

PUBLIC SCOPING SUMMARY REPORT

**SMOKY CANYON MINE
PANELS F & G LEASE AND MINE MODIFICATION PROJECT
ENVIRONMENTAL IMPACT STATEMENT**

Prepared for:

Bureau of Land Management
Pocatello Field Office

Caribou-Targhee National Forest
Soda Springs and Montpelier Ranger
Districts

Prepared by:

JBR Environmental Consultants, Inc.
8160 S. Highland Drive
Sandy, Utah 84093

August 2013

**PUBLIC SCOPING SUMMARY
SMOKY CANYON MINE
PANELS F & G LEASE AND MINE PLAN MODIFICATION EIS**

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1.0 INTRODUCTION

1.1 Background

In 2007, the Bureau of Land Management (BLM) Pocatello Field Office and the Caribou-Targhee National Forest (CTNF) issued a Final Environmental Impact Statement (FEIS) for the Smoky Canyon Mine Panels F and G Extension for development of phosphate leases on the CTNF. The Record of Decisions (ROD) for the project were subsequently issued in 2008.

Based on Simplot's original proposed action for mining in Panels F and G, the 2007 Smoky Canyon Mine, Panels F and G FEIS included analysis of potential impacts from a 64-acre overburden disposal area (ODA) east of Panel G. A total of 18-acres of this ODA were off-lease. Following the pre-screening requirements required in the Code of Federal Regulations (CFR) at 36 CFR 251.54(e)(ix), the U.S. Forest Service (FS) determined it could not authorize the permanent disposal of waste rock off lease (FS 2008). The BLM did not approve a lease modification for the ODA at that time because the area did not meet the criteria for a lease modification as per the requirements of 43 CFR 3510.12. As stated in the BLM ROD for the 2007 FEIS:

... "the impacts of the off-lease overburden storage were analyzed in the FEIS and if regulations change in the future, a separate decision could be considered at that time by both agencies. Otherwise, Simplot will have to submit a revised dump design for BLM and FS consideration prior to construction of Panel G."

In 2009, the BLM finalized regulations at 43 CFR 3510.12(d)(3)(ii) allowing the modification of a lease for purposes of permanent disposal of overburden materials. Simplot has requested to modify the Panel G phosphate Lease I-01441 on the CTNF, meeting the criteria specified in this regulation. In addition, Simplot is proposing to construct and use an ore conveyance system between Panel F and the existing mill, and utilize a geo-synthetic clay laminate liner (GCLL) in Panel G instead of the currently approved geologic cover. The BLM Pocatello Field Office, in conjunction with the CTNF, has determined that an Environmental Impact Statement (EIS) will be prepared in accordance with the National Environmental Policy Act (NEPA) to determine potential environmental consequences. JBR Environmental Consultants, Inc. (JBR) is the third-party EIS contractor for the project.

1.2 Scoping for EIS

Prior to initiation of formal scoping, as a part of routine contacts, the BLM introduced the proposed project to the Shoshone-Bannock Tribes and the Idaho Roadless Council on February 20 and March 4, 2013, respectively.

The Notice of Intent (NOI) for the Smoky Canyon Mine Panels F and G Lease and Mine Modification Project EIS was published in the Federal Register on June 24, 2013 (**Appendix A**).

A legal notice (**Appendix A**) was published in local newspapers as follows:

<i>Star Valley Independent</i>	Afton, Wyoming	June 26, 2013
<i>Idaho State Journal</i>	Pocatello, Idaho	June 27, 2013

A news release was submitted to 28 television stations, radio stations, and newspapers (**Appendix A**) on June 24, 2013. The public mailing list was compiled and letters (**Appendix A**) were sent to 81 interested individuals, agencies, and groups. The EIS scoping mailing list is included as **Appendix B**. Native American Consultation was also initiated during the scoping period, with a scoping letter sent certified mail to the Shoshone-Bannock Tribes on June 24, 2013 (**Appendix A**).

Three open house-style public meetings were held as scheduled:

Wednesday, July 10, 2013	Afton Civic Center, Afton, Wyoming
Thursday, July 11, 2013	BLM Offices, Pocatello, Idaho
Friday, July 12, 2013	Shoshone-Bannock Hotel Event Center, Fort Hall, Idaho

The open house meetings provided a project description, maps of the project area, and a forum for exchange of information and ideas or concerns related to the project. Comment forms were available at the meetings. Agency, project proponent, and consultant representatives were present including: Diane Wheeler representing the FS and BLM, Jeff Cundick of the BLM; and Brian Buck and Greg Brown of JBR. Diane Wheeler, Brian Buck, and Greg Brown attended all three meetings. Lori Hamann of Simplot attended the Afton and Pocatello meetings; Dennis Facer of Simplot attended the Pocatello meeting, and Ron Hager, Dustin Hansen, Scott Lusty, and Grant Williams of Simplot attended the Afton meeting. Lists of individuals who signed attendance sheets at the public meetings are included in **Appendix C**.

Scoping information was also provided on the BLM Land Use Planning and NEPA Register at https://www.blm.gov/epl-font-office/eplanning/nepa/nepa_register.do (**Appendix A**). Information was included on the CTNF Current and Recent Projects website at <http://www.fs.usda.gov/projects/ctnf/landmanagement/projects> and included in the FS Schedule of Proposed Actions for the CTNF.

Public comments regarding the proposed project were solicited and compiled in this document to help determine the concerns, issues, and any potential alternatives for evaluation in the environmental analysis. Hard copy comments were requested to be received on or before July 26, 2013 and were directed to: c/o JBR Environmental, 8160 S. Highland Drive, Sandy, Utah 84093, fax at 801-942-1852, or via email: blm_id_scm_panelsfg@blm.gov.

Identified concerns primarily involved impacts to water resources and watersheds, and selenium, but also include potential effects and/or cumulative effects of the proposed project on Inventoried Roadless Areas (IRAs), wetlands, climate change, socioeconomics, visual resources, and mitigation and monitoring for mine operations.

By the close of the scoping period on July 26, 2013, six comment letters, one telephone call, and one comment sheet had been received for this project. Copies of all written comment letters, a record of the phone conversation, and the comment form are included in **Appendix D**.

Comments received in response to solicitations, including names and addresses of those who commented, are considered part of the public record on this proposed action and are available for public inspection. The mailing list for the project has been revised to add those persons who provided comments in response to scoping, requested to be on the mailing list, signed a scoping meeting list, or responded to the e-mail request for mailing addresses. This revised mailing list is included as **Appendix E**.

Scoping comments were received by JBR, who prepared a draft version of this Scoping Summary Report in August 2013. The draft report was reviewed by BLM and FS staff and their comments were forwarded to JBR. The agency comments are included in this final version of the Scoping Summary report for the Project Record.

2.0 INITIAL COMMENT IDENTIFICATION

The scoping responses were assigned individual numbers. Concerns within each of the responses were given a letter designation (a, b, c, etc.). Similar concerns were grouped by topic pertinent to the EIS. A quotation of the concerns by topic is provided below, with clarifications added as bracketed text. The comment response number and letter designation follow each specific comment; i.e., (1-a) references the first identified comment in response number one. Internal comments provided by members of the Project Interdisciplinary Team (IDT) are also included and indicated by the last name of the IDT member.

Section 3.0 contains a table identifying scoping commentors and the assigned letter/response number. Comment letters/responses in their entirety can be found in **Appendix D**.

2.1 Purpose and Need

- The purpose and need statement should be modified by adding the phrase “ensuring that water quality and quantity, wildlife (including Yellowstone cutthroat trout) and their habitats, and roadless area values are protected or enhanced.” (3-b)

2.2 Project History

- The Agencies now have the opportunity to reconsider their 2008 RODs and require cleanup action by Simplot before any mining takes place at Panel G. (3-e)

2.3 Proposed Action

- If the GCLL technology is indeed supported and desired by the BLM, FS, and EPA for Panel G, why is it not being proposed for Panel F? (1-l)

- Why [does the Proposed Action] not [include placement of GCLL technology in] the Pole Creek Diversion and Panels A, D, and E, which continue to fail compliance with the original EIS? (1-m)
- No external overburden disposal should be allowed and all activities should be confined to the original footprint. (6-c)
- While we are concerned about the additional 10-acres of disturbance for the ore-conveyance system, this may provide an opportunity to decrease the width and overall footprint of haul road since haul trucks would not be needed to haul ore to the mill. If access is still needed for ore trucks on this road, the agencies should consider a one-lane road with turnouts and improved communications to transport trucks as needed. (6-d)
- Given the long amount of time these [GCLL] layers will be required to function according to specifications, GCLL should be overlapped with a sufficient safety margin to account for potential separations due to solifluction, ground creep and other types of mass movement. (6-h)
- Vegetation such as Douglas fir and aspen may have the ability to penetrate the GCLL with their root systems (as opposed to the handpicked shallow-rooted species) may eventually colonize some sites covered by the GCLL. The GCLL should be designed to withstand tree colonization, root penetration, and tree toppling in the form of root tip ups. We recommend adjusting this approach so that natural plant colonization can be a long-term component of the GCLL and other surface coverings. (6-i)
- Additional drainage/protective material and armoring may be necessary in zones of net soil loss where erosive forces may prevail. (6-j)
- The depth to the GCLL should be correlated to the maximum tree height potential for each site, based on slope, aspect, and soil type. (6-k)
- The impermeable layer must have a functional lifespan as long as or longer than the Contaminants of Potential Concern need to be isolated. (6-m)
- Even with the GCLL, the agencies should still assume that selenium contamination will occur even with the infiltration barrier and require ground and surface water treatment facilities at the bases of these disposal sites or enhanced anoxic attenuation in pit backfills. (6-q)
- The analysis should consider the long-term effectiveness, design life, and operations and maintenance obligations associated with use of the GCL cover systems. (7-o)
- Individual pond catchment run-off volumes need to be calculated to ensure ponds are sized appropriately. Future design details need to address ditch sizing, dimensions, and armoring. Also, when a series of ponds are used to handle calculate runoff the outflow design details will need to be included for review. (Wasniewski – FS)

- Why is the Panel G lease enlargement for 280 acres when the disturbance is only 160 acres? (8-a)
- Why is the GCLL better for reclamation than the previously-approved cover? (8-b)
- Would the conveyor be able to be used for other mining projects or purposes? (8-d)

2.4 Alternatives to the Proposed Action

- Based on detailed analyses of the proposal, other reasonable alternatives might include a more limited use of GCLL, no additional use of roadless areas, the expansion of the conveyor system to Panel G, a more limited area of mining of Panel G in order to keep the mine disturbance footprint limited to what was approved by the 2008 Record of Decision for Panels F and G (RODs), and/or no mining of Panel G until Simplot takes the necessary remedial actions to clean up selenium contamination resulting from its past mining operations at Smoky Canyon Mine. (3-c)
- Items of particular importance to the [U.S. Army Corps of Engineers] as a part of its review of any modification of Simplot's [U.S. Army Corps of Engineers] permit(s) for development of Panel G and/or Panel F at the Smoky Canyon Mine include alternatives that would avoid and minimize impacts to waters of the U.S., including wetlands. (4-e)
- We do have significant concerns about any and all intrusions into the Sage Creek and Meade Peake Inventoried Roadless Areas and recommend that the company develop a land exchange component to ensure there is no net loss to roadless values. (6-e)

2.5 Monitoring and Mitigation

- The agencies should require a monitoring plan to assess the effectiveness [of] the GCLL and other components throughout time – in perpetuity. (6-n)
- If the GCLL is functioning appropriately, groundwater quantity will be decreased in that area. The agencies should mitigate for this decrease by either rechannelizing water back into this drainage if possible or through new restoration activities to increase hydrologic functioning in the area. (6-o)
- We strongly encourage the agencies to take a hard look at water resources and consider additional mitigation at the site if necessary. (7-b)

2.6 Reclamation and Financial Assurance

- One key aspect that should be discussed is the likelihood that mitigation will be implemented. The amount and viability of financial assurance are key factors in a discussion of whether mitigation will be implemented. The amount and viability of financial assurance are critical factors in determining the effectiveness of reclamation and closure activities and, therefore, the significance of the environmental impacts. (7-e)

- We recommend that the NEPA analysis disclose the estimated cost to reclaim and close the site in a manner that achieves reclamation goals and post-mining land use objectives. The proposed financial assurance mechanisms should be identified. The analysis should disclose costs associated with implementing the reclamation plan, as well as costs associated with implementing contingency measures to deal with reasonably foreseeable but not specifically predicted outcomes. (7-f)
- It is critical to anticipate environmental impacts that are reasonably foreseeable, yet not specifically predicted and to have financial assurance mechanisms in place to deal with such contingencies. (7-g)

2.7 General Comments

- The Agencies must thoroughly evaluate the potential impacts to water quality and quantity, fish and wildlife and their habitats, and inventoried roadless areas. (3-f)
- We are concerned that the increased footprint will harm water quality, native vegetation and wildlife habitat and about the permanent storage of seleniferous material in these areas. (6-a)
- We are also concerned that the mine footprint will continue to increase over time unless steps are taken now to keep activities within the current footprint. (6-b)
- The analysis should identify existing disturbance from mine activities. (7-n)

2.8 Air Resources and Climate Change

- The FEIS should examine current climate change models and assess how predicted changes will affect the environmental effects of each alternative. (6-r)
- The analysis should consider the potential effect of the proposed project on climate change and the effect of climate change on the proposed project. (7-m)
- Would the conveyor eliminate overall diesel emissions from the haul road? (8-c)

2.9 Noise

- Unfortunately, with the expansion of the F and G Panels, we hear heavy equipment at all hours of the day and night. Being located on the eastern side of the mine often exposes us to the prevalent western winds. We can only assume more exposure to noise with the mining of Panel G. (1-f)
- What noise levels will be agreed to with respect to the conveyor system? (1-g, 2-b)
- What monitoring of decibel levels will occur and will the results be made public on a continuous basis? (1-h)
- What input will neighbors have in determining acceptable noise levels? (1-i)

2.10 Water Resources including Watersheds

- Failure to accurately design and implement effective runoff containment as a result of the utilization of a GCLL could create tremendous water quality issues throughout

the entire Crow Creek watershed. How do we know that the runoff design is robust enough to handle the peak runoff water loads? (1-n)

- The EIS should analyze the effects of the different seepage amounts flowing to Deer Creek, Brooks Spring, and the springs in Wells Canyon that will result from the proposed mine modifications as opposed to what was analyzed in the 2007 EIS. The analysis should include reliable modeling that discloses the seepage location and how that may affect Deer Creek and the locally important Brooks Spring. (3-h)
- Seepage and load could change because the area of seleniferous overburden stockpile will increase. (3-i)
- The use of a GCLL could cause recharge from runoff downhill of the dump to create a groundwater mound that then seeps back into the waste, causing a contamination problem that then manifests itself as the groundwater discharges into area surface waters. (3-j)
- Flows [to Deer Creek and Crow Creek] are likely to decrease based on covering such a large area with a GCLL. (3-k)
- Another issue that should be analyzed in the EIS is the potential for increased runoff from the site, which may increase substantially due to the changed liner which could reduce seepage over a large area and therefore generate more runoff. (3-l)
- Increased runoff could change the flow regime in Deer Creek as well and potentially cause unacceptable erosion and sediment issues. (3-m)
- While the GCLL layer has a minimum effective lifespan of 200 years, the BLM must anticipate how to design the project to adequately protect water quality for thousands of years. It will do little good to future generations if the layer shielding seleniferous materials degrades in 500 years and water quality standards are no longer met. (6-g)
- The agencies should consider increasing the depth of the growth media and expanding the type of vegetation on the GCLL to help address [concerns about increased peak flows due to the GCLL]. The agencies should not rely on vegetation alone because a drought or wildfire could dramatically affect the vegetation's transpiration rate. Additional wetlands or aspen colonies could be established in drainage areas next to the GCLL. (6-p)
- The EIS should analyze the quality of groundwater and surface water in the project area resulting from current and proposed activities. (7-a)
- There is also potentially significant new information resulting from the CERCLA investigation regarding water resources at the site (Simplot 2013) that should be considered in the EIS when disclosing current conditions, direct/indirect impacts, and cumulative effects. (7-b)
- In the event that existing and/or proposed mine activities result in a direct discharge to Waters of the United States, a Clean Water Act National Pollutant Discharge Elimination System permit would be required. (7-c)

- Because contamination generated from the Smoky Canyon Mine has impacted groundwater and surface water, we recommend that the EIS discuss the connection of groundwater to surface water, and state whether or not a direct hydrologic connection exists that results in a discharge of mine wastewater to surface water. (7-d)
- The water balance should be tied to characterization of the hydrogeologic setting through a site-wide water balance and state whether and how the plans will be revised for the mine expansion. (7-h)
- The adequacy, reliability, and operational uncertainty associated with proposed water management techniques over the range of operating and climatic conditions [should be considered in the analysis]. (7-i)
- Disclose surface water quality on site including any impaired/303(d) listed water bodies. (7-k)
- It would be beneficial to show changes in drainage contribution due to changes in Pit and ODA topographic configuration for Wells Canyon and Deer Creek. Basically are the topographic configuration changes causing more or less precipitation to be contributed to Wells Canyon or Deer Creek? (Wasniewski – FS)
- Water routing, timing, evaporation, pond infiltration and stream hydrographic configuration (peak, volume, etc.) will be affected by the proposed GCLL, ditches, and catchment ponds. (Wasniewski – FS)
- Portray watershed scale impacts specifically showing the percentage of Wells Canyon and Deer Creek being altered by the GCLL, ditches, and ponds. (Wasniewski – FS)

2.11 Selenium

- Why has Simplot not been required to comply with the previous remediation agreements and complete the remediation to the agreed-upon selenium release standards? (1-a)
- We note that Simplot's response to date for selenium release violations at Sage Creek, Crow Creek, and Pole Creek, has been to ask the regulators for an exemption from the agreed-upon standards (Proposed Site-Specific Selenium Criterion, Sage and Crow Creeks, Idaho, January 2012). Talk about moving the goal posts in the middle of the game! (1c)
- What if the mining of Panels F and G results in similar violations of federal and state selenium concentrations in the Clear Creek, Deer Creek, and Manning Creek watersheds and then ultimately into Crow Creek? (1-b)
- It seems to us that Simplot has admitted that they cannot, or will not, comply to meet the agreed-upon selenium concentration levels for Sage, Pole, and Crow [creeks]; therefore, it seems entirely probable that they cannot, or will not, meet the requirements for Deer Creek, Manning Creek, or Clear Creek once the development of Panel G commences. (1-d)

- Frankly, we have no confidence that the selenium issue will ever be adequately addressed by Simplot or that the overseeing state and federal agencies responsible for compliance will enforce these standards. (1-e)
- What selenium discharge standards to the Deer Creek, Manning Creek, or Clear Creek watershed will be in effect – those agreed to in the original Panels G and F (FEIS) or those now being promoted by Simplot in response to the failed selenium remediation of the Sage, Pole, and Crow Creeks? (1-j)
- If the GCLL is the desired route, what experience does the BLM, FS, and EPA have with this technique as it pertains specifically to selenium discharges at similar mining sites? (1-k)
- As a direct neighbor to the Smoky Canyon Mine, and one that is clearly frustrated by Simplot's inability to comply with previously agreed-upon discharge standards concerning selenium, we obviously take a very skeptical view of requests for modifications made by the company. (1-o)
- Unfortunately, the diversion of Pole Canyon Creek around the cross-valley fill placed in Pole Canyon that was to result in significant abatement of selenium [in] the Sage Creek drainage has been an abysmal failure. (3-d)
- The proposal to use a GCLL for Panel G run-of-mine overburden rather than engineered earthen cover design could, if installed perfectly, better prevent transport of selenium in surface and ground water. (3-g)
- The GCLL proposed over the entire area where seleniferous overburden is present in this panel is a significant investment by Simplot to assure long-term environmental protection – even greater than what is currently approved. (5-d)
- We are extremely concerned about the potential for selenium contamination in both surface water and groundwater and recommend that the agencies take this opportunity to require additional steps to protect water quality where needed. (6-s)

2.12 Vegetation

- Vegetation modeling should be informed by climate models. (6-l)

2.13 Wetlands and Riparian Areas

- [The U.S. Army Corps of Engineers] have preliminarily determined that as currently proposed Simplot's project may involve work requiring a Department of Army authorization. (4-a)
- The project may impact "Wells Canyon", "Nate Canyon", and several unnamed streams, including wetlands, as well as upland areas, not previously addressed. (4-b)
- The project proponent will need to provide a jurisdictional delineation of the modified project area for areas not previously surveyed. (4-c)

- A preliminary review of the project indicates that it has the potential to be permitted as a modification of Simplot's [U.S. Army Corps of Engineers] permit(s) for development of Panel G and/or Panel F at the Smoky Canyon Mine. (4-d)
- Discuss how Clean Water Act Section 404 requirements for wetlands would be met, if there are activities that could have potential impacts to adjacent wetlands or indirect impacts to wetlands such as hydrologic changes due to increases in impervious surface will be evaluated. (7-j)
- The analysis should consider opportunities to restore stream/riparian function. (7-n)

2.14 TES Species

- Deer Creek and Crow Creek are important strongholds for the Yellowstone cutthroat trout. (3-r)

2.15 Roadless Areas

- The Sage Creek and Meade Peak Inventoried Roadless Areas provide important habitat for a wide range of wildlife species, including but not limited to elk, moose, deer, cavity-nesting birds, passerine species, and amphibians. (3-a)
- Evaluate the loss of another 70 acres [of roadless areas] to the damage caused by open pit phosphate mining. (3-n)
- The Idaho Roadless Rule FEIS requires full analysis of the effects of this current proposal on the Sage Creek and Mead Peak IRAs in the EIS. (3-o)

2.16 Native American Concerns

- The analysis should consider whether or not the proposed project would affect tribal natural and/or cultural resources and address any concerns of the tribes in accordance with federal tribal trust responsibilities. (7-l)

2.17 Social and Economic Resources

- Lincoln County has a vested interest in assuring the mine maintains a profitable position at this location. (5-a)
- [Smoky Canyon Mine] is a major employer in the area. (5-b)
- As currently approved, Simplot is unable to mine all the available phosphate ore present at Panel G. Simplot's proposed mine and lease modification, which includes an additional 113 acres of permanent overburden disposal area, will assure the economically recoverable ore will be mined. (5-c)
- Long-term success at Smoky Canyon Mine is in the best interest of Lincoln County. (5-e)

2.18 Transportation

- Is there going to be increased mine traffic going to Panel G on the Crow Creek Road? (2-a)

- Will the Wells Canyon Road be open to traffic going to Georgetown? (2-c)

2.19 Visual Resources

- Is it possible to view the mine from an off-site location? (8-e)

2.20 Cumulative Effects

- Foreseeable impacts would include, but not be limited to the likelihood of extending the conveyor system to Panel G. (3-p)
- The cumulative effects analysis should include the ongoing selenium contamination of groundwater and the Sage Creek watershed, as well as Tygee Creek and its tributaries, by previous mining at the Smoky Canyon Mine. In addition the analysis should include the effects of the tailings impoundments, Panels A, D, and E, and the Pole Canyon cross-valley fill. (3-q)

2.21 Irreversible and Irretrievable Commitment of Resources

- This proposal represents an irretrievable and irreversible commitment of resources. These permanent changes include landscape features such as pit walls and waste rock piles, altered drainage boundaries and flows, and potentially increased selenium levels requiring water treatment in perpetuity. (6-f)

3.0 RESPONDENTS

The following table lists those agencies, groups, and individuals who responded to scoping. Copies of the comment letters (responses to scoping) can be found in **Appendix D**.

Table 3.1 Scoping Respondents

NAME	ADDRESS	EMAIL	RESPONSE NUMBER
Dickson L. Whitney, Jr., Osprey Ranch	P.O. Box 1427, Afton, Wyoming 83110	N/A	1
Monte Clemow	Box 7, Fairview, Wyoming 83119	Crowcreek1460@yahoo.com	2
Marv Hoyt, Greater Yellowstone Coalition	162 N. Woodruff Avenue, Idaho Falls, Idaho 83401	N/A	3

NAME	ADDRESS	EMAIL	RESPONSE NUMBER
James M. Joyner, Department of the Army, Walla Walla District, Corps of Engineers, Idaho Falls Regulatory Office	900 North Skyline Drive, Suite A, Idaho Falls, Idaho 83402-1700	N/A	4
Paul C. Jenkins, Board of Lincoln County Commissioners	295 Sage Avenue, Suite 302, Kemmerer, Wyoming 83101	N/A	5
John Robison, Idaho Conservation League	P.O. Box 844, Boise, Idaho 83701	N/A	6
Lynne McWhorter, Environmental Protection Agency, Region 10	1200 Sixth Avenue, Suite 900, Seattle, Washington 98101-3140	N/A	7
Warren Davis	N/A	N/A	8

4.0 REFERENCES

FS (U.S. Forest Service). 2008. Smoky Canyon Mine, Panels F and G - Record of Decision.

Simplot. 2013. Draft Remedial Investigation Report.

APPENDIX A –

**NOI, Legal Notice, Press Release, Scoping Letters,
Website Content, Scoping Handouts,
and Scoping Meeting Posters**

Federal Register, Volume 78 Issue 121 (Monday, June 24, 2013).txt
Federal Register, Volume 78 Issue 121 (Monday, June 24, 2013)
[Federal Register Volume 78, Number 121 (Monday, June 24, 2013)]
[Notices]
[Pages 37843-37845]
From the Federal Register Online via the Government Printing Office [www.gpo.gov]
[FR Doc No: 2013-14983]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLIDI002000.13300000.E00000]

DEPARTMENT OF AGRICULTURE

Forest Service

Notice of Intent To Prepare an Environmental Impact Statement for
the Proposed Panels F and G Lease and Mine Plan Modification Project at
Smoky Canyon Mine, Caribou County, ID

AGENCIES: Bureau of Land Management, Interior; United States Forest
Service, Agriculture.

ACTION: Notice of Intent.

SUMMARY: In compliance with the National Environmental Policy Act
(NEPA) of 1969, the Federal Land Policy and Management Act (FLPMA) of
1976, and the Mineral Leasing Act of 1920, as amended, notice is hereby
given that the U.S. Department of the Interior, Bureau of Land
Management (BLM), Pocatello Field Office, and the U.S. Department of
Agriculture, Forest Service (USFS), Caribou-Targhee National Forest
(CTNF), will jointly prepare an environmental impact statement (EIS) to
determine and analyze the effects of approving a proposed phosphate
mine lease and mine plan modifications (the Proposed Action) on Federal
mineral leases held by the J.R. Simplot Company (Simplot), in
southeastern Idaho. The EIS will tier to the Final EIS prepared by the
BLM and USFS for Panels F and G at Smoky Canyon Mine in 2007 and will
consider the effects of the proposed lease and mine plan modifications.

DATES: To ensure that comments will be considered, the BLM must receive
written comments on the scope of the analysis described in this notice
by July 24, 2013. The BLM will announce future meetings and any other
public involvement activities at least 15 days in advance through
public notices, media news releases, and/or mailings.

ADDRESSES: Written comments may be submitted to: Panels F and G Lease
and Mine Plan Modification Project EIS, C/O JBR Environmental, 8160
South Highland Drive, Sandy, Utah 84093, or via email at:
blm_id_scm_panelsfg@blm.gov. Please reference "Panels F and G Lease and
MinePlan Modification Project EIS" on all correspondence.

FOR FURTHER INFORMATION CONTACT: Diane Wheeler, Bureau of Land
Management, Pocatello Field Office, 4350 Cliffs Drive, Pocatello, Idaho

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Federal Register, Volume 78 Issue 121 (Monday, June 24, 2013).txt
83204, phone 208-557-5839. Scoping information will also be available
at the BLM's web site at:
https://www.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do, or the USFS
web site at: <http://www.fs.usda.gov/projects/ctnf/landmanagement/projects>. Persons
who use
a telecommunications device for the deaf (TDD) may call the Federal
Information Relay Service (FIRS) at 1-800-877-8339 to contact the above
individual during normal business hours. The FIRS is available 24 hours
a day, 7 days a week, to leave a message or question with the above
individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The BLM, as the Federal lease administrator,
will serve as the lead agency and the USFS as the co-lead agency. The
Idaho Department of Environmental Quality is a cooperating agency.
Simplot has submitted lease and mine plan modifications for agency
review for the existing Panel F (lease IDI-27512) and Panel G (lease
IDI-01441) leases at the Smoky Canyon Phosphate Mine within the CTNF,
in Caribou County, Idaho. The proposed project that the agencies are
considering approving includes: (1) construction of an ore conveyor
system from Panel F to the existing mill to allow for more economic and
efficient ore transport; and (2) expansion of a previously approved
overburden disposal area (ODA) in order to accommodate the overburden
generated from mining Panel G.

The Smoky Canyon Mine, operated by Simplot, is located
approximately 10 air miles west of Afton, Wyoming, and approximately 8
miles west of the Idaho/Wyoming border. The existing Smoky Canyon
mining and milling operations were authorized in 1982 by a mine plan
approval issued by the BLM and special use authorizations issued by the
USFS for off-lease activities, supported by the Smoky Canyon Mine Final
EIS and Record of Decision (ROD). Mining operations began in Panel A in
1984 and have been continuing ever since with the mining of Panels A-E.
In 2007, the BLM published a Final EIS and in 2008 RODs were issued
approving the original mining and reclamation plan for Panels F and G
(Final EIS and RODs available at:
<http://www.fs.fed.us/outernet/r4/caribou-targhee/phosphate/>). Panel F is contiguous
with the south end
of the existing mine and Panel G is located approximately 1 mile
southwest of Panel F. Mining activities associated with Panel F were
initiated in 2008 and are ongoing. Mining activities associated with
Panel G have been initiated through the early stages of haul road
construction.

The proposed lease and mine plan modifications at Panels F and G of
the Smoky Canyon Mine area would occur on Federal phosphate leases
administered by the BLM situated on National Forest System (NFS) lands
and on unleased parcels of NFS lands. The NFS lands involved lie within
the Montpelier and Soda Springs Ranger Districts of the CTNF. The
existing leases grant the lessee, Simplot in this case, exclusive
rights to mine and otherwise dispose of the federally-owned phosphate
deposit at the site.

Through development of this EIS, the BLM and the USFS will analyze
environmental impacts of approving the proposed lease and mine plan
modifications. Appropriate mitigation measures will also be formulated.

Agency Decisions: The BLM Idaho State Director or delegated
official will approve, approve with modifications, or deny the proposed
lease and mine plan modifications. The decision will be based on the
EIS and any recommendations the USFS may have regarding surface
management of leased NFS lands.

The USFS CTNF Supervisor will make recommendations to the BLM
concerning surface management and mitigation on leased lands within the
CTNF, and decisions on mine-related activities that occur off-lease
within the CTNF. Special use authorizations from the USFS would be
necessary for any off-lease structures located within the CTNF and
associated with approval of the proposed lease and mine plan

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modifications by the BLM (e.g., portions of the ore conveyor system).

The applicable land use plans have been reviewed relative to the Proposed Action and at this time it is not anticipated that any amendments would be needed.

Background: Simplot submitted a proposal for lease and mine plan modifications for Panels F and G at the Smoky Canyon Mine in February 2013. The proposed modifications to Panel F are related to the construction and use of an ore conveyance system between Panel F and the existing mill. The proposed conveyance system would generally follow the existing haul road and would deviate only where engineering constraints dictate (i.e., too tight a corner on the road to construct the conveyor due to vertical and/or horizontal design limitations), such as at the north end of Panel F where Simplot is requesting a special use authorization to construct a portion of the ore conveyor off lease. Construction of the conveyor would eliminate the need to haul ore to the mill via haul trucks, although the haul road would remain open so that equipment can be transported to the shop for maintenance. The proposed 4.5-mile conveyor system would include a crusher and stockpile location on lease in Panel F.

There are three components to the proposed modification of Panel G: (1) Modification of lease IDI-01441 by 280 acres to accommodate the expansion of the previously approved east ODA; (2) increase in the on-lease disturbance area of the previously approved south ODA by 20 acres for the temporary storage of chert to be used for reclamation; and (3) utilization of a geo-synthetic clay laminate liner (GCLL) instead of the currently approved geologic cover over the in-pit backfill and the east external ODA. The current lease area for Panel G is not large enough to allow for maximum ore recovery and the necessary overburden disposal. The lease modification is necessary to accommodate all of the overburden generated from mining Panel G as analyzed in the Final EIS. At the time the RODs for the 2007 FEIS were issued, neither the BLM nor the USFS had the regulatory authority to approve Simplot's original plan for overburden storage. This is detailed in the RODs, which are available at <http://www.fs.fed.us/outernet/r4/caribou-targhee/phosphate/>. In 2009, the rules were modified giving the BLM authority to approve a lease modification for the purpose of overburden storage.

In an effort to mitigate for the increased footprint of the seleniferous ODA, Simplot is proposing to cover all seleniferous overburden in Panel G with a GCLL. They feel it is in the best interest of increased long-term environmental protection and may lend itself to a more expeditious review of the proposed modifications to the leases and mine plan. In addition, Simplot is proposing stormwater control features to address run-off from the proposed GCLL. It is estimated that up to 17 acres of new disturbance may be necessary for these stormwater features. Portions of these features could be situated on lease, within the proposed lease modification area, or off lease. Off-lease disturbance would require USFS special use authorization.

In total, approximately 160 acres are proposed for new disturbance. Compared to what was analyzed in the 2007 Final EIS, there would be an additional 10 acres disturbed for the ore conveyor system (mostly at the north end of Panel F); 20 acres for the Panel G south ODA expansion of temporary chert storage; up to 17 acres for storm

[[Page 37845]]

water control features to address run-off from the GCLL at Panel G; and 113 acres for the Panel G east seleniferous ODA expansion.

The EIS will tier to the 2007 Final EIS previously prepared for mining at Panels F and G and approved in 2008 by BLM and USFS RODs. Preliminary issues related to the proposed project that have already been identified and will be addressed in the EIS include: (1) An increase in the amount of disturbance of approximately 160 acres, or approximately 12 percent over what was analyzed in the 2007 Final EIS;

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(2) potential impacts to groundwater quantity because of a decrease in recharge area to the wells Formation due to the GCLL; (3) potential impacts to surface water quality after reclamation due to the reduced infiltration of the GCLL, potentially increasing peak streamflows which have the potential to increase channel instability and cause stream bank and stream bed erosion; and (4) an increase in the amount of disturbance of approximately 70 acres within the Sage Creek Inventoried Roadless Area (General Forest Theme), which is 6 percent over what was analyzed in the 2007 Final EIS.

The BLM and USFS will use the NEPA public participation requirements to assist the agency in satisfying public involvement under Section 106 of the National Historic Preservation Act (NHPA) (16 U.S.C. 470(f)) pursuant to 36 CFR 800.2(d)(3). The information about historic and cultural resources within the area potentially affected by the Proposed Action will assist in identifying and evaluating impacts to such resources in the context of both NEPA and Section 106 of the NHPA.

The BLM and USFS will consult with Indian tribes on a government-to-government basis in accordance with Executive Order 13175 and other policies. Tribal concerns, including impacts to treaty rights and potential impacts to cultural resources, will be given due consideration. Federal, State, and local agencies, along with tribes and other stakeholders that may be interested in or affected by the proposed project that is being evaluated, are invited to participate in the scoping process and, if eligible, may request or be requested by the BLM or USFS to participate in the development of the environmental analysis as a cooperating agency.

Alternatives and Schedule: At a minimum, the EIS will analyze the Proposed Action and the No Action Alternative. Under the No Action Alternative, the proposed modifications to the leases, operating plan, and special use authorizations will not be approved, and mining will continue under the currently authorized mine plan as approved by the 2008 RODs. Under the No Action Alternative, Simplot estimates that approximately 50 percent of the phosphate ore in Panel G, previously considered economically recoverable, would not be mined but the overall disturbance would remain the same. In addition, the proposed conveyor system would not be approved, thus no new disturbance associated with the conveyor would occur. The previously approved geologic cover would be used to limit or prevent the potential release of contaminants to the environment. Other alternatives may be considered that could provide mitigation of potential impacts.

The tentative EIS project schedule is as follows:

Begin public scoping period and meetings: Spring/Summer 2013.

Release draft EIS and associated comment period: Fall/winter 2013.

Final EIS publication: Summer 2014.

Record of Decision: Summer/Fall 2014.

Scoping Procedure: The scoping procedure to be used for this EIS will involve notification in the Federal Register; a mailing to interested and potentially affected individuals, groups, Federal, State, and local government entities requesting input by way of comments, issues and concerns; news releases or legal notices; and public scoping meetings.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment--including your personal identifying information--may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. Comments will be available for public review at the BLM address listed above during regular business hours (8 a.m. to 4 p.m.), Monday through Friday, except Federal holidays.

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The BLM and the USFS are seeking information and written comments concerning the Proposed Action from Federal, State, Tribal, and local agencies, individuals, and organizations interested in, or affected by the Proposed Action or the No Action Alternative. To assist the BLM and the USFS in identifying issues and concerns related to the Proposed Action, scoping comments should be as specific as possible. This proposed project is subject to the objection process pursuant to 36 CFR part 218 subparts A and B. Only those who provide comment or otherwise express interest in the Proposed Action either during scoping or other designated opportunity for public comment will be eligible as objectors (36 CFR 218.5).

At least three "open-house" style public scoping meetings will be held which will include displays explaining the project and a forum for asking questions and commenting on the project. Meetings are planned to be held in Pocatello and Fort Hall, Idaho, and Afton, Wyoming. The dates, times, and locations of the public scoping meetings will be announced in mailings and public notices issued by the BLM.

Authority: 42 U.S.C. 4321 et seq.; 40 CFR Parts 1500-1508; 43 CFR Part 46; 43 U.S.C. 1701; and 43 CFR Part 3590.

Dated: April 30, 2013.

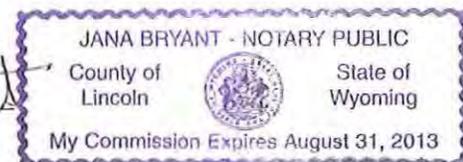
Joe Kraayenbrink,
District Manager, Idaho Falls District, Bureau of Land Management.
Brent Larson,
Forest Supervisor, Caribou-Targhee National Forest.
[FR Doc. 2013-14983 Filed 6-21-13; 8:45 am]
BILLING CODE 4310-GG-P

I SARAH HALE, Managing Editor of the Star Valley Independent, published weekly at Afton, Lincoln County, Wyoming, do solemnly swear that the notice, a copy of which is hereto attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for One consecutive issues, commencing with the issue date June 26 2013, and ending with issue dated June 26 2013.

Subscribed and sworn in before me this 26th day of June 2013.

Sarah Hale

Jana Bryant
Notary Public



My commission expires August 31, 2013

REQUEST FOR COMMENTS

PANELS F AND G LEASE AND MINE PLAN

MODIFICATION PROJECT AT SMOKY CANYON MINE

The U.S. Department of Interior, Bureau of Land Management (BLM), Pocatello Field Office, and the U.S. Department of Agriculture, Forest Service (FS), Caribou-Targhee National Forest (CTNF) will jointly prepare an environmental impact statement (EIS) for a lease and mine plan modification (project) proposed by J.R. Simplot Company (Simplot) for Panels F and G at the Smoky Canyon Mine. The BLM and FS will serve as co-lead agencies for the preparation of the EIS. The Idaho Department of Environmental Quality will be a cooperating agency.

The Smoky Canyon Mine, operated by Simplot, is located in Caribou County, Idaho. It is approximately ten air miles west of Afton, Wyoming, and approximately eight miles west of the Idaho/Wyoming border. The project would occur on federal phosphate leases administered by the BLM situated on National Forest System (NFS) lands and on un-leased parcels of NFS lands.

Mining of Panels F and G was originally evaluated in the 2007 "Smoky Canyon Mine, Panels F and G—Final Environmental Impact Statement" (FEIS) and approved by records of decision issued by the BLM and the USFS in 2008. The EIS currently in development will tier to the 2007 FEIS.

The proposed modifications to Panel F are related to the construction and use of an ore conveyance system between Panel F on lease IDI-27512 and the existing mill on lease IDI-012890. The proposed modifications to Panel G are: the enlargement of lease IDI-01441 by 280 acres to accommodate the east run-of mine overburden disposal area (ODA); an increase of the south ODA by 20 acres for the temporary storage of chert; and the utilization of a geo-synthetic clay laminate liner instead of the currently approved geologic cover over the in-pit backfill and run-of-mine ODA. A portion of these activi-

ties are proposed within the Sage Creek and Meade Peak inventoried roadless areas.

The BLM and the FS will make separate but coordinated decisions related to the proposed project. The BLM Idaho State Director or delegated official will approve, approve with modifications, or deny the proposed lease and mine plan modifications. The decision will be based on the EIS and any recommendations the FS may have regarding surface management of leased NFS lands. The Forest Supervisor will make recommendations to the BLM concerning surface management and mitigation on leased lands within the CTNF. The Forest Supervisor will also make decisions on the special use authorizations necessary for the off-lease disturbance associated with the project.

The BLM and FS will hold three "open-house" style public scoping meetings which will include displays explaining the project and a forum for asking questions and commenting on the project. These meetings are as follows:

- Wednesday, July 10, 2013; 6–8 pm, Afton Civic Center, 150 S. Washington St., Afton, WY
- Thursday, July 11, 2013; 6–8 pm, BLM Office, 4350 Cliffs Drive, Pocatello, ID
- Friday, July 12, 2013; 4–6 pm, Shoshone-Bannock Hotel Event Center, I-15 Exit 80, Fort Hall, ID

Additional information regarding this project may be obtained from Diane Wheeler, Project Lead, BLM Pocatello Field Office, 4350 Cliffs Drive, Pocatello, ID 83204, phone (208) 557-5839. Information relating to this project will also be posted on the internet as it becomes available at: https://www.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do.

The BLM and FS are soliciting public comments on this proposal. Your comments will help to determine the issues and alternatives that will be evaluated in the environmental analysis. You are invited to direct these comments to: Panels F and G Lease and Mine Plan Modification Project EIS, C/O JBR Environmental, 8160 South Highland Drive, Sandy, UT 84093. Email: blm_id_scm_panelsfg@blm.gov. Comments will be accepted through July 26, 2013

Publish June 26, 2013

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

LN20742

KAREN MASON

**REQUEST FOR COMMENTS
Panels F and G Lease and Mine Plan
Modification Project at Smoky
Canyon Mine
Environmental Impact Statement**

The U.S. Department of Interior, Bureau of Land Management (BLM), Pocatello Field Office, and the U.S. Department of Agriculture, Forest Service (FS), Caribou-Targhee National Forest (CTNF) will jointly prepare an environmental impact statement (EIS) for a lease and mine plan modification (project) proposed by J.R. Simplot Company (Simplot) for Panels F and G at the Smoky Canyon Mine. The BLM and FS will serve as co-lead agencies for the preparation of the EIS. The Idaho Department of Environmental Quality will be a cooperating agency.

The Smoky Canyon Mine, operated by Simplot, is located in Caribou County, Idaho. It is approximately ten air miles west of Afton, Wyoming, and approximately eight miles west of the Idaho/Wyoming border. The project would occur on federal phosphate leases administered by the BLM situated on National Forest System (NFS) lands and on un-leased parcels of NFS lands.

Mining of Panels F and G was originally evaluated in the 2007 "Smoky Canyon Mine, Panels F and G - Final Environmental Impact Statement" (FEIS) and approved by records of decision issued by the BLM and the USFS in 2008. The EIS currently in development will tier to the 2007 FEIS.

The proposed modifications to Panel F are related to the construction and use of an ore conveyance system between Panel F on lease IDI-27512 and the existing mill on lease IDI-012890. The proposed modifications to Panel G are: the enlargement of lease IDI-01441 by 280 acres to accommodate the east run-of-mine overburden disposal area (ODA); an increase of the south ODA by 20 acres for the temporary storage of chert; and the utilization of a geo-synthetic clay laminate liner instead of the currently approved geologic cover over the in-pit backfill and run-of-mine ODA. A portion of these activities are proposed within the Sage Creek and Meade Peak inventoried roadless areas.

The BLM and the FS will make separate but coordinated decisions related to the proposed project. The BLM Idaho State Director or delegated official will approve, approve with modifications, or deny the proposed lease and mine plan modifications. The decision will be based on the EIS and any recommendations the FS may have regarding surface management of leased NFS lands. The Forest Supervisor will make recommendations to the BLM concerning surface management and mitigation on leased lands within the CTNF. The Forest Supervisor will also make decisions on the special use authorizations neces-

being first duly sworn on oath deposes and says: that SHE was at all times herein mention a citizen of the United States of America more than 21 years of age, and the Principal Clerk of the Idaho State Journal, a daily newspaper, printed and published at Pocatello, Bannock County Idaho and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

<u>June 27</u>	<u>2013</u>	<u>2013</u>
<u> </u>	<u>2013</u>	<u>2013</u>
<u> </u>	<u>2013</u>	<u>2013</u>
<u> </u>	<u>2013</u>	<u>2013</u>

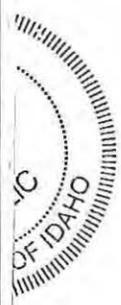
That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice of advertisement and is a newspaper within the meaning of the laws of Idaho.

STATE OF IDAHO
COUNTY OF BANNOCK

K. Mason

On this 27th. of June in the year of 2013, before me, a Notary Public, personally appeared KAREN MASON Known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he executed the same.

Notary of Public
Joni A. Soket
Residing at Arimo exp. 3/3/15



* Note to the Media: This press release is being sent from a group account, any follow-up questions should be directed to the individual noted on the contact information, rather than directly back to the email.

BLM News

www.blm.gov/id

DATE: Monday, June 24, 2013

For Immediate Release

CONTACT: Diane Wheeler, (208) 557-5839

Agencies Announce Intent to Prepare an Environmental Impact Statement for Modifications at Smoky Canyon Mine

POCATELLO, ID: The Bureau of Land Management (BLM), Pocatello Field Office and United States Forest Service (USFS), Caribou-Targhee National Forest, in cooperation with the Idaho Department of Environmental Quality, announced this week that they will jointly prepare an environmental impact statement (EIS) to analyze the potential impacts of a proposed Panels F and G Lease and Mine Plan Modification Project at Smoky Canyon Mine. The announcement opens a 30-day scoping period in which the agencies will gather public comments on the proposal to identify appropriate issues to be analyzed in the EIS.

The proposed modification can be broken down into five components:

1. Construction of an ore conveyor system between Panel F (lease IDI-27512) and the existing mill.
2. Enlargement of the existing Panel G lease (IDI-01441) by 280 acres to accommodate the expansion of the east overburden disposal area (ODA).
3. Utilization of a geo-synthetic clay laminate liner (GCLL) over approximately 400 acres of seleniferous materials in Panel G.
4. Enlargement of the south ODA within the existing Panel G lease by 20 acres for the temporary storage of chert.
5. Modification of the existing mine plans to include these changes.

Mining in Panels F and G was originally evaluated in the 2007 *Smoky Canyon Mine, Panels F and G—Final Environmental Impact Statement* (FEIS) and approved by records of decision

issued by the BLM and the USFS in 2008. Compared to what was analyzed in the 2007 FEIS, there are approximately 160 acres of new disturbance associated with the proposed modifications including: 10 acres disturbed for the ore conveyor system on Panel F; 113 acres for the Panel G east ODA expansion; 20 acres for temporary chert storage at the Panel G south ODA; and up to 17 acres for storm water control features associated with the GCLL on Panel G. Approximately 70 acres of the new disturbance would occur within the Sage Creek and Meade Peak inventoried roadless areas (General Forest theme).

The Federal phosphate leases held by the J.R. Simplot Company grant them exclusive rights to develop the phosphate minerals in the leases under the BLM-approved mine plan(s). Modifications to existing leases and mine plans must be approved by the BLM. Off-lease disturbance on National Forest System lands requires special use authorization by the USFS.

The BLM and the USFS have scheduled three meetings for the public to view and offer comments on the proposal as follows:

- Wednesday, July 10, 2013; 6–8 pm, Afton Civic Center, 150 S. Washington St., Afton, WY
- Thursday, July 11, 2013; 6–8 pm, BLM Office, 4350 Cliffs Drive, Pocatello, ID
- Friday, July 12, 2013; 4–6 pm, Shoshone-Bannock Hotel Event Center, I-15 Exit 80, Fort Hall, ID

Further information is available from Diane Wheeler, Project Manager, BLM Pocatello Field Office, 4350 Cliffs Drive, Pocatello, ID 83204, phone (208) 557-5839. Comments can be submitted to:

Attention: Panels F and G Lease and Mine Plan Modification Project EIS, C/O JBR Environmental, 8160 South Highland Drive, Sandy, UT 84093, or via email at: blm_id_scm_panelsfg@blm.gov. Please reference "Panels F and G Lease and Mine Plan Modification Project EIS" on all correspondence. Scoping information will be posted on the internet at: https://www.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do, or the USFS website at <http://www.fs.usda.gov/projects/ctnf/landmanagement/projects>.

-BLM-

The BLM manages more than 245 million acres of public land, the most of any Federal agency. This land, known as the National System of Public Lands, is primarily located in 12 Western states, including Alaska. The BLM also administers 700 million acres of sub-surface mineral estate throughout the nation. The BLM's multiple-use mission is to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations. In Fiscal Year 2012, activities on public lands generated \$4.6 billion in revenue, much of which was shared with the States where the activities occurred. In addition, public lands contributed more than \$112 billion to the U.S. economy and helped support more than 500,000 jobs.

Recipients of the Panels F&G EIS Scoping Press Release:

105.5 The Hawk
Arco Advertiser
Blackfoot Morning News
Brad Collins
Channel 6 Pocatello
Channel 8 Main News Room
Island Park News
Jefferson Star
jet@valleycitizen.com
Joyce Edlefsen
KBYR, KBYU
KCHQ 102.1
KID 590
KID Newsradio 590AM, 92.1 FM
KLCE Classy 97
KORR 104, KZBQ 93.7, KOUU 1290 AM
KSEI 930
KSEI930 AM
Menan Community
Post Register
Rexburg Standard Journal
Scroll News
Shelley Pioneer
Sho-Ban News
Star Valley Independent
Talk 690-1260 AM
Teton Valley News
Valley Citizen



USDA Forest Service
Caribou-Targhee National Forest
<http://www.fs.fed.us/r4/caribou-targhee>

1405 Hollipark Drive
Idaho Falls, Idaho 83401
(208) 524-7500



USDI Bureau of Land Management
Idaho Falls District
<http://www.id.blm.gov/>

PUBLIC SCOPING LETTER

June 24, 2013

Panels F and G Lease and Mine Plan Modification Project at Smoky Canyon Mine Environmental Impact Statement

INTRODUCTION

The purpose of this letter is to notify you that the public scoping period under the *National Environmental Policy Act* (NEPA) for the Panels F and G Lease and Mine Plan Modification Project at Smoky Canyon Mine Environmental Impact Statement (EIS) is underway. The Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) are co-lead agencies preparing the EIS and public involvement is an important part of this process. We ask for your input to help us determine the scope and significant issues to analyze in this EIS.

Please take the time to read the following information and let us know your concerns about the proposed action and the decisions to be made. We appreciate your contribution of time and effort, and believe the information you share with us will lead to a better decision. Please submit your comments according to the procedures described at the end of this letter. The information will be used to help us prepare a draft EIS. The draft EIS itself will be subject to a separate public comment period.

The BLM and USFS (hereafter referred to as the agencies) will prepare the EIS to inform our decisions on the proposed Panels F and G Lease and Mine Plan Modification Project submitted by the J.R. Simplot Company (Simplot). The proposed project would occur on National Forest System (NFS) lands both on and off existing Federal phosphate leases at the Smoky Canyon Phosphate Mine; located in Caribou County, Idaho, approximately 10 air miles west of Afton, Wyoming, and 8 miles west of the Idaho/Wyoming border (**Figure 1**). The EIS will evaluate the potential effects of the proposed project on the human environment and natural resources. No action alternative(s) to the proposed action have been developed to date, although other alternatives may be considered that could provide mitigation of potential impacts. At a minimum, the no action alternative will be fully evaluated and analyzed along with the proposed action.

As the agency designated to manage federally-leased minerals such as phosphate, the BLM is the lead agency for the preparation of the EIS. The USFS will act as the co-lead agency because the leases are located on NFS lands within the Montpelier and Soda Springs Ranger Districts of the Caribou-Targhee National Forest (CTNF). The Idaho Department of Environmental Quality (IDEQ) has statutory authority over surface water and groundwater and will be closely involved in the preparation of the EIS as a cooperating agency. IDEQ will provide technical and regulatory guidance to the project effort, particularly those aspects relating to water quality. BLM and USFS will solicit information throughout the analysis process from Federal, State, Tribal, and local agencies including the Idaho Department of Fish and Game, U.S. Army Corps of Engineers, and U.S. Fish and Wildlife Service.

PURPOSE AND NEED

The purpose and need for the agencies is to evaluate and respond to the proposed lease and mine plan modifications for the existing Panel F and Panel G. Specifically, Simplot's main objectives are: 1) to construct an ore conveyor system from Panel F to the existing mill to allow for more economic and efficient ore transport; and 2) to expand a previously approved overburden disposal area (ODA) in order to accommodate the overburden generated from mining Panel G. Some non-extractive or ancillary activities are proposed on unleased parcels of NFS lands and special use authorizations from the FS would be needed for these activities and components.

FEDERAL DECISIONS TO BE MADE

The BLM and the USFS will make separate but coordinated decisions related to the proposed Panels F and G Lease and Mine Plan Modification Project. The BLM will approve, approve with modifications, or deny the proposed lease and mine plan modifications. The decision will be based on the EIS and any recommendations the USFS may have regarding surface management of leased NFS lands. The USFS will make recommendations to the BLM concerning surface management and mitigation on leased lands within the CTNF. Special use authorizations from the USFS would be necessary for any off-lease disturbances/structures located within the CTNF and associated with the proposed action (e.g., stormwater control features and portions of the ore conveyor system).

PROPOSED ACTION

Simplot submitted a lease and mine plan modification proposal to the BLM for Panels F and G at the Smoky Canyon Mine in February 2013. Mining of Panels F and G was originally evaluated in the 2007 *Smoky Canyon Mine, Panels F and G—Final Environmental Impact Statement* (FEIS) and approved by records of decision (RODs) issued by the BLM and the USFS in 2008 (FEIS and RODs available at: <http://www.fs.fed.us/outernet/r4/caribou-targhee/phosphate/>). The existing Smoky Canyon mining and milling operations were authorized in 1982 by a mine plan approval issued by the BLM and special use authorizations issued by the USFS for off-lease activities, supported by the Smoky Canyon Mine EIS and ROD. Mining operations began in Panel A in 1984 and have been continuing ever since with the mining of Panels A–E. Panel F is contiguous with the south end of the existing mine and Panel G is located approximately one mile southwest of Panel F. Mining activities associated with Panel F were initiated in 2008 and are ongoing. Mining activities associated with Panel G have been initiated through the early stages of haul road construction. An EIS, which tiers to the 2007 FEIS prepared by the BLM and USFS for Panels F and G at Smoky Canyon Mine, will be prepared to analyze Simplot's current proposal.

The proposed modifications to Panel F are related to the construction and use of an ore conveyance system between Panel F on lease IDI-27512 and the existing mill on lease IDI-012890 (**Figure 2**). The proposed conveyor would generally be within the existing haul road, deviating only where safety or engineering constraints dictate (i.e., too tight a corner on the road to construct the conveyor due to vertical and/or horizontal design limitations), such as at the north end of Panel F where Simplot is requesting a special use authorization to construct a portion of the ore conveyor off lease. Construction of the conveyor would eliminate the need to haul ore to the mill via haul trucks, although the haul road would remain open so equipment could be transported to the shop for maintenance. The proposed 4.5-mile conveyor system would include a crusher and stockpile area on lease in Panel F.

There are three components to the proposed modification of Panel G (**Figure 3**): 1) modification of lease IDI-01441 by 280 acres to accommodate a run-of mine ODA; 2) increase in the disturbance boundary of the previously approved south ODA by 20 acres for the temporary storage of chert; and 3) utilization of a geo-synthetic clay laminate liner (GCLL) instead of the currently approved geologic cover over the in-pit backfill and the east external ODA. The current lease boundary for Panel G is not large enough to allow for necessary overburden disposal. The lease modification is necessary to accommodate all of the overburden generated from mining Panel G as analyzed in the 2007 FEIS¹. The proposed external ODA would require Simplot to mine Panel G in a south to north sequence,

¹ At the time the RODs for the 2007 FEIS were issued, neither the BLM nor the FS had the legal authority to approve Simplot's original plan for overburden storage. This is detailed in the RODs, which are available at <http://www.fs.fed.us/outernet/r4/caribou-targhee/phosphate/>.

necessitating the temporary addition of 20 acres of chert to be used for reclaiming the final highwall and eliminating a potential pit lake or ponding upon backfill.

The purpose of covering the entirety of seleniferous overburden in Panel G with a GCLL is to limit or prevent the potential release of contaminants to the environment. Simplot believes that the GCLL would enhance protection of water quality when compared to the currently approved geologic cover. In addition, Simplot is proposing stormwater control features to address run-off from the proposed GCLL. It is estimated that up to approximately 17 acres of disturbance may be necessary for these stormwater features. Portions of these features could be situated on lease, within the proposed lease modification area, or off lease. Off-lease disturbance would require USFS special use authorization.

In total, approximately 160 acres are proposed for new disturbance. Compared to what was analyzed in the 2007 FEIS, there would be an additional: 10 acres disturbed for the ore conveyor system; 20 acres for the Panel G south ODA expansion of temporary chert storage; up to 17 acres for stormwater control features to address run-off from the GCLL at Panel G; and 113 acres for the Panel G east seleniferous ODA expansion. Preliminary issues related to the proposed project that have already been identified and to be addressed in the EIS include: 1) an increase in the amount of disturbance of approximately 160 acres, or approximately 12 percent over what was analyzed in the 2007 FEIS; 2) potential impacts to groundwater quantity because of a decrease in recharge area to the Wells Formation due to the GCLL; 3) potential impacts to surface water quality after reclamation due to the reduced infiltration of the GCLL, potentially increasing peak flows which have the potential to increase channel instability and cause stream bank and stream bed erosion; and 4) an increase in the amount of disturbance of approximately 70 acres within the Sage Creek and Meade Peak inventoried roadless areas, which is six percent over what was analyzed in the 2007 FEIS.

NO ACTION ALTERNATIVE

The no action alternative is essentially executing the currently authorized mine plan for Panels F and G as approved by the 2008 RODs. Under the no action alternative, Simplot estimates that approximately 50 percent of the phosphate ore in Panel G, previously considered economically recoverable, would not be mined but the overall disturbance would remain the same. In addition, the proposed conveyor system would not be approved, thus no new disturbance associated with the conveyor would occur and special use authorizations would not be approved. No lease modification to Panel G would be necessary under the no action alternative. The previously approved geologic cover would be used to limit or prevent the potential release of contaminants to the environment.

PROJECT OBJECTIVES AND SCHEDULE

The project objective is to prepare an EIS to: (1) analyze and document the potential environmental and socioeconomic effects of the proposed lease and mine plan modifications, both on and off lease, and alternatives to the proposed action; (2) evaluate, if necessary, mitigation measures to reduce site-specific environmental consequences; and (3) inform decisions related to the lease and mine plan modifications. The tentative schedule is to release a draft EIS for public comment in winter 2013 and publish a final EIS in summer/fall 2014.

The BLM and USFS will use the NEPA public participation requirements to assist the agencies in satisfying public involvement under Section 106 of the *National Historic Preservation Act*. Information about historic and cultural resources, including identification and evaluation of potential impacts and mitigation measures, will be documented in the EIS. The BLM and the USFS will consult with Indian tribes on a government-to-government basis in accordance with Executive Order 13175 and other policies.

PUBLIC MEETINGS

The agencies will hold at least three “open-house” style public scoping meetings which will include displays explaining the project and a forum for asking questions and commenting on the project. These meetings are as follows:

- **Wednesday, July 10, 2013; 6–8 pm**, Afton Civic Center, 150 S. Washington St., Afton, WY
- **Thursday, July 11, 2013; 6–8 pm**, BLM Office, 4350 Cliffs Drive, Pocatello, ID
- **Friday, July 12, 2013; 4–6 pm**, Shoshone-Bannock Hotel Event Center, I-15 Exit 80, Fort Hall, ID

You are invited to attend any of the scoping meetings. Agency representatives will be available to talk about the project and the EIS process and answer any questions you have. In addition, written and oral comments will be accepted at the public scoping meetings.

HOW TO COMMENT

The BLM and USFS are seeking input and written comments from Federal, State, Tribal, and local agencies; as well as individuals and organizations who may be interested in, or affected by, the proposed project. To assist the agencies in identifying and considering issues and concerns related to the proposed project, comments should be as specific as possible. The proposed project is subject to the objection process pursuant to 36 CFR 218 Subparts A and B. Only those who provide comment or otherwise express interest in the proposed action either during scoping or other designated opportunity for public comment will be eligible as objectors (36 CFR 218.5).

Comments would be most helpful if they are received or postmarked on or before July 26, 2013, and are directly relevant to the proposal and project area. Comments received outside established public involvement timeframes will not be rejected; however, these comments may be considered secondary to comments received in a timely manner and may only be assessed to determine if they identify concerns that would substantially alter the assumptions, proposal, design, or analysis presented in the EIS.

Written, facsimile, hand-delivered, and electronic comments will be accepted. Please reference “Panels F and G Lease and Mine Plan Modification Project EIS” on all correspondence and identify whether you are submitting comments as an individual or as the designated spokesperson on behalf of an organization. Issues determined to be outside the scope of the proposal will not be addressed in the EIS.

Send comments to:

Panels F and G Lease and Mine Plan Modification Project EIS
C/O JBR Environmental
8160 South Highland Drive
Sandy, Utah 84093
Fax: (801) 942-1852
Email: blm_id_scm_panelsfg@blm.gov

For further information contact:

Diane Wheeler, Project Lead
Bureau of Land Management
Pocatello Field Office
4350 Cliffs Drive
Pocatello, Idaho 83204
Phone: (208) 557-5839
Email: dkwheeler@fs.fed.us

Scoping information will also be available at the BLM and USFS websites:

- BLM Land Use Planning and NEPA Register at https://www.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do
 - Select “Idaho” for State, “ID – Pocatello FO” for Office, “EIS” for Document Type, “2013” for Fiscal Year, and “Minerals” for Program. Click the Search button.
 - Click on the link to DOI-BLM-ID-I020-2013-0028- EIS for the Panels F and G Lease and Mine Modification Project.
- Caribou-Targhee National Forest Current and Recent Projects at <http://www.fs.usda.gov/projects/ctnf/landmanagement/projects>

Comments, including names and street addresses of respondents, will be available for public review at the BLM Pocatello Field Office and subject to disclosure under the *Freedom of Information Act* (FOIA). They will be published as part of the EIS and other related documents. Individual respondents may request confidentiality. If you wish to withhold your name and/or address from public review or disclosure under the FOIA, you must state this prominently at the beginning of your written comment. The BLM will honor such requests to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, are available for public inspection in their entirety.

Sincerely,

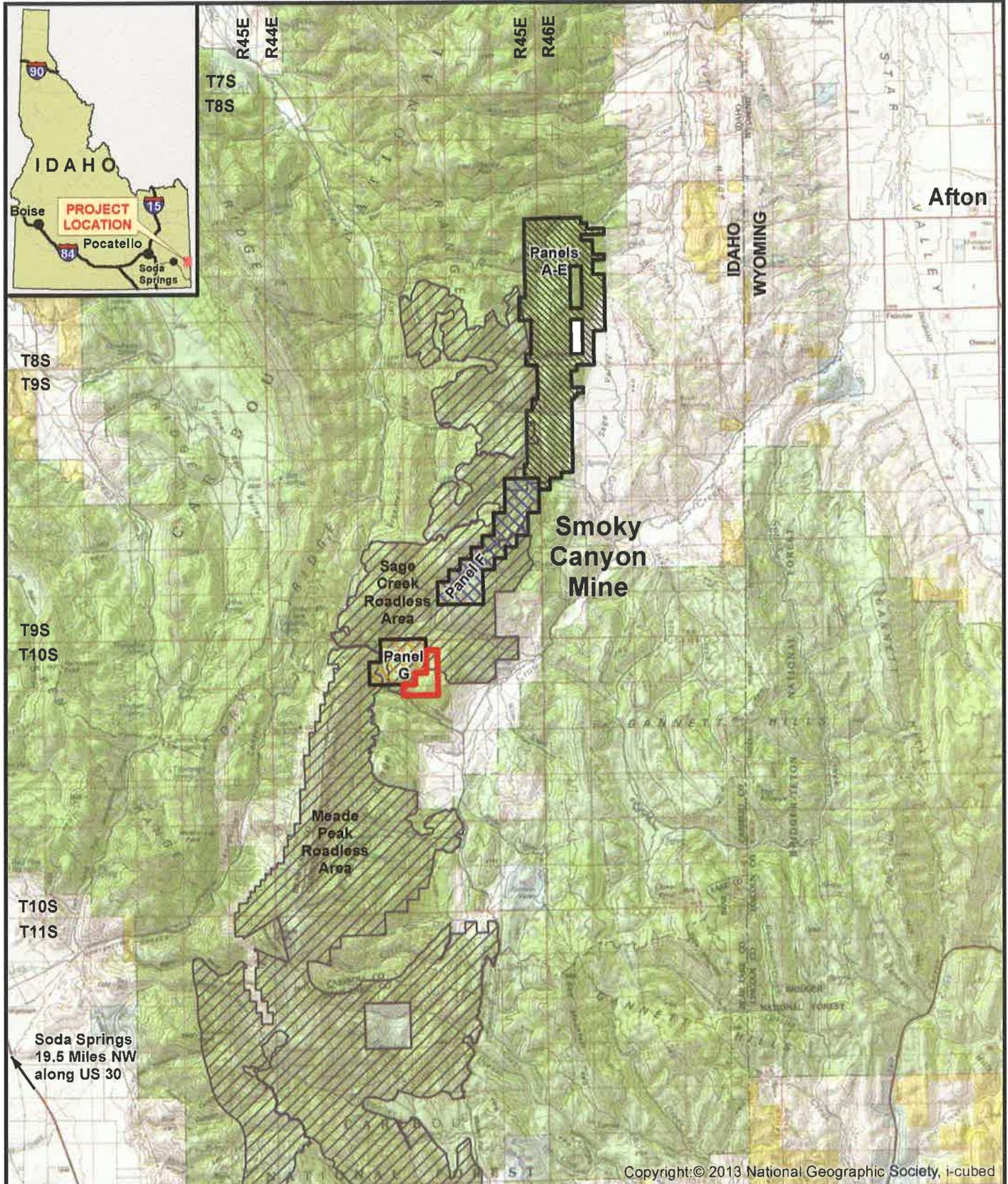


Joe Kraayenbrink
District Manager
BLM Idaho Falls District



Brent Larson
Forest Supervisor
Caribou-Targhee National Forest

Enclosures: Figure 1—General Project Area
Figure 2—Panel F Mine Plan Modification Areas
Figure 3—Panel G Lease/Mine Plan Modification Areas



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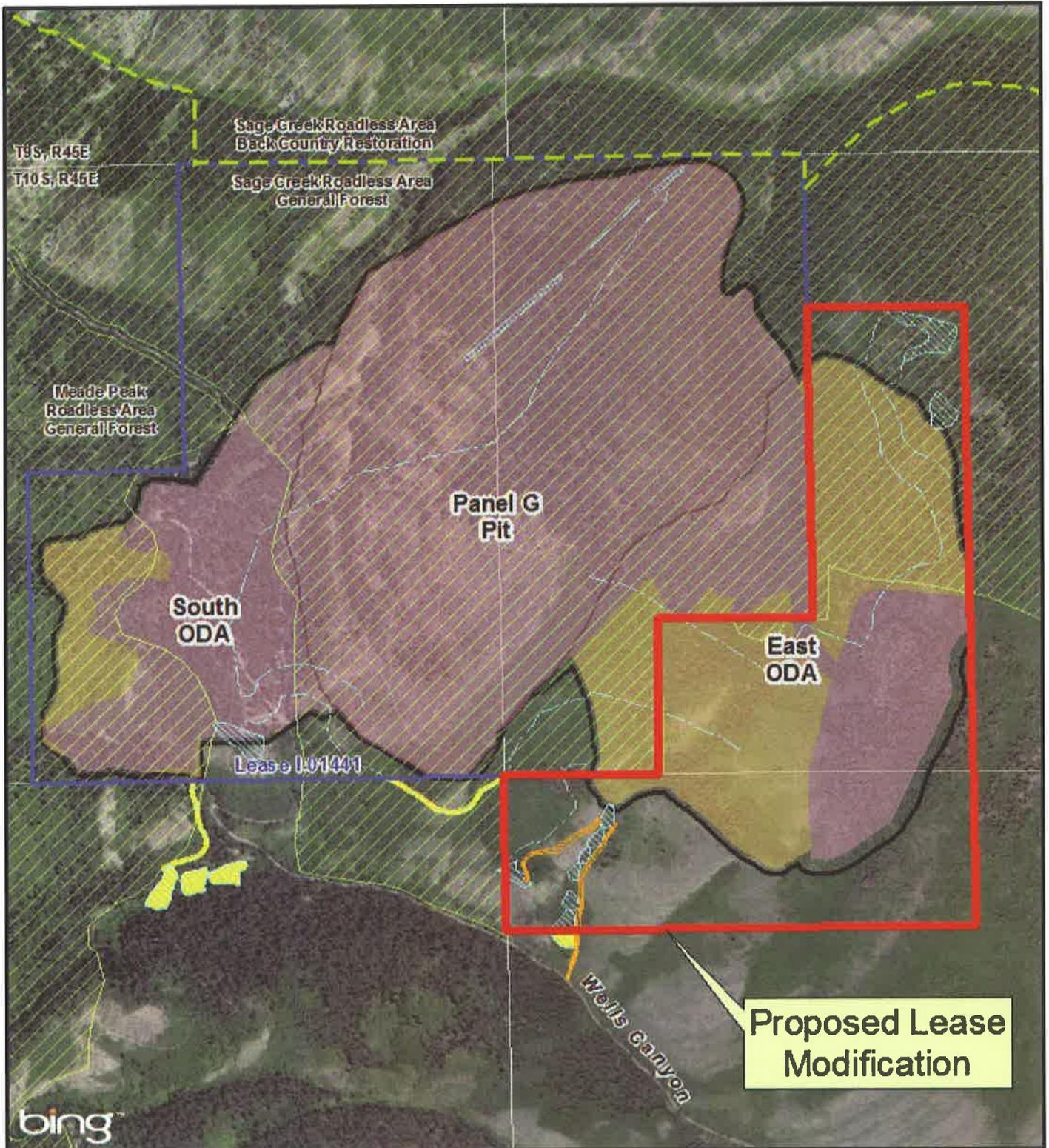
Explanation

- Smoky Canyon Mine Leases**
-  Panels A-E
 -  Panel F (Lease I-27512)
 -  Panel G (Lease I-01441)
 -  Proposed Lease Modification Area

- Roadless Area**
-  Roadless Area
- Land Ownership**
-  BLM
 -  Private
 -  State
 -  USFS



Figure 1
General Project Area
Panel F & G Lease/Mine Plan Modifications EIS



Service Layer Credits: Image courtesy of USGS © 2013 Microsoft Corporation

Explanation

- | | |
|--|--|
|  Panel G Disturbance Boundary |  Proposed Stormwater Control Ditch (On Lease) |
|  Panel G Pit Boundary |  Proposed Stormwater Control Pond (On Lease) |
|  Proposed ODA Expansions |  Proposed Stormwater Control Road Disturbance (On Lease) |
|  Approved Panel G Disturbance |  Proposed Stormwater Control Ditch (Off Lease) |
|  Proposed Lease Modification Area |  Proposed Stormwater Control Pond (Off Lease) |
|  JR Simplot Lease |  Proposed Stormwater Control Road Disturbance (Off Lease) |
|  Sage Creek | |
|  Meade Peak | |



Figure 3
Panel G Lease/Mine Plan Modification Areas
Panel F & G Lease/Mine Plan Modifications EIS

U.S. DEPARTMENT OF THE INTERIOR **BUREAU OF LAND MANAGEMENT**

ePlanning

**DOI-BLM-ID-I020-
2013-0028-EIS**Help
Video Tutorial> [NEPA Register](#) > DOI-BLM-ID-I020-2013-0028-EIS**NEPA Project Summary**

NEPA #:	DOI-BLM-ID-I020-2013-0028-EIS	Status:	Active
Project Name:	Smoky Canyon Mine Panels F and G Lease and Mine Modification Project	Decision Date:	
EIS OEPC #:		FONSI Date:	
Applicant:	J.R. Simplot Company		
Case File Number/ Project Number			
Start Date:			
End Date:			

Project Description:

The J.R. Simplot Company has proposed lease and mine modifications to Panels F and G at the Smoky Canyon Mine. The total proposed new disturbance is approximately 160 acres, all of which would occur on National Forest System lands. The proposal includes constructing an ore conveyor system between Panel F and the existing mill, and enlarging the Panel G lease for the purposes of expanding the overburden disposal area for Panel G. The proposal also includes using a geosynthetic clay laminate liner (GCLL) for all seleniferous materials at Panel G. Approval of a GCLL could require special use authorization from the U.S. Forest Service (USFS) to accommodate up to 17 acres of storm water control features outside of the lease areas.

Project Location:

The Smoky Canyon Mine is located approximately ten air miles west of Afton, Wyoming, and approximately eight miles west of the Idaho/Wyoming border. T. 8 S., R. 45 E. T. 8 S., R. 46 E. T. 9 S., R. 45 E. T. 9 S., R. 46 E. T. 10 S., R. 45 E.

Project Lead:	Diane Wheeler		
Phone Number:	208-557-5839		
Email Address:			
Office(s):	Pocatello FO	Lead Office:	Pocatello FO
Counties:	Caribou		
Program(s):	Minerals	Special Interest(s):	
Cooperating Agencies:			

Links:**Other Documents:****Scoping**

<u>Document Name</u>	<u>Publication Date</u>
Scoping Letter	06/04/2013



Smoky Canyon Mine Panels F and G Lease and Mine Plan Modification Project EIS



Explanation of the NEPA Process

What is NEPA?

The *National Environmental Policy Act* (NEPA) requires an environmental review of major Federal actions that have the potential to significantly affect the quality of the human environment. The purpose of the NEPA is to ensure that environmental considerations are incorporated into Federal decision-making. The two primary objectives of the NEPA are: (1) agencies must have available and fully consider detailed information regarding environmental effects at the time a decision is made; and (2) agencies must make the same information available to interested and/or affected persons, agencies, and organizations before decisions are made and before actions are taken. In some instances, the NEPA requires the preparation of an environmental impact statement (EIS) to analyze the environmental effects of a proposed Federal action.

Why Does NEPA apply to the Panels F and G Lease and Mine Plan Modification Project?

The Bureau of Land Management (BLM) and U.S. Forest Service (USFS) have determined that approval of the Panels F and G Lease and Mine Plan Modification Project proposed by the J.R. Simplot Company (Simplot) could have a significant impact on the environment and that consequently an EIS is required.

What is the NEPA Process for the Project?

- 1) In February 2013, Simplot submitted a lease and mine plan modification proposal for Panels F and G at the Smoky Canyon Mine to the BLM. Panels F and G are within Federal phosphate leases IDI-27512 and IDI-01441 on the Caribou-Targhee National Forest (CTNF). Federal actions must be analyzed in accordance with the NEPA and other relevant Federal and State laws and regulations to determine potential environmental consequences.
- 2) The BLM will be the lead agency for the preparation of the EIS. The USFS will serve as a co-lead and the Idaho Department of Environmental Quality as a cooperating agency. The BLM will direct the preparation of the EIS by a third-party contractor, JBR Environmental Consultants.
- 3) The BLM and the USFS will make separate but coordinated decisions related to the proposed Panels F and G Lease and Mine Plan Modification Project. The BLM will approve, approve with modifications, or deny the proposed lease and mine plan modifications. The decision will be based on the EIS and any recommendations the USFS may have regarding surface management of leased NFS lands. The USFS will make recommendations to the BLM concerning surface management and mitigation on leased lands within the CTNF. Special use authorizations from the USFS would be necessary for any off-lease disturbances/structures located within the CTNF and associated with the proposed action.
- 4) An internal (agency) scoping meeting occurred on April 19, 2013, in which resource issues were identified.
- 5) The public scoping process began on June 24, 2013, with publication of a Notice of Intent (NOI) in the *Federal Register*. A scoping notice was provided to the media in Idaho and Wyoming by a BLM news release, and notices were published in the legal notice sections of the *Idaho State Journal* and *Star Valley Independent* newspapers. Copies of the scoping notice were mailed to parties that have expressed

previous interest in BLM and USFS projects, as well as additional parties that might be interested in the project (e.g., adjacent land owners and land managers). In addition, scoping information was posted on the BLM website.

- 6) The publication of the NOI began a 30-day public scoping period during which three public meetings will be held. The public meetings will be in an open house format with poster exhibits, knowledgeable personnel to answer questions about the project, and a forum for commenting on the project. These meetings are as follows:
 - Wednesday, July 10, 2013; 6–8 p.m., Afton Civic Center, 150 S. Washington St., Afton, WY
 - Thursday, July 11, 2013; 6–8 p.m., BLM Office, 4350 Cliffs Drive, Pocatello, ID
 - Friday, July 12, 2013; 4–6 p.m., Shoshone-Bannock Hotel Event Center, I-15 Exit 80, Fort Hall, ID
- 7) Written comments, resource information, or concerns regarding the EIS may be submitted in person during one of the public meetings. Such information may also be mailed to: Panels F and G Lease and Mine Plan Modification Project EIS, C/O JBR Environmental, 8160 South Highland Drive, Sandy, UT 84093. Information may also be delivered personally to the BLM Pocatello Field Office, sent by facsimile (please reference “Panels F and G Lease and Mine Plan Modification Project EIS” on the cover page) to the attention of Greg Brown at (801) 942-1852, or sent electronically to blm_id_scm_panelsfg@blm.gov.
- 8) The public may examine documents pertinent to the proposed action at the BLM Pocatello Field Office, 4350 Cliffs Drive, Pocatello, ID between 7:45 a.m. and 4:30 p.m., Monday through Friday, except holidays. Project information and NEPA documents will be available at: https://www.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do. Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at (800) 877–8339 between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday.
- 9) Public input will be used to develop a range of alternatives and identify meaningful issues for environmental analysis. A scoping report will subsequently be prepared describing both the agency and public input received during the scoping period. The report will be included in the administrative record for the project. Persons who provide scoping input, as well as anyone who at any time provides notice of their interest in the project, will be included on the project mailing list.
- 10) Existing information will be gathered and reviewed and relevant new studies conducted as required to characterize the existing conditions of the environment at the project site. A draft EIS (DEIS) will be prepared to describe the proposed action and alternatives, and the baseline (existing) environmental conditions. The DEIS will identify the preferred alternative, if a preferred alternative exists. The DEIS will evaluate the potential environmental impacts of the proposed action and alternatives to a wide range of environmental and social resources. Potential mitigation measures to reduce impacts will be assessed. The impacts analysis will include an evaluation of cumulative impacts (i.e., the impacts on the environment that result from the incremental impact of an action when added to other past, present, and reasonably foreseeable actions). The DEIS will also describe consultation and coordination efforts that have occurred as part of the project. The DEIS is expected to be available to the public during late 2013.

- 11) When the DEIS is complete, a Notice of Availability (NOA) will be published in the *Federal Register* announcing the beginning of a 45-day public comment period on the DEIS. The comment period will begin the day after the NOA is published in the *Federal Register*. Only those who submit timely and specific written comments regarding the proposed project during a public comment period are eligible to file an objection as per 36 CFR 218.5(a). A news release regarding the availability of the DEIS will be provided to the same Idaho and Wyoming newspapers as the public scoping notice. Copies of the DEIS will be available per item 8, and provided to all persons who have requested to stay on the mailing list and/or those that have requested to receive the DEIS. During the comment period, public meetings will be held on the DEIS in the same cities as were held the public meetings during the scoping process.
- 12) Comments on the DEIS received from other agencies and the public during the comment period will be reviewed and addressed in the FEIS. The FEIS will identify the preferred alternative of the agencies. The FEIS is expected to be available to the public during summer/fall 2014.
- 13) When the FEIS is complete, an NOA will be published in the *Federal Register* to begin a 30-day availability period for the FEIS and a 45-day objection period for the USFS draft ROD. A news release regarding the availability of the FEIS will be provided to the same Idaho and Wyoming newspapers as the public scoping notice and the DEIS. Copies of the FEIS and the USFS draft record of decision (ROD) will be available per item 8, and provided to all persons who have requested to stay on the mailing list and those that have requested to receive the FEIS. Although the availability period is not a formal public comment period, the public may provide comments on the FEIS.
- 14) The BLM will consider public comments on the FEIS and determine whether any require the preparation of a supplemental EIS. The BLM and USFS will consider all public comments received during the availability period. Based upon the decisions to be made as described in item 3, the BLM will issue a ROD on the FEIS and any USFS recommendations concerning surface management and mitigation on leased lands within the CTNF. The USFS will issue a final ROD once the responsible official has reviewed and responded in writing to all objections meeting the criteria specified by 36 CFR 218.8. The RODs will document and discuss each agency's selected alternative, the environmentally preferable alternative (if different from the selected alternative), and any accompanying mitigation measures. The RODs are expected to be available to the public during late 2014.
- 15) A news release(s) announcing the availability of the RODs will be provided to Idaho and Wyoming media, and legal notices published in the same Idaho and Wyoming newspapers as the public scoping notice. Copies of the RODs will be available per item 8, and will be provided to all persons on the project mailing list.

How Can I Stay Involved?

Attend a scoping meeting. Add your name to the project mailing list. Fill out a comment sheet and return it for consideration by the BLM.

Whom Can I Contact if I Have Any Questions?

Should you have any questions, please contact: Diane Wheeler, Project Lead, BLM Pocatello Field Office, 4350 Cliffs Drive, Pocatello, ID 83204. Ms. Wheeler may also be contacted at (208) 557-5839.

Scoping/Information Package

The following Scoping/Information Package provided to the public contained Figures 1, 2, and 3 from the Scoping Information letter, and are not duplicated below.

SCOPING/INFORMATION PACKAGE

Panels F and G Lease and Mine Modification Project at the Smoky Canyon Mine Pocatello Field Office

This information package summarizes a proposal received by the Bureau of Land Management (BLM) for lease and mine plan modifications to Panels F and G at the Smoky Canyon Phosphate Mine in Caribou County, Idaho. Smoky Canyon Mine is approximately 10 air miles west of Afton, Wyoming, and 8 miles west of the Idaho/Wyoming border (**Figure 1**). Panels F and G are within Federal phosphate leases IDI-27512 and IDI-01441 on the Caribou-Targhee National Forest (CTNF). Federal actions must be analyzed in accordance with the *National Environmental Policy Act* (NEPA) and other relevant Federal and State laws and regulations to determine potential environmental consequences.

The purpose of this scoping package is to inform interested and affected parties of the proposal and to solicit comments to assist with the NEPA review of the proposal. Analysis of the proposal is ongoing, and will be documented in an environmental impact statement (EIS) with an estimated completion date of November 2014. The EIS will tier to the 2007 *Smoky Canyon Mine, Panels F and G—Final Environmental Impact Statement* (FEIS), which is available at <http://www.fs.fed.us/outernet/r4/caribou-targhee/phosphate/>. Comments received in response to this solicitation will be used to identify potential environmental issues related to the Proposed Action and to identify alternatives to the Proposed Action that meet the purpose of and need for the project.

Purpose and Need for Action

The purpose of the proposed project is to modify existing Panel G lease IDI-01441 and the approved mine and reclamation plan (MRP) for Panels F and G. The MRP originally proposed by the J.R. Simplot Company (Simplot) in 2003 was subsequently analyzed in the 2007 FEIS and authorized by BLM and U.S Forest Service (FS) records of decision (RODs) in 2008. The proposed lease and mine modifications are needed to safely accommodate overburden generated from mining Panel G and to realize opportunities for greater efficiencies in ore transportation.

The BLM is the delegated authority to issue and administer Federal phosphate leases, including approval of MRPs proposed on lease. As such, the BLM is the lead Federal agency for the EIS. The BLM intends to utilize an interdisciplinary team of FS staff for the EIS, and the FS will be a co-lead for the EIS. The Idaho Department of Environmental Quality is a cooperating agency.

Existing Condition

The 2007 FEIS for the original MRP for Panels F and G provides a detailed description of the existing conditions. Smoky Canyon mining and milling operations were authorized in 1982 by mine plan approval issued by the BLM and special use authorizations issued by the FS for off-lease activities. Mining operations began in Panel A in 1984 and have been continuing ever since with the mining of Panels A-E. Panel F is contiguous with the south end of the existing mine and Panel G is located approximately one mile southwest of Panel F. Mining activities

associated with Panel F were initiated in 2008 and are ongoing. The only mining activities associated with Panel G to date have been the early stages of haul road construction.

Activities at the mine must comply with the 2012 *Pocatello Resource Management Plan* and the 2003 *Revised Forest Plan for the Caribou National Forest*.

Proposed Action

Simplot submitted a lease and mine plan modification proposal for Panels F and G at the Smoky Canyon Mine in February 2013. The proposed mine plan modification to Panel F is related to the construction and use of an ore conveyance system between Panel F and the existing mill (**Figure 2**). The proposed conveyance system would generally follow an existing road and would deviate only where constraints dictate (i.e., too tight a corner on the road to construct the conveyor). Construction of the conveyor would eliminate the need to haul ore to the mill via haul trucks, although the access road would remain open to other vehicles. The proposed 4.5-mile conveyor system would include a crusher and stockpile location on lease in Panel F and a 25 kV power line secured to the conveyor structures. A portion of the conveyor system would be located off- lease and require a FS special use authorization.

There are three components to the proposed modification of Panel G (**Figure 3**): 1) modification of lease IDI-01441 by 280 acres to accommodate the expansion of the previously approved run-of mine east overburden disposal area (ODA); 2) increase in the on-lease disturbance area of the previously approved south ODA by 20 acres for the temporary storage of chert to be used for reclamation; and 3) utilization of a geo-synthetic clay laminate liner (GCLL), instead of the previously approved geologic cover design, over the in-pit backfill and the east external ODA. The current lease area for Panel G is not large enough to allow for maximum ore recovery and the necessary overburden disposal. The lease modification is necessary to accommodate all of the overburden generated from mining Panel G as analyzed in the FEIS¹. The proposed expansion of the external east ODA would require Simplot to mine Panel G in a south to north sequence, necessitating the temporary storage of an additional 20 acres of chert to be used for reclaiming the final highwall. The purpose of covering the entirety of seleniferous waste in Panel G with a GCLL is to limit or prevent the potential release of contaminants to the environment.

In addition, Simplot is proposing to construct stormwater control features to address run-off from the proposed GCLL. It is estimated that up to 17 acres of new disturbance may be necessary for these stormwater features. Portions of these features could be situated on-lease, within the proposed lease modification area, or off- lease. Off-lease disturbance would require FS special use authorization.

In total, approximately 160 acres are proposed for new disturbance. Compared to what was analyzed in the 2007 FEIS, there would be an additional 10 acres disturbed in Panel F for the ore conveyor system (mostly at the north end of Panel F); 20 acres for the Panel G south ODA

¹ At the time the RODs for the 2007 FEIS were issued, neither BLM nor FS could approve Simplot's original plan for overburden storage. This is detailed in the RODs, which are available at <http://www.fs.fed.us/outernet/r4/caribou-targhee/phosphate/>.

expansion for temporary chert storage; up to 17 acres for stormwater control features to address run-off from the GCLL at Panel G; and 113 acres for the Panel G east seleniferous ODA expansion.

Preliminary Issues

The majority of preliminary issues related to the Proposed Action occur from the proposed new surface disturbance and associated proposed lease modification. Issues include:

1. There would be an increase in the amount of disturbance by approximately 160 acres, or approximately 12 percent, over what was analyzed in the 2007 FEIS.
2. Potential impacts to groundwater quantity could be greater than those disclosed in the 2007 FEIS because of a decrease in recharge area to the Wells Formation from surface infiltration due to the GCLL.
3. Potential impacts to surface water quality after reclamation could increase due to the reduced infiltration of the GCLL which could increase peak stream flows. Increased peak stream flows have the potential to increase channel instability and cause stream bank and stream bed erosion.
4. The same types of potential impacts as those described by the 2007 FEIS but over an additional 160 acres for topography, soils, vegetation, wildlife, fisheries, threatened and endangered species, livestock management, recreation, visual and aesthetic resources, and cultural resources.
5. There would be an impact to approximately 70 acres of the Sage Creek Inventoried Roadless Area. This is 6 percent greater than was analyzed in the 2007 FEIS.

Preliminary Alternatives Development

No action alternative(s) to the Proposed Action have been developed to date.

Under the No Action Alternative, Simplot would implement the currently approved MRP as documented in the RODs. However, Simplot estimates that approximately 50 percent of the phosphate ore in Panel G, previously considered economically recoverable, would not be mined. The overall disturbance would remain essentially the same as what was approved in the 2007 FEIS. There would be no reduction in the duration of mining Panel G, as it is likely the Panel G pit would be blended with ore mined from other locations. In addition, the proposed conveyor system would not be approved, thus no new disturbance associated with the conveyor would occur. No lease modification to Panel G would be necessary under the No Action Alternative. The previously approved geologic cover would be used to limit or prevent the potential release of contaminants to the environment.

Decision to be Made

The BLM will make a decision regarding this proposal while considering: scoping comments and responses, anticipated environmental consequences discussed in the EIS; and applicable laws, regulations, and policies.

The BLM will use the EIS to:

1. Determine whether the proposed mine modifications to the existing Panels F and G MRP should be approved. If the proposed modifications are approved, the approval will include specific conditions and mitigations that Simplot would be required to implement.
2. Determine whether existing lease IDI-01441 should be enlarged to include the proposed areas and approve a lease modification.

The FS will use the EIS to:

1. Determine whether special use authorizations should be approved for construction of off-lease conveyor system structures and off-lease stormwater control features.

The BLM will decide whether to implement the Proposed Action, any feasible and potentially developed action alternative(s), or the No Action Alternative which is the currently approved MRP for Panels F and G.

Public Input Needed

Comments are specifically requested on the Proposed Action and preliminary issues. Comments made on this proposal would be most helpful if they are received by July 26, 2013 and are directly relevant to the proposal and project area. The BLM will not reject public feedback outside established public involvement timeframes; however, these comments may be considered secondary to comments received in a timely manner and may only be assessed to determine if they identify concerns that would substantially alter the assumptions, proposal, design, or analysis presented in the EIS. Written comments may be submitted to: Panels F and G Lease and Mine Plan Modification Project EIS, C/O JBR Environmental, 8160 South Highland Drive, Sandy, UT 84093; or via email at: BLM_ID_scm_panelsfg@blm.gov. Please reference "Panels F and G Lease and Mine Plan Modification Project EIS" on all correspondence. Identify whether you are submitting comments as an individual or as the designated spokesperson on behalf of an organization. Issues that are determined to be outside the scope of the proposal will not be addressed in the EIS.

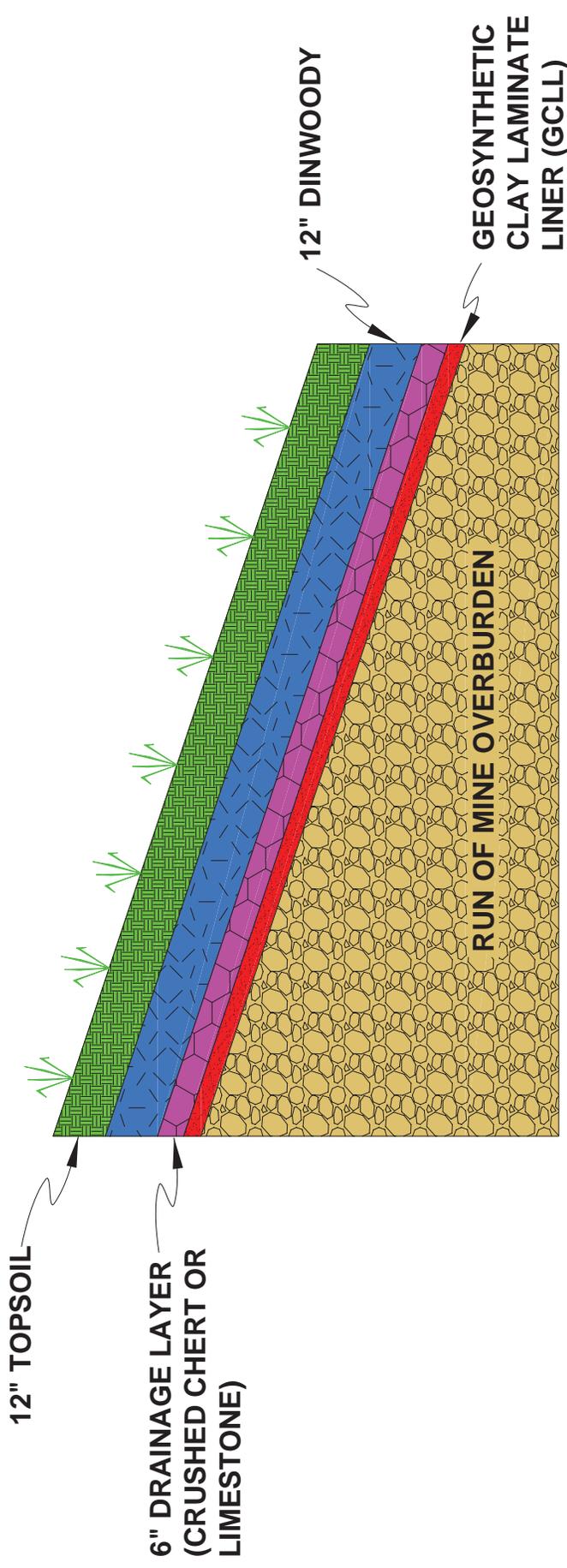
The primary contact for questions and comments for this analysis is Diane Wheeler, Project Lead, (208) 557-5839 or email: dkwheeler@fs.fed.us. Persons who use a telecommunications device for the deaf may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

Scoping Posters

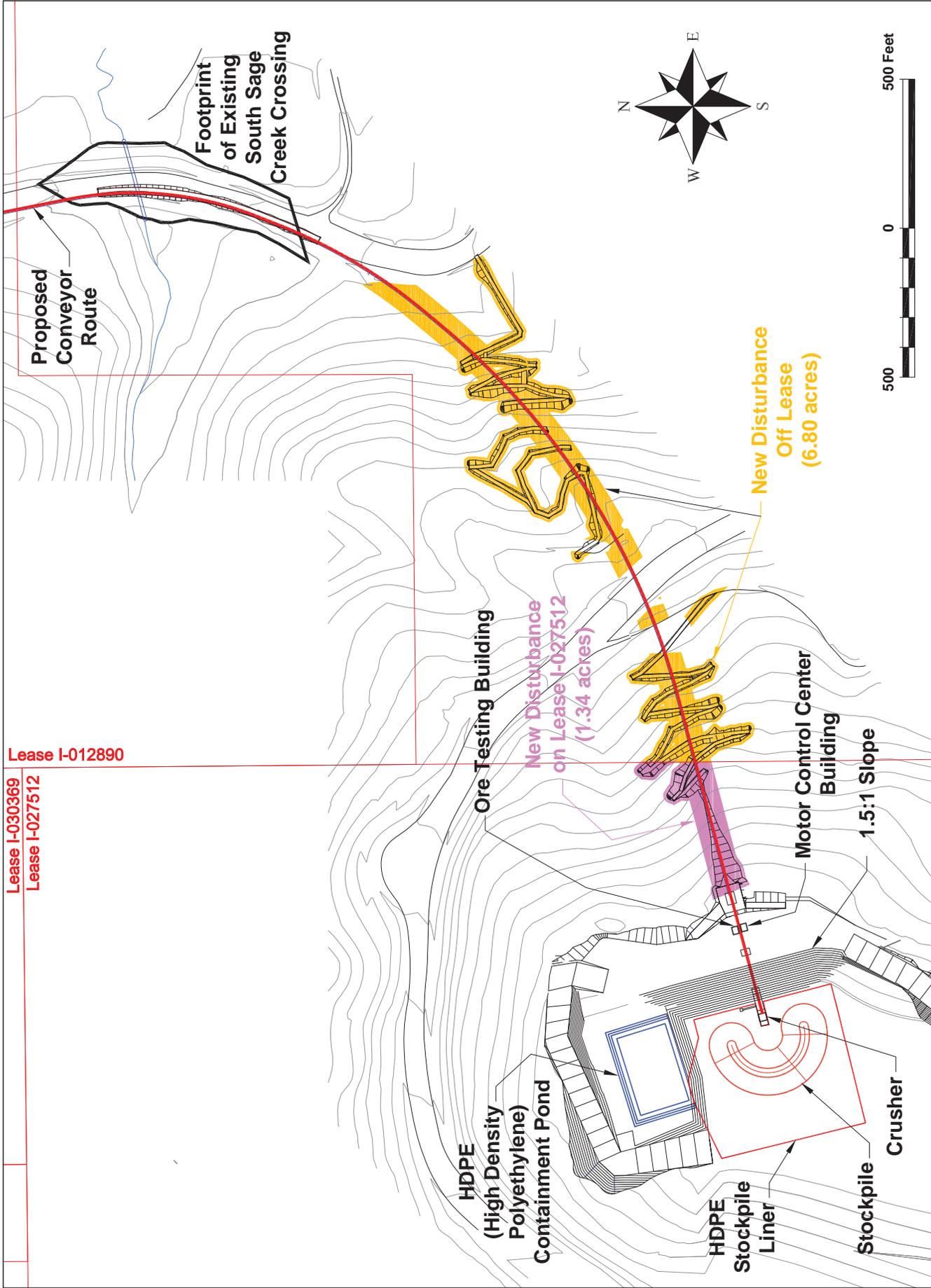
A total of seven posters were presented at scoping meetings. Figures 1, 2, and 3 from the Scoping Information letter were also used as posters and are not duplicated below. The following were also used as Scoping Posters:

- Geosynthetic Clay Laminate Liner
- Proposed Structures/Disturbance at the South End of Conveyor Route
- Conventional Conveyors vs. Pipe Conveyors
- Panel G Final Reclamation Including Stormwater Features On and Off Lease

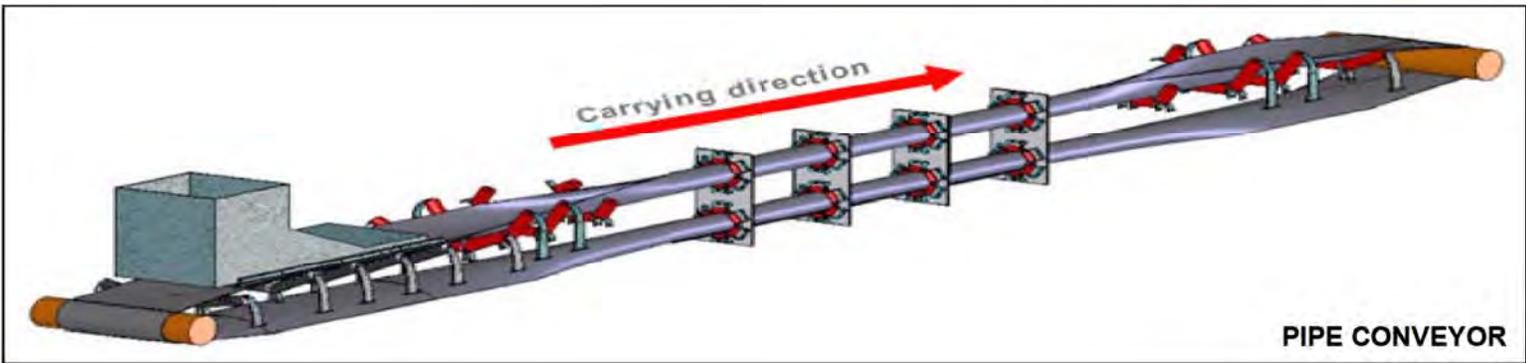
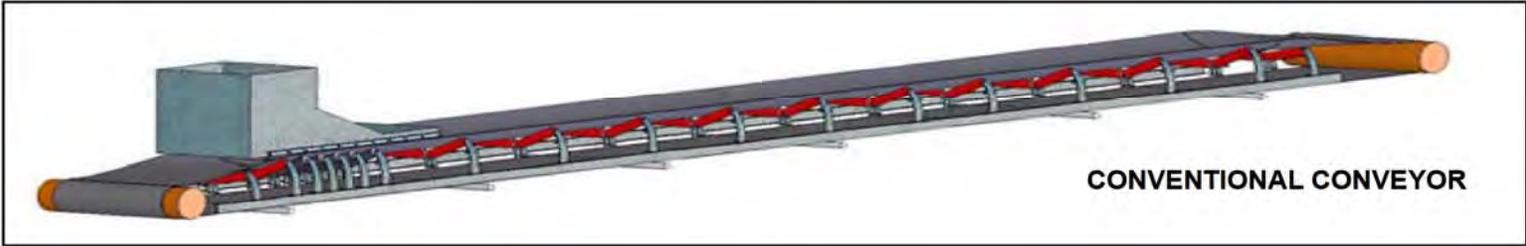
GEOSYNTHETIC CLAY LAMINATE LINER (GCLL)

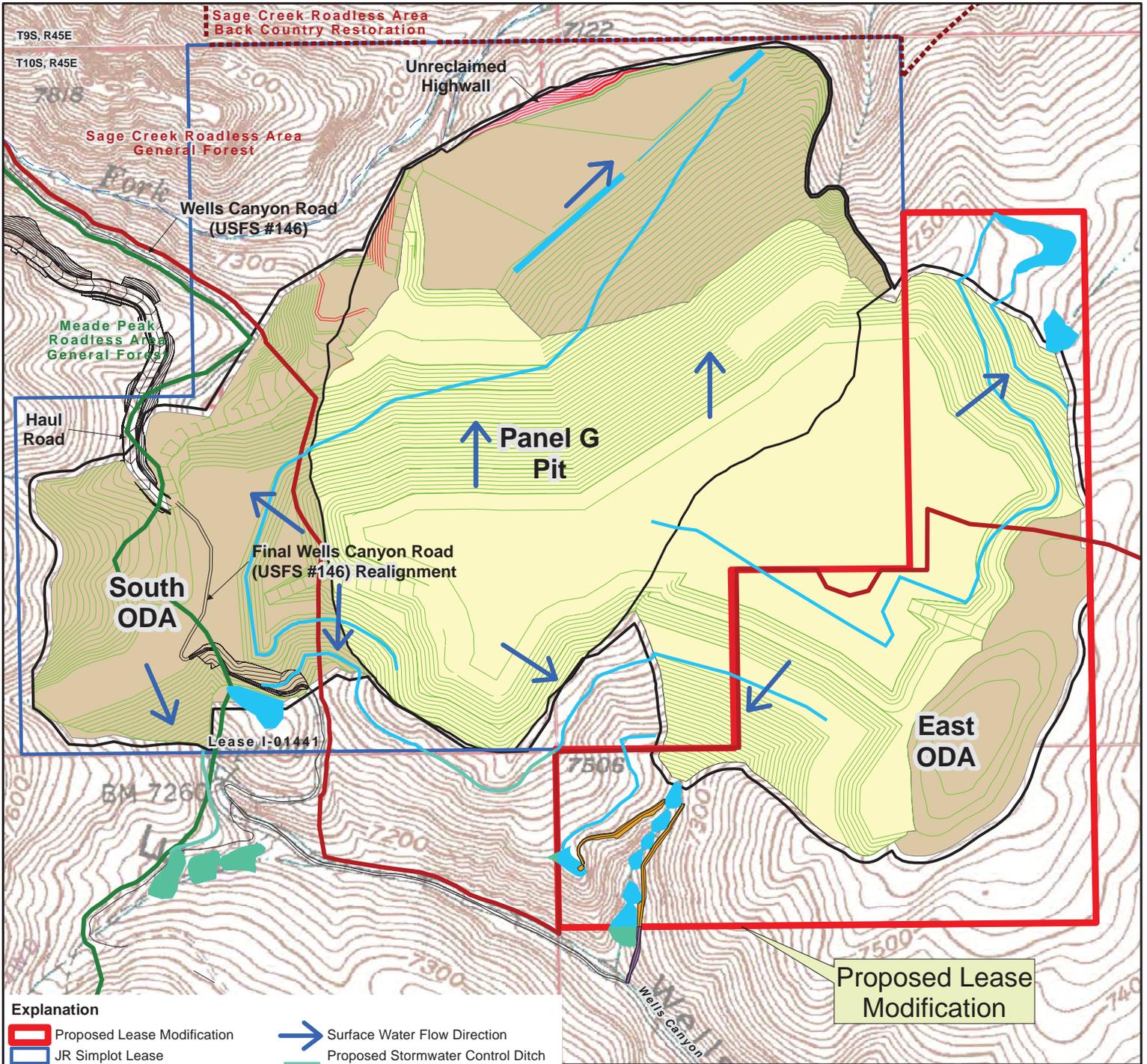


- The GCLL includes a bentonite clay layer inserted between two geotextile layers. (A geotextile is a woven sheet material that is resistant to penetration damage.)
- The bentonite component of the GCLL is dry when manufactured and becomes hydrated by contact with natural moisture present in the surrounding materials. When hydrated, the bentonite swells and the voids and spaces between the bentonite granules close allowing the GCLL to attain low permeability.
- Only shallow-rooted vegetation species would be planted on the GCLL.



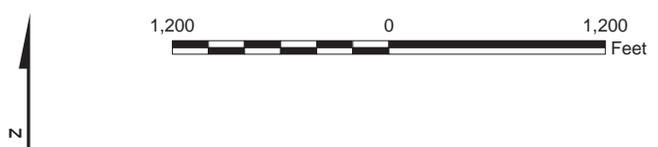
PROPOSED STRUCTURES/DISTURBANCE AT THE SOUTH END OF CONVEYOR ROUTE





Explanation

- | | | | |
|--|------------------------------|--|--|
| | Proposed Lease Modification | | Surface Water Flow Direction |
| | JR Simplot Lease | | Proposed Stormwater Control Ditch (Off Lease) |
| | Panel G Disturbance Boundary | | Proposed Stormwater Control Pond (On Lease) |
| | Panel G Pit Boundary | | Proposed Stormwater Control Road Disturbance (On Lease) |
| | Sage Creek Roadless | | Proposed Stormwater Control Ditch (On Lease) |
| | Meade Peak Roadless | | Proposed Stormwater Control Pond (Off Lease) |
| | Backcountry Restoration | | Proposed Stormwater Control Road Disturbance (Off Lease) |
| | Existing Drainage | | |
| | 10' Dinwoody 2:1 Contour | | |
| | 10' Reclaim Contour | | |
| | GCLL Cap | | |
| | Topsoil Cap | | |
| | Unreclaimed Highwall | | |



**Panel G Final Reclamation, including Storm Water Features On and Off Lease
Panel F & G Lease/Mine Plan Modifications EIS**

APPENDIX B –

Initial Scoping Mailing List

District Mailing List Updat (2)

Last Name	First Name	Organization Name	Address	City	State	Postal Code
Bebout	Reagen	Senator Michael B. Enzi Field Rep.	P.O. Box 12470	Jackson	WY	83002
Beller	Laurence		P.O. Box 160	Swan Valley	ID	83449-0160
Bitton	Keith		397 Fish Hatchery Road	Grace	ID	83241
Cagle	Jim	Agrium	3010 Conda Road	Soda Springs	ID	83276
Clezie	Lane	Alternative Vice President Sci	13542 West Trail Creek Road	Pocatello	ID	83204-7014
Cook	Jeff	Id. Dept. of Parks & Recreation	P.O. Box 83720	Boise	ID	83720-0065
Crapo	Senator Mike	United States Senator	275 South 5th Avenue, Suite 225	Pocatello	ID	83201
Cundick	Jeff	BLM Pocatello Field Office	4350 Cliffs Drive	Pocatello	ID	83204-2105
Curry	Neal	C2C Holdings Inc.	933 South 3rd West	Grace	ID	83241
Dahlke	Tucker		P.O. Box 433	Inkom	ID	83245
Davis	Dr. Warren J.		1740 Lance Drive	Pocatello	ID	83204
DeMott	Steve		160 Tabor Avenue	Idaho Falls	ID	83401
Drameu	Gregg		P.O. Box 88 2303 Smoky Canyon Road	Auburn	WY	83111
Dredge	Alicia	Jouglard Sheep Company	P.O. Box 245	Rupert	ID	83350
Dunn	Dennis	C/O IDWR	900 North Skyline Drive, Suite A	Idaho Falls	ID	83402
Eliason	Robert		524 Stansbury	Pocatello	ID	83201
Erickson	Rob	Dry Creek Lumber	3497 Dry Creek Road	Alton	WY	83110
Facer	Ron & Linda		P.O. Box 281	Grace	ID	83241
Fairbrother	Jennifer	FSEEE	P.O. Box 11615	Eugene	OR	97440
Ferguson	Kym		15533 East Rinie Hwy	Rinie	ID	83443
Field	Jeremy	Office of US Senator James E. Risch	275 South 5th Avenue, #290	Pocatello	ID	83201
Fisher	Sandi	US Fish & Wildlife Service Eastern Idaho Field Office	4425 Burley Drive, Suite A	Chubbuck	ID	83202
Folger	Helen	Osprey Ranch LLC	10512 Samaga Drive	Oakton	VA	22124
Fuchs	Tim	Wyoming Game & Fish	P.O. Box 67	Jackson	WY	83001
Hansen	Kirk	Mayor of Soda Springs	9 West 2nd South	Soda Springs	ID	83276
Harris	Dale	Co-Chair, RACNAC	1434 Jackson Street	Missoula	MT	59802
Heiner	La Dell		718 Stateline Road	Freedom	WY	83120
Hoyt	Marv	Greater Yellowstone Coalition	162 North Woodruff Avenue	Idaho Falls	ID	83401-4335
Jarry	Tate	Live Water Properties	P.O. Box 9240	Jackson	WY	83002
Jones	Jeff		4350 Cliffs Drive	Pocatello	ID	83204
Joyner	James	Army Corps of Engineers	900 North Skyline Drive, Suite A	Idaho Falls	ID	83402
Kay	Ron	Idaho State Department of Agriculture	2270 Old Penitentiary Rd. PO Box 7249	Boise	ID	83707
McNamara	Lori	North Wind, Inc.	1425 Higham	Idaho Falls	ID	83402
Mende - ESB	Jim	S E Region, Idaho Fish & Game	1345 Barton Road	Pocatello	ID	83204
Mickelsen	Larry	USDA NRCS	390 East Hooper Avenue	Soda Springs	ID	83276
Miller	Gary L.		5621 Highway 34	Wayan	ID	83285-5105
Minhondo, Trust	Edward J.		2263 South 750 East	Bountiful	UT	84010
Moosman	Rosa	The News-Examiner	P.O. Box 278	Montpelier	ID	83254
Nate	Fred & Dianne		537 Washington Street	Montpelier	ID	83254
Noe	Wally		4016 Nora	Pocatello	ID	83204-2020
Owens	Ron		P.O. Box 114	Soda Springs	ID	83276
Palmer	Tim		358 West 1135	Idaho Falls	ID	83404
Panting	Mike		271 So. 2nd West	Soda Springs	ID	83276
Panting	Rauhn	Oneida County Commissioner	30 North 100 West	Malad	ID	83252
Riede	Pete		P.O. Box 220	Alton	WY	83110-0220
Robison	John, Public Land Director	Idaho Conservation League	P. O. Box 844	Boise	ID	83701
Rowe	Mike	IDEQ	400 Hospital Way, Suite 333	Pocatello	ID	83201
Shuler	Craig		255 West 4th South	Soda Springs	ID	83276
Smith	Brad	Idaho Conservation League	P.O. Box 844	Boise	ID	83702
Smith	David C. & Aneta		4732 Highway 34	Wayan	ID	83285
Steele	Mark	Caribou County Sun	P.O. Box 815	Soda Springs	ID	83276
Strong	Katie		1427 M ST	Anchorage	AK	99501-4958
Stucki	John R.		325 Algonquin Drive	Ballwin	MO	63011

District Mailing List Updat (2)

Stucki	John R.		P.O. Box 278	Paris	ID	83261
Sturm	Jack		541 East 1st North	Soda Springs	ID	83276
Sweeney	Jeff		3055 Ross Ave	Idaho Falls	ID	83406
Sweeney	Shawn		3642 East Ivory Circle	Idaho Falls	ID	83401
Teichert	Jonathan	Lincoln County Wyoming Planning & Development	520 Topaz Street, Suite 109	Kemmerer	WY	83101
Tigert	Coby & Linda		2037 Sandy Lane	Pocatello	ID	83204-4720
Thorpe	Kate	Public Lands Intern Idaho Conservation League	Box 844	Boise	ID	83701
Toner	Kevin	Aristeria Capital LLC	136 Madison Avenue, 3rd Floor	New York	NY	10016
Vranes	Randy	Monsanto	P.O. 816	Soda Springs	ID	83276-0816
Waite	Christine		444 Hospital Way, #300	Pocatello	ID	83201
Whitney Jr.	Dickson L.		669 Chargin River Road	Gates Mills	OH	44040
Whitney Sr.	Dickson L.	Osprey Ranch LLC	P.O. Box 1427	Afton	WY	83110
Whitworth	Lin		P.O. Box 183	Inkom	ID	83245
Wilcox	Gary	Wilcox Logging, Inc.	9169 400 West	Rexburg	ID	83440
Williams	Bill R. & Elizabeth A.		2677 Comanche Circle	Salt Lake City	UT	84108
Woodard	Matt	Trout Unlimited	151 North Ridge Avenue, Suite 120	Idaho Falls	ID	83402
		IDEQ Pocatello Regional Office	444 Hospital Way #300	Pocatello	ID	832011
		Idaho Department of Lands Eastern Idaho Supervisory Area	3563 Ririe Hwy	Idaho Falls	ID	83401
		Power County Commissioners	543 Bannock	American Falls	ID	83211
		Osprey Ranch LLC	2910 Harvard Avenue	Cleveland	OH	44105
		Pearl Land & Development, LLC	P.O. Box 128	Randolph	UT	84064
		U.S. EPA Region 8, EPR-N	1595 Wynkoop Street	Denver	CO	80202-1129
		Georgetown City Council Members	P.O. Box 99	Georgetown	ID	83239
		US EPA Region 10	1200 Sixth Avenue	Seattle	WA	98101
		Caribou County Commissioners	159 South Main Street	Soda Springs	ID	83276
		Western Watersheds Project - Idaho Office	Box 1770	Hailey	ID	83333
Jason	Walker	Northwest Band of the Shoshone Nation	Pocatello Tribal Office 505 Pershing Ave Suite 200	Pocatello	ID	83201
		Lincoln County Commissioners	925 Sage Avenue, Suite 302	Kemmerer	WY	83101

APPENDIX C –

Scoping Meeting Attendance Lists

Smoky Canyon Mine Panels F and G Lease and Mine Plan Modification EIS Project

PUBLIC SCOPING MEETING ATTENDANCE

DATE: July 10, 2013

LOCATION: Afton, Wyoming

page 1 of 2

Name	Full Mailing Address	Please Include Me in the Project Mailing List
Brian Buck	8160 S. Highland Drive Sandy, UT 84093	Yes
JONATHAN TECHERT	520 TONAZ ST. SUITE 109 KENNEDY, WY 83101	YES
ANITA LUSTY	PO. Box 1696 Afton WY 83110	NO
Monte Clemow	PO Box 7 Fairview, WY 83119	
Diane Wheeler	64 S. 35 W. Blackfoot, ID 83221	No
Jeff Cundick	BLM, PFO	

Smoky Canyon Mine Panels F and G Lease and Mine Plan Modification EIS Project

PUBLIC SCOPING MEETING ATTENDANCE

DATE: July 10, 2013

LOCATION: Afton, Wyoming

page 2 of 2

Name	Full Mailing Address	Please Include Me in the Project Mailing List
Greg Brown	8160 S. Highland Drive Sandy, UT 84093	Yes
Pete Riede	97 Star West Dr. Afton WY 83110	Yes
Jody Riede	"	"
Scott Lusty	Simplot	"
Grant Williams	"	"
Ron Hager	"	"
Dustin Hanson	"	"
Brent Stewart	P.O. Box 917 Afton WY 83110	"
Deb Wolfly	P.O. Box 10 Fairview WY	"
Athen Whitney Folger	10512 Samaga P., Oakton VA 22124	Yes
John Cunningham	PO 1684 Afton WY 83110	Yes

Smoky Canyon Mine Panels F and G Lease and Mine Plan Modification EIS Project

PUBLIC SCOPING MEETING ATTENDANCE

DATE: July 11, 2013

LOCATION: Pocatello, Idaho

page 1 of 2

Name	Full Mailing Address	Please Include Me in the Project Mailing List
Greg Brown	8160 S. Highland Drive Sandy, UT 84093	Yes
Diane Wheeler	645.35 W., Blackfoot, ID 83221	No
ALAN HASLAM	10955 PAINT BRUSH LANE POCATELLO, ID 83202	YES
COBY TUBERT	2037 SANDY LANE POCATELLO ID 83209	ALREADY ON YES
DENNIS FACER	9197 Pocatello CK Pocatello, ID 83201	
David Alderman	145 Charles Place Pocatello, ID 83201	NO

APPENDIX D –

Comment Letters – Responses to Scoping



July 9, 2013

Panels F and G Lease and Mine Plan Modification Project EIS
c/o JBR Environmental
8160 South Highland Drive
Sandy, Utah 84093

RE: *Scoping Comments on Panels F and G Lease
and Mine Plan Modification*

To Whom It May Concern,

My name is Dickson L. Whitney, Jr. and our family owns the Osprey Ranch, which is situated along Crow Creek, with its southern border extending just past Manning Creek Canyon and its northern border just shy of the confluence of Sage Creek and Crow Creek. Our family has been living, hunting, fishing, riding, hiking, and enjoying this property for over twenty-three years. We have actively voiced our concerns over many aspects of the Smoky Canyon Mine for many years, not with the intention of prohibiting mining, but more to the issue of responsible mining, selenium control and remediation, and meaningful mine closure strategies intending to return the public property back to the public for recreational uses such as hunting, fishing, hiking, and camping as soon as possible.

The history of the Idaho Phosphate Mining Industry and their designated oversight agencies, the BLM, FS, and EPA, have been abysmal over the years and is evidenced by the large number (seventeen) of current and former mine sites that currently exist under CERCLA (Superfund) clean up orders. This has been a clear violation of the people's interest and trust, which has really only asked that the land be put back to essentially the way it was found before mining.

As a direct neighbor to the Simplot Panels F and G, we have issues that we would like you to address in order that we might understand if your modification request will add to a still tenuous situation of unfulfilled agreements from previous ROD's, or actually result in a meaningful improvement of the site's long-term remediation issues.

Previous Simplot agreements concerning selenium abatement under 2008 ROD's from Sage and its tributaries.

It is now fact that the Pole Creek Diversion Project, developed and promoted by Simplot in 2007, has been a complete failure resulting in higher selenium concentrations throughout the entire Sage Creek watershed.

- a • Why has Simplot not been required to comply with the previous remediation agreements and complete the remediation to the agreed-upon selenium release standards?
- b • What if the mining of Panels F and G results in similar violations of federal and state selenium concentrations in the Clear Creek, Deer Creek, and Manning Creek watersheds and then ultimately on to Crow Creek?
- c • We note that Simplot's response to date for selenium release violations at Sage Creek, Crow Creek, and Pole Creek, has been to ask the regulators for an exemption from the agreed-upon standards (*Proposed Site-Specific Selenium Criterion, Sage and Crow Creeks, Idaho, January 2012*). Talk about moving the goal posts in the middle of the game!
- d • It seems to us that Simplot has admitted that they cannot, or will not, comply to meet the agreed-upon selenium concentration levels for Sage, Pole, and Crow; therefore, it seems entirely probable that they cannot, or will not, meet the requirements for Deer Creek, Manning Creek, or Clear Creek once the development of Panel G commences.
- e • Frankly, we have no confidence that the selenium issue will ever be adequately addressed by Simplot or that the overseeing state and federal agencies responsible for compliance will enforce these standards.

Noise implications of a conveyor system.

- f • Unfortunately, with the expansion of the F and G Panels, we hear heavy equipment at all hours of the day and night. Being located on the eastern side of the mine often exposes us to the prevalent western winds. We can only assume more exposure to noise with the mining of Panel G.
- g • What noise levels will be agreed to with respect to the conveyor system?
- h • What monitoring of decibel levels will occur and will the results be made public on a continuous basis?
- i • What input will neighbors have in determining acceptable noise levels?

Utilization of a geosynthetic clay laminate liner (GCLL).

- j • What selenium discharge standards to the Deer Creek, Manning Creek, or Clear Creek watershed will be in effect - those agreed to in the original Panels G and F (FEIS) or those now being promoted by Simplot in response to the failed selenium remediation of the Sage, Pole, and Crow Creeks?
- k • If the GCLL is the desired route, what experience does the BLM, FS, and EPA have with this technique as it pertains specifically to selenium discharges at similar mining sites?
- l • If the GCLL technology is indeed supported and desired by the BLM, FS, and EPA for Panel G, why is it not being proposed for Panel F?
- m • Why not the Pole Creek Diversion and Panels A, D, and E, which continue to fail compliance with the original EIS?

Runoff.

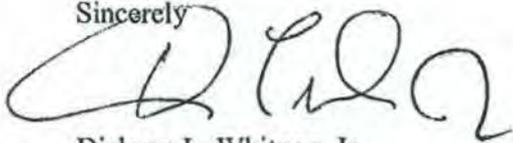
- n • Failure to accurately design and implement effective runoff containment as a result of the utilization of a GCLL could create tremendous water quality issues throughout the entire Crow Creek watershed. How do we know that the runoff design is robust enough to handle the peak runoff water loads?

As a direct neighbor to the Smoky Canyon Mine, and one that is clearly frustrated by Simplot's inability to comply with previous agreed-upon discharge standards concerning selenium, we obviously take a very skeptical view of requests for modifications made by the company.

The issues surrounding selenium pollution are well-known, well-documented, and, unfortunately, a legacy that the residents of Idaho are stuck with for many years to come, long after Simplot and the other mining companies have left the area.

We ask that our concerns be answered in writing and appreciate this opportunity to comment.

Sincerely

A handwritten signature in black ink, appearing to read "D. Whitney, Jr.", written in a cursive style.

Dickson L. Whitney, Jr.
Osprey Ranch
Crow Creek Road
P. O. Box 1427
Afton, WY 83110



**Smoky Canyon Mine Panels F and G
Lease and Mine Plan Modification Project
Environmental Impact Statement (EIS)**



②

SCOPING COMMENT SHEET

Informed decisions are better decisions: The Bureau of Land Management (BLM), U.S. Forest Service, and other cooperating agencies believe that public involvement will serve to improve communication, develop enhanced understanding of different perspectives, and identify solutions to issues and problems. We look forward to hearing from you.

How to provide public input:

- 1) deliver the form in person to the BLM Pocatello Field Office at 4350 Cliffs Drive, Pocatello, Idaho;
- 2) deliver the form in person to a public scoping meeting;
- 3) mail the form to the address on the reverse;
- 4) send the form by facsimile to the attention of Greg Brown at (801) 942-1852; or
- 5) provide your input to: blm_id_scm_panelsfg@blm.gov using any widely available electronic format such as .doc, .pdf, .rtf, .txt, etc.

Name Monte Clemow County CARIBOU
 Title RANCH MANAGER Organization OSAREY RANCH
 Mailing Address Box 7
 City Fairview State WY Zip 83119
 Email crowcreek1460@yahoo.com
 Date 7-11-13 Meeting Location (if applicable) AFTON CIVIC CENTER

- Please check box if you want to be on the mailing list for future updates and notifications for this project. The Draft EIS will be posted on the BLM Pocatello Field Office website. You will be notified when it is available.
 Please check box if you want to receive a copy of the Draft EIS (on CD) in the mail.

COMMENT (use back side if you need additional space or attach additional sheets)

Meeting was very informative
 a 1. Question I have is: IS there going to be increased
mine traffic going to panel G on the Crow Creek Road
 b 2. WHAT will be the noise level of conveyor.
 c 3. Will The Wells Canyon Road Be open to Traffic
going to George Town

Please check box if you do **not** want your name released when comments are made public.

Comments, including names, street addresses, e-mail addresses, and phone numbers (if provided) of respondents will be available for public review at the BLM Pocatello Field Office during regular business hours (7:45 am to 4:30 pm), Monday through Friday, except holidays. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.



Greater Yellowstone Coalition

People protecting the lands, waters, and wildlife of the Greater Yellowstone Ecosystem, now and for future generations.

BOZEMAN • CODY • IDAHO FALLS • JACKSON

162 N. Woodruff Ave. • Idaho Falls, Idaho 83401 • (208) 522-7927 • www.greateryellowstone.org

July 11, 2013

Panels F and G Lease and Mine Plan Modification Project EIS
 C/O JBR Environmental
 8160 South Highland Drive
 Sandy, Utah 84093

Re: Scoping comments on Panels F and G Lease and Mine Plan Modification

To Whom it may Concern:

The following are the comments of the Greater Yellowstone Coalition (“GYC”) on the above-referenced project. GYC is a 501(c)(3) non-profit organization dedicated to protecting the wildlands, wildlife, and other outstanding natural resources of the Greater Yellowstone Ecosystem. GYC has offices in Idaho, Wyoming, and Montana with approximately 27,000 members and supporters nationwide. GYC has been involved with phosphate mining issues in Idaho for the past 17 years. GYC’s members regularly use and enjoy the lands and waters of southeast Idaho for a variety of activities such as fishing, hiking, hunting, wildlife viewing, spiritual renewal, biological and botanical research, photography, and other pursuits. The proposed project will affect GYC and its members’ interests.

As noted in the scoping notice, the proposed modifications include increasing Lease I-01441 by 280 acres to facilitate an additional 160 area of disturbance; the use of a geo-synthetic clay laminate liner (GCLL) over almost 400 acres of disturbed land; increasing the area of the southwest disposal area by 20 acres; and the construction of a conveyer system to move ore between Panel F and the mill site. The lease modification would allow for the permanent disposal of seleniferous overburden on an additional 113 acres from what was approved in the 2008 ROD. Furthermore, an additional 70 acres of lands within the Sage Creek and Meade Peak Inventoried Roadless Areas will be affected by this modification proposal. **These two roadless areas provide important habitat for a wide range of wildlife species, including but not limited to elk, moose, deer, cavity-nesting birds, passerine species, and amphibians.**

a

National Environmental Policy Act

In order to implement this proposal, the BLM and Forest Service (“Agencies”) will need to comply with the National Environmental Policy Act (“NEPA”). Enacted upon “recognizing the profound impact of man’s activity on the interrelations of all components of the natural environment,” NEPA seeks to “promote efforts which will prevent or eliminate damage to the environment.” 42 U.S.C. § 4331; *id.* § 4321. NEPA implements its environmental protection objectives by requiring federal agencies to analyze the environmental impacts of a particular action before committing resources to the project. 42 U.S.C. § 4332(2)(C). “By focusing both agency and public attention on the environmental effects of those proposed actions, NEPA facilitates informed decisionmaking by agencies and allows the political process to check those decisions.” *New Mexico v. Bureau of Land Mgmt.*, 565 F.3d 683, 703 (10th Cir. 2009). “The NEPA process is intended to help public officials make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment.” 40 C.F.R. § 1500.1(c).

The specific requirements of NEPA have been laid out more precisely in longstanding regulations issued by the Council on Environmental Quality. They require that federal agencies shall “[u]se all practicable means, consistent with the requirements of the Act and other essential considerations of national policy, to restore and enhance the quality of the human environment and avoid or minimize any possible adverse effects of their actions upon the quality of the human environment.” *Id.* § 1500.2(f). As part of this policy, agencies shall “[u]se the NEPA process to identify and assess the reasonable alternatives to proposed actions that will avoid or minimize adverse effects of these actions upon the quality of the human environment.” *Id.* § 1500.2(e).

A. Purpose and Need Statement

NEPA planning begins with an identification of the purpose and need for a project. NEPA’s implementing regulations provide that an environmental document should “briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action.” 40 C.F.R. § 1502.13. The purpose and need will be judged under a reasonableness standard, and “[a]gencies are afforded considerable, although not unlimited, discretion to define the purpose and need of a project.” *Northwest Ecosystem Alliance v. Rey*, 380 F. Supp. 2d 1175, 1185 (W.D. Wa. 2005) (citation omitted). However, “deference does not mean dormancy, and the rule of reason does not give agencies license to fulfill their own prophecies, whatever the parochial impulses that drive them.” *Citizens Against Burlington, Inc. v. Busey*, 938 F.2d 190, 196 (D.C. Cir. 1991), *cert denied*, 502 U.S. 994, 112 S. Ct. 616 (1991). Accordingly, “an agency may not define the objectives of its actions in terms so unreasonably narrow that only one alternative from among the environmentally benign ones in the agency’s power would accomplish the goals of the agency’s action, and the EIS would become a foreordained formality.” *Id.* (citation omitted); *see also City of New York v. U.S. Dep’t of Transp.*, 715 F.2d 732, 743 (2d Cir. 1983) (“[A]n agency will not be permitted to narrow the objective of its action artificially and thereby circumvent the requirement that relevant alternatives be considered.”). Furthermore, an agency must exercise independent judgment in defining the purpose and need of a project and cannot rely exclusively on the statements and opinions of the applicant. *See Simmons v. U.S. Army Corps of Eng’rs*, 120 F.3d 664, 669 (7th Cir. 1997) (stating that “an agency cannot restrict its analysis to those alternative means by which a particular applicant can reach his goals”) (internal citation and quotations omitted).

b According to the scoping notice for this proposal, “[t]he purpose and need for the agencies is to evaluate and respond to the proposed lease and mine plan modifications for the existing Panel F and Panel G.”¹ The purpose and need statement should be modified by adding the phrase “ensuring that water quality and quantity, wildlife (including Yellowstone cutthroat trout) and their habitats, and roadless area values are protected or enhanced.” The Agencies may believe this intent is inherent in their decision(s), however, given the dismal track record of polluted streams, hundreds of livestock deaths, and as many as 17 current and former mine sites under CERCLA (Superfund) cleanup orders, we believe that the need to protect these important public resources should be overtly stated up front.

B. Reasonable Alternatives

NEPA also requires that an environmental analysis must “study, develop, and describe” reasonable alternatives to the proposed federal action. 42 U.S.C. § 4332(2)(E). This alternatives analysis is “the heart of” the environmental analysis, 40 C.F.R. § 1502.14, and NEPA’s implementing regulations emphasize that an environmental analysis must “[r]igorously explore and objectively evaluate all reasonable alternatives.” 40 C.F.R. § 1502.14(a) (emphasis added). The agency must consider a reasonable range of alternatives that would satisfy the stated “purpose and need” for a given project. See, e.g., Idaho Conservation League v. Mumma, 956 F.2d 1508, 1520 (9th Cir. 1992) (“nature and scope of proposed action” determines the range of reasonable alternatives agency must consider).

NEPA requires discussion of alternatives to “provid[e] a clear basis for choice among options by the decisionmaker and the public.” 40 C.F.R. § 1502.14 (emphasis added); see also 42 U.S.C. § 4332(2)(E); 40 C.F.R. §§ 1507.2(d), 1508.9(b). The requirement for analysis of a reasonable range of alternatives applies to EAs as well as EISs. Akiak Native Community v. U.S. Postal Service, 213 F.3d 1140, 1148 (9th Cir. 2000). This requirement exists “to insist that no major federal project should be undertaken without intense consideration of other more ecologically sound courses of action, including shelving the entire project, or of accomplishing the same result by entirely different means.” Envtl. Defense Fund v. Corps of Eng’rs, 492 F.2d 1123, 1135 (5th Cir. 1974) (emphasis added); see also Methow Valley Citizens Council v. Regional Forester, 833 F.2d 810 (9th Cir. 1987) (agency must consider alternative sites for a project), rev’d on other grounds, 490 U.S. 332 (1989). “The existence of a viable but unexamined alternative renders an environmental impact statement inadequate.” Alaska Wilderness Recreation & Tourism v. Morrison, 67 F.3d 723, 729 (9th Cir. 1995).

c In this case, in addition to the proposed action and no action alternatives, the Agencies should consider other alternatives that reflect the realities revealed by any modeling for the proposal and the analysis of what that modeling may reveal. . Based on detailed analyses of the proposal, other reasonable alternatives might include a more limited use of a GCLL, no additional use of roadless areas, the expansion of the conveyor system to Panel G, a more limited area of mining of Panel G in order to keep the mine disturbance footprint limited to what was approved by the 2008 Record of Decision for Panels F and G (RODs), and/or no mining of Panel G until Simplot takes the necessary remedial actions to clean up selenium contamination resulting from its past mining operations at the Smoky Canyon Mine.

¹ Public Scoping letter, Panels F and G Lease and Mine Plan Modification Project at Smoky Canyon Mine Environmental Impact Statement, June 24, 2013 at 2.

d As the Agencies are well aware, the 2008 RODs relied upon a major assumption that the small effort by Simplot to abate selenium contamination of Sage Creek and its tributaries would work. Unfortunately, the diversion of Pole Canyon Creek around the cross-valley fill placed in Pole Canyon that was to result in significant abatement of selenium the Sage Creek drainage has been an abysmal failure. Rather than abate selenium discharges to surface waters via Hoopes Spring, selenium concentrations are more than double what they were in 2007 when the diversion of Pole Canyon Creek was diverted. Given that selenium concentrations continue to go unabated and that Simplot has made little progress in cleaning up those discharges, the Agencies now have the opportunity to reconsider their 2008 RODs and require cleanup action by Simplot before any mining takes place at Panel G.

C. The Agencies must take a hard look at the environmental effects of the proposed action.

f The Agencies must consider the environmental implications of the proposed action before making any decision. NEPA requires federal agencies to “consider every significant aspect of the environmental impact of a proposed action...[and] inform the public that it has indeed considered environmental concerns in its decisionmaking process.” Earth Island Inst. v. U.S. Forest Serv., 351 F.3d 1291, 1300 (9th Cir. 2003). NEPA’s procedural requirements “force agencies to take a ‘hard look’ at environmental consequences” (*id.*) and must be fulfilled “before decisions are made and before actions are taken.” 40 C.F.R. §§ 1500.1(b), 1502.5; Save the Yaak Committee v. Block, 840 F.2d 714, 718 (9th Cir. 1988). The Agencies, for example, must thoroughly evaluate the potential impacts to water quality and quantity, fish and wildlife and their habitats, and inventoried roadless areas.

1. Water Quality/Quantity

g The proposal to use a GCLL for Panel G run-of-mine overburden rather than engineered earthen cover design could, if installed perfectly, better prevent transport of selenium in surface and ground water. There are, however, other potential effects that must be considered and analyzed. For example, the EIS should analyze the effects of the different seepage amounts flowing to Deer Creek, Books Spring, and the springs in Wells Canyon that will result from the proposed mine modifications as opposed to what was analyzed in the 2007 EIS. The analysis should include reliable modeling that discloses the seepage location and how that may affect Deer Creek and the locally important Books Spring. The seepage rates and selenium loads delivered to the groundwater and to Deer Creek, Books Spring, and the springs along Wells Canyon appear to be some of the most important differences between the previously approved mine plan for Panel G and this proposal. Seepage and load could change because the area of seleniferous overburden stockpile will increase. While the installation of a GCLL liner might help control seepage into the overburden, it could result in other detrimental effects. For example, the use of a GCLL could cause recharge from runoff downhill of the dump to create a groundwater mound that then seeps back into the waste, causing a contamination problem that then manifests itself as the groundwater discharges into area surface waters. These potential effects must be disclosed and analyzed in the new environmental analysis.

2. Yellowstone Cutthroat Trout

In addition, waters that flow off the land directly, or that infiltrate the ground, in turn recharging local and regional aquifers, are important sources of water for Deer Creek, Books Spring, and the

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spring flows along Wells Canyon. Deer Creek in particular is an important stronghold for Yellowstone cutthroat trout (YCT), while flows from Books Spring are important to the maintenance of flows in Crow Creek, a regionally important stronghold for YCT. Flows to these surface waters are likely to decrease based on covering such a large area with a GCLL. Another issue that should be analyzed in the EIS is the potential for increased runoff from the site, which may increase substantially due to the changed liner which could reduce seepage over a large area and therefore generate more runoff. The significant slope of the overburden pile could exacerbate this problem. This could change the flow regime in Deer Creek as well and potentially cause unacceptable erosion and sediment issues.

3. Roadless Area Impacts

The Idaho Roadless Rule does not irretrievably commit any lands to phosphate mining. It does not authorize any site-specific activities: it simply makes a program-level decision assigning lands to one of five management themes. Any decision to undertake a specific project will require an independent agency action and evaluation under NEPA. Federal Defendants' Memorandum in Support of Summary Judgment, 4:09-cv-00015-BLW, Dkt. 80-1, at 18 (emphasis added). See also id. at 20 ("The Idaho Rule itself does not authorize any leasing, exploration or mining. Any decisions authorizing such activities will be made on a site-specific basis subject [to] NEPA and all applicable environmental laws.").

n
o
The 2007 FEIS noted that 1,100 acres of roadless area lands will already be harmed by the project, causing "irreversible" damage to "soils, water, diversity of plant and animal communities, and scenic integrity."² This analysis must evaluate the loss of another 70 acres to the damage caused by open pit phosphate mining. Thus, it is clear that the Idaho Roadless Rule FEIS requires a full analysis of the effects of this current proposal on the Sage Creek and Meade Peak IRAs in the EIS. Roadless Areas are unique and generally provide a number of important values and resources to the American public. Specifically, roadless areas provide:

- High quality or undisturbed soil, water, and air.
- Sources of public drinking water
- Diversity of plant and animal communities.
- Habitat for threatened, endangered, proposed, candidate, and sensitive species and for those species dependent on large, undisturbed areas of land.
- Primitive, Semi-Primitive Non-Motorized, and Semi-Primitive Motorized classes of dispersed recreation.
- Reference landscapes.
- Natural appearing landscapes with high scenic quality.
- Traditional cultural properties and sacred sites.
- Other locally identified unique characteristics.³

4. Reasonably Foreseeable effects

² FEIS at 4-198, 4-209.

³ Special Areas, Roadless Area Conservation, 66 Fed. Reg. 3,245 (2001) (preamble to Roadless Area Conservation Rule).

The Agencies must disclose all reasonably foreseeable effects related to the proposed action. NEPA requires agencies to disclose all significant impacts from projects, whether they are “direct” or “indirect.” 40 C.F.R. § 1502.16; City of Davis v. Coleman, 521 F.2d 661, 676 (9th Cir. 1975). “Indirect” impacts include any “reasonably foreseeable” impacts. 40 C.F.R. §§ 1508.8(b), 1502.22. These disclosures must be specific and clear. Idaho Sporting Congress v. Thomas, 137 F.3d 1146, 1152 (9th Cir. 1998) (finding “vague and nonspecific” disclosures inadequate under NEPA because they “provide no analysis for the public to review”). The Agencies should pay particular attention to indirect impacts to public resources in and around the project area. NEPA requires the Agencies to discuss these “reasonably foreseeable” impacts. 40 C.F.R. §§ 1508.8(b).

P In the case of this EIS, foreseeable impacts would include, but not be limited to the likelihood of extending the conveyor system to Panel G.

5. Cumulative effects

9 The Agencies must analyze and discuss all cumulative impacts, “regardless of what agency (Federal or non-Federal) or person undertakes such actions.” Id. § 1508.7. This includes all past, present, and “reasonably foreseeable future actions” “which when viewed with other proposed actions have cumulatively significant impacts.” Id.; see also id. 1508.25(a)(2). Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.” 40 C.F.R. § 1508.7. The cumulative analysis must be reasonably detailed; “[g]eneral statements about ‘possible’ effects and ‘some risk’ do not constitute a ‘hard look’ absent a justification regarding why more definitive information could not be provided.” Neighbors of Cuddy Mountain v. U.S. Forest Serv., 137 F.3d 1372, 1379-80 (9th Cir. 1998). To satisfy this NEPA requirement the cumulative effects analysis should include the ongoing selenium contamination of groundwater and the Sage Creek watershed, as well as Tygee Creek and its tributaries, by previous mining at the Smoky Canyon Mine. In addition the analysis should include the effects of the tailings impoundments, Panels A, D, and E, and the Pole Canyon cross-valley fill.

D. The Agencies must reveal and analyze any connected actions.

The Agencies must also evaluate connected actions. NEPA requires proposals “which are related to each other closely enough to be, in effect, a single course of action shall be evaluated in a single impact statement.” 40 C.F.R. § 1502.4(a); Kleppe v. Sierra Club, 427 U.S. 390, 408 (1976). Thus, a NEPA document must analyze the impacts of “[c]onnected actions,” including actions that are “interdependent parts of a larger action and depend on the larger action for their justification.” 40 C.F.R. § 1508.25(a)(1). For example, courts have repeatedly rejected segmentation of proposed road building and timber projects, remanding to the agencies for preparation of a comprehensive NEPA document. See, e.g., Save the Yaak Committee v. Block, 840 F.2d 714 (9th Cir. 1988); Thomas v. Peterson, 753 F.2d 754, 758-60 (9th Cir. 1985) (EIS for road must address other projects related to road, such as timber sales); Ecology Center of Louisiana v. Coleman, 515 F.2d 860 (5th Cir. 1975); Swain v. Brinegar, 517 F.2d 766 (7th Cir. 1975); Indian Lookout Alliance v. Volpe, 484 F.2d 11, 16 (8th Cir. 1973).

We appreciate the opportunity comment on this proposal and look forward to reviewing the DEIS.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marv Hoyt', with a long horizontal flourish extending to the right.

Marv Hoyt
Idaho Director



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
WALLA WALLA DISTRICT, CORPS OF ENGINEERS
IDAHO FALLS REGULATORY OFFICE
900 NORTH SKYLINE DRIVE, SUITE A
IDAHO FALLS, IDAHO 83402-1700

22 July 2013

Regulatory Division

SUBJECT: NWW-2013-367, Panels F and G Modification Project at Smoky Canyon Mine

Ms. Diane Wheeler
Bureau of Land Management
Pocatello Field Office
4350 Cliffs Drive
Pocatello, Idaho 83204

Dear Ms. Wheeler:

This is in response to your 24 June 2013 letter requesting scoping comments on your proposed "Panels F and G Lease and Mine Plan Modification Project at Smoky Canyon Mine Environmental Impact Statement." Thank you for providing the Corps of Engineers (Corps) the opportunity to provide comment. According to information provided, the proposed project involves modification of the Smoky Canyon Mine Plan and Lease for Panels F and G. Specifically modifications involve construction of an ore conveyor system from Panel F to the existing mill and expansion a previously approved overburden disposal area (ODA).

The proposed project would occur on National Forest System (NFS) lands both on and off existing Federal phosphate leases at the Smoky Canyon Phosphate Mine; located in Caribou County, Idaho, approximately 10 air miles west of Afton, Wyoming, and 8 miles west of the Idaho/Wyoming border. The project has been assigned Department of Army (DA) File # NWW-2013-367, which should be referred to in all future correspondence.

AUTHORITY

The DA exerts regulatory jurisdiction over waters of the United States (U.S.), including wetlands, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344). Section 404 of the Clean Water Act requires a DA permit be obtained prior to discharging dredged or fill material into Waters of the U.S., which includes most perennial and intermittent rivers and streams, natural and man-made lakes and ponds, irrigation and drainage canals and ditches that are tributaries to other waters, and wetlands.

a
b Based on our review of the information you furnished and available to our office, we have preliminarily determined that as currently proposed Simplot's project may involve work requiring DA authorization. The project may impact "Wells Canyon", "Nate Canyon", and several unnamed streams, including wetlands, as well as uplands areas, not previously addressed. However, the majority of the modified project appears to be in non-wetland area not regulated by the Corps under Section 404 of the Clean Water Act. A DA permit may be required for the discharge of dredged and/or fill material in waters of the U.S.

We realize that a project at the scoping level is less detailed than a project that is being reviewed for a DA permit. Our scoping comments at this time are limited and are prepared to assist the project proponent in preparing any necessary DA permit application. To expedite the permitting process, we have included some additional guidance concerning information and documentation that may be required for us to satisfy our regulatory responsibilities.

DELINEATION

c The project proponent will need to provide a jurisdictional delineation of the modified project area for areas not previously surveyed with their permit application. The delineation should include the following:

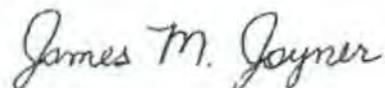
- Field data sheets
- Photographs of sample sites
- A map or drawing that shows locations and/ or GPS coordinates of sample points proposed project in relation to jurisdictional areas
- A good aerial photo of the project area
- A written summary of the delineation, summarizing the data sheets, with information that describes existing conditions, the footprint of the project as proposed, and how the proposed project affects aquatic resources within the road corridor.

d
e A preliminary review of your project indicates that it has the potential to be permitted as a modification of Simplot's permit(s) for development of Panel G and/or Panel F at the Smoky Canyon Mine. Items of particular importance to the Corps as part of its review of any modification include alternatives that would avoid and minimize impacts to waters of the U.S., including wetlands.

All Clean Water Act DA authorization's are required to be in accordance with the Environmental Protection Agency's 404 (b)(1) Guidelines. Under the Guidelines, the applicant must show that all appropriate and practicable steps to minimize potential impacts of the discharge on the aquatic ecosystem have been considered, and that the current proposal represents the least environmentally damaging practicable alternative. The applicant must summarize the steps that they have taken to avoid, minimize and/or mitigate the unavoidable impacts of their proposed project. The burden of proof to demonstrate compliance with the Guidelines rests with the applicant.

Please contact me by telephone at (208) 522-1676, by mail at the address in the letterhead, or via email at james.m.joyner@usace.army.mil if you have any questions or need additional information. A copy of this letter is being furnished to: JBR Environmental.

Sincerely,



James M. Joyner
Sr. Project Manager, Regulatory Division



Board of Lincoln County Commissioners

Paul C. Jenkins,
Chairman
Thayne, Wyoming 83127

T. Deb Wolfley
Fairview, Wyoming 83119

Kent Connelly
Kemmerer, Wyoming 83101

925 Sage Avenue, Suite 302, Kemmerer, WY 83101 Phone: 307-877-2004 Fax: 307-877-4237
Email: commission@lcwy.org

July 23, 2013

Submitted Electronically at: blm_id_scm_panelsfg@blm.gov

Panels F and G Lease and Mine Plan Modification Project EIS
c/o JBR Environmental
8160 South Highland Drive
Sandy, UT 84093

Re: Board of Lincoln County Commissioners Comments on Panels F and G Lease and Mine Plan Modification Project at Smoky Canyon Mine – Environmental Impact Statement

Dear Sir or Madam,

Thank you for the opportunity to comment on the panels F and G Lease and Mine Plan Modification Project - EIS proposed by J.R. Simplot Company. Lincoln County supports the efforts of the J.R. Simplot Company to mitigate site-specific environmental consequences related to the proposed mining activities. We believe it is technically feasible to permit appropriate access to mineral resources while protecting other resources from irreparable harm.

a The J.R. Simplot Company operates the Smoky Canyon Mine which physically resides in Caribou County Idaho. However, the majority of the employees at the mine reside within Lincoln County Wyoming. Numerous businesses within Lincoln County also benefit from the Smoky Canyon operation. Lincoln County has a vested interest in assuring the mine maintains a profitable position at this location. We appreciate the Bureau of Land Management (BLM) and United States Forest Service (USFS) fully considering these comments in support of Smoky Canyon's proposal.

b Smoky Canyon employs approximately 255 people with an annual payroll in the range of 24 million dollars. This represents a major employer in the region. In addition, previous economic studies have estimated that Smoky Canyon Mine spends approximately 30 million dollars annually with local suppliers. Smoky Canyon Mine's January 2013 proposal assures that Simplot will fully develop the phosphate ore resource at the mine in an environmentally responsible manner while assuring the company's financial solvency. Lincoln County supports this proposal and respectfully asks the agencies to approve Simplot's proposal in an expeditious manner.

c As currently approved, Simplot is unable to mine all the available phosphate ore present at Panel G. Simplot's proposed mine and lease modification, which includes an additional 113 acres of permanent overburden disposal area, will assure all the economically recoverable ore will be mined. In addition, the geo-synthetic clay laminate liner (GCLL) proposed over the entire area where seleniferous overburden is present in this panel is a significant investment by Simplot to assure long-term environmental protection—even greater than what is currently approved.

d

Lincoln County requests the BLM approval for all three components of Simplot's proposal at Panel G: 1) approval of the modification of lease IDI-01441 by 280 acres to accommodate the overburden; 2) increase the current disturbance boundary for the temporary storage of chert to allow for the currently proposed mine sequence; and 3) utilization of the GCLL as opposed to the currently approved dinwoody cover.

Simplot has also proposed the construction of a conveyor system to more efficiently deliver ore mined in Panels F and G to be transported back to the existing mill. This conveyor includes a crusher and ore stockpile in Panel F. Lincoln County supports the efficiencies provided by the proposed conveying system and requests the BLM and the USFS approve this system as proposed.

Lincoln County sincerely appreciates the opportunity to participate in this process as the agencies consider these important issues that are proposed by Simplot. **Long-term success at Smoky Canyon Mine is in the best interest of Lincoln County as well**, so approval of this proposal is strongly encouraged.

Thank you for the consideration of the Board's comments.

Sincerely,

/s/ Paul C. Jenkins, Chairman

Paul C. Jenkins, Chairman
Board of Lincoln County Commissioners



www.idahoconservation.org

Idaho Conservation League

PO Box 844, Boise, ID 83701
208.345.6933

Panels F and G Lease and Mine Plan Modification Project EIS
C/O JBR Environmental
8160 South Highland Drive
Sandy, UT 84093

blm_id_scm_panelsfg@blm.gov

July 26, 2013

Re: Scoping comments on the Panels F and G Lease and Mine Plan Modification Project at Smoky Canyon Mine EIS

Thank you for considering our scoping comments Panels F and G Lease and Mine Plan Modification Project at Smoky Canyon Mine EIS Project. Since 1973, the Idaho Conservation League has been Idaho’s voice for clean water, clean air and wilderness—values that are the foundation for Idaho’s extraordinary quality of life. The Idaho Conservation League works to protect these values through public education, outreach, advocacy and policy development. As Idaho’s largest state-based conservation organization, we represent over 25,000 supporters have a deep personal interest in ensuring that mine and mine reclamation plans are designed to avoid, minimize or mitigate impacts on our water, wildlands, and wildlife.

There is no other permitted use of our public lands that has such a dramatic and permanent impact on the landscape, soils, water and wildlife than mining. Proposals for new open-pit phosphate mines are particularly troubling given the adverse effects of past mines on both the natural landscape and long-term water quality. These impacts have occurred and continue to occur even in modern, state of the art mines which were designed to avoid these impacts. Furthermore, extremely few meaningful clean up efforts have successfully been implemented to date. As such, the BLM can understand our skepticism regarding the promise to finally avoid these problems and to responsibly address them in a timely manner if they actually occur.

We encourage the agencies and proponent to apply all lessons learned from past operations to this project. Based on the proposed action, we support only replacing the previously approved geologic cover with a Geosynthetic Clay Liner Laminate, with some modifications, and do not support the other components. We support the adaptive management process and support some of the proposed modifications. Specifically, we

do not support the expansion of lease IDI-01441 by 280 acres to accommodate a run-of-mine Overburden Disposal Area or other areas of new disturbance. We have significant concerns about any and all intrusions into the Sage Creek and Meade Peake Inventoried Roadless Areas and recommend that the company develop a land exchange component to ensure there is no net loss to roadless values.

If this project proceeds, the mine design and bonding requirements need to be significantly more protective of both human health and the natural character of the landscape. These measures include minimizing the footprint and insuring that oxidized selenium does not escape the mining site, contaminate water resources, or cause selenosis in wildlife, domestic livestock, or humans. More specific comments and concerns regarding this project can be found in our attached comments.

Once again we thank you for the opportunity to submit comments on this project. Please keep us on the mailing list for all documents related to this project. Feel free to contact me if you have any questions about our comments.

Sincerely,

A handwritten signature in cursive script that reads "John Robison". The signature is written in black ink and is positioned above the typed name and contact information.

John Robison, Public Land Director
Idaho Conservation League
jrobison@idahoconservation.org
(208) 345-6942 X 13

Idaho Conservation League scoping comments on Panels F and G Lease and Mine Plan Modification Project EIS

Increases in disturbed areas

a We oppose the addition of 160 acres for new disturbance, including 20-acres for the Panel G south ODA expansion of temporary chert storage, the modification of lease IDI-01441 by 280 acres to accommodate a run of mine ODA, and 113 acres for the Panel G east seleniferous ODA expansion. We are concerned that the increased footprint will harm water quality, native vegetation and wildlife habitat and about the permanent storage of seleniferous material in these areas. We are also concerned that the mine footprint will continue to increase over time unless steps are taken now to keep activities within the current footprint. Due to the importance of reclaiming habitat and limiting selenium exposure, no external overburden disposal should be allowed. We encourage the agencies and proponent to confine all activities into the original footprint through reexamining the sequencing of events, completely backfilling pits where possible, and the additional use of concurrent reclamation. Where this is not possible, every effort should be made to minimize disturbance and to mitigate for this disturbance, either on or off-site.

Ore-conveyance System

d While we are concerned about the additional 10-acres of disturbance for the ore-conveyance system, this may provide an opportunity to decrease the width and overall footprint of the haul road since haul trucks would not be needed to haul ore to the mill. If access is still needed for ore trucks on this road, the agencies should consider a one-lane road with turnouts and improved communications to transport trucks as needed.

Sage Creek and Meade Peake Inventoried Roadless Areas

e We do have significant concerns about any and all intrusions into the Sage Creek and Meade Peake Inventoried Roadless Areas and recommend that the company develop a land exchange component to ensure there is no net loss to roadless values.

Long-term impacts

f One of the aspects of this analysis that should be strengthened is attention to long-term (100+ year impacts). This proposal represents an irretrievable and irreversible commitment of resources. These permanent changes include landscape features such as pit walls and waste rock piles, altered drainage boundaries and flows, and potentially increased selenium levels requiring water treatment in perpetuity. While the GCLL layer has a minimum effective lifespan of 200 years, the BLM must anticipate how to design the project to adequately protect water quality for thousands of years. It will do little good to future generations if the layer shielding seleniferous materials degrades in 500 years and water quality standards are no longer met.

Geosynthetic Clay Liner Laminate

We support utilizing a Geosynthetic Clay Laminate Liner (GCLL) instead of the currently approved geologic cover over the in-pit backfill, with some modifications.

Overlapping GCLL layers

h Given the long amount of time these layers will be required to function according to specifications, GCLL should be overlapped with a sufficient safety margin to account for potential separations due to solifluction, ground creep and other types of mass movement.

Soil depth and vegetation mix

i With the Blackfoot Bridge mine, shallow-rooted plant species will be selected to revegetate backfilled pits and external overburden piles to reduce the likelihood of selenium uptake and root penetration of the GCLL, but that project failed to examine what will occur in the long term (100+ years). Eventually, natural reseeding and vegetation succession will alter the plant community composition of these sites from a seral community type toward a climax community. Vegetation such as Douglas fir and aspen may have the ability to penetrate the GCLL with their root systems (as opposed to the handpicked shallow-rooted species) may eventually colonize some sites covered by the GCLL. Even though the GCLL has the ability to “self-heal” holes from root penetration, we are concerned about tip ups from wind events, which in mature trees can span several feet. Since the Contaminants of Concern will have to be isolated in perpetuity, the GCLL should be designed to withstand tree colonization, root penetration, and tree toppling in the form of root tip ups.

j Given the long time period that this layer will have to be maintained, we recommend adjusting this approach so that natural plant colonization can be a long-term component of the GCLL and other surface coverings. For example, some areas will be zones of accumulation where vegetation and colluvium will build up over time. Other areas may be zones of net soil loss where erosive forces may prevail. Additional drainage/protective material and armoring may be necessary in these latter cases.

k As such, the depth to the GCLL should be correlated to the maximum tree height potential for each site, based on slope, aspect, and soil type (the starting point of which is determined by the reclamation plan). This vegetation modeling should be informed by climate models.

GCLL Lifespan

m The Blackfoot Bridge FEIS states that the GCLL is very durable and that the polypropylene geotextiles have an expected lifetime of up to 200 years. Although the polypropylene geotextiles are only one component of the GCLL, we point out that, in order to be effective, the impermeable layer must have a functional lifespan as long as or longer than the Contaminants of Potential Concern need to be isolated.

Monitoring

n The agencies should require a monitoring plan to assess the effectiveness off the GCLL and other components throughout time – in perpetuity. Bonding should include the costs of replacing these liners as needed.

Groundwater quantity

o We understand that, if the GCLL is functioning appropriately, groundwater quantity will be decreased in that area. The agencies should mitigate for this decrease by either

rechannelizing water back into this drainage if possible or through new restoration activities to increase hydrologic functioning in the area.

Increased peak flows due to GCLL

P The agencies should consider increasing the depth of the growth media and the expanding type of vegetation on the GLCC to help address this concern. At the same time, the agencies should not rely on vegetation alone because a drought or wildfire could dramatically affect the vegetation's transpiration rate. Additional wetlands or aspen colonies could be established in drainage areas next to the GCLL.

Redundancies

Q Even with the GCLL, the agencies should still assume that selenium contamination will occur even with the infiltration barrier and require ground and surface water treatment facilities at the bases of these disposal sites or enhanced anoxic attenuation in pit backfills. It is far more efficient to design and plan to use these facilities now rather than try to retrofit them at some future date.

Climate change

R NEPA requires reasonably accurate predictions of surface and groundwater flows both during mining operations and following reclamation. The modeling for surface and ground water studies is based on current climate patterns. The FEIS should examine current climate change models and assess how predicted changes will affect the environmental effects of each alternative.

Selenium contamination

S As mentioned previously, we are extremely concerned about the potential for selenium contamination in both surface water and groundwater and recommend that the agencies take this opportunity to require additional steps to protect water quality where needed. .



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
ECOSYSTEMS,
TRIBAL AND PUBLIC
AFFAIRS

July 29, 2013

Diane Wheeler
Project Lead
Bureau of Land Management
Pocatello Field Office
4350 Cliffs Drive
Pocatello, Idaho 83204

Re: EPA Region 10 scoping comments for the Smoky Canyon Panels F and G and Mine Plan Modification. (EPA Project Number 03-063-BLM).

Dear Ms. Wheeler:

The EPA has reviewed the BLM and USFS's NOI regarding the Smoky Canyon mine modification in accordance with our responsibilities under National Environmental Policy Act and Section 309 of the Clean Air Act.

Section 309 specifically directs the EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Under our Section 309 authority, our review of the draft EIS prepared for the proposed project will consider the expected environmental impacts, and the adequacy of the EIS in meeting procedural and public disclosure requirements of NEPA.

The NOI discusses Simplot's proposal to modify the mine lease boundary and plan of operations to accommodate the continuation of mining at the previously approved Panels F and G (2008 Record of Decision). Although the waste rock capacity was known during the previous NEPA analysis, a BLM regulatory change was required to allow for a lease boundary extension to accommodate that capacity on Forest Service land. The BLM regulatory change occurred after the 2008 ROD and therefore, there is a need to analyze the additional effects at this time. The BLM has the authority to authorize mineral leases; however, the proposed activities would occur on Forest Service land. Because of these dual roles, the two agencies coordinate through an MOA to meet NEPA requirements.

Proposed activities include: (1) construction of an ore conveyor system from Panel F to the existing mill to allow for more economic and efficient ore transport and (2) expansion of a previously approved overburden disposal area in order to accommodate the overburden generated from mining Panel G. In total there would be approximately 160 acres of new disturbance.

We appreciate the time that you and other staff provided during our conference call to discuss the proposal and potential issues. The currently identified issues include impacts to groundwater from reduced recharge to the Wells Formation due to a new geosynthetic clay liner (GCL) compared to the previously approved cover system, potential impacts to surface water resulting from reduced infiltration

caused by the GCL, potential stream bank erosion from increased stormwater runoff due to the GCL and associated peak flows during storm events, and an increase in the amount of disturbance of approximately 70 acres within the Sage Creek and Meade Peak inventoried roadless areas (six percent more than the 2008 ROD).

a We concur with the issues outlined above. Additionally, we believe that the EIS should analyze the quality of groundwater and surface water in the project area resulting from current and proposed activities. For example, the groundwater/surface water model used to predict impacts from Panels F and G incorporated assumptions related to timing and effectiveness of clean up of other portions of the Smoky Canyon mine, and the Pole Canyon area in particular. Since then, the conceptual understanding of the groundwater system and its connection to surface water resources has changed considerably. Furthermore, CERCLA actions occurring on site reveal that there are likely multiple sources contributing to contamination of water resources. There is also potentially significant new information resulting from the CERCLA investigation regarding water resources at the site¹ that should be considered in the EIS when disclosing current conditions, direct/indirect impacts, and cumulative effects. We strongly encourage the agencies to take a hard look at water resources and consider additional mitigation at the site if necessary.

b
c In the event that existing and/or proposed mine activities result in a direct discharge to Waters of United States, a Clean Water Act National Pollutant Discharge Elimination System permit would be required. For example, discharge of wastewater that contains contaminated seepage to hydrologically connected surface water would require an individual permit and would be subject to water quality-based effluent limitations. Because contamination generated from the Smoky Canyon Mine has impacted groundwater and surface water, we recommend that the EIS discuss the connection of groundwater to surface water, and state whether or not a direct hydrologic connection exists that results in a discharge of mine wastewater to surface water.

d
e One of the EPA's primary concerns with mining is securing adequate financial assurance for reclamation, closure and post closure activities. NEPA provides for the disclosure of all information concerning environmental consequences of a proposed action to the public and decision-makers before the decisions are made and before actions are taken. One key aspect that should be discussed is the likelihood that mitigation will be implemented². Although NEPA regulations do not directly refer to disclosure of financial assurances, the amount and viability of financial assurance are key factors in a discussion of whether mitigation will be implemented. Another key component to determining the environmental impacts of a mine is the effectiveness of closure and reclamation activities, including long-term water management. The amount and viability of financial assurance are critical factors in determining the effectiveness of reclamation and closure activities and, therefore, the significance of the environmental impacts.

f We recommend that the NEPA analysis disclose the estimated cost to reclaim and close the site in a manner that achieves reclamation goals and post-mining land use objectives. The proposed financial assurance mechanisms should be identified. The analysis should disclose costs associated with implementing the reclamation plan, as well as costs associated with implementing contingency measures

¹ J.R. Simplot. 2013. Draft Remedial Investigation Report.

² CEQ. 2011. "Appropriate Use of Mitigation and Monitoring and Clarifying the Appropriate Use of Mitigated Findings of No Significant Impact."

http://ceq.hss.doe.gov/current_developments/docs/Mitigation_and_Monitoring_Guidance_14Jan2011.pdf

g to deal with reasonably foreseeable but not specifically predicted outcomes. This is necessary to inform the public and decision-makers of the financial risk to the public posed by conditions at the site. These financial assurances should be in a form that protects the public interest in the event that a company is unable to implement contingency measures or perform long-term operation and maintenance at a closed mine site. The EPA believes that it is critical to anticipate environmental impacts that are reasonably foreseeable, yet not specifically predicted and to have financial assurance mechanisms in place to deal with such contingencies.

In addition to the above issue, we recommend that the following be considered in the analysis:

- h • The water balance should be tied to characterization of the hydrogeologic setting through a site-wide water balance and state whether and how the plans will be revised for the mine expansion.
- i • The adequacy, reliability, and operational uncertainty associated with proposed water management techniques over the range of operating and climatic conditions.
- j • Discuss how Clean Water Act Section 404 requirements for wetlands would be met, if there are activities that could have potential impacts to adjacent wetlands or indirect impacts to wetlands such as hydrologic changes due to increases in impervious surface will be evaluated.
- k • Disclose surface water quality on site including any impaired/303(d) listed water bodies.
- l • Whether or not the proposed project would affect tribal natural and/or cultural resources and address any concerns of the tribes in accordance with federal tribal trust responsibilities.
- m • The potential effect of the proposed project on climate change and the effect of climate change on the proposed project.
- n • Identify existing disturbance from mine activities and consider opportunities to restore stream/riparian function.
- o • Long term effectiveness, design life, and operation and maintenance obligations associated with use of GCL cover systems.

We look forward to reviewing the EIS for the proposed project and would be happy to engage further where needed. If you would like to discuss these comments, please contact me at (208) 378-5757 or by electronic mail at mcwhorter.lynne@epa.gov.

Sincerely,



Lynne McWhorter, Environmental Scientist
Environmental Review and Sediment Management Unit

Cc: Bruce Olenick, DEQ - Pocatello

RECORD OF CONVERSATION

Date: June 27, 2013

Recorded by: Diane Wheeler, U.S. Forest Service Geologist

Communication: Incoming call

Talked with: Warren Davis

Contact information (if provided): 208-241-6141 cell; 208-233-5653 home

Affiliation: None stated

Project: Smoky Canyon Mine Panels F and G Lease and Mine Plan Modification EIS

Conversation regarding: Project scoping letter

Information discussed: Mr. Davis stated he received the scoping letter by mail and had several questions about the project. Specifically:

- a • Why is the Panel G lease enlargement for 280 acres when the disturbance is only 160 acres?
- b • Why is the GCLL better for reclamation than the previously-approved cover?
- c • Would the conveyor eliminate overall diesel emissions from the haul road?
- d • Would the conveyor be able to be used for other mining projects or purposes?
- e • Is it possible to view the mine from an off-site location?
 - Would it be possible to speak with someone at Simplot regarding the project?

Mr. Davis stated he did not have any comments at this time but would like to receive a copy of the draft EIS and any other project updates.



PANEL G LEASE MODIFICATION - GCLL STORMWATER MANAGEMENT PLAN Comments

Prepared by:
Louis Wasniewski, Forest Hydrologist

Comments

It would be beneficial to show changes in drainage contribution due to changes in Pit and ODA topographic configuration for Wells Canyon and Deer Creek. Basically are the topographic configuration changes causing more or less precipitation to be contributed to Wells Canyon or Deer Creek?

Table 1 shows calculate run-off volume associated with catchment areas. Several catchment areas contain multiple ponds to handle the run-off volumes; however, it does not show in the table the individual sub-catchment area for individual pond sizes. Individual pond catchment run-off volumes need to be calculated to ensure ponds are sized appropriately.

This plan or future design details needs to address ditch sizing, dimensions, and armoring. Also when a series of ponds are used to handle calculate runoff the outflow design details will need to be included for review.

NEPA Effects Analysis: As I read through this storm water management plan changes in water routing, timing, evaporation, pond infiltration and stream hydrograph configuration (peak, volume, etc.) will be effected by the proposed GCLL, ditches, and catchment ponds. This will all need to be addressed in the upcoming NEPA document along with other associated impacts to water dependent resources. Along these same lines it would also be beneficial to portray watershed scale impacts specifically showing the percentage of Wells Canyon and Deer Creek being altered by the GCLL, ditches and ponds.

APPENDIX E –

Revised Mailing List

District Mailing List Updat (2)

Last Name	First Name	Organization Name	Address	City	State	Postal Code
Bebout	Reagen	Senator Michael B. Enzi	P.O. Box 12470	Jackson	WY	83002
Beller	Laurence		P.O. Box 160	Swan Valley	ID	83449-0160
Bitton	Keith		397 Fish Hatchery Road	Grace	ID	83241
Brown	Greg	JBR Environmental Consultants, Inc.	8160 S. Highland Dr	Sandy	UT	84093
Buck	Brian	JBR Environmental Consultants, Inc.	8160 S. Highland Dr	Sandy	UT	84093
Cagle	Jim	Agrium	3010 Conda Road	Soda Springs	ID	83276
Clezie	Lane	Alternative Vice President Sci	13542 West Trail Creek Road	Pocatello	ID	83204-7014
Cook	Jeff	Id. Dept. of Parks & Recreation	P.O. Box 83720	Boise	ID	83720-0065
Crapo	Senator Mike	United States Senator	275 South 5th Avenue, Suite 225	Pocatello	ID	83201
Cundick	Jeff	BLM Pocatello Field Office	4350 Cliffs Drive	Pocatello	ID	83204-2105
Cunningham	John		P.O. Box 1684	Afton	WY	83110
Curry	Neal	C2C Holdings Inc.	933 South 3rd West	Grace	ID	83241
Dahlke	Tucker		P.O. Box 433	Inkom	ID	83245
Davis	Dr. Warren J.		1740 Lance Drive	Pocatello	ID	83204
DeMott	Steve		160 Tabor Avenue	Idaho Falls	ID	83401
Drameu	Gregg		P.O. Box 88 2303 Smoky Canyon Road	Auburn	WY	83111
Dredge	Alicia	Jougard Sheep Company	P.O. Box 245	Rupert	ID	83350
Dunn	Dennis	C/O IDWR	900 North Skyline Drive, Suite A	Idaho Falls	ID	83402
Eliason	Robert		524 Stansbury	Pocatello	ID	83201
Erickson	Rob	Dry Creek Lumber	3497 Dry Creek Road	Afton	WY	83110
Facer	Ron & Linda		P.O. Box 281	Grace	ID	83241
Fairbrother	Jennifer	FSEEE	P.O. Box 11615	Eugene	OR	97440
Ferguson	Kym		15533 East Ririe Hwy	Ririe	ID	83443
Field	Jeremy	Office of US Senator James E. Risch	275 South 5th Avenue, #290	Pocatello	ID	83201
Fisher	Sandi	US Fish & Wildlife Service	4425 Burley Drive, Suite A	Chubbuck	ID	83202
Folger	Helen	Osprey Ranch LLC	10512 Samaga Drive	Oakton	VA	22124
Fuchs	Tim	Wyoming Game & Fish	P.O. Box 67	Jackson	WY	83001
Hager	Ron	Simplot				
Hansen	Kirk	Mayor of Soda Springs	9 West 2nd South	Soda Springs	ID	83276
Hansen	Dustin	Simplot				
Harris	Dale	Co-Chair, RACNAC	1434 Jackson Street	Missoula	MT	59802
Haslam	Alan		10955 Paintbrush Lane	Pocatello	WY	83202
Heiner	La Dell		718 Stateline Road	Freedom	WY	83120
Hoyt	Marv	Greater Yellowstone Coalition	162 North Woodruff Avenue	Idaho Falls	ID	83401-4335
Jary	Tate	Live Water Properties	P.O. Box 9240	Jackson	WY	83002
Jason	Walker	Northwest Band of the Shoshone Nation	Pocatello Tribal Office 505 Pershing Ave Suite 200	Pocatello	ID	83201
Jones	Jeff		4350 Cliffs Drive	Pocatello	ID	83204
Joyner	James	Army Corps of Engineers	900 North Skyline Drive, Suite A	Idaho Falls	ID	83402
Kay	Ron	Idaho State Department of	2270 Old Penitentiary Rd. PO Box 7249	Boise	ID	83707
Lusty	Scott	Simplot				
Mazzotta	Dani	Idaho Conservation League	P. O. Box 2671	Ketchum	ID	83340

District Mailing List Updat (2)

McNamara	Lori	North Wind, Inc.	1425 Higham	Idaho Falls	ID	83402
Mende - ESB	Jim	S E Region, Idaho Fish & Game	1345 Barton Road	Pocatello	ID	83204
Mickelsen	Larry	USDA NRCS	390 East Hooper Avenue	Soda Springs	ID	83276
Miller	Gary L.		5621 Highway 34	Wayan	ID	83285-5105
Minhondo, Trust	Edward J.		2263 South 750 East	Bountiful	UT	84010
Moosman	Rosa	The News-Examiner	P.O. Box 278	Montpelier	ID	83254
Nate	Fred & Dianne		537 Washington Street	Montpelier	ID	83254
Noe	Wally		4016 Nora	Pocatello	ID	83204-2020
Owens	Ron		P.O. Box 114	Soda Springs	ID	83276
Palmer	Tim		358 West 1135	Idaho Falls	ID	83404
Panting	Rauhn	Oneida County Commissioner	30 North 100 West	Malad	ID	83252
Panting	Mike		271 So. 2nd West	Soda Springs	ID	83276
Riede	Pete		P.O. Box 220	Afton	WY	83110-0220
Robison	John, Public Land Director	Idaho Conservation League	P. O. Box 844	Boise	ID	83701
Rowe	Mike	IDEQ	400 Hospital Way, Suite 333	Pocatello	ID	83201
Shuler	Craig		255 West 4th South	Soda Springs	ID	83276
Smith	Brad	Idaho Conservation League	P.O. Box 844	Boise	ID	83702
Smith	David C. & Aneta		4732 Highway 34	Wayan	ID	83285
Steele	Mark	Caribou County Sun	P.O. Box 815	Soda Springs	ID	83276
Stewart	Brent		P.O. Box 917	Afton	WY	83110
Strong	Katie		1427 M ST	Anchorage	AK	99501-4958
Stucki	John R.		325 Algonquin Drive	Ballwin	MO	63011
Stucki	John R.		P.O. Box 278	Paris	ID	83261
Sturm	Jack		541 East 1st North	Soda Springs	ID	83276
Sweeney	Jeff		3055 Ross Ave	Idaho Falls	ID	83406
Sweeney	Shawn		3642 East Ivory Circle	Idaho Falls	ID	83401
Teichert	Jonathan	Lincoln County Wyoming	520 Topaz Street, Suite 109	Kemmerer	WY	83101
Tigert	Coby & Linda		2037 Sandy Lane	Pocatello	ID	83204-4720
Toner	Kevin	Aristeria Capital LLC	136 Madison Avenue, 3rd Floor	New York	NY	10016
Vranes	Randy	Monsanto	P.O. 816	Soda Springs	ID	83276-0816
Waite	Christine		444 Hospital Way, #300	Pocatello	ID	83201
Whitney Jr.	Dickson L.		669 Chargin River Road	Gates Mills	OH	44040
Whitney Sr.	Dickson L.	Osprey Ranch LLC	P.O. Box 1427	Afton	WY	83110
Whitworth	Lin		P.O. Box 183	Inkom	ID	83245
Wilcox	Gary	Wilcox Logging, Inc.	9169 400 West	Rexburg	ID	83440
Williams	Grant	Simplot				
Williams	Bill R. & Elizabeth A.		2677 Comanche Circle	Salt Lake City	UT	84108
Wolfly	Deb		P.O. Box 10	Fairview	WY	
Woodard	Matt	Trout Unlimited	151 North Ridge Avenue, Suite 120	Idaho Falls	ID	83402
		Caribou County Commissioners	159 South Main Street	Soda Springs	ID	83276
		Georgetown City Council Members	P.O. Box 99	Georgetown	ID	83239
		Idaho Department of Lands	3563 Ririe Hwy	Idaho Falls	ID	83401

District Mailing List Updat (2)

IDEQ Pocatello Regional Office	444 Hospital Way #300	Pocatello	ID	832011
Lincoln County Commissioners	925 Sage Avenue, Suite 302	Kemmerer	WY	83101
Osprey Ranch LLC	2910 Harvard Avenue	Cleveland	OH	44105
Peart Land & Development, LLC	P.O. Box 128	Randolph	UT	84064
Power County Commissioners	543 Bannock	American Falls	ID	83211
U.S. EPA Region 8, EPR-N	1595 Wynkoop Street	Denver	CO	80202- 1129
US EPA Region 10	1200 Sixth Avenue	Seattle	WA	98101
Western Watersheds Project - Idaho Office	Box 1770	Hailey	ID	83333