Appendix 7A
Federal, State, and Local Agencies and Elected Officials Comment Letters on the DEIS

projectmail **SCM 151**

From: Joyner, James M NWW [James.M.Joyner@nww01.usace.army.mil]
Sent: Friday, February 10, 2006 11:01 AM
To: scm_deis
Subject: DEIS Smoky Canyon Mine, Panels F&G

I have reviewed the Draft Environmental Impact Statement (DEIS) for the Smoky Canyon Mine Panel F&G, with respect to wetlands and other waters of the US, subject to Clean Water Act (CWA) jurisdiction. The Corps continues to be concerned with the Panel G West Haul/Access Road (Proposed Action) and agrees with the agencies choice of the Alt. 2 – East Haul/Access Road as the preferred alternative. Given the information provided in the DEIS this alternative is clearly the least damaging, practicable alternative available to Simplot.

Under CWA permitting guidelines the Corps would have to determine that the proposed action was the least damaging practicable alternative in order to permit. Given the current information provided in the DEIS this would not be possible. Alternative 2 (Agency Preferred Alternative) meets the project purpose and need and is clearly less damaging than the proposed west haul road. In order for the Corps to permit the west haul road the applicant (Simplot) would have to demonstrate that Alternative 2 did not meet the project purpose, was not the least damaging, or was not practicable for financial, logistical, etc. reasons.

It appears that the information provided in the DEIS regarding waters subject to CWA jurisdiction is accurate and the Corps does not have an issue with the information or its presentation in the document.

James M. Joyner

Regulatory Project Manager

US Army Corps of Engineers

Walla Walla District

Idaho Falls Regulatory Office

900 North Skyline Drive, Suite A

Idaho Falls, Idaho 83402

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james.m.joyner@usace.army.mil

SCM 241

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Eastern Idaho Field Office
4425 Burley Dr., Suite A
Chubbuck, Idaho 83202
Telephone (208) 237-6975
http://IdahoES.fws.gov

FEB 27 2006

Memorandum

To: Field Office Manager, Pocatello Field Office, Bureau of Land Management
Pocatello, Idaho

From: Supervisor, Eastern Idaho Field Office, Fish and Wildlife Service
Chubbuck, Idaho

Subject: Fish and Wildlife Service Comments on the Smoky Canyon Mine Panels F and G Project Draft Environmental Impact Statement
File # 1004.2000 TAILS # FA-06-0033

The Fish and Wildlife Service (Service) has reviewed the Bureau of Land Management's (Bureau) Draft Environmental Impact Statement (DEIS) for the Smoky Canyon Mine Panels F and G Project (Project) dated December 2005, and received in our office on December 27, 2005. The following comments are offered for your use and consideration, and have been provided under the provisions of the Endangered Species Act of 1973, as amended, the Bald and Golden Eagle Protection Act of 1943 (BGEPA), as amended, the Migratory Bird Treaty Act of 1918 (MBTA), as amended, and the National Environmental Policy Act of 1969.

General Comments

- The Service understands that a previous request by Simplot for a lease modification in the proposed Panel F had been denied due to the fisheries (and the need to protect the fisheries, specifically Yellowstone cutthroat trout, a Forest Service sensitive species) in Deer Creek. Please clarify in the Final EIS what, if any, conditions have changed that would support the new request (and potential issuance) for a lease modification, particularly in light of the fact that it is acknowledged in the DEIS that "water quality impacts caused by groundwater contributions of selenium to surface waters would result in increased levels, and in some cases exceedances of aquatic criterion...".

- The Service recommends the Bureau review the "Avian Power Line Interaction Committee (APLIC) 1996 guidelines for Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996" to ensure the proposed construction of new power lines in all alternatives conforms to the suggested guidance. Any changes to proposed power line construction activities should be outlined in the Final EIS.

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MAR 07 2006

Specific Comments

- Page ES-3, Transportation Alternatives. Please define the acronym IRA.

- Section 2.3.6, Page 2-11, Mill and Tailings Operations. The Service disagrees with the statement made in the DEIS regarding the mill and tailings facilities not being considered as a connected action for the EIS, and the fact that the environmental impacts from the mill and tailings facilities are not being considered in the proposed action and environmental consequences sections of the DEIS. It is the Service's position that the mill and tailings facilities are interrelated (part of a larger action and depend on the larger action for their justification) and interdependent (actions that have no independent utility apart from the action under consideration) to the proposed action. Specifically, the tailings facilities are necessary for the current and proposed mining activities. Without the mining activities, the tailings ponds would have no other use (hence the plan to drain and cap the tailings facility area during reclamation). As such, the Service recommends inclusion of the mill and tailings facility as part of the proposed action, in addition to an analysis of the environmental consequences of the mill and tailings facilities in the Final EIS.

- Section 2.6.1, Page 2-37, Alternative A. Please define the acronym SUA.

- Section 2.10.1, Page 2-81, Wildlife. It is stated in the DEIS that if an active raptor nest(s) were discovered, the Forest Service would determine the feasibility of potentially rescheduling the activity until fledgling from the nest had occurred. For your information, the MBTA prohibits the taking (including harm and harassment), killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Department of Interior (16 USC §703). Under the MBTA, the unauthorized taking of even one bird is legally considered "take" and is technically a violation. Unlike the ESA, neither the MBTA nor its implementing regulations (50 CFR Part 21) provide for permitting of "incidental take" of migratory birds that may be killed or injured by otherwise lawful activities such as development of a mine.

  While the MBTA has no provisions for allowing unauthorized take, it must be recognized that some birds may be harmed/killed during mine developments. Such mortality already has been recognized by the Bureau, as is pointed out on page 4-126 of the DEIS where it is stated that "An unknown number of active nests would be destroyed by ground-clearing activities." The Service's Office of Law Enforcement carries out its mission to protect migratory birds not only through investigations and enforcement, but also through fostering relationships with individuals and industries that proactively seek to eliminate their impacts on migratory birds. While it is not possible to absolve individuals, companies or agencies (e.g., in this case, the Bureau who is permitting the project) from liability if they follow these recommended guidelines, the Office of Law Enforcement and Department of Justice have used enforcement and prosecutorial discretion in the past regarding individuals, companies, or agencies who have made good faith efforts to avoid the take of migratory birds.

The Service is informing you of these regulations in light of the acknowledgement in the DEIS that migratory bird nests would be destroyed (page 4-126) with no mitigation and/or management strategies identified. If you have any questions about your responsibilities under the MBTA or BGEPA, please feel free to contact the Service's Office of Law Enforcement in Boise, Idaho at 208-378-5333.

- Section 3.1.6, Page 3-21, Smoky Canyon Mine Studies. It is stated in the DEIS that "Good correlation was found between selenium concentrations in vegetation and extractable selenium concentrations in the growth medium." Please clarify what a "good" correlation was. Was it a statistically significant correlation?

- Section 3.5.2, Page 3-101, South Fork Sage Creek. Maxim (2004) rated the South Fork Sage Creek as properly functioning; however, the Forest Service evaluated the creek as functioning at risk. Please provide further clarification as to why there was a discrepancy between the two determinations.

- Section 3.5.2, Page 3-102, Manning Creek. The last sentence in the paragraph is incomplete. Please explain the reason why Manning Creek was determined to be functioning-at-risk.

- Section 3.7.1, Page 3-116, Bald Eagle. It is stated in the DEIS that the nearest confirmed bald eagle nest is located approximately 20 miles from the Project Area. Does this include nests located in Wyoming? Given the proximity of the Project to the border with Wyoming, the Service recommends including information on nesting territories of bald eagles in Wyoming that are located nearby the Project Area.

- Section 4.7.1.1, Page 4-120, Proposed Action. Bald eagle and Canada lynx should be added to the list of threatened and endangered species for which disturbance of potential habitat would occur.

Thank you for the opportunity to provide comments on this DEIS. If we can be of further assistance, or if you have any questions, please feel free to contact Sandi Arena of this office (208-237-6975 x34).

cc: IDFG, Pocatello (Mende)
Service – LE, Boise (Tabor)

Literature Cited

Avian Power Line Interaction Committee (APLIC). 1996. Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996. Edison Electric Institute and the Raptor Research Foundation. Washington, D.C.

Board of Lincoln County Commissioners

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SCM 245

March 8, 2006

Smoky Canyon DEIS
C/O The Shipley Group
P.O. Box 2000
Bountiful, UT 84011-2000

CAG RECEIVED
MAR 13 2006

RE: Comments to Smoky Canyon Mine Panels F and G DEIS

Dear Claudia:

Thank you for the opportunity to comment on the proposed Simplot Smoky Canyon mine, Panels F & G mine expansion. As Commissioners of Lincoln County, we are charged with the duty of orderly development of the unincorporated areas of the county (W.S Title 18 Chapter 5). The county implements its authority in various ways, including land use planning and zoning, approving construction within the county, and providing for the maintenance and construction of roads within the county. The actions anticipated by the proponents may directly affect Lincoln County for years to come.

The proposed expansion will directly affect land use and development, and the economic and social welfare of the residents. The County has developed plans, programs and policies directly bearing on the proposed expansion and currently participates as a cooperating agency for BLM land use plans and U.S. Forest Service plan revisions. While the local governments favor economic development, it is important that it be sustained and contributes to the future. The proposed project will, we believe, help ensure the long term delivery to multiple markets for years to come.

We feel that these lands should be managed to prevent the loss of resources and private property from catastrophic events and to protect the safety and health of the public. We ask that there be no arbitrary restrictions on development activities. Any seasonal restrictions, closures, or spatial buffers should be scientifically based and show a demonstrated and documented need. We believe that any restrictions should provide for waivers, modifications or exceptions.

SCM 245

We urge the agencies to select mining alternative B or D, because requiring both of these alternatives would be too expensive and is not supported by the predicted environmental impacts. The lease modifications should also be granted to maximize the recover of the phosphate resource. Finally, we support the selection of transportation alternative 2 because it represents the least amount of environmental impact of any of the analyzed haul/access road alternatives. The county supports such activity and requests that appropriate agencies plan, fund, and encourage by way of policy, management decisions for such activity. We thank you for the opportunity to comment.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
LINCOLN COUNTY

Alan Linford, Chair | T. Deb Wolfley | Kent Connelly

THE TOWN OF AFTON

416 Washington St.
P.O. Box 310
Afton, WY 83110-0310
Phone (307) 885-9831

SCM 246

February 28, 2006

Smoky Canyon Mine DEIS
C/O This Shipley Group
P.O. Box 2000
Bountiful, UT 84011-2000

CAG RECEIVED
MAR 07 2006

Re: Simplot Public Comment

To Whom it May Concern:

The Town of Afton values Simplot as a vital community partner. As the Mayor of Afton, I have a great deal of interest in the outcome of the current Environmental Impact Statement regarding continued operations of the Smoky Canyon Mine facility. I must also state that I am an avid conservationist and as such, I attended the public EIS forum. I also have had numerous verbal conversations with Simplot employees regarding their mining operations and the current EIS that is in progress.

I would be remiss if I did not state the Simplot Company has proven themselves, time and time again, to be a great community asset. Not only are they a major employer in the area, they also pay well and strive to spend money in the local communities for goods and services such as diesel fuel, equipment parts and repair services. More striking to me, however, is their willingness to contribute to the community as a whole. Afton is in the process of constructing a new major ball field for community use. Simplot willingly contributed and donated the equipment and operators to move literally tons of dirt, excavate and level what started out as little more than a pasture. They also donated the manpower and equipment to survey, stake and shoot the needed elevations to ensure the community ends up with first class ball diamonds. I am certain this donation cost the Simplot Company well over $120,000 and this does not even take into account the lost productivity they experienced at the mine while their equipment and manpower was building ball diamonds. Secondly, I personally am impressed with the caliber of individuals employed by Simplot. I can state, with no hesitation at all, that they do what they say they will do, and they do it well.

I am convinced that Simplot cares about the environment and they prove it each day in the way they go about performing their work and operations.

I encourage the BLM and Forest Service to grant all the lease modifications, support transportation alternative 2 and mining alternative D. After attending the public forum, I would have to agree that both mining alternatives B and D are not necessary. Further more, I can see no environmental benefit to alternative B.

SCM 246

While I am concerned regarding the selenium issue, I am equally convinced that Simplot has stepped up to the plate and is actively addressing this issue. I have every confidence that Simplot is, and will continue to address the selenium contamination issues.

Thank you for the opportunity to provide comment on this critically important document and equally critical operation. Simplot is truly a community asset and I strongly encourage the BLM and Forest Service to endorse all lease modifications, transportation alternative 2 and mining alternative D.

Should you wish to contact me to discuss any of my comments in greater detail, please do not hesitate to call me at Afton Town Hall. The phone number is 307-885-8696.

Sincerely,

Chad Jensen

Chad Jensen
Mayor of Afton

SCM 497

Board of Lincoln County Commissioners

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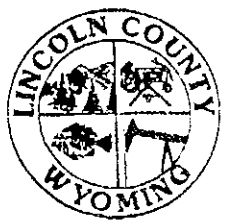
Fairview, Wyoming 83119



March 15, 2006

CAG RECEIVED
MAR 17 2006

Smoky Canyon DEIS
c/o The Shipley Group
P.O. Box 2000
Bountiful, UT 84011-2000

SUBJECT: COMMENTS TO SMOKY CANYON MINE DEIS

Dear Sirs:

We would like to make additional comments concerning impacts of the Smoky Canyon Mine to the economy of Lincoln County.

4. **Economic Impacts:**
We wish to submit the attached economic impact analysis, "**JR Simplot Company's Don Plant in Pocatello, Idaho and Smoky Canyon Phosphate Mine in Caribou County, Idaho**" conducted by Mr. John Church of Idaho Economics. We ask that this information be included in the economic considerations of this project. The DEIS fails to identify the direct, induced, and secondary economic impacts of Smoky Canyon Mine and the Don Plant. According to Mr. Church's research, the Simplot operation creates a $131 million dollar impact annually in this seven county region. Of that, $29,134, 930 benefits Lincoln County. In addition to the 250 employees of the Smoky Canyon Mine, the Mine produces another 272 related jobs in Lincoln County, Wyoming. The average salaries and wages for the Smoky Canyon Mine are the highest average wages in Lincoln County, and exceed the county average by 32%. In addition to wages and salaries, the Simplot Company provides a complete employee benefits package which adds another 40% to the compensation to employees.

While we encourage the U.S. Forest Service and Bureau of Land Management to carefully consider all comments received regarding this DEIS, we ask that you pay

SCM·497

particular attention to those comments from local citizens and leaders who have the most to gain or lose from this project.

Respectfully,

Alan Linford

Alan Linford
Chairman-Lincoln County Commissioners

projectmail **SCM 544**

From: Brenda J Johnson [bjjohnso@usgs.gov]
Sent: Wednesday, March 15, 2006 11:41 AM
To: scm_deis
Cc: Lloyd H Woosley; Juli B. Jaye Lunsford; Frances W Pierce; Michalann Harthill
Subject: Final comments for the Smoky Canyon Mine Panels F & G

Mr. Philip Damon,

The U.S. Geological Survey has reviewed the subject Draft Environmental Impact Statement and offers the following comments.

Thanks

****
Brenda Johnson
Office of Environmental Affairs Program
U.S. Geological Survey Mail Stop 423
12201 Sunrise Valley Dr.
Reston, VA 20192
Tele (703) 648-6832
Fax (703) 648-4530
****

United States Department of the Interior

U. S. GEOLOGICAL SURVEY

Reston, VA 20192

In Reply Refer To:
Mail Stop 423

March 15, 2006

Smoky Canyon Mine DEIS
C/O The Shipley Group
P.O. Box 2000
Bountiful, UT 84011-2000

Subject: Draft Environmental Impact Statement on the Smoky Canyon Mine, Panels F & G

As requested by the Bureau of Land Management in correspondence dated December 28, 2005, the U.S. Geological Survey (USGS) has reviewed the subject draft environmental impact statement (DEIS) and offers the following comments.

GENERAL COMMENTS

Numerous instances throughout the DEIS mention is made to the reduction of selenium, lower release rates of dissolved selenium, and removal of selenium from the water (column) through chemical and microbial reduction. It is not clear from the discussion that it is recognized that selenium speciation can change under various environmental conditions, altering its bioavailability. Regardless, however, the concentration of selenium can persist at that site. If environmental changes were to occur at that site, for example, increased pH and oxidizing conditions, the selenium could be released to the environment for increased bioavailability. For an explanation of this type of biogeochemistry, the USGS refers the readers to Stolz et al. (2002).

Throughout the DEIS reference is made to whether biota are affected by toxic concentrations of selenium. While selenium is the major trace element of concern at the Smoky Canyon Mine, other trace elements (Maxim baseline studies, Appendix 3A) are also subject to geochemical change and bioavailability by the mining and weathering processes. Hamilton et al. (2005) note that fish health could be affected by high selenium as well as interactions with other trace elements made bioavailable by the mining process.

SPECIFIC COMMENT

Page 3-131, Section 3.7.7, Selenium Issues with Wildlife

The reference list does not include a complete citation for Rattner et al. 2002, which is cited in the last sentence of this section.

REFERENCES

Hamilton, S.J., Buhl, K.J., Bullard, F.A., and McDonald, S.F.2005. Reduced growth and survival of larval razorback sucker fed selenium-laden zooplankton. Ecotoxicology and Environmental Safety 61:190-208.

Stolz J.F., Basu, P., and Oremland, R.S. 2002. Microbial transformation of elements: the case of arsenic and selenium. International Microbiology 5:201-207.

Thank you for the opportunity to review and comment on this DEIS. If you have any questions concerning our comments, please contact Lloyd Woosley, Chief of the USGS Environmental Affairs Program, at (703) 648-5028 or at lwoosley@usgs.gov.

Sincerely,

/Signed/

James F. Devine
Senior Advisor for Science Applications

projectmail

SCM 553

From: Contreras.Peter@epamail.epa.gov
Sent: Friday, March 17, 2006 4:55 PM
To: Bill_Stout@blm.gov; scm_deis
Cc: Reichgott.Christine@epamail.epa.gov
Subject: EPA Comment on Smoky Canyon DEIS

03-063-BLM DEIS Smoky Canyon M...

Bill,

Attached are EPA's comments on the DEIS. A hard copy will follow by mail to you and the Shipley group.

Thank you,

(See attached file: 03-063-BLM DEIS Smoky Canyon Mine.doc) ==========

Peter Contreras NEPA Review Unit (ETPA-088) Office of Ecosystems, Tribal and Public Affairs U.S. EPA Region 10 1200 6th Avenue Seattle, WA 98101
206.553.6708
contreras.peter@epa.gov
==========

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, WA 98101

SCM·553

March 17, 2006

Reply To
Attn Of: ETPA-088

Re: 03-063-BLM

Bill Stout
BLM Pocatello Field Office
4350 Cliffs Drive
Pocatello, ID 83204

Smoky Canyon Mine DEIS
c/o The Shipley Group
P.O. Box 2000
Bountiful, UT 84011-2000

Dear Mr. Stout:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the **Smoky Canyon Mine Panels F&G** (CEQ No. 20050546) in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

The DEIS evaluates six mining alternatives and several transportation (i.e., haul route) alternatives for expanding existing mining operations at the Smoky Canyon Mine into panels designated F&G. The Bureau of Land Management (BLM) in cooperation with the U.S. Forest Service (USFS, co-lead agency) and Idaho Department of Environmental Quality (IDEQ, cooperating agency) has identified a Preferred Alternative that would allow the project applicant to expand the mine as proposed, but with additional mitigation designed to reduce environmental impacts from selenium in mine overburden. Even with the identified mitigation, the cumulative impacts of various alternatives and past related actions will exceed surface water quality standards in the future under certain conditions. Additionally, there are some uncertainties related to groundwater modeling, including uncertainties about predicted selenium loading to surface waters (sources, pathways, and mixing), and uncertainties about future actions under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Based on our review of the DEIS and an assessment of identified uncertainties, EPA has rated the Preferred Alternative, Environmental Objections – Insufficient Information (EO-2). The rating reflects EPA's objections to predicted exceedances of surface water quality standards. An explanation of EPA's rating system is enclosed. This rating, and a summary of our comments, will be published in the *Federal Register*.

SCM-553

Predicted Surface Water Quality Standards Exceedances

The DEIS predicts that, under certain circumstances, total loads of selenium would result in a concentration of 0.007 milligrams/liter (mg/l) in lower Sage Creek year-round (DEIS, p.5-23). If this level of selenium is reached, it would exceed the surface water standard of 0.005 mg/l. The DEIS predicts that surface water exceedances will not occur until 50 years or more into the future, and only if planned cleanup actions under CERCLA are not taken in a timely manner. It is critical to note that the DEIS analysis demonstrates that successful, timely implementation of CERCLA cleanup actions are essential if water quality standards are to be achieved. The magnitude of mining operations (past, existing, and proposed), temporal delay in impacts, and difficulty in taking corrective actions lead us to believe that it is wise to conduct further analysis to determine if additional modifications to the Preferred Alternative are needed.

As you know, the EPA, the BLM, the USFS, the IDEQ, and other agencies are currently working together to conduct CERCLA investigations and cleanup actions at fifteen sites in southeast Idaho, including the Smoky Canyon Mine. An Administrative Order on Consent/Consent Order, signed by USFS, EPA, IDEQ and the JR Simplot Company (Simplot) is in effect to provide for performance by Simplot of a Site Investigation (SI) and Engineering Evaluation/Cost Analysis (EE/CA) for Smoky Canyon Mine Area A (located on National Forest System land) and a SI and other necessary actions associated with Smoky Canyon Mine Area B (privately owned tailings disposal area.) USFS is the Lead Agency for conducting response actions at Area A. IDEQ is the Lead Agency for conducting investigations and response actions at Area B. BLM, EPA, the U.S. Fish and Wildlife Service (FWS), the Tribes (Shoshone-Bannock), the U.S. Bureau of Indian Affairs (BIA), the Idaho Department of Lands (IDL), and the Idaho Department of Water Resources (IDWR) are in support agency roles for these efforts at the Smoky Canyon Mine. As there is considerable public and private expense and effort underway to address historic impacts from phosphate mining in the area, we believe the anticipated CERCLA action and mine expansion under the Preferred Alternative must be carefully timed and coordinated to avoid exceedance of surface water quality standards.

Impacts to Water Quality

The DEIS discussed the draft 2002 Integrated Water Quality Report for Idaho, in which lower Deer Creek and other water bodies in the project area were proposed to EPA for inclusion on the list of impaired waters (303(d) list) due to water quality impacts. In December 2005, EPA Region 10 approved Idaho's 2002 Integrated Water Quality Report, which identifies specific water bodies in the project area with water quality impairments for selenium and sediment. In particular, North Fork and South Fork Deer Creek are listed for sediment, and Sage Creek is listed for selenium. It is not entirely clear from the DEIS whether or not the Preferred Alternative will contribute to further impairment of these 303(d) listed water bodies. In order to make the determination, BLM should continue its consultation with the IDEQ and decide whether the project will need to comply with the requirements of State statute IDAPA 58.01.02.054, Water Quality Limited Waters and TMDLs. These State standards address what types of activities are allowed prior to development of an analysis that allocates pollutant loads (known as a total maximum daily load or TMDL) in watersheds which include 303(d) listed waterbodies.

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Recommendations

We agree with BLM's statement in the DEIS (p. 5-23) that the proposed action must ensure that no applicable standards will be exceeded and that additional measures (i.e., modification of the preferred alternative and/or additional mitigation of impacts) must be required to achieve that objective, as needed. The enclosed detailed comments offer recommendations for actions that can be taken and information that can be included in the final EIS to assure that water quality standards will be attained. For example, we recommend requiring standards for releasing the performance bond, conducting additional field-scale pilot studies to address modeling uncertainties, and inclusion of more recent information to demonstrate that the proposed action will not exceed surface water standards.

EPA appreciates the assistance that BLM has provided in conducting our review. We look forward to continuing to work constructively with you to address our objections as you prepare the final EIS. As part of that collaborative work, we would like to conduct additional review and discussion of the groundwater modeling that is summarized in the DEIS to further assess the uncertainties in the modeling and their impact on surface water exceedances. We will make our staff available to BLM as the project moves forward to discuss our comments and to provide technical assistance toward assuring that there is a high, demonstrable degree of confidence that water quality standards will be met and maintained.

Thank you for the opportunity to comment on the DEIS. If you have questions regarding this letter, please contact Christine Reichgott, Manager for the NEPA Review Unit (206) 553-1601, or to coordinate on specific details please contact, Peter Contreras, NEPA Reviewer, at (206) 553-6708.

Sincerely,

/S/

Michelle Pirzadeh, Director
Office of Ecosystems, Tribal and Public Affairs

Enclosures

cc: Lawrence Timchak, USFS

SCM 553

EPA Comments on Smoky Canyon Mine
Draft Environmental Impact Statement, SE Idaho
March 17, 2006

EPA's comments on the DEIS focus on the evaluation of water quality impacts to surface waters within the project area based on water quality modeling. The following comments are offered to suggest ways to better communicate the level of uncertainty associated with model predictions and to identify a set of recommended actions that will mitigate some of the uncertainty.

Demonstrate Water Quality Protection

Table 4.3-7 of the DEIS shows that peak selenium concentrations are estimated to exceed the surface water standard at South Fork Sage Creek Spring and lower Deer Creek as a result of the proposed action (DEIS, p. 4-40). The cumulative impacts analysis in Chapter 5 concludes that mining Alternatives A – C are predicted to exceed water quality standards. The DEIS also does a good job of evaluating these reasonably foreseeable future impacts to water quality. In addition, the DEIS discusses the IDEQ's draft 2002 recommendations for 303(d) listed waters and the EPA-approved 1998 303(d) listings. In December 2005, EPA approved the IDEQ's 2002 Integrated Water Quality Report, which finalized the 2002 303(d) listings.

The DEIS should now be updated to include this more current information. Further, the final EIS should discuss modifications needed in the preferred alternative to: 1) ensure that water quality is not further impaired and, 2) contribute to the improvement of water quality for these water bodies. If the preferred action will impact waters with impaired water quality, then the EIS must discuss how the project would comply with the requirements of state statute IDAPA 58.01.02.054, Water Quality Limited Waters and TMDLs. These state standards address what types of activities are allowed prior to development of a TMDL, in watersheds which are 303(d) listed. As discussed in the cumulative impacts section below, it is not entirely clear whether it is only historic or also proposed mine operations that are related to 303(d) listed waters.

Sediment Loading to Waterbodies

Estimates of sediment impacts from project activities suggest that an additional 8.5 tons/year would be contributed by the project to Deer Creek, and 0.65 tons/yr to Sage Creek. It is unclear from this analysis whether this additional loading will adversely affect aquatic life. The EIS should provide additional analysis and description of the significance of this additional load, and its potential impact. For example, is the increase in loading expected to be significant? Would it cause or contribute to impairment of aquatic life? Is the increase in sediment loading from Deer Creek consistent with IDAPA 58.01.02.054 Water Quality Limited Waters and TMDLs?

Timing & Efficacy of CERCLA Actions

Alternative D would cause or contribute to violations of state water quality standards for selenium in lower Sage Creek. It is assumed that current elevated concentrations of selenium in Hoopes Spring and lower Sage Creek would be sufficiently mitigated prior to delivery of additional selenium load from the proposed mining expansion to meet water quality standards. This is a critical assumption which anticipates the Agencies' selection of a CERCLA response action, and assumes that the cleanup will be successful in achieving water quality standards in the predicted time frame. While this is certainly the goal of the CERCLA process, we are not at the point where all of the potential removal or remedial actions have been identified for the Smoky Canyon Site. Therefore, we are concerned about reliance on these assumptions. It is premature to make assumptions about the impact of response action implementation on contaminant loading without further support.

At this point, JR Simplot Company (Simplot) has only agreed to conduct a Site Investigation and prepare an Engineering Evaluation/Cost Analysis. The Agencies have not selected a remedy and there is no agreement to implement the response action on which the assumptions for reduced selenium loading relies. The final EIS should reflect the substantial uncertainties with respect to the future commitment to perform the work and the ability to achieve the necessary selenium loading reduction.

To address these uncertainties, completion of this EIS (and permitting of the proposed panel F&G expansion) could be timed to coincide with the agreement by Simplot to undertake the actions identified in the EE/CA that are necessary to reduce selenium loading sufficiently to meet water quality standards. Currently the DEIS identifies the ongoing CERCLA investigations and anticipates some future action based on a decision in the fall of 2006. We recommend that additional information be provided in the final EIS on the range of removal and/or long-term remedial actions considered, and that specificity be provided for the CERCLA action(s) selected. This additional information would provide further assurance that the CERCLA and EIS actions are coordinated.

Including some combination of additional CERCLA/EIS coordination, additional proposed mitigation measures, and appropriate lease conditions and financial assurance would provide greater confidence that the additional loading from panels F&G will not cause or contribute to violations of state water quality standards.

Ground Water Modeling

Ground water modeling was conducted by back-calculating the amount of acceptable infiltration so that surface waters would just meet water quality standards with no margin of safety. It is unclear what assurances the agencies have that the calculated infiltration rates are achievable by the design and would be met within the facility as it is constructed.

The Preferred Alternative does include a number of mitigation measures to reduce impacts to the environment. However, because the ground-water modeling takes a "back-calculation" approach to determining the necessary infiltration reduction, and consequently the design standards, the mitigation package currently allows degradation of ground and surface

water up to, and in the case of Sage Creek, beyond the applicable standards. This approach is problematic considering the uncertainty associated with the predicted impacts. We recommend that you consider additional mitigation measures to add a factor of safety, and to minimize impacts to the extent feasible (rather than to the limit of a stream's assimilative capacity).

Cumulative Effects, Surface Water

Chapter 4 of the DEIS discusses the predicted peak concentrations of selenium in ground water and surface water for each of the alternatives. The cumulative impacts analysis in Chapter 5 identifies the scenario under which the selenium concentration in lower Sage Creek (between South Fork Sage Creek and Crow Creek) would exceed the surface water standard year-round (0.007 mg/l) . It is not clear from the DEIS what the individual selenium loading is from the expansion of panels F&G alone, although the implication (p.5-24) is that the selenium load from panels F&G will not by themselves result in surface water quality standard exceedances for selenium. We recommend that the EIS clarify whether expansion of panels F&G by themselves will cause surface water quality exceedances.

The cumulative effects section would be helped considerably by an additional figure illustrating the conceptual model of what is happening at the north end of the project maps. The discussion of the relationship between Hoopes Spring and South Fork Sage Creek Spring and the various monitoring points in the area used to illustrate those relationships was very hard to interpret and follow. It is difficult to clearly differentiate the impacts from the existing/historic mining from impacts associated with the proposed Panels F&G mine expansion. One such example is at page 5-22, paragraph 4. There appears to be conflicting statements regarding whether or not the selenium concentration in Sage Creek is currently above the water quality standard. The text says it is "above the monitoring action levels", but the concentration cited is 0.0036 mg/L which is less than 0.005mg/L. Please clarify that the monitoring action level is different from the water quality standard. Another example is at page 5-23, last paragraph. It is not possible for a discharge of water with a concentration below the water quality standard to result in a downstream increase to a concentration above the standard (even though the load may increase significantly) unless there is an additive contribution with an existing selenium load. It is implied, but not explicit, that the existing selenium load from historic operations is currently greater than the water quality standard and therefore the load from the mine expansion would contribute to continued water quality exceedances. Please provide an additional map and text to help distinguish between historic impacts, and predicted impacts from the mine expansion.

Long-term Monitoring Requirements

We also recommend that the EIS provide a blueprint for the monitoring program that is envisioned. Some of the objectives of a monitoring program would be to evaluate environmental outcomes, validate predictions, and provide information to make informed decisions on the adequacy of reclamation and bond release. EPA has provided input to the agencies in comments on previous mine expansion proposals (e.g., most recently a supplemental EIS for Panels B and C of the Smoky Canyon Mine) regarding monitoring for actions at the mine. The current DEIS for panels F&G indicates that a monitoring plan has not been prepared at this stage but will be required of the selected alternative as part of the ROD. Given that this issue of monitoring has been addressed at Smoky Canyon Mine through prior NEPA analysis, we recommend that the

final EIS discuss whether similar monitoring protocols, frequency, etc. would be expected for the proposed mine expansion.

We also strongly recommend a series of groundwater monitoring wells along probable flow paths to detect releases and to monitor and understand the fate and transport of contaminants. We recognize this may be difficult and expensive; however, it is necessary to develop an early warning system so that additional mitigation measures can be considered and implemented in a timely fashion.

We recommend that BLM develop clear, objective, and measurable performance standards for determining the success of reclamation tasks and for determining whether and when to release financial assurance. This would help the public evaluate and comment on the protectiveness and adequacy of the standards to be used. For example, we recommend standards or criteria be developed for cap performance under Alternative D, selenium content of cap materials, selenium content of reclamation vegetation, chemistry of ground water in the immediate vicinity of the mine at closure, and others. It would be useful to include a table summarizing reclamation objectives and the related performance standards and criteria that would be used to determine reclamation success and lead to bond release. This approach would be consistent with the Forest Service guidance for reclamation bond estimation and administration as it is applied at hard rock mine sites.

Performance Bond/Financial Assurance

The DEIS discloses a bond amount of $8.6 million for the panel F&G expansion and the DEIS indicates that this amount is based upon the estimated amount for the Agencies to conduct reclamation if Simplot is unable to do so. It would be useful to discuss the components of the preliminary bond calculation for the agency Preferred Alternative to demonstrate that this amount is adequate. The amount of the financial assurance must be adequate to cover both the estimated reclamation and contingencies. EPA believes that the public should be given the opportunity to evaluate the adequacy of the financial assurance as this has bearing on risks to resources that are posed by the project. The EIS should also disclose that the bond for existing portions of the mine is inadequate to cover reclamation needs.

Additional Mitigation

The proposed mine plan leaves significant highwalls exposed and a portion of Panel G that is not reclaimed/backfilled. The proposed mine plan also allows external overburden dumps. We recommend that you consider reducing the size of the external dumps and increasing backfill of pit areas. We recognize that this may require some double-handling of waste materials, but believe it offers several advantages, such as reducing the footprint of the disturbance, maximizing acreage that is suitable for multiple use activities in post closure, and reducing the area subject to infiltration and potential release of contaminants via ground water pathways. In addition, additional backfill would eliminate the need to construct a vertical chert drain at the base of the highwall. The goal of mitigation should be to exclude water from entering the waste materials, rather than promoting it.

Provide Additional Analysis and Disclosure of Wastewater Management

The DEIS (Section 2.3.5, Water Management) describes the existing NPDES storm water permits and Storm Water Pollution Prevention Plan (SWPPP) for the existing mine operations and the proposed mine expansion. The DEIS discusses utilization of a series of catch basins or ponds throughout the active mine to capture mine storm water runoff and prevent direct discharges of storm water except during large storm events. Other portions of the DEIS describe sediment impacts to area streams. The EIS should clarify the apparent discrepancy related to sediment delivery from a facility designed to prevent direct discharges.

In addition, we recommend that the section on water management be expanded to describe how other potential waste streams directly or indirectly related to the expansion (which may include waste streams related to mine dewatering, seepage, and excess process wastewater, and others) would be managed. If discharges of waste streams not eligible for coverage under the storm water general permit to waters of the U.S. did occur, then Smoky Canyon Mine would need an individual NPDES permit, and discharges of mine dewatering water would require a New Source NPDES permit.

The EIS does not indicate the number or location of these catch basins/ponds, but EPA did have the opportunity to discuss this information with BLM during the course of our review. As a result of that conversation, we understand that BLM's intention is to conduct a review of the catch basin locations and evaluate whether there is a hydraulic connection to surface water that would constitute discharges to waters of the United States. Currently the DEIS indicates that the catch-basins will be designed to handle a 100-year, 24-hour storm event.

We request that additional information be provided in the EIS that identifies the approximate number, location, and size ranges of anticipated catch basins to be used, and the waste streams and contaminants that will be managed in these catch basins. An analysis that evaluates whether these unlined basins are hydraulically connected with surface waters, and an analysis of whether and how these catch basins or other best management practices (BMPs) would prevent or control the release of dissolved contaminants from entering area waters would also be helpful to have in the EIS. EPA understands that that level of detail on the final configuration of the mine plan may not be available for the final EIS. In that event, we request that additional BMP requirements be included in the EIS and/or ROD. For example, the final EIS (Appendix 2C, BMPs for Erosion, Sedimentation and selenium Control) should include specific management direction/design requirements to ensure that these catch basins will effectively control the release of dissolved contaminants such that hydrologically connected surface waters are protected. In the ROD, monitoring requirements should be required to allow for evaluation of the effectiveness of ponds and BMPs at controlling the release of contaminants to water resources. It would be useful to know any data/information from inspections of historical mine operations that have confirmed the catch basins are operating as designed.

Finally, you should be aware that EPA's Multi-Sector General Permit (MSGP-2000) expired on midnight on October 30, 2005. A new permit has not been finalized at the present time. The 2005 permit has been administratively continued until EPA takes action to issue a new permit. On December 1, 2005, EPA proposed an NPDES Storm Water Multi-Sector General Permit for

Industrial Activities (MSGP). This proposed permit will replace the MSGP-2000 that expired on October 30, 2005. EPA sought comments on the proposed permit through February 16, 2006. EPA is now in the process of considering public comments and determining what revisions may be appropriate prior to issuing the final permit. More information on the proposed 2006 multi-sector permit is available on EPA's website at: http://cfpub2.epa.gov/npdes/stormwater/msgp.cfm. Subsequent documents (e.g., final EIS, Record of Decision) should ensure that the most current requirements are incorporated.

projectmail

SCM 555

From: Mende, Jim [jmende@idfg.idaho.gov]

Sent: Friday, March 17, 2006 7:21 PM

To: scm_deis

Subject: ID Fish & Game comments - Smoky Canyon Mine Panels F&G Project Draft EIS

Idaho Department of Fish and Game
Southeast Region @ Pocatello

SCM.555

Smoky Canyon Mine DEIS
C/O The Shipley Group
PO Box 2000
Bountiful, UT 84011-2000

RE: Smoky Canyon Mine Panels F and G, Draft Environmental Impact Statement

Dear Sir;
Idaho Department of Fish and Game (IDFG), acting under the supervision of the Idaho Fish and Game Commission is charged with carrying out the statutory policy to preserve, protect, perpetuate, and manage all fish and wildlife and will advocate fish and wildlife receive equal treatment with all other resources in land and water management decisions.
Idaho Code § 36-103(a).

In this capacity, IDFG personnel have reviewed the, Smoky Canyon Mine Panels F and G, Environmental Draft Impact Statement. We offer the following issues to be considered in the Final Environmental Impact Statement (DEIS) concerning the Proposed Action (PA).

Many of the following concerns were provided in our comment letter of January 14, 2004 for the Public Scoping Notice, Smoky Canyon Mine Panels F and G Environmental Impact Statement Preparation. We believe these concerns are yet to be adequately addressed. We request that these items be fully addressed in the Final Environmental Impact Statement.

Aquatic Resources

Streams impacted by the P.A. include Deer, Manning, Sage and South Fork Sage creeks which support healthy riparian zones and native cutthroat trout. The P.A. proposes many important BMP's, but does not prevent an additional 0.5 and 8.5 tons of sediment entering South Fork Sage and Deer creeks, respectively, systems that are current listed as sediment impacted. These additional sediment releases in excess of background will contribute to factors limiting stream dwelling salmonid populations in this area of Southeast Idaho. We strongly urge more conservative measures are taken to further reduce sediment releases into these drainages.

Wildlife Resources

The following offers specific comments concerning impacts to various species.

Big Game

Previous mining operations have resulted in movement of elk from public to private lands. An example is Sage Valley where the elk herd has been displaced from the mined side to the non mined side. This maybe partially due to water sources no longer as readily available on the mined side. The mine activity has resulted in considerable yearly depredation problems. The elk now spend most of their time foraging on private land and have also caused more fence damage to the private landowners. Prior to the mine activity this elk-caused damage did not occur with animals mainly staying on the west side of the valley (mined side). As significant amounts of private land are located in the new proposed mine site we believe elk are likely to do the same thing here or may even displace more elk to the same private land in Sage Valley. Mitigation for private landowners' depredations in the area needs to be considered.

Spotted Bats

The analysis in Chapter 4 states that the proposed action will have a moderate benefit to spotted bats. While spotted bats are indeed associated with cliff habitats, no available literature we are aware of supports the assertion that pit hanging walls created by the proposed mining activity might be used as roost sites by spotted bats. Unless evidence can be provided to support the idea that spotted bats will use these unnatural, man-made walls, the assessment that there will be a beneficial effect on spotted bats should not be offered.

Great Gray Owls and Goshawks

The analysis in Chapter 4 continually states that impacts to wildlife species will be site specific. Species with low populations, limited distribution and/or specific habitat requirements might experience population impacts beyond the boundaries of the impacted area. This document indicates that both great gray owl and goshawks likely have nest territories in the impact area. These species have low populations and specific habitat requirements, thus making the loss of even a reproductive pair or territory important to the overall population. This loss could impact the population of these species throughout a much wider area than just the specific project site, given the loss of not just individuals who might not find suitable nesting habitat nearby, but also the loss of potential young that might be recruited into the population.

Western Toads

Western toad populations could be impacted in a much larger area than the specific impact site. The Sage Creek population is one of only four known populations in eastern Idaho south of the Snake River. Western toads appear to have limited distributions in south eastern Idaho, thus making impacts to one sub-population potentially significant to the entire south east Idaho population. Additional surveys should be untaken to determine presence or absence of specific sub-populations of western toads in the project area.

Livestock Grazing

It continues to be unclear from reading the DEIS document where the current livestock grazing on the 1,056 acres of allotment disturbed by the PA will be relocated. The USFS has initiated an aggressive fire management program that will require livestock AUM's adjustment post fire. The USFS has stated that it is likely the associated reduction in AUM's from allotments impacted by mining activities would require relocation of those animals to the remaining allotments. The DEIS should evaluate the impact of any increases in livestock AUM's in these locations as a result of the mine expansion and other treatments or activities. We request that IDFG be consulted when realignment of grazing allotments are made these actions could have significant impacts to wildlife utilizing these same allotments.

Reclamation

The list of Appropriate Revegetation Species (Table 2.4-4) is acceptable for listed grasses and forbs but does not provide the diversity of habitat conditions for a variety of game and nongame wildlife species that more native grass/shrub/forested habitats did, prior to mine activities. Reclamation of mined sites must be considered as a perpetual activity, in order to make progress toward more diverse habitat conditions. Reestablishment of the entire vegetative community not just grasses and forbs will become increasingly important as new information is developed on different plant species abilities to act as accumulators of selenium in some mine situations.

Aspen Communities

IDFG is in full agreement as to the <u>importance</u> of aspen communities as they support high levels of wildlife diversity and the importance of setting back successional stages to provide these diverse plant communities. IDFG is committed in assisting in restoring, maintaining, and improving aspen habitat as part of the Mule Deer Initiative and other wildlife population enhancement programs. We request concerted efforts be made to reestablish these important community types in areas from which they have been compromised from mining activities. IDFG will continue to support and encourage coordinated efforts by state and federal agencies in restoring these most important habitats.

Selenium

The extent to which selenium in water, soils, and plants may affect wildlife in the mine area continues to be an area of concern. As the agency tasked with protection of the State's wildlife resources we request the collaboration of all interested parties in adopting standard protocols and criteria for collection and analysis of wildlife and fish collected from the area. It is our hope that with such a document in place disagreements

SCM.555

over results from differing collection procedure and analysis would be avoided, thereby allowing for timely management actions taken to ensure that wildlife resources are protected.

We appreciate the opportunity to provide input to this process.

Sincerely,

Mark Gamblin
Southeast Regional Supervisor

GM/jjm

Cc: D. Mignogno, USFWS
NRPB

email: SE Region, IDFG

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ROGER W. CHASE
Mayor

Pocatello City Council:
ROGER J. BRAY
RON FRASURE
GARY MOORE
EVA JOHNSON NYE
RICHARD STALLINGS
BRIAN T. UNDERWOOD

March 16, 2006

SCM 603

Smoky Canyon DEIS
c/o The Shipley Group
P.O. Box 2000
Bountiful, UT 84011-2000

FORM 6

CAG RECEIVED
MAR 2 0 2006

SUBJECT: COMMENTS TO SMOKY CANYON MINE DEIS

Dear Sirs:

As Mayor of Pocatello, I wish to submit the following comments regarding the Simplot Smoky Canyon DEIS for panels F and G.

The Simplot Company has been a major employer and economic contributor to our community since 1944. A very large percentage of Don Plant employees live in our city. Although the company's Don Plant is located in Power County, most of the employees and economic impact from the Simplot operation occur in Bannock County. The only source of phosphate ore for the Don Plant is Simplot's Smoky Canyon Mine. Therefore, any actions relative to the Smoky Canyon Mine have a direct impact upon Pocatello and her citizens. The Don plant employs over 375 people. The average wages paid at the Don Plant are among the highest average wages of any other employer category in both Power and Bannock counties. In addition to wages, the company provides a benefit package to employees, amounting to an addition 40% of wages used in our community to support health care institutions.

In my review of the Smoky Canyon DEIS, I wish to submit the following comments:

1. **Mining Alternatives:**
   I support the proposed action based upon our past experience with the Simplot Company. From my research, I feel that mining alternatives B and C are not cost effective measures and will create undue costs without any measurable environmental protection. Imposing these alternatives would make the phosphate removal process cost prohibitive. Mining alternative D may have some merit if the agencies employ a reasonable approach to allow Simplot to construct a cost effective cover system that would still allow the economic recovery of the phosphate resource.

2. **Transportation Alternatives:**
   I support the agency preferred transportation alternatives. This includes the proposed action for Panel F and alternative # 2, the East Haul/Access Road for Panel G. Based upon our knowledge of that area, we feel alternative #2 provides the most environmentally protective route from the mill at Smoky Canyon to Panel G, in addition to being the shortest and safest.

SCM-603

3. **North and South Lease Modifications:**
Mining alternative A does not make sense to me. I support the inclusion of both the north and south lease modifications to the Manning Creek lease to extract optimum mineral resources while the lands are under disturbance.

4. **Economic Impacts:**
I am submitting the attached economic impact Analysis, **"JR Simplot Company's Don Plant in Pocatello, Idaho and Smoky Canyon Phosphate Mine in Caribou County, Idaho"** conducted by Mr. John Church of Idaho Economics. I ask that this information be included in the economic considerations of this project. The DEIS fails to identify the direct, induced, and secondary economic impacts of Smoky Canyon Mine and the Don Plant. According to Mr. Church's research, the Simplot operation creates a $131 million dollar impact annually in this seven county region. Of that, $68,462,810 benefits Bannock County. In addition, $4,264,170 of new state and local tax revenues are generated as a result of the Smoky Canyon Mine and Don Plant in our county.

5. **Corporate Citizenship:**
I do not know where Pocatello would be without the Simplot Company. Their employees are involved in virtually every civic organization in the community. They are active in our churches, attend our schools, and help coach youth athletic activities. The company is one of the largest contributors to United Way. They donate well over $200,000 annually to various charities, projects, and civic organizations. The world famous Simplot Games, North America's largest indoor track event, is held in Bannock County every year, which itself produces a $3.5 million economic impact.

While I encourage the U.S. Forest Service and Bureau of Land Management to carefully consider all comments received regarding this DEIS, I ask that you pay particular attention to those comments from local citizens and leaders who have the most to gain or lose from this project.

Sincerely,

Mayor Roger Chase
Mayor

enclosure

S. CRISS JAMES
CARIBOU COUNTY PROSECUTING ATTORNEY
109 S Main - P O Box 474
Soda Springs ID 83276

SCM 605

Telephone (208) 547-1930

Facsimile (208) 547-1932

F 06

March 15, 2006

Smoky Canyon DEIS
c/o The Shipley Group
P.O. Box 2000
Bountiful, UT 84011-2000

CAG RECEIVED
MAR 20 2006

SUBJECT: COMMENTS TO SMOKY CANYON MINE DEIS

Dear Sirs:

I am the Caribou County Attorney. The Caribou County Board of Commissioners have asked me to express their comments on the Simplot Smoky Canyon Mine DEIS for expansion into panels F and G.

The Smoky Canyon Mine is located in Caribou County. The J.R. Simplot Company has been active in the phosphate mineral extraction industry since 1944, most of those years in Caribou County. We are familiar with their people, their practices, and their financial resources to provide sustainable environmental stewardship over those portions of public land entrusted to their care.

In our review of the Smoky Canyon DEIS, we wish to comment on the following:

1. **Mining Alternatives:**
   We support the proposed action based upon our past experience with the Simplot Company. We feel that mining alternatives B and C are not cost effective measures and will create undue costs without any measurable environmental protection. Imposing these alternatives would make the phosphate removal process cost prohibitive. Mining alternative D may have some merit if the agencies employ a reasonable approach to allow Simplot to construct a cost effective cover system that would still allow the economic recovery of the phosphate resource.

SCM·605

2. **Transportation Alternatives:**
   We support the agency preferred transportation alternatives. This includes the proposed action for Panel F and alternative # 2, the East Haul/Access Road for Panel G. Based upon our knowledge of that area, we feel alternative #2 provides the most environmentally protective route from the mill at Smoky Canyon to Panel G, in addition to being the shortest and safest.

3. **North and South Lease Modifications:**
   We strongly disagree with mining alternative A. We support the inclusion of both the north and south lease modifications to the Manning Creek lease to extract optimum mineral resources while the lands are under disturbance.

4. **Economic Impacts:**
   We wish to submit the attached economic impact Analysis, **"JR Simplot Company's Don Plant in Pocatello, Idaho and Smoky Canyon Phosphate Mine in Caribou County, Idaho"** conducted by Mr. John Church of Idaho Economics. We ask that this information be included in the economic considerations of this project. The DEIS fails to identify the direct, induced, and secondary economic impacts of Smoky Canyon Mine and the Don Plant. According to Mr. Churches research, the Simplot operation creates a $131 million dollar impact annually in this seven county region. Of that, $4,295,200 benefits Caribou County. In addition, $267,500 of new state and local tax revenue are generated as a result of the Smoky Canyon Mine and Don Plant in our county.

While we encourage the U.S. Forest Service and Bureau of Land Management to carefully consider all comments received regarding this DEIS, we ask that you pay particular attention to those comments from local citizens and leaders who have the most to gain or lose from this project.

Sincerely,

S. Criss James

S. Criss James
Caribou County Attorney

c: Caribou County Commissioners

THE TOWN OF AFTON

416 Washington St.
P.O. Box 310
Afton, WY 83110-0310
Phone (307) 885-9831

SCM 606

March 15, 2006

Smoky Canyon DEIS
c/o The Shipley Group
P.O. Box 2000
Bountiful, UT 84011-2000

F 06

CAG RECEIVED
MAR 2 0 2006

SUBJECT: ADDITIONAL COMMENTS TO SMOKY CANYON MINE DEIS

Dear Sirs:

As Mayor of Afton, Wyoming, and on behalf of her citizens, I wish to submit additional comments regarding the Simplot Smoky Canyon DEIS for panels F and G. New data has become available which we feel adds substantial weight to the economic impact of the Simplot operations in our valley.

The Simplot Company has been a major employer and economic contributor to our community since 1981. Although the company's Smoky Canyon Mine is located in adjacent Caribou County, most employees and economic impact from the Simplot operation occur in Lincoln County. The Smoky Canyon Mine is the only source of phosphate ore for the Simplot Don Plant in Pocatello, Idaho, and the combination of the two operations produce over 360 million pounds of phosphate fertilizers that provide soil nutrients to farmers throughout the Western United States.

In our review of the Smoky Canyon DEIS, we wish to reiterate following comments:

1. **Mining Alternatives:**
   We support the proposed action based upon our past experience with the Simplot Company. We feel that mining alternatives B and C are not cost effective measures and will create undue costs without any measurable environmental protection. Imposing these alternatives would make the phosphate removal process cost prohibitive. Mining alternative D may have some merit if the agencies employ a reasonable approach to allow Simplot to construct a cost effective cover system that would still allow the economic recovery of the phosphate resource.

2. **Transportation Alternatives:**
   We support the agency preferred transportation alternatives. This includes the proposed action for Panel F and alternative # 2, the East Haul/Access Road for Panel G. Based upon our knowledge of that area, we feel alternative #2 provides the most environmentally protective route from the mill at Smoky Canyon to Panel G, in addition to being the shortest and safest.

SCM.006

3. **North and South Lease Modifications:**
We strongly disagree with mining alternative A. We support the inclusion of both the north and south lease modifications to the Manning Creek lease to extract optimum mineral resources while the lands are under disturbance.

We also wish to add the following comments for the record:

4. **Economic Impacts:**
We wish to submit the attached economic impact Analysis, "**JR Simplot Company's Don Plant in Pocatello, Idaho and Smoky Canyon Phosphate Mine in Caribou County, Idaho**" conducted by Mr. John Church of Idaho Economics. We ask that this information be included in the economic considerations of this project. The DEIS fails to identify the direct, induced, and secondary economic impacts of Smoky Canyon Mine and the Don Plant. According to Mr. Church's research, the Simplot operation creates a $131 million dollar impact annually in this seven county region. Of that, $29,134,930 benefits Lincoln County. In addition to the 250 employees of the Smoky Canyon Mine, the Mine produces another 272 related jobs in Lincoln County, Wyoming. The average salaries and wages for the Smoky Canyon Mine are the highest average wages in Lincoln County, and exceed the county average by 32%. In addition to wages and salaries, the Simplot Company provides a complete employee benefits packages which adds another 40% to the compensation to employees.
Hey

5. **Corporate Citizenship:**
The Simplot Company is considered one of our area's model corporate citizens. Simplot employees are involved in virtually every civic organization in the community. They are active in our churches, attend our schools, and help coach youth athletic activities. They donate annually to various charities, projects, and civic organizations. They donated the use of their large earth-moving equipment to help create a sports complex near Afton.

While we encourage the U.S. Forest Service and Bureau of Land Management to carefully consider all comments received regarding this DEIS, we ask that you pay particular attention to those comments from local citizens and leaders who have the most to gain or lose from this project.

Sincerely,

Chad V. Jensen
Mayor

Bannock County Commissioners

P.O. Box 4016 • Pocatello, Idaho 83205-4016 • Phone (208) 236-7211
FAX# 236-7363 TDD# 236-7020

JIM GUTHRIE
CHAIRMAN
COMMISSIONER 1st DISTRICT
POCATELLO, IDAHO

STEVE HADLEY
COMMISSIONER 2nd DISTRICT
POCATELLO, IDAHO

LARRY W. GHAN
COMMISSIONER 3rd DISTRICT
POCATELLO, IDAHO

SCM 607

F 06 - -

CAG RECEIVED
MAR 2 0 2006

March 17, 2006

Smoky Canyon DEIS
c/o The Shipley Group
P.O. Box 2000
Bountiful, UT 84011-2000

SUBJECT: COMMENTS TO SMOKY CANYON MINE DEIS

Dear Sirs:

The Board of County Commissioners of Bannock County, Idaho wish to submit the following comments regarding the Simplot Smoky Canyon DEIS for panels F and G.

The Simplot company has been a major employer and economic contributor to our county since 1944. Although the company's Don Plant is located in Power County, most of the employees and economic impact from the Simplot operation occur in Bannock County. The only source of phosphate ore for the Don Plant is Simplot's Smoky Canyon Mine. Therefore, any actions relative to the Smoky Canyon Mine have a direct impact upon this county and her citizens. The Don plant employs over 375 people. The average wages paid at the Don Plant are the highest average wages of any other employer category in both Power and Bannock counties. In addition to wages, the company provides a complete benefits package to employees, amounting to an addition 40% of wages used in our community to support health care institutions. A very large percentage of Don Plant employees live in Bannock County.

In our review of the Smoky Canyon DEIS, we wish to submit the following comments:

1. **Mining Alternatives:**
   We support the proposed action based upon our past experience with the Simplot Company. We feel that mining alternatives B and C are not cost effective measures and will create undue costs without any measurable environmental protection. Imposing these alternatives would make the phosphate removal process cost prohibitive. Mining alternative D may have some merit if the agencies employ a reasonable approach to allow Simplot to construct a cost effective cover system that would still allow the economic recovery of the phosphate resource.

2. **Transportation Alternatives:**
   We support the agency preferred transportation alternatives. This includes the proposed action for Panel F and alternative # 2, the East Haul/Access Road for Panel G. Based upon our knowledge of that area, we feel alternative #2 provides the most environmentally protective route from the mill at Smoky Canyon to Panel G, in addition to being the shortest and safest.

SCM-607

3. **North and South Lease Modifications:**
We strongly disagree with mining alternative A. We support the inclusion of both the north and south lease modifications to the Manning Creek lease to extract optimum mineral resources while the lands are under disturbance.

4. **Economic Impacts:**
We wish to submit the attached economic impact Analysis, "**JR Simplot Company's Don Plant in Pocatello, Idaho and Smoky Canyon Phosphate Mine in Caribou County, Idaho**" conducted by Mr. John Church of Idaho Economics. We ask that this information be included in the economic considerations of this project. The DEIS fails to identify the direct, induced, and secondary economic impacts of Smoky Canyon Mine and the Don Plant. According to Mr. Church's research, the Simplot operation creates a $131 million dollar impact annually in this seven county region. Of that, $68,462,810 benefits Bannock County. In addition, $4,264,170 of new state and local tax revenues are generated as a result of the Smoky Canyon Mine and Don Plant in our county.

5. **Corporate Citizenship:**
The Simplot Company is considered one of our area's model corporate citizens. Simplot employees are involved in virtually every civic organization in the community. They are active in our churches, attend our schools, and help coach youth athletic activities. The company is one of the largest contributors to United Way. They donate well over $200,000 annually to various charities, projects, and civic organizations. The world famous Simplot Games, North America's largest indoor track event, is held in Bannock county every year, which itself produces a $3.5 million economic impact.

While we encourage the U.S. Forest Service and Bureau of Land Management to carefully consider all comments received regarding this DEIS, we ask that you pay particular attention to those comments from local citizens and leaders who have the most to gain or lose from this project.

Sincerely,
Bannock County Commissioners,

Jim Guthrie, Chairman

Steve Hadley, Member

City of Chubbuck
Office of the Mayor

SCM 608

Steven M. England, Mayor

P.O. Box 5604
5160 Yellowstone Avenue
Chubbuck, ID 83202-0006
(208) 237-2430
(208) 237-2409 Fax

March 15, 2006

F 06

CAG RECEIVED
MAR 20 2006

Smoky Canyon DEIS
c/o The Shipley Group
P.O. Box 2000
Bountiful, UT 84011-2000

SUBJECT: COMMENTS TO SMOKY CANYON MINE DEIS

Dear Sirs:

As Mayor of the City of Chubbuck in Idaho, I wish to submit the following comments regarding the Simplot Smoky Canyon DEIS for panels F and G.

The City of Chubbuck is the city closest to the Simplot Company's Don Plant located in Power county. The company has been a major employer and economic contributor to our community since 1944. The only source of phosphate ore for the Don Plant is Simplot's Smoky Canyon Mine. Therefore, any actions relative to the Smoky Canyon Mine have a direct impact upon this community and her citizens. The Don plant employs over 375 people. The average wages paid at the Don Plant are the highest average wages of any other employer category in both Power and Bannock counties. In addition to wages, the company provides a complete benefits package to employees, amounting to an addition 40% of wages used in our community to support health care institutions. A large percentage of Don Plant employees live in our city.

In our review of the Smoky Canyon DEIS, we wish to submit the following comments:

1. **Mining Alternatives:**
   We support the proposed action based upon our past experience with the Simplot Company. We feel that mining alternatives B and C are not cost effective measures and will create undue costs without any measurable environmental protection. Imposing these alternatives would make the phosphate removal process cost prohibitive. Mining alternative D may have some merit if the agencies employ a reasonable approach to allow Simplot to construct a cost effective cover system that would still allow the economic recovery of the phosphate resource.

2. **Transportation Alternatives:**
   We support the agency preferred transportation alternatives. This includes the proposed action for Panel F and alternative # 2, the East Haul/Access Road for Panel G. Based upon our knowledge of that area, we feel alternative #2 provides the most

SCM-608

environmentally protective route from the mill at Smoky Canyon to Panel G, in addition to being the shortest and safest.

3. **North and South Lease Modifications:**
We strongly disagree with mining alternative A. We support the inclusion of both the north and south lease modifications to the Manning Creek lease to extract optimum mineral resources while the lands are under disturbance.

4. **Economic Impacts:**
We wish to submit the attached economic impact Analysis, **"JR Simplot Company's Don Plant in Pocatello, Idaho and Smoky Canyon Phosphate Mine in Caribou County, Idaho"** conducted by Mr. John Church of Idaho Economics. We ask that this information be included in the economic considerations of this project. The DEIS fails to identify the direct, induced, and secondary economic impacts of Smoky Canyon Mine and the Don Plant. According to Mr. Church's research, the Simplot operation creates a $131 million dollar impact annually in this seven county region. Of that, $68,462,810 benefits Bannock County. In addition, $4,264,170 of new state and local tax revenues are generated as a result of the Smoky Canyon Mine and Don Plant in our county.

5. **Corporate Citizenship:**
The Simplot Company is considered one of our area's model corporate citizens. Simplot employees are involved in virtually every civic organization in the community. They are active in our churches, attend our schools, and help coach youth athletic activities. The company is one of the largest contributors to United Way. They donate well over $200,000 annually to various charities, projects, and civic organizations. The world famous Simplot Games, North America's largest indoor track event, is held in Bannock county every year, which itself produces a $3.5 million economic impact.

While we encourage the U.S. Forest Service and Bureau of Land Management to carefully consider all comments received regarding this DEIS, we ask that you pay particular attention to those comments from local citizens and leaders who have the most to gain or lose from this project.

Sincerely,

Steven M. England
Mayor

SME:wb

POWER COUNTY
STATE OF IDAHO

SCM 979

Ken Estep, Chairman
Vicki L. Meadows
Ray Zimmerman

543 Bannock Avenue
American Falls, Idaho 83211
Phone: (208) 226-7610
Fax: (208) 226-7612

March 15, 2006

Smoky Canyon DEIS
c/o The Shipley Group
P.O. Box 2000
Bountiful, UT 84011-2000

F 06

CAG RECEIVED
MAR 23 2006

SUBJECT: COMMENTS TO SMOKY CANYON MINE DEIS

Dear Sirs:

As the Board of County Commissioners of Power County, Idaho, we wish to submit the following comments regarding the Simplot Smoky Canyon DEIS for panels F and G.

The Simplot Company's Don Plant is located in Power County, and has been a major employer and economic contributor to our county since 1944. The only source of phosphate ore for the Don Plant in Power County is Simplot's Smoky Canyon Mine. Therefore, any actions relative to the Smoky Canyon Mine have a direct impact upon this county and her citizens. The Don plant employs over 375 people. The average wages paid at the Don Plant are the highest average wages of any other employer category in both Power and Bannock counties. In addition to wages, the company provides a complete benefits package to employees, amounting to an addition 40% of wages used in our community to support health care institutions.

In our review of the Smoky Canyon DEIS, we wish to submit the following comments:

1. **Mining Alternatives:**
   We support the proposed action based upon our past experience with the Simplot Company. We feel that mining alternatives B and C are not cost effective measures and will create undue costs without any measurable environmental protection. Imposing these alternatives would make the phosphate removal process cost prohibitive. Mining alternative D may have some merit if the agencies employ a reasonable approach to allow Simplot to construct a cost effective cover system that would still allow the economic recovery of the phosphate resource.

SCM 979

2. **Transportation Alternatives:**
We support the agency preferred transportation alternatives. This includes the proposed action for Panel F and alternative # 2, the East Haul/Access Road for Panel G. Based upon our knowledge of that area, we feel alternative #2 provides the most environmentally protective route from the mill at Smoky Canyon to Panel G, in addition to being the shortest and safest.

3. **North and South Lease Modifications:**
We strongly disagree with mining alternative A. We support the inclusion of both the north and south lease modifications to the Manning Creek lease to extract optimum mineral resources while the lands are under disturbance.

4. **Economic Impacts:**
We wish to submit the attached economic impact Analysis, **"JR Simplot Company's Don Plant in Pocatello, Idaho and Smoky Canyon Phosphate Mine in Caribou County, Idaho"** conducted by Mr. John Church of Idaho Economics. We ask that this information be included in the economic considerations of this project. The DEIS fails to identify the direct, induced, and secondary economic impacts of Smoky Canyon Mine and the Don Plant. According to Mr. Church's research, the Simplot operation creates a $131 million dollar impact annually in this seven county region. Of that, $1,897,870 benefits Power County. In addition, $118,210 of new state and local tax revenues are generated as a result of the Smoky Canyon Mine and Don Plant in our county.

5. **Agriculture Impacts:**
The DEIS grossly underestimates impacts to agriculture. Agriculture is the most important economic activity in Power County. The Simplot company's Don Plant is the major supplier of agriculture fertilizer, not only in Power County, but throughout the Western United States. Any interruption of phosphate ore from Smoky Canyon Mine would have a disastrous effect upon our agriculture economy. The Smoky Canyon Mine/Don Plant complex produces enough phosphate fertilizer to provide soil nutrition for every harvested acre in Idaho.

While we encourage the U.S. Forest Service and Bureau of Land Management to carefully consider all comments received regarding this DEIS, we ask that you pay particular attention to those comments from local citizens and leaders who have the most to gain or lose from this project.

Sincerely,
POWER COUNTY COMMISSIONERS

Ken Estep, Chairman

Vicki Meadows

Ray Zimmerman

SCM 1041

KIRK L. HANSEN, MAYOR

CITY COUNCIL
RANDALL E. PRESCOTT, PRES
MITCHELL J. HART
LYNDA LEE
ARNELL WALKER

W. Lee Godfrey
Director of City Services

Tausha Vorwaller
Clerk-Treasurer

CITY OF SODA SPRINGS

Historical Oregon Trail Oasis

9 West 2nd South • Soda Springs, Idaho • 83276 • (208) 547-2600 • fax (208)547-2601 • e-mail - sodaspringsid.com

F 06

March 21, 2006

F 06 - [illegible]

Smoky Canyon DEIS
c/o The Shipley Group
P.O. Box 2000
Bountiful, UT 84011-2000

DAG RECEIVED
MAR 24 2006

SUBJECT: COMMENTS TO SMOKY CANYON MINE DEIS

Dear Sirs:

As Mayor of the city of Soda Springs, Idaho, I would like to express our comments to the Simplot Smoky Canyon Mine DEIS for expansion into panels F and G on behalf of the citizens of Soda Springs.

Soda Springs is the county seat of Caribou County, the county in which the Smoky Canyon Mine is located. The J.R. Simplot Company has been active in the phosphate mineral extraction industry since 1944, most of those years in Caribou County. Having served as Mayor of Soda Springs since 1986, I have come to know the Simplot operation, the Simplot people, and have developed a trust in their stewardship of public lands. The Simplot operation is a very important economic contributor to our way of life.

In our review of the Smoky Canyon DEIS, we wish to submit the following comments:

1. **Mining Alternatives:**
   We support the proposed action based upon our past experience with the Simplot Company. We feel that mining alternatives B and C are not cost effective measures and will create undue costs without any measurable environmental protection. Imposing these alternatives would make the phosphate removal process cost prohibitive. Mining alternative D may have some merit if the agencies employ a reasonable approach to allow Simplot to construct a cost effective cover system that would still allow the economic recovery of the phosphate resource.

SCM-1041

2. **Transportation Alternatives:**
We support the agency preferred transportation alternatives. This includes the proposed action for Panel F and alternative # 2, the East Haul/Access Road for Panel G. Based upon our knowledge of that area, we feel alternative #2 provides the most environmentally protective route from the mill at Smoky Canyon to Panel G, in addition to being the shortest and safest.

3. **North and South Lease Modifications:**
We strongly disagree with mining alternative A. We support the inclusion of both the north and south lease modifications to the Manning Creek lease to extract optimum mineral resources while the lands are under disturbance.

4. **Economic Impacts:**
We wish to submit the attached economic impact Analysis, **"JR Simplot Company's Don Plant in Pocatello, Idaho and Smoky Canyon Phosphate Mine in Caribou County, Idaho"** conducted by Mr. John Church of Idaho Economics. We ask that this information be included in the economic considerations of this project. The DEIS fails to identify the direct, induced, and secondary economic impacts of Smoky Canyon Mine and the Don Plant. According to Mr. Church's research, the Simplot operation creates a $131 million dollar impact annually in this seven county region. Of that, $4,295,200 benefits Caribou County. In addition, $267, 500 of new state and local tax revenue are generated as a result of the Smoky Canyon Mine and Don Plant in our county.

While we encourage the U.S. Forest Service and Bureau of Land Management to carefully consider all comments received regarding this DEIS, we ask that you pay particular attention to those comments from local citizens and leaders who have the most to gain or lose from this project.

Sincerely,

Kirk L. Hansen, Mayor

WYOMING GAME AND FISH DEPARTMENT

5400 Bishop Blvd. Cheyenne, WY 82006

Phone: (307) 777-4600 Fax: (307) 777-4610

Web site: http://gf.state.wy.us

GOVERNOR
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DIRECTOR
TERRY CLEVELAND

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CLARK ALLAN
JERRY GALLES
CLIFFORD KIRK
KERRY POWERS

SCM 1054

April 20, 2006

WER 11423
Bureau of Land Management
Pocatello Field Office
Draft Environmental Impact Statement
J.R. Simplot Company
Smoky Canyon Mine, Panels F and G
Proposed Mine Expansion
Caribou and Lincoln Counties

Bill Stout
BLM Project Manager
Smoky Canyon Mine DEIS
C/O The Shipley Group
PO Box 200
Bountiful, UT 84011-2000

Dear Mr. Stout:

The staff of the Wyoming Game and Fish Department has reviewed the proposal for a Draft Environmental Impact Statement for J.R. Simplot Company Smoky Canyon Mine, Panels F and G Proposed Mine Expansion in Caribou and Lincoln Counties. We offer the following comments for your consideration.

Other than the No Action alternative, Alternative D is the only action that the EIS claims will not result in water quality criteria for selenium being exceeded. This includes Crow Creek below Sage Creek, which is essentially the portion of the watershed that enters Wyoming. We do not support any action that results in increased selenium concentrations, since selenium is known to bioaccumulate. In a system that already contains elevated selenium, even subtle increases could have significant negative consequences. Sampling by Dan Isaak indicates that Crow Creek and Sage Creek contain abundant cutthroat trout (224 and 106 kg/ha, respectively), as well as mountain whitefish, mottle sculpin, Paiute sculpin, speckled dace, longnose dace, Utah sucker, and redside shiner. Only two other creeks in the Salt River drainage (i.e., Stump and Jackknife creeks) have greater species diversity than Crow Creek. Obviously, Crow Creek and its tributaries are important components of the Salt River system and need to be managed accordingly.

SCM-1054

Mr. Bill Stout
April 20, 2006
Page 2 – WER 11423

Concerning the transportation alternatives, Alternative 1 appears to have fewer environmental impacts than all the other alternatives, including the proposed action. Alternative 1 would result in fewer disturbed acres, lower emissions, fewer culverts, less sedimentation, less disturbance to wetlands, no disturbances to perennial stream channels, and essentially avoids the inventoried roadless areas.

Thank you for the opportunity to comment.

Sincerely,

Vern Stetler

for BILL WICHERS
DEPUTY DIRECTOR

BW:VS:gfb

cc: USFWS
Temple Stevenson – Governor's Planning Office

Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

SCM 1055

May 3, 2006

Bill Stout, EIS Project Manager
BLM Pocatello Field Office
4350 Cliffs Drive
Pocatello, ID 83204

Jack Troyer, Regional Forester
USDA Forest Service -Internountain Region
324 25th Street
Ogden, UT 84401

Smokey Canyon Mine DEIS
C/O The Shipley Group
P.O. Box 2000
Bountiful, UT 84011-2000

RE: Comments on the Smoky Canyon Mine, Panels F & G EIS

Gentlemen:

These comments regarding the Smoky Canyon Mine, Panels F & G EIS are specific to this Agency's statutory mission within State government which is protection of public health and the environment. In that regard, these comments are meant to, in association with all other agency comments, assist in defining the Official State Position.

The main stem of Crow Creek as it enters Wyoming from Idaho is a Class 2AB water as identified in Table A of the Wyoming Surface Water Classification List. Section 4 (Surface Water Classes and Uses) in Chapter 1 of the Water Quality Rules and Regulations States:

> *(b)(i) Class 2AB. Class 2AB waters are those known to support game fish populations or spawning and nursery areas at least seasonally and all their perennial tributaries and adjacent wetlands and where a game fishery and drinking water use is otherwise attainable....Class 2AB waters are also protected for nongame fish, fish consumption, aquatic life other than fish, primary contact recreation, wildlife, industry, agriculture and scenic value uses.*

SCM. 1055

The aquatic life chronic criterion for selenium in Crow Creek is 0.005 mg/l. All of the alternatives, including the proposed action, in the DEIS would reach or exceed this limit (Table 4.3-15, ESTIMATED SELENIUM CONCENTRATIONS IN AREA STREAM). Therefore, all mining alternatives in the DEIS are not acceptable for protecting Wyoming surface water quality as proposed.

The preferred alternative selected by BLM and the USFS must ensure that Wyoming surface water quality standards are not exceeded and it is strongly recommended that the preferred alternative contain mitigation measures in the event that water quality criteria are exceeded.

I recognize that the comment period for the EIS has since expired but as a cooperating agency I would hope that the BLM and USFS will give these comments serious consideration in the development of the preferred alternative. I would also request that all future activities under review that have the potential to impact Wyoming's air, water or land resources be coordinated with this agency.

We appreciate and look forward to the opportunity to work with you in the future. If you have any questions, please feel free to contact Todd Parfitt at 307-777-7555.

Sincerely,

John V. Corra
Director

cc: Governor's Planning Office
Todd Parfitt, DEQ Deputy Directory
Jane Darnell, SLF-Federal Land