

January 15, 2010

Steve Morse  
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Minnesota Environmental Partnership  
Suite 100  
546 Rice Street  
Saint Paul, MN 55101

Dear Mr. Norton:

The Minnesota Department of Natural Resources (MnDNR) has received requests to conduct additional public information meetings and to extend the Draft Environmental Impact Statement (DEIS) comment period for the PolyMet Mining NorthMet Project. After considering these requests in light of the requirements of the Minnesota Environmental Policy Act (MEPA), the MnDNR has determined that no additional public meetings will be held and that the DEIS public comment period will not be extended. The rationale for these determinations is provided in the paragraphs below.

In determining the length of the DEIS public comment period, the MnDNR conferred with the U.S. Army Corps of Engineers (USACE) and carefully considered: the complexity of the proposed project; the length of the DEIS; the level of public interest and concern regarding the proposed project; the occurrence of a number of holidays during the public comment period; the U.S. Environmental Protection Agency request for a public comment period longer than 45 days; and other public requests for an extended public comment period. Based upon these considerations, the agencies set a 90-day public comment period, significantly longer than the 30-day period required by state regulations. In addition, the DEIS was made available to the public several days before the start of the formal public comment period via the MnDNR's web site in order to increase the available amount of review time.

The MnDNR and the USACE jointly conducted two public information meetings, which exceeds the MEPA requirement to hold one meeting. The meetings were conducted on December 9, 2009, in Aurora, Minnesota, and on December 10, 2009, in Blaine, Minnesota. The Aurora location was selected because it is very close to the proposed project site in St. Louis County and because it had a facility (Mesabi East School) large enough to accommodate the large number of people that the agencies expected would attend the meeting (approximately 700 people attended). The Blaine location (Schwan Center, National Sports Center) was selected because it had adequate capacity, is within the Twin Cities seven-county metro area (the largest population center in the state) approximately 20 miles from downtown St. Paul, and is in the northern portion of the Twin Cities area, which is closer for people who may have travelled from the northern part of the state. The public information meetings included open house sessions where technical staff from the MnDNR, USACE, and the Minnesota Pollution Control Agency

(MPCA) were present to answer questions regarding the DEIS. In sum, the state and federal agencies have recognized the need for and have implemented an enhanced public participation process for the PolyMet NorthMet DEIS. Therefore, no additional public meetings are required or planned, and the DEIS public comment period will not be extended.

Comments have been received regarding the timing of the meetings. The agencies conducted the meetings on the 37<sup>th</sup> and 38<sup>th</sup> days after the MnDNR release of the DEIS. This meets the requirements of MEPA, which establishes a minimum of 15 days after release of the DEIS before a public information meeting can be conducted, and still provides the public with a sufficient number of days after the meetings to read the DEIS and formulate and submit comments. No public meetings later in the DEIS public comment period are required or planned.

Some comments suggested that public information meetings be conducted in other locations around the State. As stated above in the third paragraph of this letter, one meeting was conducted near the proposed project site and the other meeting was conducted in the major population center of Minnesota. Both of the meetings were well attended. The open house tables were visited by many attendees and several hundred comments were received in writing and orally through the stenographers. The agencies believe that most people who wanted to attend were able to do so. No meetings in other locations are required or planned.

Comments have also been received regarding the format of the public information meetings. The purpose of the meetings was to provide information to the public and to enable the public to provide comments regarding the DEIS to the agencies. The MnDNR believes that the open house format with a formal presentation and opportunities for the public to provide comments on the DEIS orally for transcription by stenographers or in writing on comment forms meets the requirements of MEPA. In addition, the public can continue to submit comments regarding the DEIS until the close of the public comment period on February 3, 2010. The open house portions of the meetings (from 5:00 to 7:00 p.m. and from 8:00 to 10:00 p.m. at both meeting locations) provided opportunities for the public to ask questions and discuss issues with MnDNR, USACE, and MPCA staff. The formal presentation portion of the meetings enabled the agencies to provide information to the public regarding: the basics of the proposed PolyMet NorthMet project and reasonable alternatives; the basic content of the DEIS; and how to provide comments to the agencies regarding the DEIS. No meetings in alternate formats are required or planned.

If you have any questions please contact Stuart Arkley, of my staff, at (651) 259-5089.

Sincerely,

Steve Colvin  
Environmental Review Unit Supervisor

cc: Jon Ahlness, USACE