


# Impact statement due

## *Feds gauge effect of planned Simplot mine expansion*

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A final environmental impact statement for J.R. Simplot Co.'s proposed Smoky Canyon Mine expansion should be released by the end of October and will require a more robust cover over seleniferous waste rock than originally proposed, federal officials said Monday.

The contentious mine expansion has sparked a heated debate in the four years since its proposal, and officials said they received  more than 38,000 public comments after the draft environmental statement was released in December 2005. Leaders with the Bureau of Land Management and the U.S. Forest Service said they considered about 2,700 substantive public comments in making their revisions.


Once the final environmental impact statement is released, a so-called availability period spanning 30 days will begin, during which more public comments will be submitted for managers to consider. Then, records of decision will be released by the BLM pertaining to the mining plan and the Forest Service regarding haul and access roads tying the leases together.

If the BLM decision is appealed, the Department of Interior Board of Appeals will then review it to either approve it or send it back for revisions. A federal lawsuit could also tie up the decision.

The current Smoky Canyon Mine has enough phosphate ore to last  plot an estimated three to five years.



"We feel we've got a very good document to release to the public we feel is very well peer reviewed and critiqued that we're going to stand behind," said Caribou-Targhee National Forest Supervisor Larry Timchak.

The federal officials said the final version will also include new provisions dealing with concerns of nearby private landowners and clarifications pertaining to the Clinton-era Roadless Rule.

The Smoky Canyon Mine, located near the Wyoming border in Caribou County, would be expanded into two panels containing acres of roadless land. The Roadless Rule dates back to mid-January of 2001 and  hibits development of inventoried roadless acres. When the draft environmental impact statement was approved for the Smoky Canyon Mine expansion, the roadless rule had been rescinded.

A California judge has since reinstated the Roadless Rule. Jeff Jones, phosphate program manager with the Caribou-Targhee National Forest, said exemptions to the rule were granted for both panels as the leases predate the roadless rule — the Deer Creek lease dates back to the 1950s, and the Manning Creek lease was approved just days before the Roadless Rule took effect.



"What we're trying to do with this review is make sure we're not committing the Forest Service to something that's illegal to the current interpretation of the Roadless Rule," Jones said.

Another change in the final version is that the  ffered route of a haul road to the mine expansion,  inally slated to cross private land near the planned site of a couple's ranch home, has been moved a few miles away from the nearest residences, Jones said.

As for changes to the cap that will be required by Simplot, Jeff Cunduck, minerals


branch chief with the BLM's Pocatello field office, explained it will likely cost millions of dollars more than the previously proposed cap, but it should be far more effective in keeping water from breaching through to seleniferous waste rock.


Selenium is a naturally occurring micronutrient that federal officials discovered in the late-1990s had grown toxic near the phosphate mines and was poisoning horses and sheep.

The cap, as outlined by the final environmental impact statement, would be et thick and composed of clay, chert, shale and soil layers. Vegetation would cover the cap to absorb water before it could soak through. While the layer proposed in the draft environmental impact statement would have allowed about an inch of water to soak through per year, the revamped layer would reduce the amount bout half an inch of water.


"We think it's a good idea. In fact, we've suggested a lot of those improvements with the Forest Service," Simplot spokesman Rick Phillips said. "It's part of the best practices that were identified through this area-wide investigation."

Environmental groups including the Greater Yellowstone Coalition have criticized the federal government for approving a mine expansion before requiring significant cleanups of existing selenium contamination.




"Why in the world would they permit mine expansion when they know they haven't addressed the existing mess up there," said Marv Hoyt, Idaho director of the GYC. y ought to wait before they issue this EIS and decision and get the mess cleaned up there."

Efforts to keep selenium in Smoky Canyon waste rock from leaching into the water by piping it around the waste pile, among other measures, ed this spring. But Jones believes recent alterations, however, will prove to be more effective.


Hoyt remains skeptical.

"They won't know if it works until next spring during runoff. t's when it failed this year, when it had runoff going through it," Hoyt said. "Even if it were to work, that's one piece of a very complex cleanup puzzle."

After reviewing an outline of the proposed changes in plans the Forest Service provided recently to the Shoshone-Bannock Tribes, Hoyt believes they're far from adequate.

"From what I can tell  actually isn't much in the way of any changes from the draft, and that's a big problem," Hoyt said. "They're going to add more selenium to streams and increase contamination, and y're going to be in violation of the Clean Water Act."

Forest Service and BLM officials, however, say they've learned from mistakes of the past, and they won't permit another operation that will result in a new Superfund site.

Timchak d he was personally insulted by a recent GYC report that alleged collusion between the mining industry and the federal government, and he has nothing to hide. According to the GYC report, federal regulators knew about selenium poisoning long before animals started dying in the mid-1990s but failed to act.

"Because we have a problem there, does that mean we can't permit any new mines? We have to follow the law, and Simplot has a lease. ..." Timchak said, adding separate regulations govern cleanups and leasing. "We may have missed some signals with selenium, but it certainly wasn't intentional, and by no means was there any collusion with the industry."