

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

Pecos District
Carlsbad Field Office
620 E Greene Street
Carlsbad, NM 88220

Finding of No Significant Impact

**Ochoa Preference Right Lease Environmental Assessment
NEPA No. DOI-BLM-NM-P020-2015-1016-EA**

FINDING OF NO SIGNIFICANT IMPACT:

I have determined that the proposed action, as described in the EA will not have any significant impact, individually or cumulatively, on the quality of the human environment. Because there would not be any significant impact, an environmental impact statement is not required.

In making this determination, I considered the following factors:

1. The activities described in the proposed action do not include any significant beneficial or adverse impacts (40 CFR 1508.27(b)(1)). The EA includes a description of the expected environmental consequences of approving pending preference right lease applications in the area outside the 50-year mine area that was approved for mining in the Ochoa Mine Project Record of Decision, dated April 10, 2014.
2. The activities included in the proposed action would not significantly affect public health or safety (40 CFR 1508.27(b)(2)).
3. The proposed activities would not significantly affect any unique characteristics (40 CFR 1508.27(b)(3)) of the geographic area such as prime and unique farmlands, caves, wild and scenic rivers, designated wilderness areas, wilderness study areas, or areas of critical concern.
4. The activities described in the proposed action do not involve effects on the human environment that are likely to be highly controversial (40 CFR 1508.27(b)(4)).
5. The activities described in the proposed action do not involve effects that are highly uncertain or involve unique or unknown risks (40 CFR 1508.27(b)(5)).
6. My decision to implement these activities does not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration (40 CFR 1508.27(b)(6)).
7. The effects of issuing the preference right leases would not be significant, individually or cumulatively, when considered with the effects of other actions (40 CFR 1508.27(b)(7)). The EA discloses that there are no other connected or cumulative actions that would cause significant cumulative impacts.

8. I have determined that the activities described in the proposed action will not adversely affect or cause loss or destruction of scientific, cultural, or historical resources, including those listed in or eligible for listing in the National Register of Historic Places (40 CFR 1508.27(b)(8)). Cultural resource surveys
- a) Known cultural resources will be avoided by project activities.
 - b) Cultural resources are discussed on pages 3-48 to 3-50 and 4-10.
9. The proposed activities are not likely to adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (40 CFR 1508.27(b)(9)).
- a) While there is the potential for occurrence of a limited number of federally listed species within the project area, the proposed activities would not result in any surface disturbance or alteration of the habitats or populations of these species.
 - b) Special status species are discussed on pages 3-41 to 3-47 and page 4-10 of the EA.
10. The proposed activities will not knowingly threaten any violation of Federal, State, or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)). Relevant laws, regulations and conformance with BLM plans, policies, and programs are described in Section 1.5 of the EA on pages 1-4 to 1-6.

APPROVED:


George MacDonell
Field Manager
Carlsbad Field Office

3/30/16
Date