UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Farmington District
Farmington Field Office
6251 N College Blvd., Ste. A
Farmington, NM 87402

Finding of No Significant Impact

Cluster 9
Lybrook E33-2307
(ATS-F010-13-352 & ATS-F010-13-353)
Lybrook L33-2307
(ATS-F010-13-354)
Lybrook P32-2307
(ATS-F010-13-355)
Lybrook Access Road #2 Upgrade

NEPA No. DOI-BLM-NM-F010-2014-0089

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 **constructing three new well pads, access roads, pipeline ties, and the upgrade of the Lybrook Access Road #2.**

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 of the geographic area such as such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas (40 CFR 1508.27(b)(3)). **The projects are within the Lybrook Fossil Area. The projects were moved or have modified construction to mitigate the paleontology sites. Paleontology sites will be protected by monitoring.**

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 constructing three new well pads, access roads, pipeline ties, and the upgrade of the Lybrook Access Road #2** 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 were completed (BLM report Number 2014(I)038F, 2014(I)021F, 2013(IV)029F, 2014(II)023F). Cultural resources were identified along the Lybrook Access Road #2 upgrade (2014 (II)023F); site monitoring and site protection fencing is required. Cultural resources were not within the other project areas. None of the projects are not within a Traditional Cultural Property or ACEC.**

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)). **The projects are located within the new Brack's Cactus and Aztec Gilia mapped habitat area. All the projects will follow the Brack's Cactus Interim Guidance Policy. The Brack's Cactus have been avoided where possible and the ones that could not be avoided will be mitigated by transplanting. The project areas are not within any Threaten and Endangered habitat.**

10. The proposed activities will not threaten any violation of Federal, State, or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)).

APPROVED:

Environmental Protection Specialist — Date: 4-1-14

Mark Kelly, Branch Chief, Environmental Protection — Date: 4-1-14