

To: Duluth City Council
From: Laura Gauger, 1321 E. 1st St., Duluth, MN 55805
Date: September 12, 2016
Re: File # 16-0681R

My name is Laura Gauger, and I have been a Duluth resident for about 6 years.

I am submitting into the record a stack of petitions signed by 239 Duluthians. They are asking for Congressional hearings on aspects of the PolyMet project.

I am bringing the petition to your attention because it is complimentary to the Anderson/Sipress/Westerlund resolution under consideration.

The citizens who signed the petition are concerned about clean water and want fact-based hearings on decisions made with regard to the PolyMet project – the same concerns addressed in Resolution 681.

I have tallied the petition results, by precinct, so you can see how signatures came from all over town (attached).

If I were a betting person, I'd say the same 239 Duluthians who signed this petition would also support (and want you to support) tonight's resolution requesting evidentiary hearings on any PolyMet permit-to-mine application.

On another note, I would like to offer a real life example of WHY evidentiary hearings are needed.

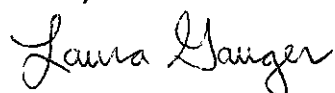
In 2011, I was a plaintiff in a federal Clean Water Act case against the owner of the Flambeau Mine in Wisconsin. It was a three-year legal battle over the pollution of a stream that the Wisconsin DNR had listed as "impaired" due to high copper levels linked to the mine. Here is the listing, as posted on the Wisconsin DNR website (attached).

Yet in 2013, representatives of the mining industry here in Minnesota sent a letter to Governor Mark Dayton and ALL of Minnesota's state and federal lawmakers (copy attached) in which they held up the example of the Flambeau Mine as a reason to not fear moving forward with the PolyMet project. They stated, and I quote, **"Right next door in Wisconsin, the Flambeau Mine ... has not impaired local waters."** It was a blatant lie told right to the governor.

Evidentiary hearings would sort out this kind of misinformation so that our government officials would truly have the facts when making important decisions affecting Minnesota's waters.

That's why I urge you to vote YES on tonight's resolution, and I also ask that, in your deliberations, you please weigh the signatures of those 239 Duluthians who signed the complimentary petition asking for Congressional hearings.

Thank you.



Laura Gauger

Tally of PolyMet Petition Results for City of Duluth, by Precinct*
 -Results compiled by Laura Gauger of Duluth, MN – August 2016

Precinct Number	Number of Signatures on Petition as of August 2016	District Number
1	6	1 – Gary Anderson Total Signatures, to date = <u>43</u>
2	6	
3	9	
4	5	
5	8	
6	6	
7	3	
8	8	2 – Joel Sipress Total Signatures, to date = <u>68</u>
9	10	
10	0	
11	6	
12	16	
13	28	
14	18	3 – Em Westerlund Total Signatures, to date = <u>89</u>
15	22	
16	9	
17	19	
18	7	
19	7	
20	7	
21	9	4 – Howie Hanson Total Signatures, to date = <u>24</u>
22	1	
23	2	
24	1	
25	1	
26	7	
27	3	
28	1	5 – Jay Fosle Total Signatures, to date = <u>15</u>
29	8	
30	2	
31	0	
32	2	
33	2	
34	0	
At Large		Barb Russ, Elissa Hansen, Noah Hobbs, Zach Filipovich

Time Period: May 9, 2016 – August 5, 2016

Signatures from Minnesotans in City of Duluth precincts = 239

Signatures from Minnesotans outside of City of Duluth precincts = 119

Grand total of Minnesota Signatures = 358

* Two different versions of the petition were circulated in Duluth between May 2016 and August 2016. One was addressed to both Senator Al Franken and Senator Amy Klobuchar, and the other to Senator Franken alone. The latter was developed and circulated first, prior to the author's knowledge that Senator Klobuchar, too, sits on an important U.S. Senate committee with jurisdiction in this matter. Since the signers of both petitions were indeed seeking Congressional oversight hearings on the issue at hand, all petitions are included in this tally. As one business owner stated, she was "100% comfortable" that those who signed the original petition at her establishment would have also signed the dual senator version.

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Rusk County, Wisconsin

Watersheds

UC07

Water ID Code

7215137

[View Water Details](#)**Lake Acres**

0.51

Water Condition

Water is impaired due to one or more pollutants and associated quality impacts.

Notes

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Listing Details

Pollutant	303(d)	Listed For	Fish and Aquatic Life
Impairments	Acute Aquatic Toxicity	Current Use	FAL - Fish and Aquatic Life Community
Listing Status	Proposed for List	Attainable Use	FAL - Fish and Aquatic Life Community
Priority	Low	Designated Use	FAL - Fish and Aquatic Life Community
303(d) ID	2012-125	Listing Date	4/01/2012

Pollutant	303	Listed For	Fish and Aquatic Life
Impairments	Acute Aquatic Toxicity	Current Use	FAL - Fish and Aquatic Life Community
Listing Status	Proposed for List	Attainable Use	FAL - Fish and Aquatic Life Community
Priority	Low	Designated Use	FAL - Fish and Aquatic Life Community
303(d) ID	2012-126	Listing Date	4/01/2012

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Sept. 25, 2013

The Honorable Mark Dayton
Governor, State of Minnesota
130 State Capitol
St. Paul, MN 55155

RE: Minnesota Should Say Yes to Copper-Nickel Mineral Development

Dear Governor Dayton:

Anti-mining activists opposed to mineral development in Minnesota are urging you, as the state's chief executive, to address four questions before the state approves any proposed copper-nickel mining projects. These questions are focused on ensuring Minnesota's water resources are protected, that environmental safeguards are in place, that proper reclamation of mine sites will occur after mining is completed, and that taxpayers will be protected from any financial burdens. We agree that these are all good questions — and that there are fact-based answers that will give you and all the citizens of Minnesota the utmost confidence that new copper-nickel mining projects can bring unprecedented economic opportunity to Minnesota while protecting our precious natural environment. In short, can Minnesota enjoy both mining growth and a healthy environment? The answer is unequivocally **YES**.

1) Will Minnesota's water stay safe and clean?

YES, our water will be protected and be kept safe. The Minnesota Pollution Control Agency (MPCA) and the Federal Environmental Protection Agency have multiple specific water quality standards and regulations. Companies are required to have controls in place to comply with comprehensive environmental standards — assuring clean and safe water, air and land.

2) Are there strong safeguards in place for when things go wrong?

YES, safeguards require companies to demonstrate necessary remediation funding. Further, plans are in place to first prevent pollution and, second, address any potential unforeseen issues. The Minnesota Department of Natural Resources (DNR) and the U.S. Army Corps of Engineers, U.S. Forest Service, and Bureau of Land Management all require thorough environmental review of potential impacts before permits are issued. Should unplanned issues arise during operation, the Minnesota DNR and MPCA have authority to require corrective enforcement actions to remedy the issues. This requires additional financial assurance.

3) Will the company leave the site clean and maintenance free?

YES, state and federal agencies mandate the reclamation of all mining and processing activity, including mines, tailing basins, waste rock, wetland restoration, re-vegetation of disturbed ground, closure and post closure maintenance. In addition, strong financial requirements in Minnesota assure responsible clean-up. The financial assurance must be available to the state at all times and is adjusted annually by the state. Provisions for post closure maintenance are in place as a tool to eliminate the potential for water quality problems that have been documented from past mining operations in other states.

4) Will Minnesota's taxpayers be protected?

YES, taxpayers are financially protected and will not be on the hook for paying for anything that is the financial responsibility of mining companies. Minnesota requires state-managed and annually adjusted bankruptcy-proof financial assurance to cover any possible costs before permits can be issued. Minnesota is authorized to deny or revoke a permit if a company does not comply.