



# Fond du Lac Band of Lake Superior Chippewa Reservation Business Committee

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FOR IMMEDIATE RELEASE

FDL Responds to the U.S. Army Corps Revoking the Polymet Clean Water Act Section 404 Permit

**Fond du Lac (FDL) Band of Lake Superior Chippewa – Cloquet, MN (June 7, 2023)** – Yesterday, the Army Corps revoked PolyMet Mining’s permit for the NorthMet mine based on the Band’s water quality standards for its downstream waters. The Band has been waiting for the Corps to make the only decision it could, that the NorthMet Project cannot proceed as proposed.

“Today the Corps made the right decision to permanently revoke the Section 404 Permit issued to PolyMet Mining Inc.,” said FDL Vice-Chairman Roger Smith Sr.

The Corps’ decision validates the Band’s significant and long-standing concerns with the Project and is consistent with both the Band’s and EPA’s scientific and technical determinations that the Project will violate the Band’s downstream water quality standards. The Corps’ decision protects the Band’s downstream waters as well as the waters of downstream communities. The science simply does not support PolyMet’s claims that the NorthMet Project will not degrade water quality.

The Band issued its water quality standards through its Clean Water Act Treatment as a State Status, which the Band has exercised since 1996. In 2019, the Band successfully sued in federal court to have its Clean Water Act standards applied to PolyMet’s permit. The decision yesterday marks the first time the Army Corps has revoked a Section 404 permit based on a tribe’s water quality standards.

FDL Chairman Kevin R. Dupuis Sr. remarked that “the Corps’ decision was the right one and upholds the trust responsibility and the treaty promises the United States made to the Band. Through the 1854 Treaty the United States government promised us that our Reservation which is located downstream from the Project would provide a permanent homeland for our people forever. We were also promised the ability to exercise our traditional hunting, fishing and gathering rights within our aboriginal lands that were ceded under the 1854 Treaty where the Project will be located. Despite these solemn promises by the United States, our Reservation and our Ceded Territory lands have been under attack from pollution for decades. Today’s decision protects the rights and resources promised to us under the Treaty.”

PolyMet Mining recently adopted the alias “NewRange Copper Nickel LLC.”

The Army Corps decision can be found at <https://www.mvp.usace.army.mil/Missions/Regulatory/PolyMet/>.

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