US Army Corps of Engineers®
St. Paul District

SPECIAL PUBLIC NOTICE

St. Paul District
Permit Application
No. 1999-5528

Published: October 27, 2026
Expires: November 27, 2026

Notice of Intent to Prepare a Supplemental Environmental Impact Statement

Subject: Interested parties are hereby notified that the U.S. Army Corps of Engineers (USACE), St. Paul District intends to prepare a Supplemental Environmental Impact Statement (SEIS) for the NorthMet Mine and Ore Processing Facilities Project (NorthMet Project). As required by NEPA and USACE's implementing regulations at 33 CFR 333.18, USACE has published this Notice of Intent (NOI) to prepare an SEIS.

Authority: The proposed project is being evaluated under Section 404 of the Clean Water Act (33 USC § 1344) for the discharge of dredged or fill material into waters of the United States.

Applicant: NewRange Copper Nickel LLC
6500 Kensington Drive
Hoyt Lakes, MN 55750

Location of Proposed Activity: The proposed NorthMet Project is located in Sections 5 and 6, Township 58 North, Range 14 West; Sections 1, 2, 3, 4, 8, 9, 10, 11, 12, 15, 16, 17, and 18, Township 59 North, Range 13 West; Sections 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, and 32, Township 59 North, Range 14 West; and Sections 13, 14, 15, 22, 23, and 24, Township 59 North, Range 15 West, in St. Louis County, Minnesota. The approximate center point of the NorthMet Project is at Latitude 47.57932 and Longitude -92.07832148.

Background: A previous iteration of the proposed NorthMet Project underwent an extensive prior environmental review process from 2005 to 2023. PolyMet Mining, Inc. submitted a permit application for Section 404 Clean Water Act permit authorization for the NorthMet Project in 2004. A joint state/federal Environmental Impact Statement (EIS) was prepared by USACE, the Minnesota Department of Natural Resources, and the U.S. Forest Service (USFS). A draft EIS (DEIS) was produced in 2009. The NorthMet Project was modified after publication of the 2009 DEIS and a revised Section 404 permit application was submitted to USACE in August 2013. A Supplemental DEIS was issued in November 2013 and a final EIS was issued in November 2015. USACE issued a Section 404 permit and Record of Decision (ROD) in March 2019. Following a Clean Water Act Section 401(a)(2) public hearing, USACE revoked the Section 404 permit in June 2023. 33 CFR Part 325 does not prohibit an applicant to re-apply for a Department of the Army (DA) permit following a revocation.

USACE received a complete permit application from NewRange for a new iteration of the NorthMet Project on July 29, 2026. As part of the permit application process, a 30-

day public notice was published on August 13, 2026, with comments accepted until September 12. The public notice comment period was extended from September 12 to September 27, 2026, in response to public and tribal requests.

Proposed Activity: The applicant is requesting a DA permit to discharge dredged and fill material into waters of the United States in support of the NorthMet Project. The proposed NorthMet Project combines legacy infrastructure, including re-use of the LTV Steel Mining Company (LTVSMC) taconite processing facility, with new developments for extracting, handling, and processing ore for copper, nickel, cobalt, and platinum group elements to support U.S. domestic critical mineral production. The NorthMet Project encompasses approximately 7,800 acres and includes four project areas:

- Mine Site
- Plant Site (includes processing plant and Tailings Storage Facility (TSF)
- Transportation and Utility Corridors (TUC)
- Colby Lake Pipeline Corridor

Additional information on the NorthMet Project is available on the USACE's website: https://www.mvp.usace.army.mil/Missions/Regulatory/NorthMet/

Level of NEPA Review:
The level of NEPA review is evaluated in consideration of substantial project changes, new information, and unassessed environmental effects from the prior regulatory process. USACE has determined that a Supplemental Environmental Impact Statement (SEIS) is appropriate based on an evaluation of the following factors:

The Proposed Action Constitutes a Significant Change: The 2026 permit application includes changes to the NorthMet Project compared to the permitted design in the prior regulatory process. The proposed changes include key project components that directly affect the environment, including:

- Revised Mine Configuration: The Mine Site configuration has been revised from three open pits to two open pits. The revised configuration of the Mine Site would increase wetland loss compared to the previous design, from 757 acres to 891.84 acres, including 365 linear feet of stream loss (Unnamed (West Pit Outlet) Creek).

- Relocation and Redesign of the Tailings Storage Facility (TSF): The most significant change is moving the TSF from its previously reviewed location in an existing tailings basin to an entirely new site that utilizes four former mine pits south of Dunka Road. This change alters the location, footprint, and method of tailings disposal from the prior regulatory review. This change would increase wetland loss from 140 acres to 248.96 acres and results in approximately 2,839 linear feet of stream loss (unnamed tributary to Wyman Creek).

- Change in Ore Conveyance: The method for transporting ore from the Mine Site

to the Plant Site has been changed from rail to a new eight-mile-long overland conveyor system. This linear feature follows existing infrastructure, portions of Dunka Road and a railroad, and would decrease wetland loss from 7.2 acres to 4.53 acres.

NorthMet Project Area	2019 ROD Project[1]	2026 Proposed Action[2]
Mine Site	757	891.84
Plant Site	140	248.96
Transportation & Utility Corridors	7.2	4.53
Total Wetland Impacts	904	1145
Stream Impacts		Up to 3,204 linear feet

1. 2019 USACE Record of Decision
2. 2026 Proposed Impacts on all Wetlands Provided by Applicant (pending revision based on approved jurisdictional determination)

Significant New Circumstances and Data: New circumstances and data necessitate addressing concerns or new information raised in the prior regulatory process regarding water quality.

- NewRange is performing a new study of potential indirect wetland impacts. The results of this new modeling and analysis, which were not available during the previous review, constitute significant new data directly relevant to the project's environmental impacts.

Reasonably Foreseeable Effects Not Covered in the Original Review: The changes to the project design and the new data give rise to reasonably foreseeable significant environmental effects that were not addressed in the original November 2015 EIS and regulatory decision.

- The relocation of the Tailings Storage Facility to a new area utilizing former mine pits introduces a new geographic location for potential seepage, groundwater interaction, and surface disturbance that was not previously evaluated.

- The introduction of the new eight-mile-long conveyor system creates potential impacts related to habitat fragmentation, wildlife movement (despite planned crossings), noise, and dust emissions that differ in nature and location from the previously assessed rail corridor.

- New information was provided about the project's impact on downstream water quality and the potential effect to the Fond du Lac Band's water quality standards.

Preliminary Alternatives: The SEIS is expected to evaluate the proposed action, the no action alternative, and other reasonable alternatives that meet the purpose and need related to avoidance and minimization of impacts to waters of the Unites States. The alternatives review is expected to consider practicable options for the project changes that would reduce impacts. Based on the information currently available, the applicant indicates that the selected revised design is intended to represent the least environmentally damaging practicable alternative while meeting the project purpose and need; the SEIS scoping process will help determine the full range of reasonable alternatives and issues for detailed evaluation.

Lead and Cooperating Agencies and Tribes: USACE is the lead federal agency in the preparation of the federal SEIS. USACE invited other federal and Minnesota state agencies and Tribes to participate as cooperating agencies. Agencies and Tribes that have accepted USACE's invitation to participate as cooperating agencies include:

U.S. Environmental Protection Agency
U.S. Fish and Wildlife Service
Fond du Lac Band of Lake Superior Chippewa
Grand Portage Band of Lake Superior Chippewa
Bois Forte Band of Chippewa

State and Local Authorizations: The following are the required state authorizations for the proposed NorthMet Project according to the applicant's 2026 permit application:

- State supplemental environmental review (Minnesota Department of Natural Resources [MDNR])
- Permit to Mine (MDNR)
- Wetland Conservation Act Decision (MDNR)
- Water Appropriation Permits (MDNR)
- Dam Safety Permits (MDNR)
- Public Waters Work Permit (MDNR)
- Takings Permit (MDNR)
- NPDES/SDS Permit Transfer and Modification (Minnesota Pollution Control Agency [MPCA])
- Air Quality Permit (MPCA)
- 401 Water Quality Certification (MPCA)
- Construction Stormwater Permits (MPCA)
- Industrial Stormwater Permits (MPCA)

Proposed Schedule of Decision-Making Process: The District Engineer will complete the SEIS no later than the date that is 2 years after the date on which the District Engineer determines that the activity requires the issuance of an SEIS. During the process of preparing the SEIS, the District Engineer may publish a draft statement or other materials that in their judgment may assist in fulfilling their NEPA responsibilities. If the District Engineer determines they are not able to meet the deadline prescribed by NEPA Section 107(g)(1)(A), 42 U.S.C. 4336a(g)(1)(A), they must consult with the

applicant pursuant to NEPA Section 107(g)(2), 42 U.S.C. 4336a(g)(2). After such consultation, if needed, and for cause stated, the District Engineer may establish a new deadline and must notify the Division Engineer and Headquarters, USACE, of the deadline extension.

The NorthMet Project is identified as a critical mineral project under Executive Order 14241 "Immediate Measures to Increase American Mineral Production" and is listed by the Federal Permitting Improvement Steering Council as a Transparency Project. The milestones for the environmental review and permitting process is posted on the Federal Permitting Dashboard at https://www.permits.performance.gov/permitting-project/fast-41-transparency-projects/northmet-project. Based on the timelines established, USACE anticipates the following schedule for the SEIS process:

- End of 30-day scoping period: November 27, 2026
- Official Notice of Availability of the Draft SEIS: June 1, 2027
- Official Notice of Availability of the Final SEIS: October 15, 2027
- Supplemental EIS process concluded: December 13, 2027

Scoping Process: USACE is requesting public comments on the preparation of the SEIS. Scoping comments will help identify and refine the range of issues, alternatives, information needs, and potential mitigation measures to be addressed in the Draft SEIS. Examples of topics that may be considered during scoping include but are not limited to: the environmental effects of the proposed project changes compared to the permitted design in the prior regulatory process, new data relevant to environmental impacts resulting from the proposed project changes, and alternative practicable options for the proposed project changes to reduce impacts to waters of the United States.

Submitting Comments: USACE will receive written comments on the scope of the SEIS during the 30-day scoping period until November 27, 2026. Comments should be submitted electronically via the Regulatory Request System (RRS) at https://rrs.usace.army.mil/rrs/public-notices. Alternatively, comments may be submitted by mail to the U.S. Army Corps of Engineers, St. Paul District, Regulatory Division, Attn: NorthMet, 332 Minnesota Street, Suite E1500, St. Paul, Minnesota 55101. Please refer to file number **1999-05528-WMS** in all correspondence. All comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act including any personally identifiable information such as names, phone numbers, and addresses.

Questions concerning this notice may be directed to CEMVP-NorthMet-Review@usace.army.mil.