

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

CATEGORICAL EXCLUSION

Natural Soda LLC, Conversion of Monitoring Well to Water Supply Well and Associated Pipeline
DOI-BLM-CO-N05-2015-0116-CX

Identifying Information

Project Title: Natural Soda LLC, Conversion of Monitoring Well to Water Supply Well and Associated Pipeline

Legal Description: Sixth Principal Meridian
T 1S, R 98 W
Section 26, Lots 3-5
Section 35 Lots 6-8, 11, and 12

Applicant: Natural Soda LLC

Casefile/Project Number: COC119986-01 and COC118237-01

Conformance with the Land Use Plan

The Proposed Action is subject to and is in conformance (43 CFR 1610.5) with the following land use plan:

Land Use Plan: White River Record of Decision and Approved Resource Management Plan (1997 White River RMP)

Date Approved: July 1997

Decision Language: "Facilitate the orderly and environmentally sound development of sodium resources occurring on public lands." (Pages 2-6 and 2-7)

Proposed Action

Project Components and General Schedule

Background/Introduction: Natural Soda LLC (NS) 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 (Figures 1 and 2) in the Piceance Creek Basin, approximately 37 miles west and south of Meeker, Colorado. NS current mining operations involve solution mining from seven 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 was approximately 183,000 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 five well pairs to adequately supply a continuous feed stock to the processing facility. In August the BLM approved a plant expansion to increase NS's production to 500,000 tons per year.

Solution mining of the nahcolite occurs at a depth of greater than 1,900 feet in a 35 to 40 foot depositional horizon of nahcolite, oil shale, and nahcolitic-halite identified as the Boies Bed. In the current mining area the Boies Bed assays between 80 to 85 percent nahcolite.

The solution mining process is accomplished by injecting hot water into a horizontal injection well bore to dissolve the sodium bicarbonate along the length of the well bore. The saturated solution is then pumped from the recovery well bore to the processing facility.

Process water is currently supplied from three groundwater supply wells WSW-2, WSW-3, and WSW-4. The initial water supply well 90-1 has been converted from a water supply well to a monitoring well.

Proposed Action: NS proposes to convert an existing water monitoring well (O-GMW-A) to a water supply well (WSW-5) and install a buried six inch poly pipeline from WSW-5 to WSW-3 (Figures 1 and 2). The proposed pipeline would be buried to a depth of approximately 3.5 feet, be 6,600 feet long, and would have an average construction width of less than 30 feet involving approximately 4.6 acres of new temporary disturbance. It would be generally located approximately 65 feet from the centerline of White River Electric Association's existing transmission power line (Figure 2). The pipeline from WSW-3 to the plant facility (approximately 2,500 feet) would either be upgraded to a larger pipeline or an additional line buried within the existing disturbance (1.7 acres).

NS would separate and protect the topsoil independent from the subsoils and backfill the trench by replacing the subsoils first and replacing the topsoil last. The pipeline would be buried one to two feet beneath drainage bottoms. Drainage sides would be rebuilt with erosion mats. Pipeline protection strategies may include the use of a shaker box for pipe bedding. Pipeline disturbance would be promptly reclaimed and seeded with the most recent BLM approved seed mix. Final abandonment would consist of capping the pipe at both ends and leaving in place. Water used for hydrostatic testing would be used in the solution mining process.

Construction of the pipeline would occur in 2016 with an estimated construction time of two weeks.

Construction, monitoring, reclamation, and maintenance activities for NS's facilities and well field are governed by the approved Mine Plan.

Design Features

All activities would comply with NS's approved reclamation and Mine Plan. Including the following seed mix:

Reclamation Seed Species List

Species	Variety	Pounds Pure Live Seed/Acre
Grasses		
Thickspike wheatgrass	Critana	0.5
Streambank wheatgrass	Sodar	0.5
Western wheatgrass	Arriba	1.0
Bluebunch wheatgrass	Whitmar (<i>Pseudoroegneria spicata</i> spp. <i>inermis</i>)	1.0
Basin wildrye	Magnar	0.5
Needle and thread grass	(<i>Hesperostipa comata</i> spp. <i>comata</i>)	1.0
Green needlegrass	Common or Lodorm	2.0
Forbs		
Lewis flax	Appar	0.2
Cicer milkvetch	Monarch*	0.5
Alfalfa	50% Ladak*	0.75
	50% Nomad*	0.75
Scarlet globemallow	VNS or common	0.2
Rocky Mountain Penstemon	Bandera	0.2
Shrubs		
Fourwing saltbush	Rincon (dewinged)	1.5
Winterfat	VNS or common	0.5
Antelope bitterbrush	VNS or common	1.0
* preinoculated	Total	12.1

BLM Required Conditions of Approval to Mitigate Impacts to Cultural and Paleontological Resources

1. NS 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 Authorized Officer. NS 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. NS, 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), NS 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. NS 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. If any paleontological resources are discovered as a result of operations under this authorization, NS 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.

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		X

Extraordinary Circumstance	YES	NO
drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		
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
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 8/25/2015. 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 review or remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Brian Yaquinto	Archaeologist	Cultural Resources, Native American Religious Concerns	9/8/2015
Ed Hollowed	Wildlife Biologist	Special Status Wildlife Species	11/2/2015
Matthew Dupire	Ecologist	Special Status Plant Species	8/28/2015
Paul Daggett	Mining Engineer	Project Lead	11/17/2015
Heather Sauls	Planning and Environmental Coordinator	NEPA Compliance	1/4/2016

Cultural Resources: A records search of the general project area and the Area of Potential Effect (APE), as defined in the National Historic Preservation Act (NHPA), was completed by the WRFO's archaeologist for the Proposed Undertaking, which indicated that the entire project area has been previously surveyed for cultural resources at the Class III intensity level. No

additional cultural resource work is required and no historic properties will be adversely impacted because of the Proposed Action.

Native American Religious Concerns: No Native American religious concerns are known in the area, and none have been noted by 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.

Threatened and Endangered Wildlife Species: The Proposed Action is wholly encompassed by big game severe winter range and right-of-way clearing and pipeline installation would be subject to an RMP-approved winter timing limitation extending from December 1 through April 30. In the absence of management attention, development of unrestricted access corridors along the power line right-of-ways would incrementally elevate behavioral impacts (e.g., elevated energy demands, avoidance-induced loss of habitat utility) imposed on wintering big game. Cumulatively, these impacts are expected to involve 15 to 45 percent of all big game ranges in the Piceance Basin within the next 20 years. It is important that unregulated public vehicle use and well-defined vehicle tracks are not allowed to develop along the power line/pipeline corridor extending east from the WPX 22-27-198 location to the NS WSW-3 well. This corridor should not be used by the applicant for routine access to the NS WSW-5 well.

Migratory bird nest habitat affected by the Proposed Action has limited capacity to support nesting functions of BLM-sensitive birds (e.g., Brewer's sparrow) or Birds of Conservation Concern (e.g., plain titmouse, pinyon jay, woodland raptors) owing to recent sagebrush treatments (i.e., wildfire control), pinyon-juniper encroachment in sagebrush types, and limited involvement of mature pinyon-juniper woodlands. Applying appropriate reclamation procedures and refraining from routine use of the right-of-way for access between the WSW-3 and WSW-5 would avoid impacts that would measurably influence breeding bird populations at a project-based landscape scale.

Threatened and Endangered Plant Species: There are no special status plants or plant habitat in the location of the proposed action. There will be no impacts to special status plants.

Mitigation

In order to reduce cumulative behavioral impacts on big game severe winter ranges:

1. Right-of-way preparation and pipeline installation activities are not permitted from December 1 to April 30.
2. The applicant should employ practices that deter unregulated public vehicle use and the development of well-defined vehicle tracks along the power line/pipeline corridor extending east from the WPX 22-27-198 location to the NS WSW-3 well. This corridor should not be used by the applicant for routine access to the NS WSW-5 well.

Tribes, Individuals, Organizations, or Agencies Consulted

None.

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, 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.



Acting Field Manager



Date

Appendix A. Figures

Figure 1 Topographic Map

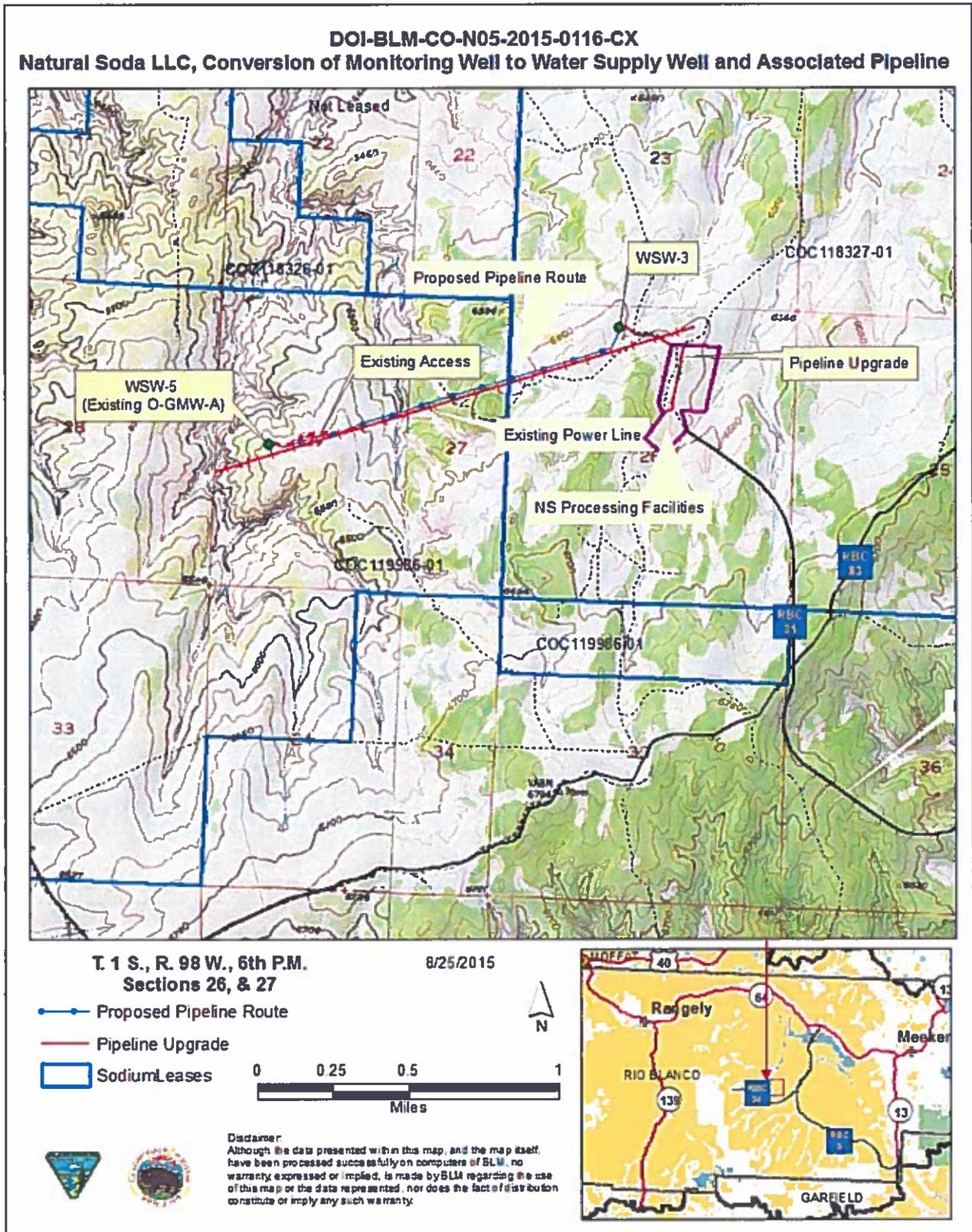
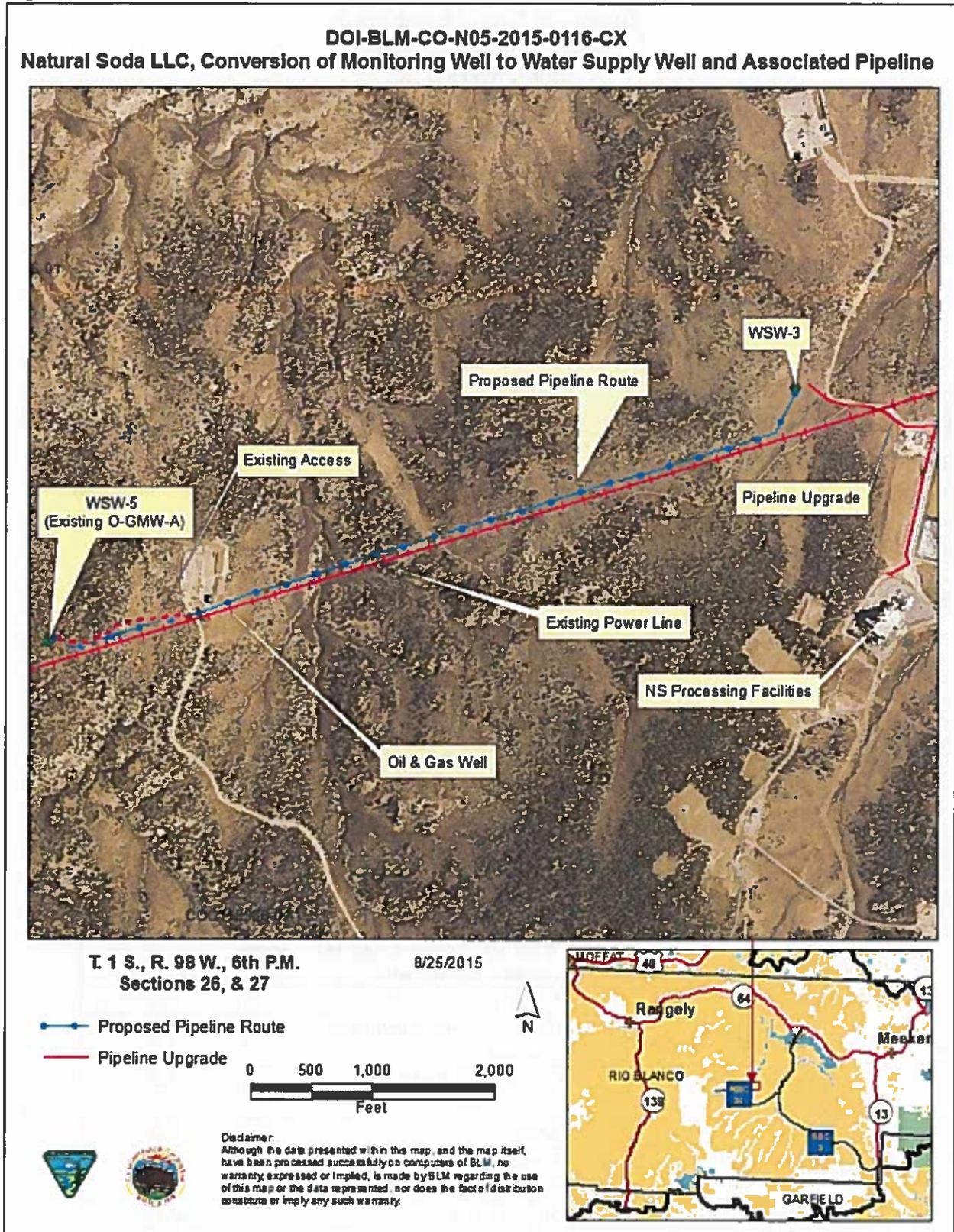


Figure 2 Aerial Photo



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DECISION RECORD

Natural Soda LLC, Conversion of Monitoring Well to Water Supply Well and Associated Pipeline **DOI-BLM-CO-N05-2015-0116-CX**

Decision

It is my decision to implement the Proposed Action as described in DOI-BLM-CO-N05-2015-0116-CX, authorizing the conversion of water monitoring well O-GMW-A to a water supply well WSW-5 and construction, and maintenance of Natural Soda LLC's proposed buried pipeline involving up to approximately 4.6 acres of temporary surface disturbance.

Applicant Committed Design Features

1. All activities shall comply with NS's approved reclamation and Mine Plan. Including the following seed mix:

Reclamation Seed Species List

Species	Variety	Pounds Pure Live Seed/Acre
Grasses		
Thickspike wheatgrass	Critana	0.5
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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.

Mitigation

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7. Right-of-way preparation and pipeline installation activities are not permitted from December 1 to April 30.

8. The applicant shall employ practices that deter unregulated public vehicle use and the development of well-defined vehicle tracks along the power line/pipeline corridor extending east from the WPX 22-27-198 location to the NS WSW-3 well. This corridor shall not be used by the applicant for routine access to the NS WSW-5 well.

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

This project was posted on the WRFO's on-line National Environmental Policy Act (NEPA) register on 8/25/2015. No comments or inquiries have been received as of 12/30/2015.

Rationale

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, 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.

Conversion of the monitor well and construction of the pipeline would provide a reliable water supply for NS processing facility.

Monitoring and Compliance

On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document will be followed. NS will be notified of compliance related issues, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

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

James P. Roberts

Acting Field Manager

1/16/2016

Date

