

DECISION RECORD

FINDING OF NO SIGNIFICANT IMPACT

Otero County Grassland Restoration Treatment Landscape (DOI-BLM-NM-030-2009-0037-EA)

DECISION

It is my decision to implement the proposed action, Otero County Grassland Restoration Treatment Landscape EA, as described in the proposed action of environmental assessment DOI-BLM-NM-030-2009-0037-EA. The treatment parameters, treatment criteria, standard operating procedures (SOPs), common design features, and treatment techniques identified in the EA have been formulated into planning and management procedures and stipulations. This decision incorporates by reference those procedures and stipulations identified in the EA.

FINDING OF NO SIGNIFICANT IMPACT

Based on the analysis of the potential impacts of the proposed action as described in the EA and after careful consideration of public comment, I do not anticipate any significant impacts on the quality of the human environment. I base my finding of no significant impacts on the factors related to context and intensity of impacts as defined by the Council on Environmental Quality (CEQ) at 40 CFR parts 1500-1508. I conclude that an environmental impact statement is not required.

RATIONALE FOR DECISION

Approval of the proposed action is the most environmentally acceptable method of stimulating regeneration of desired plant communities and reducing invasive brush encroachment in the proposed project area. This action has identified up to 789,000 shrub invaded acres within the Otero County area that may have the potential to be treated. However, only acres meeting the planning and management procedures and stipulations would be treated. Treatments will target creosote, mesquite, and pinyon/juniper species using chemical herbicide, prescribed burning, manual, and mechanical treatment. Watershed function, soil stabilization, wildlife habitat, and rangeland health will be improved.

The proposed action is in conformance with the Mimbres Resource Management Plan and the Fire and Fuels Management Plan Amendment for Public Lands in New Mexico and Texas.

If you wish to protest this decision in accordance with 43 CFR 4160.2, you are allowed 15 days from the signed date of this decision within which to file a protest with the Assistant District Manager for Renewable Resources, Bureau of Land Management, 1800 Marquess Street, Las Cruces, NM 88005. This protest should specify, clearly and concisely, why you think the

proposed action is in error. If a protest is filed within the time allowed, the protest statement of reasons and other pertinent information will be considered and a final decision will be issued with the right to appeal as per 43 CFR 4160.3 (b) and 4160.4.

In the absence of a protest within the time allowed, the above decision shall constitute my final decision. Should this notice become the final decision, you are allowed an additional 30 days within which to file an appeal for the purpose of a hearing before an Administrative Law Judge, and to file a petition for stay of the decision pending final determination on the appeal {43 CFR 4.21, 4.470 and 4160.3 (c)}. If a petition for stay is not requested and granted, the decision will be put into effect following the 30-day appeal period. The appeal and petition for stay should be filed with the District Manager at the above address. The appeal should specify, clearly and concisely, why you think the decision is in error. The petition for stay should specify how you will be harmed if the stay is not granted.

___/s/ Jim McCormick_____ June 1, 2009_____

Assistant District Manager for Renewable Resources

Date