

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-110-2014-0013-CX

CASEFILE/PROJECT NUMBER: COC118327-01

PROJECT NAME: Natural Soda 14H Well Pair

LEGAL DESCRIPTION: Sixth Principal Meridian
T 1S, R 98 W
Section 25 Lot 13

APPLICANT: Natural Soda Inc.

DESCRIPTION OF PROPOSED ACTION:

Background/Introduction: Natural Soda Inc. (NSI) operates an in-situ sodium bicarbonate (nahcolite) solution mining operation and 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 2013 is projected for approximately 140,000 tons and is anticipated to increase to the new plant capacity within the next two years. Current production requires, as a minimum, the availability of two well pairs to adequately supply a continuous feed stock to the processing facility.

Proposed Action: NSI proposes to construct a well pad (14H) and drill a set of new horizontal production wells 14H-I and 14H-R. The additional production well pair would enable NSI to have a backup plant feed in case of a disruption in any of the current mining cavities. The proposed wells would be drilled from a single well pad 14H (see Figure 1) and would involve approximately two acres of associated surface disturbance. Access would be from Rio Blanco County Road 83, approximately 300 feet in length and would have a 14 foot running width. Both wells would be directionally drilled having a true vertical depth of approximately 2,000 feet with a measured depth of greater than 4,000 feet for 14H-I (the longest well). Construction of these wells is anticipated to begin in the first half 2014 and require three to five weeks of drilling activity 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
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 11/5/2013. 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	12/5/2013
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	11/12/2013
Heather Woodruff	Range Management Specialist/Ecologist	Special Status Plant Species	11/6/2013

REMARKS:

Cultural Resources: The proposed drill locations are covered by all or part of five fairly recent inventories (Conner 1990 compliance dated 4/25/1990, 2001 compliance dated 7/13/2011, Conner and Davenport 2005 compliance dated 7/12/2005, Davenport 2013 compliance dated 12/5/2013, Hauck 2001 compliance dated 6/22/2001) which have identified one small, isolated micro-flake. Isolated finds are not generally considered eligible for nomination to the National Register of Historic Places and will not be discussed further. There is a very small potential for unidentified subsurface remains at the drill hole sites. If previously undetected subsurface remains are impacted during pad preparation there would likely be a permanent, long term, irreversible and irretrievable loss of 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 pad location is located in an area generally mapped as the Uinta Formation (Tweto 1979) which the BLM has classified as a Potential Fossil Yield Classification (PFYC) 5 formation. Formations that are given the PFYC 5 classification are known to produce scientifically noteworthy fossil resources (c Armstrong and Wolny 1989). When the 12H-R and 12H-I well pad and the 11H-I and 11H-R well pad were constructed just to the south of the new well pad location a number of vertebrate bones especially turtle bones were noted during the construction process (Sandau 2010 compliance dated 5/26/2010). It is therefore very likely that additional fossil material could be present at the new location. If fossil remains are impacted during the process of preparing the new pad location there is a potential for a long term, permanent, irreversible and irretrievable loss of scientific data from the regional paleontological database.

Special Status Wildlife Species: There are no special status wildlife species that are known to inhabit or derive important use from the project area. The project area is classified by Colorado Parks and Wildlife as mule deer severe winter range, a specialized component of winter range that supports virtually an entire herd during the most extreme winters (heavy snow, extreme cold). These ranges typically received the greatest use from December through April.

Special Status Plant Species: There is potential habitat for threatened *Physaria* spp. surrounding the proposed project area. However, recent plant surveys showed no special status plant species have been found in or around the proposed project area. 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.,

1990 Cultural Resource Inventory of a Proposed 2.9 Mile Powerline in Rio Blanco County, Colorado for White River Electric Association. Grand River Institute, Grand Junction, Colorado. (90-11-03: OAH # RB.LM.R73)

2001 Class III Cultural Resources Inventory for the Proposed Federal RGU #24-25-198 Well Location in Rio Blanco County, Colorado for Williams Field Services. Grand River Institute, Grand Junction, Colorado. (11-11-20: OAH # RB.LM.NR2265)

Conner, Carl E., and Barbara J. Davenport

2005 Class III Cultural Resource Inventory Report for Six Proposed Reroutes of the En Cana Meeker Pipeline in Rio Blanco County, Colorado for Trigon EPC. Grand River Institute, Grand Junction, Colorado. (05-11-10: OAH # RB.LM.R830)

Davenport, Barbara

2013 Class III Cultural Resources Inventory for the Proposed 14H-R and 14H-I Drill Hole Locations in Rio Blanco County, Colorado for natural Soda, Inc., as represented by Daub and Associates, Inc. Grand River Institute, Grand Junction, Colorado. (13-11-28: OAH # RB.LM.R1360)

Hauck, F. Richard

- 2001 Cultural Resource Evaluation of 11 proposed Mallard Well Locations & Associated Pipeline/Access Corridors in the Piceance Creek Locality of Rio Blanco County, Colorado. Archeological-Environmental Research Corporation (AERC), Bountiful, Utah. (01-38-08: OAH # RB.LM.R441)

Sandau, Stephen D.

- 2010 Paleontological Monitor Report: Monitor of Natural Soda's Proposed Well Pad "Natural soda 11-h-r & 12H-1" and Buried Pipelines for "Natural Soda 11H-I & 11H-R" (Sec. 25, T 1 S, R 98 W). Intermountain Paleo-Consulting, Vernal Utah. (10-160-01: OAH # RB.LM.R1180)

Tweto, Ogden

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

MITIGATION:

1. The operator 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 operator 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 operator, 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 operator 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 operator must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
4. 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.
5. The operator 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

fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.

6. If any paleontological resources are discovered as a result of operations under this authorization, the operator 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. Activities, including construction, drilling etc. will not be permitted from December 1 through April 30 to avoid disruption to big game during the critical winter period.

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

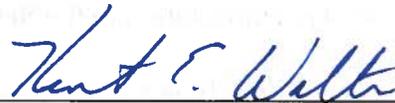
NAME OF PREPARER: Paul Daggett

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:

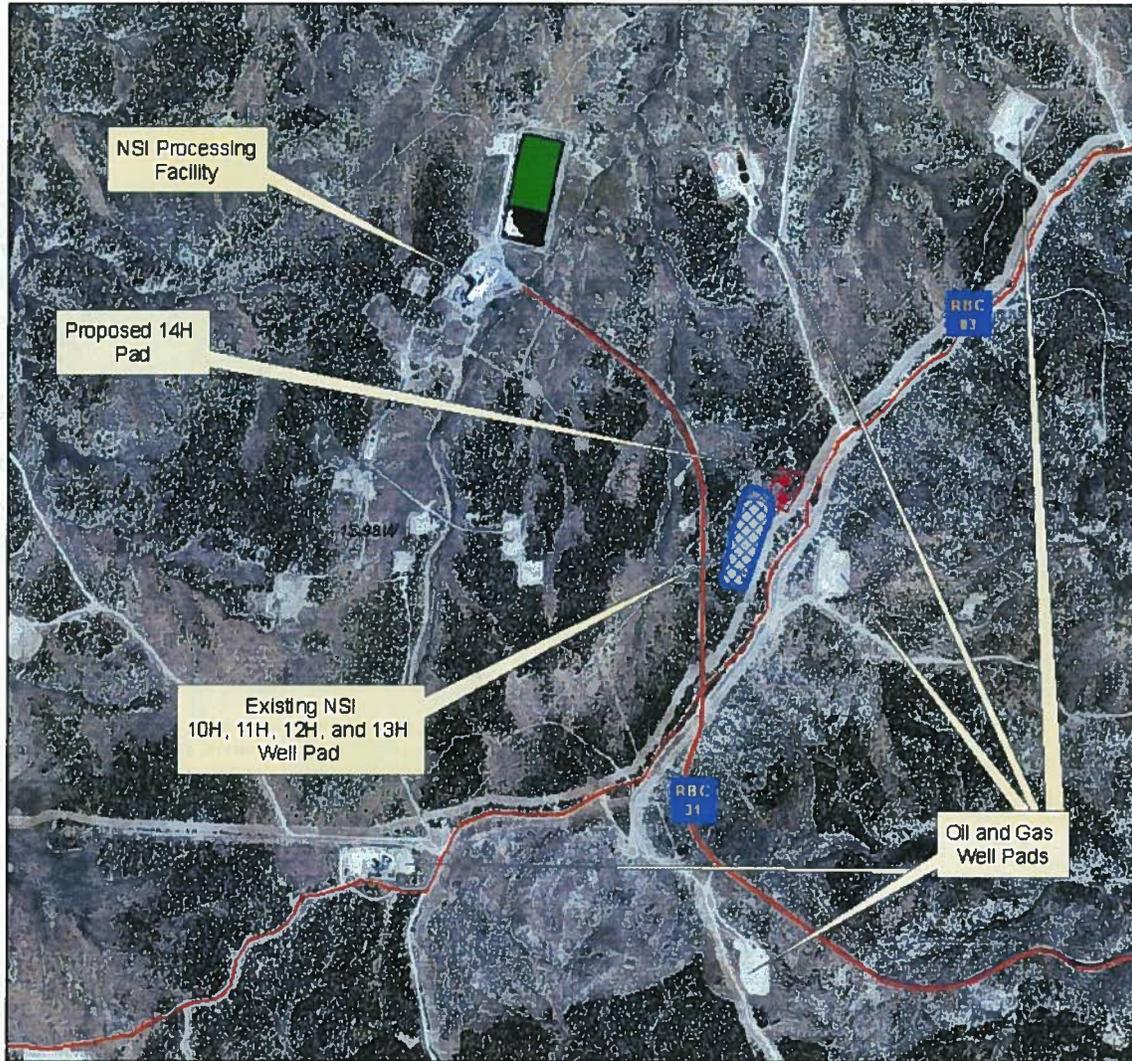
12/23/13

ATTACHMENTS:

- Figure 1: General Location Map – Aerial Photo
- Figure 2: General Location Map – Topographic

Figure 1: General Location Map – Aerial Photo

DOI-BLM-CO-110-2014-0013-CX Natural Soda 14H Well Pair



T. 1 S., R. 98 W. 6th P.M.
Section 25, Lot 13



0 500 1,000 2,000 Feet

Sources:
BLM, USGS, CDOW, etc.

Disclaimer:
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11/04/2013

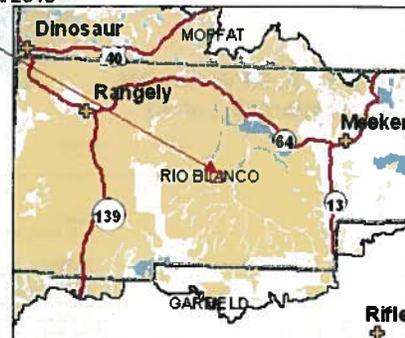
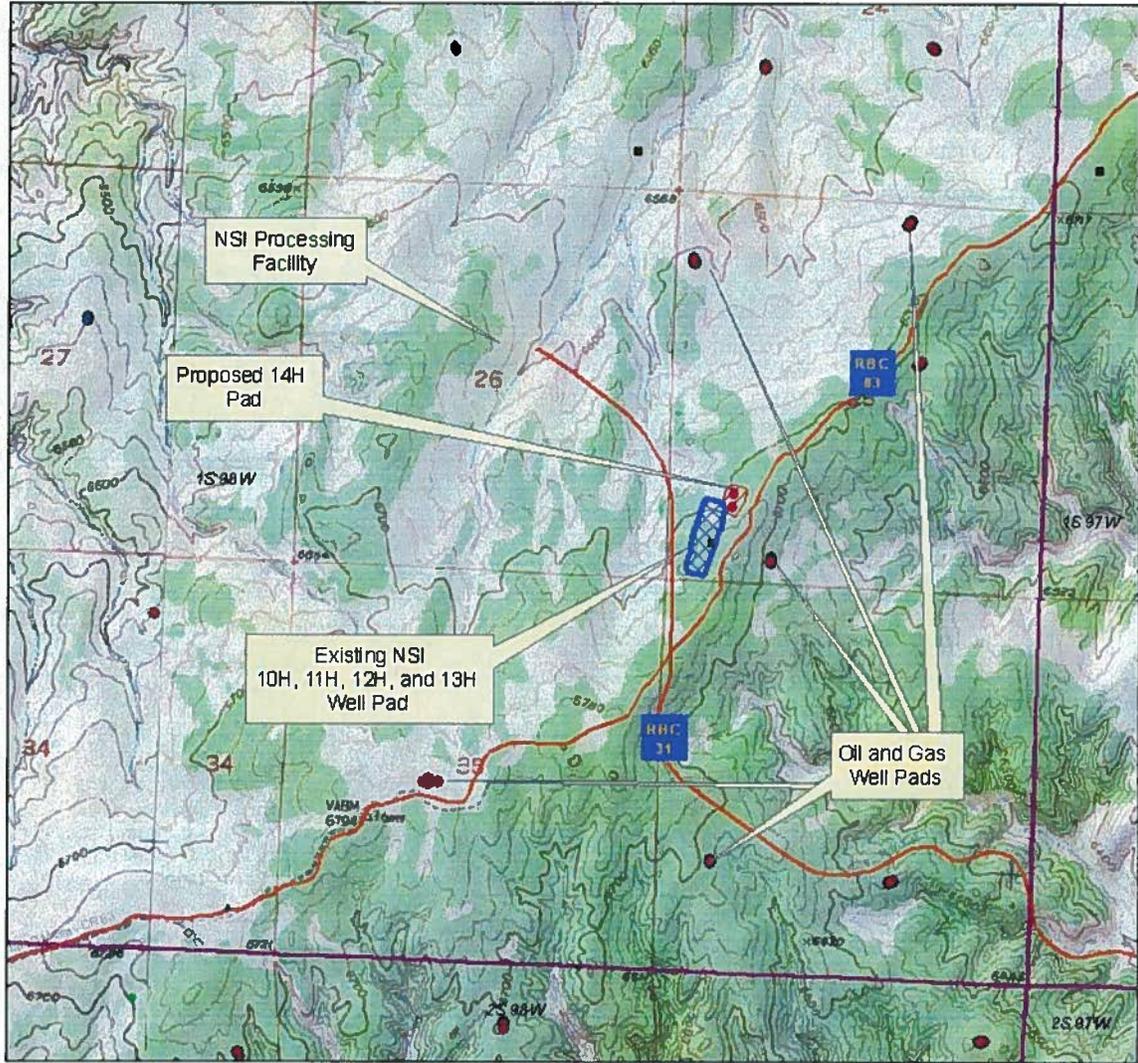


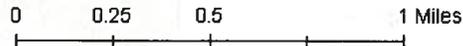
Figure 2: General Location Map – Topographic

DOI-BLM-CO-110-2014-0013-CX Natural Soda 14H Well Pair



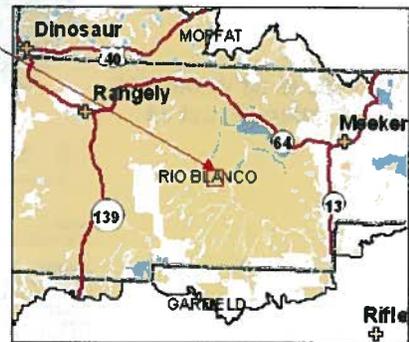
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220 E Market St
Meeker, CO 81641**

DECISION RECORD

PROJECT NAME: Natural Soda 14H Well Pair

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-CO-110-2014-0013-CX

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-110-2014-0013-CX, authorizing the construction, operation, and maintenance of sodium solution mining 14H well pair 14H-I and 14H-R.

Mitigation Measures

1. The operator 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 operator 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 operator, 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. Activities, including construction, drilling etc. will not be permitted from December 1 through April 30 to avoid disruption to big game during the critical winter period.

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 11/6/2013 and a copy of the completed Categorical Exclusion will be posted on the WRFO website.

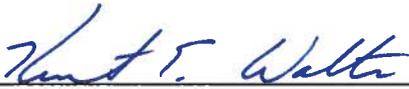
RATIONALE

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: 
Field Manager

DATE SIGNED: 12/23/13

