

STATE OF MINNESOTA
COUNTY OF RAMSEY

DISTRICT COURT
SECOND JUDICIAL DISTRICT

Case Type: Civil Other/Misc.

In the Matter of the Denial of Contested Case
Hearing Requests and Issuance of National
Pollutant Discharge Elimination System/State
Disposal System Permit No. MN0071013 for
the Proposed NorthMet Project, St. Louis
County, Hoyt Lakes and Babbitt, Minnesota

Court File No. 62-CV-19-4626
Judge John H. Guthmann

**RELATORS' EXHIBIT LIST OF
DOCUMENTS RECEIVED VIA
FORENSIC SEARCH**

Pursuant to paragraph 10(g) of the Amended Order Setting Evidentiary Hearing, which ruled that documents obtained the forensic search were to be added to exhibit lists a week after the production of such documents, and the Rule 115.04(d) Order (Dec. 19, 2019), which moved the deadline for MPCA to produce documents obtained via the forensic search to January 7, 2020, Relators Center for Biological Diversity, Fond du Lac Band of Lake Superior Chippewa, Friends of the Boundary Waters Wilderness, Minnesota Center for Environmental Advocacy, and WaterLegacy (collectively, "Relators") submit Relators' Exhibit List of Documents Received Via Forensic Search, which is attached as Exhibit A.

Relators reserve all rights, objections, and positions with respect to the exhibits on this list. Some of the documents that are listed will, or may, be used for impeachment purposes and will, or may, be offered for limited purposes.

[signature blocks on following page]

Dated: January 14, 2020

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EXHIBIT A

Exhibit	Bates Beg Number	Bates End Number	Description	Stipulation	Objections	Date Offered	Admitted
777	MPCA(62-cv-19-4626)_020676	MPCA(62-cv-19-4626)_020677	2019-1-22 Email from Dave Verhasselt (MPCA) to Laura Bishop (MPCA), re: MPCA Media report 1-22-2019				
778	MPCA(62-cv-19-4626)_021287	MPCA(62-cv-19-4626)_021289	2018-1-31 Email from Rebecca Flood (MPCA) to Michele Clarizio (MPCA), re: April Face-to-Face Meeting Availability				
779	MPCA(62-cv-19-4626)_021290	MPCA(62-cv-19-4626)_021291	2018-1-31 Email from Rebecca Flood (MPCA) to Shannon Lotthammer (MPCA), John Stine (MPCA), re: Joint message re Ronud 2				
780	MPCA(62-cv-19-4626)_021352	MPCA(62-cv-19-4626)_021355	2018-4-24 & 25 EPA/Region 5 Clean Water Directors Meeting Action Items				
781	MPCA(62-cv-19-4626)_021356	MPCA(62-cv-19-4626)_021358	2019-1-16 Email from Michael Schmidt to Shannon Lotthammer (MPCA), Jeff Udd (MPCA), re: Attorney-Client Privileged - FW: Article about Paula Maccabee efforts to stall PolyMet permitting				
782	MPCA(62-cv-19-4646)_022270	MPCA(62-cv-19-4646)_022271	2019-2-1 Email from Shannon Lotthammer (MPCA) to Laura Bishop (MPCA), re: polymet EPA draft talk points				
783	MPCA(62-cv-19-4646)_022379	MPCA(62-cv-19-4646)_022383	2019-2-1 Email from Dave Verhasselt (MPCA) to Laura Bishop (MPCA), re: PolyMet EPA - MPCA Talking Points				
784	MPCA(62-cv-19-4646)_022389	MPCA(62-cv-19-4646)_022390	2019-2-1 Email from Greta Gauthier (MPCA) to Laura Bishop (MPCA), re: polymet EPA draft talk points				
785	MPCA(62-cv-19-4646)_022396	MPCA(62-cv-19-4646)_022398	2019-2-1 Email from Michael Schmidt (MPCA) to Laura Bishop (MPCA), re: polymet EPA draft talk points				
786	MPCA(62-cv-19-4646)_022402	MPCA(62-cv-19-4646)_022404	2019-2-1 Email from Dave Verhasselt (MPCA) to Laura Bishop (MPCA), re: polymet EPA draft talk points				
787	MPCA(62-cv-19-4646)_022405		Attachment to Exhibit 786				
788	MPCA(62-cv-19-4646)_022406	MPCA(62-cv-19-4646)_022408	2019-2-1 Email from Dave Verhasselt (MPCA) to Laura Bishop (MPCA), re: polymet EPA draft talk points				
789	MPCA(62-cv-19-4646)_022409	MPCA(62-cv-19-4646)_022412	2019-2-1 Email from Greta Gauthier (MPCA) to Laura Bishop (MPCA), re: polymet EPA draft talk points				
790	MPCA(62-cv-19-4646)_022415	MPCA(62-cv-19-4646)_022417	2019-2-1 Email from Jeff Udd (MPCA) to Laura Bishop (MPCA), re: polymet EPA draft talk points				
791	MPCA(62-cv-19-4646)_022418	MPCA(62-cv-19-4646)_022421	2019-2-1 Email from Dave Verhasselt (MPCA) to Laura Bishop (MPCA), re: polymet EPA draft talk points				
792	MPCA(62-cv-19-4646)_022427	MPCA(62-cv-19-4646)_022430	2019-2-1 Email from Greta Gauthier (MPCA) to Laura Bishop (MPCA), re: PolyMet EPA - MPCA Talking Points				
793	MPCA(62-cv-19-4646)_022449	MPCA(62-cv-19-4646)_022452	2019-2-1 Email from Dave Verhasselt (MPCA) to Laura Bishop (MPCA), re: PolyMet EPA - MPCA Talking Points				
794	MPCA(62-cv-19-4646)_022453		Attachment to Exhibit 793				
795	MPCA(62-cv-19-4646)_022454	MPCA(62-cv-19-4646)_022458	2019-2-1 Email from Laura Bishop (MPCA) to Dave Verhasselt (MPCA), re: PolyMet EPA - MPCA Talking Points				
796	MPCA(62-cv-19-4646)_022469	MPCA(62-cv-19-4646)_022463	2019-2-1 Email from Shannon Lotthammer (MPCA) to Laura Bishop (MPCA), re: polymet EPA draft talk points				
797	MPCA(62-cv-19-4646)_022474		Attachment to Exhibit 797				
798	MPCA(62-cv-19-4646)_022475	MPCA(62-cv-19-4646)_022479	2019-2-1 Email from Laura Bishop (MPCA) to Shannon Lotthammer (MPCA), re: PolyMet EPA - MPCA Talking Points				
799	MPCA(62-cv-19-4646)_022480	MPCA(62-cv-19-4646)_022484	2019-2-1 Email from Greta Gauthier (MPCA) to Laura Bishop (MPCA), re: PolyMet EPA - MPCA Talking Points				
800	MPCA(62-cv-19-4646)_022543		2019-2-7 Email from Laura Bishop to Greta Gauthier, re: FYI PolyMet Strib Story				
801	MPCA(62-cv-19-4646)_022646	MPCA(62-cv-19-4646)_022648	2019-2-22 Email from Shannon Lotthammer to Jeff Udd (MPCA), FW: Draft Notes from 3/1 Tribal Consultation on Draft PolyMet NorthMet Permits				
802	MPCA(62-cv-19-4646)_022681		2018-7-5 Email from Shannon Lotthammer (MPCA) to glwqa@epa.gov, ec.aqegl-glwqa.ec@canada.ca, re: Information about [sic] a proposed project within the Lake Superior Basin in Minnesota				
803	MPCA(62-cv-19-4646)_022865		2019-2-1 Email from Greta Gauthier (MPCA) to Legislators, re: MPCA comment re: EPA complaint				
804	MPCA(62-cv-19-4646)_022918		2018-3-5 Email from Jeff Udd (MPCA) to Shannon Lotthammer (MPCA), re: MOA for NPDES Program				
805	MPCA(62-cv-19-4646)_022919	MPCA(62-cv-19-4646)_022953	Attachment to Exhibit 804				
806	MPCA(62-cv-19-4646)_022981	MPCA(62-cv-19-4646)_022982	2017-2-15 letter from MCEA to Ashley Wahl and Jean Coleman, re: Draft NPDES Permit for Glencoe, Permit No. MN0022233				

EXHIBIT A

Exhibit	Bates Beg Number	Bates End Number	Description	Stipulation	Objections	Date Offered	Admitted
807	MPCA(62-cv-19-4646)_022994		2017-11-15 Calendar invitation with Christopher Korleski (EPA) et al, Rebecca Flood (MPCA) et al, re: Standing Call Rebecca Flood (MPCA)				
808	MPCA(62-cv-19-4646)_022996		2017-10-17 Calendar invitation with John Stine (MPCA), Shannon Lotthammer (MPCA), Rebecca Flood (MPCA), re: Follow-up from EPA Conf Call w/ Bob Kaplan				
809	MPCA(62-cv-19-4646)_023000		2018-1-18 Calendar invitation with John Stine (MPCA), Shannon Lotthammer (MPCA), Dave Verhasselt (MPCA), Greta Gauthier (MPCA), re: WR & Polymet Update				
810	MPCA(62-cv-19-4646)_023005		2018-3-7 Calendar invitation with Karen Schiller (MPCA), Shannon Lotthammer (MPCA), re: Joint EPA & State Clean Water & PWSS Director Call (Region 5)				
811	MPCA(62-cv-19-4646)_023009		2018-6-29 Calendar invitation with John Stine (MPCA), Shannon Lotthammer (MPCA), et al, re: PolyMet Contested Case Hearing Requests				
812	MPCA(62-cv-19-4646)_023014		2019-1-14 Calendar invitation with Laura Bishop (MPCA), Shannon Lotthammer (MPCA), et al, re: Brief Laura on Polymet				
813	MPCA(62-cv-19-4646)_023093	MPCA(62-cv-19-4646)_023097	2017-08-31 Email from Kevin Fowler (EPA) to Rebecca Flood (MPCA), et al; re: Follow-up from April Face-to-Face Meeting (Part 2)				
814	MPCA(62-cv-19-4646)_023606		2018-02-14 Email from Adonis Neblett (MPCA) to Rebecca Flood (MPCA), et al; re: PolyMet Wall memos				
815	MPCA(62-cv-19-4646)_023615		2017-11-20 Email from Rebecca Flood (MPCA) to Christopher Korleski (EPA); re: Polymet				
816	MPCA(62-cv-19-4646)_023622	MPCA(62-cv-19-4646)_023626	2018-2-6 Email from Rebecca Flood (MPCA) to Shannon Lotthammer (MPCA), et al; FW: Follow-up from April Face-to-Face Meeting (Part 2)				
817	MPCA(62-cv-19-4646)_023627	MPCA(62-cv-19-4646)_023633	Attachment to Exhibit 816				
818	MPCA(62-cv-19-4646)_023634		2018-2-14 Email from Rebecca Flood (MPCA) to Jeff Udd (MPCA), et al; re: PolyMet Wall memos				
819	MPCA(62-cv-19-4646)_023690		2016-11-22 Calendar invitation with Ann Foss (MPCA), et al; Lisa Fay (DNR)				
820	MPCA(62-cv-19-4646)_023693		2017-11-9 Calendar invitation with Ann Foss (MPCA) et al, Lisa Fay (DNR), Christie Kearney (PolyMet), re: PolyMet Permitting				
821	MPCA(62-cv-19-4646)_023760		2016-8-24 Calendar invitation with Stephanie Handeland (MPCA) et al, Krista McKim (EPA), re: EPA/MPCA PolyMet Permitting Discussions				
822	MPCA(62-cv-19-4646)_023801	MPCA(62-cv-19-4646)_023802	2016-9-21 Calendar invitation with Ann Foss (MPCA) et al, Lisa Fay (DNR) et al, re: PolyMet Permitting Check-in				
823	MPCA(62-cv-19-4646)_023856		2018-1-9 Calendar invitation John Stine (MPCA), MPCA staff, re: Pre-public Noticing Briefing				
824	MPCA(62-cv-19-4646)_023988		2018-3-5 Email from Jeff Udd (MPCA) to Shannon Lotthammer (MPCA), re: MOA for NPDES Program				
825	MPCA(62-cv-19-4646)_024088	MPCA(62-cv-19-4646)_024089	2016-7-11 Email from Polymet Permitting to Ann Foss, re: MPCA: PolyMet submits NPDES/SDSwater quality application for NorthMet project				
826	MPCA(62-cv-19-4646)_024233	MPCA(62-cv-19-4646)_024234	2016-7-11 Email from Ralph Pribble (MPCA) to Ann Foss (MPCA), FW: PM application photos				
827	MPCA(62-cv-19-4646)_024249		2016-8-2 Email from Ann Foss (MPCA) to Rebecca Flood (MPCA), re: Nolan memo				
828	MPCA(62-cv-19-4646)_024250		Attachment to Exhibit 828				
829	MPCA(62-cv-19-4646)_024268		2016-7-28 Email from Ann Foss (MPCA) to Scott Kyser (MPCA) et al, re: Timesheets for those working on the PolyMet NPDES/SDS permit application				
830	MPCA(62-cv-19-4646)_024305		2016-8-8 Email from Ann Foss (MPCA) to Richard Clark (MPCA) et al, FW: EPA/MPCA SOP				
831	MPCA(62-cv-19-4646)_024306	MPCA(62-cv-19-4646)_024314	Attachment to Exhibit 831				
832	MPCA(62-cv-19-4646)_024338	MPCA(62-cv-19-4646)_024339	2016-8-8 Email from Ann Foss (MPCA) to Michael Schmidt (MPCA) et al, FW: MOA for NPDES Program				
833	MPCA(62-cv-19-4646)_024340	MPCA(62-cv-19-4646)_024374	Attachment to Exhibit 833				
834	MPCA(62-cv-19-4646)_024381		2016-8-8 Email from Ann Foss (MPCA) to Michael Schmidt (MPCA) et al, FW: MPCA-EPA Draft SOP				
835	MPCA(62-cv-19-4646)_024382	MPCA(62-cv-19-4646)_024387	Attachment to Exhibit 835				