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January 10, 2022

Deb Haaland, Secretary  
Department of Interior  
1849 C Street N.W.  
Washington, D C 20240

F. David Radford, Deputy State Director/ Geospatial Services  
BLM Eastern States Office  
RE: Superior National Forest Withdrawal Application  
5275 Leesburg Pike  
Falls Church, Virginia 22041

RECEIVED  
BUREAU OF LAND MGMT  
EASTERN STATES OFFICE  
2022 JAN 26 A 9 22

RE: Superior National Forest Withdrawal Application

Dear Secretary Haaland & Mr. Radford:

I write to express my opposition to the withdrawal, for a 20-year term, of approximately 225,378 acres of United States Forest Service lands in the Rainy River Watershed in the Superior National Forest from disposition under the U. S. mineral and geothermal leasing laws.

Opposition to copper-nickel mining, and Twin Metals Minnesota's proposed copper-nickel mine in the Rainy River Watershed, has been led by three Minnesota based environmental organizations whose assertions in opposition to the TMM mine are not based on the science nor the facts. One, *Northeastern Minnesotans for Wilderness* (NMW) is based in Ely, and fashioned the slogan - *Campaign to Save the Boundary Waters*.

To many of us who live in Northeastern Minnesota, the slogan – *Campaign to Save the Boundary Waters* – is inane and misleading because it causes people to believe that a 20-year moratorium on mining is needed to save the BWCAW. **Federal and State legislation to protect the BWCAW was enacted long ago, long before Northeastern Minnesotans for Wilderness was organized.**

Mining was banned in the Boundary Waters Canoe Area Wilderness by the Wilderness Act of 1964. The BWCA Wilderness Act of 1978 (Public Law 95-495) created the Boundary Waters Canoe Area Wilderness (BWCAW). The purpose of the Act was to establish rules and regulations to protect, preserve and enhance the lakes, waterways and forested lands to enhance public enjoyment of the BWCAW.

Even before 1978 when the BWCAW was created, the State of Minnesota had become a valued partner in protecting the BWCAW.

In 1976, the State of Minnesota adopted Minn. Stat. Sec. 84.523 prohibiting all mining within what became the BWCAW, while expressly allowing ongoing mineral exploration and development outside

of the protected areas. The Superior National Forest Plan identifies mining as a permitted activity and a desired condition in the area of Twin Metals' proposed mining project.

Since 1967, Minnesota state leases for nonferrous minerals have required that lessees meet all state and federal regulations (including requirements of the U. S. Forest Service and BLM) on federal and state surface land, use good environmental engineering practices, receive approval from the DNR commissioner for surface use, notify surface owners in advance of activities requiring use of the surface of the leased acreage, and retain responsibility for damages.

In 1973, the legislature passed the Minnesota Environmental Policy Act (MERA) and the related rules that contain provisions that require the review of proposed mining projects.

In 1980, the Minnesota Legislature enacted a law and the Minnesota DNR subsequently adopted rules to regulate drillers of exploratory borings.

In 1981 the DNR adopted mine land reclamation rules for iron mining and nonferrous mining, including copper-nickel mining in 1993, after public hearings and comments. The nonferrous mining rules extended the mining ban beyond the BWCAW to the "Boundary Waters Canoe Area Wilderness Mineral Management Corridor" including a one-quarter mile minimum mining-free buffer around the BWCAW.

In 1991 Minnesota passed the Wetland Conservation Act and associated regulations, that require wetlands replacement and setting aside certain significant peatlands.

In 1993 the Minnesota Legislature enacted a law that requires mining companies to provide financial assurance regarding their mining operations for nonferrous mines; the DNR then enacted new financial assurance rules.

Mining has been conducted in the Rainy River Basin in Minnesota, Ontario and a portion of Manitoba for most of the last century, including a significant number of ferrous and nonferrous mines. During this time, mining has coexisted with wilderness and recreation, with 43 mine sites, including 18 ferrous mines, located within 10 miles of the Quetico Provincial Park and the BWCAW.

With the passage of Public Law 95-495 and the rules and regulations enacted by the Forest Service to manage the BWCAW, coupled with State of Minnesota legislation, the application to withdraw for a 20-year term, 225,378 acres of U. S. Forest Service lands in the Rainy River Watershed from disposition under the U. S. mineral and geothermal leasing laws, is totally unwarranted and should be rejected.

Respectfully,

A handwritten signature in black ink, appearing to read "Gerald M. Tyler", is written over a horizontal line.

Gerald M. Tyler