

**Hardrock Mineral Leases and Permits
within the Superior National Forest, MN
Proposed Schedule**

~~September 19, 2018~~
Updated: October 27, 2018

US Forest Service Proposed Withdrawal and Cancellation

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| <input checked="" type="checkbox"/> Dec. 14, 2016 | Forest Service submitted application proposing 20-year withdrawal from mineral leasing laws on 234,328 acres of Federal mineral estate within the Superior National Forest, Minnesota. |
| <input checked="" type="checkbox"/> Jan. 19, 2017 | BLM published Federal Register Notice announcing the proposed withdrawal and initiating two-year segregation. |
| <input checked="" type="checkbox"/> Sept. 6, 2018 | Forest Service submitted letter canceling the application. |
| <input checked="" type="checkbox"/> Sept. 19, 2018 | Prepare Federal Register Notice announcing canceled application and date segregation terminated; upload into DTS for Solicitor and WO review. |
| <input type="checkbox"/> Oct. 9, 2018 | Target publication date for Federal Register Notice (30-days + next business day); <u>Status: Pending in ASLM (DTS# L193)</u> |

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Leases Renewals MNES 01352 & MNES 01353

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| <input checked="" type="checkbox"/> | Oct. 21, 2012 | TMM submits timely request to renew leases for third time. |
| <input checked="" type="checkbox"/> | Dec. 2013 | Environmental Assessment (EA) for third lease renewal initiated; and subsequently put on hold in 2014. |
| <input checked="" type="checkbox"/> | Mar. 8, 2016 | DOI Solicitor issued legal opinion (M-37036) which concluded that lessee did not have a non-discretionary right to renew the leases. |
| <input checked="" type="checkbox"/> | June 3, 2016 | BLM sent letter to Forest Service requesting consent for third lease renewal. |
| <input checked="" type="checkbox"/> | Dec. 14, 2016 | Chief of the Forest Service denied consent. |
| <input checked="" type="checkbox"/> | Dec. 15, 2017 | BLM sent letter to TMM rejecting application for third lease renewal. |
| <input checked="" type="checkbox"/> | Dec. 22, 2017 | DOI Solicitor issued legal opinion (M-37049) which reversed and replaced prior legal opinion. M-37049 concluded that the 1966 leases gave the lessee a non-discretionary right to a third lease renewal. |
| <input checked="" type="checkbox"/> | Feb. 16, 2018 | BLM sent letter notifying Forest Service that prior non-consent determination was based on a legal error. |
| <input checked="" type="checkbox"/> | May 2, 2018 | BLM sent letter to TMM rescinding its prior decision, reinstating the leases, and the renewal application. |
| <input checked="" type="checkbox"/> | June 5, 2018 | BLM sent letter to Forest Service requesting updated lease stipulations; the BLM has resumed work on the EA. |
| <input checked="" type="checkbox"/> | Sept. 24, 2018 | Complete adjudication and initiate Land Survey Review. <u>Completed Oct. 1</u> |
| <input checked="" type="checkbox"/> | Sept. 28, 2018 | Forest Service to submit draft lease stipulations. <u>Submitted Oct. 19.</u> |
| <input type="checkbox"/> | Sept. 28, 2018 | BLM and DOI Solicitors to complete review of the lease terms and to clarify lease renewal language. <u>Status: BLM and SOL in discussion with Forest Service. Anticipate completion by Nov. 2.</u> |
| <input type="checkbox"/> | Oct. 26, 2018 | Complete Land Survey Review. <u>Status: anticipate completion by Nov. 9</u> |
| <input checked="" type="checkbox"/> | Oct. 29, 2018 | <u>New entry:</u> TMM meeting with BLM and USFS to present preliminary information on a possible future Mine Plan of Operations submittal in the coming year, assuming successful issuance of the lease renewals. |
| <input type="checkbox"/> | Oct. 30, 2018 | Complete EA/FONSI and prepare the Draft Decision. <u>Status: In progress, as BLM incorporates FS stipulations; anticipate completion by Nov. 8</u> |
| <input type="checkbox"/> | <u>Nov. 8, 2018</u> | BLM to meet with TMM to discuss lease terms, stipulations, royalty rates. |
| <input type="checkbox"/> | Nov. 8, 2018 | Submit EA/FONSI, draft Decision, lease terms/stipulations for SOL review |
| <input type="checkbox"/> | Nov. 13, 2018 | DOI Solicitors complete review <u>of the EA/FONSI, draft Decision, and lease terms/stipulations.</u> |
| <input type="checkbox"/> | Nov. 16, 2018 | <u>Option A:</u> State Director signs Decision; post EA, signed FONSI, and Decision onto ePlanning, & initiate 30-day appeal period to IBLA. If appeal is filed and petition for stay is denied (43 CFR §4.21), or no appeal is filed, may issue leases Dec. 17, 2018.

<u>Option B:</u> Assistant Secretary signs Decision; post all on ePlanning; and State Director may issue lease renewals on November 16, 2018. |

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Preference Right Lease Applications (PRLA) + Prospecting Permits / BLM Lead for NEPA

- Sept. 21, 2018 BLM Eastern States and the Forest Service Region 9 to identify the NEPA lead and to develop a strategy for moving forward, to be documented in an MOU.
- Sept. 28, 2018 BLM Eastern States State Office to complete the Preliminary Value Deposit Determination (PVDD) for MNES 57965. Completed Oct. 2nd
- Sept. 28, 2018 Target date for BLM Eastern States to meet with TMM to update their application, request additional information, and request cost recovery. Status: meeting scheduled for Nov. 8th.
- Oct. 14, 2018 Target date for BLM Eastern States State Office to complete the PVDD for MNES 50264. Status: TMM has indicated that this is a lower priority.
- Oct. 15, 2018 Target date for BLM Eastern States State Director and Forest Service Region 9 Regional Forester to approve and execute MOU. Status: SOL completed review; MOU forwarded to FS for review/approval.
- Oct. 15, 2018 Target date for BLM Eastern States to complete adjudication and Land Survey Review for PRLAs. Status: delayed, pending completion of adjudication/LSR for lease renewals and prospecting permit extension requests; anticipate completion Nov. 15.
- Oct. 16, 2018 Target date for BLM Eastern States to send letter to Forest requesting consent to lease and draft stipulations. Status: anticipate completion Nov. 16.

If the BLM is the NEPA lead:

- Oct. 19, 2018 Target date to meet with Fish and Wildlife Service to discuss process.
- Oct. 26, 2018 Target date to submit statement of work to NOC to advertise for a NEPA contractor to prepare an EA. Status: Met with NOC on Oct. 25th to discuss cost estimates; following up with FS to refine scope of work; anticipate submitting final statement of work by Nov. 6.
- Nov. 8, 2018 BLM to meet with TMM to discuss updating their applications, request additional information, and cost recovery. Also will discuss lease terms, stipulations, and
- Nov. 9, 2018 Target date to review bids from prospective NEPA contractors.
- Nov. 26, 2018 Target date to select a NEPA contractor.
- Nov. 30, 2018 Target date to meet with contractor and provide information needed to complete the EA.
- Dec. 7, 2018 Target date to meet with USFWS and initiate Sec. 7 consultation.
- Dec. 14, 2018 Target date to issue letters to SHPO and the tribes.
- Mar. 1, 2019 Target date for contractor to complete the EA. The BLM and Forest Service would conduct incremental reviews as the EA is being developed.
- Mar. 8, 2019 Target date to complete draft FONSI.
- Mar. 22, 2019 Target date for DOI Solicitor to complete review.

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- Mar. 25, 2019 Target date to post EA and unsigned FONSI on ePlanning for 30-day public comment period.
- Apr. 24, 2019 Target date for public comment period to close. Review for substantive comments.
- ~~May 3, 2019~~ Update EA as needed. Prepare draft Decision document; submit to SOL for review.
- ~~May 31~~17, 2019 Target date for DOI Solicitor to complete review.
- ~~June 3~~May 20, 2019 Target date to brief ASLM/WO-100/WO-300.
- ~~June 7~~May 24, 2019 [REDACTED]

Prospecting Permit Extension Requests

- Sept. 27, 2018 Initial conference call with Forest Service Region 9 to discuss status of pending applications.
- Oct. 26, 2018 Review case files for any changes in title or status since 2014. Status: completed Oct. 24.
- Oct. 26, 2018 District Office to assess changes in circumstances which may affect the "reasonable diligence" determination and status of the Documentation of NEPA Adequacy tiered to 2012 EIS.
- Oct. 10, 2018 BLM Eastern States to meet with applicants to discuss status of their extension request applications and request any needed updates. Status: meeting set for Nov. 8.
- Oct. 15, 2018 Meet with Forest Service to discuss status of consent for extension requests.
- Oct. 30, 2018 Complete DNA and draft Decision. Status: 50% completed; draft DNA completed Sept. 28; ES-930 reviewing.
- Nov. 13, 2018 Complete DOI Solicitor review.
- Nov. 16, 2018 [REDACTED]