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David T. Chura, Chair of Jobs for Minnesotans

Testimony for the May 11, 2023 House Natural Resources Subcommittee on Energy and Mineral Resources Legislative Hearing on H. Con. Res. 34 and Superior National Forest Restoration Act

Chairman Stauber and members of the committee:

Thank you for the opportunity to testify in support of House Concurrent Resolution 34 and the Superior National Forest Restoration Act. Jobs for Minnesotans is a unique non-partisan organization that brings together labor unions, businesses, and local communities. Our coalition was co-founded in 2012 by the Minnesota Building and Construction Trades Council and the Minnesota Chamber of Commerce. Jobs for Minnesotans represents 70,000 union workers, over 2,300 members of the Minnesota Chamber and hundreds more local chamber members, elected leaders and residents of the state. The organization is committed to the principle that Minnesota can both create jobs and protect the environment for future generations.

I am the grandson of an immigrant coal miner and I have witnessed first-hand the difference a good job in mining can make for families and communities. Unlike seasonal tourism jobs in the region where peak employment is less than four months of the year, mining provides year-round, family-sustaining careers that consistently put food on the table and provide post-secondary education opportunities for their kids.

I have also watched the mining industry transition to the modern, responsible, and sustainable practices of today. Our workers are skilled, professional and they prioritize safety, communities, and the protection of the environment. The mines that have been proposed in the region are not the mines of the 19th century. The companies proposing projects aim to leverage global state-of-the-art technology that they want to prove can both protect the environment and responsibly create jobs.

Jobs for Minnesotans encourages Congress to exercise its authority to overturn the Department of Interior's withdrawal of 225,000 acres of the Superior National Forest from future leasing and exploration and development activities.

The withdrawal was unnecessary. The Boundary Waters Canoe Area Wilderness, a place I love and where I have another trip planned for in July, already has strict protections in place within its boundaries as well as buffer zones surrounding it where mining is prohibited. The Administration should rely on studying a site-specific project proposal. Every mine is unique and specific to its leases, location, and mining methods. Every geological deposit the proposal sits on is different and should be evaluated individually based on merit. The withdrawal is simply saying "no" to any and all projects instead of using scientific inquiry and a public process to determine the outcome.



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Without the withdrawal, the below federal and state regulations exist to protect the Boundary Waters Canoe Area Wilderness. Congress, the Minnesota Legislature, state and federal government agencies, environmental groups, mining and exploration companies, and mineral owners have spent decades conducting the research, working on laws and regulations, and establishing the permitting processes to assure that development of copper, nickel, and other nonferrous minerals in Minnesota will be managed responsibly:

- Mining was banned in the BWCAW by the Wilderness Act of 1964. The 1978 Boundary Waters Canoe Area Wilderness Act created an additional mining ban in the 220,000-acre "Mining Protection Area" to create a buffer around the BWCAW area.
- In 1976, the State of Minnesota adopted Minnesota Statutes Section 84.523 prohibiting all mining within the BWCAW while expressly allowing ongoing mineral exploration and development outside of the protected areas. The Superior National Forest Plan identifies mining as a desired condition.
- Since 1967, Minnesota state leases for nonferrous minerals have required that lessees meet all state and federal regulations (including requirements of U.S. Forest Service and Bureau of Land Management) 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 leased premises, and retain responsibility for damages.
- In 1971, the state legislature passed the Minnesota Environmental Rights Act (MERA)
- In 1973, the state legislature passed the Minnesota Environmental Policy Act (MEPA) and the related rules that contain provisions specifically requiring review of mining projects.
- The Minnesota Legislature enacted a law (1980) and DNR subsequently adopted rules to regulate drillers of exploratory borings.
- The DNR adopted mineland reclamation rules for iron mining (1981) and nonferrous mining, including copper-nickel (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 1/4-mile-minimum mining-free buffer around the BWCAW.
- Minnesota passed the Wetland Conservation Act (1991) and associated regulations, require wetlands replacement and setting aside certain significant peatlands.
- The Legislature required financial assurance for nonferrous mines, and DNR enacted new financial assurance rules (1993).

By overturning the withdrawal in the Superior National Forest and reinstating leases that were in place for more than 50 years and 10 presidential administrations, you aren't giving blanket approval for mining. If a mine can't show it can meet or exceed standards to operate safely and responsibly – it shouldn't be permitted. However, instead of a generic ban that chills investment and exploration and deepens our

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dependence on imports, projects should be allowed to follow a timely, predictable, and transparent regulatory and environmental review process.

The arbitrary withdrawal is a statement of distrust. It appears the Interior Department does not trust its own scientific process that has regulated and protected this nation for decades nor trust in the employees at Federal agencies to review the environmental impacts of a specific project. Additionally, this ban is for 20 years, preventing any companies from pursuing exploration or development at a time when demand for critical minerals is skyrocketing.

It's paramount for the U.S. to have access to a secure, domestic source of metals, especially nickel and cobalt – minerals that are critical to U.S. manufacturing, infrastructure, clean energy and battery storage technology. According to the International Energy Association, since 2010 the average amount of minerals needed for a new unit of power has increased by 50% as renewables increase their share of total capacity additions. [The World Bank predicts](#) the global need for copper over the next 25 years will be equal to the amount of copper mined in total over the last 5,000 years. The amount of [nickel used per electric car](#) could go from 20 kg to 40-50 kg by 2025, more than doubling the need. Annual global [cobalt consumption is expected](#) to reach 220,000 tons in 2025, increasing to 390,000 tons in 2030. That's almost double.

The transition to clean energy means a shift from a fuel-intensive to a mineral-intensive system. Domestically sourcing those minerals provides job security, economic security and national security for Americans.

The Duluth Complex in northeast Minnesota is a domestic clean energy mineral resource needed to advance the clean energy transition. Mining has been the lifeblood of this region for over 140 years, supporting workers and communities with safe, family sustaining jobs. It has existed in harmony with our other core industries of forest products, transportation, health care, education and tourism. Further, it has existed all while protecting the environment. We should allow our mining workers and investors the opportunity to scientifically prove they can both safely mine for minerals AND protect the surrounding environment, by following the extensive environmental review process.

Mining has existed in the Rainy River Basin (in Minnesota, Ontario and Manitoba) for most of the last century, including a significant number of historic nonferrous mines and several operating or permitted nonferrous mines. During this time, mining has coexisted with wilderness and recreation, with 43 historic mine sites (including 18 nonferrous mines) located within 10 miles of the Quetico Provincial Park and Boundary Waters Canoe Area Wilderness.

The economic opportunities are significant. An unprecedented level of investment that will revitalize the entire region – strengthening families, schools, hospitals and more. With the enactment of the withdrawal, our region now has experienced the loss of \$1.5



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billion in annual wages, and more than \$2.5 billion in annual economic production based on [studies conducted by the University of Minnesota Duluth](#).

The minerals needed for a cleaner tomorrow will come from someplace. We should all want those minerals to come from operations where we as Americans have a say in the regulatory process, where we have strong safety and environmental requirements and oversight of mining operations.

Ethical sourcing of copper, nickel, and other mineral resources goes beyond just mitigating environmental impacts. Mining here, at home, allows us to lessen our dependence on countries who have little to no regard for the environment, human life, and good wages. We have a moral obligation to explore mining here. And we have an obligation to protect and preserve our environments in the process. This isn't an either-or situation. We can, and need, to have both. In northeast Minnesota, mining will be done safely, with strict environmental and worker safety standards.

Currently, there is only one operating mine in the U.S. that produces nickel. The Eagle Mine in Michigan is also in a water-rich environment and has operated safely since 2014. It's also critical to understand that it currently takes a minimum 8-10 years to get a mining project through review and permitting, so we can't just wait until there are shortages.

Supporting these bills means supporting scientific review of specific projects, supporting family sustaining middle-class jobs and strengthening the vitality of local communities.

I thank you again for the opportunity to provide my testimony.

Sincerely,

David Chura
Board Chair
Jobs for Minnesotans

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