Walker Signs Bill Easing Wis. Mining Permit Process

Todd Richmond, Associated Press

MADISON, Wis. (AP) — Gov. Scott Walker signed Republicans' polarizing mining bill into law Monday, completing a months-long, all-out campaign to jump-start a giant iron mine in far northwestern Wisconsin.

The legislation will dramatically reshape Wisconsin's mining regulations to ease the permitting process for the open-pit mine Gogebic Taconite wants to dig just south of Lake Superior. Environmentalists maintain the measure guts the state's environmental protections, but Republicans say it will help create thousands of jobs.

"Wisconsin's seal and the state flag both depict mining in our great state," Walker said in a statement after he signed the bill at Oldenburg Group Inc., a Rhinelander mining equipment manufacturer. "In light of our mining tradition, I'm thrilled to sign legislation into law protecting environmental safeguards, while providing certainty to the mine permitting process. . . . I am hopeful today's actions will result in the creation of thousands of private sector jobs in the coming years."

Gogebic Taconite President Bill Williams didn't immediately return a telephone message Monday.

Whether the mine will ever open remains a question. The new law doesn't approve the project, so Gogebic Taconite still must apply and win a state permit. The company also needs federal approval since the mine would impact federal wetlands. The U.S. Army Corps of Engineers says that permit process could take up to four years.

Conservation groups' attorneys have been circling, too, mulling legal challenges. The most powerful entity could be the Bad River Band of Lake Superior. The tribe's reservation lies just downstream from the proposed site for the mine, and members fear run-off will pollute their water. The tribe's status as a sovereign nation affords it an array of unique legal rights it could use to protect itself.

Tribal chairman Michael Wiggins Jr. said Monday the band will begin raising money immediately for a lawsuit to stop the permitting process. The tribe plans to solicit private donors, other Chippewa bands and anyone else willing to contribute to its cause; people will be able to donate through the tribe's website by the end of the week, Wiggins said.

Wiggins said he's heard a lot of chatter about tribal members occupying the mine site, but he hopes the tribal government can mount the challenge so people don't have resort to demonstrations.

"This is just the beginning of it," Wiggins told The Associated Press in a telephone interview. "The whole notion of fundraising is trying to create administrative capacity to respond to what is a very well-funded mining industry."

Other environmentalists are looking to punish GOP lawmakers who voted for the bill. Kerry Schumann, executive director of the Wisconsin League of Conservation Voters, said her group is urging people to let those lawmakers know they're displeased.

"We will hold legislators accountable," Schumann said. "This issue isn't just a blip in the radar screen for voters. Whether it's next month or next year, voters will still be talking about it and thinking about it."

Gogebic Taconite, a unit of the Florida-based Cline Group, has been eyeing an iron deposit in the Penokee Hills, which run through Ashland and Iron counties about 30 miles from Lake Superior. Wisconsin's business lobby says the mine would create hundreds of jobs for the impoverished region and thousands more in the state's heavy equipment manufacturing sector.

But company officials refused to move forward until lawmakers eased the regulatory path for them. Eager to deliver on job creation promises they made on the campaign trail, Republicans introduced a bill in late 2011 that would have overhauled the state's regulations. Environmentalists and Democrats railed against the measure and it ultimately failed by one vote in the state Senate after moderate Republican Dale Schultz sided with minority Democrats against the plan.

Republicans gained a two-member majority in the Senate in last November's elections, though, making Schultz's stance irrelevant. The GOP introduced a nearly identical bill in January that lawmakers crafted with Gogebic Taconite's input and put on the fast-track; the Senate passed it during the last week in February, and the Assembly followed suit last week, all without a single Democrat supporting the measure.

The legislation gives state environmental officials up to 480 days to make a permitting decision; right now the process is open-ended. It also bars public challenges during the process, allowing them only after the decision has been made.

The law creates a presumption that damage to wetlands is necessary and limits permit application fees to $2 million. It splits tax revenue on iron mining companies' revenue between local governments and the state — right now all mining taxes go to the locals — and exempts companies from paying the state's $7 per ton recycling fee on waste rock.

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