

### Northern Dynasty: Response to DOJ Brief

**February 19, 2026 Vancouver** – Northern Dynasty Minerals Ltd. (TSX: NDM; NYSE American: NAK) ("**Northern Dynasty**" or the "**Company**") and its 100%-owned, U.S.-based subsidiary Pebble Limited Partnership ("**Pebble Partnership**") respond to the Department of Justice ("**DOJ**") brief filed in Alaska Federal Court on February 17, 2026.

Ron Thiessen, Northern Dynasty President and CEO commented:

"Our strategy has always been grounded in a solid legal case that this veto was illegal, and a high level of confidence that the court will agree with us. This DOJ brief makes many arguments that we have seen before and that directly contradict the findings of the Final Environmental Impact Statement ("**FEIS**"). The flaws in this brief only increase that confidence. We are eager to file our response on or before April 15 which will delineate those flaws, and to take this case to court for a decision as soon as possible. It is important to remember that Tuesday's filing by the DOJ represents the Environmental Protection Agency's ("**EPA's**") side of the complex issues in this case. In October, we submitted to the court our opening brief for why the veto is unlawful, and our April 15 brief will address the DOJ filing to further establish that the court should order the veto invalid."

"We will, of course, continue to explore settlement with EPA as we prepare our brief, but we will also push for a decision by the court as soon as possible."

"When you consider the significant negative impacts the Obama/Biden veto will bring about, it is surprisingly short-sighted that the EPA would file a brief in support of it. This precedent will be used by future Democratic administrations to reverse the progress this administration has made to advance its pro-energy, pro-mining, and pro-development agenda. Every permit issued by the Army Corps of Engineers, the Forest Service, the Bureau of Land Management, and others will be at risk. Projects with permits issued years before and that have been operational for years or any of the other 60-75,000 Clean Water Act 404 permits issued each year in the U.S., representing hundreds of billions of dollars of economic activity – are at risk."

"This brief makes a number of arguments that we do not believe any pro-business Republican Administration has made before, including that a major EPA ruling like this one involving a project that has the potential to generate very significant revenue in Alaska can be issued without a comprehensive cost impact analysis; that a veto can be based on speculative conclusions (i.e., that a project may cause some impact, not that it will cause the impact); that a veto can cover hundreds of square miles beyond the footprint of the project, thus turning valuable Alaska state land into what would essentially be a federal park; that a veto can be issued using a standard substantially lower than the statute requires; that a veto can be issued even though the supposed factual "findings" are contradicted by findings in the FEIS, signed off by the U.S. Army Corps of Engineers, among many other flawed positions."

"The brief reads like it was written by an Obama/Biden/Anti-mining/Anti-oil/Anti-development coalition. Unfortunately, these arguments can be cited repeatedly by the next Democratic administration as it seeks to unravel this administration's laudable progress in moving forward so many new energy/mining/development projects."

#### About Northern Dynasty Minerals Ltd.

Northern Dynasty is a mineral exploration and development company based in Vancouver, Canada. Northern Dynasty's principal asset, owned through its wholly owned Alaska-based U.S. subsidiary, Pebble Limited Partnership, is a 100% interest in a contiguous block of 1,840 mineral claims in Southwest Alaska, including

the Pebble deposit, located 200 miles from Anchorage and 125 miles from Bristol Bay. The Pebble Partnership is the proponent of the Pebble Project.

For further details on Northern Dynasty and the Pebble Project, please visit the Company's website at [www.northerndynastyminerals.com](http://www.northerndynastyminerals.com) or contact Investor services at (604) 684-6365 or within North America at 1-800-667-2114. Public filings, which include forward looking information cautionary language and risk factor disclosure regarding the Company and the Pebble Project can be found in Canada at [www.sedarplus.ca](http://www.sedarplus.ca) and in the United States at [www.sec.gov](http://www.sec.gov).

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### **Forward Looking Information and other Cautionary Factors**

This document includes certain statements that may be deemed "forward-looking statements" under the United States Private Securities Litigation Reform Act of 1995 and under applicable provisions of Canadian provincial securities laws. All statements in this document, other than statements of historical facts are forward-looking statements. Additional forward looking statements made by the Company under its continuous disclosure obligations include statements regarding (i) the development plan for the Pebble Project (ii) the right-sizing and de-risking of the Pebble Project, (iii) the design and operating parameters for the Pebble Project development plan, including projected capital and operating costs, (iv) the social integration of the Pebble Project into the Bristol Bay region and benefits for Alaska, (v) the political and public support for the permitting process, (vi) the ability of the Pebble Project to ultimately secure all required federal and state permits, (vii) the ability of the Company and/or the State of Alaska to challenge the EPA's Final Determination process under the Clean Water Act and ultimately the USACE's Record of Decision ("USACE ROD") through legal actions; (viii) exploration potential of the Pebble Project, (ix) future demand for copper, gold and other metals, (x) if permitting is ultimately secured, the ability to demonstrate the Pebble Project is ultimately commercially viable, and (xi) the potential addition of partners in the Pebble Project. Although NDM believes the expectations expressed in these forward-looking statements are based on reasonable assumptions, such statements should not be in any way be construed as guarantees that the Pebble Project will secure all required government permits or regarding the ability of NDM to develop the Pebble Project in light of the USACE ROD and its subsequent remand decision and the EPA's Final Determination, establish the commercial feasibility of the Pebble Project, achieve the required financing or develop the Pebble Project.

Forward-looking statements are necessarily based upon a number of factors and assumptions that, while considered reasonable by NDM as of the date of such statements, are inherently subject to significant business, economic and competitive uncertainties and contingencies. Assumptions used by NDM to develop forward-looking statements include the assumptions that (i) the Pebble Project will obtain all required environmental and other permits and all land use and other licenses without undue delay, (ii) any feasibility studies prepared for the development of the Pebble Project will be positive, (iii) NDM's estimates of mineral resources will not change, and NDM will be successful in converting mineral resources to mineral reserves, (iv) NDM will be able to establish the commercial feasibility of the Pebble Project, and (v) NDM will be successful in its legal action against the EPA and the USACE and any action taken by the EPA in connection with the Final Determination will ultimately not be successful in restricting or prohibiting development of the Pebble Project.

In addition, the likelihood of future mining at the Pebble Project is subject to a large number of risks and will require achievement of a number of technical, economic and legal objectives, including (i) the current development plan may not reflect the ultimate mine plan for the Pebble Project, (ii) obtaining necessary mining and construction permits, licenses and approvals without undue delay, including without delay due to third party opposition or changes in government policies, (iii) finalization of the mine plan for the Pebble Project, (iv) the completion of feasibility studies demonstrating that any Pebble Project mineral resources that can be economically mined, (v) completion of all necessary engineering for mining and processing facilities, (vi) the ability of NDM to secure a partner for the development of the Pebble Project, and (vi) receipt by NDM of significant additional financing to fund these objectives as well as funding mine construction. NDM is also subject to the specific risks inherent in the mining business as well as general economic and business conditions. Investors should also consider the risk factors identified in the Company's Annual Information Form for the year ended December 31, 2024, as filed on SEDAR+ ([www.sedarplus.ca](http://www.sedarplus.ca)) and included in its annual report on Form 40-F filed on EDGAR ([www.sec.gov](http://www.sec.gov)), as well as the risk factors set out in the Company's subsequent public continuous disclosure filings available on SEDAR+ and EDGAR. For more information on the Company, Investors should review the Company's

filings with the United States Securities and Exchange Commission at [www.sec.gov](http://www.sec.gov) and its home jurisdiction filings that are available at [www.sedarplus.ca](http://www.sedarplus.ca).

The National Environment Policy Act Environmental Impact Statement process requires a comprehensive “alternatives assessment” be undertaken to consider a broad range of development alternatives, the final project design and operating parameters for the Pebble Project and associated infrastructure may vary significantly from that currently contemplated. As a result, the Company will continue to consider various development options and no final project design has been selected at this time.