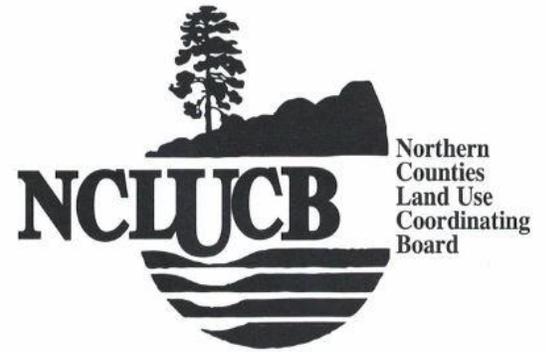


July 25, 2017

Honorable Secretary Sonny Perdue
United States Department of Agriculture
1400 Independence Avenue SW
Washington, DC 20250

Honorable Secretary Ryan Zinke
United States Department of Interior
1849 C Street NW, Mail Stop 7328
Washington, DC 20240



Re: NCLUCB Public Testimony - Application for Withdrawal; Superior National Forest, Minnesota

Good Evening Mr. Chairman -

My name is Rich Sve, and I am a Commissioner from Lake County and Chairman of the Northern Counties Land Use Coordinating Board¹ (NCLUCB). It is in my capacity as Chair of NCLUCB that I appear before you tonight.

NCLUCB is on record as opposing the proposed mineral withdrawal by the Bureau of Land Management^{2,3} and it is in this context - as units of local government - that we will be working with Federal agencies throughout the NEPA Scoping and EIS process.

It is our intention to coordinate⁴ all aspects of the NEPA/EIS process with the Department of Interior, Department of Agriculture, Council on Environmental Quality, and the Office of the President, as together we assess the suite of alternatives, mitigation programs, and socioeconomic impact of the potential withdrawal to human systems and the natural environment.

We have based our opposition on the following reasons:

First, in 1978 Congress set aside the *Boundary Waters Canoe Area* for exclusive use, and separated that area from other public lands with a specific buffer zone called a *Mining Protection Area*.⁵ That means the Congress has already decided the withdrawal question, concluding that additional federal withdrawals of public minerals throughout the region are neither necessary or appropriate.

Second, the withdrawal proposal presupposes irresponsible mineral development and forecasts environmental harm, purporting withdrawal as the only solution. This approach prioritizes one value - that is, sequestration - over productive use, effectively denying Americans access to public lands that are by law to be managed for a *broad* range of uses. In our opinion, this runs counter to the express construct of the *Federal Land Policy and Management Act* and doctrine of *Multiple Use and Sustained Yield*,⁶ which place a high importance on resource accessibility.

Third, Federal law places the burden-of-proof on the US Forest Service to demonstrate how the proposal outweighs other priority land-use values, why the existing regulatory framework insufficiently protects the natural environment, and how the impact of the withdrawal upon Minnesota state school trust lands, private property access, diminution of the tax base and other socioeconomic impacts is outweighed by outright withdrawal.

In our written comments to the scoping record we will be defining Scoping Items for the EIS, and outlining *Planning Criteria* and *Planning Issues* for revision of the Superior National Forest Resource Management Plan – which we believe should be undertaken as a separate federal action from the withdrawal proposal decision.

In conclusion, we believe Federal law requires resource withdrawal decisions to be made through collaborative processes with local governments, or perhaps even through Congress itself.

Thank you, and I stand for any questions you may have.

Member Counties:

- Aitkin
- Cook
- Itasca
- Koochiching
- Lake
- Lake of the
- Woods
- Pennington
- Roseau

¹ The 9 NCLUCB members collectively have land-use planning responsibility over 26% of Minnesota's land area, 61% of the state's forest lands, 56% of Minnesota's lakes, 60% of Minnesota's remaining wetlands, and 70% of all public lands.

² *Notification of Procedural and Statutory Deficiencies; Request for Cancellation of Withdrawal Application and Immediate Termination of Land Segregation*. Comments to the BLM public record. Stillwater Technical Solutions. April 25, 2017.

³ 43 USC §1714 (a).

⁴ 43 USC §1712 (c)(9).

⁵ Pub. L. 95-495. 95th Congress. October 21, 1978.

⁶ 43 USC §1702 (c), (h); 43 USC §1702 (l).