



Executive Director Determination on Request to Extend FAST-41 Final Completion Date by More Than 30 Days

July 27, 2026

Castle Mountain Mine Phase 2 Project

I. Summary

The Castle Mountain Mine Phase 2 (“Project”), sponsored by Castle Mountain Venture (“Project Sponsor”), is a covered project under Title 41 of the Fixing America’s Surface Transportation Act (“FAST-41”), 42 U.S.C. § 4370m *et seq.* The Department of the Interior, Bureau of Land Management (“BLM”), has principal responsibility for the required environmental reviews, which makes BLM the lead agency for FAST-41. The United States Fish and Wildlife Service (“USFWS”) and the United States Army Corps of Engineers (“USACE”) are cooperating agencies.

BLM submitted a request to the Executive Director of the Federal Permitting Improvement Steering Council (the “Permitting Council”) to extend the completion date for the Environmental Impact Statement (“EIS”) action under the National Environmental Policy Act, the Section 106 of the National Historic Preservation Act (“Section 106”) action, and the Right-of-Way Authorization action on the Project’s permitting timetable. USFWS and USACE are not requesting modifications to their relevant agency action milestones.

For the following reasons, BLM’s extension request is **GRANTED**, and the Project’s permitting timetable will be revised accordingly.

II. Legal Standard

Pursuant to 42 U.S.C. §§ 4370m-2(c)(2)(D)(i)(II) and (IV), a lead agency may extend a final completion date by more than 30 days beyond the original final completion date only after consulting with the project sponsor and obtaining Executive Director approval. After receiving an extension request, the Executive Director must consult with the project sponsor and make a determination on the record whether to grant the requested date change. The Executive Director’s determination is based on consideration of “relevant factors,” including, but not limited to:

- (i) the size and complexity of the covered project;
- (ii) the resources available to each participating agency;
- (iii) the regional or national economic significance of the project;
- (iv) the sensitivity of the natural or historic resources that may be affected by the project;
- (v) the financing plan for the project; and
- (vi) the extent to which similar projects in geographic

proximity to the project were recently subject to environmental review or similar procedures under State law.

42 U.S.C. §§ 4370m-2(c)(2)(B), (c)(2)(D)(i)(IV). Executive Director determinations made pursuant to 42 U.S.C. § 4370m-2(c)(2)(D)(i)(IV) are not subject to judicial review. 42 U.S.C. § 4370m-2(c)(2)(D)(iv)(I).

III. Background

BLM seeks authorization to modify the completion dates shown in the table below:

Action Agency	Action	Milestone	Original Date	Current Date	Requested Date
BLM	Section 106	Section 106 consultation concluded	08/28/26	08/28/26	11/13/26
BLM	EIS	Official Notice of Availability of a Final EIS published in the FR	08/28/26	08/28/26	11/13/26
BLM	EIS	Issuance of Lead Agency Record of Decision	10/15/26	10/15/26	12/30/26
BLM	Plan of Operations	Final decision / agency action	10/15/26	10/15/26	12/30/26
BLM	Right-of-Way Authorization	Final decision / agency action	12/14/26	12/14/26	01/29/27

BLM initiated consultation under Section 106 with the California and Nevada State Historic Preservation Offices (“SHPOs”) on June 13, 2025. Between July 6 and 10, 2026, BLM received letters from both SHPOs citing formal disagreements about site eligibility determinations and identified other complex cultural issues. In coordination with the SHPOs, BLM must address these issues through further consultation with the 29 participating Tribes before final eligibility determinations can be made. In addition, Tribal governments requested that the Project Sponsor agree to a cultural landscape analysis of the 500,000-acre Avi Kwa Ame National Monument before government-to-government consultation concludes.

BLM is requesting more time to conduct the additional analysis, necessary consultation with the SHPOs and consulting parties, and to continue development of a Memorandum of Agreement to provide adequate mitigation for impacts to cultural resources. The outcome of the Section 106 consultation will be incorporated into the Final EIS and Record of Decision (“ROD”), as appropriate.

Consultation with Project Sponsor on Permitting Timetable Modifications

BLM consulted with the Project Sponsor pursuant to 42 U.S.C. § 4370m-2(c)(2)(D)(i)(I) prior to submitting its extension request to the Executive Director.

The Executive Director also consulted with the Project Sponsor, as required by 42 U.S.C. § 4370m-2(c)(2)(D)(i)(IV), and the Executive Director has confirmed that the Project Sponsor does not object to these permitting timetable modifications since they will allow BLM to fulfill its legal obligations under Section 106 of the NHPA.

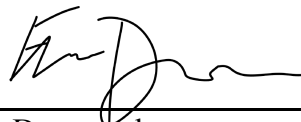
IV. Discussion

The circumstances surrounding this project justify BLM's requested timetable modification, and the request will be granted. Pursuant to 42 U.S.C. § 4370m-2(c)(2)(B)(iv), one of the relevant factors to consider for modifications under the FAST Act is the sensitivity of the natural or historic resources that may be affected by the project. The requested modifications to the permitting timetable will allow BLM to: (1) conduct the necessary additional analysis and review of cultural resources eligibility determinations that the California and Nevada SHPO did not concur with; (2) conduct further consultation with the SHPOs and 29 participating Tribes; (3) finalize the Memorandum of Agreement with the California and Nevada SHPOs in coordination with Project Sponsor and the consulting parties to provide adequate mitigation for the project's cultural resource impacts; and (4) incorporate the outcome of the Section 106 process into the Final EIS and ROD. These steps all align with the National Historic Preservation Act and are necessary to properly consider the sensitivity of the historic resources in and around the project site.

In consideration of this factor, it is appropriate that BLM have sufficient time to conduct the necessary additional analysis and appropriate consultation with SHPOs and Tribes to evaluate impacts to cultural and historic resources. Given these circumstances, the completion date modifications are warranted.

V. Determination

BLM's extension request is **GRANTED**, and the permitting timetable shall be revised as requested.



Emily Domenech
Executive Director
Permitting Council