

Process Timeline: Pebble Project and Permitting

Northern Dynasty Minerals and its subsidiary Pebble Limited Partnership (collectively PLP) hold mining claims to the Pebble Deposit. After conducting comprehensive analyses of PLP's mining plans both the U.S. Army Corps of Engineers (Corps) and Environmental Protection Agency (EPA) have used their respective Clean Water Act authorities to reject PLP's plans to mine the deposit given risks to Bristol Bay's wild salmon fishery. PLP sued to overturn these decisions and briefing with respect to PLP's claims against the EPA's Final Determination is expected late this year. PLP and DOJ discussed a settlement that would include an opportunity for PLP to file a new "submission" for agency consideration, but those talks did not produce a settlement.

The Corps and EPA decisions came after at least seven public input opportunities that generated over 3 million comments, the overwhelming majority of which opposed the mine. They also came after PLP changed the mine plan multiple times in response to, among other things, agency input. Each of these changes failed to satisfy the scientific and legal standards that the agencies apply to such projects.

At risk is Bristol Bay's incomparable wild salmon fishery, which generates billions in annual economic activity and employs tens of thousands of people.

1985-1997	Cominco (now Teck) Pebble Exploratory Drilling and Claim Staking ¹
2001	Cominco bails out; Northern Dynasty Minerals/Pebble Limited Partnership (PLP) acquire Pebble
2004 - 2017	Pebble Permitting – 13 years of PLP saying “soon” ²
May 2010	Tribes, BBNC, commercial and sportfishing interests and other stakeholders request 404(c) ³
August 2010	EPA administrator site visit to Bristol Bay and Pebble site ⁴
February 2011	EPA Announces Scientific Assessment of Bristol Bay salmon and Pebble ⁵
February 2011	Mitsubishi Corporation sells its stake in Northern Dynasty Minerals
December 2011	EPA begins review of science provided by PLP ⁶
May 2012	EPA releases Draft Bristol Bay Watershed Assessment for public review and input EPA receives ~233,000 comments and holds 8 public meetings. ⁷
August – September 2012	EPA reviews Draft Bristol Bay Watershed Assessment EPA convenes external peer review and releases final peer review report .

April 2013	EPA releases Second Draft Bristol Bay Watershed Assessment for public review and input EPA asks peer reviewers for additional feedback; EPA receives ~890,000 public comments. ⁸
September 2013	Anglo American withdraws from Pebble Limited Partnership after spending \$541 million on the project.
January 2014	EPA issues Final Bristol Bay Watershed Assessment Final Bristol Bay Watershed Assessment confirms risk of Pebble to wild salmon.
February 2014	EPA initiates Section 404(c) Review
April 2014	Rio Tinto donates shares in Northern Dynasty Minerals to Alaska charities, takes \$130 million loss
May 2014	PLP sues EPA , and loses
July 2014	EPA issues the Proposed Determination (PD) for public review and input EPA holds 7 public meetings and receives >670,000 comments; more than 99% support PD. ⁹
September – November 2014	PLP sues EPA again Court pauses EPA work while it reviews PLP’s claims.
May – July 2017	EPA settles with PLP and begins process to withdraw 404(c) During process to withdraw PD, EPA receives >1,000,000 public comments, 99%+ opposing withdrawal. ¹⁰
December 2017	PLP finally starts 404 permit process with Corps EPA, Coast Guard, USFWS, NPS, State of Alaska, and two tribes become cooperating agencies.
January 2018	EPA suspends withdrawal of 2014 Proposed Determination States that Bristol Bay’s “natural resources and world-class fisheries deserve the utmost protection.” ¹¹
March 2018	Corps Scoping for EIS, seeks public input Corps receives ~175,000 comments. ¹²
May 2018	PLP changes project; increases ore target and project footprint.
October 2018	PLP changes project
December 2018	PLP changes project
January 2019	PLP revises Permit Application; increases fill in Waters of the U.S.
February 2019	Corps issues Draft EIS for public review and input; receives > 300,000 comments. ¹³

June 2019	PLP changes project; transportation corridor, lake crossing, and more
June – July 2019	EPA resumes consideration of withdrawal of 2014 Proposed Determination Identifies substantial potential impacts and risks of the proposed project. ¹⁴
July 2019	EPA withdraws 2014 Proposed Determination
August 2019	PLP changes project; Post-draft EIS PLP amends its project plans with 13 significant changes.
October 2019	Stakeholders sue EPA over withdrawal of the 2014 Proposed Determination
December 2019	PLP changes project; water treatment plans and related changes to wetland and stream impacts
January 2020	PLP submits Compensatory Mitigation Plan to the Army Corps ¹⁵ Pebble changes plan a further five times by November 2020.
February – March 2020	Corps releases preliminary Final EIS EPA comments on document. ¹⁶
March – May 2020	Corps says northern transportation corridor is the least environmentally damaging practicable alternative (LEDPA).
June 2020	PLP changes project ¹⁷ 2020 Mine Plan amended to incorporate changes to the project based on USACE’s LEDPA determination.
July – August 2020	Army Corps issues the Final EIS
September 2020	Pebble Tapes Released Documents that PLP’s true objective is a much larger project with a 78 year plus mine life. PLP also claims support from both of Alaska’s senators and other leadership.
November 2020	Corps Denies PLP’s Permit -- concludes that Pebble would not comply with the Clean Water Act and is contrary to the public interest
January 2021	PLP Administratively Appeals Corps Permit Denial
September – October 2021	EPA reinstates the 2014 Proposed Determination and restarts 404(c) process after the 9th Circuit finds that EPA improperly withdrew the 2014 Proposed Determination
May 2022	EPA revises Proposed Determination and seeks public review and input; receives > 582,000 comments. ¹⁸

December 2022	EPA announces Recommended Determination for Pebble Deposit Area PLP consultation reveals no new scientific information or corrective actions .
January 2023	EPA issues Final 404(c) Determination for Pebble Deposit Area
March - June 2024	PLP sues EPA over 404(c) and Corps over 404 permit denial
July 2025	PLP and DOJ discuss settlement without reaching a resolution.

¹ [EPA Final 404\(c\) Determination](#), at p. 2-8.

² Final Determination, at p. 2-8 to 9.

³ Final Determination, at p. 2-9 to 10.

⁴ Final Determination, at p. 2-10.

⁵ Final Determination, at p. 2-10.

⁶ Final Determination, at p. 2-11.

⁷ Final Determination, at p. 2-12.

⁸ Final Determination, at p. 2-12.

⁹ Final Determination, at p. 2-13.

¹⁰ Final Determination, at p. 2-14.

¹¹ <https://www.epa.gov/archive/epa/newsreleases/epa-administrator-scott-pruitt-suspends-withdrawal-proposed-determination-bristol-bay.html>

¹² Pebble Project Final EIS, Appendix A Scoping Report, available at: <https://www.arlis.org/docs/vol1/Pebble/Final-EIS/Pebble-FEIS-appA.pdf>.

¹³ Pebble Project Final EIS, Appendix D Comment Analysis Report, available at: <https://www.arlis.org/docs/vol1/Pebble/Final-EIS/Pebble-FEIS-appB-F.pdf>.

¹⁴ Final Determination, at p. 2-15.

¹⁵ PLP Request for Appeal, pp. 6-7.

¹⁶ Final Determination, at p. 2-16.

¹⁷ Final Determination, at p. 2-16 to 17.

¹⁸ Final Determination, at p. 2-21.