



Gay Mine Superfund Site Remedial Investigation and Feasibility Study

Fort Hall Reservation Community Involvement Plan

Fort Hall, Idaho

December 2013



Tipple at the Gay Mine Headquarters, May 2011

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Introduction

The Environmental Protection Agency, and the Shoshone-Bannock Tribes have an agreement with JR Simplot Company and FMC Corporation (the Companies) to study the Gay Mine Superfund site and to determine if clean up is needed for contamination that may be found there. If clean up is needed, then the study will prepare several clean up alternatives.

The Community Involvement Plan outlines the site's history and how EPA will work with the community during these studies. The EPA is committed to promoting communication with the community near the Gay Mine throughout the investigation and during any future actions at the site. We will use the activities outlined in this Community Involvement Plan to keep residents informed and to provide opportunities for involvement throughout the study.

This Community Involvement Plan is based, in part, on meetings and interviews with Tribal elected leaders, members of the Shoshone-Bannock Tribes, Tribal government staff, and other interested individuals conducted in Fort Hall during October of 2012.

This Community Involvement Plan is a 'living document', meaning that it will be updated as new information becomes available throughout the investigation. This Community Involvement Plan refers to the people who live near and otherwise use the land impacted by mining activities at the Gay Mine as "the community." This document is written to reflect the needs and expectations of the community on and around the Gay Mine site.

Government to Government Meetings

EPA will consult with the Shoshone-Bannock Tribes throughout the Gay Mine Investigation in accordance with the EPA Policy on Consultation and Coordination with Indian Tribes and the EPA Region 10 Tribal Consultation and Coordination Procedures.

EPA defines consultation as a process of meaningful communication and coordination between EPA and tribal officials prior to EPA taking actions or implementing decisions that may affect tribes.

What you can do during the study:

The U.S. Environmental Protection Agency supports the public's right to be involved in the government decisions that affect their lives. EPA's experience has been that when the public is involved in EPA's work, the cleanup process results in a better outcome and a more robust remedy.

Throughout the study and during the cleanup phase there are opportunities for community members to participate. You might form a Community Advisory Group, apply for grants, or request help from EPA's Technical Assistance Services for Communities contract.

You are encouraged to ask questions of the Community Involvement Coordinator or Project Manager. You could invite EPA to attend community events to discuss what's going on at the site.

After the study, EPA will issue a Proposed Plan outlining our preferred cleanup alternative. EPA will take public comments on the Proposed Plan. Please read the plan and ask questions, attend any public meetings that EPA may hold, or submit written comments to EPA on the plan.

Learn more about the Superfund process on EPA's web site:

<http://go.usa.gov/ZCQ4>



The A12 pit at the Gay Mine



May 2011 Exposed rock walls and erosion at the HH pit.



Willow Spring

A Holistic Perspective

“Take the entire ecosystem into consideration during the investigation. Remember that things are connected. Don’t split the environment into narrow slices.”

Comments EPA heard included:

- *The ecosystem, including people, is an interdependent system; damage to one portion will ultimately damage other parts.*
- *We are all responsible for protecting the land for future generations.*
- *This community has been facing Superfund investigations and cleanups since the 1980’s.*
- *Reclamation and cleanup activities need to be completed as soon as possible so people can expand their use of the land.*
- *A majority of the community hunt and fish.*
- *We’re concerned about the relationship between animals and a contaminated environment, managing livestock, hunting, and fishing.*
- *We want to be able to use the land in many ways.*

Community Issues and Concerns

This Community Involvement Plan explains how EPA, the Shoshone-Bannock Tribes, interested members of the community, other federal agencies, EPA contractors, and the responsible parties will communicate and coordinate during the Gay Mine site investigation.

This section of the Plan describes community and Tribal government concerns as EPA understands them. Later sections explain EPA’s acknowledgement and response to these concerns, and outlines EPA’s goals to work with the community.

Key community concerns

In October, 2012, EPA interviewed Chairman Nathan Small of the Shoshone-Bannock Tribes, the Fort Hall Business Council, Land Use Policy Commissioners, Tribal departments, and community members who are interested in the site and the cleanup, and who have knowledge of the area. These interviews were conducted so that we could learn of the community’s concerns regarding the Gay Mine site. Here is a summary of what we learned:

Communication and Outreach

“Communication is critical. Coordinate with us, keep us updated.”

Important comments that EPA heard regarding communication included:

- Communication is critical. The community wants to be informed about all actions related to the investigation at Gay Mine.
- We want information early, and to be kept up-to-date, regarding both “good news and bad news”. We want to know about both progress and setbacks.

Communication and Outreach

⇒ Continued

- EPA should remember that many people in the community are visual learners.
- Information materials should be created specifically for younger community members and allotment holders who may not have as much knowledge or concern about the mine.

Many of the people EPA talked with suggested ways in which communication could occur. These include:

- District meetings
- Council meetings
- University of Idaho Extension agent meetings for cattle ranchers
- Public meetings
- Phone calls, small groups, and information meetings
- Email
- Mail
- EPA's Gay Mine website and the Tribe's website
- The ShoBan News
- The Library (information materials and announcements)
- Tribal associations
- Youth programs in school

Collaboration — Planning and Technical

*“Government to Government consultations MUST take place among the real decision makers and the technical people. It's very important that it not be *checking the box* for G to G when decisions have actually been made.”*

Many of the community members the EPA spoke with strongly support collaboration between the EPA and the Tribes. EPA heard a number of suggestions:

- Technical data must always be shared with the tribes.
- Whenever there is a change in planning or in data, the EPA must immediately share it with the tribes.
- Certain technical work can be conducted by tribal departments.
- Tribal members would like to be employed when there are jobs available.

Trust

‘We don't trust you’

EPA heard that the community is skeptical and distrustful of EPA, FMC and Simplot, and other government agencies. Tribal government and community members feel that the agencies and corporations had not been honest with them in the past regarding treaties, the Gay Mine, the Eastern Michaud Flats Superfund site, and other contaminated sites.

EPA heard other concerns about past events as well – some residents said FMC and Simplot have not treated Tribal members, or the land, fairly; that government to government consultation has been handled poorly; and that data collected from the reservation has not been shared with Tribal departments. EPA heard that it should work to re-build trust.

Repairing the Land

“Restore [the land] as close as possible to the original state and maintain the water ecosystem”

Many people EPA spoke with want the land to be restored to its pre-mining state. Many community members expressed concern over unfilled pits, rock walls, “pit water”, and other damage done to the landscape and ecosystem. Some were concerned about tires, garbage, filters, waste oil, antifreeze, chemicals, and metals left in pits. They explained that there are many problems in the mine area that constitute risks to public health and safety, as well as animal health and safety.

The area doesn't look natural, the vegetation is “stressed”, springs are blocked, and streams have been rerouted. One person wants “to see these eyesores covered up and done away”. Another person suggested that “reclaimed areas could be replanted with plants that suit cattle.” Residents were also concerned about the speed in which reclamation will occur and want the land restored as quickly as possible. The community wants the land to be returned so that it can be used as it was before.

Animal, Land, and Vegetation Health and Abundance

The community is very concerned about possible negative health impacts to the environment and local wildlife, from historic and present contamination. The community wants the land to be healed and the animal life to return. Residents said:

- Birds, squirrels, frogs, rabbits, and rock chucks are gone from the area and robins have not been seen recently.
- In the past, cattle and elk have lost their teeth from contamination and have died from drinking contaminated water.
- Cattle may have lost calves due to eating selenium contaminated vegetation.
- Cattle eat contaminated foliage.
- We don't gather chokecherries because of the fear of contamination.
- Selenium leaches out of pit walls every time it rains.
- Some areas are contaminated with waste oil, fuel, and other chemicals.
- Dry Hollow area may be very contaminated.
- It is important to keep Twitchell Meadows uncontaminated.

Subsistence Hunting, Gathering, and Cattle Ranching

“Frogs, protector of the waters, are gone. We hunted rabbits for food but now they're gone. Subsistence living makes us strong – health studies in the 1950s showed that our life style, including eating rabbits, made us strong. It gave us immunity to flu and colds. Without these things we lose our strength. We remember the traditional ways.”

Many of the community members who spoke to EPA are worried about contamination in the food chain. Hunting, gathering, and cattle ranching are a primary part of community member's lives and culture. Because of the contamination in the land and water, some fear that this part of their lives is already damaged and is continually threatened. Hunters say they have seen a decline in wildlife because animals are gone, and they say animals that remain are at risk of contamination. They want the Gay Mine land returned so that members are able to safely hunt, gather, and raise cattle on those lands, again.

Cost and Ecosystem Value

Some people expressed concern that the EPA cares more about the cost of cleanup than about what is best for protecting the health of the land, animals, and community members. EPA heard some speak that, “you can't put a price on an animal, trees, chokecherries, or the water of life.” Some spoke that cost should not take a higher priority than the health and wellbeing of the land, animals and people.

Damage to our culture

Some of the community members who spoke with EPA expressed that, ultimately, the damage caused by mining has resulted in damage to their culture.

They said that it is critical to care for the land and restoring the land means more than just cleaning up contamination; it also means restoring the community's way of life — EPA needs to understand this and keep it in mind throughout the process.

EPA heard that the land is part of the community's culture and that a loss of land equals a loss of culture.

Response to Concerns and Communication Needs

EPA recognizes that there is a great deal of concern within the Fort Hall Business Council and the Tribal community about how well and how quickly the investigation, and any subsequent actions, at the Gay Mine site will proceed.

The Tribes and the community have expressed a wide range of concerns about the historical impacts of mining at the Gay mine site on plants, animals and humans.

Preliminary investigations at the Gay Mine site have been focused on finding where there may be contamination.



Community involvement goals

Throughout the process, EPA is committed to several community involvement goals. These are:

- Make the Community Involvement Plan accessible to the Fort Hall community and design the community involvement approach based on input EPA has heard from the community and Tribal government.
- Inform community members of the nature of environmental issues at the Gay Mine as topics are studied during the investigation; EPA will try to be available to make presentations at meetings of local community groups as funding permits.
- Provide technical information in ways the community wants, with special emphasis on graphics and visual communication.
- Involve Tribal leaders in the decision-making process through consultation and open lines of communication (see **Government to Government Consultations**, on next page).
- Keep the community informed throughout the process.
- Conduct a cultural resources survey to help assess risks to people and the environment from contamination at the site (*for more information on the cultural resources survey, please contact Darrell Shay, Cultural Resources Director; dshay@sbtribes.com ☎ 208-478-4012 office*).
- Ensure the investigation will address threats and risks to human health and the environment resulting from contamination at the Gay Mine site.
- Complete the investigation and any subsequent actions with input and close coordination with the Tribes.

What the EPA Can and Cannot Do

We understand that being transparent during the process builds confidence and encourages public participation. We're committed to providing information and updates to the community regularly, and to provide contact information for questions and comments regarding the work of the EPA.

We believe that the process established under the agreement signed by EPA, the Tribes, and the Companies, will result in the work being completed thoroughly, and in a timely manner. Although completion of the investigation and possible actions resulting from the investigation may take several years, it is important to thoroughly investigate the area for threats from contamination.

EPA has a longstanding, government-to-government relationship with the Shoshone-Bannock Tribes and has a strong commitment to properly consult and coordinate with the Tribes throughout this process.

Our work at the Gay Mine will proceed under CERCLA, the law that addresses Superfund sites. CERCLA specifies how we conduct the investigation, whether and how we will conduct a cleanup, and many other aspects of our work at the site. EPA can only do what is authorized by Congress. Some of the community's concerns cannot be addressed under CERCLA — for example, EPA cannot compel reclaiming the mining pits and rock walls at the site, nor for habitat restoration.

EPA is conducting a cultural resources survey, provided by a researcher acceptable to the Shoshone Bannock Heritage Tribal Office and the Cultural Preservation Department. The study will identify, document, and evaluate cultural resources at the Gay Mine Superfund site. Study results will be used to determine risk to community members who use the site for cultural purposes. The Tribes will review the study to ensure cultural resources are treated in a sensitive and culturally appropriate manner.

We will work with the Tribal government, the community, landowners, the DOI agencies (Bureau of Indian Affairs, Bureau of Land Management, and the Fish & Wildlife Service), and the Companies, in a collaborative manner, to address activities that will promote reuse of the land. EPA has heard the community's concerns about the Gay Mine site and wants to work with the involved parties and agencies to the fullest extent possible.

Government to Government Consultation

It is EPA's policy to consult on a government-to-government basis with federally recognized tribal governments when EPA actions and decisions may affect tribal interests. EPA will consult with the Shoshone-Bannock Tribes throughout the Gay Mine Investigation in accordance with the EPA Policy on Consultation and Coordination with Indian Tribes (May 2011) and the EPA Region 10 Tribal Consultation and Coordination Procedures (October 2012).

EPA defines consultation as a process of meaningful communication and coordination between EPA and officials prior to EPA taking actions or implementing decisions that may affect tribes. As a process, consultation includes several methods of interaction that may occur at different levels. The appropriate level of interaction is determined by past and current practices, adjustments made through the Policy, the continuing dialogue between EPA and tribal governments, and program and regional procedures and plans.

In addition, routine administrative and staff-to-staff level coordination will continue to take place between EPA and tribal government employees.

EPA is committed to:

- Following our tribal consultation policies and procedures.
- Strengthening our partnership with the Tribes.
- Consulting and coordinating with the Tribes in a meaningful manner.
- Understanding the Tribes' interest and input.
- Ensuring that EPA staff and managers are trained and thoroughly understand tribal consultation policies and procedures.
- Maintaining honesty and integrity

You can learn more about EPA Region 10's Tribal Consultation and Coordination Procedures at the following web page:

🔗 <http://go.usa.gov/jH5G>



South end of the W pit lake, May 2011

Site Description

Site history

Southeast Idaho is home to a large deposit of phosphate called the Meade Peak Phosphatic Shales formation. In the past, and presently, the phosphate ore from this formation has been mined and processed into phosphate fertilizer and elemental phosphorus. The mining process has created releases of high levels of metals contamination, notably selenium, which have resulted in livestock deaths, surface and groundwater contamination, and other environmental effects at area mines.

JR Simplot Company and FMC Corporation mined phosphate ore at the Gay Mine on the Fort Hall Indian Reservation from 1946 to 1993. The Gay Mine produced 'high grade' and 'low grade' phosphate ore. High grade ore is generally used to make fertilizer. Low grade ore is processed and used in a variety of products. These include: detergents, shampoo and toothpaste, cosmetics, metal coatings, water softeners, paint, baking powder, and prepared flour and sugar, as well as in cheeses, meats, jellies, jams and malted milk. Phosphates are also used in the manufacture of plastics, steel, glass, tires, paints and fabrics, and in the production of flame retardant products and antibiotics, including penicillin.

Mining activities created waste rock dumps, ore stockpiles, and open pits at hundreds of locations across the nearly 8,500 acre mine site. EPA is concerned that mining and mine wastes may have caused the release of selenium and other metals such as cadmium, vanadium, uranium, and nickel into the soil, ground water, streams, animals, plants, and air (in the form of dust).

In December of 2010, the JR Simplot Company and the FMC Corporation agreed to study the extent of contamination at the Gay Mine, under oversight of EPA and the Shoshone-Bannock Tribes, by undertaking and paying for a Remedial Investigation and Feasibility Study following a Settlement Agreement under the Superfund law (the Comprehensive Environmental Response, Compensation, and Liability Act – CERCLA).

The Remedial Investigation is a detailed study of the site. It identifies if contamination is present and, if so, the extent of the contamination. It looks at whether this contamination is currently, or will later become, a threat to the environment and/or the people nearby. From this information EPA, in consultation with the Tribes, will determine if the site requires cleanup. If EPA determines that the site must be cleaned up, the Feasibility Study investigates and presents cleanup options which will protect human health and the environment.

Selenium – what it means for your health

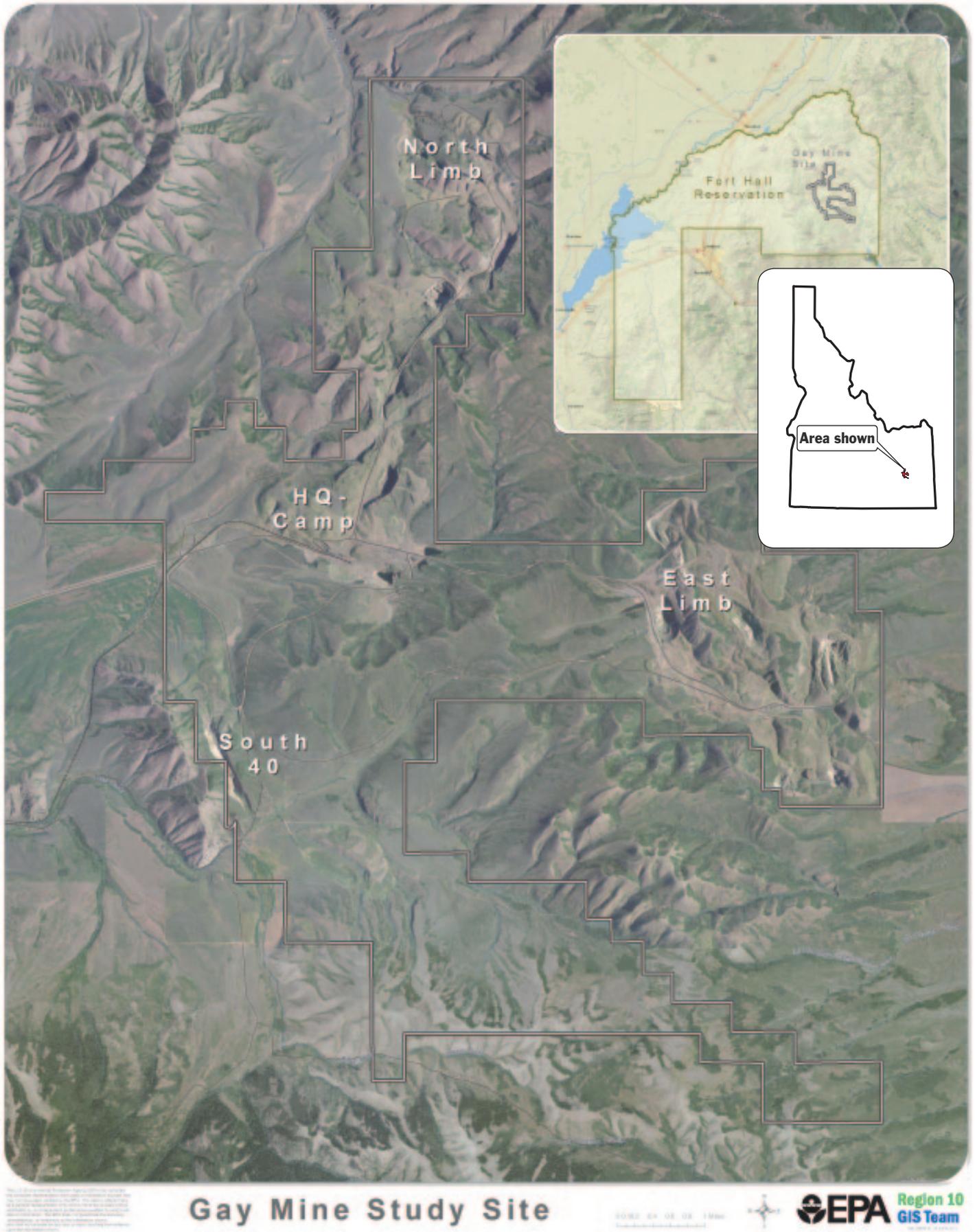
Selenium is an essential nutrient for humans and animals, but it can harm humans and animals when consistently eaten in amounts higher than those needed for good nutrition.

In 2006 the Idaho Department of Health and Welfare's Bureau of Community and Environmental Health, and the U. S. Agency for Toxic Substances and Disease Registry, completed a study of selenium levels in elk muscle and elk liver. The elk were harvested by hunters in 1999 and 2000 in the southeast Idaho phosphate mining area in Caribou, Bingham, Bannock, and Bear Lake counties.

The study found that eating elk meat from animals harvested close to phosphate mines in southeast Idaho is relatively safe; however, hunters and their families were reminded that elk liver, though a good source of vitamins and minerals, should be eaten in limited quantities due to high concentrations of selenium.

According to the study, the health effects from selenium depend on several factors; the most important are the amount eaten and the time-period over which the selenium is eaten. With large doses of selenium eaten over short periods (days to weeks), heart and nerve problems can result. Lower doses over longer time frames (months to years) may also cause neurological problems and respiratory disease, fatigue, loss of appetite, inflammation of the skin, inflammation of the stomach and intestines, liver degeneration, enlarged spleen and increased amounts of selenium in hair and nails.

If you have questions or would like to receive a copy of the health consultation, please contact the Bureau of Community and Environmental Health at |-208-334-4964. See www.sdbdidaho.org/psa/2006/oct/elk.pdf for a news release from the Idaho Department of Health and Welfare



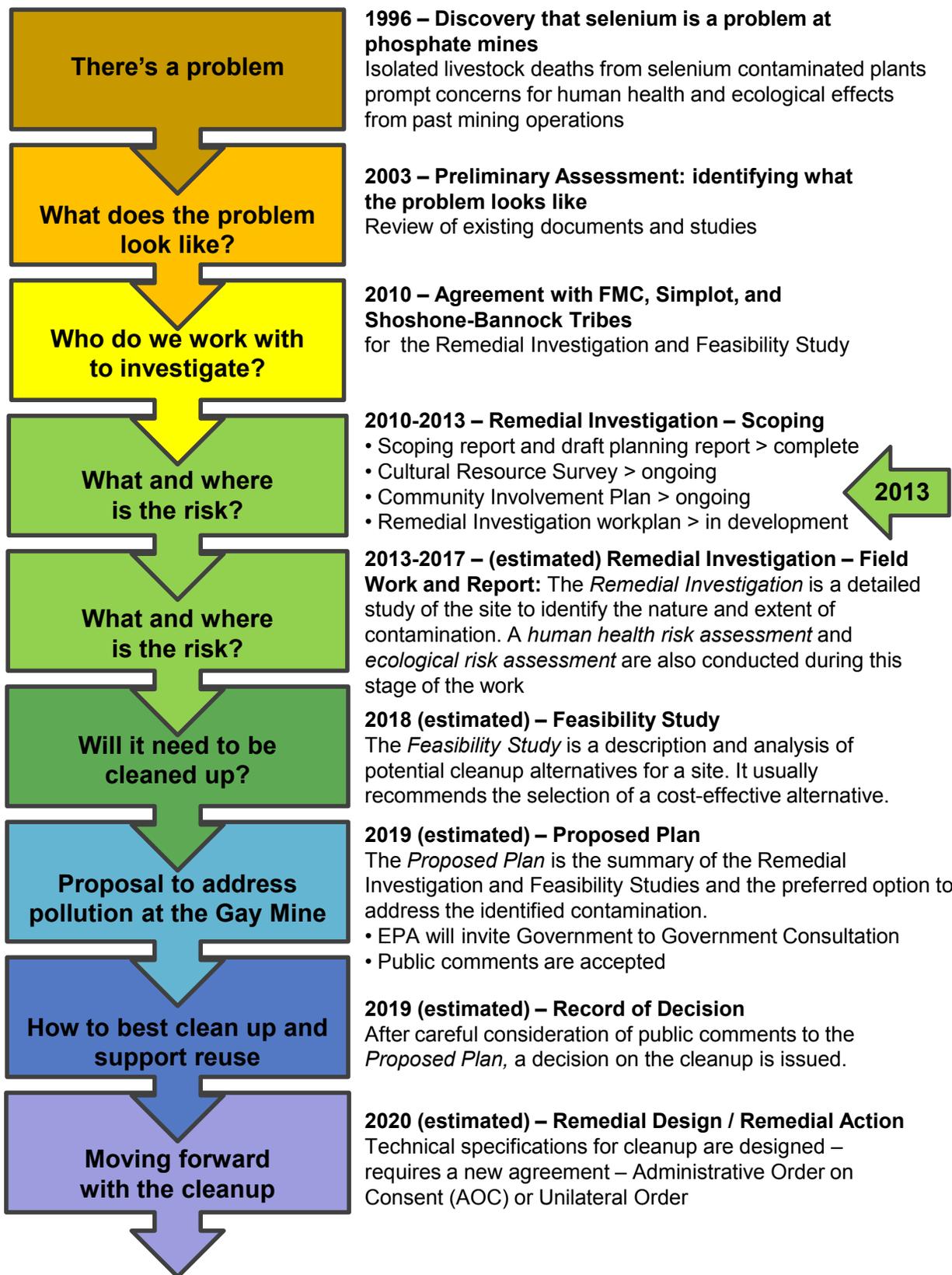
Overview of Site Hazards

Potential sources of mining contamination include:

- **Mine Pits** - a total of 158 mine pits were excavated at the Gay Mine. Most pits were partially or completely backfilled with overburden generated from nearby pits, although several pits were not backfilled.
- **Mine Pit Lakes** - Several pits, usually the last pits in the mining sequence in each area, were not backfilled or were partially backfilled. Some of these pits contain or have intermittently contained water that forms lakes.
- **Mill Shale Stock Piles** - There are 57 mill shale piles at the Gay Mine containing approximately 30 million tons of mill shale. Mill shale generally contained 15% to 19% phosphate and may have future economic value.
- **Overburden Piles** - Overburden consists of all the mined geologic materials that were not shipped as ore or segregated in mill shale piles. When overburden was not used as pit backfill, the overburden material was placed in external piles. Some of the piles were contoured to resemble naturally-occurring rolling and undulating slopes of the surrounding terrain.



High wall and slide



The Superfund process at the Gay Mine:

The study of possible contamination at the Gay Mine is conducted under the Superfund law, called CERCLA (the Comprehensive Environmental Response, Compensation and Liability Act of 1980). CERCLA allows for the responsible parties to study the site under EPA and the Shoshone-Bannock Tribe's oversight. The study will define the nature and extent of contamination at the Gay Mine



Meade Peak Expression Near Twitchell Meadows

Community Background

The Gay Mine Superfund site is entirely within the Fort Hall Indian Reservation. *The Fort Hall Reservation* is located in southeastern Idaho on the Snake River Plain north of Pocatello. It comprises 850 square miles, and spans four counties: Bingham, Power, Bannock and Caribou. As of October 31, 2011 there were 5,675 enrolled Shoshone-Bannock Tribal members. The Shoshone-Bannock Tribes are a federally recognized Indian tribe.

The Fort Bridger Treaty of 1868 (also called the Shoshone-Bannock Treaty) reserved the Reservation

to various Shoshone and Bannock bands who occupied the area, though the tribes were previously nomadic.

The present Reservation has been measured at 544,000 acres, with 96% of the land owned by the Tribe or held in trust for the Tribe and individual Tribal members by the United States. The Reservation has an extensive biodiversity including rangelands, croplands, forests, streams, three major rivers (Snake, Blackfoot and Portneuf), and the Chesterfield reservoir.

Tribal philosophy is that the protection and enhancement of culture is directly tied to the exercise of the tribes' on and off reservation hunting and fishing rights as guaranteed under the Fort Bridger Treaty of 1868. Subsistence hunting and fishing both on and off reservation enables families to pass along the prayers, songs and stories so important to preserving the tribes' identity and life ways.

—Excerpted from 2010 Economic Impact Report - Impacts of the Five Tribes of Idaho on Idaho's Economy, 2010

The community of Fort Hall, along Interstate 15, is the largest population center on the reservation. More than half of the enrolled Tribal members reside on the Fort Hall Reservation. The Tribes' constitution requires a seven-member elected council. General elections take place in May each year, and Council members serve two year terms. The Tribes maintain their own government services, including law enforcement, courts, social and health services, and education. Primary economic drivers are agriculture and tourism.

The Tribe's gaming and agricultural operations contribute significantly to the local economy. Farming, ranching, tourism, building, and government are the tribes' leading employment.

The Shoshone-Bannock Tribes are currently involved with other environmental concerns in southeast Idaho. The Tribes work with EPA and other partners on the Eastern Michaud Flats Superfund site, including the Simplot Operable Unit, Off-Plant Operable Unit, and FMC Operable Unit, as well as other actions under the Resource Conservation and Recovery Act.

The Shoshone-Bannock Tribes are also a partner in the ongoing southeast Idaho phosphate patch investigation addressing several open pit phosphorus mines, as well as the nearby Kerr-McGee Chemical Corporation and Monsanto Chemical Company sites at Soda Springs. They are also partners at the Idaho National Laboratory Superfund site north of the Fort Hall Reservation.

Fort Hall Demographics

- **Population:** 3,201
- **Households:** 1,121
- **Density:**
91 people per square mile
- **Median Age:** 33
- **Median Household Income:**
\$32,542
- **Poverty Rate*:** 28.8%

- **Race and Ethnicity:**

| | | |
|------------------------------------|-------|-------|
| ○ American Indian | 2,037 | 65.4% |
| ○ White | 929 | 29% |
| ○ Two or more races | 158 | 4.9% |
| ○ Other | 61 | 1.9% |
| ○ Asian | 12 | .04% |
| ○ Black | 3 | 0.1% |
| ○ Native Hawaiian/Pacific Islander | 1 | 0.0% |

*The Census Bureau uses a set of money income thresholds that vary by family size and composition to determine who is in poverty. If a family's total income is less than the family's threshold, then that family and every individual in it is considered in poverty. [from "How the Census Bureau Measures Poverty," <http://go.usa.gov/jH5z>]

Source: 2010 Census Bureau statistics



Queedup Springs, May 2011

Community Involvement Tools and Activities

EPA will strive to help the community understand and be actively involved as the project progresses. We have heard community preferences regarding communication needs and methods, and will attempt to accommodate these wherever possible.

Information materials and distribution

Information materials

EPA will use multiple types of information materials in order to communicate with the community. These materials include:

- Fact Sheets to describe new and on-going activities at the site. (The EPA uses Fact Sheets as a key method to provide site-related information to the community, written in non-technical language to describe project progress, or to announce activities at the site.) Whenever possible information will be illustrated to enhance understanding.
- Project update letters, flyers, and postcards mailed directly to homes, and emailed to those who request it.
- Public Notices in local newspapers announcing public hearings and major milestones during the study.

Information distribution

EPA will communicate information in several ways. These include:

Shoshone-Bannock Library

Official records and other documents about EPA's study at the Gay Mine are available at the Library. Library hours are 8 AM to 5 PM, Monday through Friday.

Phone contacts

EPA will respond quickly to calls from Tribal leadership, tribal programs, and the community.

☎ **Toll free:** 800-424-4372

☎ **Community Involvement Coordinator:**
Kay Morrison, 206-553-8321

☎ **Project Manager:** Joe Wallace, 206-553-4470

Email updates

EPA will create and maintain an email list to which community members can subscribe in order to receive project information, updates, fact sheets, letters, and meeting notices, via email.

Subscribe to get EPA's Gay Mine Site updates by email:

📧 <http://bit.ly/gminelist>

Mailing list

EPA will create and maintain a list of physical addresses for community members and others to receive project information, updates, fact sheets, letters, postcards, and meeting notices, via mail.

To be added to the mailing list, please call **Kay Morrison**, Community Involvement Coordinator
☎ 800-424-4372
or call directly 206-553-8321

Sho-Ban News

EPA will publish public notifications in the Sho-Ban news and other local newspapers.

Tribal Organizations

EPA may, with advice from the Tribes, identify organizations interested in tribal issues which we may then work with in order to distribute project information, updates, letters, postcards, and meeting notices.

Website

EPA has established a website for the Gay Mine site and will keep it updated with the latest project information and contact information. Please visit: <http://yosemite.epa.gov/R10/cleanup.nsf/sites/gaymine>

Government to Government Consultation

As has been stated elsewhere in this Plan, it is EPA's policy to consult on a government to government basis with the Fort Hall Business Council of the Shoshone-Bannock Tribes throughout the Gay Mine site investigation.

Community Involvement on the Fort Hall Indian Reservation

In addition to ensuring that there are opportunities for community members to be well-informed, EPA will use several methods to involve the community directly as the project moves forward. *Depending on the outcome of the Gay Mine site investigation, there will be different informational and community involvement needs.* These may include:

Public meetings/Public hearings

EPA will hold public meetings and/or public hearings. At a minimum, a public hearing will be held when a Proposed Plan is issued. EPA will hold a comment period for the Proposed Plan and write responses to all comments.

Information sessions

EPA may hold information sessions in the community at various milestones throughout the project. These meetings would share site information through presentation and discussion, and answer questions from the community. EPA would use community information sessions as a method to learn about the community's interests and concerns, and for community members to give input into development of actions EPA will take.

Tribal Organizations

EPA may, with advice from the Tribes, identify organizations interested in tribal issues which EPA may offer to meet with at their meetings. These meetings will be used as a method for EPA to hear directly from Tribal members about their interests and concerns and give input into development of actions EPA may take.

Small in-person meetings

Subject to budget and travel constraints, EPA will be available to meet with community members and organizations to have detailed conversations about that member's concerns and input regarding the project.

Community contact

EPA will maintain a contact phone number, email address, and physical address which community members can use to contact EPA for communications needs, recommendations, and information requests. Community members can use the toll free phone number to avoid long distance charges: ☎ 1-800-424-4372

Technical Assistance Needs Assessment

If there is sufficient interest, EPA would conduct a needs assessment. Technical Assistance Needs Assessments can be conducted by a third party to help EPA and the community to understand the broad diversity of information needs among community members. It is a process to produce a guide for the technical assistance most needed, and it matches the needs with services provided by EPA staff, and through EPA grants, contracts, and external partners.

Involvement with other federal agencies

In addition to the Shoshone-Bannock Tribes, EPA will coordinate with other support agencies, including Bureau of Indian Affairs, Bureau of Land Management, US Fish and Wildlife Service, and other relevant agencies with a role to play at the Gay Mine. Meeting agendas and minutes will be made available to the public.

Learn More on the Web

<http://yosemite.epa.gov/R10/cleanup.nsf/sites/gaymine>

What you can do during the study:

www.epa.gov/superfund/community/process.htm

Government to Government consultation

<http://yosemite.epa.gov/r10/tribal.NSF/Programs/Consultation>

Fort Hall demographics

www.census.gov/hhes/www/poverty/about/overview/measure.html

Subscribe to email updates at Gay Mine Site:

https://public.govdelivery.com/accounts/USAEPAR10/subscriber/new?topic_id=USAEPAR10_2

Additional resources for the community:

www.epa.gov/superfund/community/cag/pdfs/ci_handbook.pdf

<http://yosemite.epa.gov/R10/EXTAFF.NSF/Programs/Public%20Liaison>

Follow up meeting with the Fort Hall Business Council

On September 16th, 2013, EPA representatives met with the Fort Hall Business Council to discuss the following topics:

- EPA presented the draft Community Involvement Plan (this document) and requested the Council's support for Tribal staff to work with EPA staff to finalize and implement the Plan throughout the Superfund process at the Gay Mine.
- They requested the Council's support for Tribal staff to work with EPA staff on developing the human and environmental risk assessments for the Gay Mine study.

The Fort Hall Business Council supports EPA and the Tribal staff working together during the course of the Superfund process at the Gay Mine. They also expressed several additional concerns to EPA about the process, including the Community Involvement Plan.

We heard the Council members express the following concerns:

- The Superfund process is taking too long. Nothing has been accomplished since the mine shut down in 1993.
- EPA and the other federal agencies should be working toward the best interest of the environment at the Gay Mine. Instead, EPA is telling us they can only do a small part of what needs to be done there. The way federal agencies chop the process into pieces dilutes the needs of the whole site.
- The Western European model for risk assessment is not appropriate at this site. It does not do enough to incorporate traditional environmental knowledge and cultural uses.

Additional Information

Additional resources for the community

EPA Superfund Community Involvement Handbook

📄 <http://go.usa.gov/jHNC>

Superfund Community Involvement web site

📄 <http://www.epa.gov/superfund/community>

EPA Region 10 Public Liaison

• <http://go.usa.gov/jHzd>

EPA Contacts

Project Manager: Joe Wallace

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Darrell Shay, Shoshone-Bannock

Cultural Resources Director

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Location of Documents

Shoshone-Bannock Library

📄 HRDC Building, Bannock and Pima Streets, PO Box 306, Fort Hall, Idaho 83203

☎ 208-478-3882

8 a.m. – noon and 1 – 5p.m. Monday – Friday

EPA Region 10 Superfund Records Center

📄 1200 Sixth Avenue, Suite 900, ECL-076 Seattle, WA 98101

☎ toll-free: 1-800-424-4372 ext/ 4494
206-553-4494

Please call for an appointment

Appendix A – Gay Mine Community Interview Questions - October 2012

Introduction:

You may be aware that the Gay Mine has been identified for study under EPA's Superfund Program due to the presence of selenium and other pollution in and around the mine. This area known as the Gay Mine Site is located about 25 miles northeast of Pocatello and about 15 miles east of the Fort Hall Townsite. [a map is shown during interviews]

Beginning in 1946, the Simplot Fertilizer Company, now known as the J.R. Simplot Company, began mining phosphate ore for processing in Pocatello.

Phosphate mining continued until 1993 by both Simplot and the FMC Corporation under leases with the Tribes and individual Tribal land owners. Those leases were negotiated with the assistance and approval of the U.S. Department of the Interior, and the leases included certain requirements for the reclamation of the lands after mining ceased.

EPA has reached agreement with Simplot and FMC to start studying the site to find out about the extent of the pollution and what might need to be done to prevent harm to the humans and animals that use the area. This work will also be coordinated closely with the Shoshone-Bannock Tribes as well as with the Bureau of Land Management, the Bureau of Indian Affairs, and the US Fish and Wildlife Service.

Throughout this week we will be talking to various people in the area who may be able to help us with our work. During those conversations, we will be accompanied by Virginia Monsisco or other staff of the Shoshone Bannock Tribes. We will be meeting with members of the Business Council, the Land Use Commission, Tribal elders and other traditional leaders, the Tribal members whose trust property is part of the Gay Mine site, and as many Tribal members as possible who are interested in the site and our work there, and who have knowledge of the area.

We want you to know that as part of this investigation, EPA is contracting Dr. Sylvester Lahren to conduct a Cultural Resources Survey of the Gay Mine Project Area under the oversight of the Shoshone-Bannock Tribes' Heritage Tribal Office Cultural Resources Coordinator and the Shoshone-Bannock Language and Cultural Preservation Department. We are aware that there are a number of recorded archaeological sites in the project area, and the Cultural Resources Survey will interview a number of people to learn what places and things have cultural or other significance to the Shoshone and Bannock people. **We will not be asking you those kinds of questions.** We recognize that a lot of this kind of information is considered confidential and should not be released to the public, and Dr. Lahren will work with the Tribes to ensure that kind of information is kept confidential.

Information specific to this interview:

| | |
|------------------------|--|
| Interview with: | |
| Date: | |
| Time: | |
| Location: | |
| Interviewers: | |

We have two primary goals for these interviews:

1. We want to learn what you know about the site and the area where the site is located – as a local resident, your knowledge and your perspectives are very important to us as we move forward. Our goal through these interviews is to better understand your community - your hopes, fears, expectations, and concerns.
2. We want to ensure we'll provide the right information in the right way as our work begins and progresses, so we have some questions about how best to communicate with you and the community.

Questions about what you know of the site:

As mentioned before, we would first like to learn what you know about the site and the area where the site is located.

- What do you know about the Gay Mine site? How did you learn about it?
- Do you have worries, concerns or fears about contamination at the Gay Mine? Is there anything else about the site, besides the contamination, that concerns you?
- What concerns do you have about the work that will take place?
- Have you heard others in your community talk about worries, issues, concerns or fears about the Gay Mine site?
- What do you know about FMC and Simplot as the potentially responsible parties (we call them PRPs) for the Gay Mine site?
- Is there anything else it would be helpful for us to know about the site or the community that would help EPA make good decisions about the pollution at the Gay Mine site?
- Do you have some ideas for what the site could be used for or look like once our work is done? Have others in your community talked about how the site could be used?
- What would it mean to you if in the future, after our work is done, you were unable to go to or pass through the area where the mine site is located?

Questions about how best to communicate with the community :

- Would you like to receive information from EPA about the Gay Mine study as the work proceeds? What would you like to know – detailed technical reports, or general progress reports? We will have all of the reports and fact sheets available at the Shoshone-Bannock Library, and wonder whether you would like to have information provided to you directly?
- How would you like to get information from EPA? (phone / conference calls, public meetings, email, fact sheets and post cards in the mail, Facebook, Twitter, something else?) (this question is getting at how to provide information to the community in the way you want it)
- In addition to receiving information about the site, do you think others in your community would like to be involved in some way? (Community Advisory Group, working on the site, something we haven't thought of?)
- How do you typically get information about issues that are important to you or the Tribal government?
- What are the most popular newspaper, TV and radio stations in the area? Are there radio or TV talk shows that EPA could use?
- Are there local radio, TV or newspaper reporters that EPA should contact?
- Have you used or would you use the EPA website about Gay Mine, which requires a computer with internet connections? What type of information would you like to see there?
- What are your thoughts about EPA? Do you think EPA is a credible, trustworthy source of information? If not, why?
- Are there local activists or community groups that are concerned about the site? (If yes, do you think they are they more or less credible than EPA? Do you trust them more or less than EPA?) Who else do you trust to provide credible, trustworthy information?
- Are there local civic/service clubs, tribal organizations, churches, or other organizations that could help us get information to the community?
- Do you have suggestions about other people in the community should we talk with?



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Seattle, Washington 98101-3140
December 2013



***Gay Mine Superfund Site
Remedial Investigation and
Feasibility Study
Fort Hall Reservation
Community Involvement Plan***

Read inside for details



***Gay Mine Superfund Site Remedial
Investigation and Feasibility Study
Fort Hall Reservation
Community Involvement Plan***

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