

**U.S. Forest Service Listening Session (July 18, 2017)**  
Environmental Impact Statement for Withdrawal of Lands from Rainy River Watershed  
Statement by Paula Maccabee, WaterLegacy Advocacy Director/Counsel

My name is Paula Maccabee. I speak for WaterLegacy, a non-profit organization formed to protect Minnesota's water resources and the communities that rely on them. WaterLegacy thanks the Forest Service for its proposal to withdraw National Forest lands from mineral exploitation in order to protect the Boundary Waters watershed. We also appreciate tonight's session.

Minnesota is home to three vital freshwater systems: the Boundary Waters, Lake Superior and the Mississippi River. Risks posed to Boundary Waters watersheds by sulfide mining also threaten the Lake Superior Basin and the Mississippi River Basin. When Minnesota's life-giving fresh water is at stake, there can be no sacrifice zone.

Sulfide mining poses an unreasonable risk of long-term groundwater and surface water contamination with toxic heavy metals. The combination of sulfate and sulfur pollution, mercury releases, and wetlands drawdown also synergistically increases neurotoxic mercury contamination of fish. Sulfide mining threatens the brain development of fetuses, infants and children, and water quality needed to sustain life.

The Forest Service has asked Minnesotans to comment on the scope of its environmental review. WaterLegacy believes important lessons must be learned from PolyMet's EIS process. These lessons can be summed up in five words: Don't make the same mistakes.

1. Develop a rigorous hydrological model in collaboration with independent scientists. Include faults, fractures and conductivity of bedrock. Your models must accurately predict mine pollution and flow, not just how much water a company will pump out of its mine pits.

2. Use peer-reviewed science and wetlands hydrologists to determine the impacts of mine drawdown on wetlands. Don't use the dubious shortcut of looking at a dissimilar mine pit as an "analog" to understate wetlands impacts.
3. Conduct a thorough health risk and health impact assessment working with independent experts and medical professionals. Focus on impacts to workers, infants, children and communities that hunt, fish and gather for subsistence, since they will be most vulnerable to toxic pollutants.
4. Delve into sulfide mining pollutants known to harm wild rice and aquatic life, including sulfate, conductivity, copper, and nickel. Use draft guidance recently produced by the U.S. EPA on specific conductivity and work with Professor John Pastor in Duluth, a leading expert on chemical threats to wild rice.
5. Consult with tribes, not just to check off a box, but to share knowledge and reach agreements on risks. Mining would affect Ceded Territories, and tribes are not just stakeholders, but rights-holders.
6. Prepare a robust cumulative impact assessment of impacts to climate change, tribal rights, human health, and sustainable economies as well as impacts to wetlands, water quality, habitats and threatened species.

The Forest Service has an opportunity to conduct an environmental review led by science and driven by the public interest, not by the profits of foreign corporations. Please take advantage of this opportunity to protect Minnesota's fresh waters and the generations who depend on them.