

U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
220 E Market St  
Meeker, CO 81641

## CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-110-2013-0018-CX

CASEFILE/PROJECT NUMBER: COC0118327-01

PROJECT NAME: Natural Soda Production Wells 10H-1V, 13H-I, and 13H-R on Existing Pads

LEGAL DESCRIPTION: T.1 S., R. 98 W., 6th PM  
Sec. 26: SWSE  
Sec. 25 SWSW

APPLICANT: Natural Soda Inc.

DESCRIPTION OF PROPOSED ACTION:

**Background/Introduction:** Natural Soda Inc. (NSI) operates an in-situ sodium bicarbonate (nahcolite) solution mining operation that has been in continual operations since 1991. Their operation and facilities are located at the termination of Rio Blanco County (RBC) Road 31 (see Figures 1 and 2) in the Piceance Creek Basin, approximately 37 miles west and south of Meeker, Colorado. NSI current mining operations involve solution mining from three of four available mining cavities. The fourth cavity, 10H, has not been producing since June 2011 due to problems with tubing separation in the recovery well. Current annual production is approximately 132,000 tons of sodium bicarbonate.

**Proposed Action:** NSI proposes to drill a set of new horizontal production wells (13H-I and 13H-R) and an additional recovery well 10H-1V for cavity 10H. The addition of mining cavity 13H would enable NSI to have a backup plant feed in case of a disruption in any of the current mining cavities. New recovery well 10H-1V would allow the resumption of solution mining and recovery of the remaining recoverable nahcolite in 10H. These new wells would be on existing well pads (see Figure 1) and no new surface disturbance would occur with well construction. Depths of the wells will be approximately 2,000 feet true vertical depth. Construction of these wells is anticipated to begin first quarter 2013. Construction, monitoring, reclamation, and maintenance activities for NSI's facilities and well field are governed by the approved mine plan.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5-3, BLM 1601.08) the following plan:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: Page 2-6 and 2-7

Decision Language: "Facilitate the orderly and environmentally sound development of sodium resources occurring on public lands."

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, Number F-8: "Approval of minor modifications to or minor variances from activities described in an approved underground or surface mine plan for leasable minerals (e.g., change in mining sequence or timing)."

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		X
b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by the bureau.		X
h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		X
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X

Extraordinary Circumstance	YES	NO
j) Have a disproportionately high and adverse effect on low income or minority populations.		X
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X
l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.		X

**INTERDISCIPLINARY REVIEW:**

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 11/20/12. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Kristin Bowen	Archaeologist	Cultural Resources, Native American Religious Concerns	11/26/2012
Laura Dixon	Wildlife Biologist	Special Status Wildlife Species	11/30/2012
Baili Foster	Ecologist	Special Status Plant (SSP) Species	02/13/2013

**REMARKS:**

*Cultural Resources:* The proposed action would solely take place in areas of previous ground disturbance that had been surveyed for cultural resources prior to the disturbances. There are no known cultural resources that will be impacted by this proposed action.

*Native American Religious Concerns:* There are no known Native American religious concerns associated with this proposed action.

*Special Status Wildlife Species:* There are no special status animals that are known to inhabit or derive important benefit from the project site. The project is encompassed by mule deer critical winter range and is subject to a timing limitation that limits activity associated with the development of wells to timeframes outside the 1 December to 31 April timeframe.

*Special Status Plant Species:* The project area occurs on an unnamed tongue of the Uinta geologic formation which has recently been documented as potential habitat for two federally

listed plant species; Dudley Bluffs twinpod (*Physaria obcordata*) and Dudley Bluffs bladderpod (*Physaria congesta*).

Surveys in the Proposed Action area found no special status plant species (SSPS) within a 600 meter (1969 feet) buffer (Roberts 2012). The action area is located approximately 1.8 miles from the nearest known population of *Physaria obcordata*. Since the Proposed Action will occur predominately on preexisting disturbance and the nearest known occupied SSPS population is more than 600 meters from the project area, there will be no known impacts to SSPS.

#### MITIGATION:

1. The applicant is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The applicant will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The applicant, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
3. Pursuant to 43 CFR 10.4(g), the applicant must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the applicant must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
4. No activities associated with the Proposed Action will be allowed within mule deer critical winter range from December 1 – April 30 to reduce adverse behavioral effects on wintering big game.
5. If the project is not initiated within three years of approval, the project area will need to be resurveyed for special status plant species. Future development may be subject to further plant surveys.

#### REFERENCES:

COMPLIANCE PLAN: “Natural Soda 2010 Mine Plan and Environmental Monitoring Plan”

NAME OF PREPARER: Paul Daggett

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

COMPLIANCE WITH NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, Number F-8. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

SIGNATURE OF AUTHORIZED OFFICIAL:



Field Manager

DATE SIGNED:

03/01/13

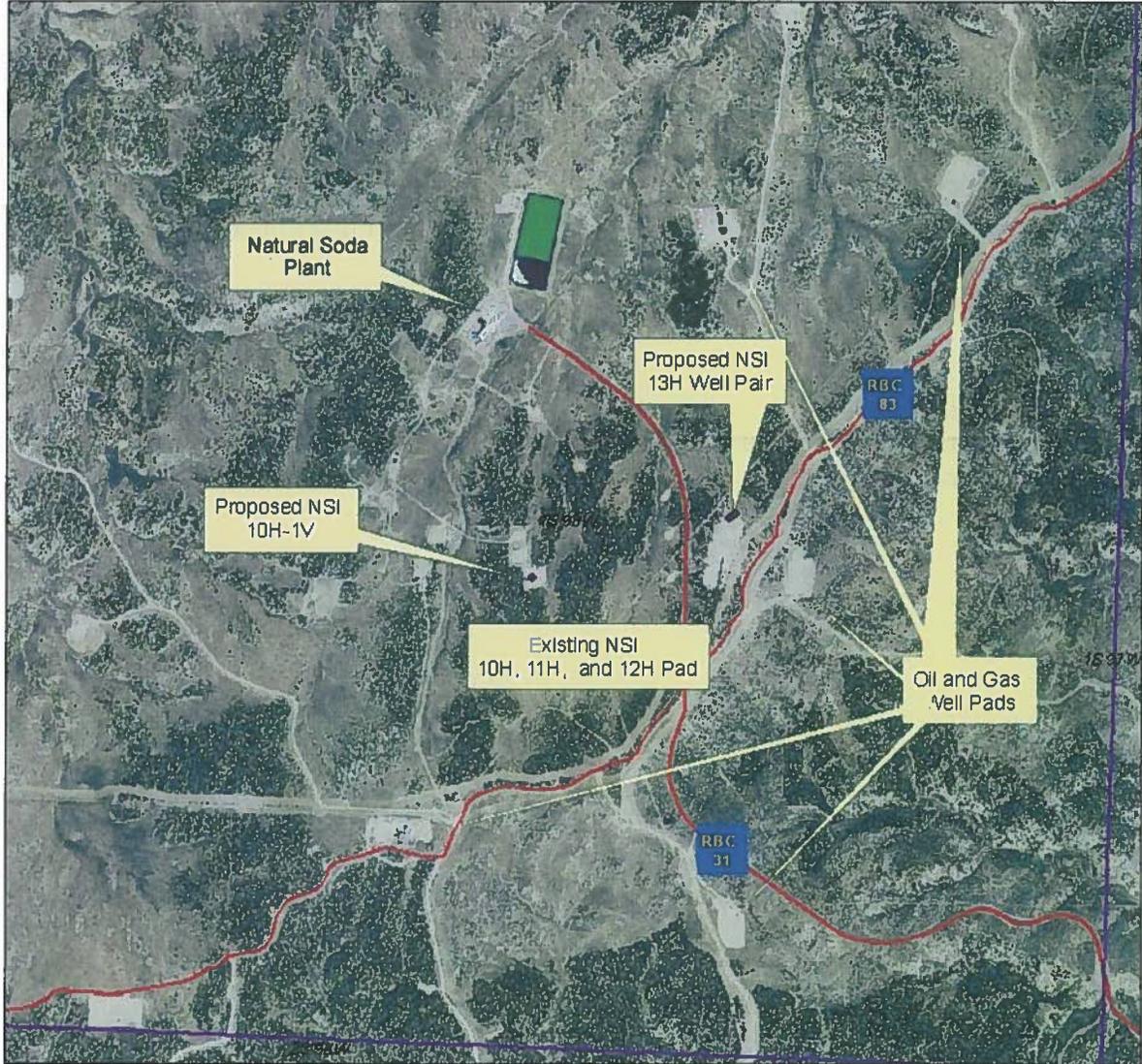
ATTACHMENTS:

Figure 1: General Location Map – Aerial Photo

Figure 2: General Location Map – Topographic & Land Status

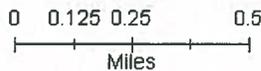
Figure 1: General Location Map – Aerial Photo

**DOI-BLM-CO-110-2013-0018-CX**  
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11/19/2012

**T.1 S., R. 98 W., 6th PM**  
**Sec. 26: SWNE**



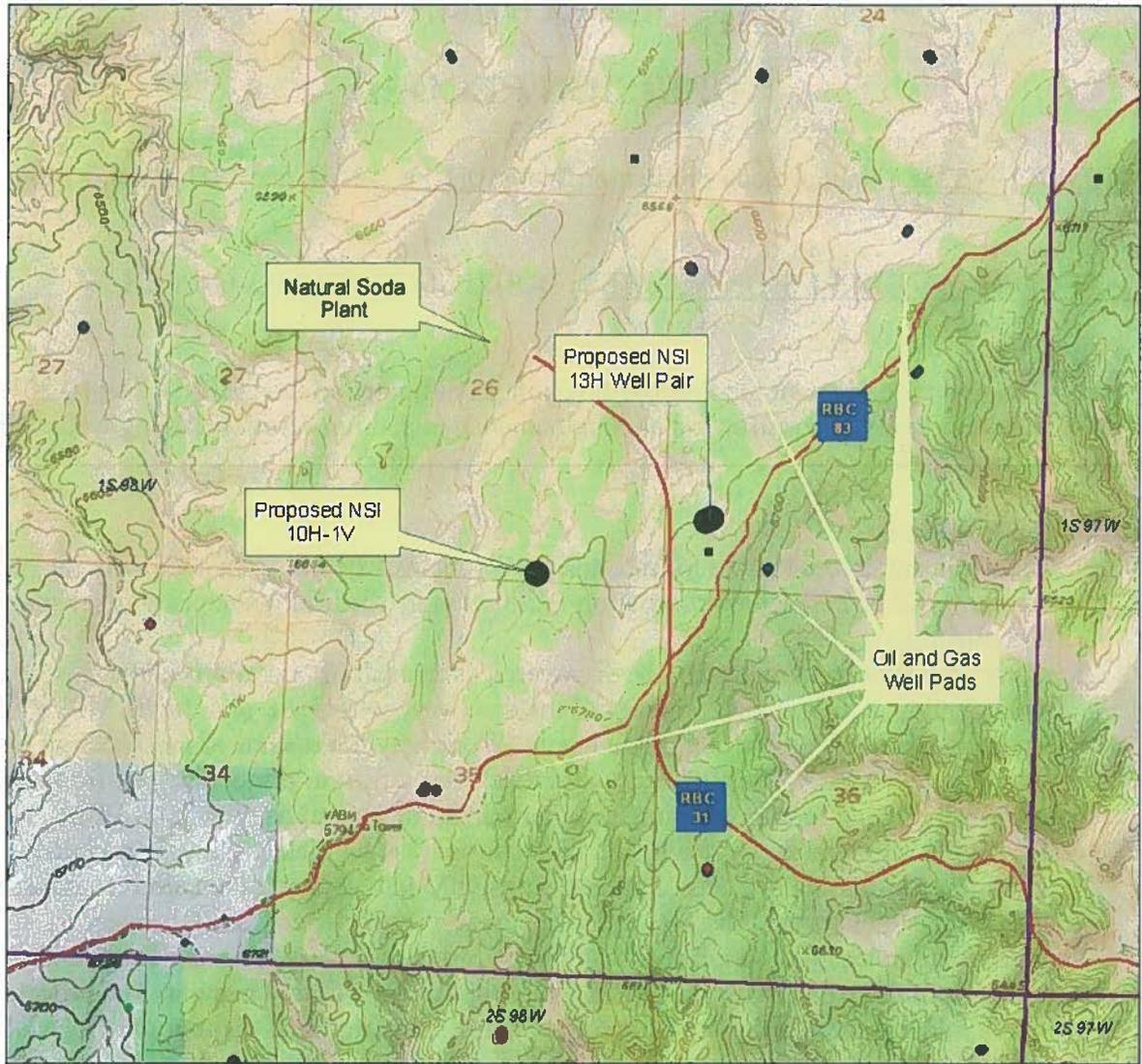
**Sources:**  
 BLM, USGS, CDOW, etc.

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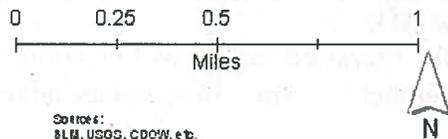
Figure 2: General Location Map – Topographic & Land Status

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## **DECISION RECORD**

**PROJECT NAME:** Natural Soda Production Wells 10H-1V, 13H-I, and 13H-R on Existing Pads

**CATEGORICAL EXCLUSION NUMBER:** DOI-BLM-CO-110-2013-0018-CX

### **DECISION**

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-110-2013-0018-CX, authorizing the construction and maintenance of sodium solution mining wells 10H-1V, 13H-I, and 13H-R.

### **Mitigation Measures**

1. The applicant is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The applicant will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The applicant, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
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5. If the project is not initiated within three years of approval, the project area will need to be resurveyed for special status plant species. Future development may be subject to further plant surveys.

**COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN**

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

**PUBLIC INVOLVEMENT**

The BLM informed the public about this project by listing it on the online WRFO NEPA Register on November 21, 2012 and a copy of the completed Categorical Exclusion will be posted on the WRFO website. As of February 27, 2013, no comments or inquiries have been received.

**RATIONALE**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, Number F-8. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

**ADMINISTRATIVE REMEDIES**

Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a Notice of Appeal must be filed in the office of the Authorized Officer at White River Field Office, 220 East Market St., Meeker, CO 81641 with copies sent to the Regional Solicitor, Rocky Mountain Region, 755 Parfet St., Suite 151, Lakewood, CO 80215, and to the Department of the Interior, Board of Land Appeals, 801 North Quincy St., MS300-QC, Arlington, VA, 22203. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals at the above address within 30 days after the Notice of Appeal is filed with the Authorized Officer.

**SIGNATURE OF AUTHORIZED OFFICIAL:**



Field Manager

**DATE SIGNED:**

03/06/13

