



Public Notice

U.S. ARMY CORPS OF ENGINEERS

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Subject: Special Public Notice of Permit Application

Action ID: SPK-2009-01213-UO

Comments Period: June 10, 2011 – July 11, 2011

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is beginning to evaluate a permit application to construct the Kennecott Tailings Impoundment Expansion project, which would result in impacts to approximately 721 acres of waters of the United States, including wetlands, adjacent to the Great Salt Lake. The project site encompasses approximately 1,992 acres of land. The Corps has determined that an Environmental Impact Statement (EIS) will be developed in accordance with the National Environmental Policy Act. A Notice of Intent will be published in the Federal Register on June 13, 2011. This notice is to inform interested parties of the proposed activity, to solicit public comments, and to inform interested parties that the Corps will conduct 4 public scoping meetings in June 2011. This notice may also be viewed at the Corps web site at <http://www.spk.usace.army.mil/regulatory.html>.

AUTHORITY: This application is being evaluated under Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

APPLICANT: Kennecott Utah Copper LLC
4700 Daybreak Parkway
South Jordan, Utah 84095

LOCATION: The 1,992-acre project site is located near the Great Salt Lake, Latitude 40.757°, Longitude - 112.069°, approximately 10 miles west of Salt Lake City, near Magna, in Salt Lake County, Utah, and can be seen on the UT-SALTAIR and UT-MAGNA USGS Topographic Quadrangles. The project site is located within Township 1 South, Range 2 West; Sections 3, 4, 5, 8, 9, 10, 11, 17, 19, and 20; Township 1 South, Range 3 West, Sections 14 and 15; and Township 1 North, Range 2 West, Sections 32 and 33.

PROJECT DESCRIPTION: The Corps will prepare an EIS for the proposed Kennecott Utah Copper Tailings Expansion Project, an expansion of an active commercial mining operation near Magna, Salt Lake County, UT. Kennecott Utah Copper LLC (Kennecott) has applied for a Department of the Army permit to fill approximately 721 acres of waters of the United States, including wetlands, to construct the project. The basic project purpose is mine tailings storage. The overall project purpose is to increase tailings storage capacity for future mine life extensions.

Kennecott has applied for a permit under Section 404 of the Clean Water Act to expand their existing tailings impoundment and to construct an additional tailings storage facility and related infrastructure on a 1,992-acre parcel approximately ten miles west of Salt Lake City, near the community of Magna, Utah. According to Kennecott, the current Bingham Canyon Mine (Mine) plan extends to 2019 and is already planning a south pushback of the open pit that will extend the life of the Mine to 2028. The proposed action involves two phases that, according to the applicant, would provide the necessary tailings storage capacity to extend the life of the Mine through 2039. In Phase 1, Kennecott would continue using the existing North Tailings Storage Facility (TSF) while increasing the height of the North TSF impoundment beyond the currently permitted design. Kennecott would also construct and begin using a new impoundment, the Northeast TSF, on adjacent Kennecott property to the east. In Phase 2, Kennecott would extend tailings deposition from the North TSF onto a portion of

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the existing South TSF. Ancillary work that would occur includes: the relocation of existing utilities (power, fiber optic, etc.), ditches, secondary or tertiary roads, and a 4-mile long segment of a railroad line; preparation of the foundation and placement of drainage blanket material under the embankment footprint for the Northeast TSF; construction of engineered structures (prior to placing tailings on the South TSF), dikes and ditches for the facilities; and modification of the tailings distribution and return water systems. . Additionally, Kennecott states that they have used new information on seismic stability to update the design criteria for the TSFs. The attached drawings provide additional project details

PUBLIC SCOPING MEETINGS. The Corps will hold four public scoping meetings in several communities with proximity to the mining operation. The first meeting will be held on June 21, 2011, from 6-8:30 p.m., at the Webster Community Center, 8952 West 2700 South, Magna, Utah. The second meeting will be held on June 22, 2011, from 6-8:30 p.m., at Malouf Hall, Room 201, Westminster College, 1840 South 1300 East, Salt Lake City, Utah. The third meeting will be held on June 29, 2011, from 6-8:30 p.m., at the Hampton Inn and Suites, 3923 West Center Park Drive, West Jordan, Utah. The fourth meeting will be held on June 30, 2011, from 6-8:30 p.m., at Stansbury Park High School, 5300 North Aberdeen, Stansbury Park, Utah. Interested parties can provide oral and written comments at the scoping meetings. Interested parties should submit written comments on this notice on or before July 11, 2011, but scoping comments also may be submitted at any time prior to publication of the Draft EIS.

ADDITIONAL INFORMATION:

Environmental Setting: Approximately 774 acres of waters of the United States (waters), including wetlands, have been identified on the proposed project site. The area of impacted wetlands includes 488 acres of vegetated saline playa and 76.9 acres of emergent wetlands. Impacted non-wetland waters include 139.8 acres of unvegetated (< 5% vegetative cover) saline playa and 16.1 acres of other jurisdictional waters and drainages. In total, the applicant has applied for a permit to fill 565 acres of wetlands and 156 acres of non-wetland waters. In addition, the Corps will be evaluating supplemental delineation information characterizing approximately 200 additional acres of potential waters that may be impacted by ancillary work.

Alternatives: The EIS will include an evaluation of a reasonable range of alternatives. Currently, the following alternatives are expected to be analyzed in detail: (1) the no action alternative (no permit issued) and (2) the applicant's preferred project (proposed action). The no action alternative assumes limited development would occur on the site with all waters of the United States avoided. The applicant has not provided additional information concerning project alternatives. However, in addition to the proposed action, the Corps anticipates evaluating additional on-site and off-site alternatives for potential detailed analysis. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

Mitigation. The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. The applicant has proposed to use existing wetland mitigation bank credits at the Inland Sea Shorebird Reserve to provide for compensatory mitigation for impacts to waters.

PROCESS: The scoping process for the development of an EIS is intended to be an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to the proposed action. The Corps' scoping process for the EIS includes a public involvement program with several opportunities for interested parties to provide oral and written comments. In addition to public meetings and notifications in the Federal Register, the Corps will issue public notices when the draft and final EISs are available. Affected federal, state, and local agencies, Native American tribes, and other interested private organizations and parties are invited to participate.

The Corps is soliciting scoping comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. All factors which may be relevant to the described activity will be considered, including the cumulative effects. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. The EIS will evaluate all significant impacts of the proposed activities. Potentially significant issues to be analyzed in the EIS include, but are not limited to impacts to waters, hydrology, water supply, water quality, cultural resources, biological resources, traffic and transportation, and air quality.

SUBMITTING COMMENTS: Written comments, referencing Public Notice SPK-2009-01213-UO are requested to be submitted to the office listed below on or before **July 11, 2011**, but scoping comments may be submitted any time prior to publication of the Draft EIS.

John Urbanic, Senior Project Manager
US Army Corps of Engineers, Utah Regulatory Office
533 West 2600 South, Suite 150
Bountiful, Utah 84010
Email: john.e.urbanic@usace.army.mil

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information, please contact the applicant or the Corps' project manager John Urbanic, 801-295-8380, John.E.Urbanic@usace.army.mil.

Attachments: 14 drawings