

## Finding of No Significant Impact/Decision Record

### Ballard Exploration Project

P4 Production LLC (P4), a wholly-owned subsidiary of Monsanto, has proposed to conduct exploration drilling within the Grays Range-Wooley Range known phosphate leasing area (KPLA) (IDI-38120). P4 is working with the Environmental Protection Agency (EPA), other support agencies, and the Shoshone Bannock Tribes at the historic Ballard Mine to develop a remedial design and site remedy to meet their obligations under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). The EPA has approved the *Cover Material Exploration Work Plan* (CMEWP) which supports the feasibility study investigation by identifying and characterizing various earthen materials on-site that can be used as potential cover material and as backfill. P4 would like to deepen boreholes locations identified and approved in the CMEWP into the Meade Peak Formation to identify and characterize phosphate ore which was not recovered during mining of the Ballard property.

In compliance with the National Environmental Policy Act (NEPA), an Environmental Assessment (DOI-BLM-ID-I020-2016-0018-EA) was prepared by the BLM to assess potential impacts to the human environment and natural resources which may result from the proposed exploration activities. I have reviewed the Exploration Plan and the *Ballard Exploration Project* Environmental Assessment, which includes Exploration License Application IDI-38120. I have considered all alternatives and have selected the Proposed Action Alternative, along with the environmental protection measure that is part of the Proposed Action. This environmental protection measure is set forth in the Conditions of Approval included at the end of this Decision Record. It is my decision to approve the exploration drilling plan subject to the Condition of Approval. Note that since the exploration drilling consists of merely extending drill holes previously authorized by the U.S. EPA, operational surface management is also managed by EPA. No additional surface management measures applied by BLM are necessary or appropriate.

These activities are proposed within the Grays Range-Wooley Range KPLA, but not within an existing lease. I feel there is utility in the Exploration Plan to determine the nature and extent of any remaining phosphate resource within the historic Ballard Mine area. This information could assist BLM with future management of the mineral estate associated with the affected lands. Because of this, I am also recommending that the Bureau of Land Management (BLM) Idaho State Office approve P4's Exploration License application IDI-38120 which would authorize exploration of unleased minerals on these parcels of land.

No lease or right to mine is granted with issuance of an exploration license. Mining is outside of the scope of this application, the EA analysis, and my decision. Any future leasing or mining would have to be assessed in a separate environmental analysis document.

#### **Purpose of the Project**

The purpose of this project is to define the nature and extent of the remaining phosphate resource within a portion of the Grays Range-Wooley Range KPLA. It would provide geologic data and chemical information necessary to determine the extent, geometry, and quality of the phosphate resource. The acquired information would be used to evaluate the economic feasibility of recovering the phosphate resource if proposed in the future.

#### **Scoping**

The BLM listed the project for public scoping on its web based NEPA database (<http://www.id.blm.gov/planning/nepa/databases/index.php>). The BLM has coordinated with landowners adjacent to the KPLA, as well as with entities who have requested to be informed of

phosphate development projects. No specific concerns have been identified through these outreach actions.

The BLM coordinates with the Shoshone-Bannock Tribal staff regarding phosphate development projects to ensure the tribal government, Native American community, and those individuals whose interests might be affected have sufficient opportunity for productive participation in BLM resource management decision making as set forth in BLM Manual Section 8160. The Shoshone-Bannock Tribes are cooperators in the on-going CERCLA process, and tribal staff have been briefed on the exploration project through regular communication associated with the CERCLA process. No specific concerns regarding issuing an exploration license have been identified by tribal staff.

### **Description of Alternatives**

Two alternatives were evaluated through the analysis, the No Action Alternative and the Proposed Action Alternative. The No Action Alternative would not have allowed deepening boreholes approved by EPA in the CMEWP to characterize potential phosphate resources, and the BLM would not have the information to evaluate the potential for additional phosphate ore recovery. As the CMEWP is already approved, it would continue as planned, but would be limited to only assessing chert and other potential geologic capping materials. There would be no characterization of the phosphate resource.

The Proposed Action consists of deepening 50 boreholes at 32 locations, which locations have been approved in the CWEMP, into the ore bearing sections of the Phosphoria Formation to collect ore samples which would be used to define the nature and extent of the remaining phosphate resource. P4 would use this information together with historic drilling data to evaluate the economic feasibility of recovering these potential phosphate reserves. These deepened boreholes would penetrate through the Meade Peak Member of the Phosphoria Formation extending approximately 20 feet into the underlying Wells Formation.

Depending on the information obtained from the 50 boreholes, it is possible that P4 would request to deepen additional boreholes. In anticipation of additional requests and to allow flexibility in phosphate ore characterization, the Proposed Action also includes the deepening of additional boreholes within the KPLA boundary, given the exploration borehole locations are approved by the EPA.

As indicated above, the location of these exploratory boreholes are located within a KPLA. There is no legal requirement for the mineral estate to be leased prior to permitting exploration. P4 has applied for exploration license (IDI-38120) on the unleased Federal Mineral estate in accordance with the regulations at 43 CFR 3506. These regulations allow for exploration of known, unleased mineral deposits to obtain geologic, environmental, and other pertinent data concerning such deposits. Other parties may participate in the exploration of the unleased mineral deposits on a pro-rata cost share basis.

### **Rationale and Statement of Plan Compliance**

The Exploration Plan is subject to the Pocatello Field Office Resource Management Plan (RMP). In the RMP, the application area is designated as open for solid leasable mineral exploration. This land use plan and applicable regulations have been reviewed and a determination has been made that the proposed Exploration Plan is in compliance with the approved RMP (2012).

The Proposed Action Alternative could be performed with “no significant impacts”. Activities conducted under the Proposed Action Alternative are predicted to meet environmental, land use planning, and other applicable established requirements.

I have considered, but did not select the No-Action Alternative. Selection of the No-Action Alternative would not allow for characterization of potential phosphate resources within the application area, and the BLM would not have the information to evaluate the potential for additional phosphate ore recovery.

## Finding of No Significant Impact / Decision

I have determined that implementation of the Proposed Action Alternative, with the mitigation measure described below, and as set forth in the EA, will have *No Significant Impacts*, and thus an Environmental Impact Statement is not required. I approve P4's Exploration Plan as modified by the attached condition of approval and this decision for the Project, and recommend to the BLM Idaho State Office that P4 be issued Exploration Licenses IDI-38120 for activities on lands with unleased Federal minerals.

My decision allows for full exploration of the unleased phosphate deposit according to the approved Exploration Plan. Minor modifications to the Exploration Plan may be made to ensure that adequate geologic and environmental information is obtained as long as impacts from the minor modification are within the scope of the EA for the project (DOI-BLM-ID-1020-2016-0018-EA) and BLM determines this to be the case in advance.

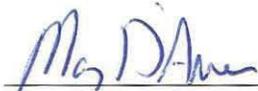
This decision does not authorize any mining, mineral leases, or lease modifications. Consideration of these actions is outside the scope of P4's proposal. Any potential impacts of mining or leasing proposals in this project area would need to be fully evaluated in a separate environmental analysis document.

## Public Availability

Copies of this EA are available at the BLM Pocatello Field Office in Pocatello, Idaho. It can also be found on BLM's web based NEPA database (<http://www.id.blm.gov/planning/nepa/databases/index.php>). For further information contact: Barry Myers, BLM Pocatello Field Office, 208-559-3662.

## Appeal Information

Any party who is adversely affected by this decision has a right to appeal to the Interior Board of Land Appeals, in accordance with the provisions described in 43 CFR Part 4. A person who wishes to appeal must file in the office of the officer who made the decision a notice that he wishes to appeal. In this case, the deciding officer is the District Manager, Idaho Falls District Office, 1405 Hollipark Drive, Idaho Falls, Idaho 83401. This notice must be filed within 30 days after the party is served with this decision. A petition for stay, if any, (43 CFR 4.21) must be delivered to the Idaho Falls District Office within the same 30-day period. The notice of appeal must identify the decision being appealed and may include a statement of reasons for the appeal and any argument the appellant wishes to make. If the notice of appeal does not include the statement of reasons for the appeal, the appellant shall file such a statement with the Interior Board of Land Appeals, Office of Hearings and Appeals, 801 North Quincy Street, Arlington, Virginia 22203, within 30 days after the notice of appeal was filed. The appellant shall serve a copy of the notice of appeal and of any statement of reasons and arguments on the Field Solicitor, U.S. Department of the Interior, Federal Building & U.S. Courthouse, 550 West Fort Street, MSC 020, Boise, ID 83724, not later than 15 days after filing the document. Service of the copy may be made by delivering the copy personally or by sending it by registered or certified mail, return receipt requested.

  
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Mary D'Aversa  
District Manager

  
~~May 6, 2016~~  
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Date

Attached: Condition of Approval

## **Ballard Exploration Project**

### **Environmental Assessment: DOI-BLM-ID-I020-2016-0018-EA**

#### **Condition of Approval**

1. All drill holes will be plugged according to State of Idaho regulations “Well Construction Standards Rules” (IDAPA 37.03.09, Rule 25). Drill holes will be plugged with bentonite chips or grout or other approved materials (such as drill cuttings, cement grout, or concrete) from the bottom to the surface and then sealed.