

Smoky Canyon Mine
East Smoky Panel Mineral Materials Investigation and
Geotechnical Study
Categorical Exclusion (CX) Documentation and Review
September 2014
DOI-BLM-ID-I020-2014-0047-CX

A. Background

BLM Office: Pocatello Field Office

Lease/Serial/Case File No: IDI-012890, IDI-015259

Proposed Action Title/Type: East Smoky Panel Geotechnical Study

Location of Proposed Action: Caribou County, Idaho, T08S R46E, Sections 20 and 29, Boise Meridian.

Description of Proposed Action:

The J. R. Simplot Company (Simplot) submitted a proposed lease modification and Mine and Reclamation Plan (M&RP) for the East Smoky Panel of the Smoky Canyon Mine in November 2013. As a part of the proposed M&RP, Simplot proposes development of three borrow areas for excavation of cover material to be used for post-mining reclamation of areas containing seleniferous backfill. Two of the areas (Borrows A and B), and a portion of the third (Borrow C) are located on private property subject to split estate (Simplot owns the surface rights and the mineral rights are federally owned) (**Figure 1**).

A mineral materials investigation and geotechnical study is required to evaluate baseline soil conditions and to determine their suitability for use as cover material. To adequately characterize the Dinwoody and/or Salt Lake Formation materials for groundwater modeling purposes, JBR, now Stantec (hereafter referred to as Stantec) proposes a total of nine (9) borings and six (6) test pits be excavated from the three anticipated borrow sources on private property on the East Smoky Panel site (**Figure 2**). The portion of Borrow C proposed in the M&RP to be located on National Forest System (NFS) land would not be studied. Each borrow pit site would be examined with three (3) borings and two (2) test pits sited within the borrow pit areas located on private property to provide representative samples of the mineral and potential borrow materials.

The borings would be advanced to the anticipated elevation of the bottom of the borrow pits with hollow stem auger drilling techniques within the Dinwoody and/or Salt Lake Formations. The test pits would be excavated after the borings are completed to allow the test pits to be located at sites that would provide representative descriptions and samples of the potential borrow materials in each borrow pit. Test pits would be excavated with a dozer or backhoe to side slopes of 1.5:1. The Stantec engineer/geologist would examine and prepare descriptions of the materials exposed in the test pits. At least four (4) 5-gallon bulk samples of representative material would be obtained from each test pit and properly labeled for future laboratory testing.

Access routes created and used for previously approved exploration drilling (DOI-BLM- I020-2014-0004-CX) would be the primary means of access to the proposed borrow areas, which would minimize new disturbance. Exploration drilling is underway and for purposes of

estimating disturbance specific for this CX it is assumed that all exploration drilling, including creation of associated access roads, will be completed prior to initiation of the proposed geotechnical studies. Access routes comprising 3.9 acres of existing disturbance would be utilized (**Figure 2**). Surface disturbance associated with the Proposed Action is estimated at 1.3 acres of new disturbance from accessing and drilling 9 exploration holes, and approximately 3.0 acres of new disturbance for test pits (0.5-acre per test pit for six pits), for a total of 4.3 acres of new disturbance.

The following Best Management Practices (BMPs), reclamation, and mitigation measures would be employed:

- Access routes would be planned and created utilizing applicable BMPs to minimize erosion and sediment transportation.
- Reclamation would consist of earthwork and revegetation of surface disturbances to stabilize the disturbed areas. Access routes (other than permanent or existing routes), drill pads, and test pits would be restored to pre-existing contours, abating any erosion concerns. Recontoured areas would be broadcast seeded using the same seed mix, or a seed mix similar to those used on adjacent federal land.
- Project activities would not occur during or immediately following heavy precipitation events.
- Noxious weeds would be controlled at drill sites and test pits in order to avoid transporting weed seeds. All heavy equipment would be steam cleaned and/or high pressure washed prior to traveling to the Project Area to prevent weed seed transportation by vehicles.
- If cultural resources are discovered, the BLM would be notified and work in the area would halt until a BLM archeologist approves a mitigation plan, if necessary.
- All personnel accessing working areas at the drill pads and test pits would have fire tools and extinguishers available at all times and would be trained in basic fire control procedures.

B. Extraordinary Circumstances Requiring Preparation of an EA or EIS

The action described in this CX (DOI-BLM- I020-2014-0047-CX) has been reviewed to determine if any of the following extraordinary circumstances listed below apply, as listed in the Departmental NEPA regulations (43 CFR 46.215). A rationale for why the circumstance does not apply is included below:

2.1 Have significant impacts on public health or safety.

No public health or safety issues exist with implementation of the Proposed Action.

2.2 Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.

The Proposed Action would occur on privately owned lands. There are no known or designated historic or cultural resources, parks, recreation lands, refuges, wilderness areas, wild or scenic rivers, national natural landmarks, national monuments, sole or principal drinking water aquifers, prime farmlands, or any other ecologically significant or environmentally critical areas in the proposed project area. Additionally, no significant impacts would be expected to occur to floodplains or wetlands or to migratory birds.

2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

No highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources have been identified. The Proposed Action would occur on private property that adjoins Federal mineral leases held by Simplot. The current nearby land use, phosphate mining, is already approved. The Proposed Action would not change existing resource uses. The amount of new surface disturbance would be negligible compared to that previously approved or currently under consideration for adjacent mining activities at the Smoky Canyon Mine. Boring and test pits associated with exploration and geotechnical studies have occurred at multiple locations in the region. Previous drilling and boring associated with exploration and geotechnical studies in the region has not had any highly controversial impacts.

2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

No highly uncertain and potentially significant environmental effects or unique or unknown environmental risks have been identified. The additional 4.3 acres of new disturbance associated with the Proposed Action is a negligible amount relative to that previously approved or currently under consideration for adjacent mining activities at the Smoky Canyon Mine. Boring and test pits associated with exploration and geotechnical studies have occurred at multiple locations in the region. Because of the results of previous substantial amounts of drilling and borings in the region, and specifically at the Smoky Canyon Mine, no highly uncertain or potentially significant environmental effects or unique or unknown environmental risks are expected.

2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

The Proposed Action would not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. Several evaluations for environmental impacts have previously been conducted in the vicinity of this study area. The Proposed Action is smaller in scope and impact potential than activities previously evaluated. Boring and test pits associated with

exploration and geotechnical studies have occurred at multiple locations in the region, and specifically at the Smoky Canyon Mine; therefore, significant environmental effects are not anticipated.

2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

The Proposed Action would result in approximately 4.3 acres of new disturbance. Existing access routes to the proposed borrow areas used for the recent East Smoky exploration drilling project (DOI-BLM- I020-2014-0004-CX) would be the primary means of access for the Proposed action, comprising 3.9 acres of existing disturbance. This represents a negligible amount of disturbance when compared to the total disturbance approved to date for the adjacent Smoky Canyon Mine (approximately 2,150 acres of disturbance on lease). While the impacts of the Proposed Action taken together with the recently completed exploration project would result in cumulative impacts, those impacts would not have significant environmental effects.

2.7 Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.

The area proposed for disturbance has been surveyed with regards to cultural resources and no impacts from the Proposed Action are anticipated. There have been 20 projects completed within one mile of the Project Area. No previously documented cultural resources sites were located within one mile of the Project Area. No cultural resource sites were located during the inventory of the Project Area.

2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.

Special status wildlife species surveys were undertaken for the East Smoky exploration drilling project (DOI-BLM- I020-2014-0004-CX), which consisted of disturbance to previously reclaimed drill roads and exploration drilling activities. The Study Area for the surveys consisted of the proposed mining project disturbance boundary, plus a 0.5-mile buffer; this Study Area takes in the proposed disturbance area for the borrow pits, which is the area where the mineral material investigation and geotechnical studies are proposed. Therefore, special status wildlife species surveys have been conducted for the proposed mineral material investigation and geotechnical studies Project Area.

The USFWS IPaC species list for the East Smoky exploration drilling project area (Consultation tracking #: 01EIFW00-2014-SLI-0252 dated March 14th 2014 and Consultation Tracking #: 01EIFW00-2014-SLI-0541 dated June 3rd, 2014) found the following Listed Species as potentially occurring in the project area; Bliss Rapids snail (*Taylorconcha serpenticola*), Canada Lynx (*Lynx canadensis*), and the North American wolverine (*Gulo gulo luscus*).

No designated critical habitat for any species occurs within the Project Area. Additional surveys for special status wildlife species were conducted by JBR Environmental Consultants, Inc. (JBR) during March, April, and May 2014 to supplement previously conducted wildlife surveys. JBR's surveys did not identify any listed or candidate

species. It was determined that the East Smoky exploration drilling project would have *No Effect* on the above Listed Species; therefore the Proposed Action would have no impacts to Listed Species.

JBR's surveys did identify the presence of sensitive species in the Project Area through visual observations or call responses, which included the gray wolf, northern goshawk, flammulated owl, great gray owl, boreal owl, and the three-toed woodpecker. Several active and inactive nests were also identified during the surveys, but none were occupied by sensitive species. Seasonal restrictions for sensitive species and migratory birds would not apply to the Proposed Action, as the work would occur after August 31 and prior to onset of winter conditions.

A previously undocumented sage grouse lek was reported to exist to the north of the proposed disturbance area in April 2014. It is not anticipated that this lek would be impacted by the proposed work activities given the timeframe in which the Project would occur (after August 31) and that most of the Project activities would be occurring in forested habitat, which is not suitable for sage grouse. No Sage Grouse Preliminary General Habitat (PGH) or Preliminary Priority Habitat (PPH) exists within the Project Area.

2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.

The Proposed Action is not expected to violate any known law or requirement imposed for the protection of the environment.

2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

The Proposed Action would not have any discernible effect on low income or minority populations.

2.11 Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

The Proposed Action would not limit access or use of such sites, nor would it adversely affect the physical integrity of such sites.

2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

Noxious weeds would be controlled on drill sites and at test pits in order to avoid transporting of weed seeds. The above listed BMPs, reclamation, and mitigation measures include measures to prevent the introduction, continued existence, or spread of noxious weeds and non-native invasive species. It is unlikely the Proposed Action would contribute to the introduction or spread of such species.

C. Land Use Plan Conformance

The BLM's *Pocatello Resource Management Plan* approved April 4, 2012 is applicable to the Project. The Proposed Action is in conformance with this Land Use Plan, which specifically allows for development of split-estate leasable and salable mineral resources.

D. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under NEPA in accordance with 516 DM, Chapter 11, Section F—Solid Minerals, (9) "Digging of exploratory trenches for mineral materials, except in riparian areas," and (10) "Disposal of mineral materials, such as sand, stone, gravel, pumice, pumicite, cinders, and clay, in amounts not exceeding 50,000 cubic yards or disturbing more than 5 acres, except in riparian areas." Water management would be designed and maintained to control water runoff, erosion, infiltration, sedimentation, and contamination as necessary.

This CX is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

E. Decision Record / Rationale:

My decision is to approve the proposed East Smoky Mineral Materials Investigation and Geotechnical Study. I have reviewed and assessed the proposal within the intent of the CX described in 516 DM 11.9, Section F—Solid Minerals and have determined that extraordinary circumstances do not exist that would require further NEPA analysis. The Proposed Action is categorically excluded from further documentation under NEPA.

F. Appeals Information:

Appeals information can be found at 43 CFR 4.410.

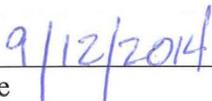
G. Implementation:

I have reviewed the plan conformance statement and have determined that the Proposed Action is in conformance with the approved land use plan. The activities meet the category of actions noted above and I have determined that none of the exceptions apply; therefore, no further environmental documentation is required.

H. Signature



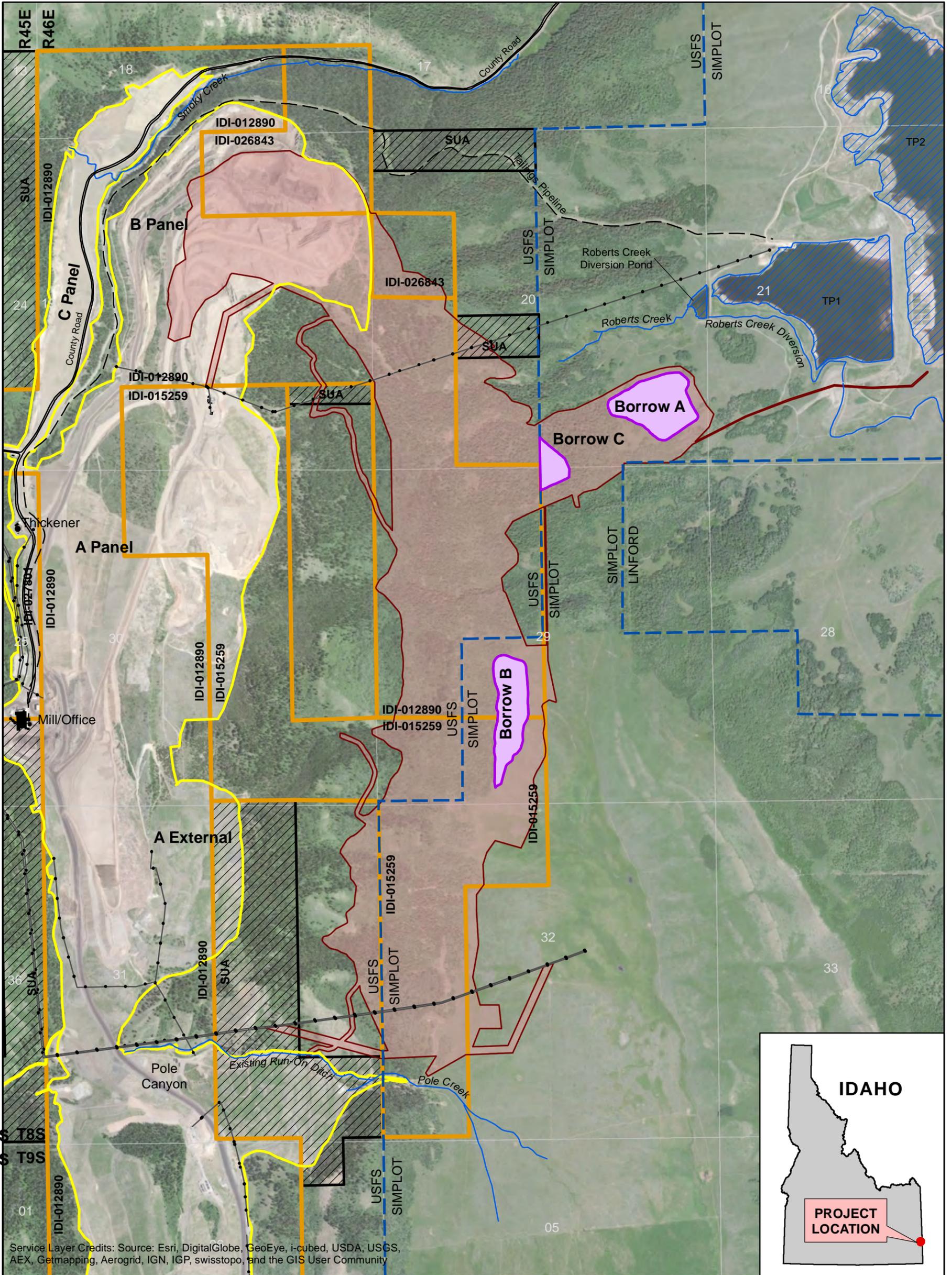
Authorized Officer
Jeff Cundick
Acting Field Manager



Date

Contact Person

For additional information concerning this CX review, contact Jeff Cundick, Minerals Branch Chief, at (208) 478-6354.



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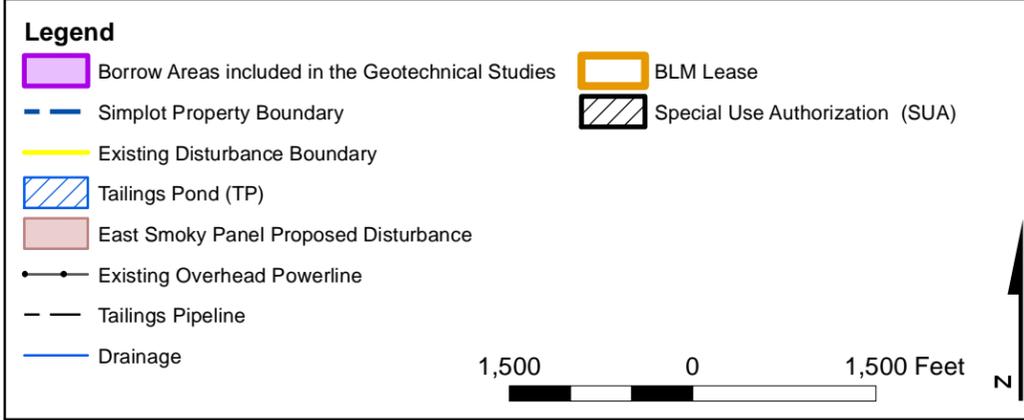
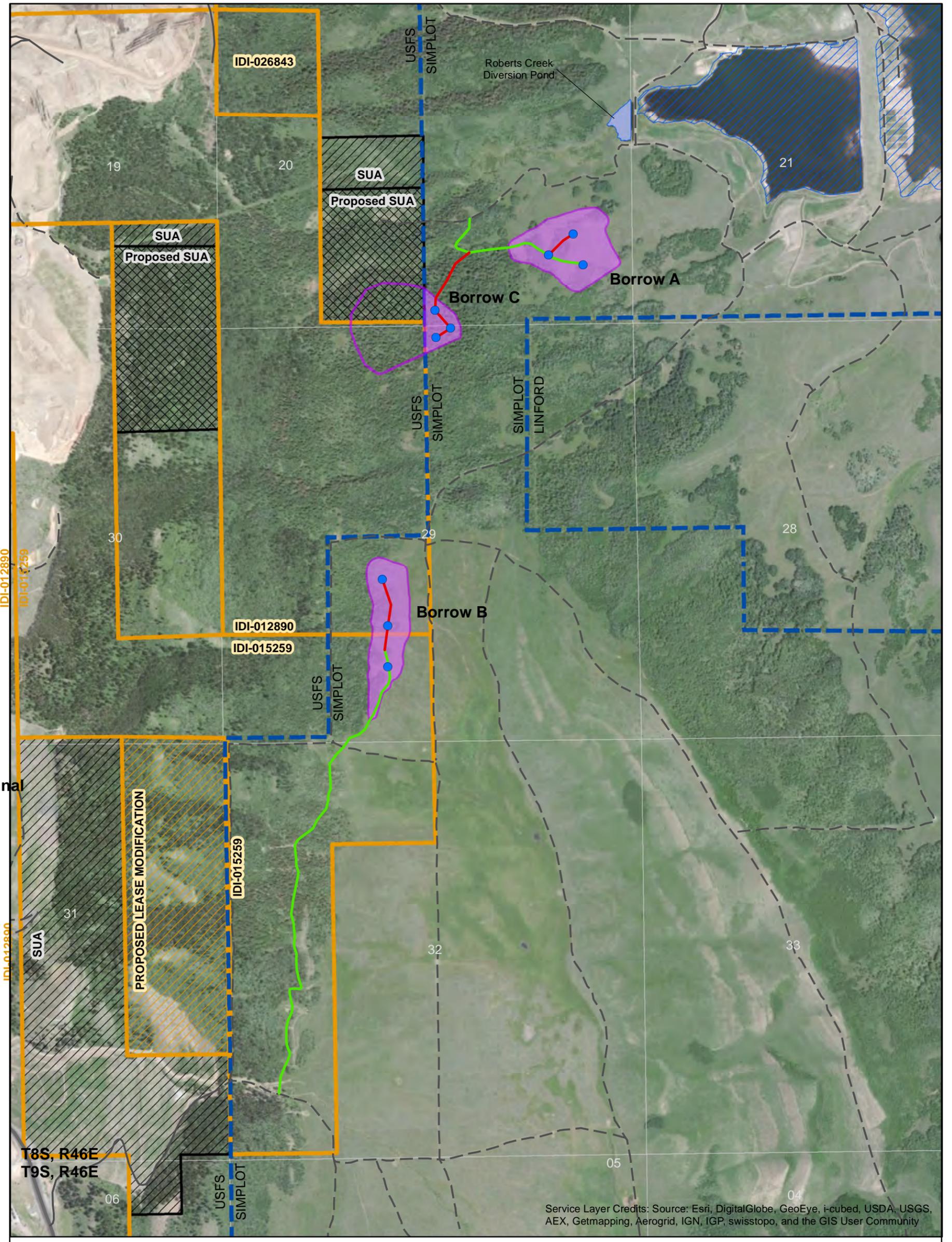


Figure 1
General Geotechnical Studies Location
East Smoky Panel
Smoky Canyon Mine



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Legend

- Simplot Property Boundary
- Borrow Areas included in the Geotechnical Studies
- Borrow Area excluded from the Geotechnical Studies
- Roberts Creek Diversion Pond
- Tailings Pond
- Proposed Boring and Test Pit Locations (Locations approximate)
- Existing Access Route
- New Access Route
- Local Road
- Other Road
- 4WD Trail
- BLM Lease
- Proposed BLM Lease Modification
- Special Use Authorization
- Proposed Special Use



Figure 2
Geotechnical Studies Site Map
East Smoky Panel
Smoky Canyon Mine