

Permit Number
2017-2077

Public Waters Work Permit

Expiration Date: 11/01/2023

Pursuant to Minnesota Statutes, Chapter 103G, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform actions as authorized below.

Project Name: NorthMet Project Dunka Road Upgrade: Unnamed Tributary to Wyman Creek Culvert Extension	County: St. Louis	Watershed: St. Louis River	Resource: Stream/River: Unnamed tributary to Wyman Creek
Purpose of Permit: Culvert Construction/Modification/Replacement		Authorized Action: Extend east end of existing culvert (36 inch CMP) by 26 feet at an invert elevation of 1584.68 ft (NAVD88) as proposed in the revised application dated 9/11/2017 and the Technical Memorandum dated 5/15/2017.	
Permittee: POLY MET MINING, INC. CONTACT: KEARNEY, CHRISTIE, (218) 471-2163 6500 CO RD 666 PO BOX 475 HOYT LAKES, MN 55750 (218) 471-2150		Authorized Agent: N/A	
Property Description (land owned or leased or where work will be conducted): UTM zone 15N, 569269m east, 5271389m north, NESE of Section 14, T59N, R14W			
Issued Date: 11/01/2018	Effective Date: 11/01/2018	Expiration Date: 11/01/2023	
Authorized Issuer: Tom Landwehr /s/ Tom Landwehr	Title: DNR Commissioner	Email Address: tom.landwehr@state.mn.us	Phone Number: 651-259-5022

This permit is granted **subject to** the following **CONDITIONS**:

APPLICABLE FEDERAL, STATE, OR LOCAL REGULATIONS: The permittee is not released from any rules, regulations, requirements, or standards of any applicable federal, state, or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city and township zoning.

NOT ASSIGNABLE: This permit is not assignable by the permittee except with the written consent of the Commissioner of Natural Resources.

NO CHANGES: The permittee shall make no changes, without written permission or amendment previously obtained from the Commissioner of Natural Resources, in the dimensions, capacity or location of any items of work authorized hereunder.

SITE ACCESS: The permittee shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.

CONDITIONS (Continued from previous page)

TERMINATION: This permit may be terminated by the Commissioner of Natural Resources at any time deemed necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the conditions or applicable laws, unless otherwise provided in the permit.

COMPLETION DATE: Construction work authorized under this permit shall be completed on or before the date specified above. The permittee may request an extension of the time to complete the project by submitting a written request, stating the reason thereof, to the Commissioner of Natural Resources.

WRITTEN CONSENT: In all cases where the permittee by performing the work authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the permittee, before proceeding, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests needed for the work.

PERMISSIVE ONLY / NO LIABILITY: This permit is permissive only. No liability shall be imposed by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the permittee, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the permittee, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable conditions.

EXTENSION OF PUBLIC WATERS: Any extension of the surface of public waters from work authorized by this permit shall become public waters and left open and unobstructed for use by the public.

WETLAND CONSERVATION ACT: Where the work authorized by this permit involves the draining or filling of wetlands not subject to DNR regulations, the permittee shall not initiate any work under this permit until the permittee has obtained official approval from the responsible local government unit as required by the Minnesota Wetland Conservation Act.

CONTRACTOR RESPONSIBILITY: The permittee shall ensure the contractor has received and thoroughly understands all conditions of this permit. Contractors must obtain a signed statement from the property owner stating that permits required for work have been obtained or that a permit is not required, and mail a copy of the statement to the regional DNR Enforcement office where the proposed work is located. The Landowner Statement and Contractor Responsibility Form can be found at: <http://www.bwsr.state.mn.us/wetlands/wca/index.html#general>.

INVASIVE SPECIES - EQUIPMENT DECONTAMINATION: All equipment intended for use at a project site must be free of prohibited invasive species and aquatic plants prior to being transported into or within the state and placed into state waters. All equipment used in designated infested waters, shall be inspected by the Permittee or their authorized agent and adequately decontaminated prior to being transported from the worksite. The DNR is available to train inspectors and/or assist in these inspections. For more information refer to the "Best Practices for Preventing the Spread of Aquatic Invasive Species" at http://files.dnr.state.mn.us/publications/ewr/invasives/ais/best_practices_for_prevention_ais.pdf. Contact your regional Invasive Species Specialist for assistance at www.mndnr.gov/invasives/contacts.html. A list of designated infested waters is available at www.mndnr.gov/invasives/ais/infested.html. A list of prohibited invasive species is available at www.mndnr.gov/invasives/laws.html#prohibited.

EROSION AND SEDIMENT CONTROL: In all cases, methods that have been determined to be the most effective and practical means of preventing or reducing sediment from leaving the worksite shall be installed in areas that slope to the water and on worksite areas that have the potential for direct discharge due to pumping or draining of areas from within the worksite (e.g., coffer dams, temporary ponds, stormwater inlets). These methods, such as mulches, erosion control blankets, temporary coverings, silt fence, silt curtains or barriers, vegetation preservation, redundant methods, isolation of flow, or other engineering practices, shall be installed concurrently or within 24 hours after the start of the project, and will be maintained for the duration of the project in order to prevent sediment from leaving the worksite. DNR requirements may be waived in writing by the authorized DNR staff based on site conditions, expected weather conditions, or project completion timelines.

FISHERY PROTECTION - EXCLUSION DATES: No activity affecting the bed of the protected water may be conducted between September 15 and June 30, to minimize impacts on fish spawning and migration. If work during this time is essential, it shall be done only upon written approval of the Area Fisheries Manager. See contact list at: http://files.dnr.state.mn.us/fisheries/management/dnr_fisheries_managers.pdf. Should work begin elsewhere in the project area within these dates, all exposed soils that are within 200 feet of Public Waters and drain to those waters must

CONDITIONS (Continued from previous page)

complete erosion control measures within 24 hours of its disturbance to prevent sediment from entering Public Waters.

PHOTOS AND AS-BUILTS: Upon completion of the authorized work, Permittee shall submit representative photographs and as-built surveys of the culvert extension project to the DNR Division of Lands and Minerals.

SITE VISIT: Permittee shall contact DNR Division of Lands and Minerals when construction is complete to arrange for and provide a visit of the completed culvert work site.

FILL MATERIAL: Any fill material used as part of the culvert extension must consist of clean inorganic material that is free of pollutants, nutrients, and fine sediments.

BEST MANAGEMENT PRACTICES (BMPS): Appropriate BMPs for erosion and sediment prevention and control shall be employed both during and after construction. Permittee shall ensure that all disturbed areas of the roadbed around the ends of the culvert and side slopes, and any other areas disturbed during construction, shall be protected against erosion through application of natural rock riprap, sod or seed and mulch. Such protections shall be completed as early as possible following construction.

cc: Jennifer Engstrom, Mineland Reclamation, Statewide
Erika Herr, DNR LAM
Michael Liljegren, DNR LAM
Steve Colvin, DNR EWR
Jim.Leach, DNR FAW
Mark Fredin, Conservation Officers, Aurora
Cathy Klegstad, City of Babbitt
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