

Alyssa Bryant

From: Jeff Cox
Sent: Thursday, September 08, 2016 8:58 AM
To: Alyssa Bryant
Subject: FW: Vote Against Evidentiary Hearing Resolution for PolyMet

From: Dan Larson [mailto:dan@hydrosolutionsofduluth.com]
Sent: Wednesday, September 07, 2016 4:56 PM
To: Council <Council@duluthmn.gov>
Subject: Vote Against Evidentiary Hearing Resolution for PolyMet

Dear Councilor,

As a Duluth resident, and **Business owner** I'm passionate about our community and ensuring the beauty of Lake Superior is maintained for generations. However, I also know that in order to do this, we need to provide jobs and economic opportunity for our children and their children's children. PolyMet is one of the many chances we have to do just that.

I know that citizens are asking the Duluth City Council to adopt a resolution asking the Minnesota Department of Natural Resources (DNR) to hold an evidentiary hearing before deciding on PolyMet's application for a permit to mine. Through strong environmental review and permitting process and established regulatory systems that include the opportunity for public review and input, we can ensure that PolyMet can meet the standards set in place by our government. We should rely on the established processes to bring economic change and prosperity to our community.

I urge you to vote against this resolution and protect our established process.

Dan Larson

President



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PROPOSED RESOLUTION LANGUAGE:

Title

RESOLUTION CALLING FOR THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES TO SUBMIT ANY POLYMET PERMIT TO MINE APPLICATION TO THE OFFICE OF ADMINISTRATIVE HEARINGS FOR AN EVIDENTIARY HEARING PRIOR TO MAKING A DECISION ON THE APPLICATION.

Body

BY COUNCILORS ANDERSON, WESTERLUND AND SIPRESS:

WHEREAS, PolyMet Mining Corporation ("PolyMet") has proposed Minnesota's first nonferrous/copper-nickel open-pit mine to be located in the Superior National Forest (the "Project"); and

WHEREAS, The Project, including its tailings storage facility, would be located in the St. Louis River watershed, upstream of the St. Louis River, the Fond du Lac reservation, the St. Louis River estuary, the city of Duluth and Lake Superior; and

WHEREAS, the Project has the potential to impair water quality, adversely affect wild rice and aquatic life, and increase mercury contamination of fish in downstream waters as a result of ongoing mining operations, leaking tailings basins, and possible failure of tailings dams; and

WHEREAS, the Project would require active water quality treatment for an indefinite length of time to comply with water quality standards and could result in unfunded liabilities to downstream property owners in the event of bankruptcy; and

WHEREAS, Duluth's local economy relies heavily on the unique and outstanding quality of our natural resources, including clean water. Duluth has invested significant financial resources in restoring water quality and reducing mercury contamination in fish in the St. Louis River and Lake Superior ensuring that our water and fish are safe to consume by current and future generations, and the city has launched a multi-million dollar re-vitalization effort in the St. Louis River corridor focused on outdoor recreation opportunities; and

WHEREAS, the Duluth community includes enrolled members of the Lake Superior Chippewa who have treaty rights that would be affected by the Project; and


WHEREAS, PolyMet has announced its intent to file a permit to mine application with the Minnesota department of natural resources (the "DNR"). Once an application is filed, the DNR will make a decision on whether to issue PolyMet a permit to mine and has the authority to submit such application to public and evidentiary hearings; and

WHEREAS, information gathered at an evidentiary hearing in front of an impartial administrative law judge, including fact-based expert testimony, cross-examination of witnesses, and findings of fact and recommendations by the administrative law judge, would allow the DNR to make a fully informed decision regarding a permit to mine based upon evidence and science;

THEREFORE, BE IT RESOLVED that the city council calls for the DNR to submit any PolyMet permit to mine application to the office of administrative hearings for a fair and impartial evidentiary hearing to address whether the proposal would meet the requirements of state law prior to making a final decision on the permit to mine application for the Project.

Dan Larson

President

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