

Appendix A: References

Executive Order 13175, November 9, 2000, *Consultation and Coordination with Indian Tribal Governments*, <https://www.govinfo.gov/content/pkg/FR-2000-11-09/pdf/00-29003.pdf> (last visited April 27, 2022)

Fond du Lac Band Exhibits submitted to EPA by the prior to EPA's June 4, 2021 "may affect" notification, <https://www.epa.gov/mn/documents-submitted-epa-fond-du-lac-band> (last visited April 27, 2022)

Fond du Lac Band of Lake Superior Chippewa, July 8, 2020, *Water Quality Standards of the Fond du Lac Reservation, Ordinance #12/98*, as amended through July 8, 2020. <http://www.fdlrez.com/government/ords/12-98WaterQualityStandard2020.07.pdf> (last visited April 27, 2022)

Fond du Lac Objection to NorthMet Mine Project, August 3, 2021, U.S. Army Corps Proposed Permit MVP-1999-05528-TJH, <https://www.epa.gov/mn/documents-submitted-epa-fond-du-lac-band> (last visited April 27, 2022)

Fond du Lac Band of Lake Superior Chippewa v. EPA, 519 F.Supp.3d 549, 567 (D. Minn. 2021)

Fond du Lac Band of Lake Superior Chippewa v. EPA, No. 19-cv-2489-PJS-LIB, slip op. at 2 (D. Minn., March 8, 2021)

Minnesota Department of Health's Fish Consumption Guidelines Webpage, <https://www.health.state.mn.us/communities/environment/fish/index.html#waterbody> (last visited April 27, 2022)

Minnesota Department of Natural Resources, November 2015, *Northmet Mining Project and Land Exchange Final Environmental Impact Statement*, <https://www.dnr.state.mn.us/input/environmentalreview/polymet/feis-toc.html> (last visited April 27, 2022)

Minnesota Pollution Control Agency, January 10, 2018, *Antidegradation Preliminary Determination*, <https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51n.pdf>. (last visited April 28, 2022)

Minnesota Pollution Control Agency, December 20, 2018, *Final PolyMet 401 Water Quality Certification*, <https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51hh.pdf> (last visited April 26, 2022)

Minnesota Pollution Control Agency, December 20, 2018, *Findings of Fact in the matter of the denial of contested case hearing requests and issuance of MPCA certification under Section 401 of the Clean Water Act for the proposed NorthMet project*, <https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51kk.pdf>, (last visited April 27, 2022)

Minnesota Pollution Control Agency, Minnesota's Impaired Waters List Webpage, <https://www.pca.state.mn.us/water/minnesotas-impaired-waters-list> (last visited April 27, 2022)

Minnesota Pollution Control Agency, December 20, 2018, *PolyMet 401 Antidegradation Assessment*, <https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51ii.pdf> (last visited April 27, 2022)

Minnesota Pollution Control Agency, January 10, 2018, *Poly Met Mining, Inc. NPDES Antidegradation Review - Preliminary MPCA Determination*, , <https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51n.pdf> (last visited April 27, 2022)

Minnesota Pollution Control Agency, PolyMet's NorthMet Mining Project Webpage, <https://www.pca.state.mn.us/regulations/polymets-northmet-mining-project> (last visited April 8, 2022)

Minnesota Pollution Control Agency, *Cross-Media Analysis to Assess Potential Effects on Water Quality from the Project-Related Deposition of Sulfur and Metal Air Emissions*, Barr, October 31, 2017, <https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51i.pdf> (last visited April 27, 2022)

Minnesota Pollution Control Agency, St. Louis River Watershed mercury TMDL Webpage, Minnesota Pollution Control Agency, <https://www.pca.state.mn.us/water/st-louis-river-watershed-mercury-tmdl#:~:text=Because%20the%20main%20source%20of,93%20percent%20from%201990%20levels> (last visited April 27, 2022)

Minnesota Pollution Control Agency, January 31, 2018, *Clean Water Act Section 401 Water Quality Certification Program Fact Sheet*, <https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51jj.pdf> (last visited April 26, 2022)

Minnesota Pollution Control Agency, January 31, 2018, *National Pollutant Discharge Elimination System /State Disposal System (NPDES/SDS) Permit Program Fact Sheet. MN0071013. Prepared for public comment period beginning. January 31, 2018*, <https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51gg.pdf> (last visited April 27, 2022)

Minnesota Pollution Control Agency, December 20, 2018, CWA Section 402 Permit MN0071013, <https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51ff.pdf> (last visited April 27, 2022)

Minnesota Pollution Control Agency, August 1, 2018 , CWA Section 402 General Permit MNR100001: <https://www.pca.state.mn.us/sites/default/files/wq-strm2-80a.pdf> and Notices of Coverage: <https://webapp.pca.state.mn.us/csw/permits/C00053251>; <https://webapp.pca.state.mn.us/csw/permits/C00053252>; <https://webapp.pca.state.mn.us/csw/permits/C00053253>; <https://webapp.pca.state.mn.us/csw/permits/C00053254> (last visited April 27, 2022)

Minnesota Pollution Control Agency, CWA Section 402 Permit Response to Comments, <https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51oo.pdf> (last visited April 27, 2022)

Minnesota Pollution Control Agency, December 20, 2018, Attachment A - *401 Certification Response to Contested Case Hearing Requests* <https://www.pca.state.mn.us/sites/default/files/wq-wwprm1-51ll.pdf> (last visited April 29, 2022)

Minnesota Pollution Control Agency, December 20, 2018, NorthMet Project CWA Section 401 Certification, <https://www.mvp.usace.army.mil/Portals/57/docs/regulatory/PolyMet/Northmet%20Encl%20C%20401%20WQ%20Cert.pdf?ver=2019-03-22-091249-043> (last visited April 28, 2022)

PolyMet Mining Corp. *Annual Information Form for the year ended December 31, 2021*. Submittal to the Securities and Exchange Commission. March 17, 2022, <https://www.sec.gov/Archives/edgar/data/0000866028/000106299322008047/exhibit99-1.htm> (last visited April 19, 2022)

PolyMet Mining Corp. April 30, 2021, Exhibits submitted to EPA prior to EPA's June 4, 2021 "may affect" notification <https://www.epa.gov/mn/documents-submitted-polymet-mining-inc>, (last visited April 27, 2022)

PolyMet Mining Corp., *Mercury Overview: A summary of potential mercury releases from the NorthMet Project and potential effects on the environment*. Barr for PolyMet Mining Inc, March 2015. <https://www.pca.state.mn.us/sites/default/files/Mercury%20Overview.pdf> (last visited April 27, 2022)

PolyMet Mining Corp., March 17, 2021, Letter from Colonel Karl D. Jansen, District Engineer, U.S. Army of Engineers, to Christie Kearney, PolyMet Mining, https://www.mvp.usace.army.mil/Portals/57/docs/regulatory/PolyMet/1999-05528-TJH_20210317_Polymet_Suspension_Letter.pdf?ver=MRtztWwBXu8eHe208VOzw%3d%3d (last visited April 8, 2022)

Polymet Mining Corp. December 2017, *NorthMet Project Water Management Plan – Mine* https://files.dnr.state.mn.us/lands_minerals/northmet/permit_to_mine/appendix_11_2_dec17.pdf (last visited April 27, 2022)

PolyMet Mining Corp., August 19, 2013, *NorthMet Revised Permit Application*, PolyMet Mining, <https://www.pca.state.mn.us/sites/default/files/Wetland%20Permit%20Application%20v2%20AUG2013%20w%20application.pdf> (last visited April 28, 2022)

Treaty with the Chippewa, 1854, <https://glifwc.org/TreatyRights/TreatyChippewa09301854Web.pdf>. (last visited March 28, 2022)

U.S. Army Corps of Engineers, March 22, 2019, *Record of Decision for the Northmet Mine Project*, <https://www.mvp.usace.army.mil/Portals/57/docs/regulatory/PolyMet/NorthMet%20FEIS%20Record%20of%20Decision%20-%20Corps%20of%20Engineers.pdf?ver=2019-03-22-084206-570> (last visited April 27, 2022)

U.S. Army Corps of Engineers, March 22, 2019, *PolyMet Mining, Inc. Permit No. MVP-1999-05528-TJH*, <https://www.mvp.usace.army.mil/Portals/57/docs/regulatory/PolyMet/NorthMet%20Permit%20-%20Corps%20of%20Engineers.pdf?ver=2019-03-22-091358-997>. (Last visited April 27, 2022)

U.S. Census Bureau, American Community Survey, 5-year estimates, 2020, Table ID B17001, Fond du Lac Reservation and Off-Reservation Trust Land, Poverty Status in the Past 12 Months by Sex by Age, <https://data.census.gov/cedsci/table?q=fond%20du%20lac%20reservation&tid=ACSDT5YAIAN2015.B17001> (last visited April 29, 2022)

U.S. Census Bureau, American Community Survey, 5-year estimates, 2020, Table ID B17001C, Fond du Lac Reservation and Off-Reservation Trust Land, Poverty Status in the Past 12 Months by Sex and Age (American Indian and Alaska Native Alone), [https://data.census.gov/cedsci/table?q=B17001C%3A%20POVERTY%20STATUS%20IN%20THE%20PAST%2012%20MONTHS%20BY%20SEX%20BY%20AGE%20%28AMERICAN%20INDIAN%20AND%20ALASKA%20NATIVE%20ALONE%](https://data.census.gov/cedsci/table?q=B17001C%3A%20POVERTY%20STATUS%20IN%20THE%20PAST%2012%20MONTHS%20BY%20SEX%20BY%20AGE%20%28AMERICAN%20INDIAN%20AND%20ALASKA%20NATIVE%20ALONE%20)

U.S. Environmental Protection Agency, June 4, 2021, *Application of Region 5's CWA 401(a)(2) "May Affect" Screening Analysis for PolyMet's NorthMet Mining Project*, (June 4, 2021), <https://www.epa.gov/sites/default/files/2021-06/documents/polymet-401a2-analysis-document-20210604-15pp.pdf> on 401(a)(2) "May Affect" notification letters to Wisconsin and Fond du Lac Band of the Lake Superior Chippewa, including documents submitted to EPA (Attachment 1), [related-epas-polymet-northmet-401a2-notification](https://www.epa.gov/sites/default/files/2021-06/documents/polymet-northmet-401a2-notification.pdf) (last visited April 27, 2022)

U.S. Environmental Protection Agency, *EJ 2020 Action Agenda: EPA's Environmental Justice Strategy*, https://www.epa.gov/sites/default/files/2016-05/documents/052216_ej_2020_strategic_plan_final_0.pdf

U.S. Environmental Protection Agency, October 5, 2020, *EPA's Review of Revisions to the Fond du Lac Band of Lake Superior Chippewa's Water Quality Standards Under Section 303(c) of the Clean Water Act*, WQSTS # TR2018-1280, <http://www.fdlrez.com/rm/downloads/WQSEPADecisionDocument10-5-2020.pdf> (last visited April 15, 2022)

U.S. Environmental Protection Agency, 1995, *Great Lakes Water Quality Initiative Criteria Documents for the Protection of Human Health*, p. 50, <https://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=2000GYZK.txt> (last visited April 27, 2022)

U.S. Environmental Protection Agency, January 26, 2021, *Guidance for Discussing Tribal Treaty Rights*, <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/26/memorandum-on-tribal-consultation-and-strengthening-nation-to-nation-relationships/> (last visited April 27, 2022)

U.S. Environmental Protection Agency, et.al., November 202 Memorandum Of Understanding Regarding Interagency Coordination and Collaboration for the Protection of Tribal Treaty Rights and Reserved Rights, https://www.epa.gov/sites/default/files/2017-02/documents/mou_treat_rights_12-01-16_final.pdf (last visited April 25, 2022)

U.S. Environmental Protection Agency Office of Research and Development, January 25, 2022, *EPA's Review of Revisions to the Fond du Lac Band of Lake Superior Chippewa's Water Quality Standards Under Section 303(c) of the Clean Water Act* (Appendix B ORD Mercury Memo)

U.S. Environmental Protection Agency Office of Research and Development, March 15, 2022, *EPA ORD Review: Request for Scientific Support Regarding Potential Downstream Impacts of the Northmet Mine* (Appendix C ORD Specific Conductance Memo)

U.S. Environmental Protection Agency, November 8, 1984, *Policy for the Administration of Environmental Programs on Indian Reservations*, <https://www.epa.gov/sites/default/files/2015-04/documents/indian-policy-84.pdf> (last visited April 27, 2022)

U.S. Environmental Protection Agency, May 4, 2011, *Policy on Consultation and Coordination with Indian Tribes*, <https://www.epa.gov/sites/default/files/2013-08/documents/cons-and-coord-with-indian-tribes-policy.pdf> (last visited April 27, 2022);

U.S. Environmental Protection Agency, February 19, 2016, *Policy on Consultation and Coordination with Indian Tribes: Guidance for Discussing Tribal Treaty Rights*, https://www.epa.gov/sites/default/files/2016-02/documents/tribal_treaty_rights_guidance_for_discussing_tribal_treaty_rights.pdf (last visited April 27, 2022)

U.S. Environmental Protection Agency, 2016, *Policy on Environmental Justice for Working with Federally Recognized Tribes and Indigenous Peoples*, <https://www.epa.gov/sites/default/files/2017-10/documents/ej-indigenous-policy.pdf> (last visited April 19, 2022)

U.S. Geological Survey, Haserodt et.al, January 2021, *Groundwater/surface-water interactions in the Partridge River Basin and evaluation of hypothetical future mine pits, Minnesota*, <https://pubs.usgs.gov/sir/2021/5038/sir20215038.pdf> (last visited April 28, 2022)

Wisconsin Department of Natural Resources, August 2, 2022, Letter from David R. Siebert, Administrator, External Services Division, Wisconsin Department of Natural Resources, to Tera Fong, EPA R5 Water Division Director and Chad Konickson, Chief, Regulatory Branch, Corps,