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Via Email and U.S. Mail

October 27, 2009

Ms. Tamara Cameron
Chief, St. Paul District Regulatory Branch
US Army Corps of Engineers
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Mr. Stuart Arkley
PolyMet Project Manager
Minnesota Department of Natural Resources
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Re: PolyMet Mining, Inc., NorthMet Mine and Ore Processing Facilities, Hoyt Lakes,
Minnesota, **Public Comment Period for Draft Environmental Impact Statement**

Dear Ms. Cameron and Mr. Arkley;

The Sierra Club is requesting that 180 days be allowed for public comment on the Draft Environmental Impact Statement ("DEIS") for the proposed PolyMet NorthMet open pit sulfide mine project within the Superior National Forest in Minnesota.

This request is made on behalf of the more than 16,000 members of North Star Chapter of the Sierra Club in Minnesota and over one million members and supporters of the Sierra Club nationwide. The North Star Chapter has been working for over 40 years to preserve Minnesota's conservation legacy.

The Polymet project would be Minnesota's first copper sulfide strip mine and processing facility. It is located within close proximity to several important cultural and natural resources, in an area that serves as important habitat for Canada lynx, grey wolf, and moose. The impact upon regional watersheds, wetlands and other water resources are also of prime concern for the citizens of Minnesota.

It is also anticipated that the DEIS will be over 800 pages along with supporting documentation, reference material and maps. It is therefore reasonable to request that the public comment period be of a duration that would allow greatest public review and comment to such an unprecedented project, the first to allow mining in this manner.

The Sierra Club therefore requests the following:

1. 180 days for public review and comment of PolyMet's NorthMet Project Draft Environmental Impact Statement ("DEIS").

It is not unusual to have comment periods longer than a 45 day review period as defined in 40 C.F.R. 1506.10(c). This is a minimum time for which federal projects can be reviewed and is often expanded when the projects proposed are complex, multi-faceted, or unprecedented.

The U.S. EPA has also recognized that an expanded review period is needed for the public to be able to adequately review and comment on the proposed project. EPA agency comments to the project, submitted on July 31, 2009 by Kenneth Westlake, Supervisor, NEPA Implementation, specifically advised a 120 day comment period. Westlake noted that similar projects submitted for public review have had longer than 45 review days, and went on to assert:

"We observe that public interest in copper mines in the Upper Midwest is high. Decisions made for this project may be precedent-setting, as it is the first large-scale copper mine in Minnesota. We have consistently urged USACE to adopt a realistic comment period for this project over the past two years and will address this concern regarding the comment period with the USACE St. Paul District Colonel separately."

The Sierra Club request for a minimum 180 days is reasonable given the need for the public to better understand and comment on the project's immediate and long term impacts to Minnesota. As the exploration for metallic minerals increases across northeastern Minnesota, there is growing concern from Lake Associations, realtors, land owners, businesses, hunters and anglers. Associated with the potential environmental damage from sulfide mining, are potentially huge economic risks and costs to the area. Minnesotans should have a full 180 days to comment on the proposed project.

The proposed PolyMet project is sited within the Superior National Forest. These public lands contain some of the last wildlife habitat in Minnesota supporting listed species such as the endangered Canada lynx, the threatened grey wolf; moose and other wildlife, as well as aquatic and avian life.

There will be thousands of pages of technical documents accompanying the expected 800 pages of the DEIS. The sheer volume and technical complexity, of this material, requires a full 180 days in order for concerned citizens to sort through and analyze data before submitting well-informed comments. A project, of this scope and complexity, involving mining processes never previously permitted in Minnesota, requires a greater public comment period.

PolyMet is under environmental review for roughly 1/3 of its processing capacity. The company has stated that the remaining processing capacity could be met by mining nearby metallic sulfide deposits. The scale of mining being planned for Northeastern Minnesota will be unprecedented, even for a state that has known iron mining for well over a century.

2. Schedule and Hold Public Hearings on the DEIS

The Superior National Forest is an important federal resource that benefits all of the citizens of Minnesota. The Sierra Club requests three full public hearings be scheduled on the DEIS in addition to the two public hearings proposed for Hoyt Lakes, and St. Paul. The Fond du Lac Chippewa reservation, the city of Ely, and the city of Duluth. These hearings should have at least thirty (30)

days notice within each area and provide an opportunity for questions to be submitted by the public and answered by agency representatives.

The Fond du Lac Chippewa reservation as well as non-tribal residents living within the Lake Superior watershed may be adversely affected by PolyMet's proposed project. The city of Ely, entry point to the Boundary Waters Canoe Area Wilderness, is surrounded by metallic mineral exploration that would border the PolyMet site. The city of Duluth is the St. Louis County seat, and is located at the mouth of the St. Louis River.

Concerns over water quality, wildlife, and their habitat are shared by many Minnesotans. Public meetings at these five locations will allow the public to better understand the project being proposed and would enable them to be better able to provide meaningful comment to the project.

3. Entire DEIS is ready for review before comment period begins

The Sierra Club strongly advises that the comment period not begin until the complete DEIS and all accompanying reference and supporting material is available and easily accessible for public review via the internet. We understand that there is some urgency to release the DEIS. The release of an incomplete DEIS, however, is contrary to the purpose and spirit of NEPA to allow full public review and comment. Shortchanging the public of the maximum time available to review and provide comments on the complete document undermines the NEPA process. Such action compromises NEPA's ability to provide the public and the decision makers an opportunity for full disclosure and discussion on the project's environmental impact.

4. Provide Internet Access to all DEIS materials

The Sierra Club strongly supports the October 7, 2009, letter sent by eight Minnesota environmental and conservation organizations, and reaffirms the request that the U.S. Army Corps of Engineers, the DNR and other joint agencies provide all DEIS documents, maps, references, and comments made by agencies and the public be made available via the Internet with easily identifiable and accessible links and downloading processes. The Sierra Club also recognizes and supports the letters sent by potentially affected northeastern individuals and concerned organizations requesting a 180 day comment period and additional public hearing locations.

We also request that paper copies and CDs of the DEIS, as well as all related documents, be provided at no cost and be able to be requested via email or telephone, with the establishment a toll-free document request hotline;

Specific notice should be provided to all persons and communities located on the bodies of water to be affected, and it should include specific information on where documents can be obtained and comments made. Finally, the public should have the option to submit any comment on the DEIS electronically throughout the comment time period and at any public hearings.

The Polymet DEIS is an important document for the future of Minnesota. We respectfully request that Minnesotans be provided an opportunity to review and understand what is being proposed and the potential impact the project will have on our state.

A 180 day comment period, public hearings where DEIS information is presented and questions answered, reasonable notice given to communities that may be impacted, an assurance that the entire DEIS is available for the entire review period, and steps taken to allow easy access to DEIS information via the internet and other methods such as print and CD, are the minimum steps that should be taken to ensure that Minnesotans have the best opportunity to review and comment on a project never before seen in Minnesota.

Please contact us if we can be of any assistance or if you have questions about this letter.

Respectfully submitted,



Margaret Levin
State Director
Sierra Club North Star Chapter

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Copy also sent to:

Audubon of Minnesota
Clean Water Action - Minnesota
EARTHWORKS
Friends of the Boundary Waters Wilderness
Friends of the Cloquet Valley State Forest
Izaak Walton League of America - Minnesota Division
Lutheran Coalition for Public Policy in Minnesota
Minnesota Center for Environmental Advocacy
Northeastern Minnesotans for Wilderness
Save Lake Superior Association
Save Our Sky Blue Waters
Southeastern Minnesotans for Environmental Protection
Water Legacy
Wetlands Action Group