



STATUS REPORT
EAST RANGE WATER PROJECT
TASK 2 & TASK 3
EAST RANGE WATER BOARD
CITY OF AURORA & TOWN OF WHITE
SEH Project No. 159723

DATE: Friday, June 16, 2023

ATTACHMENTS

None.

DISCUSSION ITEMS

The following provides a brief discussion of the items that remain to being able to bid the project.

- 1) Final Design.
 - a) SEH is updating project P&S with MDH comments from plan review approval letters.
- 2) Appropriations Permit
 - a) Lake Mine Water Modeling
 1. Barr completed DNR requested model update and a draft report has been written.
 - b) DNR Needs to Review:
 1. All submitted materials, including:
 - (1) Modified/Updated Water Supply Contingency Plan for the City of Biwabik
 - (2) Modified/Updated Water Supply Contingency Plan for Giants Ridge
 - (3) Lake Mine water modeling report from Barr.
- 3) Environmental Review:
 - a) Minnesota review complete. SEH/ERWB has published notice of project comment period.
 - b) Federal Environmental Review
 1. This review has been made necessary due to the direct Federal earmark funds the project received.
 2. EPA still has not completed their Environmental Review.
 3. SEH is uncertain of schedule for final approval but continues to contact EPA for updates.
- 4) Project Certification
 - a) MDH can certify the project at State level after completion of public comment period. State (MDH) will accept EPA certification.
 - b) EPA certifies project at Federal level after the EPA Environmental Review is complete. The public comment period will be 30-45 days after EPA completes review, depending on EPA recommendations/findings.
- 5) Biwabik-East Range Water Supply Mutual Aid Agreement
 - a) SEH finalizing field testing procedure for transferring water from Biwabik to Aurora.
 - b) SEH to update the draft #3 version of the agreement and send to the group.

Engineers | Architects | Planners | Scientists

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- 6) Project Permits/Approvals:
 - a) MDH
 1. Water Mains – approved 4/15/22
 2. WTP – approved 4/15/22
 3. Raw Water Intake and Pump Station – approved 5/9/23
 - b) DLI
 1. Raw Water Intake and Pump Station – SEH submitted P&S for approval.
 - c) County Work in Roadway - Contractor responsible to obtain permit.
 - d) MnDOT – Secured Permit No. 1B-UL-2023-104448
 - e) DNR:
 1. Water Appropriations – see Item 2.
 2. Public Waters Work Permit - Contractor responsible to obtain permit.
 - f) Building Permit:
 1. RWPS - Contractor responsible to obtain permit.
 2. WTP - Contractor responsible to obtain permit.
- 7) Project Schedule
 - a) MDH/PFA:
 1. State (MDH) can certify the project after Environmental Review public comment period is complete (6/16/2023).
 2. State (MDH) will allow us to bid the project(s) without a water appropriation permit since it will be a couple of years (roughly) before the system will begin to pump water from the pit.
 - b) US EPA
 1. Bidding documents must contain full compliance documents (which is also true of the MDH DWRf program) for:
 - (1) American Iron & Steel Act
 - (2) BABAA – Build America Buy America Act, and
 - (3) Davis Bacon
 2. Not clear on how to apply BABAA compliance to manufactured equipment. Federal Office of Management and Budget (OMB) to come out with details of how EPA will regard manufactured equipment for BABAA compliance.
 - c) Project Bidding
 1. Hold off until OMB publishes details of how EPA will regard manufactured equipment for BABAA compliance.
 2. In advance of #1 above occurring, Contractors won't know how EPA will make their determinations for BABAA compliance and so, Contractors won't want to take the risk of non-compliance and EPA rulings for remove and replace with compliant materials and equipment.

END