

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-N05-2014-0032-CX

CASEFILE/PROJECT NUMBER: COC0118327-01

PROJECT NAME: Natural Soda Two New Water Wells WSW-3, WSW-4 and Associated Pipeline

LEGAL DESCRIPTION: Sixth Principal Meridian
T 1S, R 98 W
Section 25 Lot 4
Section 26 Lots 1, 2, 3 and 7

APPLICANT: Natural Soda Inc.

DESCRIPTION OF PROPOSED ACTION:

Background/Introduction: Natural Soda Inc. (NSI) operates an in-situ sodium bicarbonate (nahcolite) solution mining operation which 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 five available mining well pairs. A plant expansion completed in spring of 2013 was designed to increase plant capacity from 125,000 tons per year to 250,000 tons per year. Production for 2014 is projected for approximately 180,000 tons and is anticipated to increase to the new plant capacity within the next two years.

Proposed Action: NSI proposes to drill two new water supply wells WSW-3 and WSW-4, and construct associate buried water lines (6 to 8 inch diameter) from the wells to the processing facility (Figures 1 and 2). New access to the proposed wells would be from existing routes, up to 20 feet in width and have a total length of approximately 250 feet. Well pad disturbance for both well pads, including access would be approximately 1.6 acres. Each well would be drilled to the A- Groove aquifer zone located at depth of approximately 1,400 feet or more below the surface. Total length of the buried water line would be approximately 5,900 feet and have a construction width of up to 40 feet (5.4 acres of temporary disturbance). Approximately 3,600 feet of the pipeline would be adjacent to existing access. Total short term surface disturbance for the wells and pipeline would be approximately 7 acres and the long term disturbance would be less than 1 acre.

Construction of these wells is anticipated to begin spring 2014 and require two to three weeks of drilling per bore. 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.		N
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		N
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

Extraordinary Circumstance	YES	NO
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
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 12/17/2013. 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
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	6/19/2014
Ed Hollowed	Wildlife Biologist	Special Status Wildlife Species	12/19/2013
Heather Woodruff	Range Management Specialist/Ecologist	Special Status Plant Species	12/19/2013

REMARKS:

Cultural Resources: The proposed water well locations and well tie pipeline have been inventoried at the Class III (100 percent pedestrian) level (Conner *et al* 2014) which has not identified any cultural resources on the surface. It is unlikely that the proposed action will impact any known cultural resources. However, the potential for subsurface remains cannot be ruled out. Any impacts to previously unidentified subsurface cultural remains would likely result in an irreversible, irretrievable, long term, permanent loss of scientific data from the regional archaeological database.

Native American Religious Concerns: No Native American Religious Concerns are known in the area, and none have been noted by Northern Ute Tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.

Paleontological Resources: The proposed project is located in an area generally mapped as the Uinta Formation (Tweto 1979) which the BLM has categorized as a Potential Fossil Yield Classification (PFYC) 5 formation indicating that it is known to produce scientifically noteworthy fossil resources on a regular basis (Armstrong and Wolny 1989). If it becomes necessary to excavate into the underlying sedimentary rock to level the drill area for the wells or bury the pipelines there is a potential to impact scientifically noteworthy fossil resources. Any impacts that result from the construction activities would likely represent an adverse impact to fossil resources. Any such adverse impacts would likely result in loss of fossils and associated environmental and contextual data causing a long term permanent, irreversible and irretrievable loss of data from the regional paleontological database.

Special Status Wildlife Species: There are no habitats associated with animal species listed, proposed, or candidate to the Endangered Species Act in the vicinity of the proposed project. Water use attributable to the entire mine project was considered via Section 7 consultation with the U. S. Fish and Wildlife Service (USFWS) and resulted in an assessed depletion fee upon project authorization in 1987. The project lies within big game severe winter range normally subject to winter timing restrictions, however, this area has been generally excepted from those timing limitations in support of CPW deer research investigating the influence of oil and gas-related disturbance on wintering deer (i.e., through WPX/CPW/BLM Mitigation Plan). The cross-country pipeline segment extending west from the WSW-4 location would not be used for general vehicular access and would not, therefore, contribute to road-related effects on big game (i.e., avoidance and habitat disuse). There are no woodlands capable of supporting raptor nest functions within 400 meters of project work and no suitable rock substrate within a mile or more. Sagebrush shrubland in the project area supports Brewer's sparrow; a BLM-sensitive species and a USFWS Bird of Conservation Concern. Most of the proposed well development and pipeline features associated with the project lie immediately adjacent to and within 50 meters of an established road, which likely detracts substantially in the potential of adjacent shrublands to support these birds. However, the cross-country east-west pipeline segment from the proposed WSW-4 well traverses about 0.4 mile of intact nest habitat. Corridor clearing would involve the physical removal of about 2 acres of sagebrush nesting substrate in a narrow linear pattern and construction activity (if taking place during the core nesting season) would be capable of adversely disrupting (interruption of nest functions sufficient to result in mortality of eggs or young) ongoing nesting activity on an adjacent 8 acres of habitat. Project-related effects may adversely influence a total of about a dozen nest attempts (all sagebrush-nesting species), including up to a half-dozen Brewer's sparrows. Avoiding vegetation clearing and pipeline construction activities on this approximately 0.4 mile pipeline segment during the core nesting season of May 15 to July 15 would prevent virtually all impacts to nesting Brewer's sparrow and substantially minimize overall effects to nesting migratory birds.

Special Status Plant Species: The two proposed water wells, access roads and associated pipelines are within potential habitat for threatened and BLM sensitive plant habitat. In 2012 two plant surveys were conducted in the same vicinity as the Proposed Action. Neither of the surveys found SSPS occupied or suitable habitat. Since the surveys were conducted in 2012 no new surveys will be required at this time. However, the surrounding area is still within potential habitat so plant surveys for threatened and BLM sensitive plant species may be required in the future on upcoming projects. There are no special status plant species issues or concerns associated with the Proposed Action.

REFERENCES CITED:

Armstrong, Harley J., and David G Wolny

1989 Paleontological Resources of Northwest Colorado: A Regional Analysis. Museum of Western Colorado. Grand Junction, Colorado.

Conner, Carl E., Barbara Davenport, Courtney Groff, Natalie Higginson, Dakota Kramer and Hannah Mills

2014 Class III Cultural Resource Inventory Report for the proposed Resource Development Program, Water Supply, and production Wells in Rio Blanco County, Colorado for natural Soda, Inc. Grand River Institute Grand Junction, Colorado. (14-11-04: OAH # RB.LM.R1370)

Tweto, Ogden

1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston Virginia.

MITIGATION:

Migratory Birds

1. Avoid vegetation clearing and pipeline construction activities on the cross-country pipeline segment extending west from the proposed WSW-4 well pad to the existing road (extending north from the evaporation pond) during the core nesting season of May 15 to July 15.

Cultural and Paleontological

2. Natural Soda Inc. 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.
3. 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. Natural Soda Inc. 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. Natural Soda Inc., 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.

4. Natural Soda Inc. is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
5. Pursuant to 43 CFR 10.4(g), Natural Soda Inc. 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), Natural Soda Inc. must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
6. If any paleontological resources are discovered as a result of operations under this authorization, Natural Soda Inc., or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.
7. Any excavations into the underlying native sedimentary stone must be monitored by a permitted paleontologist. The monitoring paleontologist must be present before the start of excavations that may impact bedrock.

COMPLIANCE PLAN: "Natural Soda 2010 Mine Plan and Environmental Monitoring Plan"

NAME OF PREPARER: Paul Daggett

NAME OF ENVIRONMENTAL COORDINATOR: Ester McCullough

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:


for Field Manager

DATE SIGNED: 6/23/14

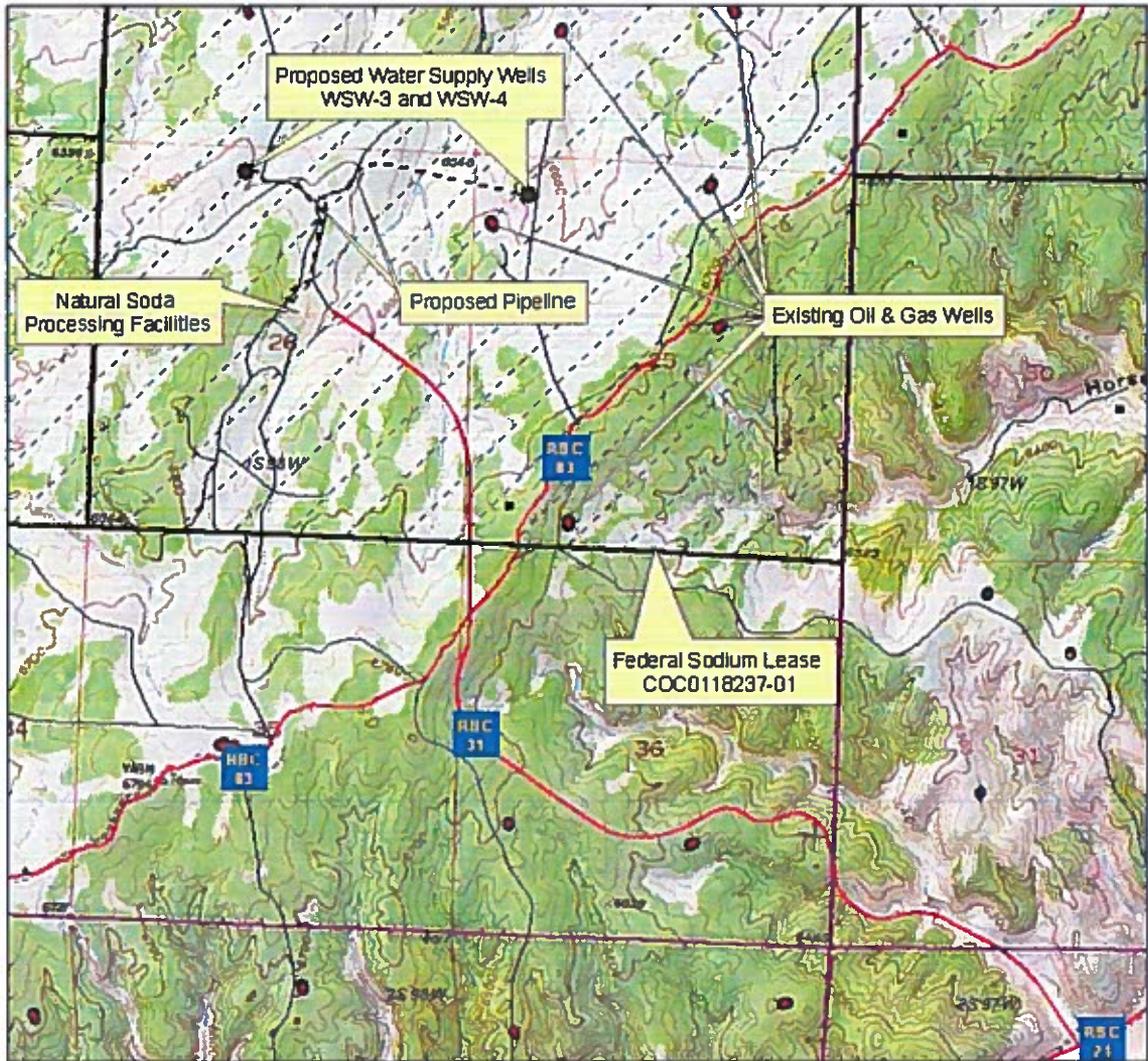
ATTACHMENTS:

Figure 1: General Location Map – Topographic

Figure 2: General Location Map – Aerial Photo

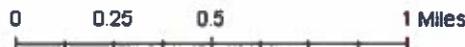
Figure 1: General Location Map – Topographic

DOI-BLM-CO-N05-2014-0032-CX
Natural Soda Two New Water Wells WSW-3 and WSW-4 and Pipeline



12/11/2013

T. 1 S., R. 98 W., 6th P.M.
 Section 25
 Section 26



- County Roads
- BLM Roads

Sources:
 BLM, USGS, CDOW, etc.

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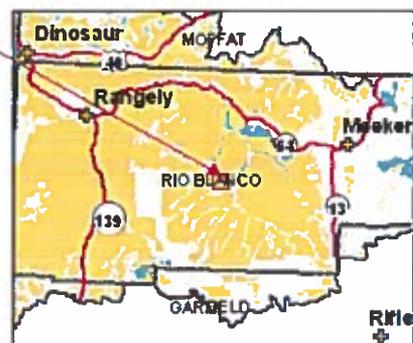
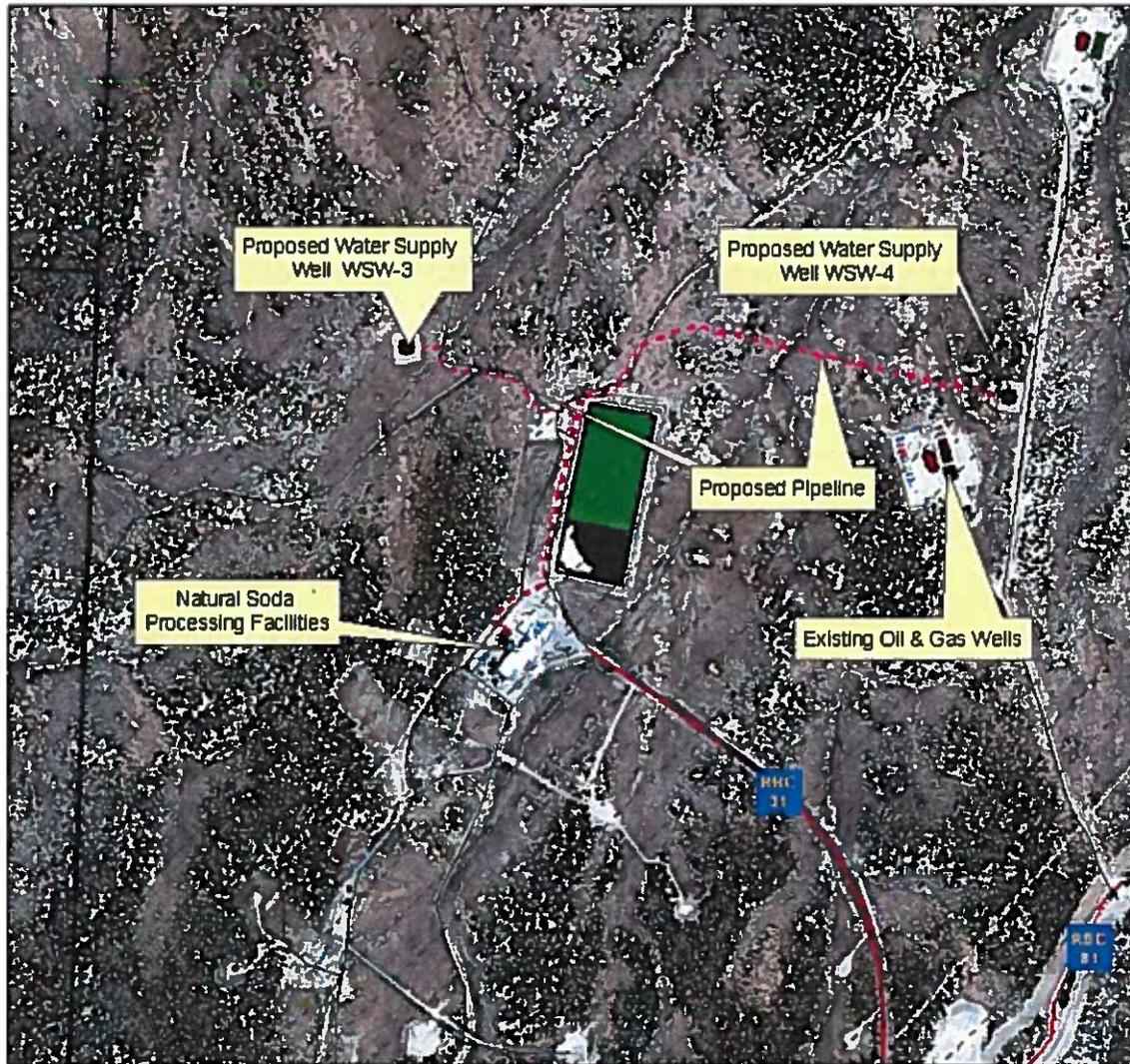


Figure 2: General Location Map – Aerial Photo

DOI-BLM-CO-N05-2014-0032-CX
Natural Soda Two New Water Wells WSW-3 and WSW-4 and Pipeline



12/11/2013

T. 1 S., R. 98 W., 6th P.M.
 Section 25
 Section 26

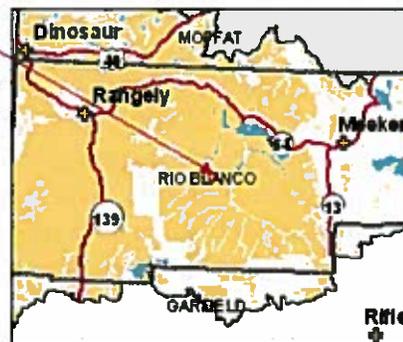


0 0.125 0.25 0.5 Miles

-  Proposed Water Wells
-  County Roads
-  BLM Roads

Source:
 BLM, USGS, CDOT, etc.

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Meeker, CO 81641**

DECISION RECORD

PROJECT NAME: Natural Soda Two New Water Wells WSW-3 and WSW-4 and Pipeline

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-N052014-0032-CX

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-N05-2014-0032-CX, authorizing the construction, operation, and maintenance of water supply wells WSW-3, WSW-4 and the associated buried pipelines.

Mitigation Measures

Migratory Birds

1. Avoid vegetation clearing and pipeline construction activities on the cross-country pipeline segment extending west from the proposed WSW-4 well pad to the existing road (extending north from the evaporation pond) during the core nesting season of May 15 to July 15.

Cultural and Paleontological

2. Natural Soda Inc. 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.
3. 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. Natural Soda Inc. 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. Natural Soda Inc., 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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7. Any excavations into the underlying native sedimentary stone must be monitored by a permitted paleontologist. The monitoring paleontologist must be present before the start of excavations that may impact bedrock.

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 12/22/2013 and a copy of the completed Categorical Exclusion will be posted on the WRFO website.

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:


/s/ Ed M. McCall
Field Manager

DATE SIGNED:

6/23/14