



MINNESOTA DEPARTMENT OF NATURAL RESOURCES

Permit Number
2017-2077

Draft Public Waters Work Permit

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

Draft Authorized Action:

No actions are authorized in this document. No work in public waters is authorized by this public comment draft, which has been prepared for purposes of public review and input only. This document identifies proposed conditions that may apply to Poly Met Mining, Inc.'s application for a permit to modify a culvert.

Potential 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 submitted plans 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

Authorized Issuer:

Pending

Title:

Pending

Issued Date:

Pending

Effective Date:

Pending

Expiration Date:

Pending

PROPOSED 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, Minnesota 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.

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 expiration 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 on 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 and the contractor are considered to be jointly and severally liable for compliance with permit requirements. The Permittee shall ensure the contractor has received and thoroughly understands all conditions of this permit. Contractors must obtain a signed statement from the Permittee stating that all permits required for work have been obtained or that a permit is not required.

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 its 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 the DNR 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/eco/invasives/laws.html#prohibited.

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.

EROSION PREVENTION: All disturbed areas of the roadbed around the ends of the culvert and side slopes 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.

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.