

Honorable Paul Ryan
The Speaker of the House of Representatives
Washington, DC 20515

Honorable Mitch McConnell
Majority Leader
U.S. Senate
Washington, DC 20510

Dear Mr. Speaker and Mr. Leader:

The undersigned groups strongly oppose HR 3115, and ask you to join us in opposing this legislation.

HR 3115, sponsored by Rep. Rick Nolan of Minnesota, would compel the U.S. Forest Service to exchange 6,650 acres of contiguous National Forest land with PolyMet Mining Corp. for a proposed open pit copper-nickel sulfide ore mine. The PolyMet mine is deeply controversial and poses a threat to water quality, exceptional wetlands, endangered species, and Treaty-reserved rights and resources. Recent polling shows that a majority of Minnesotans are opposed to the proposal.

If it passes, HR 3115 would set a terrible precedent across the United States. HR 3115 undercuts due process, undermines bedrock environmental laws, and undervalues public land.

Undercuts due process – There are currently four separate lawsuits pending against the PolyMet land exchange. These lawsuits address issues that tens of thousands of citizens have raised in public comments on the environmental review of PolyMet’s proposed mine. If passed, HR 3115 would substitute political judgment for the deliberative judgment of the federal court system. It is rare and highly unusual for the U.S. Congress to intervene in a land exchange while the courts are considering whether that land exchange is legal.

Undermines bedrock environmental laws - The lawsuits filed against the PolyMet land exchange argue the exchange violates bedrock U.S. environmental laws, including the Endangered Species Act, the Federal Land Policy and Management Act, and the National Environmental Policy Act. The land in question is home to the threatened Canada Lynx and was acquired under the Weeks Act, which prohibits open pit mining on this National Forest land. HR 3115 would prevent federal courts from upholding these laws in this exchange – in effect repealing them for PolyMet and for future proposals that would seek the same exemption.

Undervalues public land – One core principle of public land exchanges is that the public must benefit. In this case, 6,650 acres of contiguous public land, including thousands of acres of irreplaceable wetlands at the headwaters of the largest U.S. tributary to Lake Superior were valued for exchange at a paltry \$550 per acre. The appraiser was specifically instructed to ignore the fact that a mining company wants to mine this site when valuing the land. There is a long and sordid history of public land giveaways to industry in the U.S., and the public suffers when resources are traded away at bargain basement prices.

PolyMet’s mine proposal has not received a single federal or state permit and may never be in a position to use the lands proposed for exchange, yet HR 3115 would transfer National Forest lands to this mining company. Congress should let the federal courts do their job, uphold bedrock laws enacted to protect public lands, endangered species and the environment, and reject HR 3115.

Sincerely,

Center for Biological Diversity

Friends of the Cloquet Valley State Forest

Izaak Walton League – Minnesota Division

Minnesota Center for Environmental Advocacy

Save Lake Superior Association

Save Our Sky Blue Waters

Sequoia ForestKeeper

WaterLegacy

Wilderness Watch

cc: Honorable Timothy Walz
Honorable Jason Lewis
Honorable Erik Paulson
Honorable Betty McCollum
Honorable Keith Ellison
Honorable Thomas Emmer
Honorable Collin Peterson
Honorable Richard Nolan
Honorable Amy Klobuchar
Honorable Al Franken
Honorable Nancy Pelosi
Honorable Chuck Schumer
Honorable Rob Bishop
Honorable Raul Grijalva
Honorable Lisa Murkowski
Honorable Maria Cantwell