

## **Decision to be Made By Salmon Challis National Forest**

The Salmon-Challis National Forest (Forest) Supervisor, the deciding official for the Formation Capital Corporation U.S. (FCC) proposed Idaho Cobalt Project, has determined that preparation of an EIS is required for approval of FCC's proposed Plan of Operations under FS regulations governing locatable mineral activities on National Forest System (NFS) lands (36 CFR 228A) and Council on Environmental Quality (CEQ) regulations implementing the NEPA (40 CFR 1500-1508).

Given the purpose and need for federal action, the Forest Supervisor will review FCC's proposed Plan of Operations, other alternatives, the environmental consequences and available mitigation measures detailed in a Final EIS in order to make the following decisions:

- (1) Approve the project as proposed, or
- (2) Notify the proponent of changes or additions to the proposed Plan of Operations necessary to minimize or eliminate adverse environmental impacts from mineral development activities on National Forest lands, as required by Forest Service regulations (36 CFR 228A), and
- (3) Whether to approve amendments to the Forest Plan.

Prior to approval of FCC's proposed Plan of Operations for the Idaho Cobalt Project, the Forest will require financial assurance or a reclamation bond to ensure that the lands involved with the proposed Idaho Cobalt Project mining operation are reclaimed in accordance with the approved Plan of Operations and reclamation requirements (CFR 228.8 and 228.13).

Once the Draft Environmental Impact Statement (DEIS) is reviewed by interested parties, including the public, and the Final EIS is completed, the Forest Supervisor will issue a decision on FCC's Idaho Cobalt Project proposal in a Record of Decision (ROD). If the decision is to notify FCC of needed changes or additions to the proposed Plan of Operations, the ROD will describe the changes and additions that are required. This decision will be appealable. FCC may appeal the decision pursuant to 36 CFR Part 215 or 251. Other parties may appeal the decision pursuant to 36 CFR Part 215.

Following resolution of any appeal, FCC must change the plan as described in the ROD and resubmit it to the Forest along with any reclamation bond or other financial assurance that is required. Once the Forest determines that the plan has been changed as required, and that the bond or financial assurance instrument is acceptable, the Forest will notify FCC that the plan is approved.