Smoky Canyon Mine Panel B-2 Highwall Layback
Categorical Exclusion Documentation and Review
June 2015

DOI-BLM-ID-I020-2015-0029-CX

A. Backgound

BLM Office: Pocatello Field Office

Lease/Serial/Case File No: Federal Phosphate Leases I-012890 and I-26843

Proposed Action Title/Type: Smoky Canyon Mine Panel B-2 Layback

Location of Proposed Action: Caribou County, Idaho. Within Sections 19 and 20 of T08S R46E, Boise Meridian.

Description of Proposed Action: On May 21, 2015, the J.R. Simplot Company (Simplot) proposed a minor mine plan modification to layback the east highwall in a section of Panel B-2 at Smoky Canyon Mine. The purpose of the proposed action is to stabilize the highwall to prevent slope failure. During a work area inspection on May 18, 2015, Simplot staff noted a significant increase in movement along a small section of the highwall. The survey prism used to monitor that portion of the highwall had dropped approximately 4 vertical feet. Further inspection revealed substantial cracking east of the highwall. Simplot staff have noted movement in this location before, possibly related to a fault that transverses the area, but recent precipitation has accelerated the material movement. The current proposal would result in an additional 1.6 acres of disturbance on National Forest System lands and within Federal phosphate leases I-012890 and I-26843 administered by the BLM (Figure 1). Failure to address the highwall instability would pose a significant safety risk to miners working in Panel B-2.

Mining in Panel B was analyzed in the 2002 Smoky Canyon Mine Panels B and C Final Supplemental Environmental Impact Statement (2002 SEIS) and approved by the BLM Record of Decision (ROD) issued on May 31, 2002. The area proposed for layback is within the overall study area analyzed in the 2002 SEIS, and represents a negligible amount of acreage relative to the 618 acres previously approved under the existing mine and reclamation plan for Panels B and C. A minor plan modification for a 3.4-acre layback to the footwall in Panel B-2 was recently approved by the BLM on February 20, 2015.

The proposed layback would generate an additional 7,653.25 bank cubic yards of non-seleniferous overburden. It would not increase the seleniferous footprint of the mine disturbance, nor would it result in a measurable change to the final mine configuration. No additional ore would be recovered as a result of the layback.

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 categorical exclusion (CX) for the action:

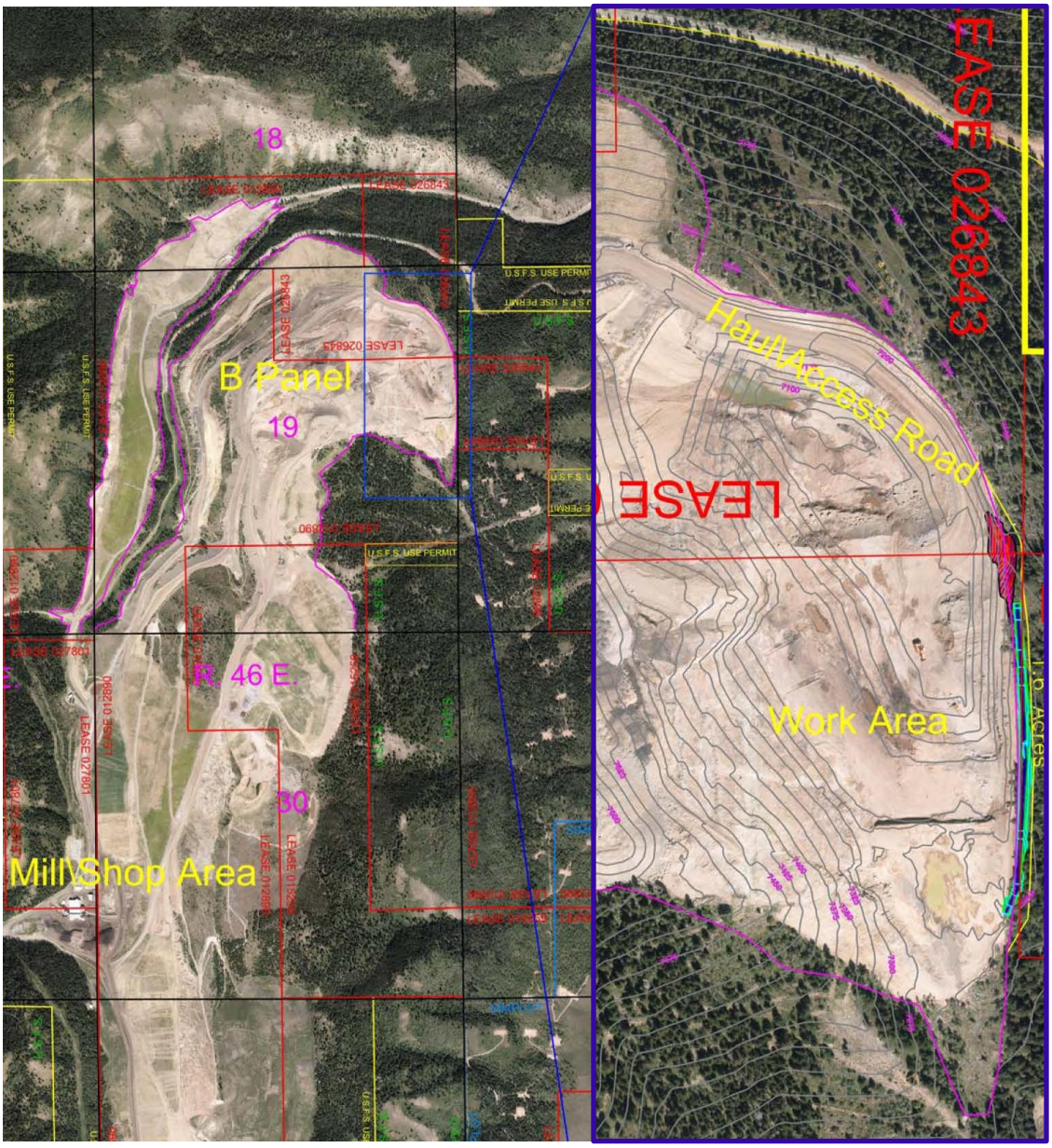

Figure 1. Location of proposed action (map modified from Simplot's proposal).

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 is intended to preserve the safety of the mine workers by reducing the risk of further highwall collapse.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 National Forest System 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, 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. The proposed action 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)].

No highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources have been identified. The proposed action would occur within a Federal mineral lease held by Simplot. The current land use, phosphate mining, is already approved. This modification would not change existing resource uses.

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

Mining has been approved and is occurring within Panel B. No highly uncertain and potentially significant environmental effects or unique or unknown environmental risks have been identified.

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

As mining in Panel B 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.

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

The proposed action would increase the disturbance at Panel B by 1.6 acres, which is less than one percent of the previously approved 618 acres for Panels B and C. No other activities are currently taking place in the vicinity of the proposed action that would potentially result in cumulatively 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.

No properties either listed or eligible for listing on the National Register of Historic Places were identified at the site. (Reference: Smoky Canyon Mine Panels B and C Project—Cultural Resource Inventory and Assessment, Frontier Historical Consultants, September 2000.)

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 2002 NEPA analysis for Panels B and C. The 1.6 acres proposed for layback is located

immediately adjacent to the existing Panel B mine pit, within the overall study area analyzed in the 2002 SEIS, and is a negligible amount of disturbance relative to the previously approved 618 acres. Wildlife baseline surveys were conducted in and adjacent to the project area in 2014 and 2015 as part of the East Smoky project.

There is no designated or proposed critical habitat for any species in or adjacent to the project area. The only listed species potentially occurring in the project area are the Canada lynx and the Bliss Rapids snail. Canada lynx were initially analyzed in the 2002 analysis. Given the minimal 1.6 acres of proposed disturbance occurring immediately adjacent to an existing pit, the proposed layback would not create any additional barriers to lynx movement, nor would it result in the existing mining area becoming a more substantial barrier to lynx movement. The Bliss Rapids snail does not occur anywhere near the project area so there would be no effect to this species. Other listed species analyzed in 2002 have been delisted; wolves were delisted in 2011 and bald eagles delisted in 2007. Sage grouse, a candidate species, are not identified as having potential to occur in the project area as there is no sage grouse habitat within or adjacent to the 1.6 acres proposed for disturbance. (References: Personal communications with Devon Green, U.S. Forest Service Wildlife Biologist, on June 5, 2015; U.S. Fish and Wildlife Service [USFWS] species list for consultation code 1EIFW00-2015-SLI-0546 on June 5, 2015; and USFWS species profile for the Bliss Rapids snail, accessed via the USFWS Environmental Conservation Online System at http://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=G01K on June 5, 2015.)

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).

The approved mine and reclamation plan requires Simplot 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.

C. Land Use Plan Conformance

The two Land Use Plans (LUPs) applicable to the proposed action are the Caribou National Forest Revised Forest Plan 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 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 2002. 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.

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 modifies 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 an additional 1.6-acre disturbance for Panel B-2 as part of a minor mine plan modification to the approved mine and reclamation plan for Smoky Canyon Mine Panels B and C. 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.

Simplot 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
Jeremy Casterson
Idaho Falls District Manager (Acting)

6/9/15
Date

Contact Person

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