

6 POTENTIAL PERMITS AND REGULATORY REQUIREMENTS

The proposed mining will comply with laws and regulations for mining on public and private land. Numerous federal, state, and local agencies have jurisdiction over certain aspects of the proposed operation. These potential permit and other regulatory requirements are discussed below.

6.1 Requested Lease Modifications

The following sections summarize requested lease modifications for the Project.

6.1.1 Husky 1

In order to maximize the phosphate mineral recovery, the H1 pit has been extended beyond the H1 Lease boundary. As part of this MRP, Itafos requests lease modifications to federal phosphate Lease IDI-05549. Requested lease modifications are presented below in Table 6-1 and depicted on Figure 1-1.

Table 6-1: Lease Modification Summary

Description	Lease Modification Number	Acreage	Legal Description
KPLA	1	359	SE 1/4, SE 1/4, Section 14, Township 8S, Range 44E NE 1/4, NE 1/4, Section 23, Township 8S, Range 44E NW 1/4, NE 1/4, Section 23, Township 8S, Range 44E SE 1/4, NE 1/4, Section 23, Township 8S, Range 44E NW 1/4, NW 1/4, Section 24, Township 8S, Range 44E S 1/2, NW 1/4, Section 24, Township 8S, Range 44E N 1/2, SW 1/4, Section 24, Township 8S, Range 44E
H1 Pit and Ditch	2	40	SE 1/4, SE 1/4, Section 30, Township 8S, Range 45E
H1 Pit and Stewart Creek Realignment	3	40	NW 1/4, SE 1/4, Section 30, Township 8S, Range 45E
H1 Pit	4	40	SE 1/4, NW 1/4, Section 31, Township 8S, Range 45E
Tipple	5	202	SW 1/4, Section 15, Township 8S, Range 44E NE 1/4, NW 1/4, Section 22, Township 8S, Range 44E
H1 Temporary OSA	6	80	W 1/2, NW 1/4, Section 32, Township 8S, Range 45E

6.1.2 North Dry Ridge

There are no proposed activities that will require a modification to the NDR Lease.

6.2 Surface Landowner Agreements

Surface disturbance will occur on both USFS lands and private lands as described in the following subsections.

6.2.1 Special Use Permit: USFS

Itafos proposes SUPs from the USFS for proposed haul roads and ramp, the temporary OSA, GM stockpiles, and the DVM Pit D tipple and ore stockpile. Proposed SUPs are presented below in Table 6-2 and depicted on Figure 1-1.

Table 6-2: Special Use Permit Summary

Description	SUP Number	Acreage	Legal Description
NDR Growth Media Stockpile and Ready Line	1	78	SE 1/4, SW 1/4, Section 28, Township 7S, Range 44E NE 1/4, NW 1/4, Section 33, Township 7S, Range 44E
NDR Haul Road	2	5	W 1/2, NE 1/4, Section 4, Township 8S, Range 44E
Main Haul Road to Tipple	3	29	S 1/2, NW 1/4, Section 10, Township 8S, Range 44E SW 1/4, Section 10, Township 8S, Range 44E E 1/2, NW 1/4, Section 15, Township 8S, Range 44E
H1 Haul Road	4	1	NW 1/4, NE 1/4, Section 15, Township 8S, Range 44E

6.2.2 Private Surface

Approximately 1.5 miles of the NDR haul road cross private surface ownership. Agreements are in place or under negotiations to secure access to this portion of the haul road.

6.3 Environmental Permits

Itafos could be required to obtain additional environmental permits from local, state, and federal agencies as part of mining. Supplemental permits may include but are not limited to the following:

- Air Permit
- SWPPP
- SPCC Plan
- Stream Alteration Permit
- Clean Water Act Section 404 Permit.

6.3.1 Air Permit to Construct

Itafos will secure any required air quality permits before the commencement of any mining-related activities in accordance with Rules for the Control of Air Pollution in Idaho (IDAPA 58.01.01),

6.3.2 Stormwater Pollution Prevention Plan

Itafos will secure the SWPPP before the commencement of any mining-related activities in accordance with the Idaho Pollutant Discharge Elimination System (IDAPA 58.01.25),

6.3.3 Spill Prevention Control and Countermeasure Plan

As previously discussed in Section 5.5.1.2, Itafos will prepare an SPCC Plan in accordance with 40 CFR 112.

6.3.4 Drinking Water System

Construction of a drinking water system is not contemplated at this time. If such a system is required in the future all necessary permits and authorizations will be secured.

6.3.5 Stream Alteration

In accordance with the Idaho Stream Channel Protection Act, Itafos may be required to obtain a joint-agency Stream Channel Alteration Permit from IDWR and the USACE. Any necessary permits will be obtained before commencement of activities.

6.3.6 Wetland Delineation

Wetland areas were surveyed within the Project area during baseline data collection in 2012, 2013, 2014, and 2019. Itafos is coordinating with the USACE regarding wetlands and other applicable surface water regulations. Additionally, Itafos is coordinating with the Idaho Department of Water Resources regarding applicable surface water regulations.

6.3.7 Monitoring

It is anticipated that, as a Condition of Approval within the Record of Decision, Itafos will be required to develop an agency-approved EMP. The EMP will detail all environmental monitoring required at the site.