

Northeastern States Field Office
626 East Wisconsin Ave. Suite 200
Milwaukee, Wisconsin 53202-4617

Fax [REDACTED]

DECISION RECORD
Non-Statutory Categorical Exclusion (CX)
DOI-BLM-ES-0030-2012-00014-CX
Operating Plan Modification, MNES 001352

It is my decision to approve the modified operating plan for mineral exploration submitted by the applicant, Franconia Minerals (US) LLC and interested parties Beaver Bay Inc. and Twin Metals Minnesota (TMM), by proposal dated February 24, 2012.

Authorities: The authority for this decision is contained in the Mineral Leasing Act for Acquired Lands of 1947.

Compliance and Monitoring: All drill sites will be inspected during the year long period of operations and after completion of state-required reclamation activities.

Terms / Conditions / Stipulations: All operations will take place under State of Minnesota and Bureau of Land Management regulations for hardrock exploratory drilling. When drilling is completed, Franconia must provide BLM a copy of the temporary abandonment approvals and/or formal abandonment reports filed with the State of Minnesota.

PLAN CONFORMANCE AND CONSISTENCY:

The proposed action has been reviewed and found to be in conformance with the following BLM Land Use Plan and the associated decision(s):

Minnesota Management Framework Plan approved September 1, 1982, evaluated September 4, 2004.

Alternatives Considered: No alternatives to the proposed modifications were considered because a non-statutory categorical exclusion under 516 DM 11.9 F.7 applies.

Rationale for Decision: Plan modification results in no additional surface disturbance while accomplishing minerals exploration objectives. Exploratory core holes will be drilled directionally from drilling sites on state leased lands and private lands into Federal minerals on a year round basis. All sites have been approved by the State of Minnesota. Existing access roads will be used for all operations.

Protest/Appeal Language: In accordance with 43 CFR 4.411 and 4.413, any person whose interest is adversely affected by a final decision of the authorized officer may appeal the decision to the Interior Board of Land Appeals. The appeal must be filed within 30 days after the date the proposed decision becomes final or 30 days after receipt of the final decision. In accordance with

43 CFR 4.411 and 4.412, the appeal shall state clearly and concisely the reason(s) why the appellant thinks the final decision of the authorized officer is wrong.

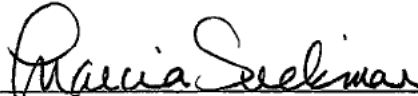
Pursuant to 43 CFR 4.21(b) and 4.413(a), an appellant also may petition for a stay of the final decision pending appeal by filing a petition for stay along with the appeal within 30 days after the date the proposed decision becomes final or 30 days after receipt of the final decision. The appeal and any petition for stay must be filed at the office of the authorized officer, Authorized Officer, Northeastern States Field Office, 626 E. Wisconsin Ave., Suite 200, Milwaukee, WI 53202-4617. **At this time, the BLM will not accept an appeal sent by electronic mail.** Within 15 days of filing the appeal and any petition for stay, the appellant also must serve a copy of the appeal, and any petition for stay, on any person named in the decision and listed at the end of the decision, and on The Associate Solicitor, Division of Mineral Resources, Office of the Solicitor, U.S. Department of the Interior, Washington, DC 20240.

Pursuant to 43 CFR 4.21(b)(1), a petition for stay, if filed, must show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied;
- (2) The likelihood of the appellant's success on the merits;
- (3) The likelihood of immediate and irreparable harm if the stay is not granted; and,
- (4) Whether the public interest favors granting the stay.

43 CFR 4.21(b)(2) provides that the appellant requesting a stay bears the burden of proof to demonstrate that a stay should be granted.

Authorized Officer:


SOI Mark Storzer
Manager
Northeastern States Field Office

4/30/2012
Date

Attachments: Non-Statutory Categorical Exclusion Documentation, Proposal Letter