

Facts on Minnesota Sulfide (Copper-Nickel) Mining Proposals

The Companies

PolyMet: PolyMet is a Canadian “junior mining company” proposing an open-pit sulfide (copper-nickel) mine on Superior National Forest land south of Babbitt. They have leased the mineral rights from a private owner. PolyMet proposes to refurbish the LTV plant and use an existing tailings basin for their mine waste.

On March 3rd, the DNR announced they consider the PolyMet final environmental impact statement (EIS) to be “adequate” despite over 30,000 public comments received just months earlier. Governor Dayton announced that he is “truly undecided” on PolyMet the same day. The DNR’s action allows PolyMet to apply for state permits, though they have not done so yet. Once PolyMet submits their application for a DNR “Permit to Mine,” parties opposed to a permit can ask for a contested case hearing in front of an administrative law judge. A contested case hearing on PolyMet’s permit application could occur in early fall 2016. The PolyMet proposal, by the company’s own account, will remain a polluted site for at least 200-500 years after only 20 years of mining.

One critical part of PolyMet’s permit to mine application is an adequate financial assurance (“damage deposit”) package that would pay for the hundreds of years of water treatment that will be required after closure. This comes at a perilous time for the mining industry, which is struggling globally and locally. **It is not the time to cut corners or rush a project that could stick Minnesotans with the cleanup bill.**

PolyMet’s EIS has not been cleared by the federal agencies reviewing the proposal. The U.S. Forest Service published a “Draft Record of Decision” on PolyMet’s proposed land exchange with the Superior National Forest in November 2015. The U.S. Forest Service received over 22,000 public objections to their “Draft Record of Decision” on PolyMet’s proposed land exchange. The Forest Service will send a letter in spring 2016 responding to objections and directing the Superior National Forest whether to make any changes.

The U.S. Army Corps of Engineers (USACE) is responsible for a federal wetlands permit under the Clean Water Act that PolyMet needs to operate. There are a number of unresolved issues regarding wetlands, including plans to replace or remediate up to 7,000 acres of wetlands that could be drained by PolyMet. Currently, it appears that the USACE will wait for the outcome of the state permitting process before moving forward on the federal wetlands permit.



PolyMet Estimated Timeline*

Spring 2016: USFS decides land exchange

Fall 2016: State releases draft permits for mine; may include administrative “trials” that take 6-12 months

Spring 2017: State Pollution Control Agency decides whether to “certify” project under Clean Water Act

2018: Army Corps of Engineers determines whether to issue federal wetlands permit

*Each of these events may be challenged in court, which may significantly delay this timeline.



Twin Metals Estimated Timeline

Spring 2016: BLM publishes environmental review of federal leases

Summer 2016: BLM Issues decision on Twin Metals lease renewals

2018: Twin Metals releases modified pre-feasibility study, applies for environmental review

Twin Metals Minnesota: Twin Metals Minnesota is a subsidiary of Chilean miner Antofagasta proposing an underground sulfide (copper-nickel) mine near Birch Lake, southeast of Ely. Twin Metals has not submitted a mine plan for environmental review, and two federal leases at the core of their proposed mine were issued fifty years ago before the passage of modern environmental laws like the Clean Water Act.

In March, Governor Dayton released a letter sent to Twin Metals stating he is strongly opposed to mining near the Boundary Waters Canoe Area Wilderness. He also called the Director of the Bureau of Land Management (BLM) and “apprised [him] of my strong opposition to mining in close proximity to the BWCAW.” Governor Dayton denied an “access authorization agreement” sought by Twin Metals that would allow them to access additional state land for the purposes of site planning.

Twin Metals Minnesota is not entitled to an automatic extension of their 1966 mineral leases according to a legal opinion from the Solicitor of the Department of Interior. The BLM is expected to release an environmental assessment of the Twin Metals leases in the coming weeks. This environmental assessment can include the alternative of not renewing these leases. U.S. Rep. Betty McCollum has asked the BLM to withdraw federal mineral rights in the BWCAW watershed.

Recent polling data shows Minnesotans are strongly opposed to sulfide mining near the Boundary Waters. A February 2016 poll by Anzalone Liszt Grove Research found 67% of Minnesotans oppose “sulfide mines on the edge of the Boundary Waters Wilderness” versus 16% support.

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