

**PORTER DRAW LEASE ALLOTMENT NO. 02514  
GRAZING LEASE RENEWAL**

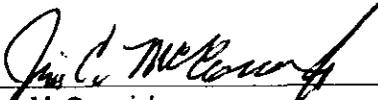
**FINDING OF NO SIGNIFICANT IMPACT**

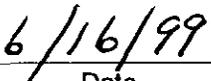
The proposed action is to issue a 10-year grazing lease to G.A. Jones, which will authorize 2 cattle to graze on the Porter Draw Lease Allotment No. 02514, from March 1 to February 28, each year. The expiration date of the new grazing lease will be ten years from the date of issuance. The 2 animal units will be billed at 100 percent public land use and will amount to 24 Animal Unit Months (AUMs).

The proposed action will not conflict with the authorized officer's requirement (43 CFR 4180.1), which is to "...ensure that the following conditions exist. (a) Watersheds are in, or are making significant progress toward, properly functioning physical condition,... (b) Ecological processes, including the hydrologic cycle, nutrient cycle, and energy flow, are maintained, or there is significant progress toward their attainment,... (c) Water quality complies with State water quality standards ... (d) Habitats are, or are making significant progress toward being restored or maintained for Federal threatened and endangered species...".

I have reviewed the attached Environmental Assessment (EA No. NM-030-99-134) including the proposed action and alternatives, and the explanation and resolution of any potentially significant environmental impacts.

Based on the analysis of potential environmental impacts contained in the environmental assessment, I have determined that the proposed action with the term and condition described above will not have any significant impacts on the human environment or to minority or low-income populations or communities and that an Environmental Impact Statement is not required.

  
\_\_\_\_\_  
Jim McCormick  
Acting Assistant Field Manager  
Division of Renewable Resources

  
\_\_\_\_\_  
Date

UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
LAS CRUCES FIELD OFFICE  
1800 MARQUESS ST.  
LAS CRUCES, NM 88005

ENVIRONMENTAL ASSESSMENT  
FOR  
GRAZING LEASE RENEWAL  
PORTER DRAW LEASE ALLOTMENT NO. 02514  
(as shown on the attached map)

Prepared by: Louis Bevacqua 5-11-99  
Louis Bevacqua Date  
Rangeland Management Specialist

Reviewed by: Margarita Guzman 6/2/99  
Margarita Guzman Date  
EA Coordinator

Approved by: Jim C. McCormick 6-10-99  
Jim C. McCormick Date  
Acting Assistant Field Manager  
Division of Renewable Resources

## I. INTRODUCTION

The purpose and need is to renew a Grazing Lease to G.A. Jones for the Porter Draw Lease Allotment No. 02514. The current Grazing Lease expired February 28, 1999. The Proposed Action is consistent with the Mimbres Resource Area Management Plan, dated December 1993.

Livestock grazing on the public land within the allotment was authorized under the Taylor Grazing Act of 1934, Federal Land Policy and Management Act of 1976 and the Public Rangelands Improvement Act of 1978.

One of the requirements of the grazing regulations (43 CFR 4180.1) is that the authorized officer shall "...ensure that the following conditions exist... (a) Watersheds are in, or are making significant progress toward properly functioning physical condition... (b) Ecological processes, including the hydrologic cycle, nutrient cycle and energy flow are maintained, or there is significant progress toward their attainment... (c) Water quality complies with State water quality standards... (d) Habitats are, or are making significant progress toward being restored or maintained for Federal threatened and endangered species...".

One of the objectives of the grazing regulations (43 CFR 4100.0-2) is "to provide for sustainability of the western livestock industry and communities that are dependant upon productive, healthy public rangelands." BLM is required by law to manage public lands "on the basis of multiple use and sustained yield..." (43 USC 1701, Sec. 102(a)(7)). Since the RMP determined that grazing is an appropriate use for the public lands within this allotment, permit reissuance must be considered.

## II. PROPOSED ACTION AND ALTERNATIVES

### A. Proposed Action

The Proposed Action is to renew a 10-year Grazing Lease with Terms and Conditions for the Porter Draw Lease Allotment No. 02514. The 10-year Grazing Lease would be for 2 Cattle Yearlong (CYL) billed at 100 percent public land use, which is equivalent to 24 Animal Unit Months (AUMs). Cattle would graze on the allotment from March 1 to February 28 each year. The expiration date of the new Grazing Lease would be ten years from the date of issuance.

### B. Alternative One

Alternative One would be the No Action Alternative. This alternative would allow the issuance of a Proposed Decision to deny the applicant's request for a Grazing Lease.

### III. AFFECTED ENVIRONMENT

The Porter Draw Lease Allotment is located in Luna County and is approximately 16 miles northwest of Deming, New Mexico. The Porter Draw Lease Allotment contains 160 acres of public land. There have been no monitoring studies conducted on this allotment.

#### A. Range Sites/Soils

The Porter Draw Lease Allotment contains the following range site: Loamy. This site occurs on level to gently sloping piedmont slopes. Slopes range from 1 to 15 percent and average less than 10 percent. Elevations range from 3,800 to 5,000 feet above sea level.

Average annual precipitation varies from approximately 8 to 10.5 inches. At least one-half of the annual precipitation comes in the form of rainfall during July, August and September.

Soils are moderately deep to deep and well drained. Typically the surface layer is medium-textured. Underlying layers are moderately fine to medium-textured varying from clay loam, sandy clay loam, silt loam to silty clay loam. The soils have moderate to moderately slow permeability and high water holding capacity. Slopes average less than 10 percent. The soil association is Mohave sandy clay loam.

#### B. Vegetation

The vegetation on the allotment includes mesquite, creosotebush, broomweed, soaptree yucca, Mormon tea, tobosa and fluffgrass.

The potential natural plant community for the Loamy range site has a grassland aspect which is characterized by short and mid-grasses. Black grama is the dominant species. Bush muhly, tobosa, burrograss, three-awns and sand dropseed also occur in significant amounts. Forbs include globemallow, desert bailey, croton and desert holly. Soaptree yucca, longleaf ephedra and fourwing saltbush are the principal shrub species.

#### C. Wildlife/Habitat

The Standard Habitat Sites (SHS) for this allotment include Grass Rolling Upland and Half-Shrub Rolling Upland.

The Grass Rolling Upland habitat type occurs in non-swale or isolated pockets setting and has a lower density of grass species than the grass flats habitat sites. Grama grass spp. (*Bouteloua* spp.) are common along with numerous other grasses, with tobosa grass (*Hilaria mutica*) being dominant. Desert shrubs occur along with perennial forbs. It represents a climax desert grassland

habitat. Heavy grazing use will induce vegetative and faunal composition changes toward the intermediate disclimax habitats, such as the mixed shrub and half shrub habitats. Maximum long term degradation of this habitat will result in creosotebush habitats in most areas except sandy soils where mesquite habitats will dominate.

The Half-Shrub Rolling Upland habitat site is dominated by snakeweed with fewer other shrub components. Common shrubs of mormon tea and soap tree yucca are encountered. Sandy soils are dominant with mesquite and scattered grasses of tobosa grass, blue grama grass, bush muhly and dropseed grass species. Forbs include leather-weed, globemallow, spurge species and field bahia.

#### D. Visual Resource Management

Visual Resource Management (VRM) classes are to be used as tentative minimum management objectives for the visual management units identified. Each visual resource management class describes a different degree of modification allowed in the basic elements of the landscape. The primary character of the landscape will be retained regardless of the degree of modification. The VRM Classification for this allotment is Class IV. This designation shows that changes may subordinate the original composition, but must reflect a natural occurrence.

#### E. Special Status Species: Animals

There are 38 wildlife species that show as being present in Luna County in which this allotment is located. Of the 38 wildlife species, 10 may occur within the habitat sites present in the allotment. These 10 species include the aplomado falcon, ferruginous hawk, mountain plover, common ground dove, burrowing owl, loggerhead shrike, baird's sparrow, Texas horned lizard, fringed myotis bat and desert pocket gopher.

#### F. Special Status Species: Plants

The Grazing Lease renewal for the Porter Draw Lease Allotment was analyzed for effects on *Cereus greggii* (Night-blooming cereus). No known populations of this species exist on the allotment, but potential habitat in creosotebush areas may exist on the allotment.

#### G. Cultural Resources

Few archaeological surveys have been conducted within and adjacent to this allotment, however, many sites are plotted adjacent to the allotment on the cultural resource base maps. Although the allotment is small, there is a high potential for archaeological sites due to the proximity of the Mimbres River.

## H. Recreation

Recreational activities which may occur on this allotment include camping, picnicking, hunting for pronghorn antelope, quail, dove and small game, photography and bird-watching.

## I. Other Environmental Elements

The following elements have been analyzed and would not be affected: air quality, areas of critical environmental concern, prime and unique farmlands, floodplains, Native American religious concerns, solid or hazardous wastes, drinking and ground water quality, wetlands or riparian areas, wild and scenic rivers, wilderness values and minority or low-income populations or communities.

## J. Fundamentals of Rangeland Health

These fundamentals include Watershed functionality, Ecological processes, Water quality standards and Habitats for Federal threatened and endangered species and other special status species.

## K. Economics

As a general rule, a ranch with a Federal grazing permit is worth more than a ranch without a permit. A value associated with a Federal grazing permit is considered in the purchase and sale of ranch property. The Taylor Grazing Act, the Federal Land Policy and Management Act, grazing regulations and case law have consistently held that issuance of a grazing permit does not create any right, title, interest or estate in the public lands or resources. Despite this, public land ranchers, bankers and economists have asserted that a grazing permit attaches value to the base property in the context of a sale or loan value of a base property (Rangeland Reform Draft EIS, 1994).

## L. Social Conditions

Ranching is a way of life for many people in the west. The average rancher is 55 years old and has worked on the same ranch for 31 years. The average ranching family has been in business for 78 years and in the same state for 68 years. The average ranch has nearly seven people associated with it, not including children. An average of two of the seven people are unpaid family members and another family member works off the ranch, contributing an average of 23 percent of the household income. Many ranches, especially small ones, would not remain economically viable without off the ranch income. Ranchers spend about \$19,000.00 annually per ranch in local communities, showing that some local business depend on ranchers. They spend an average of 9 days in land planning meetings annually. Ranchers

also said that the public visits the Federal allotments an average of 950 times annually for recreation (Rangeland Reform Draft EIS, 1994).

Whether they are American Indian, Hispanic, Anglo or other races, ranchers tend to share many social characteristics. According to Simpson (1975), ranchers perceive themselves as personifying traits such as fair play, honesty and independence. They believe they are rugged individuals who are not afraid of hard work. They take great pride in being independent, but willingly work to help neighbors when the need arises. Many Americans also hold similar perceptions about these rancher characteristics.

#### IV. ENVIRONMENTAL IMPACTS

##### A. Proposed Action

Reissuing the Grazing Lease would allow for livestock grazing to continue on the allotment as it has occurred previously.

Impacts of livestock grazing include the direct impact livestock movement on the ground and the removal of vegetation.

##### 1. Range Sites/Soils

Range sites are not expected to change or be impacted. Some soil would continue to be disturbed through hoof action. The immediate areas surrounding waters would continue to be compacted due to high concentrations of livestock at the water source and through trailing.

##### 2. Vegetation

Forage, in the amount of 24 AUMs, will be removed by livestock authorized on the allotment each year, as per the 10-year Grazing Lease.

##### 3. Wildlife/Habitat

Wildlife that have grown accustomed to the presence of domestic livestock will generally not be impacted by the continued grazing activities.

Open top water sources provided for livestock that are not fitted with some sort of escape ramp pose a drowning risk to raptors (especially immatures) and other animal species. Las Cruces Field Office (LCFO) BLM policy requires waters on public lands to include a wildlife escape ramp or floating device (16 sq. ft. minimum). As long as the lessee is in compliance, this potential source of mortality is essentially negated.

#### 4. Visual Resource Management

Livestock grazing may cause changes to the basic elements to be evident, however these changes are likely to remain subordinate.

#### 5. Special Status Species: Animals

There are 38 animal species that show as being present within Luna County in which this allotment is located. Of the 38 animal species, 10 may occur within the habitat sites present in the allotment. These are the aplomado falcon, ferruginous hawk, mountain plover, common ground dove, burrowing owl, loggerhead shrike, baird's sparrow, Texas horned lizard, fringed myotis bat and desert pocket gopher.

Wildlife species where legal status, population trend, rarity and expected population viability suggest a high level of management concern would be the aplomado falcon. The aplomado falcon is a Federally Endangered (FE) species. The habitat for the aplomado falcon consists of open grasslands with scattered multi-stemmed mesquite and/or yuccas (*Yucca torreyi* and *Yucca elata*). Aplomados do not build their own nests, but use nests constructed by other raptors such as swainson's hawks and chihuahuan ravens. Suitable nesting substrates are therefore dependent on available nesting structures and ongoing nest building of other raptors and corvids.

After a field evaluation of the grasslands present on the allotment, it was determined that the nesting substrates of multi-stemmed mesquite and/or yuccas is limited within the allotment. In addition, the aplomado falcon is not expected to be negatively impacted because it was determined that the 160 acres of public land are in good condition with plenty of grass cover. Overall, the condition of the area, surrounding the 160 public land acres, is also in good condition. The removal of two cows would not provide a substantial change to the allotment's condition.

Renewal of the Grazing Lease will have no affect on the aplomado falcon due to the fact that the allotment is limited in nesting substrate and the area is in good condition.

There are no wildlife species where legal status, population trend, rarity and expected population viability suggest an intermediate level of management concern.

Wildlife species where legal status, population trend, rarity and expected population viability suggest a lower level of management concern include the following 9 species: Texas horned lizard, ferruginous hawk, mountain plover, common ground dove, burrowing owl, loggerhead shrike, baird's sparrow, fringed myotis bat and desert pocket gopher.

Texas horned lizard: Federal Species of Concern (FSOC); BLM Sensitive (BLMS): occurs in sandy areas and also occurs in grazed and ungrazed areas. Main diet is ants. Pesticides application may result in accumulation of residue in body tissues. No data is available indicating positive or negative affects due to grazing.

Because data available on this species indicates positive affects from controlled grazing practices, the Proposed Action is not expected to negatively impact the lizard.

Ferruginous hawk: FSOC; BLMS: This species is a rare winter resident and is more of a northern New Mexico hawk. It may hunt in the area during winter migration, however habitat is largely unsuitable. It breeds in grasslands, open country, plains and badlands and feeds on ground squirrels, prairie dogs, rabbits and a few birds. It nests in trees, cliffs, rocks, hillsides, sometimes reusing and building them bigger and bigger. Threats are prairie dog control, road construction and human disturbances near nests.

This species is considered not to be impacted because it is a rare winter resident, habitat is largely unsuitable and is mainly a northern New Mexico hawk.

Mountain plover: Federal Proposed Threatened (FPT); BLMS: This species requires shortgrass prairies or other disturbed ground such as ephemeral playas, for breeding. A free water source is not necessary. Mountain plovers tend to utilize shortgrass areas with scattered clumps of tall grasses, cow manure, rocks and a variety of cacti and shrubs. They nest almost exclusively in short grass prairies, often in association with prairie dogs. Bison, prairie dogs and livestock create or maintain open areas that benefit this species. Limiting factors are loss of habitat due to mining and converting rangeland to agricultural land.

Because data available on this species indicates positive affects for controlled grazing practices, the Proposed Action is not expected to negatively impact the plover. In addition, the condition of the allotment is good, thus providing adequate habitat.

Common ground dove: New Mexico Endangered (NME): This species prefers native shrublands and weedy areas at lower elevations, including riparian areas. These include open stands of creosotebush and large succulents. Considered very rare visitor. It may occur in arroyo or mesquite sand dune areas. Main threats are loss of native shrublands and weedy areas including such habitats in riparian areas. San Simon Cienega is a key habitat area for this species.

Because the common ground dove is a very rare visitor, it is not

expected to be negatively impacted. In addition, the condition of the allotment is good, thus providing adequate habitat.

Burrowing owl: FSOC; BLMS: This species occurs in desert scrub dominated by mesquite, yucca and cactus and in the expansive open grasslands, prairies or open areas near human habitation, especially golf courses and airports in the southwest. Main limiting factors include high mortality due to predators (avian and mammalian predators), starvation, diseases and parasites (burrows often infested with fleas, poisoning and nest site losses resulting from human efforts to control squirrels and prairie dogs).

Because data available on this species indicates positive affects from controlled grazing practices, the Proposed Action is not expected to negatively impact the owl.

Loggerhead shrike: FSOC; BLMS: Utilize expansive open grasslands, desert scrub (dominated by mesquite, yucca and cactus), riparian and lowland woody areas. Main threat is consumption of contaminated prey (large insects and small mammals). Data does not indicate any positive or negative affects from grazing.

This species is not expected to be negatively impacted because the condition of the allotment is good, thus adequate insect prey species for the loggerhead shrike and because data available on this species does not indicate any positive or negative affects from grazing.

Baird's sparrow: FSOC; NME; BLMS: This species utilizes expansive open grassland. It is a migrant in New Mexico and mainly occurs in the eastern plains and possibly as winter residents in the Gray Ranch. Main threats are decline of native grasslands, due to drought, agriculture and grazing. Migrational and winter impacts are due to loss of cover and seed crops. Range improvement practices that improve cover and provides greater production of grass seeds is beneficial for the recovery.

This species is not expected to be negatively impacted because the condition of the allotment is good, thus providing adequate habitat.

Fringed myotis bat: FSOC; BLMS: This bat's roosts have been located in ponderosa pine and mixed conifer habitat types. It also occurs in mid-elevation grasslands, deserts, oak and pinyon woodlands and riparian areas. For bats in the southwestern U.S., accessible surface water, suitable roost sites and food are necessary components of viable habitat. The main impacts to bats are disturbance to nursery and roosting sites, pesticides and livestock grazing in riparian zones. Population trend is listed as unknown.

This species is not expected to be negatively impacted because the condition of the allotment is good, thus providing adequate insect prey species for the bat.

Desert pocket gopher: FSOC; BLMS: This species is isolated in sandy or loamy soils of the White Sands area, lower Rio Grande Valley and the eastern half of the Deming plain. Most of the range of the desert pocket gopher, in fact, lies in New Mexico. In Texas it occurs only in El Paso and Hudspeth counties along the Rio Grande. They eat a variety of grass species and are found in uncultivated shortgrass habitats. Animal damage control practices, like using zinc phosphide, adversely impacts this species. Population trend is listed as unknown.

This species is not expected to be negatively impacted because the condition of the allotment is good, thus providing the grass species needed by the gopher. It is quite possible the range of this species does not reach the boundaries of the allotment.

Management priority does not remove any requirements for compliance with Section 7 of the Endangered Species Act. It merely presents a management perspective on where to focus effort.

#### 6. Special Status Species: Plants

The Proposed Action will not affect potential populations or potential habitat of Night-blooming cereus.

#### 7. Cultural Resources

Livestock grazing is not expected to have any impact to cultural resources that may be present.

#### 8. Recreation

The recreational activities described in the Affected Environment section are not likely to be impacted by livestock grazing.

#### 9. Fundamentals of Rangeland Health

The analysis above is supportive of the following statements regarding the Fundamentals of Rangeland Health:

Watersheds are functioning properly in relation to their upland, riparian-wetland, aquatic, water infiltration and water storage capabilities. Issuance of the lease will have no significant negative impacts to these components.

Ecological processes are maintained within the allotment capabilities in order to support healthy biotic populations and communities. Issuance of the lease will have no significant

negative impacts to these processes.

Water quality complies with New Mexico State Water Quality Standards and achieves established BLM management objectives. Issuance of the lease will have no significant negative impacts to these standards or objectives.

Habitats are restored or maintained within the allotment capabilities for Federal threatened and endangered species, Federal proposed, Federal candidate, Federal species of concern and other special status species. Issuance of the lease will have no significant negative impacts to these habitats.

#### 10. Economics

Acceptance of the Proposed Action, which is the reissuance of a ten year grazing lease, would maintain the grazing lease's current value, thereby maintaining the economic value of the ranch unit. The ranching operation would continue to be worth more than a similar situated ranching operation that does not possess a grazing lease.

#### 11. Social Conditions

Under the Proposed Action, the permittees and their ranching families and communities would be able to continue local ranching customs, culture and the western way of life.

##### B. Alternative One: No Action Alternative

Under Alternative One, no livestock impacts would occur to the existing environment if the Grazing Lease was not renewed. Livestock would not be permitted on the public lands on the allotment. Under this alternative, the lessee would need to fence out the public lands within the allotment to avoid livestock trespass. This would amount to approximately two miles of fence. The fence would cost the lessee a minimum of \$5,500 to build and \$120 per year to maintain.

The grazing lessee would experience the loss of his business and suffer financial hardship.

This alternative would not meet BLM objectives. The BLM is directed to manage livestock grazing under the principles of multiple use and sustained yield.

##### 1. Range Sites/Soils

Range sites and soil conditions are not expected to change in the short-term for Alternative One. In the long-term, soils would not be disturbed by livestock hoof action. Cattle would not be congregating around water sources, creating areas of compaction.

Erosion potential and soil loss may be improved in these areas.

## 2. Vegetation

In the short-term, vegetation is not expected to change. In the long-term, pounds of grass production are likely to be the same as under the Proposed Action, however it will not be harvested to any large degree and will cause a large amount of litter to remain on the ground. This may possibly build to a point that natural and manmade fires may increase in frequency and intensity. In areas that have not been chemically treated, potential to improve is unlikely in the short-term or long-term, thus the standard habitat sites would remain as in the Proposed Action.

## 3. Wildlife/Habitat

There would be the same impacts to the wildlife habitat from this alternative as from the Proposed Action, except the wildlife species in the short-term would not be impacted by the presence of livestock. Wildlife species may have to adjust to the reduced availability of water and may change their use patterns to incorporate the use of other waters in the vicinity. Waters that are not currently developed on public land would not likely be maintained and therefore unavailable for wildlife use.

## 4. Visual Resource Management

Visual resources will most likely not be impacted to a great degree in the short-term for Alternative One. In the long-term, changes would be very minimal and most likely not be a significant amount to cause a change in the basic elements.

## 5. Special Status Species: Animals

Alternative One would not have any impacts to special status species in the short-term or long-term.

## 6. Special Status Species

Alternative One would not have any impacts to the special status species in the short-term or long-term. Some areas might improve slightly, but without chemically treating the areas, these areas would be very minimal and gradual.

## 7. Cultural Resources

Alternative One impacts would be the same as for the Proposed Action. Removing cattle for any period of time would not affect cultural resources one way or another.

## 8. Recreation

Alternative One impacts would be the same as for the Proposed Action. Removing cattle for any period of time would not affect recreational activities one way or another.

## 9. Fundamentals of Rangeland Health

Alternative One impacts would be the same as for the Proposed Action. No changes are expected in the short-term or long-term.

## 10. Economics

Impacts to the ranching operation: When ranchers were asked what they would do if livestock grazing were prohibited on Federal land, 57 percent said they would operate on a smaller scale, 18 percent said they would retire, 9 percent said they would move out of state, 16 percent said they would begin a new occupation and 21 percent said they would convert their lands into real estate development (Rangeland Reform Draft EIS, 1994).

Failure to reissue a 10-year lease would decrease the current value of the ranching operation and would cause it to no longer be economically viable.

## 11. Social Conditions

The ability for permittees, their ranching families and communities to continue local ranching customs, culture and the western way of life, would be severely hampered. Private lands may be developed into subdivisions, since they would no longer be used for agricultural production.

### C. Cumulative Impacts

Cumulative impacts of the Proposed Action are addressed in the Las Cruces-Lordsburg Management Framework Plan Amendment Environmental Impact Statement, dated March 1983.

### D. Residual Impacts

The immediate residual impacts of the Proposed Action would be the continued grazing by livestock on the renewable resources on the public lands.

### E. Mitigation Measures

Livestock will be managed to maintain the public lands in acceptable conditions.

Open top water sources provided for livestock that are not fitted with some sort of escape ramp pose a drowning risk to raptors

(especially immatures) and other animal species. LFCO BLM policy requires waters on public lands to include a wildlife escape ramp or floating devise (16 sq. ft. minimum). As long as the lessee is made aware of the situation and is in compliance, this potential source of mortality is essentially negated.

Should an Allotment Management Plan (AMP) be prepared for this allotment, archaeological sites must be taken into account.

#### F. Monitoring

Use supervisions, which are rapid evaluations of existing activities and conditions that are taking place on the allotment, will be completed periodically to document any changes in resource (soil and vegetative) conditions.

#### V. CONSULTATION AND COORDINATION

G.A. Jones, grazing lessee  
Las Cruces Field Office Specialists  
EA Interdisciplinary Team

# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Las Cruces Field Office  
1800 Marquess St.  
Las Cruces, New Mexico 88005

IN REPLY REFER TO:  
4000 (03000)  
Allot. No. 02514  
EA No. NM-030-99-134

JUN 6 1999

SURNAME	
Initials/Date	PC 6/15/99
Initials/Date	EB 6/15/99
Initials/Date	YVC 6/16/99
Initials/Date	
Initials/Date	

### NOTICE OF PROPOSED DECISION

CERTIFIED- RETURN RECEIPT REQUESTED  
Z 434 100 981

G.A. Jones  
570 Muleshoe Rd. NW  
Deming, NM 88030

Dear Mr. Jones:

One of the objectives of the grazing regulations (43 CFR 4100.0-2) is "to provide for sustainability of the western livestock industry and communities that are dependant upon productive, healthy public rangelands." BLM is required by law to manage public lands "on the basis of multiple use and sustained yield . . ." (43 USC 1701, Sec. 102(a)(7)). Since the RMP determined that grazing is an appropriate use for the public lands within the Porter Draw Lease Allotment No. 02514, lease reissuance must be considered. We have completed and attached the Environmental Assessment (EA) and Finding Of No Significant Impact (FONSI) for the issuance of the grazing lease.

Based on the information above it is my Proposed Decision to issue a grazing lease to you in the name of G.A. Jones. The grazing lease will authorize 2 cattle to graze on the Porter Draw Lease Allotment No. 02514, from March 1 to February 28, each year. The expiration date of the new grazing lease will be ten years from the date of issuance. The 2 animal units will be billed to you at 100 percent public land use and will amount to 24 Animal Unit Months (AUMs).

In accordance with 43 CFR 4160.2, you or any other interested public may protest this Proposed Decision under 43 CFR 4160.1 in person or in writing to the Field Office Manager, Bureau of Land Management, 1800 Marquess, Las Cruces, New Mexico, 88005, within 15 days after receipt of this decision. The protest, if filed, should clearly and concisely state the reason(s) as to why the Proposed Decision is in error. In the absence of a protest, the Proposed Decision will become the Final Decision of the authorized officer without further notice.

Any person whose interest is adversely affected by the Final Decision may file an appeal and petition for stay of the Decision, pending final determination on the appeal. The appeal and petition must be filed with the Field Office Manager, Bureau of Land Management, 1800 Marquess, Las Cruces, New Mexico, 88005, within 30 days of either the date the proposed decision becomes final or from the

receipt of a final decision (issued after a formal protest). The appeal shall state the reasons, clearly and concisely why you think the final decision is in error and must comply with the provisions of 43 CFR 4.470 et. seq.

If you have any questions, please feel free to call me at (505) 525-4366.

Sincerely,

**/s/ Jim C. McCormick**

Jim C. McCormick  
Acting Assistant Field Manager  
Division of Renewable Resources

Enclosures

cc:

**New Mexico State Land Office**