

Notice of Exchange Proposal Content Analysis Report

Thompson Creek Mine EIS

DOI-BLM-ID-I030-2011-0001-EIS

Prepared for:

US Department of the Interior
Bureau of Land Management
Challis Field Office
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ACRONYMS

| | |
|-------|--|
| BLM | Bureau of Land Management |
| BWR | Broken Wing Ranch |
| EIS | environmental impact statement |
| FLPMA | Federal Land Policy and Management Act |
| MMPO | modified mine plan of operations |
| NEPA | National Environmental Policy Act |
| NOEP | Notice of Exchange Proposal |
| RMP | Resource Management Plan |
| SRMA | special recreation management area |
| TCMC | Thompson Creek Mining Company |

1.0. Introduction

This report provides the content analysis of public comments received in response to the notice of exchange proposal (NOEP) for a land exchange proposed by Thompson Creek Mining Company (TCMC). The public comments have been considered by the Bureau of Land Management (BLM) as part of the National Environmental Policy Act (NEPA) process for the preparation of the Thompson Creek Mine Environmental Impact Statement (EIS). This report is supplementary to the Scoping and Alternatives Report for the EIS. The Scoping and Alternatives Report describes the project; initial public, agency, and tribal comments; issues identified in original scoping; and alternatives development (JBR 2011).

The NOEP was signed by the BLM on April 17, 2013 (Appendix A) and, pursuant to 43 CFR 2201.2, was published once a week for four consecutive weeks during the weeks of April 15, April 22, April 29, and May 6 in The Challis Messenger (Custer County) and The Idaho State Journal (Bannock County). The NOEP provided an additional public comment period for the land exchange proposal of 45 days from the initial date of publication. Three comment letters were received in response to the NOEP (Appendix B).

2.0. Content Analysis

The BLM has reviewed the comments received in response to the NOEP and determined that there are no new issues for the Thompson Creek Mine EIS, i.e., all of the issues derived from the NOEP comments were identified during the original scoping (JBR 2011), or were outside the scope of the land exchange proposal (Table 2-1-1).

Table 2-1-1. Issues raised in response to the NOEP.

| Resource/Topic | Issue | Response |
|-----------------------|---|---|
| General | The EIS needs to assess whether the proposed south boundary of the selected land on Thompson Creek is a reasonable alternative as defined by NEPA to respond to the purpose and need for the project. | The BLM has determined that the land exchange proposal is a reasonable alternative that would meet the purpose and need for the project (also see responses under Alternatives, below). |
| General | Providing irrigated agriculture on the BWR may not be in compliance with the Challis RMP. | The land exchange would conform with various specific objectives of the Challis RMP (BLM 1999) as summarized in Section 1.7. of the EIS. The BLM has the authority to issue permits, leases, or enter into stewardship agreements to authorize agriculture and grazing on BLM-administered lands. |

| Resource/Topic | Issue | Response |
|-----------------------|--|--|
| General | The transfer of the selected land out of BLM oversight and administration is not in compliance with the Challis RMP. | The transfer of the selected land would require an RMP amendment, as described in Section 1.7. of the EIS. |
| Purpose and Need | There is no need for more recreational facilities/sites on the Salmon River. | As stated in the Challis RMP, the Upper Salmon River SRMA, which includes the BWR, will experience increasing popularity thus the RMP goal of expanding recreation opportunities in the SRMA. This issue is addressed in Section 3.12.2.1. of the EIS. |
| Purpose and Need | Given the volatility of the molybdenum market, the future of the mine is uncertain. | While the mine may experience interim closures due to the volatility of the molybdenum market or other factors, it is reasonably foreseeable that Phase 8 will ultimately be completed. This issue is addressed in Section 3.13.1. of the EIS. |
| Purpose and Need | TCMC does not need to own the land it is mining; therefore, the land exchange is not necessary. | The land exchange is not necessary for TCMC to implement an MMPO alternative, but the land exchange would provide benefits to TCMC. The BLM must respond to the land exchange proposal and determine if the public interest would be well served by the land exchange. |
| Alternatives | The south boundary of the selected land should be moved at least 500 yards off of Thompson Creek. | This alternative was considered and dismissed for a variety of reasons, e.g., moving the boundary a short distance from Thompson Creek would leave a narrow strip of Federal land that would not be feasible to manage. Instead, a conservation easement has been developed as a mitigation measure, which would offer greater protection than if the land continued to be administered by the BLM (JBR 2011). |

| Resource/Topic | Issue | Response |
|-----------------------|---|---|
| Alternatives | Any alternative that could result in the privatization of publicly-owned special status fish habitat should not be considered by the BLM. | The same Federal protections for special status fish species apply whether the land is public or private. Effects to special status fish species are provided in Section 4.8.2. of the EIS. The determination of whether the public interest would be well served by the land exchange must consider a wide variety of factors, and cannot be limited to only one element of the human environment. |
| Alternatives | The EIS should analyze an alternative that returns the BWR to native vegetation with no irrigation, water diversion, or agriculture. | A variation of this alternative is considered in the EIS, i.e., using active management (e.g., herbicide, plowing, seeding, irrigation, weed eradication) to establish native vegetation. The alternative of passively converting the BWR to native vegetation was considered but will not be fully analyzed because such would result in severe weed infestation (JBR 2011). |
| Alternatives | A range of alternatives related to the management of the BWR should be analyzed in the EIS. | The management summary for the BWR is generally part of the <i>description</i> of the three alternatives in which the US would acquire some or all of the BWR. However, the summary will contain the following sub-alternatives recently developed from internal scoping: continuation of cultivated agriculture/grazing, conversion to native vegetation/no grazing, and two possible places to begin non-motorized access in the Lyon Creek drainage. |

| Resource/Topic | Issue | Response |
|-----------------------|--|---|
| Alternatives | TCMC should include other high-value properties in the offered lands to ensure equal exchange. | The BLM cannot require a proponent to offer a particular property. The offered lands are potentially higher in fair market value than the selected land. Alternative L4 and Alternative L5 are designed to allow for portions of the offered lands to be removed from the transaction to achieve equal fair market value. |
| Fish | The exchange would transfer the responsibility for access to and protection for a stream that supports special status fish (Thompson Creek) to private hands, which will not guarantee these responsibilities will be met. | The same Federal protections for special status fish species apply whether the land is public or private. Due to access provisions (Section 2.2.7. of the EIS), public access to Thompson Creek would not change. Effects to special status fish species are provided in Section 4.8.2. of the EIS. |
| Fish | The EIS needs to analyze the impacts of, and develop mitigations for, the outfalls of mine wastewater on special status fish. | This comment is outside the scope of the land exchange proposal, but was considered in the scoping of the proposed MMPO (JBR 2011). The effects of the mine on water resources are described in Section 4.6.1. of the EIS. |
| Water Resources | The mine has encountered numerous water quality issues requiring intensive management that were not identified/disclosed in the 1980 EIS. | This comment is outside the scope of the land exchange proposal, but was considered in the scoping of the proposed MMPO (JBR 2011), i.e., there is now sufficient data and scientific methods for the current EIS (the third for the mine, Section 1.1. of the EIS) to use best available science to characterize the long-term water quality and quantity at the mine (Section 4.6.1. of the EIS). |
| Water Resources | The proposed water treatment plan may be ineffective in preventing impacts to downstream water quality. | This comment is outside the scope of the land exchange proposal, but the potential effects of the mine on water resources have recently been extensively evaluated and are summarized in Section 4.6.1. of the EIS. |

| Resource/Topic | Issue | Response |
|-----------------------|---|---|
| Water Resources | If water treatment is not continued in perpetuity, or until water quality improves naturally, there could be significant impacts to downstream water quality. | This comment is outside the scope of the land exchange proposal, but the effects to water resources are summarized in Section 4.6.1. of the EIS. |
| Land Use | The BLM will not manage the BWR for agriculture, and the BWR will become infested with noxious weeds. | If the BLM authorizes the continuation of agriculture (and/or grazing) on the BWR, such would occur by third parties as has been the case at the BWR for many years. The third parties would have primary responsibility for weed control at the BWR, but if necessary the BLM could eradicate weeds at the BWR as is done on all BLM-administered land in the Challis Field Office area. |
| Land Use | The BWR should be entrusted to an open space group such as The Nature Conservancy to achieve open space and maintain the productivity of the ranch. | The management sub-alternative of continuing cultivated agriculture/grazing would maintain open space and the productivity of the ranch. |
| Socioeconomic Factors | The BLM cannot carry additional financial burden related to managing the BWR especially with budget fluctuations. | The financial costs of administering the ranch are included in Section 4.13. of the EIS. |
| Socioeconomic Factors | Once the selected land is mined it will contribute nearly no taxable income to the county. | TCMC would use the selected land for support operations, but would not mine the selected land. The effects of the land disposal alternatives on taxes are included in Section 4.13. of the EIS. |
| Socioeconomic Factors | If the BWR is left as a working ranch or subdivided it will stay as a dependable tax base for the county and would have more long term value. | The effects of the land disposal alternatives on taxes are included in Section 4.13. of the EIS. |
| Socioeconomic Factors | TCMC needs to consider management and ownership changes. TCMC management indicates that the mine will cease operations in the next two years. | This comment is outside the scope of the land exchange proposal, but the potential mine closure in the near future would be an interim closure, i.e., final reclamation would not reasonably occur until after Phase 8 is ultimately mined. If mine ownership were to change, the MMPO would be transferred to the new owner. |

| Resource/Topic | Issue | Response |
|-----------------------|---|---|
| Socioeconomic Factors | What is the cost to the BLM to maintain irrigated agriculture on the BWR, and who would pay for it? | The costs to operate the BWR under the conversion to native vegetation/no grazing sub-alternative are included in Section 4.13. of the EIS. However, these costs would be paid for by the third-party operator under the continuation of cultivated agriculture/grazing sub-alternative. These costs are less than the value of the hay produced from the BWR and the right to graze cattle on the BWR. |
| Socioeconomic Factors | Continued active water withdrawal for irrigation on the BWR could impact special status fish and wildlife. It is unknown if the BLM can hold water rights for purposes of irrigation as a government entity. | The BLM may hold water rights on BLM-administered lands for irrigation, stock watering, etc. Under all of the land disposal alternatives in which the US would acquire some or all of the BWR, there would be the same or less water used on the BWR than the baseline condition. Effects to fisheries, range resources, wildlife, and water resources are described in Chapter 4 of the EIS. |
| Socioeconomic Factors | If water treatment is not continued in perpetuity, water quality effects could affect the stated goals of the exchange, including the sustainable economic development for Idaho and local residents, protection of wildlife habitat and headwaters, and the enhancement of recreational opportunities. | The effects of the MMPO and land exchange are evaluated separately in the EIS, because one action does not depend on the other. However, the effect of water treatment under the MMPO, in perpetuity, is described in Section 4.6.1. of the EIS. |

| Resource/Topic | Issue | Response |
|-----------------------|--|---|
| Socioeconomic Factors | Federal oversight of the mine is critical to ensuring financial assurance for water treatment in perpetuity. The EIS should include an analysis of financial assurance and taxpayer liability should the selected land pass out of BLM management. | The specific amounts of financial guarantees are administrative and not NEPA issues, e.g., the NEPA analysis must be based on what is proposed and not on speculation that an operator will violate the terms and conditions of an approved MMPO. However, a summary of the financial assurance process for the project is provided in the EIS as background information, i.e., the agencies must hold financial guarantees sufficient for third-party, full reclamation of the mine. In addition, the EIS also describes as background information (an administrative matter) that TCMC would be legally bound to make a comparable amount of financial guarantee available to the IDL that would otherwise be held by the BLM should the selected land and mine no longer be subject to the BLM surface management regulations. |
| Socioeconomic Factors | The BLM needs to work with TCMC and other regulatory agencies to ensure bonding is adequate if the BLM no longer holds the bond for the mine. The EIS must disclose what entity would be responsible for managing the bond and describe what kind of expertise such entity has on managing similar bonds for an extended period of time. | The specific amounts of financial guarantees and expertise of regulatory agencies are administrative matters and not NEPA issues, i.e., outside the scope of the EIS. However, a summary of the financial assurance process for the project is provided in the EIS. |

| Resource/Topic | Issue | Response |
|-----------------------|---|---|
| Socioeconomic Factors | The EIS should include copies of the appraisals of the selected and offered lands so the public can be assured that equal values are being exchanged. | The absolute fair market value of the selected and offered lands is an administrative matter and not a NEPA issue. That is, the value is established by law: land sales under Section 203 and land exchanges under Section 206 of the FLPMA must be made on the basis of equal fair market value with no more than 25 percent of the difference in value paid in cash and the EIS presents alternatives which would meet such criteria. |
| Socioeconomic Factors | The value applied to the selected land must include the financial value of the ore beneath the selected land as well as the financial value of the land to TCMC for use as waste rock disposal. | See response for comment above. In addition, all of the ore is on private land. Fair market value is based on the best and highest use of the land, which may be for waste rock storage. |

3.0. Future Public Involvement

In addition to the public participation in the project to date, there will be a 90 day public comment period for the draft EIS as part of the NEPA process for the project. The comment period will begin on the date of publication by the US Environmental Protection Agency of the notice of intent to release the draft Thompson Creek Mine EIS.

4.0. References

BLM (1999) Challis Resource Area record of decision (ROD) and resource management plan (RMP). Salmon, Idaho: US Department of the Interior, Bureau of Land Management, Upper Columbia – Salmon Clearwater Districts, July 1999, BLM/ID/PT-96/008+1610-1790, 1998, revised 1999, 176 p. plus map index page, and unpaginated maps 1-48 and A-H.

JBR (2011) Scoping and Alternatives Report. Prepared by JBR Environmental Consultants, Inc. for the US Department of the Interior, Bureau of Land Management, Challis Field Office, 70 p. and separately paginated Appendices A-H. [Online WWW] URL: ["https://www.blm.gov/epl-front-office/projects/nepa/8000/41632/44060/TCM_ScopingAlternativesReport_Final_20110721_508.pdf"](https://www.blm.gov/epl-front-office/projects/nepa/8000/41632/44060/TCM_ScopingAlternativesReport_Final_20110721_508.pdf) [accessed 23 July 2013].

Appendix A. NOEP.

Notice of Exchange Proposal
Proposed Exchange of Lands in Custer and Bannock Counties, Idaho
IDI-35728

UNITED STATES DEPARTMENT OF THE INTERIOR, Bureau of Land Management, Challis Field Office, 1151 Blue Mountain Road, Challis, Idaho 83226

Notice is hereby given that the Bureau of Land Management (BLM) is considering a proposal to enter into a land exchange with Thompson Creek Mining Company, P.O. Box 805, Franktown, Colorado 80116, pursuant to Section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716), as amended.

The Federal land proposed for exchange consists of the surface and mineral estate totaling 5,143.97 acres located in Custer County, Idaho, 6 miles northwest of Clayton, Idaho. These Federal lands are described as follows:

Township 11 North, Range 16 East, B.M.

- Section 1: lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.
- Section 2: lots 11, 12, 13, 14, 15, 16, 17, S2NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, E2SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, E2NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, E2SE $\frac{1}{4}$ NE $\frac{1}{4}$, E2NE $\frac{1}{4}$ SE $\frac{1}{4}$, E2W2NE $\frac{1}{4}$ SE $\frac{1}{4}$,
- Section 3: lots 5, 6, 7, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ W2SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W2E2SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W2W2NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S2NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S2NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W2SW $\frac{1}{4}$ NESE $\frac{1}{4}$, S2NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, W2E2SE $\frac{1}{4}$ SE $\frac{1}{4}$, W2SE $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 4: lots 1, 2, 5, 9, 10, 13, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, W2SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, E2SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 9: lots 1, 4, 5, NE $\frac{1}{4}$ NE $\frac{1}{4}$
- Section 10: lots 1, 4, 5, 8, NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, N2SW $\frac{1}{4}$, N2SE $\frac{1}{4}$
- Section 11: lot 1, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N2NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, E2SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$

Section 12: E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$

Township 11 North, Range 17 East, B.M.

Section 5: lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20

Section 6: lots 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 53, 56, 57, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78

Section 7: lots 1, 2, 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$

Section 8: lots 1, 2, 3, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 17: lot 4

In exchange for the above-described Federal land, the United States would acquire 775.64 acres of non-Federal land located in Custer County and 80 acres of non-Federal land in Bannock County adjacent to other BLM-administered land in the area. The non-Federal land is legally described as follows:

Boise Meridian, Custer County, Idaho

PARCEL "A"

A parcel of land located in T. 11 N., R. 18 E., Boise Meridian, Custer County, Idaho, more particularly described as follows:

Government Lots 6 & 7 Section 11; and
NWNW and Government Lots 2, 3 and 4 Section 14

PARCEL CONTAINS 211.05 ACRES (MORE OR LESS)

PARCEL "B"

A parcel of land lying East of Idaho State Highway 75 and located in Government Lots 5 and 8, Section 11, T. 11 N., R. 18 E., Boise Meridian, Custer County, Idaho, more particularly described as follows.

Commencing at the Section Corner common to Sections 1, 2, 11 and 12 from which the 1/4 Corner common to Sections 11 and 12 bears S 00°08'44" W a distance of 2638.29 ft., the Basis Of Bearing of this description, run thence S 00°08'44" W along the easterly boundary of said Section 11 a distance of 679.64 ft. to a point on the easterly right-of-way of Idaho State Highway 75; thence S 25°15'47" W along said right-of-way a distance of 3107.78 ft. to a point on the easterly boundary of said Government Lot 5 and the POINT OF BEGINNING;

Thence S 00°01'44" W along the easterly boundary of said Government Lots 5 and 8 a distance of 1790.77 ft. to the SE corner of said lot 8;

Thence N 89°54'41" W along the southerly boundary of said lot 8 a distance of 843.56 ft. to a point on the easterly right-of-way of Idaho State Highway 75;

Thence N 25°15'47" E along said right-of-way a distance of 1978.72 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 17.34 ACRES (MORE OR LESS)

PARCEL "C"

A parcel of land lying West of Idaho State Highway 75 and located in Government Lots 5, 6 and 7, Section 01, Government Lot 9, Section 02, and Government Lots 1, 4, and 5, Section 11, T. 11 N., R. 18 E., Boise Meridian, Custer County, Idaho, more particularly described as follows;

Beginning at the Section Corner common to Sections 1, 2, 11 and 12 from which the 1/4 Corner common to Sections 11 and 12 bears S 00°08'44" W a distance of 2638.29 ft., the Basis Of Bearing of this description;

Thence S 00°08'44"W along the easterly boundary of said Section 11 a distance of 444.10 ft. to a point on the westerly right-of-way of State Highway 75;

Thence S 25°15'47"W along said right-of-way a distance of 2425.23 ft. to a point on the southerly boundary of Government Lot 4 of said Section 11;

Thence N 89°56'48"W along said boundary a distance of 655.62 ft.;

Thence S 28°07'21"W a distance of 682.20 ft.;

Thence N 65°56'48"W a distance of 507.94 ft. to a point on the easterly bank of the Salmon River;

Thence the following courses and distances along said bank;

| | |
|--------------|-------------|
| N 05°33'31"W | 51.53 ft.; |
| N 19°19'58"E | 253.70 ft.; |
| N 30°02'38"E | 134.99 ft.; |
| N 42°17'00"E | 144.54 ft.; |
| N 42°16'52"E | 138.98 ft.; |
| N 59°34'57"E | 44.58 ft.; |
| N 48°12'11"E | 116.57 ft.; |
| N 84°37'53"E | 29.14 ft.; |
| N 57°48'31"E | 284.98 ft.; |
| N 54°24'02"E | 91.58 ft.; |
| N 49°37'24"E | 217.02 ft.; |
| N 44°31'20"E | 171.38 ft.; |
| N 35°31'43"E | 245.53 ft.; |
| N 20°52'26"E | 201.69 ft.; |
| N 17°45'12"E | 117.39 ft.; |
| N 16°17'05"E | 190.12 ft.; |
| N 03°16'49"E | 139.88 ft.; |
| N 10°04'34"E | 132.05 ft.; |
| N 05°32'48"E | 210.57 ft.; |
| N 02°37'57"E | 125.59 ft.; |
| N 08°44'43"E | 148.87 ft.; |
| N 15°55'56"E | 314.77 ft.; |
| N 29°51'49"E | 120.42 ft.; |
| N 31°34'17"E | 85.08 ft.; |

N 34°58'03"E 309.63 ft.;
 N 36°44'17"E 94.03 ft.;
 N 47°23'07"E 133.69 ft.;
 N 31°47'33"E 178.57 ft.;
 N 40°19'37"E 307.66 ft.;
 N 37°07'37"E 183.15 ft.;
 N 31°51'03"E 256.81 ft.;
 N 17°56'08"E 63.46 ft.;
 N 11°20'21"E 206.86 ft.;
 N 00°05'48"W 95.44 ft.;
 N 11°10'20"W 148.66 ft.;
 N 12°18'59"W 95.36 ft.;
 N 20°55'35"W 46.10 ft.;
 N 16°45'05"W 52.80 ft.;
 N 05°25'59"E 67.68 ft.;
 N 31°43'03"W 62.04 ft.;
 N 23°19'43"W 35.46 ft. to a point on the westerly boundary of said Section 1;

Thence N 00°02'04"E along said boundary a distance of 42.15 ft. to a Meander Corner on the easterly boundary of the Salmon River;

Continuing along said boundary N 00°07'10"W a distance of 952.87 ft. to a Meander Corner;

Continuing along said boundary N 00°04'14"E a distance of 140.73 ft. to a point on the easterly bank of the Salmon River;

Thence the following courses and distances along said bank;

N 44°01'44"E 93.01 ft.;
 N 42°57'18"E 171.78 ft.;
 N 43°43'52"E 78.98 ft.;
 N 29°54'31"E 316.72 ft.;
 N 32°04'29"E 82.42 ft.;
 N 43°59'16"E 117.36 ft.;
 N 46°14'09"E 92.11 ft. to a point on the northerly boundary of Government Lot 5

of said Section 1;

Thence N 89°57'33"E along the said boundary a distance of 250.89 ft. to a point on the westerly right-of-way of said State Highway 75;

Thence the following courses and distances along said right-of-way;

129.84 ft. along a curve to the left having a chord bearing of S 14°06'20"E 129.82 ft, a delta of 03°47'45" and a radius of 1959.90 ft.;

202.62 ft. along a spiral curve to the left, having a chord bearing of S 17°59'53"E 202.60 ft. and a spiral delta of 3°00'00";

S 19°00'13" E 151.13 ft.;

194.76 ft. along a spiral curve to the right, having a chord bearing of S 17°01'43"E 194.65 ft. and a spiral delta of 6°00'00";

307.47 ft. along a curve to the right having a chord bearing of S 03°16'20"E 305.99 ft., a delta of 19°28'05" and a radius of 904.90 ft.;

194.76 ft. along a spiral curve to the right, having a chord bearing of S 10°29'24"W 194.65 ft. and a spiral delta of 6°00'00";

S 12°27'50"W 1488.08 ft.;

1268.56 ft. along a curve to the right, having a chord bearing of S 18°51'52"W 1265.93 ft., a delta of 12°47'50" and a radius of 5679.60 ft.;

S 25°15'47"W 185.31 ft. to a point on the southerly boundary of said Section 1;

Thence S 89°59'32"W along said boundary a distance of 208.44 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 134.78 ACRES (MORE OR LESS)

PARCEL "D"

A parcel of land lying East of Idaho State Highway 75 and located in Government Lot 4, Section 11, T. 11 N., R. 18 E., Boise Meridian, Custer County, Idaho, more particularly described as follows.

Commencing at the Section Corner common to Sections 1,2,11 and 12 from which the 1/4 Corner common to Sections 11 and 12 bears S 00°08'44" W a distance of 2638.29 ft., the Basis Of Bearing of this description, run thence S 00°08'44" W along the easterly boundary of said Section 11 a distance of 1621.98 ft. to the POINT OF BEGINNING;

Thence continuing S 00°08'44" W along said boundary a distance of 1016.31 ft. to the 1/4 Corner common to Sections 11 and 12 and the SE Corner of said Government Lot 4;

Thence N 89°56'49" W along the southerly boundary of said lot a distance of 918.93 ft. to a point on the easterly right-of-way of said highway;

Thence N 25°15'47" E along said right-of-way a distance of 851.00 ft.;

Thence S 64°44'13" E a distance of 400.00 ft.;

Thence N 25°15'47" E a distance of 460.62 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 12.51 ACRES (MORE OR LESS)

PARCEL "E"

A parcel of land located in T.11 N., R. 18 E., Boise Meridian, Custer County, Idaho, more particularly described as follows:

Government Lots 7 & 8 Section 2

PARCEL CONTAINS 54.46 ACRES (MORE OR LESS)

PARCEL "H"

A parcel of land lying East of Idaho State Highway 75 and located in Government Lots 5, 6 and 7, Section 1, T. 11 N., R. 18 E., Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Section Corner common to Sections 1, 2, 11 and 12 from which the 1/4 Corner common to Sections 11 and 12 bears S 00°08'44" W a distance of 2638.29 ft., the Basis Of Bearing of this description, run thence N 89°59'32" E along the southerly boundary of said Section 1 a distance of 319.02 ft. to a point on the easterly right-of-way of Idaho State Highway 75 and the POINT OF BEGINNING;

Thence the following courses and distances along said right-of-way:

N 25°15'47" E 138.10 ft.;

1290.90 ft. along a curve to the left having a chord of N 18°51'49" E 1288.21 ft., a delta of 12°48'03" and a radius of 5777.92 ft.;

N 12°27'50" E 1488.08 ft.;

205.24 ft. along a spiral curve to the left having a chord of N 10°26'15" E 205.13 ft, and a spiral delta of 6°00'00";

341.45 ft. along a curve to the left having a chord of N 03°16'20" W 339.81 ft., a delta of 19°28'05" and a radius of 1004.90 ft.;

205.24 ft. along a spiral curve to the left having a chord of N 16°58'41" W 205.13 ft, and a spiral delta of 6°00'00";

N 19°00'13" W 151.13 ft.;

197.38 ft. along a spiral curve to the right having a chord of N 18°00'37" W 197.36 ft, and a spiral delta of 3°00'00";

101.42 ft. along a curve to the right having a chord of N 14°26'29" W 101.40 ft., a delta of 03°07'27" and a radius of 1859.90 ft. to a point on the northerly boundary of said Government Lot 5;

Thence N 89°57'08" E along said boundary a distance of 382.29 ft. to the NE Corner of said lot;

Thence S 00°03'21" E along the easterly boundary of said lot a distance of 1319.56 ft. to the NE Corner of said Government Lot 6;

Thence S 00°04'57" E along the easterly boundary of said Government Lots 6 and 7 a distance of 2643.49 ft. to the SE Corner of said Government Lot 7;

Thence S 89°59'32" W along the southerly boundary of said lot a distance of 1006.33 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 41.28 ACRES (MORE OR LESS)

PARCEL "I"

A parcel of land located in Custer County, Idaho, more particularly described as follows:

SESE Section 35, T. 12 N., R. 18 E., Boise Meridian
 Government Lots 5 & 6, Section 36, T. 12 N., R. 18 E., Boise Meridian

Government Lot 4, Section 1, T. 11 N., R. 18 E., Boise Meridian
 Government Lot 1, Section 2, T. 11 N., R. 18 E., Boise Meridian

PARCEL CONTAINS 146.70 ACRES (MORE OR LESS)

PARCEL "J"

A parcel of land located in T.12 N., R. 18 E., Boise Meridian, Custer County, Idaho, more particularly described as follows:

S2NW & N2SW Section 35

PARCEL CONTAINS 159.99 ACRES (MORE OR LESS)

PARCEL "K"

A parcel of land lying East of Idaho State Highway 75 and located in Government Lot 1, Section 11, T. 11 N., R. 18 E., Boise Meridian, Custer County, Idaho, more particularly described as follows.

Commencing at the Section Corner common to Sections 1, 2, 11 and 12 from which the 1/4 Corner common to Sections 11 and 12 bears S 00°08'44" W a distance of 2638.29 ft., the Basis Of Bearing of this description, run thence S 00°08'44" W along the easterly boundary of said Section 11 a distance of 679.64 ft. to a point on the easterly right-of-way of Idaho State Highway 75 and the POINT OF BEGINNING;

Thence continuing S 00°08'44" W along said boundary a distance of 346.62 ft. to a point on said right-of-way, said point is 197.13 from the centerline of said highway;

Thence N 64°44'13" W along said right-of-way a distance of 147.13 ft. to a point that is 50.00 ft. from the centerline of said highway;

Thence N 25°15'47" E along said right-of-way a distance of 313.84 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 0.53 ACRES (MORE OR LESS)

These nonfederal lands are located 6 miles northeast of Clayton, Idaho. The property consists of one private in-holding surrounded by large blocks of public land.

A total of 780.64 acres more or less

Less five acres, more or less as described below:

BROKEN WING area No. 1 (Main House)

Commencing at the meander corner of sections 1 and 36 (between government lots 4 and 6), Townships 11 and 12 North, Range 18 East, Boise Meridian, Idaho, monumented with a 2 ½ in. iron pipe described in the official 1963 Dependent Resurvey and Survey by the Bureau of Land Management; thence North 89°57'22" West, 752.87; thence North, 619.43 feet to a white vinyl fence post, the TRUE POINT OF BEGINNING. Thence North 89°25'05" West, along a white vinyl fence 32.13 feet to a fence post; thence North 80°03'51" West, along a white vinyl fence 39.85 feet to a fence post; thence North 72°07'43" West, along a white vinyl fence 128.30 feet to a fence post; thence North 38°48'05" West, 162.35 feet; thence North 28°04'37" East, 91.80 feet; thence South 83°41'45" East, 227.50 feet; thence North 78°28'52" East, 117.60 feet to a fence post; thence South 16°16'06" West, along a fence 121.27 feet to a fence post; thence South 16°09'41" West, along a white vinyl fence 129.22 feet to a fence post; thence South 49°32'02" West, along a white vinyl fence 15.52 feet to a fence post; thence South 75°27'31" West, along a white vinyl fence 7.82 feet to the TRUE POINT OF BEGINNING. Contains **1.55 acres**, more or less. (Basis of Bearing: North 89°57'22" West, 2053.56, from the meander corner of sections 1 and 36 to the E 1/16 of sections 1 and 36 (between government lots 4 and 6), Townships 11 and 12 North, Range 18 East, Boise Meridian, Idaho, both monumented with a 2 ½ in. iron pipe described in the official 1963 Dependent Resurvey and Survey by the Bureau of Land Management.)

BROKEN WING area No. 2 (Bridge Abutment)

Commencing at the meander corner of sections 1 and 36, Townships 11 and 12 North, Range 18 East, Boise Meridian, Idaho, monumented with a 2 ½ in. iron pipe described in the official 1963 Dependent Resurvey and Survey by the Bureau of Land Management; thence North 89°57'22" West, 113.83; thence South, 554.49 feet to the TRUE POINT OF BEGINNING. Thence South 72°09'22" East, 11.55 feet; thence South 19°03'09" West, 19.81 feet; thence North 72°16'25" West, 11.16 feet; thence North 17°55'19" East, 19.83 feet to the TRUE POINT OF BEGINNING. Contains **0.01 acre**, more or less. (Basis of Bearing: North 89°57'22" West, 2053.56, from the meander corner of sections 1 and 36 to the E 1/16 of sections 1 and 36, Townships 11 and 12 North, Range 18 East, Boise Meridian, Idaho, both monumented with a 2 ½ in. iron pipe described in the official 1963 Dependent Resurvey and Survey by the Bureau of Land Management.)

BROKEN WING area No. 3 (House)

Commencing at the meander corner of sections 1 and 2 (government lot 6), Township 11 North, Range 18 East, Boise Meridian, Idaho, monumented with a 2 ½ in. iron pipe described in the official 1963 Dependent Resurvey and Survey by the Bureau of Land Management; thence South 0°07'22" East, 406.44; thence East, 164.36 feet to a fence post, the TRUE POINT OF BEGINNING. Thence South 74°35'15" East, along a fence 160.16 feet to a fence post; thence South 01°13'11" East, along a fence 145.20 feet to a fence post; thence North 80°04'27" West, along a fence 40.30 feet to a fence post; thence North 47°47'55" West, along a fence 19.43 feet to a fence post; thence North 68°07'38" West, along a fence 94.05 feet to a fence post; thence North 39°26'08" West, along a fence 20.26 feet to a fence post; thence North 20°30'41" West, along a fence 19.40 feet to a fence post; thence North 02°02'55" East, along a fence 98.94 feet to the TRUE POINT OF BEGINNING. Contains **0.49 acre**, more or less. (Basis of Bearing: South 0°07'22" East, 1015.68, from the meander corner of sections 1 and 2 (government lot 6) to the meander corner of sections 1 and 2 (between government lots 7 and 9), Township 11 North, Range 18 East, Boise Meridian, Idaho, both monumented with a 2 ½ in. iron pipe described in the official 1963 Dependent Resurvey and Survey by the Bureau of Land Management.)

BROKEN WING area No. 4 (Barn and Corrals/Sink Creek)

Commencing at the meander corner of sections 11 and 14 (between government lots 2 and 7), Township 11 North, Range 18 East, Boise Meridian, Idaho, monumented with a 2 ½ in. iron pipe described in the official 1963 Dependent Resurvey and Survey by the Bureau of Land Management; thence South 89°49'04" West, 481.23; thence South, 1215.09 feet to a fence post, the TRUE POINT OF BEGINNING. Thence South 59°26'21" West, along a fence 32.69 feet to a fence post; thence South 26°32'11" West, 313.44 feet to a fence post; thence South 44°20'36" East, 301.14 feet to a fence post; thence South 54°47'51" East, along a fence 18.60 feet to a fence post; thence North 40°10'07" East, along a fence 14.79 feet; thence North 45°07'17" West, 111.23 feet; thence North 13°42'57" East, 355.00 feet to a fence post; thence North 04°48'07" West, along a fence 69.81 feet to a fence post; thence North 42°10'24" West, along a fence 20.30 feet to a fence post; thence North 85°49'47" West, along a fence 53.05 feet to the TRUE POINT OF BEGINNING. Contains **1.38 acres**, more or less. (Basis of Bearing: South 89°49'04" West, 2573.45, from the meander corner of sections 11 and 14 (between government lots 2 and 7) to the section corner of sections 10, 11, 14 and 15, Township 11 North, Range 18 East, Boise Meridian,

Idaho, meander corner monumented with a 2 ½ in. iron pipe per the 1963 Dependent Resurvey and Survey by the Bureau of Land Management and section corner monumented with 2 in. iron pipe described in the official 1937 Survey by the General Land Office.)

BROKEN WING area No. 5 (House/Sink Creek)

Commencing at the meander corner of sections 11 and 14(between government lots 2 and 7), Township 11 North, Range 18 East, Boise Meridian, Idaho, monumented with a 2 ½ in. iron pipe described in the official 1963 Dependent Resurvey and Survey by the Bureau of Land Management; thence South 89°49'04" West, 935.96; thence South, 1436.95 feet to a fence post, the TRUE POINT OF BEGINNING. Thence South 57°24'51" East, along a fence 234.74 feet to a fence post; thence South 34°04'50" West, along a fence 301.35 feet to a fence post; thence North 53°27'13" West, along a fence 201.68 feet to a fence post; thence North 03°41'47" West, along a fence 57.20 feet to a fence post; thence North 34°31'30" East, along a fence 241.34 feet to the TRUE POINT OF BEGINNING. Contains **1.57** acres, more or less. (Basis of Bearing: South 89°49'04" West, 2573.45, from the meander corner of sections 11 and 14(between government lots 2 and 7) to the sec. cor. of secs. 10, 11, 14 and 15, Township 11 North, Range 18 East, Boise Meridian, Idaho, meander corner monumented with a 2 ½ in. iron pipe per the 1963 Dependent Resurvey and Survey by the Bureau of Land Management and section corner monumented with 2 in. iron pipe described in the official 1937 Survey by the General Land Office.)

Total Broken Wing Ranch Acres: 775.64

Boise Meridian, Bannock County, Idaho,

A parcel of land located in T. 9 S., R. 35 E., Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Section 15: E½NE¼

PARCEL CONTAINS 80.00 ACRES (MORE OR LESS)

The non-Federal land is located 16 miles south of Pocatello, Idaho. The property consists of one private in-holding surrounded by large blocks of public land.

The Federal land described above has been segregated from appropriation under the public land laws and mineral laws. The BLM proposes to convey the above listed land to Thompson Creek Mining Company, P.O. Box 805, Franktown, Colorado 80116.

Both the Federal and non-Federal lands would be conveyed subject to known valid and existing rights and encumbrances of record.

The exchange proposal would require a plan amendment to the BLM's land use plan for the Challis Field Office. The Federal lands would be identified as suitable for disposal by exchange in the Challis Field Office Resource Management Plan (RMP) through a plan amendment. The non-Federal lands meet acquisition criteria specified in the Challis Field Office RMP. The objectives of the exchange are to: (1) consolidate Federal land ownership to achieve better

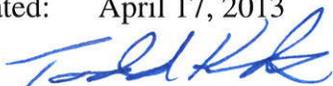
management of federal lands; (2) meet the needs of state and local residents and their economies; (3) secure important public objectives, including the protection of wildlife habitat and headwater land, preservation of water qualities and enhancement of recreational opportunities and (4) the resource values present on the Federal lands are not more significant than the resource values present on the non-Federal lands; (5) the public would gain access to recreational and hunting opportunities previously unavailable; (6) BLM would no longer be required to provide oversight and administration of a mine and existing/ongoing mine plan of operations on the Federal lands; and (7) preserve the visual qualities of the Salmon River corridor and surrounding public lands and prevent future residential development along this five-mile section of the river.

The lands included in the exchange proposal will be appraised in accordance with Federal regulations and Federal appraisal standards. The values of the Federal and non-Federal lands must be equal, or capable of being equalized, in order for the exchange to be approved. Lands may be deleted from the exchange in order to equalize values.

More detailed information concerning the proposed exchange, Serial Number IDI-35728, may be obtained from Jan Parmenter, District Realty Specialist, Idaho Falls District, 1405 Hollipark Drive, Idaho Falls, Idaho 83401, 208-524-7562.

Interested parties may submit to the BLM any comments on, or concerns about, the exchange proposal, including advising the BLM as to any liens, encumbrances, or other claims relating to the lands being considered for exchange. In order to be considered in the environmental impact statement prepared for this proposed exchange, comments must be in writing, addressed to Ken Gardner, Project Manager, 1151 Blue Mountain Road, Challis, Idaho, 83226, at the above address, and postmarked or delivered within 45 days after the initial date of publication of this Notice. Facsimiles, e-mails, and telephone calls are unacceptable means of comment submission. 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.

Dated: April 17, 2013



Todd Kuck,
Challis Field Manager

Appendix B. Comments received in response to the NOEP.

Trish Dowton
700 Burststedt Lane
Ellis, ID 83235

Ken Gardner
Project Manager
1151 Blue Mountain Rd.
Challis, ID 83226

May 31, 2013

Dear Mr. Gardner:

I write this letter to express opposition to your plan to exchange Broken Wing Ranch for property adjacent to Thompson Creek Mine. There are many reasons why this exchange is a bad idea, including highest and best use of land, Custer County tax base, and recent changes in ownership and management of the mine.

Broken Wing Ranch, comprised of 766 acres, is currently one of the most beautiful and productive ranches along the Salmon River. While I do not know what the BLM plans to do with the ranch, my observations of other BLM acquisitions along the river notice that most do not remain in production, and thus revert to glorified weed patches. The old Kilpatrick place is just one example. There is also no need for more campgrounds, boat launch sites, or public access points. In Custer County, where already 96% of the land is federally owned, there is already an abundance of public access, even along the river. Furthermore, with the high turnover rate of BLM employees along with budgetary fluctuations determined by whimsical government administrations, oversight of the ranch and its management or lack thereof, would be an additional burden on an agency that struggles with managing its' current responsibilities.

As explained in the previous paragraph, Custer County is comprised of 96% public land, the largest amount of any county in the state. That leaves only 4% of land available for private ownership, the land that produces the taxable base to keep the county able to provide things like roads, emergency services, law enforcement, and schools. These services cover not only those people who live and work here, but also the many travelers and tourists as well. One of my biggest concerns is the taxable value of the 5144 acres of ground that will belong to the mine if this exchange occurs. Certainly this ground is either currently sagebrush steppe or forested. Once mined, there will be relatively zero value left to contribute to our tax base for the county. Also, we're talking about land that is a two hour drive from the nearest town, and way up in the mountains, so development isn't likely to occur there in future years either. Broken Wing Ranch, located on both sides of the Salmon River, however, is prime real estate, and if left as a working ranch or even as subdivided would always provide dependable tax base. If open space is a desirable quality, there are groups like Natural Resources Conservation Service or The Nature Conservancy that are willing to work with landowners to achieve these goals and maintain the productivity of the ranch.

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MAY 31 2013

Bureau of Land Mgt.
Challis, Idaho

Finally, BLM needs to seriously consider the changes in ownership and management of Thompson Creek Mine since this exchange was first proposed in 2009. Just last year Thompson Creek reduced their work force by over one third. As a school board trustee, I know that the Challis District has lost about 7% of our students just since last September because of families losing their jobs at the mine. Given the volatility of molybdenum prices along with competition from production in other countries, there is currently a huge amount of uncertainty with the expected life of Thompson Creek Mine. Many indications from TCM management are that operations will cease within the next two years, and the site will revert to reclamation. Don't get me wrong, I fully support Thompson Creek Mine and whatever their plans are to continue and/or expand their mining operations. Thompson Creek Mine has been a valuable asset to our community since it began operations more than twenty years ago. But, there are many mines that do not own the land that is mined, and I am certain there are ways for BLM to work with Thompson Creek without having to complete this land exchange that includes Broken Wing Ranch.

In closing, I hope that BLM and Thompson Creek can come up with a better solution to service their needs rather than follow through with this proposed land exchange that involves Broken Wing Ranch. Broken Wing offers more long term value to our county as a working ranch and riverfront property than does the 5144 acres next to Thompson Creek mine.

Thank you for the opportunity to comment.

Sincerely,



Trish A. Dowton

Cc. Custer County Commissioners



**Western
Watersheds
Project**

Hailey Office

PO Box 1770

Hailey, ID 83333

tel: (208) 788-2290

fax: (208) 475-4702

email: wwp@westernwatersheds.org

web site: www.westernwatersheds.org

Working to protect and restore Western Watersheds and Wildlife

May 30, 2013

Ken Gardner, Project Manager
Thompson Creek Mine Land Exchange EIS
Bureau of Land Management
1151 Blue Mountain Road
Challis, ID 83226

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JUN 04 2013

Bureau of Land Mgt.
Challis, Idaho

Dear Mr. Gardner:

This letter provides the scoping comments of Western Watersheds Project (WWP) in regard to the proposed Environmental Impact Statement (EIS) for the Thompson Creek Mine Land Exchange Project.

WWP is providing these scoping comments within the 45-day comment period provided for in the legal notice in the Challis Messenger that was first published on April 18, 2013.

WWP also incorporates into these comments and reasserts the attached scoping comments on the proposed EIS for the Thompson Creek Mine Expansion and Land Exchange Project that WWP provided on September 9, 2010.

WWP is extremely concerned about the land exchange proposed by the proposed action. The exchange as proposed would place in private ownership the access to and protection of Thompson Creek itself, a stream that provides habitat for Endangered Species Act protected native fish including Steelhead, Chinook salmon and Bull trout.

For reasons relating to conservation of wildlife and fisheries habitat discussed further below, WWP recommends that an alternative be developed for the EIS analysis of the Land Exchange that would assess a different boundary for the proposed land exchange locating the south boundary of the proposed area to be privatized at least 500 yards from Thompson Creek itself.

Such an alternative would protect current public and state and federal agency access to the upper portion of Thompson Creek and enable better protection of habitat for terrestrial wildlife and native fish species including three species protected by the Endangered Species Act (ESA):

Bull trout, Chinook salmon and Steelhead trout.

While WWP recommends that the BLM eliminate from analysis in the EIS any land exchange boundary extending south to Thompson Creek. If any Alternative is analyzed in the EIS that includes the proposed south boundary of the Thompson Creek land exchange at Thompson Creek, the EIS needs to assess whether that is a reasonable alternative as defined by the National Environmental Policy Act (NEPA) to respond to the purpose and need for the project. This purpose and need does not reflect in any way the need for the BLM and the U.S. Fish and Wildlife Service to protect and recover populations of ESA listed native fish that are resident in Thompson Creek and is clearly not in the best interests of the American public as expressed through Congressional legislation of the Endangered Species Act.

WWP believes that any alternative that could result in the privatization of publicly owned habitat for ESA listed species should not be considered by the BLM.

The EIS also needs to assess in all alternatives the impacts on ESA listed fish species and their habitat by all outfalls of mine wastewater during the life of the mine and thereafter in perpetuity. The risks to fish and wildlife of the NPDES waste water outfalls (or any other surface or subsurface water outfalls) are significant and need full analysis and development of mitigation actions for all possible outcomes of the mine operations and subsequent to mine closure.

In regard to the private and public lands proposed for exchange by the mine, the EIS needs to provide in the Draft EIS (DEIS) copies of all appraisals of the public and private properties to be exchanged so the public can understand if equal values are being exchanged.

WWP recommends that a reasonable alternative for the EIS analysis that would result in the Broken Wing Ranch being returned to native vegetation with no irrigated agriculture or diversion of surface or subsurface water for irrigation purposes.

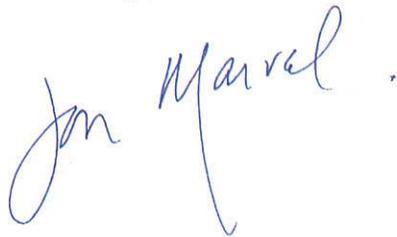
If an alternative is analyzed for the future management of the Broken Wing Ranch that includes irrigated agriculture, the EIS needs to provide a financial analysis of the cost to operate the acquired lands as irrigated agriculture and how that would be paid. Part of that analysis needs to include analysis of the lost and gained value from the land exchange on ad-valorem property taxes of local taxing districts on the exchanged parcels. The impacts to listed fish species and wildlife of continuing active use of the parcel for irrigated agriculture would also need to be examined as well as whether the BLM can hold water rights for purposes of irrigation.

If an agricultural use activity is planned for the Broken Wing Ranch, the

EIS will need to explain how the BLM can operate irrigated agriculture pursuant to the existing Challis Resource Management Plan (RMP) or whether the EIS will amend that plan to allow the BLM to embark on a farming business. The EIS needs to analyze reasonable alternative business plans for the operation of the Broken Wing property including the level of public access and examples from other locations in the west on BLM managed lands where similar agricultural activities are already taking place.

Please be sure to include Western Watersheds Project on the notification list for all future information about this process and the Thompson Creek Mine Proposed Land Exchange.

Sincerely,

A handwritten signature in blue ink that reads "Jon Marvel". The signature is written in a cursive style with a large, sweeping "J" and "M".

Jon Marvel
Executive Director

Enclosure: 2010 Western Watersheds Project Scoping Comments for the then-proposed EIS for the Thompson Creek Mine Expansion and Land Exchange



Western Watersheds Project

Box 1770
Halley, Idaho 83333

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Bureau of Land Mgt.
Challis, Idaho

BOISE ID 837

31 MAY 2013 PM 2 T



**KEN GARDNER, PROJECT MANAGER
THOMPSON CREEK MINE LAND EXCHANGE EIS
BUREAU OF LAND MANAGEMENT
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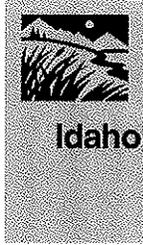
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Bureau of Land Management
Challis, Idaho



www.idahoconservation.org

Idaho Conservation League

PO Box 844, Boise, ID 83701
208.345.6933

Ken Gardner
Project Manager
1151 Blue Mountain Road
Challis, Idaho
83226

ksgardner@blm.gov

June 2, 2013

RE: Notice of Exchange Proposal: Proposed Exchange of Lands in Custer and Bannock Counties, Idaho; IDI-35728

Dear Ken,

Thank you for considering our comments on the Notice of Exchange Proposal, IDI-35728. The Idaho Conservation League is Idaho's largest statewide conservation organization. We represent over 25,000 supporters who wish to see Idaho's public lands and water quality protected.

We understand that there are several positive aspects from the proposed land exchange, consistent with the Challis Resource Management Plan (RMP). We also point out that there are also negatives that run contrary to the Challis RMP. Specifically, the notice states that the BLM would no longer be required to provide oversight and administration of the Thompson Creek mine and mine plan of operations. The Thompson Creek Mine has encountered numerous water pollution issues that require intensive management which were not foreseen during the original permitting process.

Due to unanticipated water quality impacts, ongoing operations and post-closure operations are going to require intensive water treatment in perpetuity. Should additional water quality issues arise from expanded mining efforts or from changing chemical reactions in tailings and waste rock, the current treatment plan may be ineffective in preventing impacts to downstream resources. In addition, current water treatment efforts are going to need to continue in 25, 50, and 250 and more years. Should water treatment efforts be suspended or stopped before water quality conditions naturally improve, there could likely be significant impacts to downstream resources.

These downstream resources include many of the stated reasons to proceed with the

exchange, including the following: the sustainable economic development to benefit state and local residents, the protection of wildlife habitat and headwater land, and the preservation of water qualities and enhancement of recreational opportunities. Should water treatment efforts stop, be suspended, or simply not be able to successfully treat water on a reliable basis at any point in the next several centuries, these downstream resources will be compromised.

As such, we believe that public resources will be best protected if the BLM continues management of the site and if the public continues to stay engaged through the NEPA process. We point out that previous modeling regarding the on-site chemistry of waste rock dumps and tailings dramatically underestimated water quality impacts and we recommend that future management of this site include more public reviews, not fewer - as would occur if the land exchange were to proceed.

Federal oversight of the mine is also critical to ensure that mine operations include bonding requirements for water treatment in perpetuity. As mentioned above, should water treatment efforts be suspended or stopped before water quality conditions naturally improve, there could likely be significant impacts to downstream resources that the BLM is obligated to protect through the RMP. The BLM should compare the federal government's authority, ability and expertise to manage for water treatment in perpetuity with the Idaho Department of Lands, which we believe lacks the regulatory authority to bond for water treatment in perpetuity. This analysis should also compare taxpayer liability if the site is bonded for water treatment in perpetuity under current federal authority to a situation in which bonding does not include water treatment. We believe that public resources -- and taxpayer dollars -- would be far better protected if the BLM retains management of these lands.

Should the BLM decide to proceed with the land exchange, the BLM needs to first work with the operator and other regulator agencies to design a bonding mechanism that would give a different entity the authority to bond for water treatment in perpetuity. This entity would hold the bond to ensure that water treatment efforts continue and that the bond is properly updated as needed. It is imperative that the BLM ensure that the land exchange include this provision in order to protect the public benefits achieved by the exchange.

As part of the EIS, the BLM should clarify what independent entity would be responsible for managing the bond and describe what type of expertise the entity has on managing similar programs for extended periods of time. If this bonding is not an integral component of this exchange, then it is not in the public's best interest to proceed with the exchange.

We also question the value of the public lands transferred to private ownership and believe that the BLM should factor in the value of the ore as well as the value of providing access to areas for waste rock dumps and tailings impoundments. For example, the BLM should factor in the cost to the mining company if these areas were unavailable as disposal areas. We believe that the mining company should also provide several additional private properties of high public value to be incorporated into this exchange to

ensure a fair value to the public.

Lastly, we request the opportunity to tour the Thompson Creek mine, the private parcels already identified for exchange and the additional private parcels that should be considered to ensure a net public benefit.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Robison", with a large, sweeping flourish above it. To the right of the signature, the letters "for" are written in a smaller, cursive hand.

John Robison
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