

**Enoch Valley Mine – Mine Plan Modification
Categorical Exclusion Documentation and Review
March 2015**

DOI-BLM-ID-I020-2015-0017-CX

A. Background

BLM Office: Pocatello Field Office

Lease/Serial/Case File No: Federal Phosphate Lease I-015122, State Phosphate Lease I-7957

Proposed Action Title/Type: Enoch Valley Mine - Mine Plan Modification

Location of Proposed Action: Caribou County, Idaho. Within Sections 16, 21, and 22, T06S R43E, Boise Meridian.

Description of Proposed Action:

Background: On December 18, 2014, P4 Production, LLC (P4) submitted a mine plan modification to resume mining at Enoch Valley Mine. Enoch Valley was originally permitted in 1986 and was operated until early 2004. Enoch Valley Mine lies within Federal Leases ID-015033, ID-0 15122, ID-0 11683, various USFS Special Use Permit (SUP) areas, and on State of Idaho Surface Easement #5353 and Leases I-7957. Specifically, the area includes all or part of Sections 16, 21, and 22 in T6S, R43E, Boise Meridian.

Mining at Enoch Valley was suspended at the alteration floor and the economic limit of the ore body, which at the time was based on factors including high carbon content and hardness of the rock. Ore being produced at the current Blackfoot Bridge Mine has very low carbon content compared to historical norms which has resulted in operating difficulties realized at P4's Soda Springs Plant. It has been determined the higher carbon content of the Enoch Valley ore may provide a beneficial amendment for co-processing with the ore recovered from the Blackfoot Bridge Mine.

Proposed Mine Plan Modification: The proposed mine plan modification would revise the 1986 ultimate pit boundaries (see Figure 1) and lower the ultimate pit bottom by approximately 140 feet. This revision allows for approximately 650,000 tons of ore to be mined and transported to P4's Soda Springs Plant. It is anticipated that all recoverable ore will be extracted from Federal lease ID-0 15122. An additional 3.8M bcy of overburden will be moved as part of mining operations as well. Depending on the chemistry of the ore and blending requirements at P4's plant, mining will take place over a 2-4 year. Proposed mining will be conducted using traditional phosphate mining practices utilizing conventional end dump trucks and hydraulic excavators along with an assortment of support equipment. Ore will be mined, stockpiled and loaded at the existing Enoch Valley ore stock pile.

The 3.8 M bcy of overburden will be mined along with the ore. Of that volume approximately 3 M bcy will be selenium bearing material. All selenium bearing overburden piles will be placed as pit backfill. There will be one temporary external overburden pile, comprised of limestone, Dinwoody, and topsoil, that will be temporarily located on an existing, adjacent equipment lay down area. This material will be re-handled and used for reclamation purposes. These locations can be seen in Figure 1.

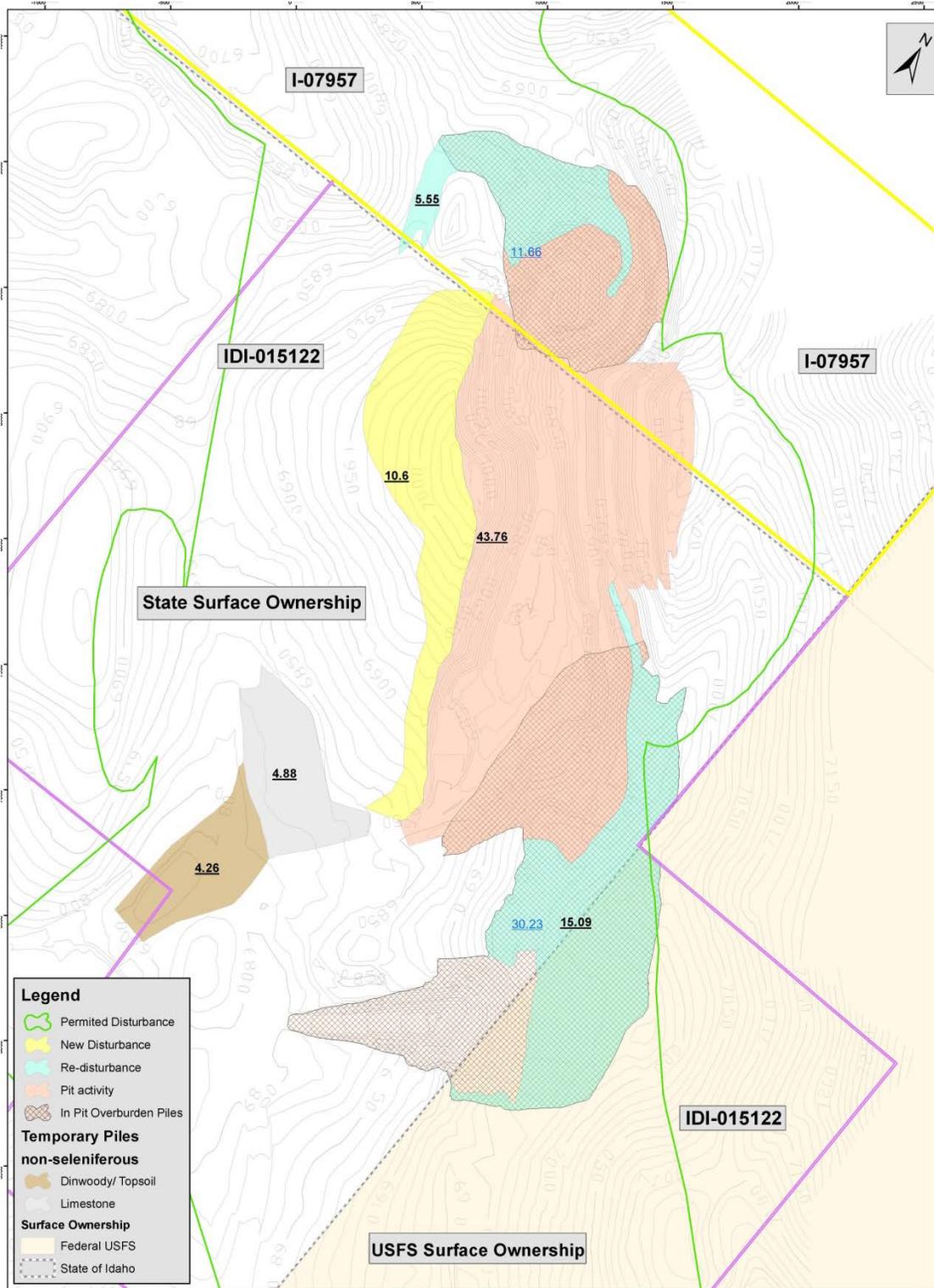


Figure 1. Location of proposed action (map from P4's 2014 proposal).

To the extent possible P4 would perform reclamation concurrently with operations. P4 proposes to cap all disturbance areas with four feet of limestone, 12 inches of alluvium, and 12 inches of growth medium (topsoil/nutrient rich material). Reclamation materials would be obtained from the mining operations associated with the proposed mine plan modification. Total un-reclaimed pit disturbance would be 25.6 acres, 31.7 acres less than the currently approved reclamation plan, and would be primarily limited to exposed highwall.

Consultation and Coordination:

The Pocatello Field Office will maintain a publicly available record of this Categorical Exclusion (CX) Documentation. Following the decision, notice to the public will be posted in Idaho BLM's NEPA database which is accessed via Idaho BLM's public website. The following individuals were consulted regarding this project:

- Amy Lapp, Archeologist, BLM Pocatello Field Office
- Jeff Cundick, Minerals Branch Chief, BLM Pocatello Field Office
- James Kumm, Wildlife Biologist, BLM Pocatello Field Office
- Devon Green, Wildlife Biologist, USFS Soda Springs Ranger District
- Jack Isaacs, District Ranger, USFS Soda Springs Ranger District
- Gary Billman, Senior Resource Specialist, Idaho Department of Lands
- Dave Tomten, Environmental Protection Agency

B. Categorical Exclusion Extraordinary Circumstances Review

The following review has been undertaken by BLM to determine if any extraordinary circumstances may apply (516 DM 2, Appendix 2) that would require preparation of either an environmental assessment or an environmental impact statement instead of this CX for the action:

2.1 Have significant impacts on public health or safety.

No public health or safety issues exist with implementation of the proposed action. The proposed action would enhance the safety of the public by laying back the highwall and footwall and reclaiming a portion of the remaining pit.

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 State lands and National Forest System lands. These lands are all underlain by state or federally owned mineral estate. 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, prime farmlands, or any other ecologically significant or critical areas in the proposed project area. No significant impacts would be expected to occur to groundwater, floodplains, or wetlands. Disturbance of previously un-disturbed areas would occur outside of the nesting period to avoid potential impacts to migratory birds.

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

The proposed action would occur within a State and Federal mineral lease held by P4, both of which are active and current. The current land use, phosphate mining, is already approved. This modification would not change existing resource uses.

Water resources monitoring associated with area-wide investigations and CERCLA activities ultimately led by EPA at Enoch Valley were initiated in 1997 and continue to date. Initial investigations focused on identifying potential impacts from mining activities. After the nature and extent of impact was determined, water sampling was reduced to collect data from surface and ground water locations that monitor for potentially changing conditions at the site.

Surface water monitoring indicates that selenium concentrations in seeps, springs, and ponds are generally above background levels and periodically exceed the IDEQ CCC aquatic life standard. There are also occasional exceedances of the standard in a few downstream locations. However exceedances are seasonal and generally occur during spring runoff. Historic surface water samples have occasional, isolated exceedances of surface water screening levels for aluminum, barium, boron, cadmium, iron, manganese, nickel, thallium, vanadium, and zinc. Concentrations of all analytes that exceed their respective standards are typically higher during springs sampling events when compared to fall sampling events.

Groundwater analytical data indicate that aluminum, iron, and manganese frequently exceed their screening levels. Selenium, sulfate, and total dissolved solids exceed their groundwater screening levels in samples collected from several monitoring wells, primarily alluvial flow system wells. Selenium has also exceeded screening levels in wells completed in the Dinwoody formation. Selenium has been detected in, but has not exceeded screening levels in wells completed in the Wells Formation.

As described above, CERCLA activities are ongoing to address the water quality issues at the site. CERCLA activities would ultimately result in remediation of the site. EPA has written BLM a no-objection letter and feels that the proposed action would not conflict with the ongoing CERCLA activities. Consequently, no highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources have been identified.

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

Mining has been approved and has occurred in the past. See water quality discussion in Section 2.3 above regarding impacts from past mining activities and ongoing CERCLA actions. Mining methods associated with the proposed action are the same as those approved under the original mine and reclamation plan. Consequently, no highly uncertain and potentially significant environmental effects or unique or unknown environmental risks are anticipated with the proposed action.

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

As mining at Enoch Valley has already been approved, 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. See water quality discussion in Section 2.3 regarding impacts from past mining activities and ongoing CERCLA actions.

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

The proposed action would reduce the un-reclaimed pit disturbance by 31.7 acres. No other activities are currently taking place in the vicinity of the proposed action that would potentially result in cumulatively significant environmental effects. Ongoing CERCLA activities at the site would reduce the potential for cumulative significant 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.

No properties either listed or eligible for listing on the National Register of Historic Places were identified at the site. (Reference: *Survey Report #6, Enoch Valley/Rasmussen Ridge - Basin and Range Research*, December 1982.)

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.

Potential impacts to listed and candidate species were evaluated as part of the 1986 NEPA analysis. The proposed action would occur immediately adjacent to and within an existing mine pit. The additional 10.6 acres of disturbance would be negligible relative to the approved 834 acres. There is no critical habitat for any species in the vicinity of the site. The proposed mine plan modification would reclaim an additional 31.7 acres of existing pit disturbance, which is not required by the existing, approved mine plan. This would provide better plant and wildlife habitat than exists in the current residual pit area. There are no other currently listed species. There is no sage grouse habitat within or adjacent to the disturbance footprint. (Reference: Personal communication with James Kumm, BLM Wildlife Biologist, on February 5, 2015, and Devon Green, FS Wildlife Biologist, on March 17, 2015.) Significant impacts on species listed, or proposed or be listed, are not anticipated.

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

Extensive coordination of the proposed action was undertaken with various jurisdictional agencies as indicated above. 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).

The approved mine and reclamation plan requires P4 to take measures to prevent the introduction, continued existence, or spread of noxious weeds and non-native invasive species. Because the proposed action is a minor mine plan modification and subject to the same requirements, it is unlikely the proposed action would contribute to the introduction or spread of such species. Reclamation of 31.7 acres of land that is currently in a disturbed state would result in less opportunity for weeds to propagate over the long term.

C. Land Use Plan Conformance

There are two Land Use Plans (LUPs) applicable to the proposed action: the *Caribou National Forest Revised Forest Plan* (RMP) approved February 13, 2003 and the BLM's *Pocatello Resource Management Plan* approved July 10, 2012. The proposed action is in conformance with these LUPs which specifically allow a lessee or designated operator to mine phosphate on a Federal phosphate lease and to use the area within the lease for other necessary facilities. The action is expected to comply with reclamation and phosphate mining operational requirements contained in the Pocatello RMP which apply to split estate lands.

The proposed action is considered a standard operating practice under the applicable LUPs because it would occur on an existing Federal mineral lease according to the existing mine and reclamation plan approved in 1986. With the exception of utilizing center waste shales as growth media, the proposed action is subject to the mitigation measures developed during NEPA review of the mine and reclamation plan and stipulated in the BLM decision documents. Conditions of approval for the proposed action are attached to this document.

It is typical for approved mine and reclamation plans to be adjusted in order to accommodate incorporation of new information that affects mining and reclamation. Pits, other surface disturbance boundaries, facilities, or operations may need to be modified to accommodate the latest mine conditions. The *Code of Federal Regulations* (CFR) allow for modifications to adjust for changes in conditions or correct for oversights (43 CFR 3590.2[a] and 43 CFR 3592.2[d][1]). These situations are considered to be standard practice and are anticipated when BLM conducts NEPA analysis and approves and implements a decision to allow mining.

D. Compliance with NEPA:

The proposed action is categorically excluded from further documentation under NEPA in accordance with 516 DM 11.9, Section F—Solid Minerals, (8) “Approval of minor modifications to or minor variances from activities described in an approved underground or surface mine plan for leasable minerals.”

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 minor mine plan modification to the approved mine and reclamation plan for Enoch Valley Mine. 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.

P4 holds the lease issued to them by the Federal government that allows them exclusive rights to mine phosphate reserves within the lease. This decision allows them to exercise those rights subject to adherence to mitigation measures that are part of their lease and also those that are in their approved mine and reclamation plan. The proposed action is categorically excluded from further documentation under NEPA.

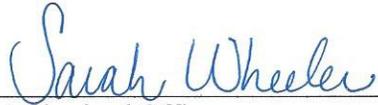
F. Appeals Information:

Appeals information can be found at 43 CFR 4.410.

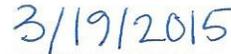
G. Implementation:

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
Sarah Wheeler
Idaho Falls District Manager (Acting)



Date

Contact Person

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

Attachments

Attachment 1 – Conditions of Approval

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Enoch Valley Mine – Mine Plan Modification

BLM Categorical Exclusion #DOI-BLM-ID-I020-2015-0017-CX

Conditions of Approval

P4 Production, LLC (P4), its contractors, and other entities involved in the project must adhere to the plans and stipulations set forth in the approved mine plan modification and this document. Any deviations from this plan must be submitted to the Bureau of Land Management (BLM) for approval prior to action.

1. P4 is responsible to ensure that all personnel contracted or otherwise doing work on the Project are aware of these conditions of approval and requirements and abide by all regulations and conditions of approval governing this Project.
2. The original Enoch Valley Mine and Reclamation Plan was approved in 1986. P4 must adhere to the approval stipulations associated with that decision, with the exception of those approval stipulations associated with the use of center waste shales for growth medium. As outlined in P4's mine modification proposal, P4 will cap all disturbance areas with four feet of limestone, 12 inches of alluvium, and 12 inches of growth medium (topsoil/nutrient rich material).
3. P4 will utilize the seed mix described in the 2014 mine plan modification proposal to re-vegetate disturbance areas.
4. To avoid the potential for take of migratory birds (consistent with the Migratory Bird Treaty Act and Executive Order #13186), ground clearing of vegetation will generally be completed before or after the nesting period for the site (approximately May 15th - August 15th). BLM may grant exceptions to this if erosion, sedimentation, weed infestation, important timing conflicts, or other unacceptable impacts will occur. If an exception is granted, a survey of the areas where ground clearing of vegetation would occur will be conducted by a BLM-approved biologist to determine if migratory bird nests exist within the approved disturbance areas. If any protected nests are located, these nests would be protected through the implementation of established buffer distances (1000' buffer for raptors and owls, 200' from all other migratory birds).
5. A cultural survey report has been completed. No significant cultural or historic sites were found within the areas proposed for disturbance. If previously unidentified cultural resources are discovered during Project implementation, the BLM shall be notified and work in the area shall halt until inspection by a professionally trained archeologist was conducted and a mitigation plan developed, if necessary. If a discovery is made which relates to historic or pre-historic Native American culture, the BLM will be notified. BLM will contact the Shoshone-Bannock Tribes if determined necessary.

6. Based on nearby groundwater wells, groundwater in the vicinity of the proposed mine pit is anticipated at the 6100' elevation level. The proposed pit bottom would reach its maximum depth at the 6640' elevation. Although not anticipated, if groundwater is encountered in the pit bottom, P4 is not authorized to transfer water external to the active, open mining pit.
7. Prior to commencement of ground disturbing activities, P4 will provide a performance and royalty bond for the mine plan modification, consistent with requirements of 43 CFR 3504.50-71.