



**FRIENDS OF THE
BOUNDARY
WATERS**

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November 24, 2025

Via Electronic Mail

Commissioner Sarah Strommen
Minnesota Department of Natural Resources
500 Lafayette Road
St. Paul, MN 55155
Commissioner.dnr@state.mn.us

RE: **Franconia Minerals (US) LLC's November 6, 2025 Exploration Plan**

Dear Commissioner Strommen:

On November 6, 2025, Franconia Minerals (US) LLC ("Franconia"), a subsidiary of Chilean-owned Twin Metals Minnesota LLC ("Twin Metals"), submitted a proposed plan to explore for metallic minerals ("Exploration Plan") to the Minnesota Department of Natural Resources ("DNR").

Specifically, the Exploration Plan seeks DNR's authorization to allow Franconia to drill diamond exploratory borings at up to 19 new or existing drill pads. About half of these drill pads are sited along the shoreline of Birch Lake while the other half are south and southeast of Birch Lake's Bob Bay. These drill pads are approximately 75 feet by 100 feet and require the clearing of trees and shrubs in the Superior National Forest ("SNF"). Additionally, to access new drill pads in the SNF, Franconia proposes clearcutting trees and underbrush from an approximately 16-foot wide and 2,000-foot long series of new access trails.

Founded in 1976, Friends of the Boundary Waters Wilderness ("Friends") is a Minnesota nonprofit organization dedicated to the ongoing protection, preservation, and restoration of the Boundary Waters Canoe Area Wilderness ("Boundary Waters" or "BWCAW").

Friends and its co-signatories submit this letter to underscore that DNR has the discretion and authority to deny Franconia's Exploration Plan. Friends and its partners urge DNR to deny the Exploration Plan because:

- (1) The federal government has already prohibited this type of exploratory drilling on federally owned mineral lands in the SNF given the myriad environmental concerns presented by copper-nickel sulfide mining;
- (2) DNR has already found that its own regulations do not sufficiently protect the Boundary Waters against sound and light pollution caused by nonferrous mining activities such as exploratory drilling;
- (3) Franconia seeks to conduct mining operations near Birch Lake, a wild rice lake impaired for mercury in fish tissue and sulfate in violation of the state and federal laws and regulations; and
- (4) The Exploration Plan is not protective of “special features and uses” and “other natural resource management concerns” in and around the exploration areas.

Each of these issues is discussed in greater detail below.

I. DNR Has The Authority To Deny The Exploration Plan.

In 2023, DNR approved Franconia’s prior application for nonferrous mineral exploration in a similar location. After local media criticized that approval, DNR Commissioner Strommen issued a social media post stating that DNR has no discretion to deny an exploration request:



DNR is mistaken.

DNR’s own administrative rules, Franconia’s nonferrous metallic minerals lease terms, DNR’s summary of Franconia’s Exploration Plan, and DNR’s mineral exploration webpage all support the conclusion that DNR has the authority to deny mineral exploration proposals.

First, DNR's own administrative rules that set forth the generic lease terms for nonferrous metallic minerals leasing provide DNR with the discretion to deny exploration plans. *See* Minn. R. 6125.0700, para. 26(a) (“Unless notified to the contrary by the commissioner . . . the lessee may proceed with exploration”); *see also* Lease Nos. 9722-N, 10197-N, 10011-N at para.

26. In fact, DNR's own [Statement of Need and Reasonableness](#) justifying the promulgation of this exact administrative rule unequivocally explains that DNR has the authority and discretion to outright deny requests to explore for nonferrous metallic minerals:

Comments received from the public in response to an earlier draft of the rules pointed out that while the time was clearly specified for when the exploration plan must be submitted to the commissioner, there was no clear deadline for the *Commissioner to approve or disapprove of the plan*. The comments stated that uncertainty could arise about whether approval had actually been granted. That uncertainty and delay would constitute a substantial burden upon the explorer. In response to these comments a new provision was added to the rules to specify that unless notified to the contrary by the Commissioner within 20 days after receipt of the exploration plan by the commissioner, the lessee may proceed with exploration as described in the submitted exploration plan. The specified time frame is a reasonable amount of time for the Commissioner to conduct at least a preliminary review of the proposed exploration and respond to the explorer. It must be noted, however, that the response within 20 days might not always include *complete* approval or *disapproval*.

Even more, [DNR's own overview](#) of Franconia's Exploration Plan recognizes DNR's denial discretion when it states that "[i]f the proposal meets the requirements of applicable state laws and is approved by DNR, Franconia will have the right to explore" Finally, and similarly, [DNR's own website](#) on mineral exploration states that "[n]ot all plans are approved as submitted."

II. DNR Should Deny The Exploration Plan Because Undisputed Scientific Studies Demonstrate That Copper-Nickel Sulfide Mining Is An Existential Threat To The Boundary Waters.

DNR should deny Franconia's Exploration Plan because Twin Metals should not be allowed to do at the state level that which it has been properly forbidden to do by the federal government.

Undisputed scientific studies demonstrate that copper-nickel sulfide mining is an existential threat to the Boundary Waters and surrounding Rainy River Watershed. The United States Forest Service ("USFS") relied on and cited these studies in its [Application](#) to the Bureau of Land Management to withdraw approximately 225,504 acres of SNF lands from mineral and geothermal exploration and development. In support of its withdrawal application, the USFS reasoned that:

The BWCAW is . . . an irreplaceable national treasure. . . . Water, especially water quality, is a focal point for this wilderness. . . . Potential impacts from [copper-nickel sulfide] mining could alter water quality and thus degrade key components of the wilderness ecosystem such as habitat for wildlife (lynx, moose, loons), fish (walleye, lake trout, and other game fish), and wild rice, and have negative impacts on the recreation economy and native culture and food systems.

In granting the USFS's withdrawal application and issuing [Public Land Order No. 7917](#), the Secretary of the Interior determined that such action was necessary to protect and preserve the Boundary Waters and the National Forest System lands in the Rainy River Watershed from the adverse effects of mineral and geothermal exploration and development.

Accordingly, DNR can and should reject Franconia's Exploration Plan for the same reason the federal government issued its moratorium.

III. DNR Should Deny The Exploration Plan Given Its Finding That Its Own Rules Do Not Adequately Protect The Boundary Waters From Exploratory Drilling.

In 2020, Northeastern Minnesotans for Wilderness sued DNR under the Minnesota Environmental Rights Act, asserting that DNR's nonferrous metallic mineral mining siting rule, Minn. R. 6132.2000, was inadequate to protect the Boundary Waters from pollution, impairment or destruction.

On remand from the district court, DNR agreed, in part, and issued a [May 2023 Findings of Fact, Conclusions of Law, and Order on Remand](#) finding that its own administrative rule did not adequately protect the BWCAW and its watershed from mining-related noise and light pollution.

In May 2025, after an almost two-week evidentiary hearing in which a plethora of evidence and testimony was submitted, an Administrative Law Judge issued [Findings of Fact, Conclusions of Law and Recommendation](#) agreeing with DNR's own 2023 conclusion that its rule did not adequately protect the BWCAW and its watershed from mining-related noise and light pollution. The judge further recommended that DNR "should initiate a rulemaking proceeding to amend Minn. R. 6132 or promulgate a new rule to sufficiently protect the BWCAW from noise and light pollution arising from nonferrous metallic mineral mining in the [Rainy River Headwaters] watershed." This action is currently pending with DNR.

Considering the conclusions of DNR and an independent administrative law judge—especially given the pending matter and lack of rulemaking clarifying how to protect the Boundary Waters from mining-related light and noise pollution—DNR should deny Franconia's Exploration Plan for failure to comply with state laws and regulations.

IV. DNR Should Deny The Exploration Plan Because It Will Likely Violate State And Federal Clean Water Laws And Regulations Given Birch Lake's Impairments.

Birch Lake has been listed as impaired for mercury in fish tissue for many years and was recently added to [Minnesota's impaired waters list](#) for sulfate pollution. Based on both the specific activities described in the Exploration Plan and established knowledge of nonferrous metallic mineral exploration practices, Franconia's proposed activities are likely to exacerbate existing mercury and sulfate impairments in Birch Lake. And this water flows downstream via the South Kawishiwi River to the Boundary Waters, which is designated as "Outstanding Resource Value Waters" due to their pristine nature and high quality.

The Exploration Plan appears inconsistent with the requirements of the federal Clean Water Act, as well as in potential conflict with other federal and state water-quality laws and regulations, because Franconia’s proposed activities would introduce additional sulfate—thereby promoting conditions that increase mercury and methylmercury production—into a waterbody already impaired by these pollutants.

Given these concerns, the Department of Natural Resources should deny approval of Franconia’s Exploration Plan.

V. **DNR Should Deny The Exploration Plan Because It Will Negatively Impact “Special Features Or Uses” And “Other Natural Resource Management Concerns” In And Around The Areas Comprising The Exploration Plan.**

DNR’s own administrative rules that set forth the generic lease terms for nonferrous metallic minerals leasing—and the leases implicated in Franconia’s application—provide DNR with the discretion to deny the Exploration Plan. *See* Minn. R. 6125.0700, para. 26(a) (“Unless notified to the contrary by the commissioner . . . the lessee may proceed with exploration . . .”); *see also* Lease Nos. 9722-N, 10197-N, 10011-N at para. 26.

When considering whether to invoke its denial discretion, DNR is charged with looking at both “special features or uses” and “other natural resource management concerns.” *See* Minn. R. 6125.0700, para. 26(a); *see also* Lease Nos. 9722-N, 10197-N, 10011-N at para. 26. Franconia’s Exploration Plan has the potential to negatively impact or disrupt the use and enjoyment of a variety of special features or uses and other natural resource management concerns in and around Birch Lake and the South Kawishiwi River.

These special features or uses and other natural resource management concerns include, but are not limited to, the following:

- A 361-acre Conservation Property acquired by the Friends in 2024 with more than two miles of shoreline on the South Kawishiwi River at the edge of the Boundary Waters bordering a state trail and public ATV/snowmobile trail;
- Two federal campgrounds and more than a dozen water-access campsites on Birch Lake and the South Kawishiwi River;
- Wetlands;
- Native culture and food systems, including without limitation, manoomin in Birch Lake;
- YMCA Camp Northern Lights;
- North of North Resort and River Point Resort;

- The wilderness ecosystem surrounding the area slated for exploration, which is a home for a variety of endangered, threatened, and species of special concern as set forth in Twin Metals' 2019 Mine Plan of Operation;
- Voyageur Outward Bound School, located on the South Kawishiwi River; and
- More broadly, the recreation economy supported by the Boundary Waters and surrounding communities.

See Attachment 1.

Accordingly, DNR should deny Twin Metals' proposed exploratory drilling—and its associated potential for light, noise and water pollution, *see supra*—given the negative impacts to the abovementioned special features or uses and other natural resource management concerns in violation of state and federal laws and regulations.

Conclusion

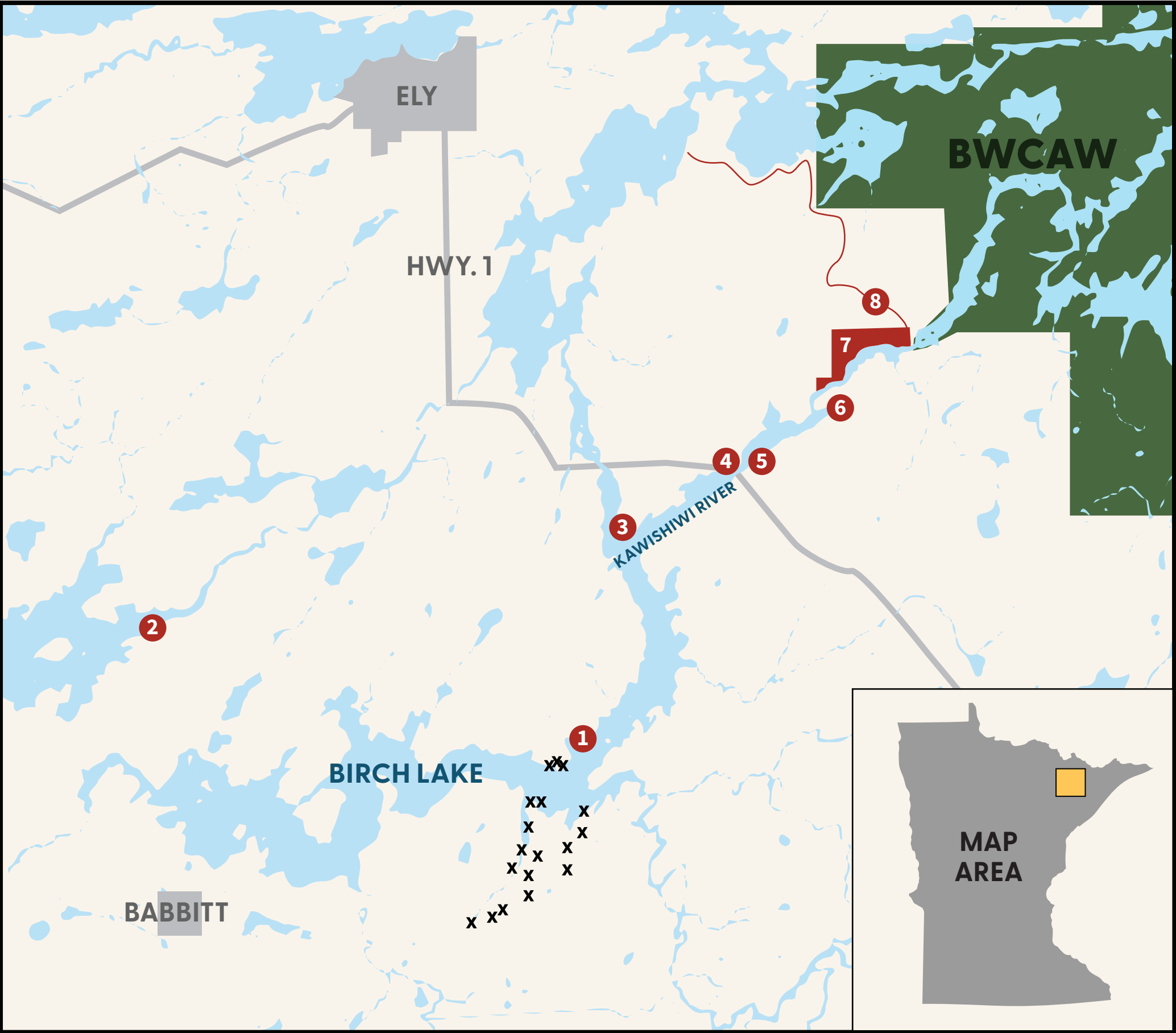
Friends and its partners urge DNR to exercise its authority to outright deny Franconia's Exploration Plan given its potential to violate state and federal laws and regulations. If it declines to do so, transparency and good governance dictate that DNR should, at a minimum, provide an opportunity for public notice and comment given the environmentally sensitive nature of the proposed exploration area near Birch Lake, the South Kawishiwi River, and the Boundary Waters.

Sincerely,



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ATTACHMENT 1



- X Proposed Exploratory Boring Sites**
- Special Natural Resource Features & Uses**
1. Birch Lake Campground
 2. YMCA Camp Northern Lights
 3. River Point Resort
 4. North of North Resort
 5. South Kawishiwi River Campground
 6. Voyager Outward Bound School
 7. Friends of the Boundary Waters Conservation Property
 8. Tomahawk Snowmobile Trail/Prospector ATV

Co-Signatories to the Letter Opposing Franconia Minerals'
November 6, 2025 Exploration Plan

Minnesota Legislators

Senator Steve Cwodzinski	Representative Patty Acomb	Representative Rick Hansen
Senator Amanda Hemmingson-Jaeger	Representative Robert Bierman	Representative Sydney Jordan
Senator Ann Johnson Stewart	Representative Ned Carroll	Representative Larry Kraft
Senator John Marty	Representative Alex Falconer	Representative Kristi Pursell
Senator Jen McEwen	Representative Sandra Feist	Representative Lucy Rehm
	Representative Peter Fischer	Representative Kari Rehrauer
	Representative Mike Freiberg	Representative Liz Reyer
	Representative Jessica Hanson	

Friends of the Boundary Waters
Clean Water Coalition Organizations and Businesses

Alliance for Sustainability	Malach Consulting	Save Our Sky Blue Waters
Bryan Hansel Photography LLC	Mineckglass	Save Lake Superior Association
Clean Water Action	Minnesota Center for	Sierra Club North Star Chapter
Coalition for Plastic Reduction	Environmental Advocacy	Starry Skies North
Duluth for Clean Water	Minnesota Division Izaak	The Sioux Chef
DFL Environmental Caucus	Walton League of America	Vote Climate
Ely Indivisible	Mukwa	Vote Solar
Emerald Energy Consulting	North American Water Office	Water Legacy
Environment Minnesota	Northeast Metro Climate Action	Wilderness Watch
Indivisible North Metro	Panther Distillery - Crooked	
Kronfeld Motor Company	Water	
Lakeville Friends of the	Pollinator Friendly Alliance	
Environment	River Alliance of Wisconsin	

Citizen Members of the Friends of the Boundary Waters Clean Water Coalition

Brian Adams
Pat Alagna
David Anderson
Daniel Belgum
Adam Benson
Mike Blandford
Jaci Christenson
Dennis Cuchna
Cecilia Dingleddy
Rod Fisher
Kathryn Flory
Linda Funk
Gary Groven
Sharon Hattenberger
Lenore Healey Schultz
Stephanie Johnson
Karen Johnson
Stuart Knappmiller
Mark Kubes
Karen Legenhausen
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Natalie Lilja
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