

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Price Field Office
125 South 600 West
Price, 84501 Utah

DECISION RECORD
for Wildcat Loadout Facility Right-of-Way Amendment
DOI-BLM-UT-G020-2025-0015-EA

July 2025

I. DECISION

After reviewing the attached Environmental Assessment (EA) (DOI-BLM-UT-2025-0015-EA) and Finding of No Significant Impact (FONSI), it is my decision to select the Proposed Action, as detailed in the EA, section 2.2, to authorize the amendment of the Right-of-Way (ROW) to reconfigure and expand transloading facilities including an oil tanker truck, unloading racks, oil storage tanks, a vapor combustion unit, railway car loading racks, and a motor control unit at the existing Bureau of Land Management (BLM) ROW UTUT106262560 (legacy number UTU-48027), known as the Wildcat Loadout Facility. My authorization includes all the Design Features detailed in EA section 2.2.2.

Coal Energy Group 2, LLC (CEG2) is the project proponent, and current ROW holder of the Wildcat Loadout Facility.

II. AUTHORITIES

The authority for this decision is Title V of the Federal Land Policy and Management Act (FLPMA) and FLPMA's implementing regulations at 43 CFR Part 2800.

On April 23, 2025, in response to the President's January 20, 2025, Executive Order 14156, *Declaring a National Energy Emergency*,¹ the Department of the Interior adopted emergency permitting procedures to accelerate the development of domestic energy resources and critical minerals.² The emergency procedures adopted by the Department are designed to expedite the review and approval, if appropriate, of projects related to the identification, leasing, siting, production, transportation, refining, or generation of energy within the United States.³ On May 1, 2025, CEG2 requested the BLM review and process its application to amend its ROW pursuant to

¹ Executive Order 14156 is available here: <https://www.federalregister.gov/documents/2025/01/29/2025-02003/declaring-a-national-energy-emergency>

² Press release available here: <https://www.doi.gov/pressreleases/departments-interior-implements-emergency-permitting-procedures-strengthen-domestic>

³ The emergency procedures are outlined here: <https://www.doi.gov/sites/default/files/documents/2025-04/frequently-asked-questions-about-department-interior-s-emergency-procedures-compliance-nepa-nhpa-and.pdf>

these alternative arrangements. The Assistant Secretary, Land and Minerals Management approved CEG2's request on June 18, 2025.

Monitoring, terms, conditions, and stipulations

Consistent with BLM manual section MS-2801, the BLM will provide monitoring and compliance during construction, operations, maintenance, and termination of the approved Title V ROW grant.

The specific compliance and monitoring programs that CEG2 must implement pursuant to the approval of the Proposed Action are detailed throughout the Title V ROW grant, EA, and Design Features (EA section 2.2.2). These include CEG2-committed actions necessary to comply with the applicable environmental, statutory, and regulatory programs developed through Federal, State, and local permitting processes. The CEG2-committed measures are included as stipulations to this decision.

III. PLAN CONFORMANCE AND CONSISTENCY

The decision is in conformance with the 2008 Price Field Office Record of Decision and Approved Resource Management Plan (RMP), as amended, including Lands and Realty (LAR) Objective: Maintain availability of public lands to meet the habitation, cultivation, trade, mineral development, recreation, and manufacturing needs of the external customers and the general public and LAR-28: Additional ROWs will be granted consistent with RMP goals and objectives.

The decision is in conformance with MA-LR-5: In GHMA, manage ROWs, permits, and leases as follows (Figure 2-11): Open: 484,900 acres; Avoided: 0 acres; and Excluded: 17,600 acres. New ROWs (including permits and leases) authorizations will be allowed if they apply the pertinent management for discretionary activities in GHMA identified in MA-SSS-5. The Proposed Action is a modification of an existing ROW in an area open to ROWs. In addition, MA-SS-5 (net conservation gain, buffers, and required design features) does not apply because it is not a new ROW.

The decision is also in conformance with the Carbon County Resource Management Plan (2022) policy to maintain existing access without any restrictions or impediments other than those which are naturally occurring, such as winter closures, landslides, or other events, which are beyond the control of man. Carbon County's Resource Management Plan defines access as all modes of transportation including improvements to get product to market. It also conforms with the State of Utah Resource Management Plan's (2024) commitment to have Utah support national energy independence.

IV. PURPOSE AND NEED AND ALTERNATIVES CONSIDERED

The purpose and need of the federal action are to consider an application for an amendment to ROW UTUT106262560 to change facility layout and add facility infrastructure. The need is the BLM's statutory and regulatory responsibilities regarding ROW applications under Title V of FLPMA, as amended, and 43 CFR Part 2800.

The BLM considered both the No Action and Proposed Action alternatives, as well as two dismissed alternatives. The alternatives are detailed in EA Section 2.3.

V. RATIONALE FOR DECISION

I did not select the No Action alternative because the current Wildcat Loadout Facility ROW is situated on previously disturbed lands and adding the facility infrastructure and changing the facility layout would not lead to increased surface disturbance. As discussed in Section 3.3.1 of the EA, the BLM determined that due to CEG2's ability to develop the leased Utah Trust Lands Administration lands, the effects of the No Action alternative would be substantially similar to the Proposed Action.

I have concluded the Proposed Action alternative is in the public interest, and it is my decision to select it because it meets the BLM's purpose and need as described in EA Section 1.2. and conforms and is consistent with the 2008 Price Field Office RMP, and both the Carbon County Resource Management Plan and the State of Utah Resource Management Plan. Additionally, this decision will aid in addressing the national energy emergency declared in Executive Order 14156. This decision will facilitate the transportation of energy minerals by expanding crude oil transloading facilities at the Wildcat Loadout Facility.

The decision requires CEG2 (or subsequent Wildcat Loadout Facility ROW holders) to conduct operations in a manner that will prevent unnecessary or undue degradation of the public lands.

Under the Department's alternative arrangements to comply with NEPA, the BLM prepared a rigorous and thorough EA, which considered the relevant potential environmental impacts associated with the proposed facility expansion, and which concluded with a FONSI.

VI. CONSULTATION AND COORDINATION

BLM's consultation and coordination for purposes of compliance with the National Historic Preservation Act and the Endangered Species Act is documented in section 4.2 of the EA.

VII. PUBLIC INVOLVEMENT

Public involvement is described in EA Section 4.1.

VIII. FINAL AGENCY ACTION

BLM Approval

The BLM decision is documented in section I.

Approved by:

Elijah Waters

Green River District Manager

Secretarial Approval

I hereby approve this decision. My approval constitutes the final decision of the Department of the Interior and, in accordance with the regulations at 43 CFR § 4.410(a)(3), is not subject to appeal under Departmental regulations at 43 CFR Part 4. Any challenge to this decision must be brought in federal district court.

Approved by:

Adam G. Suess

Acting Assistant Secretary – Land and Minerals Management