

FINDING OF CATEGORICAL EXCLUSION

CONDITIONS OF EXTENDING BUREAU OF LAND MANAGEMENT LEASES

Lake and St. Louis Counties, Minnesota
Superior National Forest
Kawishiwi Ranger District

I have decided that the terms and conditions of Bureau of Land Management (BLM) leases ES 01352 and ES 01353 are adequate to prevent or mitigate unacceptable impacts and that no additional conditions need to be added prior to their renewal provided that none of the terms and conditions related to my authority are diminished in any manner.

These leases include approximately 4,945 acres of Federal minerals located in T61N, R11W; T62N, R11W; and T62N, R10W of Lake and St. Louis Counties, Minnesota.

Public comments were solicited by publishing notices in local news papers, by radio interviews, and by contacting individuals. There were five responses to the public involvement. Four respondents asked for additional information. After the information was sent, they did not comment further. The fifth respondent was against issuing the leases based on general principals and also claimed tribal ownership of minerals in the lease area. The respondent was informed that we are not deciding if the leases should be issued but instead are deciding if new restrictions need to be added before extending them and that the question of tribal ownership of minerals goes far beyond the scope of 'this analysis. A copy of the lease and other information was also sent to the respondent but again no additional comments were received.

The only significant concern identified by the Forest Service was that the lease does not specifically require ~INCO to comply with certain laws and regulations. I have decided that Section 13 which requires my approval of an operating plan plus the requirement in subsection 3 (J) that the lessee comply with regulations of the Secretaries of Agriculture and Interior and with applicable Federal and State laws gives me the broad authority needed to require compliance with applicable laws and regulations even though they are not specifically listed in the lease.

These leases have been in effect for 20 years and past experience has shown that their terms and conditions provide adequate authority to prevent or mitigate unacceptable impacts. During this time the area has been extensively explored, hundreds of test holes have been drilled, both surface and underground bulk samples have been taken, and a large scale open pit mining operation proposed and evaluated. At no time were the terms and conditions of the leases found to be inadequate.

Implementation of this decision will take place immediately. This decision is subject to administrative review pursuant to 36 ~CFR 211.18.

/s/ Clay G. Beal
CLAY G. BEAL
Forest Supervisor

2/6/87
DATE