

INFORMATION PROVIDED BY POLYMET REGARDING ACQUISITION OF LAKE COUNTY LANDS

In 2006, the St. Louis County Board passed a resolution approving a wetland restoration agreement between the county and PolyMet. The agreement provided for certain wetland restoration efforts on tax-forfeited land owned by the county. The county subsequently harvested and sold timber from the land, which some neighbors and other groups interpreted as implementation of the agreement with PolyMet. When those groups sued the county, a court in Minnesota's Sixth Judicial District ruled that the county's actions were inconsistent with laws prohibiting government actions that might prejudice approval of the project prior to the completion of environmental review. *Wetlands Action Group v. St. Louis Cty.*, No. 69DU-CV-06-3233.

Although PolyMet recently has acquired certain lands from Lake County, the county's transfer of those lands is not at all comparable to the situation involving St. Louis County.

1. PolyMet acquired the Lake County lands through a public auction that had nothing to do with the project. There was no agreement between PolyMet and Lake County. Any other person could have been the high bidder at the auction. Transferring land by auction does not require Minnesota Environmental Policy Act (MEPA) review. The prohibitions on "prejudicial" actions cited by the Sixth Judicial District therefore do not apply.
2. The St. Louis County decision turned in part on the fact that the county had already started implementing the mitigation plans, without completing MEPA review. Here, no activities will occur on the Lake County lands until the MEPA review is complete.
3. The agreement between St. Louis County and PolyMet involved project mitigation. The Lake County lands, by contrast, are proposed for inclusion in the land exchange with the U.S. Forest Service. No actions or decision regarding the approval of the proposed land exchange will occur until all requisite environmental reviews are complete.
4. The Forest Service does not have jurisdiction over state law questions about the legality of the Lake County land acquisition. The Forest Service bases its land exchange decision on the title report that shows PolyMet's ownership of the Lake County lands. State law issues regarding the land acquisition should be decided in state court.

PolyMet purchased lands in Lake County that were made publicly available for purchase at auction. While PolyMet is proposing to include those lands in an exchange with the Forest Service, no decision on whether to approve that exchange has been or will be made until after a full environmental review. The decision in the St. Louis County case thus has no bearing on the validity of PolyMet's purchase of lands in Lake County.



Memorandum

To: NorthMet Environmental Review Co-Lead Agencies
From: Christie Kearney and Amy Meulebroeck
Subject: Plant Site Project Area Change
Date: October 29, 2014
Project: NorthMet Project
c: Jennifer Saran, Poly Met Mining Inc.
Tina Pint, Barr Engineering Company

The purpose of this memo is to describe the changes to the Plant Site Project Area as a result of NorthMet Project (Project) changes that are being incorporated into the Project for the Final Environmental Impact Statement (FEIS). As shown on the attached Figure 1, the Plant Site Project Area has been expanded to account for project infrastructure that would otherwise be outside the former Plant Site Project Area; this infrastructure requiring the boundary change include:

- the Sewage Treatment System;
- the east extension of the FTB Containment System; and
- the FTB Emergency Overflow Channel.

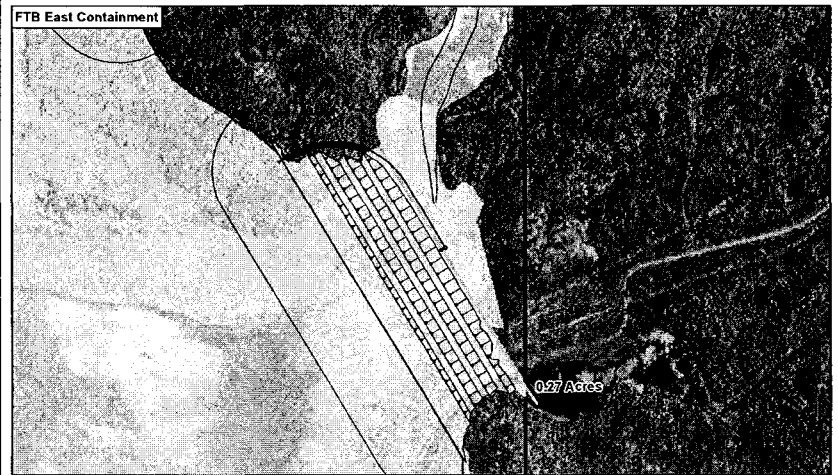
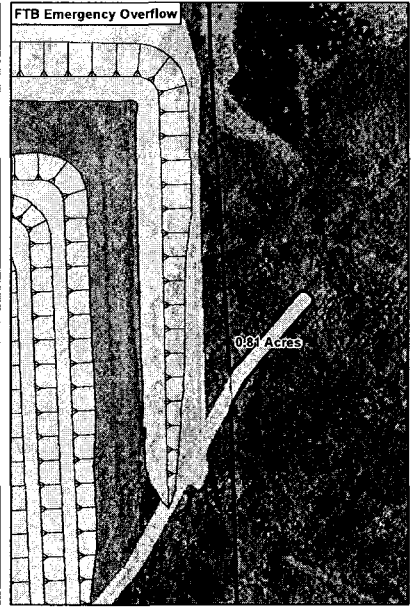
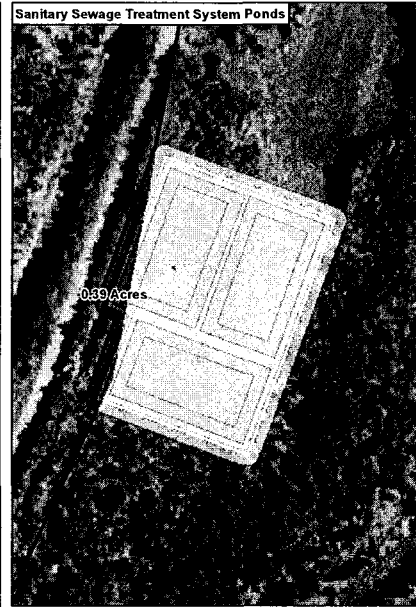
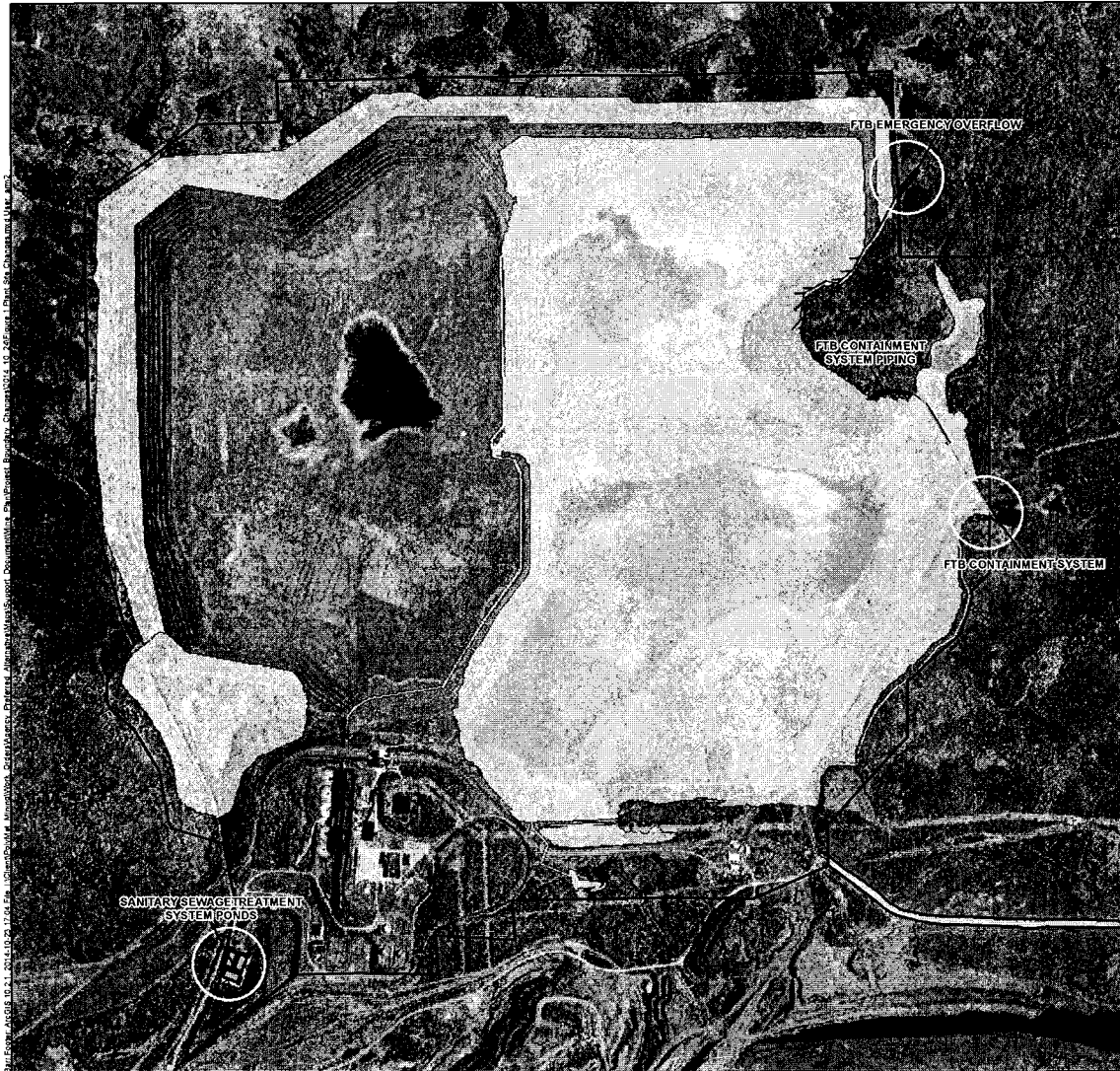
The FTB Emergency Overflow Channel has not changed in footprint or size from the Supplemental Draft EIS (SDEIS); however, the channel extended beyond the Project Area in the SDEIS.




As a result of this new infrastructure, the Plant Site Project Area around the Plant and Tailings Basin has been expanded by approximately 1.47 acres, as shown in Table 1.

Table 1. Quantification of Project Area Boundary Change

Document	Area (acres)
SDEIS Plant Site Project Area (Original Area)	4,416.68 acres
FEIS Plant Site Project Area (Updated Area)	4,418.15 acres
Difference	+ 1.47 acres

The boundary change and change in area described in this memo will be incorporated into the Project Description, Management Plans, Data Packages, and other supporting documentation (e.g., BA, BE) as these documents are updated for the FEIS.



-  Project Areas
-  Prior Disturbance Areas
-  Additional Disturbance Areas

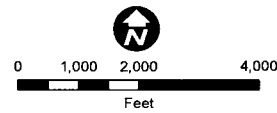


Figure 1
 PLANT SITE CHANGES
 NorthMet Project
 Poly Met Mining Inc.
 Hoyt Lakes, Minnesota

***DNR, Inspection (DNR)**

From: Naramore, Barb (DNR)
Sent: Thursday, September 18, 2014 10:58 AM
To: Brenda -FS Halter; Richard Periman; Tamara Cameron; Douglas W MVP Bruner
Cc: Colvin, Steve E (DNR); Doneen, Randall (DNR); Richards, Jess (DNR)
Subject: Fwd: DNR COMMISSIONER RESPONSE: MOUNT POLLEY MINE in CANADA
Attachments: 20140916105309099.pdf; ATT00001.htm

All:

I wanted to share this letter DNR recently sent to several state legislators in response to their inquiry re Mount Polley and implications for PolyMet's proposed project. The Knight Peisold statement referenced in our response is available at <http://www.knightpiesold.com/en/index.cfm/news/statement-by-knight-piesold-ltd-regarding-the-mount-polley-mining-incident/>.

Please let me know if you have questions.

Barb

Begin forwarded message:

From: "DeLeo, Susan (DNR)" <susan.deleo@[REDACTED]>
To: "jmarty@[REDACTED]" <jmarty@[REDACTED]>, "rep.alice.hausman@[REDACTED]" <rep.alice.hausman@[REDACTED]>, "rep.andrew.falk@[REDACTED]" <rep.andrew.falk@[REDACTED]>, "rep.erik.simonson@[REDACTED]" <rep.erik.simonson@[REDACTED]>, "rep.david.bly@[REDACTED]" <rep.david.bly@[REDACTED]>, "rep.carolyn.laine@[REDACTED]" <rep.carolyn.laine@[REDACTED]>, "rep.barb.yarusso@[REDACTED]" <rep.barb.yarusso@[REDACTED]>
Subject: DNR COMMISSIONER RESPONSE: MOUNT POLLEY MINE in CANADA

Attached please find DNR Commissioner Landwehr's response to your letter concerning the Mount Polley mine.
We understand that Senator Marty signed on to this letter, and therefore is receiving this reply. Copies will also be sent via inter-office mail.
Thank you.

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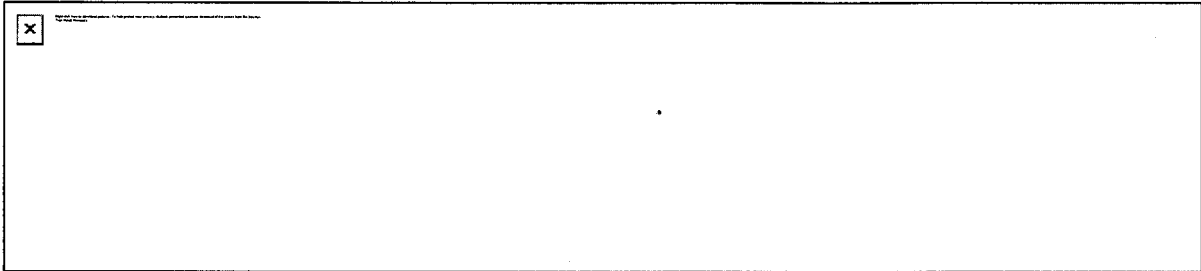
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***DNR, Inspection (DNR)**

From: Twin Metals Minnesota <info=twin-metals.com@cmail2.com> on behalf of Twin Metals Minnesota <info@twin-metals.com>
Sent: Tuesday, November 25, 2014 2:41 PM
To: Richards, Jess (DNR)
Subject: Mine Reader: Ely's Mining Heritage: Sibley Mine



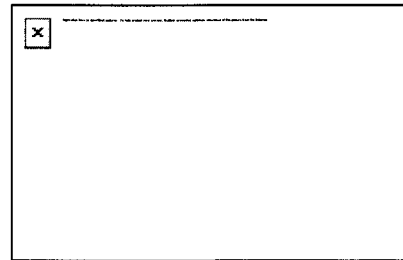
Ely's Mining Heritage: Sibley Mine

In a five part series, Mine Reader is exploring Ely's mining heritage by recounting the history of the five iron ore mines which were actively mined for nearly 80 years and included: Chandler, Pioneer, Savoy, Sibley and Zenith mines. These mines all resided within a one and a half mile radius in the eastern Vermilion Iron Range located in Ely, Minnesota. Today the history of these mines is told along the Trezona Trail, which circles Ely's Miners Lake, a recreational lake formed after the closing of the Pioneer Mine in 1967. In the fourth installment of the series we explore the story of Ely's Sibley Mine.

The Sibley Mine was owned by the Oliver Mining Company, a subsidiary of the U.S. Steel Corporation. The mine began shipping ore in 1899 from the No. 1 shaft. This shaft was later abandoned and further mining operations continued at the No. 2 shaft until 1954. The mine's Miners Dry House can still be seen along the Trezona Trail. The Sibley Mine reached depths of 1,278 feet and produced more than 9.8 million long tons of iron ore throughout its operation.

Sources:

The commemorative mine signs around the Trezona Trail were made possible by a grant from the Minnesota Historical Society to Ely Greenstone Public Art, with assistance provided by the City of Ely. The Trezona Trail was created by the City of Ely and the Mineland Reclamation Division of the Iron Range Resources and Rehabilitation Board.



Courtesy of Archives and Special Collections, Kathryn A. Martin Library, University of Minnesota Duluth

***DNR, Inspection (DNR)**

From: Landwehr, Tom (DNR)
Sent: Tuesday, October 28, 2014 4:56 PM
To: Naramore, Barb (DNR); Richards, Jess (DNR)
Cc: Schad, Dave R (DNR); Meier, Bob (DNR)
Subject: FW: Boundary Waters Canoe Area Wilderness
Attachments: Scan0023.pdf

FYI.

Tom Landwehr
Commissioner
Minnesota Department of Natural Resources

Take a Child Outdoors Today!

From: Becky Rom [<mailto:rebecca.rom49@>]
Sent: Monday, October 13, 2014 1:44 PM
To: Landwehr, Tom (DNR)
Subject: Boundary Waters Canoe Area Wilderness

Hi Tom - I and others from the Ely area have talked to you about sulfide mines proposed in the watershed of the Boundary Waters Canoe Area Wilderness. Attached is our letter relating to the continuing financial difficulties of Twin Metals Minnesota LLC, which proposes a sulfide mine project in the Boundary Waters watershed and adjacent to the Gabbro Lake area of the Boundary Waters Wilderness.

Becky

Becky Rom
3100 Hartley Point Road
Ely, MN 55731
[redacted] (home)
[redacted] (mobile)
rebecca.rom49@[redacted]

***DNR, Inspection (DNR)**

From: Landwehr, Tom (DNR)
Sent: Thursday, July 10, 2014 1:11 PM
To: Naramore, Barb (DNR); Richards, Jess (DNR)
Cc: Schad, Dave R (DNR); Meier, Bob (DNR); mollypederson [REDACTED]
Subject: FW: Twin Metals Minnesota
Attachments: Scan0034.pdf

Fyi. I replied back that we were aware of the news, that no state actions are pending, and that we'll consider any relevant info when/if we get into a decision-making process.

Tom Landwehr, Commissioner
Minnesota Department of Natural Resources

Sent from my Android tablet

-----Original Message-----

From: Becky Rom [rebecca.rom49 [REDACTED]]
Received: Thursday, 10 Jul 2014, 7:05am
To: Landwehr, Tom (DNR) [tom.landwehr [REDACTED]]
CC: Nancy Gibson [nangibson@ [REDACTED]]
Subject: Twin Metals Minnesota

Commissioner Landwehr - I and others from the Ely area have talked to you about sulfide copper mines proposed in the watershed of the Boundary Waters Canoe Area Wilderness. Attached is my letter relating to a development with respect to Twin Metals Minnesota LLC, which proposes a sulfide mine project adjacent to and in the watershed of the Boundary Waters Wilderness.

Becky

Becky Rom
3100 Hartley Point Road
Ely, MN 55731

[REDACTED] (home)
[REDACTED] (mobile)
[REDACTED]

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