

Dale Lueck
State Representative
District 10B
Aitkin and Crow Wing Counties



Minnesota House of Representatives

January 1, 2022

F. David Radford, Deputy State Director of Geospatial Services
BLM Eastern States Office
5275 Leesburg Pike
Falls Church, Virginia 22041

*Re: Superior National Forest Rainy River Watershed Withdrawal Application, Comments
ICO Rep. Dale K. Lueck, MN House District 10B*

Dear Mr. Radford,

The application by the US Department of Agriculture, Forest Service to withdraw for a 20-year period approximately 225,378 acres of U.S. Forest Service lands in the Rainy River Watershed from the U.S. mineral and geothermal leasing laws. -- should be rejected.

The proposed withdrawal is unwarranted. It is a serious abuse of executive authority, by the President of the United States, the US Secretary of Agriculture and the Chief of the US Forest Service.

This application completely usurps existing state and federal environmental review and mining related permitting regulations. The executive does not have the authority to cast aside existing state and federal regulations as codified in current state and federal statutes.

The proposal completely sidesteps the State of Minnesota and the federal government's already very stringent environmental review process, strict permitting procedures and follow-on regulatory oversight protocols that apply to mining operations within Minnesota.

This effort attempts to stop the Twin Metals Project, and future mining projects in a vast region of the State of Minnesota by short-stopping an extensive environmental review process.

That process may or may not lead to a permit to mine. That decision can only be properly made once all the risks have been identified and all related mitigation considerations have been assessed for this project.

The Biden Administration and US Forest Service have acquiesced to political pressure from a few federal and state elected officials and special interest anti-mining groups.

This group refuses to accept the viability of existing stringent mining related regulatory review and permitting procedures mandated by state and federal law. They have failed to make their case to the Minnesota Legislature or the US Congress that mining should be

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prohibited within the Rainy River Watershed. They are now asking the executive branch to go around the legislative branches with respect to the existing state and federal regulatory process for determining the feasibility of a mining proposal.

The US Forest Service is asking the Secretary of Interior and the Director of the Bureau of Land Management to accept an unsupported assumption that state and federally mandated mitigation measures, containment faculties, and remediation efforts will fail and cause irreversible damage to the Boundary Waters Canoe Area Wilderness (BWCAW).

The U.S. Forest Service provides no evidence that any specific element of any proposed mining activity fails to have a corresponding safe and effective mitigation provision.

The extensive environmental review process necessary to define the potential risks and determine whether appropriate mitigation procedures can be instituted to offset those risks for the Twin Metals Project is still in the scoping phase.

The Biden Administration is asking to declare off limits 225,378 acres of federal land to mining activities for at least 20 years based only on an unsupported assumption that the current mining regulatory process will fail.

The applicant opines that the existing state and federal regulatory environmental review process which are codified in state and federal laws -- will fail without any basis in fact.

This a blatant political effort by a small group of elected officials and special interest groups to bully the executive branch into doing something that this anti-mining group has repeatedly failed to convince the Minnesota State Legislature and US Congress should be done.

Placing a huge region off-limits to mining for at least 20 years is a policy decision to be made only by the Minnesota State Legislature and the US Congress, not through an abuse of authority by the executive branch.

This application should be rejected out of hand. The applicant has failed to put forward a shred of evidence that existing state and federal mining related environmental regulations will fail to protect the BWCAW.

Thank you for considering this matter

Sincerely,



Dale K Lueck
Minnesota House of Representatives (District 10B)