

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Fillmore Field Office
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DECISION RECORD
Sevier Playa Potash Project Modification
Peak Minerals
DOI-BLM-UT-W020-2025-0012-DNA

I. DECISION:

Based on my review of the attached Determination of NEPA Adequacy (DNA), in addition to the August 27, 2019, Sevier Playa Potash Project Final Environmental Impact Statement (FEIS) DOI-BLM-UT-W020-2014-0001-EIS; which is the NEPA document this DNA considers, I have decided to approve Peak Minerals Inc.'s (Peak Minerals) modified Plan of Operations and Plan of Development that is located in Millard County, Utah (for detailed land description see Appendix B of DNA). Peak Minerals modified Plan of Operations is described in detail in the Proposed Action section (Section A) of the attached DNA. The Bureau of Land Management (BLM) gave this project the lead casefile number UTU-88387 (MLRS Number UTUT105907805) and lead casefile number UTU-90095 (MLRS Number UTUT106050293).

This decision is authorized under the Federal Land Policy and Management Act (FLPMA) of 1976 (43 United States Code [U.S.C.] § 1701) as amended, the Mineral Leasing Act (MLA) of 1920 (30 U.S.C § 181 and 30 U.S.C. § 185) as amended, the Surface Resources Act of 1955 (30 U.S.C § 612), the Act of July 31, 1947, as amended (30 U.S.C. § 601 et seq.), and the regulations located at 43 CFR Part 3590, 43 CFR 3600, 43 CFR 2800, and 43 CFR 2880.

II. LAND USE PLAN CONFORMANCE

The applicable BLM land use planning and management objectives for federal lands are contained in the Warm Springs Resource Area Resource Management Plan (WSRA RMP) (BLM 1987, listed in the attached DNA). The Sevier Playa is located in a portion of the WSRA RMP planning area that is suitable for mineral extraction operations (solid, non-energy leasable minerals and saleable minerals) and for rights-of-way. DNA Section B provides a detailed explanation concerning applicable WSRA RMP goals, objectives, and resource management decisions directly applicable to this authorization.

III. CONSULTATION AND PUBLIC INVOLVEMENT

Both the U.S. Fish and Wildlife Service (USFWS) and the Utah Division of Wildlife Resources (UDWR) were involved as cooperating agencies. Both the USFWS and UDWR were involved in the development of the Adaptive Wildlife Management Plan (ADWMP). BLM met with the technical advisory committee (TAC) on August 26, 2024, to ensure compliance with the ADWMP and identify key issues relating to biological resources.

A Programmatic Agreement (PA) has been developed that details how the BLM will comply with Section 106 requirements. This PA requires individual Class III Cultural Resources

Inventories be completed prior to construction. It also requires that continued consultation with the Utah State Historic Preservation Office (UTSHPO) and tribes for individual cultural resource inventories be ongoing.

The BLM has been and will continue to consult with UTSHPO and affiliated tribes through the duration of the Project for the National American Graves Protection and Repatriation Act of 1990 (NAGPRA) Plan of Action (POA) and the Heritage Properties Treatment Plan (HPTP).

The public involvement undertaken by the BLM, with respect to this authorization, is discussed in detail in DNA Section D. 5. The BLM primarily relied on public involvement activities associated with the Sevier Playa Potash Project FEIS in addition to providing a public scoping opportunity associated with this authorization during the period between February 11 and March 27, 2025.

IV. RATIONALE FOR DECISION

The attached DNA demonstrates that the Proposed Action meets the NEPA adequacy criteria described in the BLM NEPA Handbook (Handbook H-1790-1).

The Mineral Leasing Act of 1920 (30 U.S.C. 181 *et seq.*) authorizes the Bureau of Land Management, acting on behalf of the Secretary of Interior, to issue leases for solid mineral other than coal and oil shale, including potash. The Federal Land Policy and Management Act of 1976 (FLPMA) requires the BLM to “*Take any action required to prevent unnecessary or undue degradation of the lands and their resources.*” Moreover, 43 CFR 3501.16 – 17 requires that permits or leases for minerals will contain suitable stipulations based on consideration of safety, environmental protection, conservation, ultimate recovery of resource, and other factors. These regulations further require the BLM to make all reasonable efforts to avoid interference with other authorized uses. Under these regulations, a permit or lease must conform with the applicable land use plan and must comply with applicable environmental requirements. I have reviewed the Proposed Action against the statutes and regulations described above and found the Proposed Action to be compliant.

Peak Minerals’ modified Plan of Operations and Plan of Development are the approved actions for the following reasons:

- They meet the purpose and need for action as described in the Sevier Playa Potash Project FEIS Section 1.3.
- They conform to the goals, objectives, and land use management decisions in the WSRA RMP as described in the DNA and are within the scope of the alternatives already analyzed in the Sevier Playa Potash Project FEIS Section 1.8.

In view of the BLM’s multiple use mandate and based on the informed conclusions of the BLM’s experts and decision-maker, the BLM has determined that the benefits of this project outweigh the relatively minor impacts identified in the EIS.

V. COMPLIANCE AND MONITORING

As part of this decision, and as required by 43 CFR 3598.1, the BLM’s personnel will be provided access “at all reasonable hours, either day or night, for the authorized officer to inspect or investigate the underground and surface conditions; to conduct surveys; to estimate the amount of ore or other methods of prospecting, exploration, testing, development, processing and handling; to determine the volumes, types, and composition of wastes generated; to determine

the adequacy of measures for minimizing the amount of such wastes and the measures for treatment and disposal of such wastes; to determine reclamation procedures and progress; production records; environmental concerns; and to determine whether the operator/lessee is in compliance with established requirements.” Once mining activities have concluded and final reclamation has initiated, the BLM will monitor the area for at least three growing seasons or until satisfactory regrowth has occurred.

Peak Minerals will comply with the performance standards described in Appendix K of the Sevier Playa Potash Project FEIS during construction, operation, and reclamation of the project. A compliance inspection contractor and Environmental Compliance Plan would be provided to monitor compliance with the performance standards.

VI. RIGHT OF APPEAL

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 C.F.R. Part 4. Instructions for filing an appeal are contained on enclosed Form 1842-1.

VII. APPROVAL

	06/10/2025
Michael D. Gates, West Desert District Manager	Date