



Land Exchange

The NorthMet Deposit contains copper-nickel-precious metals and is located within National Forest System (NFS) lands in the Superior National Forest. When the U. S. Forest Service (USFS) purchased the land under the authority of the Weeks Act, a private owner retained ownership of the mineral estate. These mineral interests remain privately owned and are now controlled by PolyMet, while the remaining property interest (“surface estate”) is currently owned by the USFS.

The USFS does not believe that the mineral estate gives PolyMet a right to surface mine NFS land to access the minerals. To eliminate that conflict, PolyMet has proposed a land exchange with the USFS to acquire the NFS lands where mining would take place. The proposed land exchange would reunify the severed mineral and surface rights of the NorthMet Deposit and exchange private lands purchased by PolyMet to USFS ownership and management. Without this exchange and given the severed ownership, the surface mining operation desired by PolyMet would not be feasible. For this reason, the Land Exchange Proposed Action is a connected action to the NorthMet Project Proposed Action and has been analyzed in the Final Environmental Impact Statement (Final EIS).

The land exchange would involve the transfer of 6,650 acres of federal lands from public to private ownership, and up to 6,722 acres of land from private to public ownership, depending upon the results of the environmental analysis and federal real estate appraisals.

The federal land proposed for exchange is one 6,650-acre tract. Non-federal land considered for exchange includes five tracts throughout the Superior National Forest ranging in size from 32 acres to 4,651 acres.

How will the land exchange decision be made?

The Land Exchange is a discretionary, voluntary real estate transaction between the USFS and PolyMet. The Forest Supervisor must determine if the proposed exchange serves the public interest and supports the direction and guidance in the land management plan for the Superior National Forest. The public interest determination must show that the resource values and the public benefit of the newly acquired lands would be equal to or exceed the resource values and public objectives of the federal lands, and that the intended use of the conveyed federal land would not substantially conflict with established management objectives on adjacent federal lands, including Indian trust lands.

If the Forest Supervisor decides to proceed with the land exchange, PolyMet and the USFS would enter into a binding exchange agreement to transfer lands contingent upon acceptable real estate due diligence. Real estate due diligence includes: hazardous materials screening, mineral character determinations, title examinations, legal description review/preparation, and physical inspections. This work is ongoing.

The transfer process can take three to twelve months.

What Are the Potential Effects of the Land Exchange Proposed Action?

The following net changes to the federal estate would occur as a result of the Land Exchange Proposed Action. All acres and distances referenced below are “GIS” measurements, computed geometrically using mapping software.

- Net increase of about 580 acres of publicly owned land in the 1854 Ceded Territory.
- Net increase of about 95 acres of MDNR-designated public water lakes (2 miles of shoreline) and 5 miles of public water streams.
- Net increase of wild rice beds. Hay Lake contains known wild rice beds (approximately 126 acres).
- Net increase of about 506 acres of wetlands.
- Net increase to the federal estate of 376.2 acres of mapped floodplain area, and a decrease of 1,602.2 acres of unmapped floodplain area, for a net decrease of 1,226.0 acres of overall floodplain area. No increase in the flood damage potential, associated with the Land Exchange Proposed Action.
- Net increase in waterway acreage and frontage.
- Net increase of about 580 acres of vegetation land cover classification types.
- Net increase of about 625 acres of landscape-scale ecosystem types.
- Net increase of about 580 acres of vegetation land cover types for wildlife habitat.
- Mixed effects for the Canada lynx—increase in suitable habitat for lynx and for snowshoe hare (prey species), although the amount of unsuitable lynx habitat would also increase; decrease of denning habitat; and decrease within designated Lynx Analysis Units (LAUs). Critical lynx habitat would not change regardless of ownership.
- Net increase of about 507 acres of forage habitat for the gray wolf; net decrease of cover habitat.
- Net decrease in mature forest roosting habitat for northern long-eared bat; net increase in brushland foraging habitat.
- Net increase of number of occurrences or habitat availability for three state-listed species, which include the Eastern heather vole, the Laurentian tiger beetle, and the trumpeter swan.
- Decrease of 10 plant species; increase of 3 different plant species.

- Net decrease of occurrences or habitat availability for four state-listed species, which include the little brown bat, the eastern pipistrelle, the northern goshawk, and the Quebec emerald.
- No expected changes to seven additional state-listed species, which include: moose; boreal owl; wood turtle; the yellow rail; and the taiga alpine, Freiza’s grizzled skipper, and Nabokov’s blue butterflies.
- Increase in watershed riparian connectivity and aquatic connectivity.
- Potential increase of nine additional fish species.
- Potential increase of six new potential Species of Greatest Conservation Need (SGCN) species.
- Socioeconomic effects:
 - moderate positive economic effects through increased opportunity for forestry and recreation and associated employment, earnings, and revenue; and
 - undetermined effects for Environmental Justice populations and subsistence activities- there would be a loss of subsistence resources and opportunities on the federal lands, and a gain in subsistence resource and opportunities on the non-federal lands.
- Net increase in opportunities for recreational activity.
- Net increase in amount of land controlled by the USFS in the Superior National Forest with Moderate and High Scenic Integrity Objectives.
- No net increase or decrease in any wilderness areas.
- Net increase of about 307 acres of candidate Research Natural Areas (cRNAs) to the federal estate.

It is possible that not all non-federal tracts would be exchanged. The value of the non-federal tracts exchanged must equal the value of the federal lands, as determined by current real estate appraisals. The final proposed configuration of land will be presented in the USFS Record of Decision.

For more information about the environmental review process of the NorthMet Mining Project and Land Exchange, see the Executive Summary, and Chapter 1.0 (Introduction) of the Final EIS. Also, refer to additional Fact Sheets about the NorthMet Mining Project and Land Exchange Final EIS:

- 1. Project and Land Exchange Overview**
- 2. What is the Environmental Review Process?**
- 3. What’s Changed since the Draft EIS?**
- 4. What’s Changed since the Supplemental Draft EIS?**
- 5. Supplemental Draft EIS Comment Response Process**
- 6. Effective Commenting on the Final EIS**
- 7. A Guide to the Final EIS Document**

- 8. Air Quality**
- 9. Water Quantity**
- 10. Wetlands**
- 11. Water Quality**
- 12. Wild Rice**
- 13. Mercury**
- 14. Threatened & Endangered Species**
- 15. Cultural Resources**
- 16. Land Exchange**
- 17. Reclamation & Financial Assurance**
- 18. Cumulative Effects**
- 19. Tailings Basin Stability**
- 20. Water Modeling**
- 21. Northward Flowpath**
- 22. Duration of Treatment & Financial Assurance**
- 23. Human Health**