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The Honorable Chip Cravaack
508 Cannon House Office Building
United States House of Representatives
Washington, DC 20515

January 17, 2012

Dear Congressman Cravaack,

On behalf of Minnesota's North Star Chapter of the Sierra Club and its members across the state and nation, we are writing in opposition to your proposed legislation that would expedite a Federal land transfer between the United States Forest Service and the State of Minnesota.

According to your press release dated December 9, 2011, the proposed legislation would authorize the exchange of approximately 86,000 acres of State lands in the BWCAW, for a yet to be determined amount of National Forest land outside the wilderness boundary.

The current impetus to expedite a land exchange is being initiated by State legislators who are seeking more money for the schools through more aggressive management of school trust fund lands. The northeastern Minnesota legislative delegation is using the issue of school trust money to promote the mining of copper-nickel bearing sulfide ores on land near the BWCAW, even though such mining is known to contaminate the environment. The mining of sulfide ores carries the potential for acid mine drainage (AMD) and toxic heavy metal leaching which would require perpetual treatment (hundreds to thousands of years). Proposed mining is also generating increased opposition as citizens realize the scope of exploration and the footprint that would result from the opening of a sulfide mining district in the Arrowhead region of Minnesota.

While mining is speculative, a land sale would provide a guaranteed source of revenue for the schools.

No sulfide mine is yet permitted within what is now the Superior National Forest. Although minerals exploration is pervasive throughout the Arrowhead, the underlying geologic complex consists of low-grade highly disseminated metals which are very costly to extract and over 99% of the mined material would be "waste". Mining of these ores is economically marginal, which is why they haven't been mined previously. Such mining is highly energy intensive, making the industry susceptible to market fluctuations and vulnerable to bankruptcy.

By contrast, rather than relying on speculation, a land sale would immediately place money in the Permanent School Fund, generating interest for the schools. According to State law, only interest from

the fund can be used on a yearly basis, keeping the fund itself intact for future generations. Moreover, additional sources of funding could include a recreational fee for users of the BWCAW lands. This has been done in western states to generate money on school trust fund lands

The Sierra Club is advocating for the Federal government's purchase of *all* of the State's school lands in the BWCAW. The sale-only option protects the Superior National Forest (including the BWCAW) and is financially responsible to the original school land grant language found in Minnesota's *Enabling Act* - "shall be granted to said state for the use of schools", by raising guaranteed revenue for the Permanent School Fund (PSF) through a sale of school land inholdings in the BWCAW to the USFS. These funds would most likely be secured through a cash payment from the Federal government from dedicated funds such as the Land and Water Conservation Fund.

Federal legislation that transfers lands out of the Superior National Forest for maximum mineral and natural resources development and exploitation, while removing current Federal protections on the lands, would be detrimental to the Boundary Waters and would conflict with the intent and purpose of the BWCAW Act.

From the *Boundary Waters Canoe Area Wilderness Act of 1978*, Public Law 95-495 92 Stat. 1649:

FINDINGS

SECTION 1. *The Congress finds that it is necessary and desirable to provide for the protection, enhancement, and preservation of the natural values of the lakes, waterways, and associated forested areas known (before the date of enactment of this Act) as the Boundary Waters Canoe Area, and for the orderly management of public use and enjoyment of that area as wilderness, and of certain continuous lands and waters, while at the same time protecting the special qualities of the area as a natural forest-lakeland wilderness ecosystem of major esthetic, cultural, scientific, recreational and educational value to the Nation.*

PURPOSES

SEC. 2. *It is the purpose of this Act to provide for such measures respecting the areas designated by this Act as the Boundary Waters Canoe Area Wilderness and Boundary Waters Canoe Area Mining Protection Area as will --*

(1) provide for the protection and management of the fish and wildlife of the wilderness so as to enhance public enjoyment and appreciation of the unique biotic resources of the region,

(2) protect and enhance the natural values and environmental quality of the lakes, streams, shorelines and associated forest areas of the wilderness,

(3) maintain high water quality in such areas,

(4) minimize to the maximum extent possible, the environmental impacts associated with mineral development affecting such areas,

(5) prevent further road and commercial development and restore natural conditions to existing temporary roads in the wilderness, and

(6) provide for the orderly and equitable transition from motorized recreational uses to nonmotorized recreational use on those lakes, streams, and portages in the wilderness where such mechanized uses are to be phased out under the provisions of this Act.

Northern Minnesota is one of the world's most water-rich environments and studies indicate that sulfide mining always impacts nearby waters in such an environment. The headwaters of two internationally important water resources, Lake Superior and the Boundary Waters Canoe Area, is the worst possible place to locate sulfide mines.

Further, a disproportionate amount of Superior National Forest in the Lake Superior watershed is expected to be removed from Federal ownership and protections in a BWCAW land exchange process, with the potential to significantly and negatively impact the watershed and reduce the size of the Superior National Forest.

Removing the Superior National Forest lands from Federal ownership would also remove Week's Act protection against strip mining, National Environmental Policy Act (NEPA) requirements for public involvement and environmental review, and consultation requirements for endangered species under Section 7 of the Endangered Species Act. These lands contain some of the last remaining wildlife corridors in northeastern Minnesota, which are critical to lynx, wolves, moose, and other wildlife, in addition to aquatic and avian life.

In addition, the exchange of these lands would provide a huge windfall to mining companies while divesting the Forest Service and other Federal agencies of their responsibility to oversee mineral extraction and appropriate replacement of public lands transferred to other parties.

Most importantly, we believe that it is unethical to base our children's education on a mining industry that would destroy the heritage of the Arrowhead for future generations, and that would pollute sources of clean water, a resource of great significance in its own right. Furthermore, the Federal lands of Minnesota's Arrowhead were left to the citizens of this nation, as well as to our own children, as an historical legacy. They are but a small remnant of the vast forests that covered the State prior to the 1900's.

Last, the proposed legislation would create a troubling and dangerous precedent for the relinquishment of National Forest lands, and would significantly undermine the open process that currently exists that gives your constituents the opportunity for meaningful public participation in decisions regarding Minnesota's public lands.

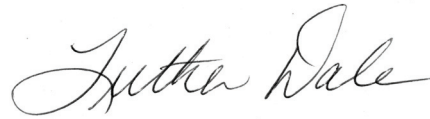
In summary, the Sierra Club supports a total land sale of any remaining State school lands within the BWCAW borders. The hybrid part sale/part exchange that is being proposed is not in the public interest or in the best interest of the children of our State. When the forest reserves were transferred to the Department of Agriculture in 1905 the Secretary of Agriculture issued the following mandate to the first Chief of the Forest Service: " All land is to be devoted to its most productive use for the permanent good of the whole people, and not for the temporary benefit of individuals or companies.

Where conflicting interests must be reconciled, the question will always be decided from the standpoint of the greatest good of the greatest number in the long run". Dismantling and mining the Superior National Forest does not meet this criteria.

Sincerely,



Margaret Levin
State Director
Sierra Club North Star Chapter



Luther Dale
Chair
Sierra Club North Star Chapter

CC:

Senator Amy Klobuchar
Senator Al Franken
Congressman Tim Walz
Congressman John Kline
Congressman Erik Paulsen
Congresswoman Betty McCollum
Congressman Keith Ellison
Congresswoman Michele Bachmann
Congressman Collin Peterson
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