



US Army Corps
of Engineers
Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: SPK-2007-00121

Date: October 25, 2007

Comments Due: December 3, 2007

In reply, please refer to the Public Notice Number

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the Great Salt Lake Solar Evaporation Ponds Expansion Project project, which would result in impacts to approximately 30,713.75 acres of waters of the United States, including wetlands, in or adjacent to the Great Salt Lake. This notice is to inform interested parties of the proposed activity, to provide notice that the Corps is preparing a draft Environmental Impact Statement, and will be conducting public scoping meetings, and to solicit comments. 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 and Section 401 for water quality certification.

APPLICANT: Corey Milne
Great Salt Lake Minerals Corporation
765 North 10500 West
Ogden, Utah 84404

LOCATION: The project sites are located in and adjacent to the Great Salt Lake, in

Sections 14-22 and 28-32, Township 6 North, Range 4 West;
Sections 5-7, Township 7 North, Range 4 West;
Section 12, Township 8 North, Range 11 West;
Sections 7-10, 15-22, 26-29 and 32-35, Township 8 North, Range 10 West;
Sections 2-5, 8-16 and 22-24, Township 7 North, Range 10 West;
Sections 1, 2, 11 and 12, Township 6 North, Range 11 West;
Sections 5-17, Township 6 North, Range 10 West;
Sections 7, 8, 17 and 18, Township 6 North, Range 9 West, Box Elder County, Utah.

This area can be seen on the Hogup Ridge North and Willard Spur USGS Topographic Quadrangles.

PROJECT DESCRIPTION: In accordance with the National Environmental Policy Act (NEPA), the U.S. Army Corps of Engineers (Corps), Sacramento District, will prepare a draft Environmental Impact Statement (DEIS) for Corps authorization actions for the proposed Great Salt Lake Minerals Solar Evaporation Ponds Expansion project. The overall project purpose is to expand extraction capability for potassium at the Great Salt Lake Mineral Corporation's facilities. The proposed expansion would add approximately 33,000 acres of solar evaporative ponds, impacting approximately 30,713.75 acres of waters of the United States, and reducing the need to import raw potassium from other sources. The DEIS will address impacts such as wildlife habitat, water quality, Great Salt Lake water elevations, wetlands, hydrology, cultural resources, transportation, endangered species and industry.

DATES: The projected date for public release of the DEIS is October 2008. Three public scoping meetings will be held. The first scoping meeting will be held on November 7, 2007 from 5-9 pm. The second public meeting will be on November 8, 2007 from 5-9 pm. The third meeting will be held on November 14, 2007 from 5-9 pm.

ADDRESSES: The November 7 meeting will be held at South Davis Junior High School, 298 West 2600 South, Bountiful, Utah. The November 8 meeting will be held at the Ogden Nature Center, 966 W. 12th Street, Ogden, Utah. The November 14 meeting will be held at the Airport Inn Hotel, 2333 W. North Temple Street, Salt Lake City, Utah. Written comments may be mailed to Mr. Jason Gipson, 533 West 2600 South, Suite 150, Bountiful, Utah 84010. All comments must be received on or before December 2, 2007.

SUPPLEMENTAL INFORMATION: Great Salt Lake Minerals Corporation currently operates approximately 43,000 acres of evaporative ponds located on the east and west shores of the Great Salt Lake. A 21,000-acre evaporation facility is located on the west shore of the North Arm of the Great Salt Lake and a 22,000-acre evaporation facility is located on the east shore of the Bear River Bay. The existing solar evaporation ponds facilities are located within the Great Salt Lake, i.e., the ponds are located below 4205 mean sea level, which is below the high water mark of the Great Salt Lake. These facilities allow the Corporation to extract about one-half of the potassium needed in their production of potassium sulfate. The company draws naturally occurring brine from the lake into shallow ponds and allows solar evaporation to produce sulfate of potash, as well as salt and magnesium chloride minerals. Sulfate of potash is a specialty fertilizer that improves the yield and quality of high-value crops such as fruits, vegetables, tea, tree nuts and turf grasses. The Great Salt Lake facility has operated on the lake for 40 years. At present, the remainder of the potassium is imported from other sources. The proposed expansion of the solar ponds will allow Great Salt Lake Minerals to reduce or discontinue their reliance on imported potassium.

The applicant is proposing to construct three additional solar evaporation ponds totaling approximately 33,000 acres. The proposed project includes an 8,000-acre pond on the east side of the Great Salt Lake in the Bear River Bay. Brine would be pumped to and from the new pond with existing pump stations; however, the capacity of these pump stations would be increased proportional to the new pond acreage. Additional feed brine for this new pond would come from the North Arm of the Great Salt Lake (Gunnison Bay), flowing through existing east side ponds.

In addition, on the west side of the lake, two new solar ponds would be added to the existing west side complex, an 18,000-acre Dolphin Island expansion pond and a 7,000-acre pond at the southern end of Clyman Bay between the Union Pacific Railway and several existing ponds. A new feed canal into the lake and a new pump station would be constructed on the north end of the proposed Dolphin Island pond. Diesel driven pumps, similar to those currently in use, would pump brine from the new feed canal to the new pond. Existing pumps would be used to pump brine from the new pond to an existing pond. The total 25,000-acre pond expansion on the west side would increase the concentration of brine transferred to an existing gravity-flow trench for transport to the east ponds in the Bear River Bay.

Dikes would be built to accommodate the pond expansion and impound the waters of the respective areas. On the east side of the lake approximately 540,000 cubic yards of fill would be discharged into Bear River Bay to create the dikes. On the west side of the lake, dike construction would require approximately 900,000 cubic yards of fill to be discharged into open water in the vicinity of Clyman Bay.

The proposed project areas currently include saline open water, sporadically inundated playa lakebed, seasonally flooded playa, saline wetlands, rip-rapped dikes and sandy upland habitats. These areas are located adjacent to the existing evaporation pond facilities. The Corps of Engineers verified a delineation on October 10, 2007 which identified approximately 34,180.08 acres of waters of the United States, including 21.4 acres of saline wet meadow wetlands, 1,102.94 acres of seasonally inundated playa above the high water mark of the western side of the Great Salt Lake and 33,055.74 acres of seasonally or sporadically inundated playa lake bed below the high water mark of the Lake. The applicant asserts that approximately 30,713.75 acres of waters would be lost due to project construction under the proposed alternative.

Alternatives. The applicant has not provided information concerning project alternatives. Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be developed and analyzed during the preparation of the DEIS.

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 not proposed a mitigation plan at this time. The determination of appropriate compensatory mitigation will be determined through public scoping and impact analysis of the EIS process.

OTHER GOVERNMENTAL AUTHORIZATIONS: Under Section 401 of the Clean Water Act, water quality certification or a waiver is required from the State of Utah for this project. The Utah Division of Water Quality intends to issue certification, provided the proposed work will not violate applicable water quality standards. Projects are usually certified where the project may create diffuse sources (non-point sources) of wastes which will occur only during the actual construction activity and where best management practices would be employed to minimize pollution effects. Written comments on water quality certification should be submitted to Ms. Shelly Quick, Utah Division of Water Quality, 288 North 1460 West, P.O. Box 144870, Salt Lake City, Utah 84114-4870, on or before **December 3, 2007**.

HISTORIC PROPERTIES: Based on the available information, cultural resources not are within the project's area of potential effect. If information regarding the impacts to Historic Properties is identified during the EIS process, the Corps will initiate consultation with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act, as appropriate.

ENDANGERED SPECIES: Based on available information the project will not affect any Federally-listed threatened or endangered species.

ESSENTIAL FISH HABITAT: The proposed project will not adversely affect Essential Fish Habitat (EFH) as defined in the Magnuson-Stevens Fishery Conservation and Management Act.

The above determinations are based on information provided by the applicant and our preliminary review.

EVALUATION FACTORS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps is soliciting 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. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

SUBMITTING COMMENTS: Written comments, referencing Public Notice SPK-2007-00121 must be submitted to the office listed below **on or before December 3, 2007.**

Jason Gipson, Project Manager
US Army Corps of Engineers, Sacramento District
533 West 2600 South, Suite 150
Bountiful, Utah 84010
Email: jason.a.gipson@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. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. 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 Jason Gipson, 801-295-8380 x 14, jason.a.gipson@usace.army.mil.

Attachments: 7 drawings