we cannot be asking Russia and China for more nickel and cobalt.

The federal administration ordered the Department of Defense to consider five metals as essential to national security under the Defense Production Act because of their importance to battery technology. These are nickel, cobalt, manganese, lithium, and graphite, all of which are found in Minnesota. A 2021 White House supply chain review recommended the federal government invest in a domestic nickel refinery. This mineral withdrawal is inconsistent with these initiatives. The delay in exploration and mining in the Rainy River Watershed is costing us greatly. Without Minnesota minerals, we will only become more dependent on foreign nations with nefarious goals.

We need to look to our future. The U.S. needs a reliable domestic supply chain to support itself with these critical minerals. Currently producing over 85% of the U.S. iron ore, Minnesota has a rich and safe history of mining on the Mesabi Iron Range for over 130 years, while having some of the cleanest air and water in the nation. Non-ferrous mining in Minnesota will continue those same high standards of environmental protection and worker safety. Minnesota is ready to launch into another 130 years of safely mining non-ferrous critical minerals.

Included in the withdrawal area is the Twin Metals Minnesota resource area and some of the auxiliary lands necessary to the development of that resource. In 2019, Twin Metals submitted a Mine Plan of Operations to the U.S. BLM and a Scoping Environmental Assessment Worksheet data submittal to the Minnesota Department of Natural Resources. Submission of these documents began a multi-year review process that included collection of additional baseline data, impact analysis, and multiple opportunities for public input. None of the extensive environmental data submitted by Twin Metals, some of which had been collected for over 10 years, was included in the Environmental Assessment conducted by the USFS. Twin Metals leases should be re-instated, and they deserve the opportunity to continue the environmental review process.

Underground mining, as with the proposed Twin Metals Project, leaves a very small surface footprint. The mines anticipated in the Rainy River watershed along the Duluth Gabbro contact within 10 miles of the BWCA will likely be underground mines, because the depth of the ore is in the range of 1200 to 3000 feet below the surface. Most surface mines in Minnesota do not go

below 450 feet. Water from an underground mine 1200 feet below the water table is not going to cause pollution. Any water that is pumped from an underground mine is treated and recycled.

Minnesota underground mining is often erroneously compared to the environmental legacy issues from pre-environmental regulation mining in the mountains of Colorado, Utah, and Idaho. In those examples, the underground mines were far above the water table. Those historical mines were at high elevations and the waters flowing downhill from those mines eventually reached the lower mountain valley rivers (water table) and streams. These underground mining comparisons are not based on facts. A panel of mining and geological engineering experts could help decision makers better understand this issue.

As examples, Minnesota had over 70 underground mine operations, between 1884 and 1967. These underground mines include the Pioneer, Chandler, Zenith, Sibley, and Savoy mines in Ely, MN. These mines were operated from 1888 to 1967. These mines closed before the 1980 Minnesota Reclamation Rules went into effect. These particular mines are also in the Rainy River Watershed very close to the BWCAW. Is the water from these underground mines polluting Ely?

Minnesota has a State Park at the Soudan Mine and offers underground tours to the public. Because of the tours, the mine is pumped and any water that leaves this mine is treated before it is recycled. Why is this OK?

Legacy mine pits that have filled with water on the Mesabi Iron Range are the public drinking water sources for many communities, such as Chisholm, Virginia, Biwabik, Aurora, and Hoyt Lakes. People don't drink unclean water.

The Kawishiwi and South Kawishiwi Rivers flow naturally into the BWCAW. These rivers flow over the mineral rich exposed Duluth Complex gabbro bedrock, boulders, and sediments. This natural erosion includes Copper, Nickel, PGM's and Sulfate that is picked up by water currents and deposited downstream into many of BWCAW lakes. How does the Secretary of the Interior propose to stop this?

The BLM responded to my comment in the Scoping Comment Disposition of the EA that *"It is relevant to look at other mining operations when assessing risk. The analysis in the Environmental Assessment and resource reports looks at modern engineering mining designs. See also case studies report."* Representative Betty McCollum has repeatedly stated that 93% of copper, nickel mines fail. She says there is no safe mine operating anywhere. But the USFS EA Case Studies Report itself reveals something much different:

The EA Case Studies Report reviews 20 case studies of worldwide mining projects with similar characteristics to those that may be proposed within the Rainy River Watershed withdrawal area. It summarizes that 16 out of 20 case studies had noncompliance actions, however the number, type and severity varied widely.

Upon review, the report shows that 1 out of the 20 case studies had any significant, environmental-related issues in recent history (Mount Polley, Canada). And of the 10 case studies most similar geographically to the Rainy River Watershed, NONE have had any environmental violations, outside of a few minor remediated issues. So, the Case Studies Report, while giving a vague and misleading summary, contains ample evidence that mining can be done in environments like the Rainy River Watershed without major environmental impacts.

When mineral owners lose their long-term mineral leases with exploration and mining companies as a result of this withdrawal, it is essentially a “taking” by the Federal government (see the “Takings Clause” of the 5th Amendment of the U.S. Constitution). While this withdrawal is aimed at federal lands, State and private lands are mixed together (like a checkerboard or mosaic) with the withdrawal lands. This makes mining in this manner impractical, uneconomic, and wasteful of the resource.

While the mineral withdrawal does not prohibit activity on private and State lands and minerals, mining operations require a contiguous area of land. No developers will contend with a patchwork of ownership wherein they are unable to operate on several of the parcels. It will not be possible to develop these state and private minerals, and this will result in the loss of billions of royalty revenue dollars to private and State mineral lease holders. This also robs the State of Minnesota of billions of dollars in investment. That money will instead be invested elsewhere, profiting other countries, such as China.

The lands within the BWCAW and the bordering Mining Protection Area are already mining exclusion areas. The environmental protections for the BWCA have long been studied and deemed adequate by the environmental community, Federal, State and local government agencies, and the mineral exploration and non-ferrous mining industry. The “roadless area” boundary established in 1948 already considered the nonferrous minerals previously found along the Spruce Road. In the U.S. Congress, this area was exempted out in the 1978 BWCA Wilderness Act by compromise, because of the valuable mineralization found along the “Duluth Gabbro” contact.

A sincere Thank You to Representative Stauber and his team for working diligently to undo an obviously politically motivated and disastrous withdrawal of strategic mineral resources in Minnesota.

Sincerely,



David Meineke
President & CEO