



# **Boundary Waters Wilderness Protection and Pollution Prevention Act**

## **H.R. 5598**

Original Cosponsors: Rep. Rooney (FL-19), Rep. Grijalva (AZ-03), Rep. Lowenthal (CA-47), Rep. Phillips (MN-03), Rep. Upton (MI-06)

### **What is the Boundary Waters Canoe Area Wilderness?**

- Originally designated in the *Wilderness Act of 1964*, the Boundary Waters Canoe Area Wilderness (BWCAW) is a **1,090,000-acre Federal Wilderness Area** located within the Superior National Forest (Superior N.F.).
- As America's most visited wilderness area, the BWCAW includes more than **1,200 miles of canoe routes** and **2,000 pristine lakes**, ranging from 10 acres to 10,000 acres in size.
- The Rainy River Watershed lies within the Superior N.F. and flows north, feeding into the BWCAW and on to Canadian waters.
- A full **20% of the fresh water supply** in the entire N.F. System comes from the Superior N.F.
- The local economy supports a diverse and thriving business environment and growing population of new residents. Studies by Headwaters Economics Group, a non-partisan land management research organization, show that wilderness areas and public lands contribute to **booming populations, employment, and personal income** in local communities, and attract investment and businesses to the rural areas.

### **Despite the many natural, recreational, and economic benefits, these pristine waters have been persistently under threat from sulfide-ore copper mining:**

- In 1966, the Bureau of Land Management (BLM) issued two mineral leases covering nearly 5,000 acres of the Superior N.F. adjacent to the BWCAW for a term of 20 years. These leases were renewed for 10-year terms three additional times, totaling 50 years.
- In 1978, Congress passed the *Boundary Waters Canoe Area Wilderness Act* (P.L. 95-495) to remove incompatible uses and prohibit mining within the BWCAW and on 220,000 acres of Superior N.F.
- In 2016, after 50 years of no mining, the U.S. Forest Service issued a Record of Decision finding that sulfide-ore copper mining in the same watershed as the BWCAW risked "harm to this unique, iconic, and irreplaceable wilderness area."
- BLM denied the renewal of original 1966 leases, now owned by Twin Metals Minnesota, a subsidiary of a Chilean-owned mining company, and the leases expired.
- After the Forest Service denied its consent to the renewal of the 1966 mineral leases, the agency applied for a mineral withdrawal of 234,328 acres of N.F. lands in the headwaters of the BWCAW and Voyageurs National Park, launching a 24-month environmental review study.
- In 2018, approximately 20 months into the 24-month review period of the Rainy River Watershed mineral withdrawal proposal, the Department of Agriculture abruptly abandoned the study. Despite multiple directives from Congress, the results of the study have still not been released.
- In 2019, BLM restored the cancelled and expired 1966 mineral leases to Twin Metals Minnesota.

The mining of copper and other metals in sulfide bearing ore on Federal lands in the Superior N.F., within the Rainy River Watershed, poses a direct and long-term threat from sulfide-ore mining contamination to the pristine water, air quality, and healthy forested habitat of the BWCAW and Voyageurs National Park.

A 2012 study of U.S. copper mines found that at **13 of the 14 sulfide-ore copper mines (92%)**, water collection and treatment failures significantly harmed water quality.

The BWACW is intact today because of more than a century of protections by the State of Minnesota and the U.S. government. The *Boundary Waters Wilderness Protection and Pollution Prevention Act* will ensure these unique and valuable natural resources remain pristine for generations to come.

### **What does H.R. 5598 do?**

This bill **permanently protects 234,328 acres of federal land and waters** within the Superior N.F. from risky sulfide-ore copper mining. The bill has bipartisan support, and is supported by local, regional, and national advocacy groups in favor of permanently protecting this wilderness area.

The legislation solely applies to federal lands and minerals within the Rainy River Drainage Basin – where the surface waters and groundwater flow directly into the BWCAW and Voyageurs National Park.

### **Sulfide-ore copper mining risks contaminating the air, water, and forested habitat, and also risks:**

- **Degradation of the nationally significant and recognized resources in the area**
  - The waters of the BWCAW and Voyageurs National Park are classified as Outstanding Resource Value Waters under Federal and State Law, and degradation of water quality is prohibited.
- **Hurting the region's amenity-based/tourism industry**
  - The best independent economic analysis shows that the region would enjoy more jobs **(1,500 to 4,600 more jobs)** and more income (\$100 million to \$900 million more in income) over the next 20 years if sulfide-ore copper mining were banned on National Forest lands in the watershed.
- **Threatening the U.S.' commitment to the 1909 Boundary Waters Treaty**
  - The treaty between the United States and Canada states that "Boundary waters and the waters flowing across the boundary shall not be polluted on either side to the injury of health or property on the other."

**70% of Minnesotans oppose sulfide-ore copper mining near the BWCAW**, according to a poll by President Trump's pollster Fabrizio Ward.

Because H.R. 5598 is focused on sulfide-ore copper mining in the headwaters of the BWCAW and Voyageurs National Park, it:

- Does **not** limit taconite or iron-ore mining anywhere in the State of Minnesota
- Does **not** affect sulfide-ore copper mining projects *outside* the Rainy River Drainage Basin
- Does **not** interfere with state mineral leasing, state environmental regulations, or state permitting processes

**The *Boundary Waters Wilderness Protection and Pollution Prevention Act* is a bipartisan bill that puts science over politics. Protecting our pristine waters is not only an environmental issue, it is an economic and diplomatic one. If you have any questions or are interested in co-sponsoring, please contact Trish Palermo ([trish.palermo@mail.house.gov](mailto:trish.palermo@mail.house.gov)).**