US Army Corps of Engineers®

PUBLIC NOTICE

St. Paul District
Permit Application
No. 1999-05528

Published: August 13, 2026
Expires: September 12, 2026

Interested parties are hereby notified that the U.S. Army Corps of Engineers (USACE), St. Paul District has received an application for a Department of the Army (DA) permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. § 1344). The purpose of this public notice is to solicit comments from the public and information necessary to evaluate the probable impact on the public interest regarding the proposed activity as described below and as shown on the enclosed drawings. The full permit application and appendixes from the applicant are available on our website at the following location: https://www.mvp.usace.army.mil/Missions/Regulatory/NorthMet/

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.

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

- Mine Site
- Plant Site
- Transportation and Utility Corridors (TUC)
- Colby Lake Pipeline Corridor

Following USACE's revocation of its Clean Water Act Section 404 permit in June 2023, the proposed NorthMet project design has been modified to address water quality and environmental concerns that were identified during the prior regulatory process.

Adjustments to the layout of the Mine Site and Plant Site (including stockpiles, buildings, and water management infrastructure) would remain entirely within the project areas previously evaluated. This DA permit application includes the following modifications:

Project Feature	Previous Design	Modified Design
Tailings Management	Tailings Basin disposal	In-pit tailings disposal on adjacent prior minelands; complete relocation and redesign of the Tailings Storage Facility (TSF) to address prior water quality concerns.
Ore Conveyance	Rail transport	8-mile covered conveyor system between the Mine Site and Plant Site, reducing greenhouse gases and potential fugitive emissions.
Processing	Included hydrometallurgical plant	Removed the hydrometallurgical plant processing step entirely from the project design.
Water & Environmental Controls	Prior water management plan	Comprehensive updates to water management and water treatment protocols.
Mine Plan Layout	Original footprint	Optimized layout designed to shift operations away from the Partridge River, consolidate mining infrastructure, and provide operational flexibility.
Production & Lifespan	32,000 short tons per day (stpd) over 20 years	40,000 stpd with increased operational efficiency, reducing the overall mine life to 16 years.

Jurisdictional Determination: This application is being reviewed in accordance with the practices for documenting USACE jurisdiction under Section 404 of the Clean Water Act. The applicant has requested that USACE evaluate the project site for any non-jurisdictional waters, including non-adjacent wetlands and potentially non-jurisdictional deepwater pit lakes and non-jurisdictional ditches, that could be removed from the final permit evaluation. USACE will evaluate the jurisdiction of all aquatic resources on-site and complete an Approved Jurisdictional Determination (AJD) to identify the extent of any aquatic resources that are not jurisdictional under the Clean Water Act. All information regarding impacts provided in this public notice is based on overall aquatic resources located within the proposed impact areas, absent a final AJD from USACE.

Direct Wetland Impacts: Approximately 1,145 acres of wetlands were identified and delineated within the impact areas for the Mine Site, Plant Site, and TUC. No wetland impacts are proposed along the Colby Lake Pipeline Corridor. Wetlands located within the proposed impact areas are identified in Appendix C of the permit application.

Potential Indirect Wetland Impacts: The applicant has proposed two plans to evaluate potential indirect wetland impacts associated with the project. The Potential Indirect Wetland Impact Modeling Work Plan (Appendix F of permit application) describes groundwater and surface water modeling proposed to forecast hydrological shifts across the project. The results of this assessment of potential indirect effects from regulated activities would be incorporated into a revised water quality modeling assessment to support the evaluation of compliance with applicable water quality standards. The plan for Monitoring for Potential Indirect Wetland Impacts (Appendix G of permit application) is proposed to utilize monitoring wells to track potential changes hydrology, vegetation, and wetland boundaries. Baseline wetland hydrology monitoring within and surrounding the proposed mine was conducted from 2005 to 2020 and in 2025. Wetland hydrology monitoring is proposed to continue during and after any authorized project construction to help evaluate potential indirect wetland impacts.

Deep-water Pit Lakes: Five deep-water pit lakes extend into the proposed impact area for the TSF and would be directly impacted. The applicant provided the acreages of the deep-water pit lakes in a memorandum dated August 12, 2026: Pit A (241.5 acres), Pit B (102.2 acres), Pit C (15.7 acres), Pit D (46.3 acres), and Area 3 (0.2-acre).

Stream Impacts: Approximately 2,839 linear feet of an unnamed tributary to Wyman Creek is located within the proposed impact area for the TSF, and approximately 365 linear feet of an unnamed tributary to the Partridge River is located within the proposed impact area for the Mine Site. The applicant has provided a stream characterization work plan detailing fieldwork completed in 2025, as well as fieldwork underway for 2026. A final report detailing the data collection and results will be provided to USACE when available and will be used during the permit evaluation process to assess the functional loss of stream resources. The proposed Stream Characterization Work Plan is in Appendix H.

MITIGATION: The applicant has provided information on avoidance and minimization measures to aquatic resources, including wetlands, that were analyzed in the prior regulatory process and for the proposed revised design of the NorthMet Project in Section 5 of the permit application. Alternatives to minimize wetland impacts at the Mine Site, Plant Site, TUC, and the Colby Lake Pipeline Corridor were summarized by the applicant using the following general strategies:

- Minimize the footprint and optimize the placement of mining features at the Mine Site
- Minimize impacts at the TSF by avoiding Second Creek and Wyman Creek
- Maintain a smaller disturbance footprint by re-using existing infrastructure and former mining disturbance areas, mainly at the Plant Site, TUC, and Colby Lake Pipeline Corridor

• Utilize existing facilities and structures, to the extent practicable, to support ongoing activities, mainly at the Plant Site, TUC, and Colby Lake Pipeline Corridor
• Utilize tailings disposal in a single area on a former mine site utilizing storage capacity of former mine pits to the extent possible
• Once the rim-level capacity of the former mine pits are exhausted, expand the proposed tailings disposal site upward, to the extent geotechnically practicable, therefore disturbing less surface area while allowing more material to be placed in the same footprint
• Divert runoff upgradient of facilities into undisturbed drainages
• Install culverts to facilitate flow across wetland areas where practicable

Compensatory mitigation for unavoidable direct wetland impacts is proposed through the purchase of credits from a federally approved wetland mitigation bank. During the prior evaluation of the NorthMet Project, the Lake Superior Wetland Mitigation Bank was approved by USACE to provide wetland credits to offset authorized losses of WOTUS. The applicant has purchased 1,969 USACE-approved wetland credits from the Lake Superior Wetland Mitigation Bank in Bank Service Area 1, within the St. Louis River watershed in St. Louis County, Minnesota, which is the same Bank Service Area where the proposed wetland impacts would occur. The applicant has proposed that compensatory mitigation for wetland impacts associated with the proposed activity be provided at a 1:1 replacement ratio, utilizing the previously purchased credits, and states that the purchased credits are sufficient to compensate for proposed wetland loss. Potential mitigation requirements for proposed indirect wetland effects would be evaluated by USACE during the permit review process.

The applicant proposes that any required compensatory mitigation for stream impacts would be developed in accordance with USACE St. Paul District Stream Mitigation Procedures. The applicant has collected baseline functional data across 11 stream reaches on the unnamed tributary to Wyman Creek, and one stream reach on the unnamed tributary (West Pit Outlet) to the Partridge River. Additional fieldwork is anticipated by the applicant to complete the existing conditions assessment and quantify potential stream losses. USACE will consider all information provided, including additional field data, to evaluate the functional quality of the affected resources and the duration and severity of potential impacts. This evaluation will be used to support the overall permit decision and any potential stream mitigation requirements.

HISTORIC PROPERTIES/CULTURAL RESOURCES: Previous cultural resource investigations for the prior NorthMet Project, conducted between 2005 and 2015 in coordination with the Minnesota State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation, and Tribal Historic Preservation Officers, identified archaeological sites, architectural properties, cultural landscapes, and traditional cultural properties within the area of potential effects, including properties determined eligible for listing in the National Register of Historic Places. In accordance with Section 106 of the National Historic Preservation Act (NHPA), the previous consultation for the prior NorthMet Project resulted in the execution of a Memorandum of Agreement (MOA) in

2016 to resolve and mitigate adverse effects on historic properties. The applicant continues to implement applicable stipulations of that agreement.

USACE will utilize the results of previous consultations and will coordinate additional Section 106 review and consultation focused on the proposed modifications to the NorthMet Project. USACE's final eligibility and effect determination relative to Section 106 of the NHPA will be subject to additional coordination with the SHPO, federally recognized tribes, and other interested parties, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties.

ENDANGERED SPECIES: An April 2015 Biological Assessment completed for the prior NorthMet Project evaluated potential effects on the northern long-eared bat, Canada lynx, and gray wolf. In February 2016, the U.S. Fish and Wildlife Service (USFWS) issued a Biological Opinion for the NorthMet Project with conservation measures.

USACE will consult with the USFWS for changes to the NorthMet Project and any new potential effects to threatened or endangered species, including two proposed species listed since the 2016 Biological Opinion, Suckley's cuckoo bumble bee (proposed endangered) and Monarch butterfly (proposed threatened).

WATER QUALITY CERTIFICATION: An Individual Water Quality Certification will be required from the Minnesota Pollution Control Agency pursuant to Section 401 of the Clean Water Act (33 U.S.C. § 1341). A DA permit will not be granted until the certifying authorities have issued or waived Section 401 WQC certification.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within USACE jurisdiction has not been verified by USACE personnel.

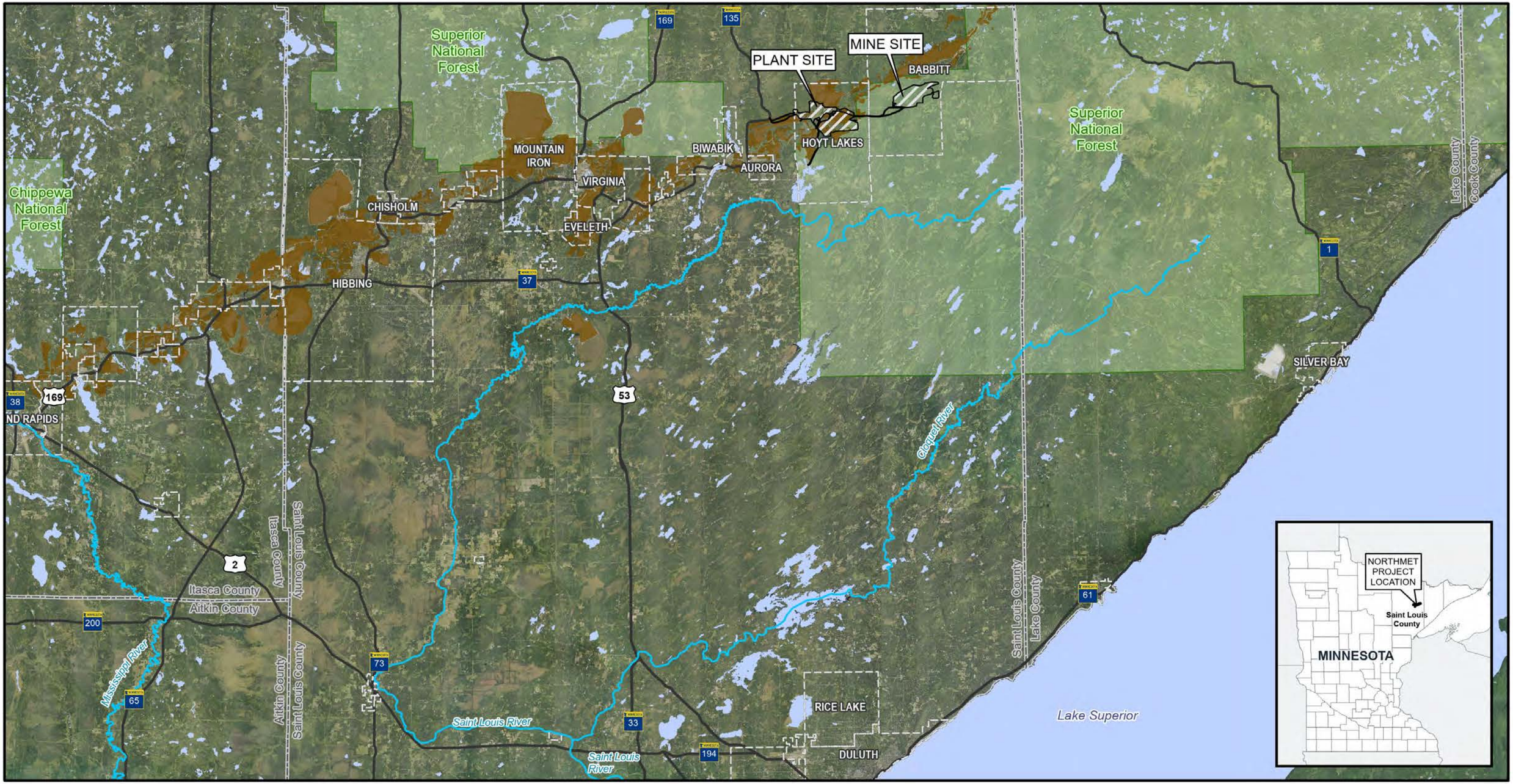
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of

Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The USACE is soliciting comments from the public; Federal, State, and local agencies and officials; Tribal Nations; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by USACE to determine whether to issue, modify, condition, or deny a permit for this proposed activity. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Any comments or objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested permit. Please note that all comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

The St. Paul District will receive written comments on the proposed activity, as outlined above, until September 12, 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 your comments. Questions concerning this notice may be directed to: CEMVP-NorthMet-Review@usace.army.mil.



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Head Office & NorthMet Project Office
6500 Kensington Dr
Hoyt Lakes, MN USA 55750
Sunrise Project Office
23 Commerce Road
Babbitt, MN USA 55706

Large Figure 1
NorthMet Project Site Location
2026 Section 404 Permit Application

NAD 1983 StatePlane Minnesota North FIPS 2201 Feet

DATE: July 29, 2026

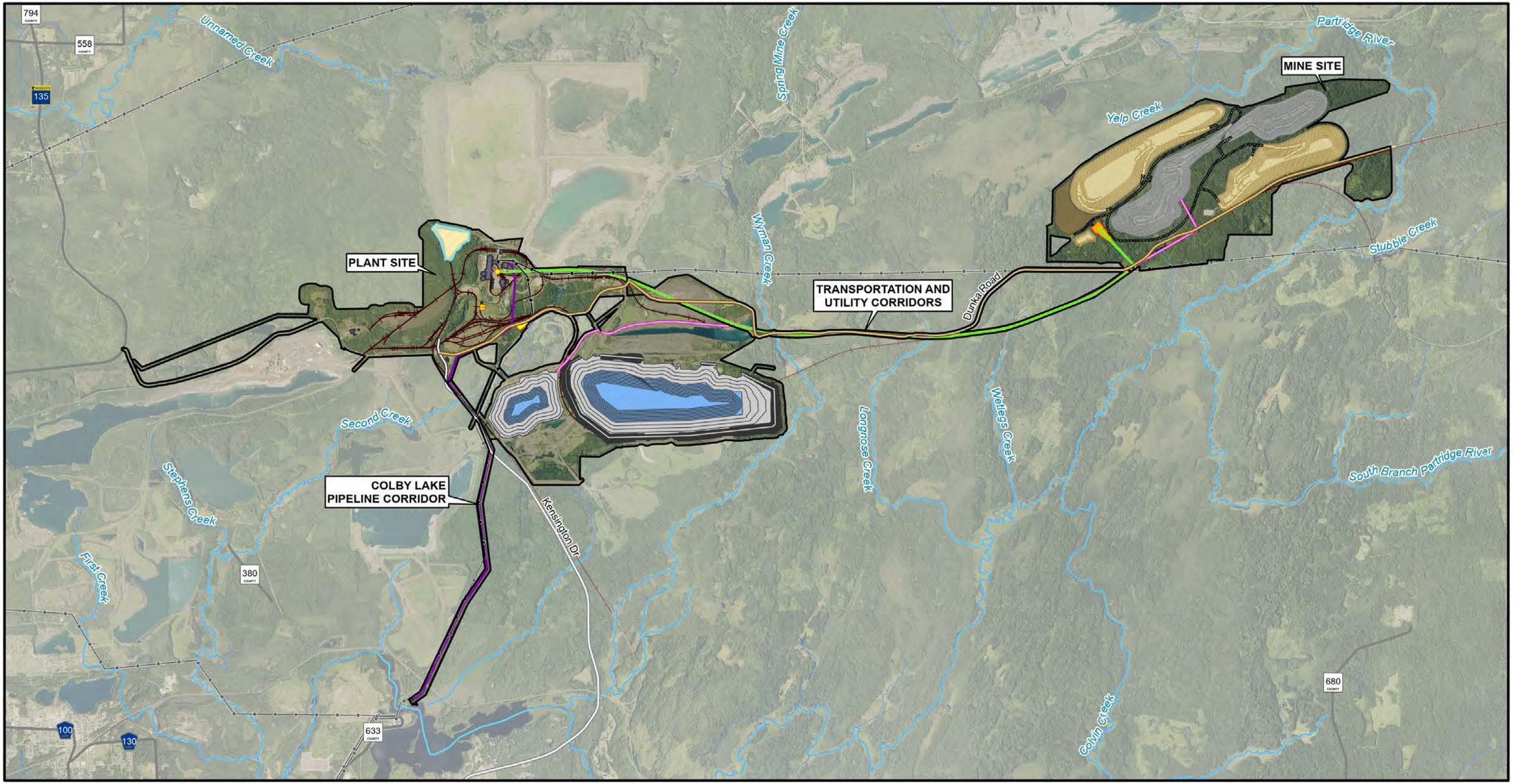
DRAWN BY: Barr Engineering Co., ARM2

- NorthMet Project Areas
- Mesabi Iron Range
- National Forest Boundary
- County Boundaries
- City Boundaries
- Major River
- Lakes

N

0 7.5 15 Mi

Credits: 2024 60cm resolution imagery service from USDA FPAC-BC-GEO NAIP. Administrative, hydrographic, and transportation data from MnDNR, MNDOT, USGS.



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Large Figure 2
NorthMet Project Areas
2026 Section 404 Permit Application

NAD 1983 StatePlane Minnesota North FIPS 2201 Feet

DATE: July 29, 2026 | DRAWN BY: Barr Engineering Co., ARM2

- NorthMet Project Areas
- Dunka Road
- Kensington Drive
- Roads
- Existing Railroads
- Electric Transmission Lines
- Conveyor Centerline
- Pit to Plant Pipeline
- Colby Lake Pipeline
- Primary Crusher
- Haul Roads
- Overburden Storage
- Stockpiles
- Mine Pits
- Existing Building
- Proposed Building
- LTSF Footprint

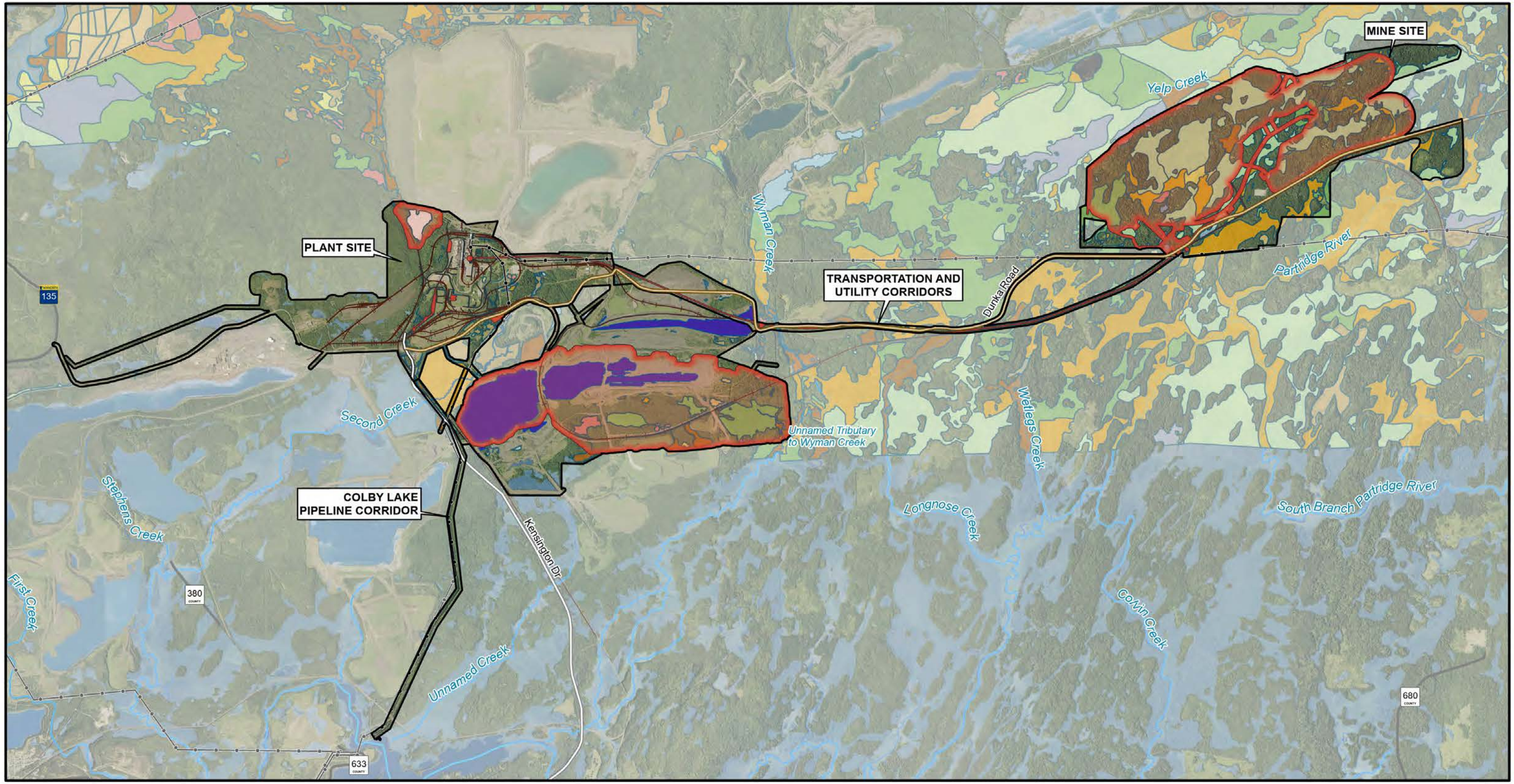
Tailings Storage Facility

- Pond
- Embankment
- Embankment Crest
- Public Waters Inventory (PWI) Watercourses
- National Hydrography Dataset (NHD) Rivers & Streams

N

0 1 2 Mi

Credits: 2024 60cm resolution imagery service from USDA FPAC-BC-GEO NAIP. Administrative, hydrographic, and transportation data from MnDNR, MNDOT, USGS.



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Large Figure 10
Impact Area
2026 Section 404 Permit Application

NAD 1983 StatePlane Minnesota North FIPS 2201 Feet

DATE: July 29, 2026

DRAWN BY: Barr Engineering Co., ARM2

- NorthMet Project Areas
- Impact Area
- Dunka Road
- Kensington Drive
- Roads
- Existing Railroads
- Electric Transmission Lines
- Public Waters Inventory (PWI) Watercourses
- National Hydrography Dataset (NHD) Rivers & Streams
- Deepwater Pit Lake
- National Wetlands Inventory (NWI)
- Exempt Wetland

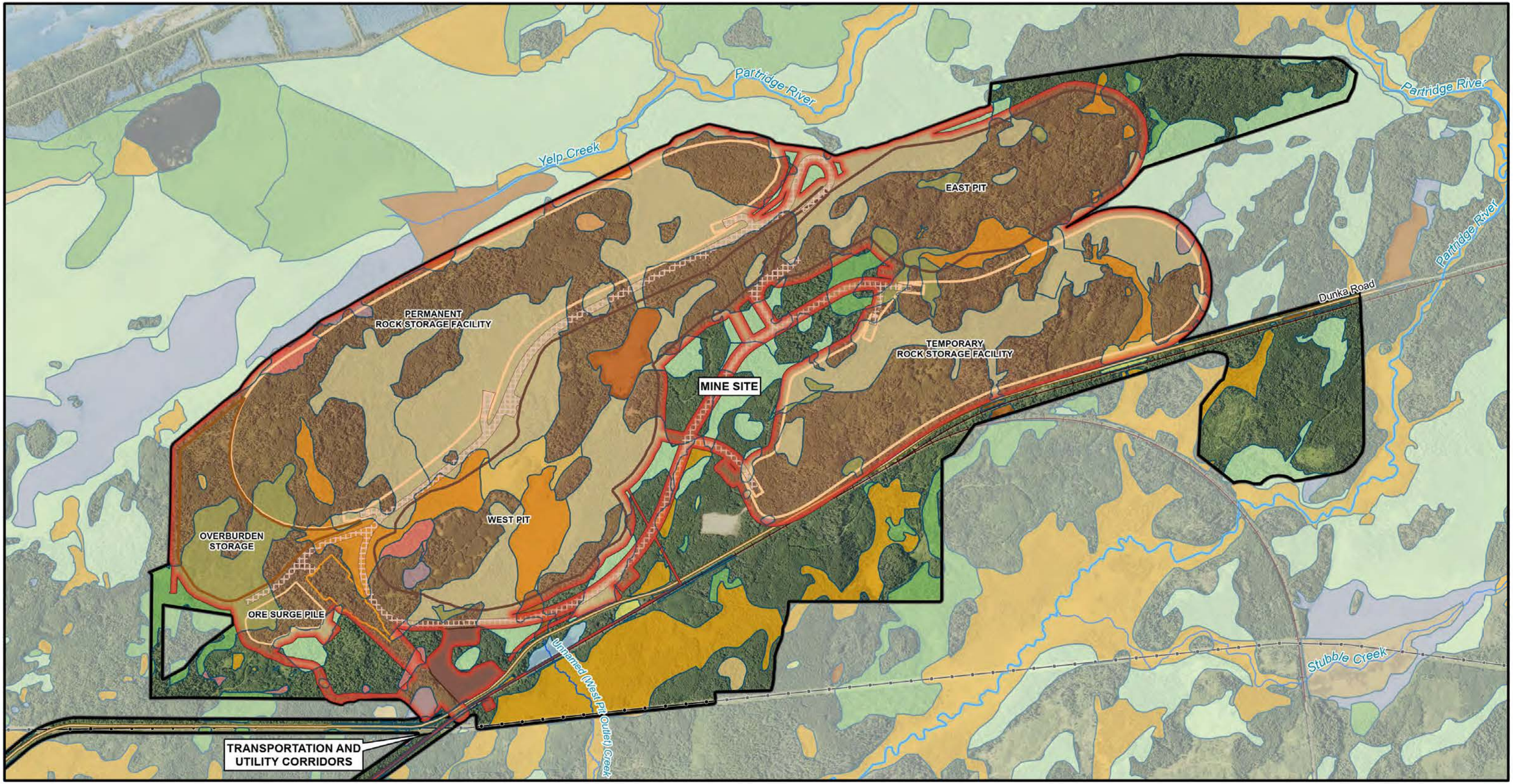
Dominant Eggers & Reed (2015) Wetland Community Type

- Alder Thicket
- Coniferous Bog
- Coniferous Swamp
- Deep Marsh
- Hardwood Swamp
- Open Bog
- Seasonally Flooded Basin
- Sedge Meadow, Fresh (Wet) Meadow
- Shallow Marsh
- Shallow, Open Water
- Shrub-Carr

N

0 0.9 1.8 Mi

Credits: 2024 60cm resolution imagery service from USDA FPAC-BC-GEO NAIP. Administrative, hydrographic, and transportation data from MnDNR, MNDOT, USGS.



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Large Figure 16
Mine Site Direct Wetland Impacts
2026 Section 404 Permit Application

NAD 1983 StatePlane Minnesota North FIPS 2201 Feet

DATE: July 29, 2026 | DRAWN BY: Barr Engineering Co., ARM2

- NorthMet Project Areas
- Impact Area
- Dunka Road
- Existing Railroads
- Electric Transmission Lines
- Primary Crusher
- Haul Roads
- Stockpiles
- Mine Pits
- Auxilary Mine Facilities Area
- Public Waters Inventory (PWI) Watercourses
- National Hydrography Dataset (NHD) Rivers & Streams
- National Wetlands Inventory (NWI)

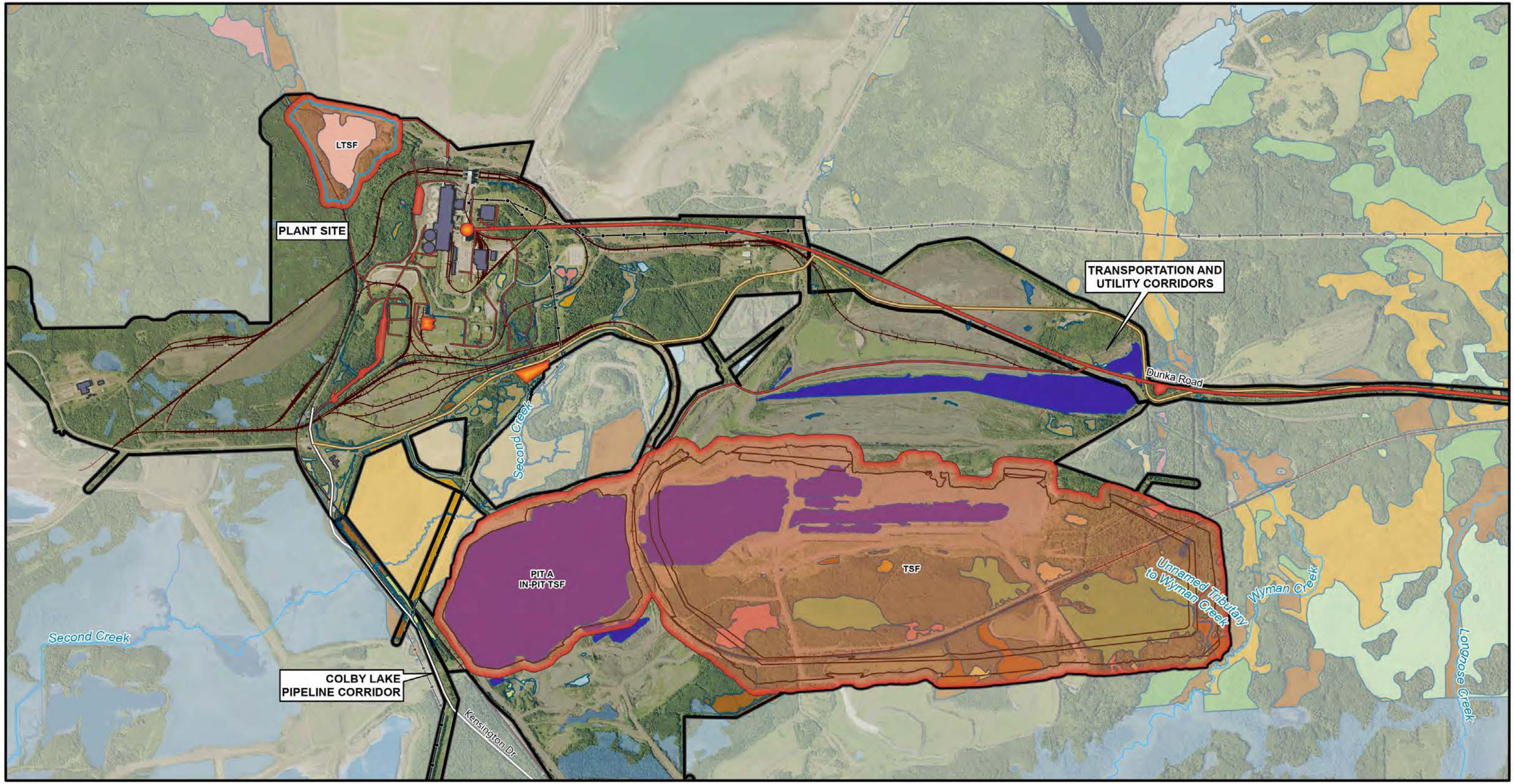
Dominant Eggers & Reed (2015) Wetland Community Type

- Alder Thicket
- Coniferous Bog
- Coniferous Swamp
- Deep Marsh
- Hardwood Swamp
- Open Bog
- Seasonally Flooded Basin
- Sedge Meadow, Fresh (Wet) Meadow
- Shallow Marsh
- Shallow, Open Water
- Shrub-Carr

N

0 1,500 3,000 Feet

Credits: 2024 60cm resolution imagery service from USDA FPAC-BC-GEO NAIP. Administrative, hydrographic, and transportation data from MnDNR, MNDOT, USGS.



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Large Figure 17
Plant Site Direct Wetland Impacts
2026 Section 404 Permit Application

NAD 1983 StatePlane Minnesota North FIPS 2201 Feet

DATE: July 29, 2026 | DRAWN BY: Barr Engineering Co., ARM2

- NorthMet Project Areas
- Impact Area
- Dunka Road
- Kensington Drive
- Existing Railroads
- Electric Transmission Lines
- Existing Building
- Proposed Building

- Public Waters Inventory (PWI) Watercourses
- National Hydrography Dataset (NHD) Rivers & Streams
- Deepwater Pit Lake
- National Wetlands Inventory (NWI)
- Exempt Wetland

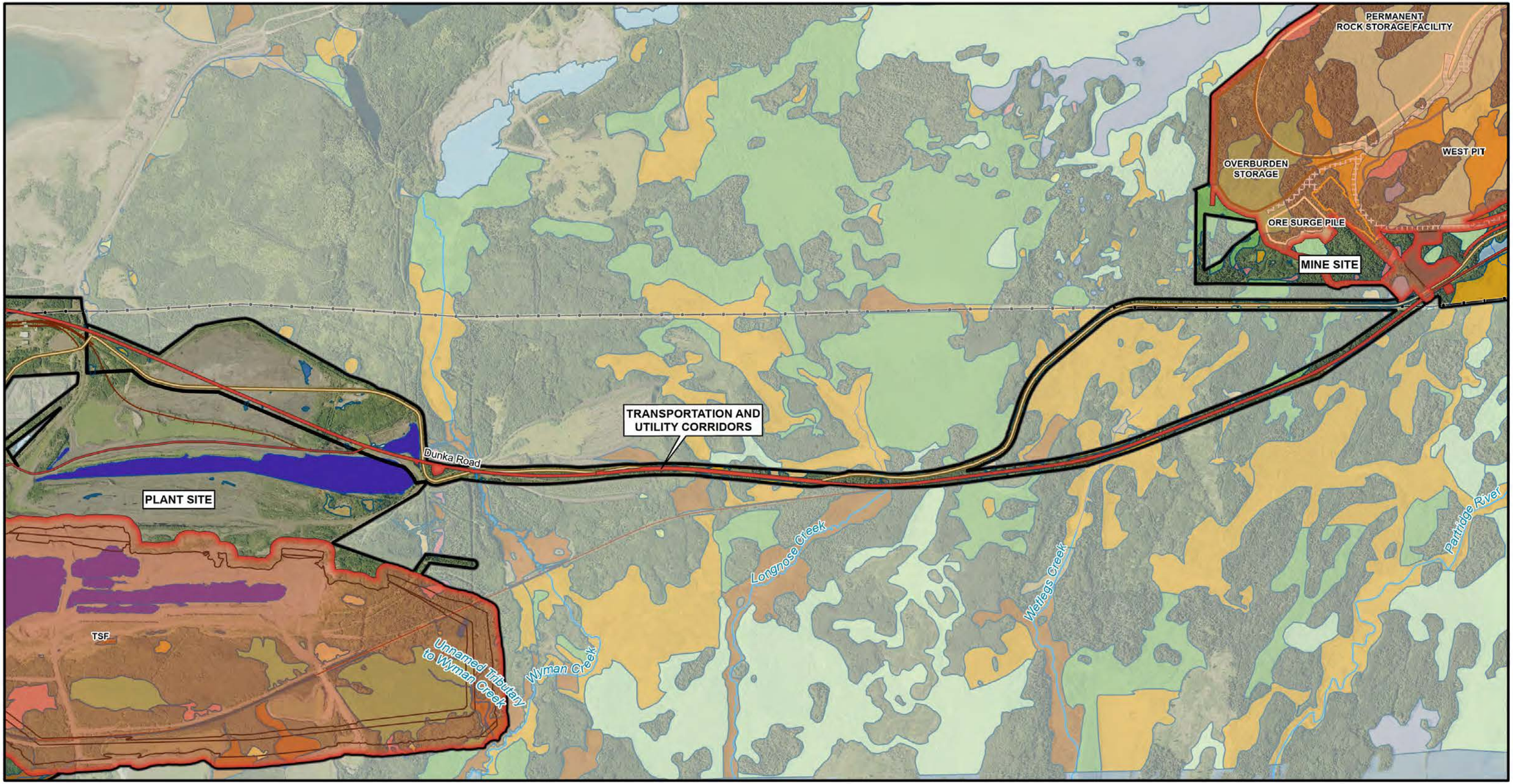
Dominant Eggers & Reed (2015) Wetland Community Type

- Alder Thicket
- Coniferous Bog
- Coniferous Swamp
- Deep Marsh
- Hardwood Swamp
- Open Bog
- Seasonally Flooded Basin
- Sedge Meadow, Fresh (Wet) Meadow
- Shallow Marsh
- Shallow, Open Water
- Shrub-Carr

N

0 2,000 4,000 Feet

Credits: 2024 60cm resolution imagery service from USDA FPAC-BC-GEO NAIP. Administrative, hydrographic, and transportation data from MnDNR, MNDOT, USGS.



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Large Figure 18
TUC Direct Wetland Impacts
2026 Section 404 Permit Application

NAD 1983 StatePlane Minnesota North FIPS 2201 Feet

DATE: July 29, 2026 | DRAWN BY: Barr Engineering Co., ARM2

- NorthMet Project Areas
- Impact Area
- Dunka Road
- Existing Railroads
- Electric Transmission Lines
- Public Waters Inventory (PWI) Watercourses
- National Hydrography Dataset (NHD) Rivers & Streams
- Deepwater Pit Lake
- National Wetlands Inventory (NWI)

Dominant Eggers & Reed (2015) Wetland Community Type

- Alder Thicket
- Coniferous Bog
- Coniferous Swamp
- Deep Marsh
- Hardwood Swamp
- Open Bog
- Seasonally Flooded Basin
- Sedge Meadow, Fresh (Wet) Meadow
- Shallow Marsh
- Shallow, Open Water
- Shrub-Carr

N

0 2,000 4,000 Feet

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