

**U.S. Department of the Interior
Bureau of Land Management**

**Decision Record
Environmental Assessment
(DOI-BLM-WY-D090-2015-0094-EA)**

BLM – Wyoming

***November 2015
Competitive Sodium Lease Section 12***

U.S. Department of the Interior
Bureau of Land Management
High Desert District
Kemmerer Field Office
430 North Highway 189
Kemmerer, WY 83101
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BLM
High Desert District - Kemmerer Field Office



DECISION RECORD
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BLM – Wyoming Competitive Sodium Lease Section 12

Summary

The Proposed Action is to offer the parcel for a sodium lease, which would provide Tata Chemicals (Soda Ash) Partners (Tata) the opportunity to support expansion of its existing mining operations in the federal portion of Section 12, Township 17 North (T17N), Range 109 West (R109W) (hereon, Section 12).

Decision

It is my decision to select Alternative B (“Proposed Action”) as described and considered in the *Competitive Sodium Lease Sale Section 12 Environmental Assessment* (EA) and the Finding of No Significant Impact (FONSI).

- 1. Compliance with applicable laws:** The BLM processed and evaluated the application under the following authorities: Mineral Leasing Act of 1920, as amended; Federal Land Policy and Management Act of 1976; National Environmental Policy Act of 1969 (NEPA) as amended (42 U.S.C. 4321 et seq.), its implementing regulations found in Title 40 Code of Federal Regulations (CFR) Part 1500–1508; BLM's National Environmental Policy Act Handbook (H-1790-1) (BLM 2008); Overview of BLM's NEPA Process (BLM 1999); and Considering Cumulative Impacts under the National Environmental Policy Act (Council on Environmental Quality [CEQ] 1997)
- 2. Selected Alternative:** The federal portion of Section 12 will be offered for a competitive sodium lease. Mineral ownership within Section 12 is approximately 70 percent BLM (402 acres) and 30 percent private (161 acres).
- 3. FONSI:** It is my decision to approve the Proposed Action. I have determined that the Proposed Action is in compliance with the Kemmerer Field Office Resource Management Plan. I have reviewed the EA, including the analysis of potential environmental impacts, and have determined that the Proposed Action will not have any significant impacts on the human environment; thus an environmental impact statement (EIS) is not required.
- 4. Public Involvement:** A scoping notice requesting public comment was published on April 24, 2015, on the Kemmerer Field Office website (<http://www.blm.gov/wy/st/en/info/NEPA/documents/kfo.html>) and in the April 28, 2015 edition of the Rocket Miner. The 30-day comment period ended on May 26, 2015. During this period, the BLM received two comments letters, one from the Wyoming Game and Fish Department and the other from the Green River Wyoming Chamber. Copies of the letters are in Appendix A of the EA.

- 5. Rationale for Alternative Selected:** The decision to approve the Proposed Action is based upon the following: 1) consistency with Kemmerer Field Office Resource Management Plans; including the Approved Resource Management Plan Amendments for the Rocky Mountain Region (approved September 22, 2015); 2) national policy (i.e., Mineral Leasing Act of 1920, as amended [30 U.S.C. 181 et seq.] and the Federal Land Policy and Management Act of 1976); 3) federal, state, and county agency statutory requirements; 4) relevant resource and economic issues; 5) lack of potential significant impacts; and 6) meeting the purpose and need for the project.
- 6. Appeal Procedures:** This 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 and Form 1842-1 (attached). If an appeal is taken, your notice of appeal must be filed in this office within 30 days from your receipt of this decision. The protestor has the burden of showing that the decision appealed from is in error.

If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, Office of the Secretary, 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 on the attached document. Copies of the notice of appeal and petition for a stay must be submitted to the Interior Board of Land Appeals and the appropriate Office of the Solicitor (see 43 CFR §4.413) at the same time the original documents are filed with this office. Copy of the notice of appeal and petition for a stay must also be submitted to each adversely affected party named in this decision 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 shall show sufficient justification based on the following standards:

- The relative harm to parties if the stay is granted or denied,
- The likelihood of the protestors' success on the merits,
- The likelihood of the immediate and irreparable harm if the stay is not granted, and
- Whether the public interest favors granting the stay.

Authorized Official: William A. Mier
William A. Mier
Field Manager
BLM, Kemmerer Field Office

12/3/15
Date