



# United States Department of the Interior



## BUREAU OF LAND MANAGEMENT

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In Reply Refer To:

3500  
I-27512, I-01441

June 3, 2008

Earthjustice  
Lisa Evans  
21 Ocean Avenue  
Marblehead, MA 01945

Dear Ms. Evans:

On April 7, 2008, BLM received your Petition to Correct Information submitted pursuant to Public Law 106-554 part 515. The petition pertains specifically to the Smoky Canyon Mine Panels F and G Final Environmental Impact Statement (FEIS) and the Final Groundwater Flow and Solute Transport Modeling Report. It was requested in the petition that the BLM withdraw the FEIS and change the inputs to the groundwater model to reflect that no chemical attenuation of selenium occurs at the Smoky Canyon Mine.

Under BLM's Information Quality Guidelines, the BLM has carefully considered the petition, including the rationale provided, the explanation of the effect of the alleged error, and the recommendation for how the information in the FEIS should be corrected (see the enclosed staff memo, dated April 16, 2008). It has been determined that neither of the two documents requires correction with respect to the inclusion of selenium attenuation. Therefore, it was also determined that the FEIS will not be withdrawn or changed in response to this petition.

In regard to the inclusion of selenium attenuation in groundwater analysis, there is not a conflict between the analysis disclosed in the FEIS and the memorandum (JBR memorandum January 20, 2005) in the project record that was prepared for the Draft EIS. The conclusions regarding selenium attenuation from the Draft EIS, which were based on the same JBR memorandum dated January 20, 2005, are discussed in the FEIS and were considered in the analysis. The recommendation of the petition is to withdraw the FEIS so that it can be corrected to reflect no selenium attenuation in the analysis. The FEIS **already** discloses predicted impacts with no selenium attenuation, for Simplot's Proposed Action and all Mining Alternatives with a direct effect on water quality.

To allow the public and decision makers to make comparisons, pages 4-52, 4-65, 4-76, 4-90, 4-96, and 4-97 of the FEIS all clearly display predicted water quality impacts which do not include any attenuation of selenium. All of those pages except page 4-65 include a range of selenium attenuation from No

Attenuation to the agency adopted range of selenium attenuation to greater selenium attenuation. Therefore the FEIS will not be withdrawn or changed in response to this petition.

In accordance with BLM's Information Quality Guidelines, if you are dissatisfied with this response, you may appeal to:

Assistant Director, Information Resources Management, BLM  
1849 C Street, NW  
Washington, DC 20240

The following four elements should be included in a challenge to information:

1. Specific reference to the information being challenged.
2. Statement specifying why you believe the information fails to satisfy the standards in the BLM, DOI or OMB guidance.
3. How you are affected by the challenged information.
4. The name and address of the person filing the complaint.

Sincerely,



Joe Kraayenbrink  
District Manager

Enclosure:

Staff memo, dated April 16, 2008 (13 pp.)

Cc:

BLM, Candelaria  
USFS, Timchak  
USFS, Jones