

U.S. Army Corps of Engineers (USACE)

NATIONWIDE PERMIT PRE-CONSTRUCTION NOTIFICATION (PCN)

For use of this form, see 33 CFR 330; the proponent agency is CECW-CO-R.

Form Approved -

OMB No. 0710-

0003

Expires: 2027-10-31

DATA REQUIRED BY THE PRIVACY ACT OF 1974

Authority Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Regulatory Program of the Corps of Engineers (Corps); Final Rule 33 CFR 320-332.

Principal Purpose Information provided on this form will be used in evaluating the nationwide permit pre-construction notification.

Routine Uses This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of the agency coordination process.

Disclosure Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can

The public reporting burden for this collection of information, 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PLEASE DO NOT RETURN YOUR RESPONSE TO THE ABOVE EMAIL.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see *sample drawings and/or instructions*) and be submitted to the district engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED 03/06/2026	4. DATE APPLICATION COMPLETE
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME First — George Middle — Last — Adams Company — Ferroglobe USA Mining, LLC Company Title — E-mail Address — gadams@ferroglobe.com		8. AUTHORIZED AGENT'S NAME AND TITLE (<i>agent is not required</i>) First — Nicholas Middle — Last — Baker Company — Aquatic Resources Management, LLC E-mail Address — nbaker@aquaticresources.us	
6. APPLICANT'S ADDRESS Address — 332 W Cumberland Gap Pkwy Suite 100 City — Corbin State — KY ZIP — 40701 Country — US		9. AGENT'S ADDRESS Address — 2554 PALUMBO DR City — LEXINGTON State — KY ZIP — 40509 Country — US	
7. APPLICANT'S PHONE NOS. with AREA CODE a. Business b. c. Fax +16065239760		10. AGENT'S PHONE NOS. with AREA CODE a. Primary b. c. Fax +18595337541	

STATEMENT OF AUTHORIZATION

11. I hereby authorize, Nicholas Baker to act in my behalf as my agent in the processing of this nationwide permit pre-construction notification and to furnish, upon request, supplemental information in support of this nationwide permit pre-construction notification.

/s/ - provided on authorized agent form

03/06/2026

SIGNATURE OF APPLICANT

DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME or TITLE (*see instructions*)

Mosley Gap 918-0504 AM 04 NW 43 Application

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

13. NAME OF WATERBODY, IF KNOWN (*if applicable*)

14. PROPOSED ACTIVITY STREET ADDRESS (*if applicable*)

15. LOCATION OF PROPOSED ACTIVITY (*see instructions*)

Latitude: 36.8435277 °N

Longitude: -84.0174765 °W

Address:

City:

Woodbine

State:

KY

Zip:

40771

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (*see instructions*)

Section –

Township –

Range –

County – Whitley County

Project Area – 24.49 Acres

State Tax Parcel ID –

17. DIRECTIONS TO THE SITE

18. IDENTIFY THE SPECIFIC NATIONWIDE PERMIT(S) YOU PROPOSE TO USE

NWP 43 Stormwater Management Facilities

19. DESCRIPTION OF PROPOSED NATIONWIDE PERMIT ACTIVITY (*see instructions*)

Ferroglobe USA Mining, LLC (Ferroglobe) herein applies for a modification of their United States Army Corps of Engineers (USACE) Section 404 Nationwide 43 Permit # TBD. This permit application is intended to serve as a pre-construction notification and has been designed specifically for a mining operation of Ferroglobe which proposes temporary impacts to waters of the U.S. (WOTUS) within the unnamed tributaries to Eatin Fork in Knox County. Ferroglobe is proposing temporary impacts to jurisdictional streams found within the Upper Cumberland River watershed. In accordance with the requirements of the Natural Environmental Protection Act (NEPA) and the section 404 (b) (1) guidelines, this application provides the least environmentally damaging practicable alternative while still maintaining the project purpose and need. Ferroglobe plans to mine a total of 25.49 acres.

The proposed impact sites (unnamed tributaries to Eatin Fork and Eatin Fork) contains approximately 444 linear feet of jurisdictional waters. Of those waters, all 444 feet were determined to be intermittent. Ferroglobe plans to construct an instream pond to control and treat the stormwater runoff from the mine. This pond construction will be temporary and upon Phase II release of the mine the pond will be removed and the stream restored. Details of the restoration are included in this application.

Stream restoration of the 444 linear feet will occur after Phase II bond release and the proposed pond can be removed. This restoration will replace and increase the on-site stream structure and function.

20. DESCRIPTION OF PROPOSED MITIGATION MEASURES (see instructions)

Avoidance and Minimization

In evaluating a project area containing aquatic resources, consideration must be given to avoiding impacts on these resources. If a site cannot be avoided, impacts must be minimized. Following minimization of impacts, the unavoidable impacts must be mitigated. Permits to discharge dredged or fill material into waters of the U.S. will not be granted if it will cause or contribute to significant degradation of waters of the U.S.

Various mine plans were investigated in order to provide a feasible project to recover the coal reserves within the permitted boundary. The mining areas have been designed to minimize the amount of jurisdictional streams to be impacted by the proposed project. Stream impacts, to the extent practicable, were limited to areas where previous impacts had occurred. This has allowed only previously degraded streams to be impacted. No impacts to jurisdictional streams are proposed within the mining areas. Impacts are limited to pond construction to control and treat sediment runoff from the project area.

Based on these efforts in order for the project to feasibly meet the stated project and purpose the impacts to WoTUS has been minimized.

21. PURPOSE OF NATIONWIDE PERMIT ACTIVITY (Describe the reason or purpose of the project, see instructions)

The purpose of this project is for Ferroglobe to extract the coal reserves located within the permit as efficiently as possible, while minimally impacting the surrounding environment.

Expected economic benefits of the project discussed in this document are anticipated to prevail over any potential deleterious environmental influences assessed within this permit area. Direct, indirect, and induced economic boosts to the local and state economy will not only maintain profits and taxes, continuing to provide social services for the surrounding areas, but also aiding in the fulfillment of mineral requirements of the nation.

22. QUANTITY OF WETLANDS, STREAMS, OR OTHER TYPES OF WATERS DIRECTLY AFFECTED BY PROPOSED NATIONWIDE PERMIT ACTIVITY (see instructions)

Acres	Linear Feet	Cubic Yards Dredged or Discharged
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Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site.

23. List any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. (see instructions)

24. If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and/or the loss of greater than 3/100-acre of stream bed and requires pre-construction notification, explain how the compensatory mitigation requirement in paragraph (c) and/or paragraph (d) of general condition 23 will be satisfied, or explain why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required for the proposed activity.

The stream ecosystem integrities for the unnamed tributaries containing the stormwater control pond impacts for which mitigation is being proposed for were evaluated using the Functional Capacity Index (FCI) Protocol to quantify the anticipated impacts and ensure no net loss of aquatic resources would occur. Overall, the anticipated temporary stream impacts would be compensated for by restoration efforts. Anticipated and prior impact losses include 444 linear feet of intermittent stream and 248.64 HGMs. It is anticipated that replacing and restoring the stream will occur by the applicant making watershed improvements after the impacts in unnamed tributaries to Eatin Fork, as seen on the attached Impacts and Mitigation mapping. HGM scores are expected to increase over 39.3% after 5 years; having an approximate total of 346.32 HGMs after mitigation efforts are complete. On-site stream mitigations will be provided in mitigation reaches.

25. Is any portion of the nationwide permit activity already complete? ☐ Yes ☒ No

If Yes, describe the completed work:

26. List the name(s) of any species listed as endangered or threatened under the Endangered Species Act that might be affected by the proposed NWP activity

or utilize the designated critical habitat that might be affected by the proposed NWP activity. (see instructions)

Gray bat,Indiana bat,Tricolored bat,Virginia big-eared bat

ADDITIONAL AFFECTED SPECIES:

None

27. List any historic properties that have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic property or properties. (see instructions)

None

28. For a proposed NWP activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, identify the Wild and Scenic River or the "study river":

29. If the proposed NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, have you submitted a written request for section 408 permission from the Corps district having jurisdiction over that project? ☐ Yes ☒ No

If "yes", please provide the date your request was submitted to the Corps district:

30. If the terms of the NWP(s) you want to use require additional information to be included in the PCN, please include that information in this space or provide it on an additional sheet of paper marked Block 30. (see instructions)

31. Pre-construction notification is hereby made for one or more nationwide permit(s) to authorize the work described in this notification. I certify that the information in this pre-construction notification is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

/s/ - provided on authorized agent form

Nicholas Baker

03/06/2026

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The pre-construction notification must be signed by the person who desires to undertake the proposed activity (applicant) and, if the statement in Block 11 has been filled out and signed, the authorized agent.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

**Instructions for Preparing a
Department of the Army
Nationwide Permit (NWP) Pre-Construction Notification (PCN)**

Blocks 1 through 4. To be completed by the Corps of Engineers.

Block 5. Applicant's Name. Enter the name and the e-mail address of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the name of the organization and responsible officer and title. If more than one party is associated with the preconstruction notification, please attach a sheet of paper with the necessary information marked Block 5.

Block 6. Address of Applicant. Please provide the full address of the party or parties responsible for the PCN. If more space is needed, attach an extra sheet of paper marked Block 6.

Block 7. Applicant's Telephone Number(s). Please provide the telephone number where you can usually be reached during normal business hours.

Blocks 8 through 11. To be completed, if you choose to have an agent.

Block 8. Authorized Agent's Name and Title. Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer, consultant, or any other person or organization. Note: An agent is not required.

Blocks 9 and 10. Agent's Address and Telephone Number. Please provide the complete mailing address of the agent, along with the telephone number where he / she can be reached during normal business hours.

Block 11. Statement of Authorization. To be completed by the applicant, if an agent is to be employed.

Block 12. Proposed Nationwide Permit Activity Name or Title. Please provide a name identifying the proposed NWP activity, e.g., Windward Marina, Rolling Hills Subdivision, or Smith Commercial Center.

Block 13. Name of Waterbody. Please provide the name (if it has a name) of any stream, lake, marsh, or other waterway to be directly impacted by the NWP activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

Block 14. Proposed Activity Street Address. If the proposed NWP activity is located at a site having a street address (not a box number), please enter it in Block 14.

Block 15. Location of Proposed Activity. Enter the latitude and longitude of where the proposed NWP activity is located. Indicate whether the project location provided is the center of the project or whether the project location is provided as the latitude and longitude for each of the "corners" of the project area requiring evaluation. If there are multiple sites, please list the latitude and longitude of each site (center or corners) on a separate sheet of paper and mark as Block 15.

Block 16. Other Location Descriptions. If available, provide the Tax Parcel Identification number of the site, Section, Township, and Range of the site (if known), and / or local Municipality where the site is located.

Block 17. Directions to the Site. Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site. You may also provide a description of the location of the proposed NWP activity, such as lot numbers, tract numbers, or you may choose to locate the proposed NWP activity site from a known point (such as the right descending bank of Smith Creek, one mile downstream from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed NWP activity site if known. If there are multiple locations, please indicate directions to each location on a separate sheet of paper and mark as Block 17.

Block 18. Identify the Specific Nationwide Permit(s) You Propose to Use. List the number(s) of the Nationwide Permit(s) you want to use to authorize the proposed activity (e.g., NWP 29).

Block 19. Description of the Proposed Nationwide Permit Activity. Describe the proposed NWP activity, including the direct and indirect adverse environmental effects the activity would cause. The description of the proposed activity should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal. Identify the materials to be used in construction, as well as the methods by which the work is to be done.

Provide sketches when necessary to show that the proposed NWP activity complies with the terms of the applicable NWP(s). Sketches usually clarify the activity and result in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed NWP activity (e.g., a conceptual plan), but do not need to be detailed engineering plans.

The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked Block 19.

Block 20. Description of Proposed Mitigation Measures. Describe any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed NWP activity. The description of any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or additional mitigation measures.

Block 21. Purpose of Nationwide Permit Activity. Describe the purpose and need for the proposed NWP activity. What will it be used for and why? Also include a brief description of any related activities associated with the proposed project. Provide the approximate dates you plan to begin and complete all work.

Block 22. Quantity of Wetlands, Streams, or Other Types of Waters Directly Affected by the Proposed Nationwide Permit Activity. For discharges of dredged or fill material into waters of the United States, provide the amount of wetlands, streams, or other types of waters filled, flooded, excavated, or drained by the proposed NWP activity. For structures or work in navigable waters of the United States subject to Section 10 of the Rivers and Harbors Act of 1899, provide the amount of navigable waters filled, dredged, or occupied by one or more structures (e.g., aids to navigation, mooring buoys) by the proposed NWP activity.

For multiple NWPs, or for separate and distant crossings of waters of the United States authorized by NWPs 12 or 14, attach an extra sheet of paper marked Block 21 to provide the quantities of wetlands, streams, or other types of waters filled, flooded, excavated, or drained (or dredged or occupied by structures, if in waters subject to Section 10 of the Rivers and Harbors Act of 1899) for each NWP. For NWPs 12 and 14, include the amount of wetlands, streams, or other types of waters filled, flooded, excavated, or drained for each separate and distant crossing of waters or wetlands. If more space is needed, attach an extra sheet of paper marked Block 22.

Block 23. Identify Any Other Nationwide Permit(s), Regional General Permit(s), or Individual Permit(s) Used to Authorize Any Part of Proposed Activity or Any Related Activity. List any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. For linear projects, list other separate and distant crossings of waters and wetlands authorized by NWPs 12 or 14 that do not require PCNs. If more space is needed, attach an extra sheet of paper marked Block 23.

Block 24. Compensatory Mitigation Statement for Losses of Greater Than 1/10-Acre of Wetlands and/or of Greater Than 3/100-Acre of Stream Bed When Pre-Construction Notification is Required. Paragraphs (c) and (d) of NWP general condition 23 require compensatory mitigation at a minimum one-for-one replacement ratio for all wetland losses that exceed 1/10-acre and/or for all losses of stream bed that exceed 3/100-acre, unless the district engineer determines in writing that either some other form of mitigation is more environmentally appropriate or the adverse environmental effects of the proposed NWP activity are no more than minimal without compensatory mitigation, and provides an activity-specific waiver of this requirement. Describe the proposed compensatory mitigation for wetland losses greater than 1/10 acre and/or for losses of stream bed that exceed 3/100-acre, or provide an explanation of why the district engineer should not require wetland and/or stream compensatory mitigation for the proposed NWP activity. If more space is needed, attach an extra sheet of paper marked Block 24.

Block 25. Is Any Portion of the Nationwide Permit Activity Already Complete? Describe any work that has already been completed for the NWP activity.

Block 26. List the Name(s) of Any Species Listed As Endangered or Threatened under the Endangered Species Act that Might be Affected by the Nationwide Permit Activity. If you are not a federal agency, and if any listed species or designated critical habitat might be affected or is in the vicinity of the proposed NWP activity, or if the proposed NWP activity is located in designated critical habitat, list the name(s) of those endangered or threatened species that might be affected by the proposed NWP activity or utilize the designated critical habitat that might be affected by the proposed NWP activity. If you are a Federal agency, and the proposed NWP activity requires a PCN, you must provide documentation demonstrating compliance with Section 7 of the Endangered Species Act.

Block 27. List Any Historic Properties that Have the Potential to be Affected by the Nationwide Permit Activity. If you are not a Federal agency, and if any historic properties have the potential to be affected by the proposed NWP activity, list the name(s) of those historic properties that have the potential to be affected by the proposed NWP activity. If you are a Federal agency, and the proposed NWP activity requires a PCN, you must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

Block 28. List the Wild and Scenic River or Congressionally Designated Study River if the Nationwide Permit Activity Would Occur in such a River. If the proposed NWP activity will occur in a river in the National Wild and Scenic River System or in a river officially designated by Congress as a "study river" under the Wild and Scenic Rivers Act, provide the name of the river. For a list of Wild and Scenic Rivers and study rivers, please visit <http://www.rivers.gov/>.

Block 29. Nationwide Permit Activities that also Require Permission from the Corps Under 33 U.S.C. 408. If the proposed NWP activity also requires permission from the Corps under 33 U.S.C. 408 because it will temporarily or permanently alter, occupy, or use a Corps federal authorized civil works project, indicate whether you have submitted a written request for section 408 permission from the Corps district having jurisdiction over that project.

Block 30. Other Information Required For Nationwide Permit Pre Construction Notifications. The terms of some of the Nationwide Permits include additional information requirements for preconstruction notifications:

- * NWP 3, Maintenance –information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals.
- * NWP 31, Maintenance of Existing Flood Control Facilities –a description of the maintenance baseline and the dredged material disposal site.
- * NWP 33, Temporary Construction, Access, and Dewatering –a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre project conditions.
- * NWP 44, Mining Activities –if reclamation is required by other statutes, then a copy of the final reclamation plan must be submitted with the pre construction notification.
- * NWP 45, Repair of Uplands Damaged by Discrete Events –documentation, such as a recent topographic survey or photographs, to justify the extent of the proposed restoration.
- * NWP 48, Commercial Shellfish Aquaculture Activities –(1) a map showing the boundaries of the project area, with latitude and longitude coordinates for each corner of the project area; (2) the name(s) of the species that will be cultivated during the period this NWP is in effect; (3) whether canopy predator nets will be used; (4) whether suspended cultivation techniques will be used; and (5) general water depths in the project area (a detailed survey is not required).
- * NWP 49, Coal Remining Activities –a document describing how the overall mining plan will result in a net increase in aquatic resource functions must be submitted to the district engineer and receive written authorization prior to commencing the activity.
- * NWP 50, Underground Coal Mining Activities –if reclamation is required by other statutes, then a copy of the reclamation plan must be submitted with the pre construction notification.

If more space is needed, attach an extra sheet of paper marked Block 30.

Block 31. Signature of Applicant or Agent. The PCN must be signed by the person proposing to undertake the NWP activity, and if applicable, the authorized party (agent) that prepared the PCN. The signature of the person proposing to undertake the NWP activity shall be an affirmation that the party submitting the PCN possesses the requisite property rights to undertake the NWP activity (including compliance with special conditions, mitigation, etc.).

DELINEATION OF WETLANDS, OTHER SPECIAL AQUATIC SITES, AND OTHER WATERS

Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current wetland delineation manual and regional supplement published by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. The 45 day PCN review period will not start until the delineation is submitted or has been completed by the Corps.

DRAWINGS AND ILLUSTRATIONS

General Information.

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a Vicinity Map, a Plan View or a Typical Cross Section Map. Identify each illustration with a figure or attachment number. For linear projects (e.g. roads, subsurface utility lines, etc.) gradient

drawings should also be included. Please submit one original, or good quality copy, of all drawings on 8½x11 inch plain white paper (electronic media may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations. Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view, or cross section). While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate, and contain all necessary information.

ADDITIONAL INFORMATION AND REQUIREMENTS

For proposed NWP activities that involve discharges into waters of the United States, water quality certification from the State, Tribe, or EPA must be obtained or waived (see NWP general condition 25). Some States, Tribes, or EPA have issued water quality certification for one or more NWPs. Please check the appropriate Corps district web site to see if water quality certification has already been issued for the NWP(s) you wish to use. For proposed NWP activities in coastal states, state Coastal Zone Management Act consistency concurrence must be obtained, or a presumption of concurrence must occur (see NWP general condition 26). Some States have issued Coastal Zone Management Act consistency concurrences for one or more NWPs. Please check the appropriate Corps district web site to see if Coastal Zone Management Act consistency concurrence has already been issued for the NWP(s) you wish to use.

U.S. Army Corps of Engineers (USACE) RIGHT OF ENTRY For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act, the proponent agency is CECW-COR.				Form Approved - OMB No. 0710-0003 Expires XX-XX-XXXX	
The Agency Disclosure Notice (ADN) The Public reporting burden for this collection of information, 0710-003, is estimated to average 5 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil . Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.					
Purpose: This form is used by members of the public to authorize the USACE to enter their property for site investigations relating to USACE project reviews. These reviews include onsite investigations needed to support application review, processing, and issuance of a Clean Water Act and/or Rivers and Rivers Act delineations, determinations, and/or permits. This form is a component in the Corps Regulatory Request System (RRS), which is an online permitting application portal for the Regulatory Program.					
ITEMS 1 THRU 3 - FOR USACE USE ONLY					
1. APPLICATION NO.		2. FIELD OFFICE CODE		3. DATE RECEIVED	
ITEMS 4 THRU 12 - COMPLETD BY THE PROPERTY OWNER					
4. PROPERTY OWNER NAME <i>(first, middle, last)</i> George Adams			5. PROPERTY OWNER ADDRESS: 332 W Cumberland Gap Pkwy		
Company: Ferroglobe USA Mining, LLC			City: Corbin		State: KY
E-mail Address: gadams@ferroglobe.com			Zip: 40701		Country: US
6. PROPERTY OWNER PHONE NUMBERS. w/AREA CODE					
a. Residence		b. Business 606-523-3292		c. Fax	
LOCATION AND LEGAL DESCRIPTION OF PROPERTY					
7. PROJECT STREET ADDRESS <i>(if applicable)</i>				8. LOCATION OF PROPERTY <i>(in decimal degrees)</i>	
Address	City:	State:	Zip:	Latitude: °N	Longitude: °W
				36.84571	-84.007121
9. TAX PARCEL ID(s)					
10. PROPERTY OWNER CERTIFICATION By signing below, I authorize representatives of the USACE to enter upon the property described above for the purpose of conducting on-site investigations, if necessary, and issuing a jurisdictional determination pursuant to Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899. I, the undersigned, am a duly authorized owner of record of the property identified herein.					
11. SIGNATURE OF PROPERTY OWNER			12. DATE 03/05/2026		
18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.					

U.S. Army Corps of Engineers (USACE) AUTHORIZATION TO ACT AS AN AGENT For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act, the proponent agency is CECW-COR.		Form Approved - OMB No. 0710-0003 Expires XX-XX-XXXX	
The Agency Disclosure Notice (ADN)			
The Public reporting burden for this collection of information, 0710-003, is estimated to average 5 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil . Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.			
Purpose: This form is used by members of the public to authorize an agent (for example - a private consultant) to act on their behalf in all matters relating to all dealings with the USACE regarding the project. This includes taking all necessary actions for the application, processing, issuance, and/or acceptance of a Clean Water Act and/or Rivers and Rivers Act delineations, determinations, and/or permits.			
This form is a component in the Corps Regulatory Request System (RRS), which is an online permitting application portal for the Regulatory Program.			
ITEMS 1 THRU 3 - FOR USACE USE ONLY			
1. APPLICATION NO.		2. FIELD OFFICE CODE	
		3. DATE RECEIVED	
ITEMS 4 THRU 14 - COMPLETD BY THE PROPERTY OWNER			
4. PROJECT NAME 918-0504 AM 04		5. PROJECT LOCATION KY 1064 with Terrel Hollow Rd.	
6. APPLICANT NAME (<i>first, middle, last</i>) George Adams		7. AGENT NAME Nick Baker	
Company (<i>if applicable</i>): Ferroglobe USA Mining, LLC		Company: Aquatic Resources Management, LLC	
E-mail Address: gadams@ferroglobe.com		E-mail Address: nbaker@aquaticresources.us	
8. APPLICANT ADDRESS (<i>if applicable</i>) Address 332 W Cumberland Gap Pkwy.		9. AGENT ADDRESS (<i>if applicable</i>) Address 2554 PALUMBO DRIVE	
City: Corbin	State: KY	City: LEXINGTON	State: KY
10. APPLICANT PHONE NUMBERS. w/AREA CODE		11. AGENT PHONE NUMBERS. w/AREA CODE	
a. Business 606-523-6438	b.	c. Fax	
		a. Mobile 1-859-533-7541	b.
			c. Fax
12. APPLICANT/AGENT CERTIFICATION By signing below, I hereby authorize the agent listed above, to act on my behalf in all matters relating to all dealings with the USACE regarding the project and properties listed above, including taking all necessary actions for the application, processing, issuance, and/or acceptance of a Clean Water Act and/or Rivers and Rivers Act delineations, determinations, and/or permits. Any and all acts carried out by my agent on my behalf as it relates to this project and property shall have the same effect as acts of my own. I agree to review all information submitted to the USACE on my behalf by my agent and certify that any information submitted on my behalf is true and correct.			
13. SIGNATURE OF APPLICANT		14. DATE 03/5/2026	
18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.			

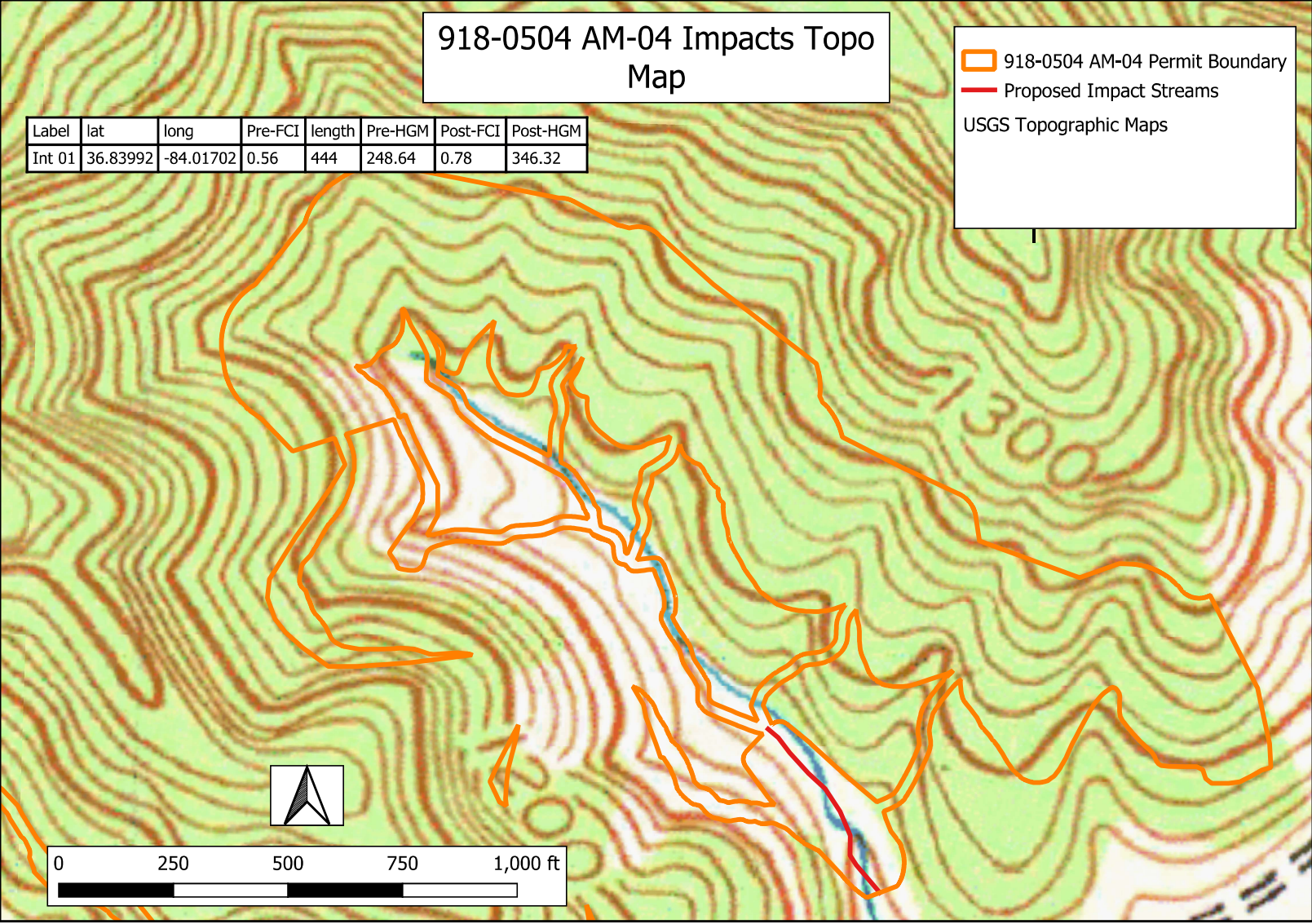
918-0504 AM-04 Impacts Topo Map

Label	lat	long	Pre-FCI	length	Pre-HGM	Post-FCI	Post-HGM
Int 01	36.83992	-84.01702	0.56	444	248.64	0.78	346.32

918-0504 AM-04 Permit Boundary
Proposed Impact Streams
USGS Topographic Maps



0 250 500 750 1,000 ft



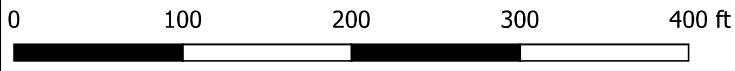
918-0504 AM-04 Mitigation
Aerial Map

Label	lat	long	Pre-FCI	length	Pre-HGM	Post-FCI	Post-HGM
Int 01	36.83992	-84.01702	0.56	444	248.64	0.78	346.32

 918-0504 AM-04 Permit Boundary

 Proposed Mitigation Streams

2022 KY Aerial Imagery



High-Gradient Headwater Streams in eastern Kentucky and western West Virginia Field Data Sheet and Calculator

Team:	Aquatic Resources Management, LLC	Latitude/UTM Northing:	
Project Name:	Terrell Hollow Am-04	Longitude/UTM Easting:	
Location:		Sampling Date:	
SAR Number:	INT 01	Reach Length (ft):	100
		Stream Type:	Intermittent Stream ▼
Top Strata:	Tree Stratum	(determined from percent calculated in $V_{CCANOPY}$)	
Site and Timing:	Project Site ▼	Before Project	▼

Sample Variables 1-4 in stream channel

- 1 $V_{CCANOPY}$ Average percent cover over channel by tree and sapling canopy. Measure at no fewer than 10 roughly equidistant points along the stream. Measure only if tree cover is at least 20%. (If less than 20%, enter at least one value between 0 and 19 to trigger Top Strata choice.) 80.5 %

List the percent cover measurements at each point below:

80	85	90	75	80	80	75	75	85	80

- 2 V_{EMBED} Average embeddedness of the stream channel. Measure at no fewer than 30 roughly equidistant points along the stream. Select a particle from the bed. Before moving it, determine the percentage of the surface and area surrounding the particle that is covered by fine sediment, and enter the rating according to the following table. If the bed is an artificial surface, or composed of fine sediments, use a rating score of 1. If the bed is composed of bedrock, use a rating score of 5. 1.5

Embeddedness rating for gravel, cobble and boulder particles (rescaled from Platts, Megahan, and Minshall 1983)

Rating	Rating Description
5	<5 percent of surface covered, surrounded, or buried by fine sediment (or bedrock)
4	5 to 25 percent of surface covered, surrounded, or buried by fine sediment
3	26 to 50 percent of surface covered, surrounded, or buried by fine sediment
2	51 to 75 percent of surface covered, surrounded, or buried by fine sediment
1	>75 percent of surface covered, surrounded, or buried by fine sediment (or artificial surface)

List the ratings at each point below:

1	1	1	1	1	4	1	1	2	1
1	2	1	1	3	3	2	1	1	1
1	1	2	2	1	3	2	2	1	1

- 3 $V_{SUBSTRATE}$ Median stream channel substrate particle size. Measure at no fewer than 30 roughly equidistant points along the stream; use the same points and particles as used in V_{EMBED} . 0.08 in

Enter particle size in inches to the nearest 0.1 inch at each point below (bedrock should be counted as 99 in, asphalt or concrete as 0.0 in, sand or finer particles as 0.08 in):

0.08	0.08	0.08	0.50	0.08	0.08	1.25	0.08	0.08	0.08
0.25	0.08	0.08	0.80	0.75	0.20	0.08	0.08	0.08	0.08
1.50	0.08	0.08	0.25	0.60	0.08	0.08	0.08	1.75	0.08

- 4 V_{BERO} Total percent of eroded stream channel bank. Enter the total number of feet of eroded bank on each side and the total percentage will be calculated. If both banks are eroded, total erosion for the stream may be up to 200%. 200 %

Left Bank: 100 ft

Right Bank: 100 ft

Sample Variables 5-9 within the entire riparian/buffer zone adjacent to the stream channel (25 feet from each bank).

5	V_{LWD}	Number of down woody stems (at least 4 inches in diameter and 36 inches in length) per 100 feet of stream reach. Enter the number from the entire 50'-wide buffer and within the channel, and the amount per 100 feet of stream will be calculated.	5.0
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Number of downed woody stems: 5

6	V_{TDBH}	Average dbh of trees (measure only if total tree cover is at least 20%). Trees are at least 4 inches (10 cm) in diameter. Enter DBHs in inches.	12.4
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List the dbh measurements of individual trees (at least 4 in) within the buffer on each side of the stream below:

Left Side					Right Side				
16	6	10	6	8	12	14	22	10	12
26	6	10	10	18	14	10	6	9	14
14	12	6	8	8	26	21	17	9	11

7	V_{SNAG}	Number of snags (at least 4" dbh and 36" tall) per 100 feet of stream. Enter number of snags on each side of the stream, and the amount per 100 feet will be calculated.	1.0
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Left Side: 0 Right Side: 1

8	V_{SSD}	Number of saplings and shrubs (woody stems up to 4 inches dbh) per 100 feet of stream (measure only if tree cover is <20%). Enter number of saplings and shrubs on each side of the stream, and the amount per 100 ft of stream will be calculated.	Not Used
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Left Side: Right Side:

9	V_{SRICH}	Riparian vegetation species richness per 100 feet of stream reach. Check all species present from Group 1 in the tallest stratum. Check all exotic and invasive species present in all strata. Species richness per 100 feet and the subindex will be calculated from these data.	2.70
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Group 1 = 1.0				Group 2 (-1.0)			
☐ <i>Acer rubrum</i>	☒ <i>Magnolia tripetala</i>	☐ <i>Ailanthus altissima</i>	☐ <i>Lonicera japonica</i>				
☒ <i>Acer saccharum</i>	☐ <i>Nyssa sylvatica</i>	☐ <i>Albizia julibrissin</i>	☐ <i>Lonicera tatarica</i>				
☐ <i>Aesculus flava</i>	☐ <i>Oxydendrum arboreum</i>	☐ <i>Alliaria petiolata</i>	☐ <i>Lotus corniculatus</i>				
☐ <i>Asimina triloba</i>	☐ <i>Prunus serotina</i>	☐ <i>Alternanthera philoxeroides</i>	☐ <i>Lythrum salicaria</i>				
☐ <i>Betula alleghaniensis</i>	☐ <i>Quercus alba</i>	☐ <i>Aster tataricus</i>	☐ <i>Microstegium vimineum</i>				
☐ <i>Betula lenta</i>	☐ <i>Quercus coccinea</i>	☐ <i>Cerastium fontanum</i>	☐ <i>Paulownia tomentosa</i>				
☐ <i>Carya alba</i>	☐ <i>Quercus imbricaria</i>	☐ <i>Coronilla varia</i>	☐ <i>Polygonum cuspidatum</i>				
☐ <i>Carya glabra</i>	☐ <i>Quercus prinus</i>	☐ <i>Elaeagnus umbellata</i>	☐ <i>Pueraria montana</i>				
☐ <i>Carya ovalis</i>	☐ <i>Quercus rubra</i>	☐ <i>Lespedeza bicolor</i>	☒ <i>Rosa multiflora</i>				
☐ <i>Carya ovata</i>	☐ <i>Quercus velutina</i>	☐ <i>Lespedeza cuneata</i>	☐ <i>Sorghum halepense</i>				
☐ <i>Cornus florida</i>	☐ <i>Sassafras albidum</i>	☐ <i>Ligustrum obtusifolium</i>	☐ <i>Verbena brasiliensis</i>				
☐ <i>Fagus grandifolia</i>	☐ <i>Tilia americana</i>	☐ <i>Ligustrum sinense</i>					
☐ <i>Fraxinus americana</i>	☐ <i>Tsuga canadensis</i>						
☒ <i>Liriodendron tulipifera</i>	☒ <i>Ulmus americana</i>						
☐ <i>Magnolia acuminata</i>							

4 Species in Group 1

1 Species in Group 2

Sample Variables 10-11 within at least 8 subplots (40" x 40", or 1m x 1m) in the riparian/buffer zone within 25 feet from each bank. The four subplots should be placed roughly equidistantly along each side of the stream.

10	V _{DETRITUS}	Average percent cover of leaves, sticks, or other organic material. Woody debris <4" diameter and <36" long are include. Enter the percent cover of the detrital layer at each subplot.	65.63 %																								
<table><tr><th colspan="4">Left Side</th><th colspan="4">Right Side</th></tr><tr><td>60</td><td>70</td><td>65</td><td>45</td><td>65</td><td>70</td><td>80</td><td>70</td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>				Left Side				Right Side				60	70	65	45	65	70	80	70								
Left Side				Right Side																							
60	70	65	45	65	70	80	70																				
11	V _{HERB}	Average percentage cover of herbaceous vegetation (measure only if tree cover is <20%). Do <i>not</i> include woody stems at least 4" dbh and 36" tall. Because there may be several layers of ground cover vegetation percentages up through 200% are accepted. Enter the percent cover of ground vegetation at each subplot.	Not Used																								
<table><tr><th colspan="4">Left Side</th><th colspan="4">Right Side</th></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>				Left Side				Right Side																			
Left Side				Right Side																							

Sample Variable 12 within the entire catchment of the stream.

12	V _{WLUSE}	Weighted Average of Runoff Score for watershed:	0.80																																				
<table border="1"> <tr> <th>Land Use (Choose From Drop List)</th><th>Runoff Score</th><th>% in Catchment</th><th>Running Percent (not >100)</th></tr> <tr> <td>Forest and native range (>75% ground cover)</td><td>1</td><td>80</td><td>80</td></tr> <tr> <td>Newly graded areas (bare soil, no vegetation or pavement)</td><td>0</td><td>20</td><td>100</td></tr> <tr> <td></td><td></td><td></td><td></td></tr> <tr> <td></td><td></td><td></td><td></td></tr> <tr> <td></td><td></td><td></td><td></td></tr> <tr> <td></td><td></td><td></td><td></td></tr> <tr> <td></td><td></td><td></td><td></td></tr> <tr> <td></td><td></td><td></td><td></td></tr> </table>				Land Use (Choose From Drop List)	Runoff Score	% in Catchment	Running Percent (not >100)	Forest and native range (>75% ground cover)	1	80	80	Newly graded areas (bare soil, no vegetation or pavement)	0	20	100																								
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Newly graded areas (bare soil, no vegetation or pavement)	0	20	100																																				

INT 01			Notes:
Variable	Value	VSI	
V _{CCANOPY}	81 %	0.90	
V _{EMBED}	1.5	0.29	
V _{SUBSTRATE}	0.08 in	0.04	
V _{BERO}	200 %	0.00	
V _{LWD}	5.0	0.63	
V _{TDBH}	12.4	1.00	
V _{SNAG}	1.0	1.00	
V _{SSD}	Not Used	Not Used	
V _{SRICH}	2.70	1.00	
V _{DETRITUS}	65.6 %	0.80	
V _{HERB}	Not Used	Not Used	
V _{WLUSE}	0.8	0.84	

FCI Calculator for the High-Gradient Headwater Streams in eastern Kentucky and western West Virginia HGM Guidebook

To ensure accurate calculations, the **UPPERMOST STRATUM** of the plant community is determined based on the calculated value for $V_{CCANOPY}$ ($\geq 20\%$ cover is required for tree stratum). Go to the SAR Data Entry tab and enter site characteristics and data in the yellow cells. For information on determining how to split a project into SARs, see Chapter 5 of the Operational Draft Regional Guidebook for the Functional Assessment of High-gradient Ephemeral and Intermittent Headwater Streams in Western West Virginia and Eastern Kentucky (Environmental Laboratory U.S. Army Corps of Engineers 2010).

Project Name: Terrell Hollow Am-04

Location:

Sampling Date: Enter dates on Data Form

Project Site

Before Project

Subclass for this SAR:

Intermittent Stream

Uppermost stratum present at this SAR:

Tree Stratum

SAR number:

INT 01

Functional Results Summary:

Enter Results in Section A of the Mitigation Sufficiency Calculator

Function	Functional Capacity Index
Hydrology	0.58
Biogeochemical Cycling	0.49
Habitat	0.62

Variable Measure and Subindex Summary:

Variable	Name	Average Measure	Subindex
$V_{CCANOPY}$	Percent canopy over channel.	80.50	0.90
V_{EMBED}	Average embeddedness of channel.	1.53	0.29
$V_{SUBSTRATE}$	Median stream channel substrate particle size.	0.08	0.04
V_{BERO}	Total percent of eroded stream channel bank.	200.00	0.00
V_{LWD}	Number of down woody stems per 100 feet of stream.	5.00	0.63
V_{TDBH}	Average dbh of trees.	12.37	1.00
V_{SNAG}	Number of snags per 100 feet of stream.	1.00	1.00
V_{SSD}	Number of saplings and shrubs per 100 feet of stream.	Not Used	Not Used
V_{SRICH}	Riparian vegetation species richness.	2.70	1.00
$V_{DETRITUS}$	Average percent cover of leaves, sticks, etc.	65.63	0.80
V_{HERB}	Average percent cover of herbaceous vegetation.	Not Used	Not Used
V_{WLUSE}	Weighted Average of Runoff Score for Catchment.	0.80	0.84