

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Barstow Field Office
2601 Barstow Road
Barstow, CA 92311

DECISION RECORD
For a Plan Modification to the Ash Meadows Mine
DOI-BLM-CA-D080-2022-0010-EA
July 2025

I. DECISION

Two alternatives were analyzed in the Environmental Assessment (EA), a No Action Alternative and the Proposed Action Alternative. The Proposed Action Alternative is being authorized in this Decision Record.

The Proposed Action - The proposed action will authorize the proponent, St. Cloud Mining (SCM) to modify their authorized Plan of Operations (POO) to drill 43 holes for exploratory purposes, with a total calculated surface disturbance of less than one acre. Drill holes will be confined to the footprint of the cross-country access routes or drill lines. No pads will be constructed. Drill holes will be located on 100 – foot centers (east – west), with drill lines spaced on 200 to 350 – foot centers (north – south). Each drill hole will be reclaimed prior to the proponent moving to the next drill location.

Drilling will be by reverse circulation method using Foremost track drill rig (or similar) with a wet cyclone sampler. All drill holes will be up to 200 feet below ground surface, and up to 6 ¾ inch in diameter. All water used for the proposed action will be trucked in. It is anticipated that approximately 20,000 – 40,000 gallons will be brought in from an off-site location for drill cuttings and dust abatement.

For each drill hole, temporary surface disturbance calculations include: cross-country access to each drill site, a jack to level the drill rig, a hand dug sump with trench to collect water from the cyclone sampler, a stockpile of material removed from trench, a rubber tub to hold water used in the drilling process, and a working area around the drill hole in order to replace drill bits, grease parts, and collect samples for logging and analytical testing.

Total proposed surface disturbance for the project will not exceed one acre. Each drill hole will be reclaimed prior to proponent moving to next drill site. To maintain accuracy for the proposed project, the onsite drill team will keep a disturbance log to be updated at every drill hole. The proposed project will immediately cease operations prior to the surface disturbance exceeding one acre, regardless of how many permitted drill holes remain. The project is expected to last from 1-2 months.

A. Mitigation Measures

The Proposed Action will include the implementation of best management practices, applicant committed environmental protection measures, and avoidance and minimization measures. Additional Conservation Management Actions and mitigation measures must also be implemented in conformance with the DRECP LUPA and per BLM requirements, as outlined in Appendix G, Environmental Mitigation Measures, of the EA.

B. Monitoring

The Reclamation Plan provides for monitoring and success determination based on performance standards for revegetation. The contingency measures below are provided if the success criteria are not met (e.g., corrective actions including reseeding, invasive species removal, and/or substitution of different native species that may have a higher success rate).

Use of weed-free materials would be employed during reclamation, and post reclamation monitoring would include weed management as needed. Weed management would include mechanical methods; herbicides would be used only on the recommendation of a California Licensed Qualified Applicator in conjunction with a qualified revegetation specialist and as approved by the BLM.

Precautions would be taken to not introduce weeds to the site, including inspecting vehicle tires and undercarriage for accumulation of mud or lodged weeds, monitoring materials brought to the site to avoid introduction of weeds, and implementation of control measures in the event weeds are identified in the operations area.

Once the proposed project is complete, reclamation of any cross-country disturbance will commence, followed by reclamation monitoring. Seeding would take place in the first fall after drilling is determined to be concluded, and when there is sufficient moisture and soil development to optimize survival and growth. Reclamation monitoring and any remedial actions shall take place on an annual basis until the success criteria noted in section 2.2.4.1 are achieved.

II. COMPLIANCE AND CONFORMANCE

On lands open to location under the 1872 Mining Law, the BLM administers the surface of public land and federal subsurface mineral estate under the 1872 Mining Law and FLPMA. The surface management regulations recognize that BLM is required to comply with the National Environmental Policy Act (NEPA) through preparation of an environmental document, in this case an EA, which analyzes the potential effects of the alternatives under consideration and describes the BLM's consultations completed pursuant to other laws including the National Historic Preservation Act (NHPA) and the Endangered Species Act (ESA).

This EA was prepared in accordance with the following regulations and guidance policies and is in compliance with all applicable laws and regulations. The following list summarizes the principal laws and regulations that pertain to this analysis.

- National Environmental Policy Act
- General Mining Law of 1872, as amended.

- Surface Resources Act of 1955, as amended.
- Federal Land Policy and Management Act of 1976 (FLMPA), as amended.
- 43 Code of Federal Regulations Subparts 3715 and 3809.
- National Historic Preservation Act of 1966 (NHPA), as amended.
- The Clean Air Act as amended (42 USC 7401 et seq.), as amended.
- Endangered Species Act of 1983 (ESA), as amended (16 U.S.C. § 1531 et seq.).
- Clean Water Act of 1977 (33 USC 1251 et seq.).
- American Indian Religious Freedom Act of 1978 (42 USC 1996).
- Archaeological Resource Protection Act of 1980.
- Executive Order 13112 - Invasive Species (1999).
- Migratory Bird Treaty Act of 1918, as amended (16 USC 703 et seq.).

III. PUBLIC INVOLVEMENT

On April 4, 2024, the Barstow Field Office posted the POO modification and EA on BLM's ePlanning website where it was available for public comments for 30 days from the original posting, ending on May 6, 2024. On April 11, 2024, the Barstow Field Office held a public meeting in Tecopa, California to discuss the project and answer questions from meeting participants. BLM received a total of 159 comments on this project (Appendix J). Substantive comments received during this period were analyzed and considered in the decision-making process by BLM. See Appendix E for the BLM's responses to these substantive comments.

IV. RATIONALE FOR DECISION

The purpose of the Proposed Action is to authorize a Plan of Operation Modification to allow St. Cloud Mining the opportunity to explore, locate, and delineate zeolite deposits on its mining claims on public lands, as provided under the Mining Law. The need for action is established by the BLM's responsibility under Section 302 of FLPMA and the BLM Surface Management Regulations at 43 CFR 3809 to respond to a plan of operations to allow an operator to prospect, explore, and assess locatable mineral resources on public lands, and to take actions to prevent unnecessary or undue degradation of the public lands. Based on information in the EA, signed Finding of No Significant Impact (FONSI), and other related documents, the BLM has determined to authorize the Proposed Action as described in Section 2.2 of the EA Plan Modification to the Ash Meadows Mine, which is also posted on ePlanning as DOI-BLM-CA-D080-2022-0010-EA.

The BLM finds this action conforms to BLM National Environmental Policy Act (NEPA) requirements. The BLM further finds this action is in conformance with applicable land use plans, laws, and regulations and that it will not cause unnecessary or undue degradation. The Proposed Action, is preferred over the No Action Alternative, for the following reasons:

- The Proposed Action is consistent with the Land Use Plan objectives from the CDCA Plan and DRECP which encourages the development of mineral resources in a manner which satisfies national and local needs and provides for economically and environmentally sound exploration, extraction and reclamation practices.
- Drilling is the best method to obtain direct, quantifiable baseline samples for subsurface resources and conditions of mineral resources.

- The Proposed Action may result in or cause temporary impacts to resources described in the EA. None of the impacts are considered significant and the Proponent has incorporated measures to reduce or mitigate impacts into the Proposed Action. As part of this Decision, the Conservation Management Actions and required mitigation measures as contained in the EA and as listed in Appendix G of the referenced EA shall be adhered to by the Applicant.

V. RIGHT OF PROTEST AND/OR APPEAL:

If you are adversely affected by this decision, you may request that the BLM California State Director review this decision. If you request a State Director Review, the request must be received in the BLM California State Office at 2800 Cottage Way, Suite W1623, Sacramento, CA 95825, no later than 30 calendar days after you receive or have been notified of this decision. The request for State Director Review must be filed in accordance with the provisions in 43 CFR 3809.805. This decision will remain in effect while the State Director Review is pending, unless a stay is granted by the State Director. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

If the State Director does not make a decision on your request for review of this decision within 21 days of receipt of the request, you should consider the request declined and you may appeal this decision to the Interior Board of Land Appeals (IBLA). You may contact the BLM California State Office to determine when the BLM received the request for State Director Review. You may file your Notice of Appeal with this office at 2601 Barstow Road, Barstow, CA 92311 which we will forward to IBLA.

If you wish to bypass a State Director Review, this decision may be appealed directly to the IBLA in accordance with the regulations at 43 CFR 3809.801(a)(1). Your Notice of Appeal must be filed in this office at 2601 Barstow Road, Barstow, CA 92311 within 30 days from receipt of this decision. As the appellant you have the burden of showing that the decision appealed from is in error. Enclosed is BLM Form 1842-1 that contains information on taking appeals to the IBLA.

This decision will remain in effect while the IBLA reviews the case, unless a stay is granted by the IBLA. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Request for a Stay

If you wish to file a petition pursuant to regulations 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by Interior Board of Land Appeals (IBLA), the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of this notice of appeal and petition for a stay must also be submitted to each party named in the decision and to the IBLA and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal must show sufficient justification based on the following standards:

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1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

VI. APPROVAL FROM AUTHORIZED OFFICIAL

Marc Stamer
Field Manager
Barstow Field Office

Enclosure (1): BLM Form 1842-1