



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. 09032
E.A. No. NM-030-99-111

MAY 11 1999

NOTICE OF PROPOSED DECISION

CERTIFIED- RETURN RECEIPT REQUESTED
Z 434 100 956

Andy A. Lewis
P. O. Box 237
Dell City, Texas 79837

Dear Mr. Lewis:

We have completed the Environmental Assessment (EA) and Finding Of No Significant Impact (FONSI) for the issuance of the grazing permit to you on the Andy Lewis Allotment No. 09032. The attached FONSI and EA will provide you with the rationale for my Proposed Decision, which is to issue a grazing permit to you in the name of Andy A. Lewis. The grazing permit will authorize 70 cattle and 4 horses to graze on the Andy Lewis Allotment No. 09032, from March 1 to February 28, each year. The expiration date of the new grazing lease will be February 28, 2009. The 74 animal units will be billed to you at 66 percent public land use and will amount to 586 Animal Unit Months (AUMs). A condition that will be specified on the permit, will authorize you to place supplemental feeds, such as salt, minerals, vitamins, and protein, in block or liquid form on public lands.

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 Phil Smith at 525-4372.

Sincerely,

/s/ Jim C. McCormick

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

Enclosure
cc: NMSLO

**ANDY LEWIS ALLOTMENT NO. 09032
GRAZING LEASE RENEWAL**

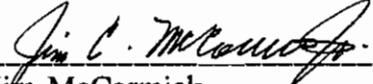
FINDING OF NO SIGNIFICANT IMPACT

The proposed action is to issue a grazing permit to Andy A. Lewis which will authorize 70 cattle and 4 horses to graze on the Andy Lewis Allotment No. 09032, from March 1 to February 28, each year. The expiration date of the new grazing permit will be February 28, 2009. The 74 animal units will be billed at 66 percent public land use and will amount to 586 Animal Unit Months (AUMs). A condition that will be specified on the permit, will authorize the placement of supplemental feeds, such as salt, minerals, vitamins, and protein, in block or liquid form on public lands.

The proposed action will assist the BLM in complying with one of the objectives of the grazing regulations (43 CFR 4100.0-2) which 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.

I have reviewed the attached Environmental Assessment (EA No. NM-030-99-111) 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

5-11-99

Date

No Action: Issue a proposed decision to deny the applicant's request for a grazing permit.

AFFECTED ENVIRONMENT:

General Information

The Andy Lewis Allotment, No. 09032, is comprised of 5,529 acres of public land, 107 acres of private land, and 3,815 acres of state land. There are 1,251 acres of uncontrolled land (private land not that of the current permittee). The average annual precipitation in the area is 8-10 inches.

The following information about the ranching activities has been provided by the current grazing permittee in order to explain his livestock management: The type of operation is best described as a cow/calf operation. Depending on the grazing year, four to six horses are also present. Presently, there are 20 cows, six yearling heifers, and four horses on the allotment. There are two main pastures and cattle stay yearlong in each pasture. There is no rest rotation system at present because for the past four years (1994-97) the cattle numbers on the allotment have been significantly decreased by the permittee in order to minimize the grazing impacts during drought conditions. If full cattle numbers were presently on the allotment, a grazing management system or plan would be in place and would be described in this document.

Protein cake is the supplemental feed used and the rancher states that pipelines and drinkers would benefit his livestock operation.

The following environmental elements are not present: Areas of Critical Environmental Concern (ACEC), Hazardous and Solid Waste, Prime and Unique Farmlands, Riparian/Wetlands, Floodplains, Wild & Scenic Rivers, Native American Related Concerns, Wilderness Study Areas (WSA), Air and Water Quality issues.

Soils and Rangesites

There are three major soil associations recognized on the allotment:

Lozier-Rock outcrop complex- This complex is located on the western portion of the allotment and consists of areas of shallow, well drained Lozier soil and limestone outcrop. These areas are so intermingled that they can not be separated from each other. Lozier gravelly loam makes up about 75 percent of the mapped area. It is high in lime. Unweathered limestone bedrock is at a depth of about 15 inches. This soil is strongly calcareous throughout and moderately alkaline. Permeability is moderate. Available water capacity is very low. Rangesites of this complex are Generally or Gravelly sand.

Rock outcrop makes up about 15 percent of the mapped area. Much of the outcrop is intermingled throughout the unit, but some occurs along the fringe areas near the escapement edge. Some rock is exposed where drainages dissect the unit.

Rock outcrop-Lozier complex- This complex is located in the center (more or less) of the allotment and exists as a narrow band that separates the Lozier influenced soils from the Holloman-Reeves soil series in the eastern portion of the allotment. This complex consists of areas of Rock outcrop and shallow, well drained Lozier soil. This complex is on steep sides of limestone controlled hills. The outcrop is limestone bedrock in the form of cat-step escarpments or shelves. Some fracturing as occurred in the bedrock. Run off is rapid and water flow onto surrounding soils has accelerated erosion at that location.

Holloman-Reeves Association- This association consists of areas of shallow and deep, well drained soils. They occur in regular and repeating patterns on broad old basin fill which has been dissected by

shallow, wide drainages. The shallow Holloman soils are generally at the higher positions on the landscape and the deeper Reeves soils are in swales or drainage ways. These soils are calcareous throughout and slightly saline. Permeability is moderate and available water capacity is very low. Rangesites of this association are Loamy, Gravelly Sand, and some Saline Lowland (Salt Flat Rangesite) sites.

Vegetation

Below are characteristic vegetative species and their composition that are associated with the three major soil complexes:

Lozier- Rock outcrop-- black grama (25%), three-awns and burrograss (20%), slim tridens (5%), fluff grass (5%), and brush species (creosote, mesquite, snakeweed) contributing approximately 30%. Other species make up 15% of the composition by weight. Production in favorable years amounts to 500 pounds/acre to 125 pounds in unfavorable years.

Rock outcrop-Lozier-- black grama (25%), gyp grama (15%), slim tridens (5%), fluff grass (5%), annual grasses and forbs (5%), bush muhly (5%), and brush species (mainly mesquite) contributing approximately 10%. Other species make up 30% of the composition by weight. Forage production in favorable years may reach 500 pounds/acre to 100 pounds in less favorable years.

Holloman-Reeves-- blue grama (20%), tobosa (15%), burrograss (10%), alkali sacaton (10%), side oats grama (10%), and black grama (10%), and brush species (mainly creosote brush) contributing approximately 10%. Other species make up 15% of the composition by weight. Forage production in favorable years is usually 800 pounds/acre to 300 pounds in less favorable years.

Special Status Species- Plant

Grazing permit renewal for allotment No. 09032 was analysis for the effects on Toumeva popyracantha (Grama-grass cactus).

Standard Habitat Sites (SHS) and Special Status Species- Animals

SHS of concern in this allotment include:

1) **Creosote Rolling Upland**

2) **Mixed Shrub Rolling Upland-** Up to 160 vertebrate species use this habitat type.

3) **Mixed Shrub Hill-** Up to 140 vertebrate species use this habitat site.

4) **Salt Flat-** Up to 198 vertebrate species use this habitat site. This is suitable habitat for the aplomado falcon.

5) **Arroyo-** This habitat is of greatest concern for wildlife within the allotment. Up to 200 vertebrate species use this type. The primary importance of this habitat is the habitat structure it provides for many species. Animal densities and species richness here are pronounced. In addition, this habitat is used almost exclusively by migrating birds. Therefore any action that reduces the shrubby structure and reduces herbaceous under story within this habitat is detrimental to a large number of wildlife species.

An initial effect determination was completed for 16 special status species that potentially occur, at least at least part of the year, in habitats on the allotments. Those species are as follows: Baird's Sparrow, Mountain Plover, American Peregrine Falcan, White-Faces Ibis, W. Small-footed Myotis Bat, Cave Myotis Bat, Long-legged Myotis Bat, Big Free-tailed Bat, Fringed Myotis Bat, Pale Townsend's Big Eared Bat, Barrowing Owl, Ferruginous Hawk, Texas Horned Lizard, Common Ground Dove, Loggerhead Shrike, and the Arizona Black-tailed Prairie Dog.

Visual Resources Management (VRM)

The entire allotment is within Class IV (Changes may subordinate the original composition, but must reflect a natural occurrence).

Cultural/Historical Resources

There is a moderate probability for sites to exist due to the number of drainages running through this allotment.

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.

ENVIRONMENTAL IMPACTS:

<u>Critical Elements</u>	<u>Affected</u>		<u>Critical Elements</u>	<u>Affected</u>	
	Yes	No		Yes	No
Air Quality	___	<u>x</u>	T&E Species	<u>x</u>	___
ACEC's	___	<u>x</u>	Wastes, Hazardous/Solid	___	<u>x</u>
Cultural Resource	___	<u>x</u>	Water Quality	___	<u>x</u>
Farmlands, Prime/Unique	___	<u>x</u>	Wetlands/Riparian Zones	___	<u>x</u>
Floodplains	___	<u>x</u>	Wild & Scenic Rivers	___	<u>x</u>
Na. Amer. Re. Concerns	___	<u>x</u>	Wilderness	___	<u>x</u>
Min./Low Income Pop./Com.	___	<u>x</u>			

DESCRIPTION OF IMPACTS:

The proposed action is to authorize a permit for grazing. Continued grazing is not expected to adversely affect resource conditions within the allotment boundary.

Soils and Rangesites

a slight degree of soil movement will continue on these lands with or without grazing. Soil movement will be limited to what would be predictable over geologic time. Grazing use as authorized by the BLM under the permitting system will not adversely impact the public land of the allotment.

Vegetation

The BLM initiated monitoring studies in the spring of 1988 to determine an appropriate grazing capacity and to evaluate the existing livestock grazing practices in meeting land management directions. Monitoring consisted of collecting utilization data, actual use, precipitation, and ecological condition status information. Utilization studies on key forage species were completed in the spring of 1991. In October, 1991 two condition and trend (ecological) study plots were established and sampled on Gravelly Sand and Salt Flat Rangesites in general areas previously sampled in 1984. The Gravelly Sand Site is found mainly within arroyos, depressions, or drainage ways within the Lozier-Rock out crop soil series. The Salt Flat Rangesite is an inclusion within the Holloman-Reeves Association.

An analysis of the key forage utilization studies from 1988-1991 are shown in the column below. The percent represents the amount of current years forage removed by grazing animals:

<u>YEAR</u>	<u>UTILIZATION</u> (Allotment wide percent utilization)
1988	36.7
1989	30.5
1990	44.7

1991 43.5
38.9 Four year average utilization

An analysis and comparison of the two ecological study plots from 1984-1991 are shown below. The ecological score is calculated from Natural Resource Conservation Service (NRCS) Rangesite Guidelines for the area. These two study plots represent approximately 80% of the allotment acres which provide the majority of forage production. The numbers R040 and R042 are "Site Write-Up Areas" from the Soil/Vegetation Inventory Method completed in the mid 1980s.

	<u>Ecological Status</u>
1984 (Allot. Analysis) Gravelly Sand R040	38 (mid-seral/fair)
1991 (Allot. Monitoring) Study Plot No. 1.....	46 (mid-seral/fair)
1984 (Allot. Analysis) Slat Flat R042.....	64 (late-seral/good)
1991 (Allot. Monitoring) Study Plot No. 2.....	73 (late-seral/good)

The conclusion of the Analysis, Interpretation, and Evaluation (AIE) in 1991 of Allotment No. 09032 indicates that RMP direction and guidance were being met and grazing preference adjustments or changes in management were not needed.

Special Status Species-Plants

No known populations of Grama-grass cactus exist on the allotment. Potential habitat (alkali sacaton stands) for this species exist on the allotment. This action will have no effect on potential populations or potential habitat of this species.

Standard Habitat Sites (SHS) and Special Status Species- Animals

SHS of concern in the allotment include:

Creosote Rolling Upland - This habitat type typically is considered a disclimax type or an alternate stable state resulting from historic overuse causing a conversion of grassland to another habitat type and is generally considered undesirable from a wildlife habitat perspective. The vegetative community is predominately creosote and usually exists with a variety of subordinate species such as alkali sacaton, grama grass, Muhlenbergia spp, tobosa, snakeweed, mesquite, sumac species, and tarbush.

Mixed Shrub Rolling Upland - This habitat site is mainly of shrub species that dominate the vegetational aspect with an understory of grama grass species, bush muhly, and three-awn species. Characteristic shrubs are sumac species, broom snakeweed, whitethorn, catclaw accaccia, apache plume, and mountain mahogany. Pinyon-Juniper trees are scattered sparsely throughout the area. Important for deer.

Mixed Shrub Hills - This habitat site is mainly of shrub species that dominate the vegetational aspect with an understory of grama grass species, bush muhly, and three-awn species. Characteristic shrubs are sumac species, broom snakeweed, whitethorn, catclaw accaccia, apache plume, and mountain mahogany. Pinyon-Juniper trees are scattered sparsely throughout the area. Important for deer.

Salt Flats - This habitat site is mainly of shrub species with an understory of grasses. Characteristic shrubs are 4-wing salt bush, mesquite, creosote and snakeweed. Grasses include alkali sacaton, tobosa, and burro grass. This site has pockets of grass flats scattered within it.

Arroyo - This area is defined as drainages with only a brief intermittent water flow supporting vegetation uncharacteristic of surrounding uplands. Grass species present include sideoats grama, blue stem, arizona cottontop, wrights and alkali sacaton. Typical shrub and tree species are desert willow, juniper, hackberry, apache plume, soapberry species, salt cedar, littleleaf sumac, honey mesquite, ash species, and brickelbush. This habitat is of great concern for wildlife within the allotment. The primary importance of this habitat is the habitat structure it provides for many wildlife species. Animal densities and species richness here are pronounced. In addition, this habitat (and riparian habitat) are used almost exclusively by migrating birds. Therefore any action that reduces the shrubby structure and reduces herbaceous understory within this habitat is detrimental to a large number of wildlife species.

An initial effect determination was completed for 16 special status species that potentially occur, at least part of the year, in habitats on this allotment. They include the following:

Baird's Sparrow--Federal Wildlife Service (FWS) Species of Concern (SOC); New Mexico Endangered (NME); Bureau of Land Management Sensitive (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 (extreme southwestern NM). Main threats are the 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 could be impacted if the allotment becomes overgrazed or if the bottoms of swales are overutilized. The bird is mainly a migrant passing through during migration and therefore considered a NO AFFECT on the species.

Mountain Plover-- (FWS) Proposed Threatened. This is a rare migrant that may utilize the shortgrass areas for foraging during migration. Most breed in Colorado and Montana. Most winter in California, fewer in New Mexico. Historically, it's breeding range occurred on nearly denuded prairie dog towns. Mountain plovers are considered to be strongly associated with sites of heaviest grazing pressure, to the point of excessive surface disturbance, such as sacrifice areas around water troughs. Also attracted to sod farms. The bird feeds on insects such as beetles, grasshoppers, crickets, and ants. Grazing management practices that produce taller, thicker vegetation would have adverse impacts to this bird.

This bird is a rare migrant here and therefore considered a NO AFFECT. Proper grazing would not produce suitable habitat. Protecting prairie dogs and increasing their towns would increase habitat for the Mountain Plover.

American Peregrine Falcon--Federal Endangered.

A falcon that spends spring and summer nesting in the US and then migrates south during the winter. Proposed to be delisted in the near future. Prefer cliffs which generally exceed 200 ft. in height often at the top of talus slopes, with a southern exposure. This allotment has no such areas. Nest sites are normally near water courses and impoundments because of abundance of avian prey which frequent such areas. There are no such areas on this allotment. They can occur away from major stream courses if a prey base of small passerine birds, pigeons or doves is readily available. No eyries are known at present near this allotment. Should peregrines establish a new eyrie on any cliffs near the allotment, most of the allotment would be utilized as a foraging area. There are no livestock handling facilities within .5 miles of potential nesting areas near the allotment. Their main prey base are small avian species captured in the air. They may travel up to 17 miles from the nest site to the preferred hunting habitats such as cropland, meadows, river bottoms, marshes and lakes. The main threat is pesticides accumulating from prey species, causing egg shell thinning and also nest disturbance.

Maintaining healthy grasslands and riparian areas will benefit the peregrine falcon.

As the effect determination (still in draft) stand at this time, grazing practices on the allotment are considered to be a NO AFFECT on the peregrine falcon due to the fact that at present, no nesting sites have been identified within the area. The areas with cliff which are near the allotment are over 1000 yards away from livestock handling facilities, which is the distance that is required in which activities do not disturb possible nesting peregrines. In addition, the grazing practices utilized are not expected to cause major disturbances to a nesting pair if a nesting pair is ever identified.

White-Faced Ibis--SOC, BLMS. The trend of the species' population is listed as improving. It is considered a migrant or vagrant within the State. They are generally seen in association with shoreline and marsh habitats that border open water, foraging in mud and shallow water. Vegetation within these areas often consist of cattails and rushes, but other plant species (including occasional woody shrub and tree species) are frequently present. Vegetative cover is often extensive, but open sites are occasionally interspersed. Nesting colonies are located in shrubs and low trees or in dense standing reeds and tules near or in marshes. They feed on crayfish, frogs, grasshoppers, and other invertebrates. This species is sensitive to human disturbance causing abandonment of roosting, nesting, and feeding sites. Ibis populations may be affected by trophic concentrations of pesticide residues.

The proposed action will not negatively impact the ibis because the only habitat for this species is around dirt tanks which are seasonal and because it is a migrant and only occasionally here. This is a NO AFFECT.

W. Small-footed Myotis Bat--FWS, SOC. This bat is found throughout western North America. Occurs principally in wooded areas but also in desert scrub. This bat is a winter migrant spending summers here. Roosts in rock crevices, caves, and mine tunnels, and buildings. Appears to feed on small moths and beetles. Threats are closure of mines and recreational caving. Insecticide poisoning would also be a threat.

There will be NO AFFECT to this bat from the proposed action because grazing will not impact any caves or mines and there does not appear to be any recreational caving on this allotment.

Cave Myotis Bat-- FWS, SOC. The northern range of the species is southern NM. Some populations are migratory spending winters in Mexico. This bat occurs in the lower elevations of the arid southwest, in areas dominated by creosote bush and cactus. Roosts in caves, mines, and tunnels. Forages over riparian areas and arroyo washes for insects. Threats to the species are mine closures, recreational caving and loss of foraging habitat in riparian areas.

There will be NO AFFECT to this bat from the proposed action because grazing will not impact any caves or mines and there does not appear to be any recreational caving on this allotment. .

Long-legged Myotis Bat-- FWS, SOC. This bat is found throughout western North America. Occurs primarily in the higher elevations such as Ponderosa pine but also seasonally in desert and riparian habitats. Uses abandoned buildings, cracks in the ground, cliff crevices, tree bark, and hollows within snags as summer day roosts; caves and mine tunnels as places to hibernate. Feeds primarily on moths and other soft-bodied insects. Threats are closure of mines and some forest management practices and insect spraying.

There will be NO AFFECT to this bat from the proposed action because grazing will not impact any caves, mines, or prey species.

Big Free-tailed Bat-- FWS, SOC. This bat occurs throughout state and in all elevations and is an

insectivore. It is found primarily in the southern hemisphere with the northern boundary mostly in the southwestern US. It appears to inhabit the rugged, rocky habitats of the arid landscapes including desert shrub, woodlands, and evergreen forests. It is a seasonal migrant. It roosts mainly in crevices of rocks in cliff situations, although sometimes in buildings, caves, and cavities. Forages almost entirely on large moths.

No known threats to the species have been identified, but general threats to bats could apply such as overgrazing riparian areas or uplands in general and use of pesticides.

There will be NO AFFECT to this bat as long as the allotment is grazed properly, and much of the preferred habitat for this bat is unsuitable to grazing.

Fringed Myotis Bat--SOC, BLMS. Roosts of this bat 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 there are no riparian areas on the allotment. In addition, the areas that might possibly be used for roosting or maternity sites, are in very rough areas not suitable for grazing. This is a NO AFFECT.

Pale Townsend's Big-Eared Bat--SOC, BLMS. This bat is primarily a cave dwelling species, which also roosts in old mine shafts. In summer these bats occur widely in the state and can be found over desert scrub, in shelters in desert-mountains, oak-woodland, pinyon-juniper, or coniferous forests. Main diet is moths. Because of its extreme sensitivity to human disturbances, populations of this species are threatened by habitat loss, vandalism, disturbance by cave explorers at maternity and hibernation roosts, and loss of riparian habitat. It is unclear how riparian areas affect this bat. Populations trend is listed as unknown.

This species is not expected to be negatively impacted as long as the allotment is grazed in such a way to keep it in fair to good condition with trend improving. In addition, the areas that might possibly be used for roosting or maternity sites, are in very rough areas not suitable for grazing. This is a NO AFFECT.

Burrowing Owl--SOC, BLMS. This species occur 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 the burrowing owl responds positively to controlled livestock grazing, this species is not expected to be negatively impacted. This is a NO AFFECT.

Ferruginous Hawk--SOC, 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 tree, cliffs, rocks, hillsides, sometimes reusing nests and building them bigger and bigger. Threats are prairie dog control, road construction, and human disturbances near nests.

This species may be impacted if prairie dogs are controlled on the allotment. As long as the grasslands are maintained in fair to good condition, prey species would not be impacted. This is a NO AFFECT.

Open water storage troughs and tanks can cause raptors to drown if there is not an escape route.

Texas Horned Lizard--SOC, BLMS. This species occurs in sandy areas and also in grazed and ungrazed areas. Their main diet is ants. Pesticide 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 does not indicate any positive or negative affects from grazing practices, the proposed action is not expected to negatively impact the lizard. This is a NO AFFECT.

Common Ground Dove--NME. This species prefers native shrublands and weedy areas at lower elevations, including riparian areas. These include open stands of creosote bush and large succulents. Considered very rare in Otero County. 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 (extreme southwestern NM) is a key habitat area for the species.

Because the Common ground dove is a very rare visitor of Otero County and because there are no riparian areas on this allotment, it is not expected to be negatively impacted. This is a NO AFFECT.

Loggerhead Shrike--SOC, BLMS. The species utilizes expansive open grasslands, desert scrub (dominated by mesquite, yucca, and cactus), riparian, and lowland wooded areas. Main threat is consumption of contaminated prey (large insects and small mammals). Data does not indicate any positive or negative affects from grazing.

Because data available on this species does not indicate any positive or negative affects from grazing practices, this species is not expected to be negatively impacted. This is a NO AFFECT.

Arizona Black-tailed Prairie Dog-- FWS, SOC. This species occurs in the shortgrass and midgrass prairies in the basin areas of NM. Considered necessary prey of Black-footed Ferrets. Susceptible to control practices. Many of the prairie dogs in this area are routinely shot or poisoned. Prairie dogs provide necessary habitat for the mountain plover and the black footed ferret.

Grazing does not have negative affects on prairie dogs. Their main threat is shooting and poisoning, therefore the proposed action is a NO AFFECT to the species.

Wildlife documentations have been recorded in the recent past through Use Supervision Reports and other monitoring tours. Mule deer have been observed in the extreme western portion of the allotment (around Joe Tank) on several occastions. Antelope groups have been seen several times on the state and BLM lands on the west mesa. Wildlife use waters on the west mesa of the allotment and have become accustomed to the presence of domestic livestock and range improvement projects. The deer, antelope, quail, and dove are often found in areas that are associated with grazing cattle. Quail and dove are often associated with sacrifice areas that are found near waters or livestock handling facilities.

On the eastern side of the allotment where soil types tend to be more productive when rainfall is favorable, forage production in the arroyo habitats are more pronounced. These areas provide important travel corridors, as well as reproductive and foraging habitat. Arroyos also provide thermal cover to a variety of resident species. Wildlife and domestic livestock appear to use these areas without conflict.

Visual Resource Management VRM

Visual resource management would not be impacted by the proposed action.

Cultural/Historical Resources

Future projects, as in the past, will require an archaeological survey. Should an allotment management plan be prepared, the possibility of archaeological sites must be taken into account.

Re-issuance of the grazing permit will not have any effect on known or unknown cultural resources.

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 permit/lease will have no significant negative impacts to these components.

Ecological processes are maintained within the allotments capabilities in order to support healthy biotic populations and communities. Issuance of the permit/lease will have no significant negative impacts to these processes.

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

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

IMPACTS OF THE ALTERNATIVES:

No Action

The reissue of the grazing permit (Allotment No. 09032) would be denied and no authorized livestock use would be recognized on the public lands of the allotment. Cattle would likely continue to graze on the current permittee's private and state lands. Since there are no fences separating the public lands from the other lands and it would be doubtful that it would be financially feasible for the current permittee, or anyone else, to build fence, trespass grazing would likely be a continuous problem. This would be considered a "short term" impact to the No Action alternative.

Unless the WSRA/RMP were amended, grazing as a use on the public lands would still be recognized on the allotment. If the allotment were then opened to receive grazing applications from qualified applicants who could offer base property, a legal difficulty could arise because no other lands which potential may be offered would qualify as base property as long as the current permittee owned the property on which the federal grazing privileges presently rest. Therefore, it would be possible for no authorized grazing to take place until the allotment would be transferred. If no permit could be issued (no action alternative), there would be no reason or benefit to transfer (sell) the allotment. This would be considered a "long term" impact of the No Action alternative.

In addition, a potential conflict with the Range Regulations at 43 CFR 4110.3 may exist. That part of the CFR addresses "changes in permitted use", if an adjustment in livestock numbers were made without monitoring data to support any change.

Soils and Rangesites

Soil and rangesites would not be impacted by the proposed alternative.

Vegetation

If the public land were effectively fenced away from the private land, there would be an increase in the standing forage cover, particularly in the loamy or clayey soils of the draws which show up as inclusions within the rangesite. It is unlikely during the "short term" that there would be a significant difference in forage utilization between the various land status because grazing would probably continue.

If the public lands were excluded from grazing for an undetermined period of time (long term), vegetation production would begin to increase. It is unlikely that the range condition (Ecological Status) would increase to a higher seral stage in the Salt Flat Rangesite because the condition score is already at 73 which would be difficult to improve beyond that range. It is also unlikely that the condition class in the Gravelly Sand Rangesite would increase because of the presence of Creosote brush. At present, the only way to increase the condition class of this particular rangesite would be to apply a chemical treatment. Treating creosote brush on public land by the current permittee and others would not be considered economically feasible.

Visual Resource Management VRM

There would be no impact to VRM associated with the No Action alternative.

Other Environmental Elements

The impacts from the No Action Alternative, for the following elements, would be the same as for the Proposed Action: Soils & Rangesites, Wildlife Habitat, Special Status Species (Animal and Plant), Fundamentals of Rangeland Health, Recreation, and Cultural.

Cumulative Impacts:

Cumulative effects of livestock grazing have been addressed in detail in the in the White Sands Resource Area/ Resource Management Plan (October, 1986) and the Southern Rio Grande Grazing EIS (May, 1981)

DESCRIPTION OF MITIGATION MEASURES AND RESIDUAL IMPACTS:

If the proposed action is selected, grazing would be administered and governed by the Grazing Regulations, 43 CFR. No additional mitigating measures will be stipulated.

Monitoring

Use Supervision Reports will be completed periodically to document any changes in resource conditions and to determine whether additional and more intensive monitoring methods should be needed.

Cultural Mitigation

The public land acreage of the allotment has received a "Conditional Clearance" designation with regard to the Las Cruces Field Office Cultural Program. That rationale is stated as follows: Future projects will require an archaeological survey. Few archaeological surveys have been conducted within this allotment, however, several prehistoric sites are located adjacent to Lewis Canyon which is to the northeast. There is a moderate probability for sites to exist due to the number of drainages running through this allotment. Should an allotment management plan be prepared, the possibility of archaeological sites must be taken into account.

Residual Impacts

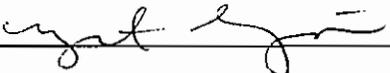
Residual effects of renewing the lease on this allotment would be minimal. The immediate residual

impacts of the proposed action would be the continues grazing of livestock on the renewable resources on the public lands.

PERSONS/AGENCIES CONSULTED:

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Prepare(s): Douglas L. Coalson Date: 4/29/99

EA Coordinator's Signature:  Date: 4-30-99