

1 ARMY CORPS OF ENGINEER CALL-IN SESSION
2 RE: POLYMET MINE PROJECT
3 May 5, 2022

3 MR. CARVAJAL: Welcome. You are
4 now into day 3 of the Corps of Engineers
5 St. Paul District public hearing regarding
6 the Polymet Mine Project, Section 404
7 Permit and an objection from the Fond du
8 Lac Band of Lake Superior Chippewa that the
9 project will affect its downstream water
10 quality.

11 We will begin the hearing in
12 five minutes.

13 COLONEL JANSEN: Good afternoon
14 to everyone on the line and welcome to our
15 public hearing. My name is Colonel Karl
16 Jansen and I serve as commander of the US
17 Army Corps of Engineers, St. Paul District.
18 I'm the presiding officer for this public
19 hearing regarding the Corps of Engineer
20 Section 404 Permit for the Polymet NorthMet
21 Mine Project near Babbitt, Minnesota.

22 We are conducting this public
23 hearing in response to an objection from
24 the Fond du Lac Band of Lake Superior
25 Chippewa under Section 401(a)(2) of the

1 Clean Water Act and their subsequent
2 request for a hearing. We are conducting a
3 three day public hearing for the purpose of
4 collecting information or evidence that we
5 will consider related to the Polymet
6 project's effects on quality of the band's
7 downstream waters.

8 We conducted days one and two of
9 this public hearing on Tuesday and
10 Wednesday of this week where we met in
11 person with representatives of the Fond du
12 Lac Band and Polymet Mining Company.
13 During those two days, the United States
14 Environmental Protection Agency provided an
15 overview of its evaluation and
16 recommendations with respect to the band's
17 objections, and the band and Polymet
18 provided their views on our permit action.
19 We also heard rebuttal statements from both
20 the band and Polymet yesterday afternoon.

21 Those sessions from days one and
22 two were live-streamed to our St. Paul
23 District You Tube page and are available
24 there now for public viewing. We also
25 posted all presentations and other

1 information submitted to us on days one and
2 two to our St. Paul District Polymet
3 Project web page.

4 In addition to You Tube
5 streaming, we produced higher quality
6 recordings with closed captioning, and
7 these videos will be posted on our St. Paul
8 District Polymet Project web page soon.

9 Further, a court reporter
10 transcribed all the proceedings and we will
11 post a certified transcript to the same
12 project web page in the next few days.

13 We appreciate your interest
14 today whether you are providing verbal
15 statements or simply listening. Your input
16 today is just as important to us over the
17 phone as it would be in person. If you do
18 not submit verbal comments this evening or
19 do not have time to submit the entirety of
20 your comments, you may submit written
21 comments until June 6. You may find
22 information on how to submit written
23 comments by e-mail or mail on our St. Paul
24 District Polymet Project web page.

25 We are recording verbal

1 statements tonight for the record and have
2 a court reporter who is transcribing all
3 statements. By next week we will post a
4 recording from tonight's proceedings to our
5 St. Paul District Polymet Project web page.

6 With me today from the US Army
7 Corps of Engineers are representatives from
8 our Regulatory Division, Office of Counsel,
9 Public Affairs, and Information Technology
10 Department. Our Regulatory Division is
11 responsible for administering the Section
12 404 Clean Water Act and Section 10 Rivers
13 and Harbors Act Regulatory Programs. They
14 are committed to making permit decisions
15 that balance protection of important
16 natural resources with appropriate use of
17 those resources for economic development.

18 During the first two days of
19 this hearing, we received a substantial
20 amount of information and views from the
21 EPA, Fond du Lac, and Polymet. We'll
22 review and consider all information we have
23 already received, information we receive
24 this evening, and any information received
25 until June 6, 2022 as we decide whether to

1 reinstate the suspended 404 Permit for the
2 Polymet Mine Project, revoke this permit,
3 or issue a new permit with modified
4 conditions.

5 This evening, the public can
6 provide verbal statements on this action
7 for our consideration. We are interested
8 in views related to how this project would
9 impact water quality within the Fond du Lac
10 Reservation which is downstream of the
11 project site. The project discharges into
12 the watershed at the Partridge and
13 Embarrass Rivers which flow into the
14 St. Louis River and along the Fond du Lac
15 Reservation.

16 General comments for or against
17 the project are not informative to our final
18 decision. We are most interested in
19 substantive comments related to affects from
20 the Polymet project on downstream water
21 quality within the Fond du Lac Reservation.
22 We will not provide responses to questions
23 or comments during this hearing. The
24 purpose of this hearing is to collect
25 information, views and recommendations that

1 we will consider in making a decision. We
2 are collecting your statements for the
3 record. We are limiting verbal statements
4 to three minutes per speaker to ensure
5 multiple callers have an opportunity to
6 provide statements.

7 If your comments are lengthy,
8 please consider submitting in writing
9 instead by following the instructions on our
10 St. Paul District Polymet web page. Your
11 written comments receive the same
12 consideration as verbal comments. Please
13 note those submitting comments are advised
14 that all information received will be
15 available to the public. To protect your
16 privacy, please avoid including personal
17 information such as home addresses or phone
18 numbers unless you do not object to such
19 information being made available to the
20 public.

21 We will stay on the line until 9
22 p.m. this evening to hear and record
23 statements. I will now ask Chris, our event
24 producer this evening, to outline the
25 procedures and ground rules for this

1 evening's hearing. Thank you. And, Chris,
2 over to you.

3 MR. CARVAJAL: Thank you, sir.
4 If you'd like to provide a comment, please
5 press pound and then 2 to raise your hand
6 and be placed in the speaking cue.
7 Pressing pound, then 2 again will lower
8 your hand and remove you from the cue.
9 When you raise your hand in the cue, I can
10 see the phone number from which you are
11 calling. When it's your turn to speak, I
12 will unmute your line and call out the last
13 four digits of your phone number. You will
14 hear a notification that says your line has
15 now been unmuted. If you do not begin
16 speaking on the first prompt, I will prompt
17 you a second time. If you do not respond
18 to my second prompt, I will remove you from
19 the speaking cue. If you do not provide
20 your verbal statement at the time of my
21 prompt and you are removed, you may
22 re-enter the cue by pressing pound, then 2.

23 Once you have made your
24 statement, please do not re-enter the cue.
25 After your verbal statement, you are

1 welcome to remain on the line to hear from
2 others or you may hang up at any time. All
3 statements provided during this tele-
4 conference are being recorded, transcribed,
5 and submitted to the record. Any personal
6 information you share on the call will
7 become public. Everyone on the call will
8 be able to hear your comments. The use of
9 language that is offensive, vulgar, or
10 otherwise inappropriate will not be
11 tolerated and your microphone will be
12 muted. When I open your line and call out
13 the last four digits of your phone number,
14 please state your full name before
15 beginning your statement. If you do not
16 wish to provide your name, your comment
17 will be entered into the record and
18 attributed to an unidentified speaker.
19 Each speaker will have three minutes to
20 provide their comments. You will hear a
21 beep tone when you have 30 seconds
22 remaining. At 10 seconds remaining, you
23 will hear me say please wrap up. When
24 three minutes have passed, I will mute your
25 line to prepare for the next caller. If

1 you do not use your full three minutes, you
2 may let us know you have finished speaking
3 and we will move to the next caller.

4 At 6:30 we will take a 15-minute
5 recess break. We will resume promptly at
6 6:45 p.m. and continue to call on speakers
7 based on their order in cue. Currently
8 there are 30 speakers who have indicated
9 they would like to provide verbal comments.
10 We are now ready for the first speaker.

11 CALLER 6396: Pete Stauber.
12 This is Congressman Pete Stauber
13 representing Minnesota's 8th Congressional
14 District. I'll like to start by thanking
15 the Army Corps of Engineers for putting
16 together a professional hearing. Colonel
17 Jansen and his team have been exemplary.
18 Mining in northern Minnesota is part of our
19 way of life. It's our past, our present
20 and our future. United states wouldn't
21 exist as we know it today without the
22 contributions of iron mining in Minnesota.
23 We provided the infrastructure to build
24 America throughout the last 135 years.
25 Without our iron resources on our range we

1 would not have the foundation to win two
2 world wars back home. It builds our
3 communities, funds our schools, and
4 diversifies our economy.

5 We have a cultural mining legacy
6 and we have done it well. Now we have to
7 think about our opportunity to supplement
8 our iron mining industry with critical
9 mining, minerals mining, copper, nickel,
10 cobalt, platinum, group elements all
11 occurring in the Duluth complex throughout
12 our region. The Duluth complex is the
13 largest copper-nickle find in North America.
14 The Polymet project was the first nearly two
15 decades ago to identify, target and start
16 building the project. And the company
17 signed the project labor agreement with the
18 building trades years ago and it still
19 stands today.

20 It will clear the benches of our
21 union house creating more jobs than ever
22 before in a region that hasn't seen economic
23 development of this scale since the 20th
24 century. Operating engineers, laborers,
25 electricians, insulators, pipe fitters,

1 boilermakers, teamsters, iron workers, they
2 all want to build Polymet. More middle
3 class jobs, more houses built, more kids in
4 school, all of this accounts for an
5 estimated annual economic windfall of nearly
6 a billion dollars. The potential economic
7 benefit equals to hosting two Super Bowls on
8 the Iron Range every year. And as a
9 society, we're desperate for these metals.
10 By every measure, we are import reliant for
11 nearly everything, whether it be iPhones,
12 laptops, electric vehicles, charging
13 stations, medical devices, solar panels or
14 windmills. So what do we do? We import it.
15 Our top competitors are our biggest rivals.
16 Russia, one of the world's largest nickle
17 producers is currently committing daily
18 atrocities in Ukraine. China, who dominates
19 the global supply chain for minerals and
20 owns several mines in the Congo is forcing
21 kids to work by hand at gunpoint. When this
22 administration viewed its own supply chain
23 vulnerabilities 100 days in, it actually
24 referenced the Polymet project as a mineral
25 resource. That's right. This

1 administration on page 99 of its very own
2 supply chain report referenced the Polymet
3 project. Polymet has labored throughout the
4 permitting and regulatory hurdles at both
5 the state and federal levels for nearly two
6 decades. In fact, the project in question
7 actually received its high marks from the
8 Obama administration when Joe Biden was vice
9 president in 2015. Polymet has spent nearly
10 two decades playing kicking the football
11 through the moving goalposts. Polymet has
12 received every state permit, every federal
13 permit. And now what's happening, the
14 science hasn't changed. The EPA has.

15 So I urge the Corps who has done
16 a more than commendable job with literally a
17 first of its kind hearing to block out the
18 noise. This company and this project have
19 done everything. They've spent almost 20
20 years crossing Ts and (inaudible).

21 MR. CARVAJAL: I do apologize.
22 That was 3 minutes on the timer.

23 CALLER 9699: Hello. Thank you
24 for taking my comment. My name is Dan
25 Brady. My name is Dan Brady and I am proud

1 to represent more than 10,000 members of
2 LIUNA Local 563, general construction
3 laborers who live and work in the
4 Minneapolis-St. Paul metro, Mankato and St.
5 Cloud areas.

6 (Herein, the court reporter is
7 relocated to a different room and different
8 speaker phone).

9 Our members build and maintain
10 our America's critical infrastructure
11 including clean energy infrastructure like
12 concrete pads at wind farms and large solar
13 projects. Mine (inaudible) Polymet are an
14 important piece of critical infrastructure.
15 Minerals like copper and nickle are
16 incredibly important to the efforts to
17 decarbonize our economy and deploy
18 renewable resources, battery storage and
19 electrical vehicles. Traditional internal
20 combustion vehicle engine vehicles contain
21 between 18 to 49 pounds of copper.
22 Electric vehicles contain approximately 183
23 pounds of copper and electric buses contain
24 approximately 196 pounds of copper. Access
25 to nickle will be crucial for deploying

1 large energy storage technology that will
2 allow us to deploy variable electric
3 resources like wind and solar while
4 maintaining grid reliability. This fact is
5 something recognized by the Biden
6 administration which recently invoked the
7 Defense Production Act in order to bolster
8 domestic production in mining. Our union
9 is proud to be leading the way on
10 Minnesota's transition to a clean energy
11 economy. One of the most important
12 contributions Minnesotans can make to fight
13 against climate change is leading the world
14 in the responsible production of copper,
15 nickle, and other precious metals. Without
16 reliable supplies of copper, nickle and
17 other critical minerals, our leaders'
18 climate goals will be a little more than
19 empty promises. We can't build electric
20 vehicles without battery storage. Wind
21 turbines or solar panels without metals
22 that could be mined responsibly right here
23 in Minnesota. Northern Minnesota is home
24 to one of the largest undeveloped mineral
25 deposits in the world containing more than

1 4 billion tons of copper, nickle and
2 precious metals. The Duluth complex holds
3 34 percent of the United States copper, 88
4 percent of the United States cobalt, and 95
5 percent of the United States nickle.
6 Polymet has demonstrated to state and
7 federal agencies that we can mine copper
8 and nickle safely and responsibly in
9 compliance with rigorous environmental and
10 labor standards. It's time to Polymet
11 forward. We respectfully encourage the
12 Army Corps of Engineers to reinstate the
13 404 permit. Thank you.

14 CALLER 1767: Dan Iverson. Can
15 you hear me?

16 MR. CARVAJAL: Yes, we can.

17 CALLER 1767: Okay. First this
18 discussion is about one of the top five
19 toxic industries in the world. Glencore's
20 Polymet mine is not better in our backyard.
21 It is not the type of company that should
22 be doing in Minnesota. Glencore was
23 founded in 1974 by Mark Rich who was once
24 indicted on counts of tax evasion,
25 racketeering and fraud. In more recent

1 years, Glencore has faced investigations in
2 the UK and the US focusing on bribery,
3 corruption, money laundering. Polymet's
4 tailings sand uses upstream construction,
5 cheapest, riskiest way to build a dam.
6 Most of the serious dam failures in recent
7 decades have been associated with upstream
8 dams including several that were built or
9 approved of by the same consultants and
10 methods used in the Polymet's plan. Dan
11 Sutton, one of the consultants reviewing
12 Polymet's tailings, wrote to Minnesota
13 Department of Natural Resources, the FTC
14 tailings plan gives me severe indigestion
15 because of the lack -- the lake on top of a
16 pile of sand is inherently unstable and
17 irresponsible. On Monday, August 4, 2014,
18 a sunny, summer day, the upstream tailings
19 dam at the Imperial Metals Mount Polley Dam
20 collapsed resulting in the worst mining
21 disaster in Canadian history. On November
22 6, 2015, an upstream mine ore tailings dam
23 collapsed at Samarco mine in Brazil. The
24 dam collapse started a mud slide and
25 flattened a village and killed 17 people.

1 On January 25, 2019, catastrophic failure
2 of the upstream dam in Brumadinho, Brazil
3 resulted in approximately 300 deaths.

4 The EPA has determined there are
5 no conditions that the Corps could place on
6 the wetlands permit that would ensure
7 compliance for the tribes or the previous
8 Minnesota water regulations. I say
9 previous before manipulation.

10 Tribal members rely on fish from
11 the St. Louis River which flows through the
12 reservation, but consumption advisory
13 limit, number of fish that could be safely
14 eaten from it would be violated severely.

15 Furthermore, in its reports to
16 investors that is required by the Canadian
17 securities law, Polymet describes scenarios
18 where its proposed mine in Minnesota are
19 far bigger than it would describe in its
20 permit application, 118,000 tons per day
21 versus 32,000 tons per day. This type of
22 bait and switch game is common in the
23 industry. The only reason Polymet's real
24 plan is on record at all is because the
25 MPEA lawyers permitted (inaudible) (Warning

1 signal) Pollution Control Agency.

2 Finally, US is actually an
3 exporter of copper. There is no reason to
4 doubt and there is no reason to doubt that
5 all the minerals forthcoming from any
6 foreign nationally owned mine will not be
7 internationally traded and not one iota
8 security of America but will instead burn
9 Minnesota for an eternity with costly
10 ecological mitigation and loss of our
11 pristine waters and its thriving and
12 sustainable \$315 million recreational
13 industries.

14 Glencore has yet to have proved
15 it --

16 MR. CARVAJAL: We apologize.
17 That's three minutes on the timer. Moving
18 on to the next caller.

19 CALLER 5152: My name is Derek
20 Pederson. I'm a proud number to represent
21 1,100 members of the LIUNA Local 1091
22 construction laborers who live and work in
23 Duluth-Superior area, northeast Minnesota,
24 and northwest Wisconsin. Our members built
25 and maintained America's critical

1 infrastructure such as roads and bridges.
2 Mines like Polymet are an important piece
3 of this critical infrastructure. The
4 Polymet project has an undergoing state and
5 federal environmental review and permitting
6 for almost two decades. As a result, the
7 Polymet project is the most studied mine
8 project in our state's history. This
9 process has resulted in a jointly
10 administered environmental impact statement
11 issued by the Minnesota Department of
12 Natural Resources, US Federal Service, and
13 US Army Corps of Engineers, along with a
14 series of permit decisions that ensure the
15 project will meet stringent environmental
16 standards. This includes the 401
17 Certification which was issued by the
18 Minnesota Pollution Control Agency in
19 December of 2018 and the 404 permit issued
20 by the Army Corps of Engineers in March of
21 2019.

22 In its certification decision,
23 the MPCA concluded that the project will
24 not result in any measurable changes to the
25 water quality downstream of the project in

1 the St. Louis River. This conclusion was
2 based on a cross media analysis designed to
3 specifically study the potential for
4 downstream impacts of the project from a
5 variety of sources, including air.

6 The Corps should reject any
7 argument that ongoing monitoring
8 requirements are evidence that the
9 pollution management and treatments are not
10 effective. Importantly, opponents of the
11 project have had ample opportunity over the
12 past 15 years to make the arguments that
13 we're making today throughout the
14 environment review and permitting process.

15 The vast majority of these
16 arguments are not new and were considered
17 to be relevant state and federal agencies
18 during the review process. These agencies
19 who are reviewing the scientific evidence
20 ultimately do not agree with the arguments
21 of the opponents.

22 It is our belief that the
23 evidence has been presented during these
24 hearings demonstrating -- and the Polymet
25 will have an affect on downstream waters.

1 Furthermore, the robust record
2 resulting from more than a decade of study
3 by experts at multiple state and federal
4 agencies reflect the fact that the 404
5 permit is protective of downstream waters.
6 Polymet has followed the science. Polymet
7 has followed the process. It has been 17
8 years. It's time to move Polymet forward.
9 We respectfully encourage the Army Corps of
10 Engineers to reinstate the 404 permit.
11 Thank you for your time.

12 CALLER 5060: My name is Patrick
13 O'Connell. I'm proud to represent more
14 than 1,000 members of LIUNA Local 1097
15 construction laborers who live and work on
16 the Iron Range and across northern
17 Minnesota. The proposed Polymet project is
18 located in our back yard. Our members
19 build and maintain America's critical
20 infrastructure such as the iron mining
21 infrastructure that helped build America
22 and win World War II and copper-nickel
23 mining infrastructure that will help us
24 fight climate change.

25 Mines like Polymet are an

1 important piece of critical infrastructure.
2 As a union, we support clean energy and
3 mining critical materials domestically in a
4 way that ensures strong labor and
5 environmental protections. If we don't
6 mine these minerals here in Minnesota,
7 they'll be mined in other countries with
8 weaker environmental and labor protections
9 and fewer local benefits.

10 Continued dependence on foreign
11 nations like China and the Democratic
12 Republic of the Congo for copper and nickel
13 doesn't make sense for workers' rights for
14 our environment. We can mine copper and
15 nickel safely here in Minnesota.

16 As Polymet pointed out, by
17 cleaning up the legacy mining site, the
18 water that discharges from Polymet will be
19 cleaner than the water that's currently
20 flowing from the site today. After that
21 water is discharged from the facility, it
22 will travel 116 miles before reaching the
23 Fond du Lac reservation on the way being
24 diluted by other sources of water which
25 connect with the St. Louis River.

1 Regulators are requiring a belt
2 and suspenders approach where strong
3 pollution management and treatment is
4 supplemented by ongoing required monitoring
5 to ensure these processes are working as
6 intended and waters are being protected.

7 To second-guess the conclusion
8 reached by state and federal agency experts
9 at the 11th hour only seeks to undermine
10 confidence in our review process. We
11 appreciate and respect the importance of
12 protecting water quality sources of
13 downstream communities. We have been
14 mining for 142 years and the cleanest air
15 and water in the state continues to be in
16 northern Minnesota. It's time to move
17 Polymet forward. We respectfully encourage
18 the Army Corps of Engineers to reinstate
19 the 404 permit. Thank you for your time.

20 CALLER 2301: My name is Frank
21 Ungaro. Thank you, Colonel, for the
22 opportunity to speak today. I'm executive
23 director of Mining Minnesota. On behalf of
24 the industry, I strongly urge the Corps to
25 reinstate the Polymet 404 permit as it

1 currently is as quickly as possible.

2 There is a single issue in front
3 of the Corps today and that is downstream
4 water quality. The burden of proof is on
5 the band and they have simply failed. The
6 first two days of these hearings have not,
7 I repeat not, shown any proof that Polymet
8 will impact tribal waters. There's
9 absolutely no evidence that Polymet will
10 impact downstream water quality.

11 In fact, the Corps has been
12 showing evidence and real calculations and
13 data on Polymet demonstrating they will be
14 cleaning up the river. The band and EPA's
15 comments and concerns have been heard
16 continually throughout the environmental
17 review and permitting process. Now, the
18 band and EPA are simply and completely
19 disregarding the facts and the true
20 science.

21 The fact is EPA and the band are
22 ignoring that Polymet will be cleaning up
23 sulfate and reducing overall mercury from
24 the watershed, not adding to it. It's
25 impossible to violate water quality

1 standards when you are actually removing
2 those elements from the watershed.

3 The state and federal agency
4 review was inclusive and conclusive. The
5 project would not violate the band's water
6 quality standards. Again, that is the sole
7 issue in front of the Corps. Nothing has
8 been proven.

9 For those of you old enough to
10 remember it, this reminds me of the 1984
11 commercial where's the beef. It's time to
12 stop the unnecessary delays. You have a
13 political versus the WASH scenario in front
14 of you. The EPA has chosen politics above
15 the law, and their position is clearly
16 political.

17 Fortunately, the law is also
18 clear. If the Corps follows the law,
19 reinstatement is the clear and only
20 decision. It's time to move this project
21 forward and reinstate the 404 permit as it
22 exists today. Thank you.

23 CALLER 4698: My name is Scott
24 Boasch (phonetic). I'm the policy director
25 for the Friends of the Boundary Waters

1 Wilderness. For over 40 years, Friends has
2 been the leading voice for the ongoing
3 protection, preservation and restoration of
4 the Boundary Waters Canoe Area Wilderness
5 and the Superior National Forest.

6 I make these comments on behalf
7 of the Friends in its support of the Fond
8 du Lac Band's monumental efforts to protect
9 itself, its members, and its water from
10 Polymet's mining pollution. Friends
11 supports the band both in this public
12 hearing and in the federal court system
13 where we are part of a group of
14 environmental organizations seeking to
15 invalidate the Corps' Section 404 wetlands
16 destruction permit.

17 Polymet's project will directly
18 destroy nearly 1,000 wetland acres and
19 indirectly destroy an additional 6,000
20 wetland acres. This week the US
21 Environmental Protection Agency has
22 confirmed that Polymet's wetland impacts
23 and other mining related activities will
24 violate the band's water quality standards
25 which governs both mercury and specific

1 conductance ionic pollutions.

2 These water quality standards
3 are vital for the band to adequately
4 protect the health and safety of aquatic
5 and human life and water quality.

6 Indeed, the band's members rely
7 on fishing for sustenance and culture.
8 Increased mercury contamination of fish
9 would harm the health of fetuses, infants,
10 and children, remove a healthy protein
11 source, and undermine the band's ability to
12 practice its culture on its own homeland.

13 The groundwater and bedrock
14 where Polymet plans to mine also contains
15 elevated concentrations of chloride,
16 arsenic, manganese, and other mobile
17 contaminants of concern. Mining here would
18 result in millions of tons of waste rock
19 and tailings containing these contaminants
20 being released into the wetlands and
21 through other surface and groundwater
22 pathways.

23 Polymet's pollution would
24 directly affect downstream waters including
25 the St. Louis River that flows into the

1 Fond du Lac reservation and Lake Superior,
2 which is the source of drinking water for
3 Duluth and home to over 10 percent of the
4 world's fresh surface water.

5 The Friends stands in support of
6 the Fond du Lac Band. The US Army Corps of
7 Engineers should follow the science by
8 listening to the band's objections and the
9 EPA's evaluation and recommendation to
10 revoke and not reinstate Polymet's federal
11 wetlands destruction permit. Thank you.

12 CALLER 2516: Hello. My name is
13 Lucy Grinna (phonetic) and I live in Two
14 Harbors, Minnesota. Thank you for
15 listening to my comments today. I stand
16 with the Fond du Lac Band Tribe in their
17 opposition of allowing a permit to mine
18 copper and nickle in this very important
19 wetland region. Disturbance of 1,000 acres
20 of wetlands will release inert mercury from
21 the bottom of the wetlands. Sulfide
22 seeping from the effluent produced by the
23 mine will create a water soluble form of
24 mercury called methylmercury, and this
25 mercury will ultimately affect the entire

1 downstream ecosystem. It will especially
2 increase mercury concentrations in the fish
3 eaten by the tribe and others who fish in
4 the St. Louis River.

5 Polymet is not required by the
6 permit to measure mercury or sulfide in
7 their effluent. These waste water
8 discharges have no effluent limits.

9 Pollution seeping from Polymet's
10 tailing dam and mine pit would violate the
11 Fond du Lac Band Band's federally approved
12 water standard. Fond du Lac Band has a
13 stringent mercury standard of .77 nanograms
14 per liter to protect the health of men,
15 women and children in the tribe. Polymet's
16 permit fails to ensure compliance of the
17 standard.

18 Scientific experts have
19 determined that there are many flaws in the
20 plan to restrict sulfide tailings from
21 getting into the tribe's water supply. One
22 of the findings is that the bedrock itself
23 used in containment has cracks in it that
24 will allow effluent to enter the ground
25 water. The slurry wall proposed to contain

1 the tailings will have boulders the size of
2 Buicks in it left over from glacial
3 deposits, and this will weaken the wall to
4 allow seepage to contaminate around these
5 boulders into the adjacent water supply.

6 As permitted, Polymet will
7 increase mercury levels in the water and
8 toxic methylmercury in fish, but no one at
9 Polymet will be measuring any of these
10 levels. Fish are important culturally to
11 tribal members as a source of food.
12 Elevating mercury in fish harms the health
13 of babies and children and all members of
14 the tribe as we all know.

15 Based on the facts that the
16 proposed mine will pollute the tribe's
17 water and food source, the Army Corps must
18 revoke and not reissue the Polymet permit.
19 It's the right way to uphold the Clean
20 Water Act. Thank you very much again for
21 listening.

22 CALLER 5129: Thank you. My
23 name is Marlese Riffle (phonetic). I stand
24 with the Fond du Lac Band for many reasons.
25 I also support a renewable energy future.

1 I know that that requires precious metals
2 but there is another way. The largest
3 copper-nickle find in North America is
4 really in the 46 pounds of electronic waste
5 that each of us generates each year. We
6 could mine precious metals from that
7 electronic waste and meet our needs.
8 E waste on average contains 20 percent
9 copper and 2 percent nickle. It is
10 everywhere. It is not just our state. It
11 is the whole country that generates this
12 amount of E waste, and we currently recycle
13 about 20 percent of it.

14 I urge people to think outside
15 the mining box to another way to responsibly
16 interact with earth and to deal with our
17 electronic waste. Thank you.

18 CALLER 0787: My name is David
19 Chura (phonetic). I'm speaking on behalf of
20 Jobs for Minnesotans. Jobs was cofounded in
21 2012 by the Minnesota Building &
22 Construction Trades Council representing
23 70,000 workers and the Minnesota Chamber of
24 Commerce representing 2,300 members and
25 500,000 employees. It's a coalition which

1 consists of business, labor, communities and
2 other supporters of job creation and
3 investment in the state of Minnesota,
4 investments like the sustainable development
5 of mining projects, including the Polymet
6 NorthMet project, which will clean up an
7 existing site, reduce loading of sulphate,
8 mercury and specific conductance-
9 concentration in the St. Louis River all
10 while also providing needed minerals for the
11 clean energy economy.

12 We believe this hearing has once
13 again illustrated that the permits and
14 approvals granted to the Polymet NorthMet
15 project are based on sound science and very
16 thorough environmental review. The review
17 ended with a 2015 Final Environmental Impact
18 Statement jointly published by the Minnesota
19 DNR. The Corps of Engineers and --
20 (inaudible) the EIS project will not
21 negatively affect the water quality of
22 communities downstream including the band
23 116 miles away. That's nearly halfway to
24 the international space station.

25 Throughout the process, the Fond

1 du Lac Band of Superior Chippewa served as a
2 cooperating agency. The band did not
3 challenge the EIS when it was published. No
4 evidence has been presented which counters
5 the conclusion of the EIS. To prevail here,
6 the band needed to show that the permit will
7 indeed affect the quality of water in a way
8 that violates the water quality requirements
9 of the permit. That burden of proof has not
10 been met. There's no basis for reversing
11 the permits that were granted in 2019. We
12 ask the Corps to reinstate the Section 404
13 permits for the NorthMet project. Thank
14 you.

15 CALLER 7176: Nathan Runke,
16 R-U-N-K-E. Thank you for the opportunity to
17 testify today on the question of whether to
18 reinstate the 404 permit for the proposed
19 Polymet NorthMet project. My name is Nathan
20 Runke and I'm one of the over 14,000 members
21 with the International Union of Operating
22 Engineers Local 49. Our members build and
23 maintain a wide array of infrastructure
24 projects across the state of Minnesota
25 including mines. As we seek to decarbonize

1 our economy in the coming decades, access to
2 minerals like copper and nickle is going to
3 be critical. We need these minerals and we
4 need them to be mined in a way that is
5 protective of workers and protective of the
6 environment.

7 The Polymet NorthMet project
8 does both. The project is the most studied
9 mine proposal in the history of our state.
10 After more than a decade of environmental
11 review and permitting that included
12 involvement and approvals from the Minnesota
13 Pollution Control Agency, Minnesota DNR, US
14 Forest Service, Army Corps of Engineers, and
15 the Environmental Protection Agency, the
16 mine received all of the permits and
17 approvals required for project construction.
18 These permits were issued because scientific
19 experts at these agencies determined the
20 project met the strict state standards and
21 federal requirements under law.

22 The process includes many
23 opportunities for interested parties to
24 provide comments and feedback. These
25 comments were considered by agency officials

1 and resulted in stronger more protective
2 permits. For the most part, the issues
3 being discussed at this week's hearings are
4 not new. They were raised and addressed by
5 state and federal regulators.

6 For example, on the question of
7 whether the mine would impact downstream
8 water quality standards, a study was
9 performed looking at potential impacts to
10 downstream water from a variety of different
11 sources under a variety of scenarios. The
12 study found that the mine would either cause
13 no measurable change or decreased
14 concentration of pollutants downstream.

15 While we appreciate the
16 importance of protecting the water of
17 downstream communities, we struggle to
18 understand how a project that results in
19 cleaner water can violate downstream water
20 quality standards. We believe the record
21 produced during this hearing and throughout
22 the entire review and permitting process
23 demonstrate this mine can be built safely
24 and in a way that is protective of
25 downstream communities.

1 Further, during the last three
2 days, evidence was presented that showed the
3 Polymet NorthMet project will not violate
4 the water quality requirements of the Fond
5 du Lac Band of Lake Superior Chippewa. For
6 that reason, we would respectfully encourage
7 the Army Corps of Engineers to reinstate the
8 404 permit. Thank you.

9 CALLER 8360: My name is
10 Dr. Stephanie Digby, S-T-E-P-H-A-N-I-E
11 D-I-G-B-Y. I am appalled at Polymet's
12 greed. It will harm essential aquatic
13 systems. My doctorate is in the biological
14 sciences. I speak as a scientist who has
15 studied aquatic systems. Polymet continues
16 in its desire for money over the well-being
17 of the indigenous peoples and despite
18 federally approved pollution standards. You
19 cannot forget Minamata, Japan that
20 permanently injured and severely handicapped
21 children many years ago. That was many
22 years ago, but Polymet's financial desire
23 ignore these data. The Fond du Lac Band of
24 the Lake Chippewa are dependent on fishing
25 for protein. The absorption of the

1 methylmercury begins at the smallest
2 platonic level and it accumulates.
3 Permitting Polymet will inflict increased
4 methylmercury levels. This is accumulative
5 metal. It doesn't wash out. It does cause
6 increasing toxicity and neurological damage
7 to the most vulnerable infants and
8 genetically damages all wildlife in the area
9 from small fish to eagles.

10 The band and scientific experts
11 determined that the Polymet federal permit
12 will negatively affect its reservation
13 waters and violates the band's federally
14 approved water quality standards.

15 The only way to prevent
16 violation of the band's water quality
17 standards and to comply with the Clean Water
18 Act is for the Army Corps to revoke and not
19 to reinstitute the Polymet wetlands
20 destruction permit. Thank you. I'm
21 finished.

22 CALLER 8281: My name is Lisa
23 Bodine, L-I-S-A B-O-D-I-N-E. I'm president
24 and partner of Giant Voices in Duluth,
25 Minnesota and chair of the Area Partnership

1 for Economic Expansion. I'm also a
2 long-time economic developer and an advocate
3 for business and a big fan of the
4 environment we are privileged to enjoy here
5 in northeast Minnesota.

6 Thank you for the opportunity to
7 speak in support of Polymet and the NorthMet
8 project. Thanks for the chance to ask the
9 Army Corps to reinstate the project section
10 404 wetlands permit. I believe in the
11 project, trust the company to operate within
12 all regulations set forth by its various
13 permits, permits that were awarded after a
14 thorough scientific and environmental review
15 lead by agencies and scientists. And I
16 trust that the intensive process was
17 followed to protect the downstream
18 community, both people and water.

19 Over the last few days -- over
20 the last couple days, there was no new
21 evidence presented during the hearing to
22 indicate otherwise. So I'm left wondering
23 why the permit was remanded in the first
24 place. In fact, the EPA and band testimony
25 really ignored Polymet's intent to reclaim a

1 previous mine site. The science shows that
2 the project will have a positive net impact
3 on sulfate and mercury with the introduction
4 of a water treatment facility, a benefit for
5 people, wildlife, and environment's
6 downstream from the project. The burden of
7 proof was simply not met.

8 Copper and nickle are essential
9 for renewable energy infrastructure and we
10 have access to vast qualities in the Duluth
11 complex. We have a chance to stand at the
12 forefront of the movement to combat climate
13 change. From a business and economic
14 development perspective, the project is
15 critical for the future of our region. It
16 goes beyond good jobs for a few hundred
17 people.

18 A project of this magnitude
19 affects supporting industries up and down
20 the entire supply chain. The financial
21 boost to our economy will be felt for
22 generations. It's not the type of
23 opportunity we should leave unpursued. From
24 an environmental perspective, it's our
25 responsibility to extract these minerals

1 safely and sustainably, and Polymet has
2 proven that it can do so without having a
3 negative impact on water quality. Again, no
4 new evidence was presented suggesting
5 otherwise. It was enough for me. It was
6 enough for APEX investor members who have
7 approved a resolution of support for the
8 company. It was enough for agencies to
9 award Polymet the permits in the first
10 place.

11 Our region needs this project to
12 move forward. Our country needs this
13 project to move forward. A more sustainable
14 future is in our grasp. Let's show the
15 world what Minnesota can do. Please
16 reinstate the permit. Thank you.

17 CALLER 5007: Good afternoon.
18 My name is Janet Keough, K-E-O-U-G-H, in
19 Duluth, Minnesota. I'm an aquatic ecologist
20 Ph.D., University of Wisconsin. I studied
21 aquatic food webs in all kinds of wetlands.
22 And I'm a past president of the Society of
23 Wetland Scientists. I support the Fond du
24 Lac Band Band's exercise of its rights under
25 the Clean Water Act Section 404(a) to object

1 to the Polymet permit. EPA region 5 did a
2 thorough analysis of the pollution potential
3 from the Polymet mine and advised against
4 this permit.

5 The Polymet/Glencore mine would
6 pollute the Fond du Lac Band Band's
7 reservation waters from untreated seepage
8 from mine pits and waste, waste water
9 discharge without effluent limits, and
10 especially from the massive peat land
11 destruction and collateral damage of
12 riparian wetlands.

13 Pollution will result in toxic
14 mercury and fish throughout the St. Louis
15 River including waters within the band's
16 reservation. The band estimates nearly
17 7,000 acres of diverse wetlands would be
18 destroyed by the Polymet project with
19 additional indirect wetland impacts
20 downstream of the mine and within the band's
21 reservation. 900 acres of diverse and
22 ecologically significant wetlands will be
23 directly destroyed and thousands more acres
24 will be dewatered by changes in surface and
25 ground water levels.

1 Wetlands are not closed systems.
2 Oxidation of wetland soils release sulfate
3 and mercury and subsequently methylmercury
4 downstream. St. Louis River has abundant
5 riparian organic soils that with sulfate and
6 mercury pollution will release methylmercury
7 and contaminate the fishery. Jansen et al
8 2021 documented long distance river
9 transport of industrial derived mercury in
10 the St. Louis River.

11 The Polymet mass balance model
12 completely failed to consider the eco-
13 system or tribal health affects of methyl-
14 mercury exposure and there are no adequate
15 monitoring plans to detect them. Surface
16 waters connect directly between the Polymet
17 mine and riparian waters and wetlands within
18 the band's reservation. The band predicts
19 pollution from contaminated discharge and
20 wetland damage to be transported to
21 reservation waters including at least three
22 streams and adjacent wetlands.

23 The band analyzed conditions
24 surrounding the mine and conditions
25 throughout the St. Louis River watershed

1 that will expose their reservation waters,
2 and elevated toxic mercury and conductivity
3 and (warning signal) will cause harm to
4 their food and cultural resources. They
5 have determined that the wetlands
6 destruction permit will negatively affect
7 reservation waters violating their water
8 quality standards for mercury conductance.

9 I request that the Army Corps
10 revoke and not reissue the Polymet permit,
11 this permit, to prevent violation of the
12 water quality standards of the Fond du Lac
13 Band. Thank you for the opportunity to
14 share my perspective with you.

15 CALLER 4151: My name is Libby
16 Bent, B-E-N-T. I respectfully request that
17 the Army Corps of Engineers uphold Fond du
18 Lac's rights and revoke Polymet's 404
19 wetlands permit. The band has determined
20 that discharges from Polymet NorthMet's
21 project and wetlands destruction will
22 violate the band's water quality
23 requirements. And, therefore, the permit
24 must be revoked and not reissued.

25 March 22nd, 2019 was World Water

1 Day. And it stands out in my mind as a day
2 I learned that Polymet received its 404
3 wetlands destruction permit that would allow
4 it to directly destroy 933 acres of
5 wetlands, the largest permitted destruction
6 in our state's history. The knowledge hit
7 hard with a sinking feeling that the
8 irreversibility of this action weighs
9 heavily. My background is in chemistry with
10 some of that working for industry, and I'm
11 all too familiar with the problems of
12 scale-up, even in controlled laboratory and
13 plant settings, much less the immense
14 problems out in the world with the
15 incredibly complex hydrology, geology,
16 chemistry and natural processes at play.

17 We happily benefit from the
18 thousands of years of stewardship by the
19 native people who lived here and respected
20 and cared for the land and water, and yet we
21 fail miserably to reciprocate. Pollution
22 currently limits hunting and fishing within
23 the band's reservation. Water quality
24 degradation has harmed wild rice waters and
25 decimated Lake Sturgeon. Fond du Lac Band

1 children are not supposed to eat fish from
2 the St. Louis River and adults are to limit
3 consumption. For more than a decade,
4 mercury concentrations in the St. Louis
5 River have exceeded the band's human health
6 standard. These conditions are a failure
7 and they're unacceptable. Any further
8 increase in pollution, knowing what we know
9 from experience and from expert analyses of
10 the project, is not only unacceptable, it's
11 illegal and it flies in the face of
12 environmental justice principles and treaty
13 rights that we purport to prioritize.

14 We must uphold our treaty
15 obligations by upholding the Clean Water Act
16 that protects downstream states from
17 upstream pollution that also grants tribal
18 authority to veto condition or deny federal
19 permits affecting water quality and tribal
20 treaty rights to hunt, to fish, and to
21 gather. Thank you for this opportunity to
22 speak.

23 CALLER 4406: Thank you, sir.
24 My name is Kyle Makarios, M-A-K-A-R-I-O-S.
25 I'm a member of Carpenters Local 322. I

1 live in St. Paul, Minnesota. I share
2 President Biden's goal of aggressively
3 fighting climate change and support his
4 Build Back Better proposals. One serious
5 threat to achieving the president's goals
6 however is a massive world wide shortage of
7 the critical minerals needed to actually
8 build the charging stations, grid
9 improvements, electric car batteries, wind
10 towers, and solar panels that we need to
11 make it happen.

12 In June of last year, the White
13 House released a report entitled Building
14 Resilient Supply Chains, Revitalizing
15 American Manufacturing, and Fostering Broad-
16 Based Growth. The report lists copper,
17 nickel and cobalt as critical metals and
18 states, quote, as demand for clean energy
19 technology increase over the short and
20 medium term, an increased supply of critical
21 minerals and materials will be necessary to
22 meet national and global climate goals.

23 This is good news for Minnesota,
24 which sits on top of the world's largest
25 untapped reserves of these minerals. In

1 fact, the Duluth complex holds about 95
2 percent of our country's nickel, 88 percent
3 of our cobalt, 75 percent of platinum group
4 metal, and about a third of the nation's
5 copper.

6 One of the most significant
7 contributions Minnesota can make despite the
8 climate crisis is by leading the world in
9 the responsible production of copper,
10 nickel, cobalt, and other critical minerals.
11 Renewable and electric vehicle technologies
12 consume these metals at roughly five times
13 the rate of conventional technologies. Yet
14 today, none of these resources have been
15 developed.

16 Fortunately, Polymet mining has
17 received all of their permits to begin
18 mining these critical minerals as soon as we
19 can get passed the huge load of legal
20 challenges posed by those that fight mining
21 at any cost. Polymet mining is proposing to
22 reuse an existing industrial site and
23 tailings basin that was abandoned by Ltd.
24 Steel in the mid '90s.

25 The tailings basin is currently

1 leeching water into the headwaters of the
2 Embarrass River with high sulfate levels.
3 Fortunately, Polymet is proposing to fix
4 this problem and improve the water quality
5 downstream from its site. It will install a
6 cut-off wall and a collection trench between
7 the existing basin and the Embarrass River
8 headwaters. The system will collect run-off
9 and ensure that the only water released
10 downstream will be through its waste water
11 treatment system. These improvements and
12 Polymet's project as a whole will help clean
13 up the St. Louis River at the same time as
14 it provides the minerals that are critical
15 to cleaning up our global environment.

16 In fact, Polymet's project will
17 remove about 1,400 metric tons of sulfate
18 from the Embarrass River watershed and will
19 reduce the amount of mercury in the St.
20 Louis River. These are conclusions reached
21 by the Minnesota Pollution Control Agency
22 during the EIS process. I trust the Army
23 Corps of Engineers will evaluate the year's
24 long work done by the Pollution Control
25 Agency and encourage you to reinstate the

1 404 permit. Thank you.

2 CALLER 8890: My name is Paula
3 MacCabee, M-A-C-C-A-B-E-E. I'm the advocacy
4 director and council for Water Legacy.
5 Water Legacy uses science, law and
6 organizing to defend water quality, human
7 health, climate, and environmental justice.
8 Water Legacy supports the objection of the
9 Fond du Lac Band of Lake Superior Chippewa
10 to the Army Corps Polymet 404 permits. We
11 also agree with the recommendations of the
12 US EPA.

13 This hearing is about the water,
14 water from the headwaters of the St. Louis
15 River to Lake Superior. The Polymet/Glencore
16 copper-nickel mine will adversely affect
17 water quality on the Fond du Lac Band
18 reservation. The Polymet permits will cause
19 or contribute to violations of the band's
20 .77 nanograms per liter numeric water
21 quality standard for mercury. The Polymet
22 permit will cause or contribute to
23 degradation of the band's reservation waters
24 for specific conductance pollution that
25 kills aquatic life. The Polymet permit must

1 be revoked under Section 401 of the Clean
2 Water Act. This law states that if
3 imposition of conditions cannot ensure
4 compliance with the water quality
5 requirements of the downstream state, the
6 agency shall not issue such license or
7 permit. No conditions could protect
8 reservation water from Polymet sulfide mine
9 pollution.

10 How did we get here? First,
11 environmental review is deeply flawed.
12 Polymet assumed that no existing LTV
13 tailings pollution would be remediated
14 without a new mine. Nonsense.

15 Polymet then assumed with no
16 real world evidence nearly perfect
17 collection of contaminated seepage.
18 Water Legacy objected. Tribe objected. But
19 no evidence was required by any agency.
20 Polymet failed to model how sulfate and
21 mercury seepage would pollute wetlands and
22 how dewatering and rewetting wetlands would
23 increase methylation of mercury. Water
24 Legacy objected. Tribe objected. But no
25 data was required by any agency.

1 The Minnesota Pollution Control
2 Agency and Trump EPA appointees circumvented
3 the law to withhold EPA's written comments
4 on Polymet's NPDES permit. This scheme
5 concealed EPA's conclusion that the Polymet
6 permit would violate the Clean Water Act.
7 The Army Corps did not know about EPA's
8 comments when it approved Polymet's Section
9 404 permit. Those EPA comments (inaudible)
10 (warning signal) said that Polymet's permit
11 would insufficiently control mercury and
12 comply with the downstream Fond du Lac Band
13 Band's water quality standards.

14 Today, Water Legacy is grateful
15 for the leadership of the Fond du Lac Band
16 and for the renewed integrity of the US EPA.
17 We are persuaded that the overwhelming rate
18 (warning signal) of scientific expertise
19 requires that the Section 404 permit must be
20 revoked. We respectfully ask the Army Corps
21 of Engineers to revoke this permit for the
22 Polymet/Glencore mine. Thank you.

23 CALLER 7330: Thank you,
24 Colonel. Good afternoon. My name is Brian
25 Hanson, H-A-N-S-O-N. I'm the board chair of

1 Jobs for Minnesotans. Thank you for the
2 opportunity to speak. Jobs for Minnesotans
3 is a unique and nonpartisan coalition. We
4 bring together labor unions, businesses, and
5 local communities. We represent over 70,000
6 members of building trades, 2,300 members of
7 the Minnesota chamber, and 500,000
8 Minnesotans that they employ, along with
9 hundreds more local chamber members, mayors
10 and residents of our state.

11 Mining has been the life blood
12 of this region for over 130 years supporting
13 workers and communities with safe family
14 sustaining jobs. Mining has existed in
15 harmony with our other core industries
16 including forest products, transportation,
17 health care, education, and tourism. It's
18 existed all while protecting the
19 environment.

20 The Polymet project is no
21 different. They proved they can both safely
22 mine for minerals and protect the
23 surrounding environment. For 15 years this
24 project has been studied. Thorough -- and
25 through its scientific environmental impact

1 statement, the DNR found that the project
2 will leave the St. Louis River with lower
3 mercury and sulfide levels than how they
4 found it.

5 When the federal and state
6 Co-lead Agencies reviewed the evidence prior
7 to publishing the Final EIS and issuing
8 permits, they concluded the same; that the
9 project would not violate the band's water
10 quality standards. The band has not been
11 able to present any evidence since then,
12 including at this hearing that calls for a
13 different conclusion. The federal
14 government's reopening of decisions that
15 have already been made and extending what
16 has already been an extremely long
17 environmental review, permitting and
18 litigation process appears to be a direct
19 attack on mining.

20 Ironically, this all comes at
21 the same time that the Biden administration
22 is seeking to expedite domestic mining and
23 processing critical minerals such as those
24 that the Polymet project will produce for
25 clean energy technologies.

1 I urge the Corps to reissue the
2 Section 404 wetlands permit for the Polymet
3 project as soon as possible. The
4 communities can't wait any longer for the
5 needed investment in this region. The
6 warming climate can't wait for us to source
7 these minerals from somewhere else across
8 the world.

9 Polymet has proven it can mine
10 safely and it's time to end this circular
11 process and allow the project to move
12 forward. Science is clear. You can't keep
13 spinning the wheel hoping for a different
14 answer. Thank you.

15 CALLER 1764: (No response.)

16 CALLER 1280: My name is Mike
17 Garramone, G-A-R-R-A-M-O-N-E. I'm a very
18 concerned citizen here. I'm expressing my
19 voice in favor of the water permit 404
20 being reinstated. I hope that your
21 decision is based on facts, not on may or
22 could or possibly can. Based on facts.
23 There's also a need for urgency to get this
24 mine up and running. It will take 18
25 months to 2 years to get the plant ready.

1 Do we as a country have that kind of time?
2 There's a mineral called titanium which we
3 import into our country, and we import it
4 from Russia. And I hope that we're not
5 importing anything from them. But minerals
6 are mined in South Africa, Mozambique,
7 Kenya, Ukraine, and India. They're the
8 biggest exporters of titanium. And our A10
9 Warthog uses what it is called a titanium
10 bathtub cockpit, withstands a hit from a 23
11 millimeter cannon, protects the pilot.
12 Now, titanium is one of the many minerals
13 that are much needed in the protection of
14 the United States. Well, Polymet will be
15 mining much needed minerals also. I'm
16 actually surprised that the Department of
17 Defense doesn't take charge of this and
18 push this through.

19 My question to the EPA, the Fond
20 du Lac Band of Lake Superior Chippewa, all
21 the lawyers and agencies dragging their
22 feet, can you guarantee we will be here in
23 18 months to a year? Thank you. That's
24 it.

25 CALLER 1445: I'm

1 Dr. Kris Wegerson, K-R-I-S W-E-G-E-R-S-O-N.
2 I practice medicine in Minnesota and
3 Wisconsin. I belong to the Minnesota
4 Academy of Family Physicians and served on
5 its Board of Directors from 2015 to 2017. I
6 speak in favor of revoking the suspended
7 Army Corps of Engineers Clean Water Act
8 Section 404 permit in question. The Polymet
9 project will violate the Fond du Lac Band
10 Band's numeric and narrative water quality
11 standards by increasing sulfate and mercury
12 loading thereby increasing methylmercury
13 concentration which will deleteriously
14 affect fish, wildlife and band members.
15 Increasing methylmercury exposure is the
16 primary problem.

17 I was practicing medicine and
18 delivering babies in Duluth, Minnesota when
19 I received a letter in early 2012 from the
20 Minnesota Department of Health. It detailed
21 a study of 1,465 infants born from 2008 to
22 2010 in the Lake Superior basin of
23 Minnesota, Wisconsin and Michigan. The
24 study measured mercury levels in blood
25 samples. 10 percent of the Minnesota

1 newborns had levels of mercury above the
2 EPA's toxic levels. I was astonished and
3 alarmed and had kept that letter. I
4 wondered if any of the babies I had
5 delivered and the infants I was caring for
6 had elevated mercury levels. The samples
7 were made anonymous so I would never know.
8 The Minnesota Department of Health included
9 information with a letter stating, and I
10 quote, exposure to mercury may have
11 developmental consequences for fetuses,
12 infants and young children. Methylmercury
13 exposure from maternal fish consumption can
14 adversely affect the fetal brain and nervous
15 system. Impacts on cognition, memory,
16 attention, language, fine motor and visual
17 and spatial skills have been seen in
18 children exposed to methylmercury in utero.
19 There's no treatment other than limiting
20 further exposure, unquote.

21 I still wonder about these
22 children who would be 12 to 14 years old now
23 and coming of age. Do they have
24 developmental and mental health disabilities
25 and how severe are they?

1 Because of my concerns, I
2 started working with a group of health care
3 providers who were concerned about the
4 health impacts of copper-nickel mining in
5 Minnesota. We submitted comments on the
6 Polymet SDEIS with our concerns. We met
7 with the commissioners of Minnesota DNR,
8 Minnesota Department of Health, and MPCA,
9 and Governor Dayton's staff and worked for
10 nearly three years to get health impacts
11 included in the SDEIS. We were denied. We
12 petitioned the Minnesota Environmental
13 Quality Board to amend state statutes to
14 include health impacts in the development of
15 EISs and EAWs. This has never been voted
16 on.

17 The entire St. Louis River
18 watershed is impaired for mercury. There
19 are fish consumption advisories from its
20 headwaters to the estuary. Increased
21 loading of sulfates, mercury and
22 methylmercury from the Polymet project will
23 only exacerbate known harms to human health.
24 It will violate the Fond du Lac Band Band's
25 water quality standards, adversely affect

1 treaty protected resources and rights in the
2 seeded territory and negatively affect
3 cultural resources including wild rice. Our
4 greatest natural resource is our human
5 capital. We must protect the health of Fond
6 du Lac Band members and the human community
7 at large. Thank you.

8 CALLER 3559: Good evening.
9 Thank you for having me tonight. My name is
10 Ryan Sisted. I'm the executive director of
11 Better in our Back Yard. Better in our Back
12 Yard's mission is to promote responsible
13 industrial development in northern
14 Minnesota. And, again, I thank you for the
15 opportunity to speak tonight in support of
16 Polymet's NorthMet project.

17 As someone that lives in
18 northeast Minnesota, I'm grateful that we
19 have good community partners like Polymet
20 that are willing to invest heavily in the
21 region despite an uncertain permitting
22 process. In every step of the way, Polymet
23 has proven that they can mine safely and
24 responsibly. It's clear that after
25 Tuesday's arguments, Polymet's water

1 treatment facility and process will have a
2 net positive impact on the downstream water
3 quality. Between supply chain issues
4 created by the pandemic and the crisis in
5 Ukraine, it's become embarrassingly obvious
6 how vulnerable the US supply chain is when
7 it comes to domestic sources of critical
8 minerals. And Polymet would be one heck of
9 a start to turn that around in a region that
10 deserves it.

11 Over the past 40 years
12 communities on the Iron Range have seen
13 significant population drops. Communities
14 that include Hoyt Lakes in Gilbert,
15 Minnesota have seen population drops in
16 excess of 20 percent while the rest of
17 Minnesota have seen a population increase of
18 25 percent during that same time period.
19 This is unsustainable for northeast
20 Minnesota communities, and it doesn't have
21 to be that way.

22 Once running, Polymet will
23 provide nearly 1,000 jobs that on average
24 pay in excess of \$90,000 a year. Between
25 having a net positive impact in a local

1 environment creating good paying union jobs
2 bring in a huge private investment into a
3 region that desperately needs it all the
4 while providing a reliable domestic source
5 of minerals critical to the US national
6 security and renewable energy technologies.
7 What's not to like about the NorthMet
8 project?

9 Those on the call tonight who
10 advocate for an increase in renewable energy
11 technologies should also advocate for the
12 minerals in wind turbines, solar panels and
13 electric vehicles that they advocate so
14 passionately for. To start, in Minnesota by
15 skills (inaudible) and labor under the most
16 strict environmental standards in the world
17 in an area that has been mining for over 130
18 years. I strongly encourage the US Army
19 Corps to reinstate Polymet's Section 404
20 wetlands permit. Thank you for letting me
21 speak tonight.

22 CALLER 0029: My name is Eda
23 Rukavima, R-U-K-A-V-I-M-A. Thank you for
24 the opportunity the speak tonight on behalf
25 of science. I'm the executive director of

1 the Range Association and Municipalities and
2 Schools known as RAMS. RAMS represents more
3 than 78,000 residents and 60 public sector
4 units of government, including 26 cities, 15
5 public school districts, and over 20
6 townships in northeastern Minnesota. As an
7 organization, RAMS has represented the
8 interests of the Iron Range region for over
9 80 years and we have been mining here for
10 over 130 years.

11 We have a real opportunity in
12 front of us to mine minerals needed to
13 combat climate change and take
14 accountability for our consumption of these
15 minerals right here at home instead of
16 shouldering this responsibility on foreign
17 nations with little environmental or worker
18 protections. We can help do this through
19 the Polymet NorthMet project.

20 Polymet's plan for the NorthMet
21 project underwent the most extensive
22 environmental review in Minnesota history.
23 We trust that review. Again, throughout
24 this hearing, Polymet's scientific records
25 collected for more than 15 years has proven

1 that we can mine these minerals in a safe
2 way, safe for the surrounding environment
3 and water bodies and safe for our Iron Range
4 in northeastern Minnesota communities.

5 There has not been any evidence
6 provided to suggest that this project will
7 have a negative impact on water quality
8 during the EIS and permitting process nor
9 has there been any new evidence to that
10 affect at this hearing.

11 Furthermore, if we look to do
12 the least impact possible, this is on the
13 former mine site. So it is, in effect, a
14 very large reduced project. Minerals mined
15 at NorthMet, copper and nickel et cetera,
16 are critical to renewable energy
17 infrastructure.

18 Domestic nonferrous mining is
19 essential to a sustainable future. This
20 project will create 360 full-time jobs,
21 1,000 jobs in supporting industries,
22 2 million construction hours, and over
23 515 million annual boost to St. Louis
24 counties' economy. The science is clear.
25 The Co-lead Agencies that signed off on the

1 Final EIS agree that the Polymet project
2 will actually reduce both mercury and
3 sulfate in the St. Louis River.

4 It's now time for the Section
5 404 wetlands permit to be reinstated for the
6 Polymet project. Thank you for your time.
7 I'm done.

8 CALLER 7345: Good evening. My
9 name is Makala Mellesmoen,
10 M-E-L-L-E-S-M-O-E-N. I'm a field scientist
11 with Northeast Technical Services in
12 Virginia, Minnesota. I grew up on the Iron
13 Range and I've recently moved back following
14 the graduation from college.

15 Polymet's plan for the NorthMet
16 project underlines the most expensive
17 environmental review in Minnesota's history.
18 The Fond du Lac Band did not provide any
19 evidence to suggest that the project would
20 have a negative impact on water quality
21 during the environmental impact statement
22 and permitting process nor did they provide
23 any new evidence during this hearing.

24 The Minnesota Court of Appeals
25 upheld that the MPCA's conclusion that

1 Polymet's project had no reasonable
2 potential to violate water quality
3 standards. The Court also agreed with
4 MPCA's finding that Polymet's project will
5 not violate the Fond du Lac Band Band's
6 water quality standards. I trust the
7 environmental review process that has been
8 conducted and the Section 404 wetlands
9 permit should be reinstated. Thank you.

10 CALLER 6672: (No response).

11 CALLER 7680: Good evening. My
12 name is Sophia Patane, P-A-T-A-N-E. I live
13 in Woodbury, Minnesota between the
14 Mississippi and St. Croix Rivers. In my
15 work as a community organizer and
16 communication specialist, I have witnessed
17 how the flow of a river defines the health
18 and well-being of communities. Wendal
19 Berry said it best. Do onto those
20 downstream as you would have those upstream
21 do onto to you.

22 Much like towns or cities, our
23 watersheds are ecological communities that
24 are strongest only when the myriad of
25 species that call them home are protected

1 from harm. Recognition of these ecological
2 communities combined with thoughtful multi-
3 generational stewardship of Minnesota
4 waters is the only reason why we can enjoy
5 lake and river experiences that other
6 states dream of.

7 We can look to the example set
8 by the Fond du Lac Band and the other
9 sovereign tribal nations and American
10 leaders like the late former vice president
11 Walter Mondale. It would be a grave
12 mistake and a violation of everything that
13 generations past and present have worked to
14 protect if the Section 404 wetlands
15 destruction permit issued to Polymet is
16 upheld.

17 Minnesota prides itself on the
18 abundance of water, but we need to reflect
19 on our state's internalized hubris that
20 these waters will always be clean and
21 healthy no matter what we throw, drain,
22 discharge or bury in them.

23 This hearing is a critical
24 chance for the federal government to make
25 the right choice for future generations.

1 Destroying almost 1,000 acres of carbon
2 storing wetlands would be an irreversible
3 step backwards at a critical time for our
4 climate. An increase in toxic methyl-
5 mercury bioaccumulation in fish at the
6 headwaters of the St. Louis River would
7 disproportionately impact band members'
8 culture, practices and nourishment.

9 By exercising the right to
10 object to this permit, the Fond du Lac Band
11 has continued to steward the St. Louis
12 River and Lake Superior watershed in
13 addition to protecting their band members
14 from toxic mercury pollution.

15 I urge the Army Corps of
16 Engineers to uphold the integrity of the
17 Clean Water Act and make a decision in
18 accordance with the science that has lead
19 to this historic hearing. And that science
20 shows the only way to protect watersheds
21 and prevent violation of the Fond du Lac
22 Band Band's standards as a sovereign nation
23 is to revoke and not reissue the Polymet
24 wetlands destruction permit. Thank you for
25 your time.

1 CALLER 5727: Greetings. My
2 name is Andrew Slade, S-L-A-D-E. I live in
3 Duluth, Minnesota. I'm the Great Lakes
4 program director for Minnesota
5 Environmental Partnership, or MEP, of our
6 Duluth office. I'm speaking today on
7 behalf of MEP, which is a statewide
8 coalition of more than 70 environmental and
9 conservational organizations. MEP has been
10 engaged for many years in the issue of
11 mercury in the St. Louis River. We
12 commissioned our own report, which will be
13 submitted for the record. We have
14 advocated for the St. Louis River mercury
15 TMDL for many years and have supported
16 funding for it in the Minnesota
17 legislature. That TMDL is based on the
18 data that shows there's already too much
19 mercury in the St. Louis River and in the
20 fish tissue.

21 The MEP Mining Cluster is an
22 informal group of 16 Minnesota nonprofit
23 environmental organizations that have
24 followed northeastern Minnesota mining
25 issues closely for over 12 years. This is

1 a close-knit group that has shared their
2 research and strategies extensively. Many
3 of the Cluster members and groups are
4 actually providing their own comments
5 today. Cluster members know from their own
6 extensive experience, including citizen
7 sampling all along the river, that there's
8 already too much mercury not only in the
9 water of the river but also in the fish
10 and, finally, in the infants that are born
11 in the Lake Superior watershed.

12 Dr. Wegerson earlier just
13 reminded us that in late 2011, the
14 Minnesota Department of Health released its
15 own study about levels of mercury in the
16 blood of infants born in the Lake Superior
17 watershed. Studies showed that 10 percent
18 of the infants in the Minnesota portion of
19 the watershed had mercury levels that
20 exceeded health limits. That means a total
21 of nearly 120 babies in this one year from
22 around Lake Superior based an uncertain
23 future due to contaminants their mothers
24 ingested and passed on to them. Levels of
25 mercury are even higher in Lake Superior's

1 indigenous communities. Where does that
2 mercury come from? We're not sure but
3 signatures point clearly to the mining
4 industry.

5 Unlike many scientific studies
6 that disappear in journals, this one
7 triggered an immediate wave of concern.
8 The MEP Mining Cluster was inspired by this
9 report to take a much deeper action, much
10 more focused on public health than we've
11 ever had before.

12 The impact to mercury
13 contamination from mines is a clear issue
14 of environmental injustice. We understand
15 from our research the important role of
16 sulfates in mercury contamination. It's
17 critical to put the mercury issue in the
18 context of sulfates. I believe the EPA's
19 report does that well.

20 Polymet's mine pollution and
21 wetlands destruction will certainly
22 increase mercury contamination downstream.
23 (Warning signal) The Cluster members
24 support the sovereignty of the Fond du Lac
25 Band and join their call to the Army Corps

1 to revoke the 404 permit and not to reissue
2 it. Although we haven't reviewed the whole
3 recommendations from the other day, we
4 believe there's no (inaudible) conditions
5 the Corps could add to the permit to
6 prevent downstream impact. 16
7 organizations in the Mining Cluster would
8 stand in solidarity and ask the EPA to
9 follow the recommendations and revoke the
10 permit. Thank you.

11 CALLER 9962: My name is Bruce
12 Johnson, J-O-H-N-S-O-N. I'm a retired
13 environmental scientist with over 30 years
14 of experience in Minnesota. Much of this
15 time I have researched and regulated water
16 quality and toxicology impacts from weather
17 in the Duluth dissolution -- Duluth
18 complex, waste rock and tailings from
19 northeast Minnesota.

20 Since '76, extremely elevated
21 major iron releases from the Duluth complex
22 leech aids have been well documented using
23 specific inductance. Specific inductance
24 leech aids are conservatively resulting in
25 no attenuation from environmental chemical

1 interactions which might reduce impacts.
2 Numerous US EPA studies of drainages from
3 Appalachian coal fields used specific
4 inductance to assess osmotic impacts from
5 excessive major ions to sensitive
6 invertebrate species.

7 In 2015 using open source data,
8 I compared the invertebrate impacts in
9 chemically similar waters found in
10 Minnesota (inaudible) in equal regions 50N
11 and 50P. I found that impacts sensitive
12 invertebrates from the elevated
13 conductivities similar to US EPA's coal
14 field findings. US EPA has reviewed a
15 report using separate data and has made
16 similarly determinations for the entire
17 ecoregion 50 in Minnesota. Elevated
18 specific conductivities and aquatic
19 toxicant, which exceeds 300 microsiemens
20 per centimeter, impairs osmotic balance of
21 sensitive invertebrates resulting in the
22 extrication in Minnesota ecoregion 50.
23 Sensitive species extrication further
24 impairs the areas of natural food web.

25 Significant flood plain wetlands

1 exist along the St. Louis River. In 2016,
2 the St. Louis River stressor report
3 documented existing elevated and extremely
4 elevated specific conductivities within the
5 tributaries and reaches of the river from
6 numerous anthropogenic sources. Neither
7 the Polymet FEIS, nor the Army Corps ROD,
8 nor the MPCA Section 401 certification
9 assessed the effect of Polymet's specific
10 inductance releases to the St. Louis River
11 and the Fond du Lac Band reservation.
12 Therefore, none of these documents can
13 demonstrate protection of the river, its
14 flood plains, or the reservation from
15 degradation by Polymet's specific
16 (inaudible, warning signal) indoctrinate
17 discharges nor have they demonstrated to be
18 protective of sensitive aquatic species. I
19 will provide more details in my written
20 comments. Thank you.

21 CALLER 2694: My name is Dan
22 Snidarich, S-N-I-D-A-R-I-C-H. I'm a proud
23 member of International Unit Operating
24 Engineers Local 49 and have been for 24
25 years. I also have the privilege to be a

1 business rep for the Operating Engineers
2 Local 49. I'm also the treasurer for Iron
3 Range Building and Trades Council. I live
4 in Angora, Minnesota. I'm 45 miles away
5 from the Polymet site.

6 I would like to ask the Corps of
7 Engineers to reinstate the 404 wetlands
8 permit since I believe the band has failed
9 to prove that Polymet would negatively
10 impact the St. Louis River 100 plus miles
11 downstream.

12 Polymet has a wastewater plant
13 and a plan to address those situations.
14 This project has been debated since my kids
15 have been tiny children. And now as we sit
16 here and have this discussion tonight, I'm
17 about a month away from my youngest son's
18 graduation from high school and hopefully
19 soon to be an operating engineer.

20 I support this project for the
21 jobs and the opportunities for the local
22 areas and communities that we live in. The
23 boost of this project is huge for all of us
24 in northern Minnesota. I believe Polymet
25 has proven that they can build this project

1 safely, environmentally sound, and they
2 have shown to be good stewards of our local
3 communities in northern Minnesota.

4 We also need these metals in
5 today's world. We have them here. We have
6 the track record in Minnesota to mine these
7 minerals safely and effectively. Give us
8 the chance to do it. That's all we ask. I
9 ask the Corps to reinstate the 404 permit
10 and to allow Polymet to prove their science
11 because I live here and I believe that they
12 can do so.

13 I also ask you to consider, for
14 my son's story and for all of his friends
15 out there that are soon to graduate from
16 high school in these different area
17 communities that we all live in, to give
18 those young men and women the opportunities
19 to have good paying jobs with benefits in
20 these areas and communities so we don't
21 lose more people down the road because they
22 have to move away to find good paying jobs
23 in metro areas because we can't accommodate
24 them where we live here.

25 Thank you for your time and

1 please reinstate the 404. We can't keep
2 contesting all the jobs that Iron Rangers
3 do and can do. Thank you for your time.

4 CALLER 9823: My name is Joe
5 Fowler, F-O-W-L-E-R. Thank you for taking
6 the time to hear me. As I said, my name is
7 Joe Fowler. I'm the president of the
8 Minnesota Building & Construction Trades
9 Council. We represent more than 70,000
10 union construction professionals who live
11 and work in Minnesota. Among our
12 priorities is growing the union jobs that
13 support our Minnesota communities, support
14 the investment and building and
15 transportation, energy and water
16 infrastructure, while developing
17 Minnesota's current (inaudible) work force
18 with intentionality and providing career
19 opportunities for (inaudible).

20 I respectfully request that the
21 US Army Corps of Engineers reinstate the
22 Section 404 wetlands permit for the Polymet
23 NorthMet project. There is no question
24 that this is one of the most studied
25 projects in Minnesota's history, and we

1 should be building it right now as we speak
2 helping to secure our nation's energy
3 future, clean energy future.

4 The permits now in question were
5 granted already after the project completed
6 what was the most extensive environmental
7 review in Minnesota's history. This review
8 concluded scientifically that the project
9 would not have any material impact,
10 negative impact, on downstream water
11 quality. In fact, that environmental
12 review that we're all discussing here
13 concluded that the project would actually
14 improve the water quality in the St. Louis
15 River by treating the water that is
16 currently entering it.

17 These hearings over the last few
18 days have already and will continue to show
19 that no evidence has been provided
20 contradictory to the findings of that EIS
21 study. So the basis of the complaint is
22 not supported and should not be supported.
23 This means that the permit that was granted
24 in 2019 should stand and must be
25 reinstated.

1 Let's finally build the Polymet
2 mine and with some urgency as there is a
3 desperate need to source critical minerals
4 for the clean energy transition in safe
5 ways, both safe for the environment and
6 safe for our professional and well-trained
7 workers including our members instead of
8 overseas in countries like India, China,
9 Russia, and in the Congo that is being done
10 by workers, including children, who do not
11 have worker protection rights or the
12 stringent environmental standards that we
13 have here in Minnesota. Thank you.

14 CALLER 2717: My name is Teresa
15 Appelwick, A-P-P-E-L-W-I-C-K. I'm the
16 president of Laurentian Chamber of
17 Commerce. I'm here to speak in favor of
18 the Polymet NorthMet project. Thank you
19 for allowing us to make these comments.

20 The Laurentian Chamber
21 represents the business interests of
22 northeastern Minnesota's Mesabi Iron Range.
23 I serve a collective community of several
24 hundred businesses. It's thousands of
25 employees and approximately 25,000

1 residents. We support responsible
2 nonferrous mining projects in Minnesota.

3 In 2014, the Laurentian Chamber
4 signed a resolution in favor of the
5 NorthMet project and we remain committed to
6 that stance. Based on the project scope,
7 we ask the Corps to maintain the project's
8 wetlands permits on the basis that Polymet
9 has provided a solution to water quality
10 concerns by creating a process that will
11 remediate legacy pollution from the former
12 LTV mining site where Polymet resides, as
13 well as to arrive at solutions for the
14 NorthMet -- for the new project.

15 For more than 130 years,
16 northeastern Minnesota has proudly provided
17 our country with unmatched and natural
18 resources allowing for us to drive the best
19 cars, provide for national and world
20 defense, and build literal cities. As the
21 saying goes, we cannot control where the
22 resources are. What we can control is the
23 advanced process that will be used to
24 extract the critical resources and the
25 commitment to environmental stewardship

1 inherent in modern day mining in Minnesota.

2 Over the course of those 130
3 years of mining, where other Minnesota
4 watersheds have degraded the watershed --
5 excuse me -- the watershed our mining
6 districts lie within remain at high
7 quality. Exhaustive scientific research
8 shows that constructing and operating the
9 Polymet project will improve downstream
10 water quality. It's worth mentioning at
11 the time of the initial resolution in
12 support of this project, it was stated that
13 the Minnesota DNR Army Corps of Engineer
14 and the US Forest Services' Supplemental
15 Draft Environmental Impact Statement
16 document, the SP EIS, has thoroughly
17 evaluated water quality impact and has
18 shown the project will not cause an
19 exceedance of aquatic life water quality
20 standards. The science hasn't changed and
21 continued research affirms that statement.

22 We cannot ignore the economic
23 irresponsibility caused by not permitting
24 the project. Already Polymet has surpassed
25 more than a half billion (warning signal)

1 dollars of investments in our region.
2 Polymet expects an additional \$1 billion to
3 build their facilities providing 2 million
4 construction hours through the Project
5 Labor Agreement with local trades.

6 The Laurentian Chamber asks for
7 the reinstatement of Polymet's (warning
8 signal) Section 404 permit and the
9 anticipated economic impact of the
10 permitted project under construction. We
11 will submit the rest of our comments off
12 line.

13 CALLER 6164: Thank you. My
14 name is Scott Russell, R-U-S-S-E-L-L. I
15 would like to add my voice to those that
16 are asking the Army Corps of Engineers to
17 revoke and not reissue Polymet's permit for
18 the mine. Fond du Lac Band is downstream
19 and you must revoke the permit to comply
20 with the Clean Water Act. We need to
21 respect tribal sovereignty and treaty
22 rights.

23 I agree with a lot of what has
24 been said. Just to add something new, I
25 don't buy that you can destroy 1,000 acres

1 of wetlands and de-water other thousands of
2 acres and wetlands and build the mine and
3 end up with clean water. That just seems
4 like magical thinking.

5 Others have mentioned the
6 St. Louis River. It's already suffering
7 from pollution problems in 2020. The EPA
8 committed \$4.5 million to remediate the St.
9 Louis River's contaminated sediments. And
10 this year the EPA announced it would invest
11 \$1 million from the infrastructure bill for
12 the Great Lakes areas of concerns, which
13 also includes cleaning up the St. Louis
14 River.

15 For decades, the St. Louis River
16 alliances worked with the state, tribal and
17 federal agencies to delist the St. Louis
18 River by 2025. So it just begs the
19 question why put all this time, energy and
20 money into river cleanup if we are just
21 going to approve projects like Polymet that
22 repollute the area. Thank you very much.

23 CALLER 8335: Hi. My name is
24 Carl Sack, S-A-C-K. I am a resident of
25 Duluth, Minnesota. And as such, I live

1 downstream of the reservation and
2 downstream of Polymet's proposed NorthMet
3 project along with well over 100,000 other
4 downstream water users. Water is a
5 precious resource, far more precious than
6 the minerals Polymet would take out of the
7 ground. If you don't believe me, you only
8 have to look at what's going on out west
9 with Lake Powell and Lake Meade at record
10 low levels, (inaudible) water everywhere
11 due to climate change. And that's only
12 going to worsen over time.

13 We all owe a great debt of
14 gratitude to the Fond du Lac Band of Lake
15 Superior Chippewa for standing up for our
16 clean water for our grandkids and the next
17 seven generations (inaudible) for their
18 treaty rights and our right to clean water.

19 This is the most dangerous form
20 of mining that's ever been proposed for our
21 region and (inaudible) sulfide
22 mining (inaudible, silence) a wetland
23 environment such as ours without pollution.

24 If Polymet's promises to not
25 pollute were true, they would have no

1 objection to approve a first mining law
2 that would need to show an example of such
3 a mine that has not polluted before a
4 permit could be issued.

5 Some mine supporters today have
6 said that these issues are not new, that
7 the time for the band concerns to be
8 addressed was during the permitting
9 process. I couldn't agree more. I agree
10 with them. But during that process, the
11 Fond du Lac Band's sovereignty was ignored.
12 The band's science was ignored by the DNR
13 and the MPCA over and over and over again.
14 Do not continue to ignore the band's
15 sovereignty and their legal rights to
16 treatment of state status under the Clean
17 Water Act. Don't buy Glencore's lies about
18 treating water and not polluting. Respect
19 the band's sovereignty. Follow the law and
20 please permanently deny these permits.
21 Thank you.

22 CALLER 9679: The science
23 adviser to the EPA recommends that the Army
24 Corps of Engineers not reinstate the
25 wetlands permit for Polymet. Their

1 discharge violates the Fond du Lac Band
2 Band's downstream water as it federally
3 approved their right to quality standards
4 and is a sovereign nation. The Fond du Lac
5 Band has the authority of a downstream
6 state under the Clean Water Act. The
7 discharge from Polymet would not meet those
8 values. I therefore ask that you reject
9 the permits for Polymet mining. This is
10 Ruth Paradise, P-A-R-A-D-I-S-E, a resident
11 of Golden Valley.

12 This is about the safety and the
13 food of the people of the Fond du Lac Band
14 tribes. And short-term gains do not
15 justify long-term harm. As we see in all
16 climate change and problems, we are going
17 into a period where we have to be very
18 cognizant of not doing short-term gains for
19 long-term harm. Thank you.

20 CALLER 9413: This is Dave Oram.
21 Last name is O-R-A-M. I'm calling in
22 support of the Polymet company and support
23 of the Army Corps of Engineers. I believe
24 they did their job. I believe Polymet did
25 their job. I hope they will restore their

1 permits.

2 I've worked in heavy industry
3 for 37 years. I know how it is to respect
4 our neighbors and respect the environment.
5 I hope that the people understand that the
6 downstream water will not be affected.
7 Thank you very much for this kind
8 opportunity to comment.

9 CALLER 6672: My name is Kirk
10 Ilenda, I-L-E-N-D-A, with Lakehead
11 Constructors. I'm a resident of Superior,
12 Wisconsin living very close to the St.
13 Louis Bay where the St. Louis River ends.
14 I also have a family cabin in Isabella,
15 Minnesota where we drive by the Seven
16 Beaver Lake, the headwater for the
17 St. Louis River. So I have a very vested
18 interest in this project and in the safety
19 of the river.

20 Further, I'm also on the Board
21 of Directors for Better in Our Background
22 and the Association of General Contractors
23 of Minnesota.

24 I support Polymet as a
25 responsible nonferrous mining project and

1 ask the Corps to reinstate the project's
2 wetland permit based on the grounds that
3 the NorthMet project will not impact
4 downstream water quality.

5 I have been following the
6 NorthMet project for nearly 20 years, and
7 the Polymet team and countless
8 consultants -- these are true professionals
9 and I believe in their findings and the
10 science to justify these permits. The
11 science does back this project and has
12 shown Polymet will not negatively impact
13 the St. Louis River.

14 All of us that live and work in
15 northern Minnesota, we're all good stewards
16 of our environment. We know what is best
17 for our environment. And, of course, we do
18 want responsible development. We spend a
19 lot of our free time enjoying our lakes and
20 rivers. We all boat and fish on the
21 St. Louis River.

22 As far as the US economy, as our
23 country moves more towards electric
24 vehicles and renewable energy, it's all of
25 our interest as Americans that we are

1 independent on our resources for copper and
2 nickel. We cannot rely on getting these
3 resources from unstable governments and
4 those using child labor and polluting our
5 environment.

6 Working at Lakehead

7 Constructors, we support 50 professionals
8 and over 400 full-time tradespeople. Many
9 of our employees live close in proximity to
10 Polymet and/or the St. Louis River. And
11 all of our employees truly enjoy our way of
12 life working here and enjoying these great
13 outdoors. To enjoy our sustained life in
14 northern Minnesota, we and our employees
15 rely on responsible industrial projects.
16 Our communities in northeastern Minnesota
17 need this project. We need these jobs. I
18 respectfully ask that the US Army Corps of
19 Engineers reinstate Polymet's 404 wetland
20 permit. Thank you.

21 CALLER 4048: Hi. My name is
22 Ann White, W-H-I-T-E. I live up north in
23 Afee (phonetic), Minnesota. Minnesota has
24 a long proud history of iron ore mining.
25 Sulfide ore mining for copper and nickel,

1 however, has never been attempted in our
2 state. Polymet's proposed copper sulfide
3 mine is, approximately, 12 miles south of
4 the Boundary Waters Canoe Area Wilderness.
5 This toxic mine would produce millions of
6 tons of waste rock loaded with acid mine
7 drainage containing carcinogens and heavy
8 metals such as lead and mercury. Native
9 lands must always be protected. All land
10 in Minnesota must be protected. Natural
11 land has more value than degraded land.
12 Water is gold. Water is life. Pollution
13 does not belong in our Boundary Waters.
14 Our state depends on tourism, real estate,
15 and recreation. Do not ruin the future of
16 our state economy, an environment for a
17 private corporation that will only employ
18 1,000 people. Thank you.

19 CALLER 1764: My name is Josh
20 Hegge, H-E-G-G-E. To weigh in on this
21 hearing, I'm speaking in favor of the 404
22 wetland permit. I live in Two Harbors.
23 I'm a proud union member and a business
24 agent with IUOE Local 49 representing over
25 14,000 members that live, work and play

1 here in northern Minnesota.

2 Polymet's plan for the project
3 underwent the most extensive environmental
4 review in Minnesota history. This project
5 will (audible) communities in and around
6 this project. It will create 360 full-time
7 jobs, 1,000 union trade jobs in supporting
8 industries, \$2 million construction hours,
9 515 million annual boost to St. Louis
10 County's economy.

11 The NorthMet project will have
12 only positive impacts on downstream water
13 quality with a water treatment facility on
14 site. All the work that went into the
15 review and permitting process proves that
16 there will not be a negative impact
17 downstream. I fish and swim, as do my wife
18 and kids, in the downstream waters. I
19 trust the review. I trust the process. I
20 trust the agencies that award permits. I
21 trust Polymet to meet water discharge
22 regulations that they promised.

23 The right thing here is to
24 reinstate the Section 404 wetlands permit
25 and get this project back on track so the

1 rest of us can do what we do best, work.

2 Thank you for your consideration.

3 CALLER 1418: Hi. My name is
4 Scott Lanser, L-A-N-S-E-R. I have lived
5 here all my life calling the Iron Range my
6 home. I work construction and I have been
7 involved in many projects that an upgraded
8 mine meets the latest standards and
9 emissions. With the new mine, I believe it
10 can only be built to meet or exceed today's
11 and future emissions requirements. The
12 Minnesota Pollution Control Agency assessed
13 the project and has no reasonable potential
14 to violate quality water standards.

15 Polymet will create 360 direct
16 full-time jobs and 600 new spin-off jobs
17 for Minnesota, jobs families can rely on;
18 not seasonal tourism jobs that don't supply
19 the benefits of full-time year-round well
20 paying jobs do. Thank you for your time.

21 I'm a pipefitter from Local 589
22 and would be proud to help build Polymet
23 and to help support my family, friends and
24 community with reliable jobs on the Iron
25 Range. Please reinstate 404. Thank you.

1 That's all.

2 CALLER 8633: My name is Leslie
3 Sisson, S-I-S-S-O-N. I'm a historian in
4 northeastern Minnesota and born and raised
5 in Brainerd and lived here all my life.
6 I'm here in support of the Fond du Lac Band
7 of Lake Superior Chippewa and their desire
8 to challenge and revoke 404 wetlands permit
9 for the Polymet NorthMet project.

10 Back in 2019, the DNR put the
11 cart before the horse and did not even
12 bother to discuss with the Fond du Lac Band
13 about this project and its potential impact
14 on the downstream communities. Mercury
15 lead arsenic follow each copper mine
16 project in the United States regardless of
17 how stringent the regulations. 98 percent
18 of all copper mines in the United States of
19 similar size and magnitude are known to
20 pollute the surrounding environment. That
21 would include Polymet. If that were not
22 the case, then the science supporting the
23 project, all the rest of the major permits
24 would still be in effect. So far every
25 single major permit for the Polymet project

1 has been remanded, revoked, or rescinded
2 back to the agencies after 20 years of
3 debates and discussion around this topic.
4 If it were so, it would have been done and
5 over with a long time ago. No. The
6 lawyers and the scientists on pro Polymet
7 side have been lying, cheating, and
8 directly interfering with Minnesota's
9 environmental regulations. And it's time
10 that stops, and that would stop with the
11 Army Corps of Engineers revoking this
12 permit and leaving Polymet to the dust bin
13 of history where it belongs.

14 The industries on the St. Louis
15 River have polluted the St. Louis River and
16 the indigenous people before. And that's
17 not changing with the attitude of Polymet/
18 Glencore and its global interests in
19 Minnesota. If people don't want child
20 slavery, you better not be supporting
21 Glencore who owns Polymet. They are
22 responsible for that. So that's why we
23 need to revoke these permits for Polymet.
24 Thank you very much for your time.

25 CALLER 4085: Hello. My name is

1 Dan Hendrickson, H-E-N-D-R-I-C-K-S-O-N. As
2 I said, my name is Dan Hendrickson. I'm
3 the business manager of the International
4 Brotherhood of Electrical Workers 294 in
5 Hibbing, Minnesota. I'm also the recording
6 secretary of the Iron Range Building and
7 Trades. Local 294 represents over 250 men
8 and women in the electrical industry that
9 encompasses northern Minnesota, including
10 the area where Polymet will be operating
11 Minnesota's first precious metal mine.
12 Local 294 has been following these
13 proceedings for over a decade and have
14 attended every meeting via in person or
15 virtually. We've had numerous meetings
16 with both sides of the debate and all we
17 hear from the opposition to Polymet is let
18 the science prove it's safe.

19 My question is how do we allow
20 the science to prove it's safe if they
21 can't even proceed? Just like everything
22 else, science and technology are evolving
23 on a daily basis. Every industrial
24 capacity is using new and improved
25 scientific measures: Power plants

1 capturing carbon, waste water treatment
2 facilities treating our water, solar panels
3 increasing their output, electric vehicles
4 traveling further distances on a single
5 charge. Obviously, there are way too many
6 things to list how our lives have improved
7 with new scientific and technological
8 improvements in three minutes.

9 But now we come to the
10 proceedings that have taken place for
11 numerous years concerning Polymet. It's
12 been shown that this mine, its employees,
13 and local contractors will be stewards of
14 the environment. And the process they plan
15 on using will not only protect the
16 environment but in certain circumstances
17 clean up the existing site.

18 As far as the treatment of water
19 discharge, there's not a better way to
20 clean the water being discharged than
21 reverse osmosis, a proposed way Polymet is
22 planning to treat its water discharge.
23 Reverse osmosis has been used in numerous
24 situations from residential to industrial
25 in removing contaminants such as mercury.

1 And the byproduct is purified water.
2 Numerous engineers and scientists have
3 looked over this project and followed all
4 the rules in place. Hence the permits were
5 issued. The continuous glaze need to end
6 and let science prove itself that Polymet
7 and its process is safe. Let's reinstate
8 the 404 permit. Thank you.

9 CALLER 6340: (No response).

10 CALLER 6420: Thank you. Lisa
11 Rudstrom, R-U-D-S-T-R-O-M. I am Lisa
12 Rudstrom, a teacher at Rock Ridge High
13 School in Virginia, Minnesota, and an
14 officer with both Better in our Back Yard
15 and our local education of Minnesota
16 teachers union. I grew up in Chisholm on
17 the Iron Range. I went to college in
18 Duluth and Bemidji, and now I'm proud to
19 live in Hibbing and had the pleasure of
20 teaching science for 20 years in northern
21 Minnesota.

22 I, along with other teachers
23 across northern Minnesota, want nothing
24 more than to watch our students grow their
25 careers right here. We want to see them

1 give back to the very same communities they
2 were raised and educated in. The only way
3 we can do that is if there is continuous
4 progress and growth in all industries
5 including mining. I have known miners all
6 my life and I know that they are some of
7 the hardest working people on the planet.
8 I also know and taught working and future
9 scientists and engineers graduating from
10 prestigious schools like Michigan Tech and
11 Colorado School of Mines, for example, who
12 want to apply their knowledge of science
13 without problems like sustainability making
14 a world a better place for all people and
15 all cultures. Young people need to believe
16 their work is worthwhile and that it will
17 make a positive difference in the world.
18 Polymet will.

19 As an educated and engaged
20 global citizen, I know the three pillars of
21 sustainability. The three pillars of
22 sustainability are economy, ecosystem, and
23 social fabrics. The region and the world
24 must continue its journey to sustainability.
25 A sustainable future is only possible if we

1 keep the three pillars in mind.

2 Polymet clearly supports the
3 economic pillar. Let's consider the
4 ecosystem pillar. Polymet's plans include
5 the cleaning up of an existing mine site.
6 The EPA and band's testimony ignores this
7 fact and the benefits associated with the
8 reduction of sulfate and mercury with the
9 use of Polymet's supposed water treatment
10 facility. The burden of proof is on the
11 band. They need to demonstrate downstream
12 water quality impact, but the band has not
13 put forth any evidence indicating an impact.

14 Polymet has already contributed
15 to regional social fabrics by giving to
16 local nonprofits and schools for the past 15
17 years. Getting minerals and metals from
18 overseas isn't the right way to do things.
19 It's not very American of us. We have got
20 the resources here and we extract them
21 better in our back yard. We have
22 responsible companies here ready to extract
23 minerals safely, more safely than anywhere
24 else on the planet. It's not right to push
25 that work off to foreign countries that

1 don't have the same protections in place for
2 workers, citizens, and the environment.
3 Quit moving the target. Please reinstate
4 Polymet's wetland permit so the project can
5 advance in order to ensure the sustainable
6 future of Minnesota, our nation, and the
7 world. Thank you.

8 CALLER 4203: My name is J.T.
9 Haines, H-A-I-N-E-S. I'm the northeastern
10 Minnesota director for the Minnesota Center
11 for Environmental Advocacy, or MCEA. We
12 have offices in Duluth and St. Paul and
13 members around the state. We are here in
14 support of the band's right to enforce its
15 recognized water quality standards and in
16 light of the rights and obligations of all
17 people under the governing treaties. Based
18 on our review of the record to date, MCEA
19 supports the Fond du Lac Band Band's
20 analysis and the EPA's recommendation that
21 the Army Corps not reissue the 404 permit.

22 Three brief facts I'd like to
23 highlight. First, we agree with the EPA in
24 its conclusion about indirect wetland
25 impacts. The agencies that have looked at

1 this so far have all acknowledged that there
2 is inadequate information regarding
3 downstream water quality impacts from
4 wetland destruction, dewatering and
5 rewetting.

6 Water quality impacts from these
7 wetland changes are simply not assessed. As
8 detailed in the existing reports, changes to
9 the hydrology of the wetlands can increase
10 the discharge of mercury and nutrients. The
11 404 permit does not account for these
12 impacts and therefore should not be reissued
13 as proposed. MCEA will be submitting our
14 own expert report in support of this
15 conclusion with our written comment as well.

16 Second, we note that the
17 applicant relies in its brief on an issue
18 that is very much in dispute at the state
19 level. And that's regarding Polymet's
20 proposal to attempt to manage acid mine
21 drainage and downstream pollution through an
22 untested bentonite scheme and a semi
23 permanent seepage recapture system. Both
24 the state, PCA and DNR initially relied on
25 this scheme to issue the state permits, but

1 those permits are now overturned and the
2 Minnesota Supreme Court has concluded that
3 the bentonite proposal was not supported by
4 substantial evidence. The Court has
5 directed the state (inaudible) contested
6 case hearing on this issue which is in its
7 early stages. In other words, Polymet's
8 claim that the state process supports its
9 assertions regarding downstream impacts
10 related to the 404 permit is not actually
11 correct and should not be relied upon here.

12 Finally and similarly, the
13 applicant seems to argue in its brief that
14 the EIS process resolved various issues that
15 support its claims in the 404 proceeding,
16 especially regarding increases in mercury
17 and downstream waters. This is also
18 incorrect.

19 Many concerns raised in the EIS
20 process by the Fond du Lac Band as well as
21 the Grand Portage Band and the Great Lakes
22 Indian Fish and Wildlife Commission were
23 never actually resolved in the EIS process.
24 Instead these concerns were placed in a
25 chapter called major differences of opinion.

1 These differences of opinion
2 included the idea that the existing tailings
3 basin which function as a mercury sink and
4 that destroying and disrupting peat lands at
5 the mine site would not increase methylation
6 of mercury.

7 As the EIS concluded, the
8 Co-lead Agencies believe that, quote, it
9 cannot be predicted whether methylmercury
10 production may or may not change under the
11 proposed action. And that's in the Final
12 EIS Chapter 8. In other words, it's
13 incorrect for Polymet to state (inaudible,
14 warning signal) in Polymet's brief that
15 mercury issues raised by the band and EPA in
16 this process have been resolved. These
17 issues remain central to the work you're
18 doing today.

19 In conclusion, we appreciate
20 this process. Thank you, EPA and Army
21 Corps, to undertake the necessary evaluation
22 of the band's science and respect the band's
23 rights to protect its tribal resources.
24 Thank you.

25 CALLER 7187: Hi. My name is

1 Timber Anderson, A-N-D-E-R-S-O-N. I was
2 born in Duluth, Minnesota and live in St.
3 Paul, Minnesota. I'm calling to voice my
4 support of the request being made by the
5 Fond du Lac Band to revoke Section 404. I'm
6 calling and asking for that request or
7 supporting that request because I strongly
8 believe that this permit should be revoked
9 as it violates the Fond du Lac Band Band's
10 downstream water quality standards and also
11 creates negative impacts to treaty resources
12 and cultural resources.

13 I do not trust as a Minnesotan
14 Polymet or Glencore's standards as stewards
15 of Minnesota's natural resources. And I do
16 not believe they have our state's best
17 interests in their plans. As a Minnesotan
18 who grew up in small towns, I understand the
19 challenges of surviving in these
20 communities. But I do believe that as a
21 community, as a state, we can find local and
22 more sustainable ways to economically
23 support our communities without relying on
24 corporate mines. Thank you. That's all.
25 Thank you for taking my comment.

1 CALLER 4607: Hi. Good
2 afternoon. My name is Emma Needham,
3 N-E-E-D-H-A-M. I'm here to speak in support
4 of the Fond du Lac Band against the Polymet
5 wetlands permit. I believe that this permit
6 violates the sovereign rights of the Mille
7 Lacs -- I'm sorry -- the Fond du Lac Band,
8 and I don't believe that this is a safe
9 choice for Minnesota or for the water of the
10 Superior Lake or any downstream water.
11 Thank you.

12 CALLER 5602: Hi. My name is
13 Elyse Eollyer, E-O-L-L-Y-E-R. I'm 21 years
14 old, a recent college graduate. Unlike most
15 of my generation, I'm concerned for the
16 future. I grew up in Bemidji, Minnesota and
17 remember the days of swimming in the
18 Mississippi River, breathing clean air, and
19 climbing big trees. These experiences for
20 many are increasingly becoming rare due to
21 the lack of access to a safe, clean
22 environment.

23 For those who support this mine,
24 I ask you to give the same level of concern
25 and protection as you give to your children

1 and loved ones in the same environment.
2 This mine would be a vicious and detrimental
3 cancer. You would not inflict such a
4 disease on your loved ones, even if you
5 might financially profit greatly from their
6 suffering, would you? Then why would you
7 inflict a similar disease to the
8 environment, the land in which you claim to
9 enjoy and care for so much?

10 The promises Polymet makes of
11 their copper sulfide mine seem attractive
12 from an economic standpoint, yet the
13 economic gains can never outweigh the rights
14 of the Fond du Lac Band of Lake Superior
15 Chippewa, of their land sovereignty, and
16 will never be worth irreversible
17 environmental actual damage.

18 I ask you to find alternatives.
19 Invest in green jobs that are known to
20 create a better future for everyone and
21 every living thing, not just a few. Invest
22 in the future of Minnesota's youth. Invest
23 in the protection of our environment. Water
24 is life and water is sacred. Please, for
25 the sake of Fond du Lac Band Band's

1 sovereignty and for the sake of our
2 beautiful wilderness and for the sake of our
3 future, do not reinstate the Polymet permit.
4 Thank you.

5 CALLER 6544: My name is Judy
6 Helgen, H-E-L-G-E-N. I'm a long retired
7 wetlands scientist from Pollution Control
8 where I also investigated Minnesota's
9 deformed frogs and I support revoking the
10 404. As a tribe's representative stated
11 this week, there are thousands of acres of
12 high quality biologically diverse wetlands
13 that will be impacted or directly destroyed
14 by the Polymet mine. These wetlands began
15 forming several thousand years ago. And
16 once they are gone, they are gone forever.
17 They cannot be replaced. To many of us, not
18 just the native peoples, wetlands of all
19 types are sacred places providing habitat
20 for a diversity of beautiful species, animal
21 and plant, as well as wild rice.

22 The scale of wetland destruction
23 by Polymet exceeds that of any other project
24 in the state of Minnesota. Around 930 acres
25 of wetlands will be directly destroyed with

1 impacts related to mercury release, climate
2 change, and the loss of highly biodiversity
3 diverse plant and animal communities.
4 Almost two-thirds are irreplaceable peat
5 lands.

6 The Embarrass and Partridge and
7 St. Louis Rivers are already impaired from
8 mercury pollution in the water and fish, and
9 the fish cannot be eaten.

10 The scale of indirect damage to
11 wetlands is staggering. In 2013 Polymet
12 listed 7,228 or 6,313 acres of wetlands that
13 have potential for indirect impact. It
14 amazes me that today they say only 27 acres
15 will be affected indirectly. An independent
16 study is needed.

17 I'm a retired wetlands scientist
18 who fell in love with wetlands when I waded
19 in to sample their aquatic life. The
20 invertebrates that thrive in clean waters
21 like juvenile stages of dragonflies, may-
22 flies, and cabbage flies, tiny snails and
23 unique crustaceans, amazing aquatic beetles
24 and bugs, that love drove my work. We
25 developed a program for citizens to wade in

1 and monitor the biota of their local
2 wetlands. I saw some have an epiphany when
3 they first viewed immature dragonflies. At
4 the MPCA, we evaluated wetlands based on the
5 biological communities.

6 The goal of the Clean Water Act
7 is stated as protecting the physical,
8 chemical and biological integrity of the
9 nation's waters and that includes wetlands.
10 I hope and pray our federal agencies will
11 protect our pristine wetlands now under
12 threat from the Polymet mine. Once they are
13 gone, they are gone forever. Thank you.

14 CALLER 3855: My name is Jackie
15 Dooley, D-O-O-L-E-Y. For the past 50 years,
16 I spent my life outdoors as a professional
17 horticulturalist watching my county, Dakota
18 County, change from a rural landscape to a
19 high traffic suburban development. As a
20 result of this drastic change in my local
21 environment, I volunteered as a Dakota
22 County Vermillion River Watershed Planning
23 Commissioner. This experience gave me the
24 opportunity to absorb current watershed
25 issues and what is needed to protect the

1 public in future generations. I stand in
2 solidarity with the Fond du Lac Band of Lake
3 Superior Chippewa in opposition to Polymet's
4 toxic mine.

5 Based on the facts of the
6 situation, the Army Corps must revoke and
7 not reissue the Polymet permit. This is the
8 only way to prevent violation of the Fond du
9 Lac Band Band's water quality standards and
10 to comply with the Clean Water Act. Thank
11 you.

12 CALLER 6340: My name is Jackie
13 Christenson, C-H-R-I-S-T-E-N-S-O-N, White
14 Bear Lake, Minnesota, original Anishinaabe
15 and Dakota land. I ask the US Army Corps of
16 Engineers to uphold Fond du Lac's sovereign
17 rights and revoke the Polymet copper-nickle
18 sulfide ore mine Section 404 wetlands
19 permit. I appreciate this Army Corps taking
20 interest in Minnesota's water issues of late
21 relating to tar sands pipelines and copper
22 sulfide mining. I'm a volunteer advocate
23 working to protect our waters and am
24 currently monitoring impacts from line 3s,
25 aquifer breaches, and frac-outs. I do this

1 work because I have benefitted from and I'm
2 grateful for generations of Anishinaabe
3 stewardship of our lands and waters. I have
4 paddled the waters and hiked the lands just
5 below the proposed Polymet site. For me the
6 St. Louis River watershed is a place of
7 solace and rejuvenation. So for my 1854
8 treaty friends, these lands and waters are
9 also sustenance and culture. To be there is
10 to understand the function of wetlands and
11 their importance to the watershed. As the
12 water flows through 1854 treaty lands and
13 some Fond du Lac Band reservation, signs of
14 life are everywhere each doing their part in
15 this extraordinary intertwined wetland
16 ecosystem: Insects, fish, beavers, resident
17 and migratory birds, moose, and even our
18 endangered gray wolves and Canada lynx.
19 It's oppressive to think of the full extent
20 of harm that would result from Polymet's
21 increased levels of mercury and sulfate,
22 harm to fish on which Fond du Lac Band
23 depends for subsistence and culture.

24 The Polymet's permits are
25 riddled with flaws as it's been litigated in

1 numerous lawsuits and disposed by experts in
2 this testimony during the public hearing.

3 We can all be thankful for Fond
4 du Lac's tireless efforts in this Clean
5 Water Act process. The 404 wetlands
6 permit -- I'm sorry. I will cut it at that
7 and say thank you very much for this time.

8 CALLER 6732: Hi. This is Doug
9 Connell, C-O-N-N-E-L-L. I'm a board member
10 of Jobs for Minnesotans. We are a coalition
11 of organizations that have come together and
12 are committed to advancing the goal of job
13 creation and investment in Minnesota through
14 the growth of responsible projects and
15 industries. I want to underscore that
16 responsible aspect because we think this
17 project has been demonstrated to be a
18 responsible development of some world
19 important Minnesota resources. And I think
20 we also, in that responsibility, really
21 respect the role of the regulatory agencies
22 and agencies like the Corps in really
23 evaluating and bringing their independent
24 judgment to these issues. We really have a
25 lot of respect for the Corps, you know, your

1 technical abilities, your judgment. And
2 your ability to assess risk are well known.
3 I think those skills are going to be
4 important because you're faced here with a
5 lot of conflicting information almost
6 talking passed one another. There are a lot
7 of spurious issues and there's a lot of
8 speculation that I think can go into some of
9 these arguments. I think the Corps really
10 owes it to all of us to really think
11 through. You know, where do you have
12 detailed plans? Where do you have proven
13 technologies versus where do you have, you
14 know, implausible scenarios or, you know,
15 concerns that really aren't well founded by
16 the project and which are -- pardon my dog.
17 Well, maybe I better cut it off there. He
18 doesn't have a mute button. I appreciate
19 the chance to address you. On behalf of
20 Jobs, I think we are confident that you'll
21 reach a good decision and support the
22 restatement of this permit. Thank you.

23 CALLER 4603: I'm Maureen
24 Johnson, J-O-H-N-S-O-N. I'm a biologist
25 speaking from the perspective of six years

1 of water quality research around Ely for US
2 EPA and US Forest Service and 20 years at
3 MPCA cleaning up toxic Superfund sites.
4 Here are some reasons why Polymet will
5 release toxic pollution. Specific
6 conductivity, sulfate and mercury toxicity
7 problems will occur. Polymet's online
8 taconite tailing basin, uncontrolled since
9 1970, is still releasing these toxics
10 through groundwater and wetlands to the
11 Embarrass River and to the St. Louis River.

12 The FEIS says 10 percent of
13 Polymet's tailing basin seepage will also
14 escape to the Embarrass and to the St.
15 Louis. This grossly understates the total
16 of untreated seepage that will escape from
17 Polymet during the operation and when the
18 pumps stop. Surface water catchments and
19 the equalization basin will leak because
20 they are insufficiently lined. If not, they
21 will overflow with 21st century
22 precipitation because the FEIS relies on
23 1948 to 1984 precipitation data for 100 year
24 storm designs, which is also outdated for
25 climate change.

1 Data records demonstrate that
2 Polymet will contaminate downstream waters.
3 Dunka mine copper-nickel waste rock seeps
4 continue to contaminate Birch Lake. DNR's
5 Amex copper-nickle tailings data shows
6 concerning toxic pollutant levels.

7 For the St. Louis River receives
8 mining impacts, data shows specific
9 conductance increases by 400 percent.
10 18 percent of aquatic life found upstream
11 are not found downstream indicating species
12 extirpation from toxic pollutants.

13 On top of this known continuous
14 damage, Polymet's additional discharges,
15 planned or not, will contribute more toxic
16 conductivity. Both of Polymet's receiving
17 waters are already impaired for the wild
18 rice sulfate standard and cannot bear more
19 sulfate from any source. The St. Louis
20 River is already on EPA's impaired waters
21 list 49 times, mostly for mercury.

22 The evidence supports revoking
23 the permit. Otherwise, Polymet's toxic
24 pollution will worsen the St. Louis harming
25 Fond du Lac Band reservation waters and

1 wetlands and the people there. I'll submit
2 additional comments later. Thank you for
3 listening.

4 CALLER 8913: Thank you. My
5 name is Debbie Allert, A-L-L-E-R-T. I
6 worked 27 years as a family physician in Two
7 Harbors retiring in 2019. I am the past
8 president of the Lake Superior Chapter of
9 the Minnesota Academy of Family Physicians
10 and served as a director of the Minnesota
11 Academy of Family Physicians as well as a
12 board member on Minnesota Medical
13 Association's policy board. My three
14 minutes will be dedicated to reviewing the
15 vast and unprecedented numbers of Minnesota
16 medical professionals who have raised
17 concerns about the potential for permanent
18 toxic damage to humans that likely would
19 continue for generations as a consequence of
20 the Polymet sulfide mine project and
21 increased mercury in the fish.

22 Minnesota Academy of Family
23 Physicians is the largest medical specialty
24 in Minnesota representing over 3,100 family
25 physicians, residents and students.

1 In 2015 MAFP was joined by the Minnesota
2 Medical Association, the Minnesota Public
3 Health Association, the Minnesota Nurses
4 Association, all told representing over
5 30,000 medical and health professionals, to
6 express our joint concerns about the affects
7 on human health from proposed copper-nickle
8 mining, in particular about how sulfide
9 discharge from the mining increases methyl-
10 mercury contamination of fish with
11 devastating toxic effects on the developing
12 brains of fetuses, infants and children.

13 In 2015, each of these
14 organizations requested a health impact
15 assessment be done before Polymet project
16 permitting. Doctors and nurses in Minnesota
17 have specifically considered the
18 disproportionate effect of Polymet water
19 pollution and increased methylmercury
20 contamination of fish on tribal and low
21 income communities, fetuses, infants and
22 children.

23 In February of this year,
24 Minnesota doctors published our second
25 article in the Journal of the Minnesota

1 Medical Association entitled Sulfide-Ore
2 Mining and Human Health in Minnesota. In
3 this article, we stressed the
4 disproportionate vulnerability of the Fond
5 du Lac Band of Lake Superior Chippewa to the
6 toxic effect of Polymet sulfide mining in
7 tribal communities that rely on hunting,
8 fishing and wild rice gathering for
9 subsistence and culture.

10 Minnesota health care
11 professionals have been working since 2014
12 to prevent our most vulnerable population
13 from becoming victim of the permanent toxic
14 effects of Polymet water pollution. I would
15 respectfully ask the Army Corps to uphold
16 the band's objection, follow the
17 recommendations of the EPA, and revoke the
18 Army Corps permit for the Polymet project.
19 Thank you.

20 CALLER 2401: Marion Severt,
21 S-E-V-E-R-T. I strongly encourage you to
22 follow the EPA recommendation against the
23 reissue of the Section 404 wetlands permit.
24 Not only do all wetlands need protection,
25 this particular wetland is upstream of the

1 Fond du Lac Band of Lake Superior Chippewa.
2 Violating this wetlands violates the water
3 quality standards of the Fond du Lac Band,
4 standards that have been approved and
5 accepted by the state of Minnesota. The
6 proposed Polymet copper-nickle mine would
7 without question cause unacceptable
8 pollution throughout the drainage area. The
9 Section 404 permit must be denied and the
10 project's future closed. Thank you.

11 CALLER 7128: (Caller dropped).

12 CALLER 1860: Good evening. My
13 name is Curt Doran, D-O-R-A-N. I was born
14 and raised in Ely, Minnesota. I now live
15 in Babbitt, Minnesota with my wife and two
16 kids. I'm a project manager and an
17 ecologist for NTS. We are an Iron
18 Range-based environmental science and
19 engineering firm. I don't want to talk to
20 you about the economics because this has
21 nothing to do with economics. But because
22 we are environmentalists and engineers, our
23 business is what it is because of mining on
24 the Iron Range. Whether it's property
25 redevelopment or materials testing or solid

1 waste or waste water or whatever, the Range
2 is here because of mining. That's just a
3 bit of economics where we stand.

4 The fact that we are at this
5 point now with this project -- and there's
6 other projects to talk about too -- but
7 we're at this point with Polymet now after
8 all these years of exhaustive research
9 that's gone into this and your agency, the
10 DNR, MPCA all signed off on the SD EIS.
11 The project will not pollute, will not
12 violate water quality standards downstream.
13 I'm paraphrasing there.

14 To a federal agency acting like
15 a zealot and using some pretty disingenuous
16 language -- and if you Google disingenuous,
17 one of the synonyms is dishonest. So for
18 the EPA to come out with some language
19 about this discharge -- or this permit, you
20 know, the 404 permit being implemented, may
21 affect water quality standards. You know,
22 so as I understand the language of the law,
23 they have that authority to make that
24 determination, may affect.

25 Now fast forward all these

1 months -- and I don't know what the EPA has
2 done for research. I'm certain they have
3 not done the research that Polymet et al
4 have done, us included. I didn't watch the
5 entire hearing. I did watch Greg and Cliff
6 and Steve yesterday present, and I worked
7 with two of them in my career. I know that
8 they are honest people. I know they're
9 very intelligent people and they're very
10 passionate people and they care about the
11 same things that the zealots care about.
12 We went from this project will not impact
13 water quality downstream -- and, actually,
14 my understanding because of water treatment
15 and seepage capturing and pump back, this
16 project will actually improve water quality
17 downstream.

18 We have gone from that to this
19 is going to impact -- this will negatively
20 affect water quality downstream and violate
21 the band's water quality standards. It's
22 just -- it's such an erroneous statement to
23 make when all the research has been done
24 already. This isn't a desktop exercise.
25 This is exhaustive (inaudible, warning

1 signal) peer review research. So thank you
2 EPA for doing this again, and the same
3 thing goes for the wild rice deal.

4 CALLER 2748: (Non-English
5 language).

6 CALLER 2298: My name is
7 Nicholas Bayuk, B-A-Y-U-K. I'm speaking as
8 a board chair of the Veteran in Our Back
9 Yard industry advocacy group. I'm speaking
10 tonight on behalf of and in support of the
11 Polymet NorthMet project. This project has
12 been held up in regulation for far too
13 long. I'm of the opinion we should
14 actually be at least halfway through this
15 project in total at this point.

16 The unfortunate nature of what
17 we're dealing with now is simple delay
18 tactics just because those who are opposed
19 to this project can't oppose it on
20 substance, science, or policy. So we are
21 using things like we are doing this
22 evening. And I do thank everybody for
23 their time. I thank the Army Corps of
24 Engineers for taking the time to take a
25 solid look at the evidence presented before

1 them because it's fairly clear to see this
2 project should continue. There's really no
3 reason that it shouldn't. Polymet has
4 proved beyond a shadow of a doubt time and
5 time and time again that they can operate
6 safely and responsibly, and they will
7 operate safely and responsibly. They have
8 proved so again time and time again through
9 our regulatory process, which is extremely
10 strong and very healthy in Minnesota. I am
11 supremely confident in all of our agencies
12 because they will oversee the work that
13 this project will do and they will hold
14 anybody who works on it -- they will hold
15 their feet to the fire to make sure that
16 nothing happens to our valued land and our
17 waterways that we hold so sacred in this
18 state. It is a value being a Minnesotan
19 having clean and healthy water. Nobody
20 wants to see that damaged, nobody. I can't
21 find you a person who does.

22 But holding a mining project up
23 for almost 20 years in regulation is now
24 getting to the point where it's bad
25 business for the state. And the funny

1 thing is is hearings like this are now
2 becoming counterproductive and in a sense
3 ironic because it's now brought this
4 project to a battle of wills. It is
5 ensuring and it's showing to anyone who's
6 looking to invest in this state that it's
7 come to a battle of wills and only the
8 biggest and most well-funded conglomerates
9 are going to be able to bid on mining
10 projects here. Now, they'll still have to
11 go through our regulatory process. But,
12 again, it's going to come down to a battle
13 of wills and that's not something that we
14 want to see in this state. Again, I thank
15 everybody for their time tonight and the
16 Army Corps of Engineers. Have a good
17 night. Thank you.

18 CALLER 4179: Hi. My name is
19 John Munter, M-U-N-T-E-R. I'm calling from
20 Morba. I'm calling to ask the Army Corps
21 not to renew the water permits for Polymet
22 because it obviously violates treaty
23 rights. And, number 2, it's going to
24 increase the mercury and there's no safe
25 level of mercury in water. This is going

1 to go on for 500 plus years with water
2 treatment plants. It's a crazy idea for
3 15, 20 years worth of jobs. Add the 20
4 story slag heaps and cess-ponds waiting to
5 cause problems. We don't need the jobs.
6 We don't need the minerals. Grand Rapids
7 is projecting 750 jobs in their area.
8 Mountain Iron has increased the Heliene
9 plant from 60 jobs -- 65 to 120 jobs.
10 There are some new HIB jobs going into the
11 airport in Hibbing.

12 The minerals can be gotten off
13 the bottom of the ocean in the Clarion-
14 Clipperton Zone. These polymetallic
15 nodules are like potatoes sitting in the
16 bottom of the ocean, billions and billions
17 of tons of cobalt, manganese, copper and
18 nickle. And they're developing machines to
19 do that, and they're developing the
20 permitting process of it. But the machines
21 are like a crab-like machine that picks
22 them off the bottom of the ocean. And then
23 there's one that flutters like a stingray
24 and picks them up as well. There's a
25 couple of machines that go on the bottom of

1 the ocean. So we should be doing that
2 instead of endangering the waters in
3 northern Minnesota or other vulnerable
4 areas in the world. Thank you. That's
5 really about all I had to say.

6 CALLER 4148: Good evening,
7 everybody. My name is Ricky DeFoe,
8 D-E-F-O-E. I'm a Fond du Lac Band member.
9 I'm a pipe carrier and a teacher of the
10 tradition of my Anishinaabe people, culture
11 and language, one of the keepers.

12 The United States government
13 process was broken during the permitting.
14 They acted as protecters of power,
15 privilege and profits. All of the Fond du
16 Lac government and many individual members
17 of the band participated in good faith at
18 every step of the process from the
19 environmental review through permitting.
20 The Army Corps didn't listen to us. The
21 EPA only gave the Fond du Lac Band notice
22 of its rights after the federal court told
23 them they had to. But the EPA has now been
24 willing to look at the science and the
25 truth. The EPA is recommending that the

1 Polymet permit be revoked. I'm demanding
2 that the Army Corps revoke the 404 permit
3 and not reissue. The Army Corps can
4 respect the band and the science now too.
5 It is long passed time for change.
6 Consultation with tribes should not be just
7 a box to check before rubber stamping the
8 toxic mine. Consultation with tribes
9 should mean shared stewardship of water
10 under the Clean Water Act and in
11 furtherance of treaty reserve rights. The
12 Anishinaabe lived in the watershed of
13 Gitche Gumee long before any Europeans came
14 here. We gathered the wild rice. We
15 hunted. We depended on the fish in the
16 lakes and rivers for healthy protein, fish
17 that our pregnant mothers and children
18 could eat without risking brain damage and
19 lots of intellectual capacity. The Fond du
20 Lac Band gave so much and kept so little.
21 We have no other land for our reservation.
22 We must be able to eat the fish from the
23 waters of the St. Louis River on our
24 reservation to protect our culture without
25 threatening the brains of our fetuses,

1 infants and children. The band's
2 scientific experts have done their job.
3 They have proved that the Army Corps
4 wetland destruction permit will allow the
5 Polymet/Glencore mine to poison our waters
6 and contaminate our fish with toxic
7 mercury.

8 Now I ask you to be part of a
9 good change. Revoke the Polymet permit.
10 That is what we need for the water and for
11 the health of our next generation and for
12 the exercise of our rights and to protect
13 all living beings from damage and
14 destruction. For us to exercise our treaty
15 rights, we have got to be able to access
16 uncontaminated resources. So we need to
17 revoke and not reissue this permit. Thank
18 you.

19 CALLER 5992: My name is
20 Elizabeth Alvarado, A-L-V-A-R-A-D-O. My
21 comment is that Minnesota is known for its
22 water, its pure, clean water, crystal blue
23 water. We are the land of 10,000 plus
24 lakes. I'm concerned that the quality of
25 our water will be compromised by this

1 project. I am not confident that anyone
2 corporate is really going to look out for
3 the welfare of Minnesota's water. That is
4 why we as the citizens of Minnesota need to
5 be aware of what's going on and how this
6 project is going to be managed as far as
7 water quality goes because this is of our
8 utmost concern.

9 I'm a lover of Minnesota and its
10 many, many lakes and its beauty, its
11 natural pristine beauty. I understand that
12 there's a balance between employment for
13 people in Minnesota and utilizing the
14 resources that we have available, but I'm
15 highly concerned about how this is going to
16 affect the native population who care for
17 this land more than we can understand. I
18 can't imagine. I feel as though my
19 appreciation and my love for the wilderness
20 of Minnesota and the waters of Minnesota --
21 it needs to be considered. It needs to be
22 spoken about. It needs to be very well
23 outlined how Polymet is going to address
24 this, not just now but in the future with
25 regular updates to the community and if

1 this is even a feasible operation given the
2 possibility of compromise to our water
3 quality.

4 These are all things that need
5 to continuously be explored before this
6 permit is granted to this company.
7 Corporations are not known for taking care
8 of the environment. They are known for
9 destroying the environment. We cannot
10 afford to destroy this natural resource
11 that is a huge part of who Minnesota is.
12 You can't overvalue the importance of water
13 to Minnesota. Every Minnesotan knows this.
14 Every single last Minnesotan knows the
15 importance of water to Minnesota.

16 CALLER 3343: Thank you. This
17 is Lynn Levine, L-E-V-I-N-E. I'm calling
18 to express my concern about the Polymet
19 mine and its affect on the Fond du Lac
20 Band. I have been following this a little
21 bit enough to know that this company is not
22 reputable, and they have proven that they
23 are not reputable in that they have not
24 been completely honest with our agencies
25 set in place to protect us. And very sadly

1 our agencies have not behaved in a way that
2 inspires confidence, hiding information,
3 and not taking a look at all of the full
4 range of effects.

5 I feel that we have done
6 terrible things to the native people in
7 this country. And to deprive this tribe --
8 I have met people from the tribe. I have
9 been up there. They are beautiful people.
10 They depend on wild rice and fishing and
11 drinking water. My understanding is
12 there's going to be enough mercury in the
13 drinking water to poison the elderly and
14 the very young, to cause miscarriages.

15 We live in a country where at
16 the moment we are trying to force women to
17 carry children to term that are unwanted,
18 and we're at the same time putting in
19 danger wanted fetuses by considering
20 poisoning the drinking water of these
21 pregnant mothers. So I want us to take a
22 very careful look and to do the kinds of
23 things that we expect our protective
24 agencies to do for us. I'm aware of the
25 fact that there are other ways we can get

1 these minerals and that the jobs that we
2 are putting in place are only going to cost
3 us more money once we have to deal with the
4 medical crisis that we're creating.

5 I also believe that this mine is
6 going to have a negative impact on tourism,
7 which is going to cut off another source of
8 wealth as the land becomes seriously
9 compromised.

10 I was listening to some of the
11 other comments and particularly some of the
12 comments by the members of the band. It
13 just breaks my heart to think that I have
14 to add my comments to those that we aren't
15 just stopping this. We know the company is
16 corrupt. We know the information that's
17 presented has been false. We know that we
18 have had to practically sue the state to
19 get to the point where I could make this
20 comment. I guess that's all I have to say.
21 Thank you for your time. I hope these
22 comments are going to be taken seriously.
23 Thank you.

24 CALLER 7244: I'm Rachel
25 Johnson, J-O-H-N-S-O-N. I'm a current

1 board member with the Veteran in Our Back
2 Yard. We are an organization that promotes
3 responsible and industrial development.
4 Thank you for the opportunity to provide
5 comments and support for Polymet's plan for
6 the NorthMet project. I live in the
7 region, and I care about our environment.
8 I believe if you care about how things are
9 done, you need to educate yourself and get
10 involved. I believe the Section 404
11 wetlands permit should be reinstated. Over
12 the past few days, there's been no new
13 evidence presented demonstrating negative
14 impacts on water quality downstream.
15 Polymet's plans include the reclamation of
16 an existing mine site. The water treatment
17 facility will have a net positive impact on
18 sulfate and mercury. The minerals in the
19 Duluth copper complex, copper, nickle, et
20 cetera, are critical to renewable energy
21 infrastructure. Domestic nonferrous mining
22 is essential to a sustainable future. We
23 can do it better here in our own back yard.
24 I respectfully request that the Corps of
25 Engineers reinstate the Section 404

1 wetlands permit. Thank you again for the
2 opportunity to participate in the process.
3 Have a good evening.

4 CALLER 1621: Sherri Couture,
5 C-O-U-T-U-R-E. I'm a (inaudible) Fond du
6 Lac Band member as well as a Duluth
7 resident. I'm opposed to the 404 standards
8 and the Army Corps of Engineers. One, the
9 Army Corps of Engineers in Minnesota is
10 asking us to break our own federal standard
11 of water quality. (Inaudible) federalists
12 about Minnesota. Asking us to break our
13 own federal standards is kind of absurd
14 within itself. As a Fond du Lac Band
15 member, I am very much so worried about my
16 hunting, fishing and gathering rights
17 because I live within 11 pipelines within
18 my reservation. So there's not much
19 hunting and gathering going on so I have to
20 go to my seeded territory to exercise my
21 inherent rights.

22 And as a United States citizen,
23 I also have to go to seeded territories to
24 enjoy the beauty of which this state has.
25 And its number one income in tourism is

1 because of its 15,432 lakes that we have.
2 That's all I have to say. I am opposed to
3 this.

4 CALLER 7359: Hi. My name is
5 Daniel Manick, M-A-N-I-C-K. I'm a 33-year
6 member of Operating Engineers Local 49 as
7 well as I serve on the board of directors
8 for Better in our Back Yard. If you don't
9 know who we are by now, shame on you. I'm
10 calling -- thank you for allowing me to
11 speak on behalf of the Polymet NorthMet's
12 project today. I support Polymet's
13 responsible nonferrous mining project in
14 Minnesota. And I'd like to ask the Court
15 to reinstate the project's wetland permits
16 on the grounds that the NorthMet project
17 will not impact downstream water quality.
18 In fact, it will clean up legacy pollution
19 from the former LTV site. Polymet earned
20 permits because it proved the work could be
21 done safely and responsibly.

22 When Polymet reported that the
23 project will remove both sulfate and
24 mercury from the St. Louis River watershed,
25 agencies trusted the science and awarded

1 the permit. Now a whisper of a Clean Water
2 Act violation, which has not been proven,
3 has set the entire process back several
4 years. There's no new evidence that
5 suggests that water quality regulations
6 won't be met. So it feels like this entire
7 hearing is an unnecessary waste of time.
8 It's clearly based on Tuesday's arguments
9 that there's plenty of uncertainty.

10 One thing is certain. Polymet's
11 water treatment facility and process will
12 have a net positive impact on the
13 downstream water quality. We have a
14 regulated permitting process in place for a
15 reason, that permits are hard fought.
16 Remanding permits based on unsubstantiated
17 claims is muddying the process and making
18 it harder for industrial projects to move
19 forward in Minnesota. That's bad business
20 on every level for the state.

21 Once investors lose confidence
22 in a business' ability to generate revenue,
23 they're gone. Minnesota's potential for
24 nonferrous mining is unrivaled. An entire
25 economy in northern Minnesota is dependent

1 on this project to pave the way for more.

2 If there were evidence that the
3 project will have a negative impact on
4 water quality, we'd have a reason for
5 meeting here today. As it stands, the
6 wetland permit should be reinstated.
7 Thousands of people are waiting for the
8 jobs this project will create or support
9 region wide. Let's get on with the
10 business of responsible mining.

11 The Section 404 wetland permit
12 should be reinstated since the band failed
13 to prove that the Polymet project would
14 negatively affect the water quality in the
15 St. Louis River that flows through the
16 reservation 116 miles downstream of the
17 project. Section 401(a)(2) of the Clean
18 Water Act allows the downstream state to
19 object when it determines that a permit
20 will violate its (inaudible, warning
21 signal) permit, but it must prove that it
22 will. In this case, the band provided no
23 evidence that the Polymet projet would
24 pollute its water. So no changes to the
25 permit are necessary and the Corps should

1 reissue it.

2 This project will create 360
3 full-time jobs, 1,000 jobs in supporting
4 industries, 2 million construction hours
5 and 515 million in annual boost to St. Louis
6 County's economy. Thank you for your time
7 today.

8 CALLER 1: My name is Jean
9 Milnor, M-I-L-N-O-R: I'm calling to express
10 my opposition to the granting of the permits
11 for the Polymet mine. I stand with the Fond
12 du Lac Chippewa brothers and sisters in
13 saying no to this permitting process, no to
14 the added sulfides, no to the added mercury,
15 no to the copper-nickle mining. We need to
16 band together to protect our waters and
17 protect our brothers and sisters in all of
18 life. Thank you for this opportunity.

19 CALLER 5156: Mary Jane Nelson,
20 N-E-L-S-O-N. I'm 79 years old and a
21 lifelong Minnesotan. I have already called
22 and e-mailed my state elected officials
23 expressing strong support for the Minnesota
24 law Prove It First. I think you know what
25 that requires.

1 Glencore/Polymet has a horrible
2 history of polluting. So if I don't want
3 companies like that doing business in
4 Minnesota, why would I want to request that
5 the Fond du Lac Band, which is a federally
6 recognized sovereign nation, that they
7 should allow Polymet's permits that
8 adversely impacts their federally approved
9 water quality standards and the Clean Air
10 Act. We all know how interconnected the
11 environmental system is, and that it affects
12 everyone within the ecosystem.

13 I admire the band and I ask that
14 you respect the sovereign band's efforts to
15 protect their environment and people.
16 Please do not reissue the Polymet permit.
17 Thank you.

18 CALLER 3514: Jim Larson,
19 L-A-R-S-O-N. I live and work in Duluth.
20 Thank you for taking the time tonight to
21 review Polymet 404 wetlands permit. I too
22 believe that the permit should be
23 reinstated. From a business and labor
24 standpoint, moving forward with nonferrous
25 mining is the best decision for

1 strengthening our regional economy. The
2 NorthMet project represents an incredible
3 opportunity. It's a chance to create new
4 jobs, support over 1,000 existing jobs in
5 support of industries, and provide a
6 significant and much needed boost to
7 northern Minnesota economies.

8 It's also a chance to show the
9 world the future of responsible nonferrous
10 mining. The operation will minimize
11 environmental impacts, reclaim a former mine
12 site, and leave water sources cleaner than
13 they were before the project actually
14 begins.

15 Water is important to us all.
16 The testimony presented over the past couple
17 of days clearly demonstrates Polymet's water
18 treatment facility has a net positive impact
19 on sulfate and mercury downstream from the
20 project.

21 Before this project, the
22 St. Louis River sulfate and mercury levels
23 would remain higher than they would with the
24 project under way. Polymet has dedicated
25 over 15 years of providing it's possible.

1 The regulators permitted the project. Let
2 it be possible. Reactivate the project's
3 wetlands permit so the work can truly begin.
4 We respectfully request the Army Corps to
5 reinstate the permit. Thank you.

6 CALLER 3334: This is Ashley
7 Beitering, B-E-I-T-E-R-I-N-G. I'm a
8 resident of Duluth. I'm calling in support
9 of the Fond du Lac Band for exercising their
10 rights to clean water. The mine's risks
11 outweigh the benefits, especially for the
12 band. There's no such thing as a safe mine.
13 Honor the treaties and protect the water.
14 Thank you.

15 CALLER 4517: Debra Topping,
16 T-O-P-P-I-N-G, from Fond du Lac. I have
17 been listening to all these comments. My
18 question is exactly how far is downstream.
19 You know, the Mississippi is 2,244 miles,
20 and this mine is 116 miles from Polymet
21 downstream -- or from St. Louis River.
22 Sorry. Excuse me. I don't understand
23 exactly how far is downstream. Is there a
24 measuring point? Is it like just a little
25 bit downstream or a lot? You know, is it

1 miles? Is it 20 miles? Is there a
2 measurement to this downstream?

3 So Polymet -- I just need some
4 clarification. Polymet will be utilizing
5 clean water and then they will be dispersing
6 poisoned water. Right? Is that correct?
7 Is that what that's all about? I don't
8 understand how that even makes sense. Then
9 let's hold it in a pond for 500 years?
10 What?

11 You talk about mining,
12 responsible mining, for -- been doing it for
13 150 years. I've been up there. There's
14 mine pits that are filled with water that
15 are poisoned. Nothing can live in it.
16 Nothing can fish in it. Birds die if they
17 fall in it, go in it. I don't understand
18 how that makes sense. How does that make
19 sense to people, that it's okay for this?
20 Will that water be drinkable afterwards?
21 Yes or no? What is your responsibility to
22 the treaty of 1854? Certainly to honor it.
23 How many times do you need to be told no?
24 Thank you for listening.

25 CALLER 1683: Jenna Evans,

1 E-V-A-N-S. Thank you for your time this
2 evening. I'm Jenna Evans. I live and work
3 in Duluth. I'm a native American woman with
4 two young children. I have lived in and
5 worked in rural Minnesota my entire life.
6 I'm calling tonight in support of the
7 Polymet NorthMet project. I respectfully
8 request the Army Corps reinstate Polymet's
9 Section 404 wetlands permit. We have
10 learned from our grandmothers and our
11 mothers we must treat our land with more
12 respect. I trust that the agencies that
13 have already permitted this project have the
14 same values. I believe projects like
15 Polymet help improve the water quality for
16 all of us downstream, including the Fond du
17 Lac Band. In fact, the project will clean
18 up the legacy LTV mine site reducing the
19 levels of mercury and sulfates in the
20 St. Louis River.

21 Our region has a chance to lead
22 in the clean energy economy, to provide more
23 taxes for education and health care for our
24 children and our elders, to take better care
25 of our communities and infrastructure. The

1 project has the ability to not only change
2 the lives in our region but also to reduce
3 the impacts of climate change. For our
4 generations and the generations beyond, I
5 encourage you to reinstate Polymet's permit.
6 Thank you.

7 CALLER 4389: Allen Richardson.
8 I'm a resident of Duluth. I want to speak
9 in support of the Fond du Lac Band and the
10 recent findings by the EPA that the permit
11 should not be reissued. I have followed
12 this issue closely over the years and was
13 really impressed by the quality of the
14 experts that spoke, notably Brian Branfireun.
15 His research needs to be considered with the
16 utmost seriousness. And I'm heartened that
17 we are starting to better understand the
18 role of the sulfate and the methylmercury
19 and the bioaccumulation of methylmercury.

20 With that in mind, you know, the
21 Fond du Lac Band has a stringent mercury
22 standard to protect the health and nutrition
23 and culture of its members and the Polymet
24 permit fails to ensure compliance with this
25 standard. And the band and scientific

1 experts have determined that the Polymet
2 permit will negatively affect reservation
3 waters and violate these water quality
4 standards.

5 Therefore, the Army Corps must
6 revoke and not reissue the Polymet permits
7 to prevent a violation of water quality
8 standards of the Fond du Lac Band as a
9 downstream state and to comply with the
10 Clean Water Act. I will also note that the
11 Polymet Final Environmental Impact Statement
12 will -- neither the Polymet Final EIS nor
13 any state or federal impact analyzes or
14 limits specific conductance pollution. It's
15 highly problematic from my perspective and
16 that of people that I know here in Duluth
17 and throughout the region.

18 The Minnesota Pollution Control
19 Agency recently repealed its water quality
20 standard for specific conductance, something
21 that is baffling to me given the rhetoric
22 that we're going to follow the science. My
23 read of it is that the sciences made a
24 conclusive turn. You know, the EPA has
25 determined that there are no other

1 conditions that could be met that would
2 prevent these projected water quality --
3 (Warning signal). And, therefore, reject
4 the permit. Thank you for the opportunity
5 to address you.

6 CALLER 6235: My name is Nancy
7 Deaver (phonetic). I am calling from
8 Duluth, Minnesota. I would like to mention
9 that waste water discharges from this type
10 of mine will indeed produce wetlands
11 destruction and pollution. It's very
12 difficult to do this kind of mining in a wet
13 and constantly -- you know, precipitation is
14 high. It's very difficult to control what
15 gets into the watershed. And that watershed
16 would violate the Fond du Lac Band's water
17 quality standards along with having mercury
18 and different sulfides, which are toxic to
19 wild rice, which is part of their cultural
20 and agricultural lives. The mercury, of
21 course, is a very deadly chemical that --
22 again, it's just in the process of mining
23 this type of ore will cause it to negatively
24 affect the reservation waters and violate
25 the water quality standards that they need

1 to meet their needs for water protection,
2 growing wild rice, and other cultural and
3 important cultural and agricultural uses, as
4 well as negatively working downstream,
5 farther downstream. That is my comment for
6 this. Thank you.

7 CALLER 0309: Michael Koppy,
8 K-O-P-P-Y. I live in Duluth, Minnesota.
9 And the combination of waste water discharge
10 without the effluent limits -- water --
11 wetlands destruction and pollution seeping
12 from the Polymet tailings dam and the mine
13 pit would violate the Fond du Lac Band's
14 federally approved water quality standards.

15 As permitted, the Polymet would
16 increase mercury levels in the water and
17 toxic methylmercury in fish. Fish are
18 important both culturally and as a source of
19 food for the Fond du Lac Band members.
20 Elevating this amount of mercury in fish
21 would harm the health of fetuses, infants,
22 children. And, of course, it would also
23 harm their cultural practices.

24 So based on the facts of the
25 situation, the Army Corps must revoke and

1 not reissue the Polymet permit. This is the
2 only way to prevent violation of the Fond du
3 Lac Band's water quality standards and to
4 comply with the Clean Water Act. Thank you
5 very much.

6 CALLER 8074: Hello. My name is
7 Pat Apper, A-P-P-E-R. Thank you for
8 allowing me to speak on behalf of the
9 Polymet NorthMet project today. I grew up
10 in Carlton and spent most of my life in the
11 Duluth area. I support Polymet and the
12 responsible nonferrous mining project in
13 Minnesota and I'd like to ask that the Army
14 Corps reinstate the project's wetlands
15 permit on the grounds that the NorthMet
16 project will not impact downstream water
17 quality. And, in fact, it will clean up
18 legacy pollution from the former LTV site.
19 Polymet earned permits because it proved the
20 work can be done safely and responsibly.
21 When Polymet reported that the project
22 removed both sulfate and mercury from the
23 St. Louis River watershed, agencies trusted
24 the science and awarded the permits. Now a
25 whisper of a Clean Water Act violation has

1 set the entire process back several years.
2 There is no new evidence to suggest that
3 water quality regulations won't be met.

4 So it feels like this entire
5 hearing is unnecessary. It's a waste of
6 time and of resources. It is clear based on
7 Tuesday's arguments there's plenty of un-
8 certainty. However, one thing is certain.
9 Polymet's water treatment facility and
10 process will have a net positive impact on
11 the downstream water quality. We have a
12 regulated permitting process in place for a
13 reason. And permits are hard fought.
14 Remanding permits based on unsubstantiated
15 claims is muddying the process and making
16 it harder for industrial projects to move
17 forward in Minnesota. And that is bad for
18 business on every level. Once investors
19 lose confidence in a business' ability to
20 generate revenue, they're gone. Minnesota's
21 potential for nonferrous mining is
22 unrivaled.

23 Our entire economy in northern
24 Minnesota is depending on this project to
25 pave the way for more. If there was

1 evidence that the project would have a
2 negative impact on water quality, we'd have
3 a reason for meeting here today. But as it
4 stands, the wetlands permit should be
5 reinstated. Thousands of people are waiting
6 for jobs this project will create and
7 support region-wide. I respectfully request
8 we get on with business in Minnesota. Thank
9 you.

10 COLONEL JANSEN: Hello,
11 everyone. This is Colonel Jansen,
12 Commander of the US Army Corps of
13 Engineers, St. Paul District. It's now
14 9:00 p.m. To those remaining on the line
15 with us, we appreciate your participation
16 and we will carefully consider all comments
17 received before we make our decision
18 whether to revoke, reissue, or issue a new
19 permit with modified conditions for this
20 project. If you have additional
21 information for the hearing record, you may
22 provide it in writing to the St. Paul
23 District. You may find information on the
24 project and instructions for submitting
25 comments on our St. Paul District Polymet

1 project website page. If you require
2 assistance locating these instructions,
3 please call the St. Paul District at
4 651-290-5342. This hearing is now closed.
5 Thank you and wishing all a good evening.

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1 STATE OF MINNESOTA)
) Ss.
2 COUNTY OF HENNEPIN)

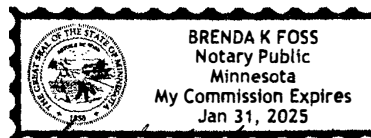
3 I, Brenda K. Foss, Certified
4 Shorthand Reporter and Notary Public duly
5 and qualified in and for the State of
6 Minnesota do hereby certify I heard the
7 call-in session via speaker phone hosted
8 by the Army Corps of Engineers.

9 I further certify that the foregoing
10 transcript is a true and correct transcript
11 of my original stenographic notes.

12 I further certify that I am neither
13 attorney or counsel for, nor related to or
14 employed by any of the parties to this
15 action.

16 IN WITNESS WHEREOF, I have hereunto
17 set my hand and affixed my Notarial Seal
18 this 14th day of June, 2022.

Brenda K. Foss
Court Reporter



Brenda K. Foss

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