Environmental Notification Bulletin Board

ENVIRONMENTAL NOTIFICATION BULLETIN BOARD
Project Name: Intrepid Potash Mine and Reclamation Plan
NEPA Log Number: UT-020-2006-002
Field Office/Code: Salt Lake Field Office
Contact: Larry Gerahane
Phone Number: (801)977-4300
File/Serial Number: UTU-087609 through UTU-087818
Document Type: Environmental Assessment

- Cultural: □
- Watershed: □
- Fire / Fuel: □
- Wild Horses: □
- Lands & Realty: □
- Wildlife: □
- Minerals: □
- Planning: □
- Range: □
- Paleoecology: □
- Recreation: □
- Woodland / Forestry: □
- Vegetation: □
- Other: □

Intrepid Potash U.S. Wendover, LLC has submitted a Plan of Operation for their Wendover LLC Potash Mine that includes extracting potash through solar evaporation of naturally occurring brines collected from a sedimentary basin east and south of their processing facility via brine collection ditches and extraction wells. The collection ditches and evaporation systems cover approximately 87,834 acres to the south and east of the processing facilities. Intrepid owns 57,034 acres of the property and holds leases from the federal government that includes 24,659.83 acres and 5,600.02 acres of leases from the State of Utah. The mine plan also addresses the salt laydown project and reclamation plan. This project replaces salt that is removed back onto the Bonneville Salt Flats (BSF).

Mediation:

Legal Description:
- Township: 1 N-3 S
- Range: 17 W-19 W
- Section: Various

General Location:
- West of Wendover, Utah

County(s):
- Tooele
- Other: □

Special Interests:
- ACEC: Yes
- Special Status Species: □
- Cultural: □
- Visual Resources: □
- Designated Wilderness / WSA: □
- Crucial Habitat: □
- Wild & Scenic Rivers: □
- Fire Rehabilitation: □
- Riparian: □
- Areas with Wilderness Characteristics: □
- None: □
- Native American Concerns: □
- Other: □
- BLM Natural Areas: □

Other Remarks:
- ENBB Posted 9/30/05.
- EA Started 9/30/05.
- Public Scoping Period Through 10/28/05.
- Public Open House Meeting 9/14/2011
- Hampton Inn & Suites SLC Airport
- 307 North Admiral Byrd Road
- SLC, UT
- 5:00PM - 8:00PM
- 60 Day Comment Period Ends 11/7/2011
- EA/FONSI and DR signed 6/8/2012
- Project Modified Dates: 08/08/2012 17:02:19

Comment Period Provided: No

Project Files:
- Intrepid Potash Mine and Reclamation Plan
- Intrepid EA
- Unsigned FONSI
- Intrepid Potash Final EA FONSI DR.pdf

https://www.blm.gov/ut/enbb/view_project.php
8/9/2012
DECISION RECORD
ENVIROMENTAL ASSESSMENT
UT-020-2006-002
Intrepid Potash Mine and Reclamation Plan
(Modification)
UTU-087809-087818

It is my decision to approve the Intrepid Potash Mine and Reclamation Plan (Modification) dated May 2008 with the following conditions:

1. Three Year Mass Balance. The operator/lessee shall be required to conduct salt laydown as per the mining plan dated May 2008 with the exception that mass-ion balance of the sodium chloride ions that are removed from the lands north of Interstate 80 via booster pump #2 will equal or exceed the sodium chloride ions placed onto the salt flats using the following evaluation criteria. The evaluation period would be on a three calendar year basis and would use the following calculation where SL = Salt Laydown, SB = Salt in the brine from the leases north of I-80 and the three years are Y1, Y2 and Y3:

\[
\frac{(Y_{1SL} + Y_{2SL} + Y_{3SL})}{(Y_{1SB} + Y_{2SB} + Y_{3SB})} = 0 \text{ or } 1.0 \text{ or greater}
\]

The company will be required to submit to the BLM the basis for this annual evaluation 60 days after the salt laydown project is completed or would normally be completed for the year.

2. 2018 Salt Study. The operator/lessee shall arrange for a third party contractor with oversight from BLM to repeat the BLM’s 2003 salt-crust thickness study on the BSF by the end of 2018. If data indicates that the salt volume is decreasing and it can be shown that it is the result of the mining company, the BLM may revise the terms and conditions when the lease is readjusted in 2023.

3. Fringe Acreage Lease.

No Surface Occupancy. These lands are on property under the jurisdiction of the Department of Defense, Hill Air Force Base and may contain unexploded ordinance. The lessee shall not enter the lands subject to this lease without the express written consent of Base Civil Engineer, 75 CEG/CL to arrange access. All requests and responses shall be furnished to the BLM prior to accessing the property. No mining, trenching, processing or exploration is authorized on this lease. This lease is issued to conform with 43 CFR 3594.5(c).

I accept the use of primary evaporation pond 6, and approve the decommissioning of pond 5, the new ditch network on the South Federal Leases and the Fringe Acreage lease application. I also approve the continuation and monitoring of the salt laydown project using an ultrasonic flow meter with a data collection device and the reclamation procedures and bonding requirements on Federal and non-Federal lands.
The approvals authorized under this decision are described in more detail in the selected alternative, Alternative B- Proposed Action with Mitigation in Environmental Assessment (EA) UT-020-2006-002. This approval is contingent upon strict compliance with the specifics of Alternative B (also referred to as the selected alternative) as outlined in the EA and the Intrepid Potash Mine and Reclamation Plan (Modification).

**PLAN CONFORMANCE AND CONSISTENCY:**

The proposed action and alternatives have been reviewed and found to be in conformance with one or more of the following BLM Land Use Plans and the associated decision(s):

Land Use Plan Name: Pony Express RMP Date Approved/Amended: January 12, 1990

The selected alternative is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision:

The 1990 Pony Express Resource Management Plan (RMP) provides direction for the management of mining related activities on BLM administered lands in Tooele County. The proposed action and alternative would conform to the general guidelines of the RMP, as amended, under Minerals Program Decision 4, page 28 of the Record of Decision.

This Decision states: “Applications to remove other types of leasable minerals, such as phosphate, tar sands, and oil shale, will continue to proceed on a case-by-case basis. Stipulations to protect important surface values will be required based on review of each proposal. Coal exploration and development, if any, would be regulated under 43 CFR 3400”.

The plan modification is also consistent with the following RMP decisions: Soil/Water/Air Decision 1 (evaluate), Decision 2 (protect water rights), Decision 4 (erosion), Decision 7 (air); Wildlife Decision 2 (T&E/SSP) & Decision 4 (protect habitat values); Recreation Decision 1 (manage as SRMA) & Decision 2 (OHV use); VRM Decision 1 (manage classes); Cultural Resources Decision 1 (evaluate); and Areas of Critical Environmental concern (ACEC) Decision 1 (designation).

**Alternatives Considered:**

The Proposed Action, Alternative B and No Action alternatives were considered and analyzed. The Proposed Action and No Action alternatives would keep the salt laydown project as a voluntary action and not a requirement which would not ensure that the mass-ion balance would be maintained.

If the No Action Alternative was implemented the impacts for the primary pond relocation would be the same as described in the proposed action, the new ditch location on the south leases would not be dug, the fringe acreage lease would not be issued, there would be no production monitoring for material balance and there would be no reclamation plan approved and a reclamation bond could not be imposed because there is no plan to make the calculations from.

**Rationale for Decision:**

Selection of Alternative B is the most scientifically sound alternative and satisfies most concerns of the parties interested in the Bonneville Salt Flats area.

This decision complies with the Mineral Leasing Act of 1920 as revised and the 1990 Pony Express Resource Management Plan.
**Approval:**

My signature on and approval of this Decision Record authorizes the Intrepid Potash Mine and Reclamation Plan (Modification).

In accordance with 43 CFR 3501.20, this authorization is effective the first day of the month after this Decision is signed.

**Protest/Appeal Language:**

The decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. Within 30 days of this decision, a notice of appeal must be filed in the office of the authorized officer at the Bureau of Land Management, BLM, Salt Lake Field Office, 2370 South 2300 West, Salt Lake City, Utah 84119. 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, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the authorized officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on the IBLA at the same time it is filed with the authorized officer. In addition, a copy of all such documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Solicitor, U.S. Department of the Interior, Intermountain Region, 125 South State Street, Ste. 6201, Salt Lake City, Utah 84138-1180, not later than 15 days after filing the notice of appeal with the Authorized Officer.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

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 irreparable harm to the appellant or resources if the stay is not granted; and,
4. Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a copy of that petition also must be served on the authorized officer and with the IBLA and each party named in the decision from which the appeal is taken.

**Authorized Officer**

**August 8, 2012**

**Date**