

**DECISION RECORD FOR
OCI Wyoming Lease Modification to WYW079420
Case#: WYW079420
EA #: WYW-040-EA14-80**

Summary

The proposed action is to modify federal sodium lease WYW079420 to include approximately 640 acres more or less of contiguous sodium lands in Sections 34, Township 20 North, Range 109 West. Section 34 mineral resources are managed by the BLM with the surface owned by the Rock Springs Grazing Association.

Decision

Based upon the information contained in OCI Wyoming LP Lease Modification to WYW079420 Environmental Assessment (WYW-040-EA14-80) and supporting documents in the case file, it is my decision to approve the Proposed Action to modify the existing sodium lease for inclusion of all of section 34 to sodium lease WYW079420.

1. **Compliance with applicable laws:** The sodium lease modification application was submitted and evaluated under the following authorities: Mineral Leasing Act of 1920 as amended; Federal Land Policy and Management Act (FLPMA) of 1976, and the National Environmental Policy Act of 1969 (NEPA) as amended (42 U.S.C. 4321 et seq.), its implementing regulations found in Title 40 CFR Part 1500–1508, BLM's National Environmental Policy Act Handbook (H-1790-1) (BLM 1988), BLM's desktop reference, Overview of BLM's NEPA Process (BLM 1996a), and Considering Cumulative Impacts Under the National Environmental Policy Act (Council on Environmental Quality [CEQ] 1997). The grant will be subject to the BLM standard sodium lease stipulations.
2. **Selected Alternative:** The proposed action is to modify federal sodium lease WYW079420 to include 640 acres of contiguous sodium lands, is described as follows:

T. 20 N., R. 109 W., 6th P.M., Wyoming
Sec. 34: All.

Containing 640.00 acres, more or less.

The lands in Section 34 are split estate, mineral resources are managed by the BLM with the surface owned by the Rock Springs Grazing Association

3. **FONSI:** I have determined that the proposed project is in conformance with the approved land use plan. I have reviewed this environmental assessment including the analysis of potentially significant environmental impacts. I have determined that the proposed action will not have any significant impacts on the human environment and that an EIS is not required. It is my decision to implement the proposed action.

4. **Public Involvement.** A scoping notice requesting public comment was published on May 24, 2013 on the Rock Springs Field Office website. The 30-day comment period ended on June 24, 2013. During this period, the BLM received two comment letters, both from governmental agencies. Copies of the scoping comment letters are included as Appendix 1.0 of the EA.
5. **Rationale for Alternative Selected.** The Proposed Action was selected because it is in compliance with the Green River RMP and the BLM has determined it will not have any significant adverse impacts on the human environment. Additionally, there is no logical competitive interest based upon utilization of the lands or mining of the deposits because:
- The applicant is the lessee of record holding the private, state, and federal leases adjacent to the modification area.
 - This lease modification would allow a continuum of an existing mining block and would not represent an economic venture based on a standalone development of the property.
 - There is no other nearby sodium operation which could economically mine this area.
 - The only logical access is from the applicant's underground mine and adjacent leases.

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 the attached Form 1842-1. If you file an appeal, your notice of appeal must be filed in the Bureau of Land Management Rock Springs Field Office, 280 Highway 191 North, Rock Springs, WY 82901, within 30 days from receipt of this decision. You have the burden of showing that the decision appealed from is in error.

If you wish to file a petition (pursuant to regulation 43 CFR 4.21) (request) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, 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 the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals 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 regulation, a petition for a stay of a decision pending appeal 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 immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

Authorized Official: Kimberlee D Foster
Kimberlee Foster
Field Manager
Rock Springs Field Office

14/17/14
Date