

Attachment 1: Documents Submitted to EPA Regarding the PolyMet Clean Water Act Section 401(a)(2) May Effect Determination

Date	From/Created By	To	Title	Notes
8/2/2016	PolyMet Mining	John Linc Stine, MPCA	Poly Met Mining, Inc.'s Section 401 Water Quality Certification for the NorthMet Project	https://www.pca.state.mn.us/sites/default/files/401%20Reinitiation%20Cover%20Letter%202016-08-02.pdf
	COE		Summary of NorthMet Project Modifications since Publication of the SDEIS	https://www.pca.state.mn.us/sites/default/files/Summary%20of%20NorthMet%20Project%20Modifications%20since%20Publication%20of%20the%20SDEIS.pdf
8/19/2013	PolyMet Mining		NorthMet Project, Revised Wetland Permit Application	https://www.pca.state.mn.us/sites/default/files/Wetland%20Permit%20Application%20v2%20AUG2013%20w%20application.pdf
7/21/2017	Brad Moore, PolyMet Mining	John Linc Stine	PolyMet Mining, Inc.'s Section 401 Water Quality	https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-50s.pdf
7/28/2017	Jeff Stollenwerk, MPCA	Brad Moore, PolyMet Mining, Inc.	PolyMet Mining, Inc.'s Section 401 Water Quality Certification for the NorthMet Project	https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-50t.pdf
12/2017	Barr Engineering for PolyMet Mining		Antidegradation Assessment – NorthMet Project Section 401 Certification	https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51c.pdf
12/2017	PolyMet Mining		NorthMet Project Wetland Replacement Plan	https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51d.pdf
10/31/2017	Barr Engineering for PolyMet Mining		Cross-Media Analysis to Assess Potential Effects on Water Quality from Project-Related Deposition of Sulfur and Metal Air Emissions	https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51i.pdf
1/5/2018	Ann Foss, MPCA		MPCA Conclusions and Recommendations Related to Poly Met Mining, Inc.'s NorthMet	https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51h.pdf

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			Project's "Cross Media Analysis to Assess Potential Effects on Water Quality from Project-Related Deposition of Sulfur and Metal Air Emissions"	
7/11/2018	Christie M. Kearney, PolyMet Mining	John Linc Stine	PolyMet Mining, Inc.'s Section 401 Water Quality Certification for the North Met Project	
1/2018	MPCA		Clean Water Act Section 401 Water Quality Certification public notice material	https://www.pca.state.mn.us/sites/default/files/wq-gen2-19.pdf
1/2018	MPCA		401 Water Quality Certification for PolyMet public notice material	https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51r.pdf
12/20/2018	MPCA		Final PolyMet 401 Certification	https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51hh.pdf
	MPCA		PolyMet Mining, Inc. Antidegradation Review – Final Determination for 401 Certification	https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51ii.pdf
	MPCA		CWA Section 401 Water Quality Certification Program Fact Sheet	https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51jj.pdf
12/20/2018	MPCA		In the Matter of the Denial of Contested Case Hearing Requests and Issuance of MPCA Certification under Section 401 of the Clean Water Act for the Proposed NorthMet Project, Findings of Fact, Conclusions of Law, and Order (and Attachment A, 401 Certification Response to Contested Case Hearing	https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51kk.pdf

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			Requests; and Attachment B, General 401 Certification comments received and MPCA 401 thematic response)	
Undated	Nancy Schuldt, Water Projects Coordinator, FDL	Richard Clark, MPCA	Response to Barr Memo re: Sulfate and Methylmercury	Exhibit 1 in FDL submission
2/18/2010	Richard Karl (for Bharat Mathur, Acting Regional Administrator, Region 5 EPA)	Colonel Jon L. Christensen, District Engineer, US Army Corps of Engineers	Letter Regarding NorthMet Project - Draft Environmental Impact Statement CEQ# 20090387	Exhibit 2 in FDL submission
3/6/2012	Nancy Schuldt, Water Projects Coordinator, FDL	Tamara Cameron, Chief, Regulatory Branch, US Army Corps of Engineers	FDL Letter in Response to Corps' Request for Information	Exhibit 3 in FDL submission
12/4/2012	Rita Weaver, Barr Engineering Company	PolyMet Mining Inc.	Technical Memorandum Re FTB Dam Break Analysis	Exhibit 4 in FDL submission
8/2/2013	Esteban Chiriboga, GLIFWC		Map: St. Louis River Watershed and Tribal Historic District: Cumulative Hydrologic Impacts	Exhibit 5 in FDL submission
8/7/2013	Alan Walts, Director, Office of Enforcement and Compliance Assurance, Region 5 EPA	Timothy Dabney, US Forest Service; Barbara Naramore, MNDNR; Tamara Cameron, US Army Corps of Engineers	Letter Re: Preliminary Supplemental Draft Environmental Impact Statement for the NorthMet Mining Project and Land Exchange, Hoyt Lakes, St. Louis County, Minnesota	Exhibit 6 in FDL submission
09/2013	Staff from the Bois Forte Band of		Tribal Cooperating Agencies Cumulative Effects Analysis	Exhibit 7 in FDL submission

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	Chippewa, the Fond du Lac Band of Lake Superior Chippewa, the Grand Portage Band of Lake Superior Chippewa, the Great Lakes Indian Fish and Wildlife Commission, and the 1854 Treaty Authority		NorthMet Mining Project and Land Exchange	
3/13/2014	Alan Walts, Director, Office of Enforcement and Compliance Assurance, Region 5	Brenda Halter, US Forest Service; Colonel Dan Koprowski, US Army Corps of Engineers; Tom Landwehr, MNDNR	Letter Re: Supplemental Draft Environmental Impact Statement for the NorthMet Mining	Exhibit 8 in FDL submission
06/2015	Fletcher and Christin, Earth Economics		The Value of Nature's Benefits in the St. Louis River Watershed	Exhibit 9 in FDL submission
09/12/2017	Margaret Watkins, Grand Portage Trust Lands; Nancy Schuldt, Fond du Lac Environmental Program	Minnesota Department of Natural Resources Attention: NorthMetPermitting.DNR@state.mn.us	Letter Re: Comments on Draft PolyMet NorthMet water appropriations permits	Exhibit 10 in FDL submission
4/5/2018	Kevin Pierard, US EPA Region 5	Jeff Udd, MPCA	Handwritten notes on unsigned letter, denoting US EPA	Exhibit 11 in FDL submission

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			comments on PolyMet NPDES permit that were transmitted orally to MPCA on 4/5/2018	
10/31/2018	Kevin R. Dupuis, Sr. Chairman, Fond du Lac Band	Chad Konickson, U.S. Army Corps of Engineers; Cathy Stepp and Linda Hoist, U.S. EPA Region 5; John Line Stine, MPCA; Tom Landwehr, MNDNR	Letter Re: Fond du Lac Band's request for notice of and opportunity to respond to the pending CWA § 401 Certification and Permits Required for Operation of the Proposed NorthMet Mine to ensure compliances with Fond du Lac Band's downstream water quality standards	Exhibit 12 in FDL submission; Exhibit 5 of PolyMet submission
12/18/2018	Kevin Pierard, US EPA Region 5	File	Memorandum Re: Review Summary of Poly Met Mining, Inc., NorthMet Proposed NPDES Permit	Exhibit 13 in FDL submission
2/5/2019	Kevin R. Dupuis, Sr. Chairman, Fond du Lac Band	Cathy Stepp, U.S. EPA Region 5; Chad Konickson, U.S. Army Corps of Engineers	Re: State of Minnesota's Section 401 Certification for PolyMet Mining, Inc.'s NorthMet Project	Exhibit 14 in FDL submission
2/3/2010	Nancy Schuldt, Fond du Lac Reservation Environmental Program	Jon Ahlness US Army Corps of Engineers; Stuart Arkley, MNDNR	Letter Re: Comments on the draft EIS for the proposed PolyMet copper-nickel mine located near Hoyt Lakes, MN	Exhibit 15 in FDL submission
3/13/2014	Nancy Schuldt, Fond du Lac Reservation Environmental Program	Lisa Fay, MNDNR; Doug Bruner, U.S. Army Corps of Engineers; Michael Jiminez USFS	Letter Re: Comments on November 2013 Supplemental Draft Environmental Impact Statement and the Clean Water Act § 404 wetlands permit notification	Exhibit 16 in FDL submission

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12/18/15	Nancy Schuldt, Fond du Lac Reservation Environmental Program	Lisa Fay, MNDNR; Doug Bruner, U.S. Army Corps of Engineers; Michael Jiminez USFS	Letter Re: Comments of the Fond du Lac Band of Lake Superior Chippewa on the NorthMet Mining and Land Exchange Final Environmental Impact Statement and in response to the Army Corps of Engineers' Notice for the PolyMet Mining Inc, Section 404 Permit Application	Exhibit 17 of FDL submission
8/2/2018	Nancy Schuldt, Fond du Lac Reservation Environmental Program	Connie Cummings, USFS; Chad Konickson, US Army Corps of Engineers	Letter Re: Petition for Supplemental Environmental Impact Statement for NorthMet Mine Project	Exhibit 18 of FDL submission
3/26/2018	M3 for PolyMet		Form NI 43-101F1 Technical Report	Exhibit 19 of FDL submission
3/16/2018	Nancy Schuldt, Fond du Lac Reservation Environmental Program	MPCA	Letter Re: Fond du Lac Band of Lake Superior Chippewa comments and objections to draft NorthMet NPDES/SDS permit	Exhibit 20 of FDL submission
3/16/2018	Nancy Schuldt, Fond du Lac Reservation Environmental Program	MPCA	Letter Re: Fond du Lac Band of Lake Superior Chippewa comments and objections to draft NorthMet § 401 water quality certification	Exhibit 21 of FDL submission; Exhibit 4 of PolyMet submission
3/6/2018	Nancy Schuldt, Fond du Lac Reservation Environmental Program	MPCA	Re: Fond du Lac Band of Lake Superior Chippewa comments and objections to draft NorthMet permit to mine	Exhibit 22 of FDL submission
10/16/2017	Nancy Schuldt, Fond du Lac Reservation	MPCA	Re: Comments on Draft PolyMet NorthMet dam safety permits	Exhibit 23 of FDL submission

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	Environmental Program			
12/11/2015	Brian A. Branfireun	Prepared for: Paula Maccabee, Esq.	Final Draft Expert Review of Brian A. Branfireun, PhD Of the NorthMet Mining Project and Land Exchange Final Environmental Impact Statement	Exhibit 24 of FDL submission
1/20/2019	Brian A. Branfireun	Prepared for: Paula Maccabee, Esq.	Expert Review of the Minnesota Pollution Control Agency Clean Water Act Section 401 Certification for the NorthMet Project	Exhibit 25 of FDL submission; Exhibit 6 of the PolyMet submission
3/14/2018	Jane Reyer, Friends of the Boundary Waters Wilderness	Ann Maest, PhD, Buka Environmental	Technical Memorandum Re: Comments on PolyMet Mining's Cross-Media Report: Issues Related to Estimates of Metal Concentrations and Geochemical Behavior in the Wetland-of- Interest	Exhibit 26 of FDL submission
3/10/2014	Brian A. Branfireun, PhD	Prepared for: Paula Maccabee, Esq.	Expert Opinion of Brian A. Branfireun, PhD Concerning the NorthMet Mining Project and Land Exchange Supplemental Draft Environmental Impact Statement	Exhibit 27 of FDL submissions
Adopted 12/10/1998 Amended 7/8/2020			FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA WATER QUALITY STANDARDS OF THE FOND DU LAC RESERVATION ORDINANCE #12/98, as amended	Exhibit 28 of FDL submission

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4/21/2021	US EPA Office of Inspector General		Improved Review Processes Could Advance EPA Regions 3 and 5 Oversight of State-Issued National Pollutant Discharge Elimination System Permits	Exhibit 29 of FDL submission
4/28/2021	Dr. Brian Branfireun, PhD	Prepared for: The Fond du Lac Band of Lake Superior Chippewa	Re: Polymet NorthMet 401(a)(2) Certification Remand	Exhibit 30 of FDL submission
4/29/2021	Matthew Schweisberg	Prepared for the Fond du Lac Band of Lake Superior Chippewa	Polymet NorthMet 401(a)(2) Certification Remand	Exhibit 31 of FDL submission
2021	Janssen et al.		Examining historical mercury sources in the Saint Louis River estuary: How legacy contamination influences biological mercury levels in Great Lakes coastal regions	Exhibit 32 of FDL submission
4/23/2021	Cliff Twaroski		Declaration of Cliff Twaroski	Exhibit 1 of PolyMet submission
3/15/2018	Barr Engineering Cross-Media Analysis Team	Christie Kearney, Poly Met Mining, Inc.	Technical Memorandum Re: Estimated Potential Concentrations of Arsenic, Cobalt, and Copper in a Wetland for a Representative Scenario for Sulfide Mineral Dissolution; Supplement to the Cross-Media Analysis to Assess Potential Effects on Water Quality from Project-Related Deposition of Sulfur and Metal Air Emissions (October 31, 2017)	Exhibit 2 of PolyMet submission

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3/16/2018			Fond du Lac Band 401 Comments, as organized and numbered by MPCA	Exhibit 3 of PolyMet submission
Undated			Appendix A – The Cross-Media Analysis	PolyMet submission
Undated			Appendix B – Responses to Fond du Lac Band and Branfireun Comments	PolyMet submission
4/30/2021	PolyMet	US EPA, Region 5	Poly Met Mining, Inc. Comments Regarding Downstream Water Quality	