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NEWS RELEASE

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FOR IMMEDIATE RELEASE:

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Sierra Club Opposes Sham Mining Land Compromise SB 278

Madison: The Sierra Club released the following statement on amended Senate Bill 278 approved by the state Senate on November 5. SB 278 is scheduled for public hearing today by the Assembly Committee on Forestry and Environment.

“The Sierra Club maintains its opposition to SB 278, legislation designed to prohibit access and criminalize public access to public lands in Ashland and Iron Counties owned by speculators who have leased their lands to Gogebic Taconite. Gogebic Taconite has influenced state legislators to deregulate state laws in its favor of its proposal to mine low-grade iron-bearing minerals in the Penokee Hills that threatens the sensitive Bad River watershed that feeds the irreplaceable natural resources of the Bad River Band of Lake Superior Ojibwe and Lake Superior itself,” said Sierra Club – John Muir Chapter Mining Committee Chair Dave Blouin.

SB 278, as amended, remains a deeply flawed bill that grants special favors for the landowners* of the property Gogebic Taconite (GTac) wants to mine from laws controlling land enrolled in the state’s Managed Forest Land (MFL) program. State law currently prohibits mining in lands in the MFL. [As shown in the linked map \(pdf\)](#), the bill could allow the property owners to close a minimum of 1,260 acres at the site. SB 278 would allow the state to close these public lands for Gogebic Taconite for up to four years for nearly all uses except for small exemptions for the gun-deer season and limited fishing access.

The Sierra Club urges rejection of SB 278 for the following reasons:

- SB 278 is unusually vague and grants broad rule-making authority to the DNR. It contains no mechanism for public meetings or hearings for review of DNR decision-making about closing the land. The bill contains no means of challenging any rulings regarding closures made by the DNR. The bill contains only a vague standard of ensuring public safety to guide its decision-making on closure. This latter provision appears designed to give extraordinarily broad power to the DNR when determining whether land closure is appropriate or justified.
- SB 278 is just the latest example of a special exemption carved out to benefit only GTac and the owners of the land it leases. No other landowner enrolled in the MFL program benefits from this special exception.

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- SB 278 grants GTac exactly what it wants, the ability to bar the public from the proposed mine site for the next two to four years or until permits are approved or denied. The map is a conservative estimate of closed acreage because it does not include possible closure of MFL lands along public roads and potential “fixed sampling sites” in other areas of the proposed mine site. Fixed sampling could be sited anywhere within the 3,520 acres of the proposed mine site.
- SB 278 carves out a special exception to the closure rules which applies only to the annual gun-deer season and for fishing on some rivers and streams. It ignores all other forms of hunting and fishing that are otherwise legal on MFL lands.
- SB 278 forces the taxpayers of Iron and Ashland Counties to take on the burden of enforcement of any intentional or unintentional trespassing onto closed lands. This taxpayer burden caused by SB 278 is entirely unnecessary when GTac and the landowners can shoulder the costs of private security if needed to ensure worker safety. The landowners and GTac have both the legal right and resources to hire licensed security to guard against any risks posed by protests.
- SB 278 proposes to fix a problem that doesn’t exist since the current MFL Program already allows landowners of the site to apply to close up to 480 acres. If the intent behind SB 278 is truly the protection of the public, the legal closure provisions of the MFL allowing these owners to close at least 480 acres is more than adequate.
- SB 278 is a disproportionately extreme response to a single protest incident. It is just as extreme and disproportionate to any perceived threats from protesters as was Gogebic Taconite’s illegal deployment of unlicensed paramilitary guards at the proposed mine site.

The Sierra Club urges legislators to reject SB 278 as unnecessary and poor public policy that threatens to set important legal and policy precedents regarding regulation of lands maintained in the state Managed Forest Law system.

*Gogebic Taconite does not own property in Wisconsin. It has leased land and mineral rights from three property owners and Iron County (surface rights only):

- RGGGS Land and Minerals, Ltd. L. P., PO Box 1266, Virginia, MN, 55792
- La Pointe Iron County, 3920 13th Ave E., Hibbing, MN, 55746
- Chester Company, Limited, 3920 13th Ave E., Hibbing, MN, 55746

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Founded in 1892 by John Muir, the Sierra Club is America’s oldest, largest and most influential grassroots environmental organization. The Sierra Club’s mission is to explore, enjoy, and protect the wild places of the earth; to practice and promote the responsible use of the earth’s ecosystems and resources; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out those objectives. The Sierra Club – John Muir Chapter is made up of 15,000 members and supporters working to promote clean energy and protect water resources in Wisconsin.