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Bill would create extra hurdles for new mining operations

By Marshall Helmberger

Supporters of a bill introduced in the state Legislature on Thursday say it will protect northeastern Minnesota lakes and rivers from acid rock drainage and keep the state's taxpayers from footing the bill for any clean-up costs in the wake of proposed copper-nickel mining in the region.

Opponents of the bill say the measure would stop planned mining projects in their tracks, and halt a promising new era of job creation in the Arrowhead.

At issue is the Safe Mines to Protect Our Water bill, introduced this week by Rep. Alice Hausman, DFL-St. Paul, and Jim Carlson, DFL-Eagan, with support from environmental groups, including Friends of the Boundary Waters Wilderness. Supporters say the bill would require mining companies to provide sufficient financial assurance that the state will not be stuck with longstanding pollution problems in the wake of planned mining of mineral-laden sulfide ore in the Duluth Gabbro complex running from near Aurora to Ely. The bill would also limit the ability of companies to establish mines if doing so will require permanent treatment of water runoff.

"Mining needs to be a sustainable enterprise," said Carlson. "We need to make sure sulfide mines will be good neighbors in Minnesota, providing jobs while protecting our prized waters and our state's hardworking taxpayers."

But Mining Minnesota's Frank Ongaro says the measure amounts to a virtual ban on sulfide mining in the state that will only hurt taxpayers in the long run. "This legislation will prevent significant job creation and the new revenue that would come with it for our state. We should be inviting investment into Minnesota, not chasing it away."

Of particular concern, according to Ongaro, is a provision in the bill that would make it far more difficult to establish mining operations that require permanent water treatment after closure. Such treatment is likely in the case of sulfide mines, like those proposed by

PolyMet Mining, Franconia Minerals, and others, where leftover ores have the potential to leach sulfuric acid and heavy metals into adjacent watersheds. Environmentalists point

to cases like the Dunka Mine, near Babbitt, where sulfide ore removed during mining operations appears to be contributing to acidic runoff into Birch Lake's Bob Bay. The Department of Natural Resources has utilized a variety of treatment methods over the years to contain the problem, and treatment at the site is likely to continue for decades.

The DNR's Bob Meier agrees that the language in the new bill would make it all but impossible to permit a sulfide mine in Minnesota, even if the mine operator used natural wetlands to treat wastewater runoff. Meier said his agency shares the concerns of the bill's authors, but believes that state agencies already have the tools they need to meet those concerns. "People need to take a detailed look at what's already on the books and understand how that works," he said. "We strongly feel that the rules and procedures in place do what the authors want to have done."

Mary Marrow, with the Minnesota Center for Environmental Advocacy, said she recognizes the water treatment portion of the bill could be controversial, but says the portion of the measure that deals with financial assurance should be less so. "There's nothing out of the ordinary in the financial assurance piece," she said, adding that it was developed after investigating related laws in other states. "We realized we needed more specifications on how to proceed. The language in current law is inadequate," she said.

Mining on the Duluth Gabbro is a particularly sensitive issue for many environmentalists in the state because, unlike most iron mining regions in Minnesota, much of the land in question drains into the Boundary Waters Canoe Area Wilderness. That would not be the case for the first proposed new mining operation. PolyMet Mining's NorthMet deposit, located near Hoyt Lakes, is within the St. Louis River watershed and would be unlikely to impact water quality in the BWCAW. That proposed mining operation has been under environmental review for more than three years. A draft EIS on the project is expected to be released publicly within weeks.

Ongaro says that environmental review process provides a transparent opportunity for the public to raise concerns about the impacts of a mining operation. That's "where the issues are and should be addressed," he said.