

**Bureau of Land Management, Roswell Field Office
Environmental Assessment Checklist, DOI-BLM-NM-P010-2010-3-EA**

Resources	Not Present on Site	No Impacts	May Be Impacts	Mitigation Included	BLM Reviewer	Date
Air Quality			X	X	/s/ Michael McGee SWA Spec/Hydro.	11/10/09
Soil			X	X		
Watershed Hydrology			X	X		
Floodplains	X					
Water Quality - Surface			X	X	/s/ Michael McGee Geologist/Hydrologist	11/10/09
Water Quality - Ground			X	X		
Cultural Resources	X				/s/Rebecca L. Hill 08-R-99A Archaeologist	22OCT2009
Native American Religious Concerns	X					
Paleontology	X					
Areas of Critical Environmental Concern	X				/s/J H Parman Plan & Env. Coord.	10/20/09
Farmlands, Prime or Unique		X			Realty /s/Sanderford	11/4/09
Rights-of-Way		X				
Invasive, Non-native Species	X				/s/ H. Miller Range Mgmt. Spec.	10/27/2009
Vegetation			X	X		
Livestock Grazing			X	X		
Wastes, Hazardous or Solid	X				/s/ S. Trautner HMS/ EPS	01/04/2010
Threatened or Endangered Species	X				/s/ D Baggao Wildlife Biologist	10/20/09
Special Status Species	X					
Wildlife			X	X		
Wetlands/Riparian Zones	X					
Wild and Scenic Rivers	X				/s/Bill Murry Outdoor Rec. Plnr.	10/27/09
Wilderness	X					
Recreation		X				
Visual Resources			X	X		
Cave/Karst		X				
Environmental Justice		X			/s/ Jared Reese Natural Res. Spec.	11/24/2009
Public Health and Safety		X				
Solid Mineral Resources		x			/s/ Jerry Dutchover Geo/SPS	11/02/09
Fluid Mineral Resources		X			/s/ John S. Simitz Geology	10/21/2009

FINDING OF NO SIGNIFICANT IMPACT/DECISION RECORD

Miller Pipeline and Drinker, Water Development, and Construction, DOI-BLM- NM- P010-2010- 3 – EA

FINDING OF NO SIGNIFICANT IMPACT: I have reviewed this environmental assessment including the explanation and resolution of any potentially significant environmental impacts. I have determined the proposed action and alternatives will not have significant impacts on the human environment and that preparation of an Environmental Impact Statement (EIS) is not required.

DECISION: It is my decision to authorize the construction of 1.2 miles of water pipeline that will be placed on public land to provide adequate water supply on allotment #65084, Derrick Draw.

Location of pipeline is as follows:

Miller Pipeline T. 15 S., R. 27 E., Sec. 8 & 9

All in Chaves County, New Mexico, New Mexico Principle Meridian. (Please refer to map in environmental assessment).

Actual construction of the pipeline will be done by the Permittee, ~~Ian Miller~~. BLM will supply the materials. The surface protection procedures and specifications set forth in the proposed action have been incorporated in the Environmental Assessment. Any comments made to this proposed action were considered and addressed.

Rationale for Recommendations: The proposed action and alternatives would not result in any undue or unnecessary environmental degradation/. The proposed action and alternatives will be in compliance with the Roswell Resource Management Plan and Record of Decision (October, 1997).

In accordance with 43 Code of Federal Regulations, Part 4100, Sec 4160.2, any applicant, permittee, lessee, or other affected interests may protest this proposed decision in person or in writing to the authorized officer, within 15 days after receipt of this decision. Please be specific in your points of protest.

The protection procedures for the proposed action are included in the Cooperative Agreement and are attached as stipulations. Any additional mitigation measures identified for the proposed action in the environmental impacts section of the attached environmental assessment have been formulated into stipulation. This decision incorporates by reference, the attached stipulations.

In the absence of a protest, the proposed decision will become the final decision without further notice. Any person who is adversely affected by the final decision of the authorized officer may file a written appeal to the Final Decision for the purpose of a hearing before an administrative law judge under 43 CFR 4.470. A period of 30 days after the decision becomes

final is provided in which to file an appeal and a petition for stay of the decision in this office (43 CFR 4160.3 [c] and 4160.4)

Howard Parman
Acting Assistant Field Manager, Resources

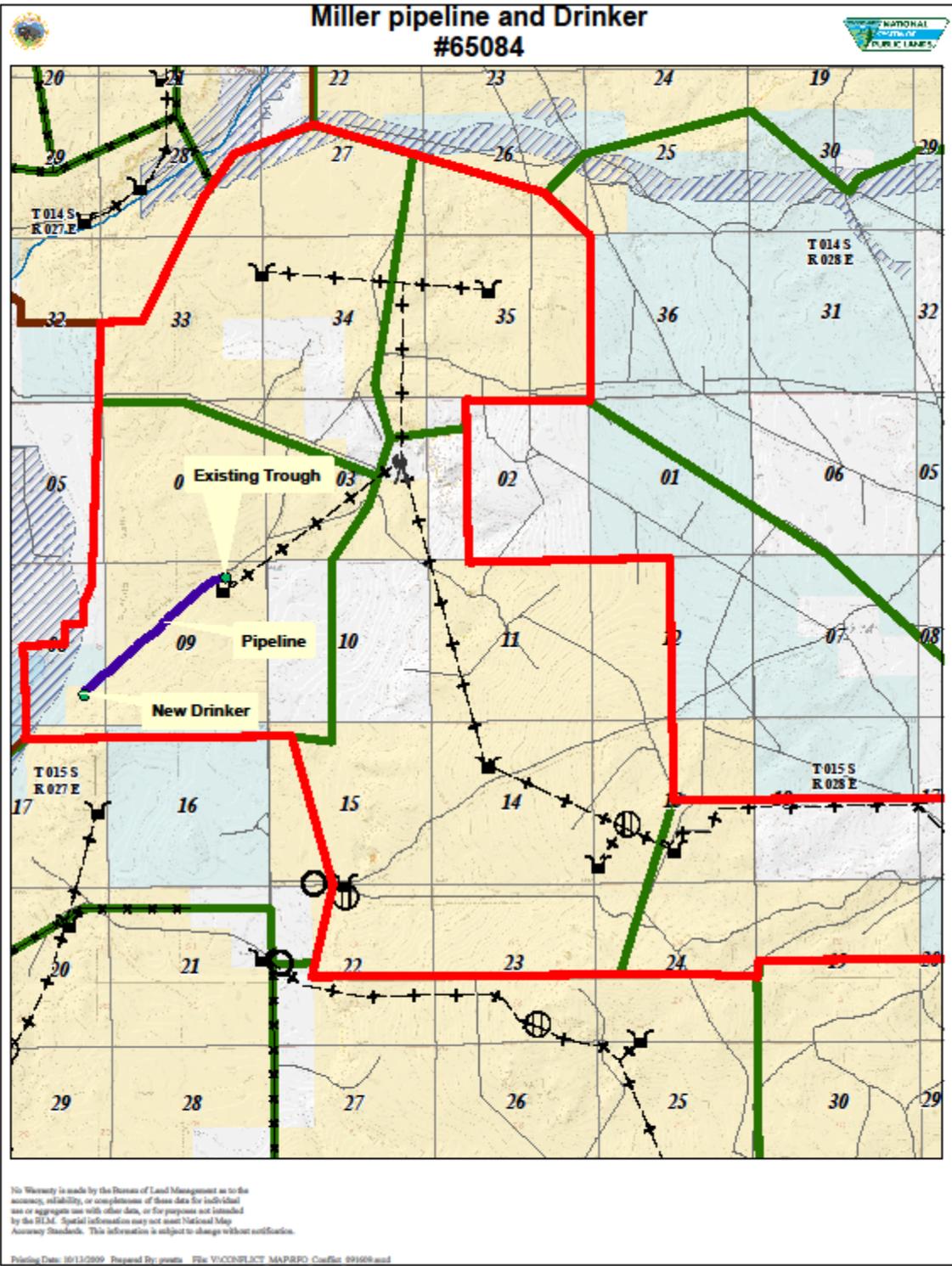
Date

**ENVIRONMENTAL ASSESSMENT
DOI-BLM- NM- P010- 2010- 3 - EA**

**For
Miller Pipeline and Drinker**

**Locations:
Township 15 South; Range 27 East
Portions of Sections 8 & 9
New Mexico Principal Meridian
Chaves County, New Mexico**

**October 2009
U.S. Department of the Interior
Bureau of Land Management
Pecos District
Roswell Field Office
Roswell, NM**



I. INTRODUCTION

Need for the Proposed Action

The need for the proposed action is to provide an additional reliable water source in the southwest portion of Saltgrass Pasture on the Derrick Draw Allotment #65084. The proposed water pipeline and drinker would be connected to an existing water pipeline in Section 9. The proposed pipeline would be approximately 1.2 miles of buried 1 ¼" (200 psi) PVC terminating in a valve and an 8-foot diameter rubber tire. The allottee would be responsible for the construction and maintenance of the entire project.

Water developments enhance the handling of and caring for livestock. The location of water developments is crucial for the proper distribution and movement of livestock on rangelands. The addition of a water source would lessen the distance animals would travel to access available forage and also benefit local wildlife species found in the area.

Conformance with Land Use Plans: The proposed activity is addressed as part of the Roswell Resource Management Plan (October, 1997).

Relationship to Statutes, Regulations, or Other Plans: The construction of pipelines and water developments as range improvements, either under Cooperative Agreement or Range Improvement Application is addressed under the 43 Code of Federal Regulations, Parts 4100, Grazing Administration, Exclusive of Alaska, Subpart 4120.3.

Other Statutes, Regulations or Plans are:

The Taylor Grazing Act of 1934, as amended (43 U.S.C. 315 (a)-(r))

The Federal Land Policy and Management Act of 1976, as amended (Pub. L. 94-579, 43 U.S.C. 1702 et seq), Sections 302 (a) & (b), Section 502 (a) & (c)

The Public Rangelands Improvement Act of 1978, as amended
(Pub. L. 95-514, 43 U.S.C. 1901 et seq),

The National Environmental Policy Act of 1969, as amended
(Pub. L., 91-190, 42 U.S.C. 4321-4347) Sec. 101

II. PROPOSED ACTION AND ALTERNATIVES

A. Proposed Action

The proposed action is the installation of approximately 1.2 miles of a buried water pipeline and the installation of an 8' rubber tire drinking trough/valve at the end of the pipeline. The pipeline would consist of 1 ¼", 200 psi pipeline buried on public land. The purpose is to provide a reliable water source to enhance distribution of livestock and yearlong water availability for

wildlife. The location of the proposed water development is in T. 15 S., R. 27 E., portions of Sections 8 & 9, Chaves County.

The pipeline would be constructed under a Cooperative Agreement and would be installed using standard construction methods.

Standard measures that would be included in the authorization for these projects are:

No blading will occur on public land, unless authorized by the Authorized Officer.

Water would be provided yearlong to all drinking troughs located on public land for wildlife purposes, when livestock are not in the pasture. Wildlife escape ladders would be installed in all drinkers.

Livestock drinking troughs would not exceed 18" in height.

The cooperator shall not use the pipeline route as a road for purposes other than routine maintenance as determined necessary by the Authorized Officer in consultation with the co-operator. The cooperator shall take whatever steps are necessary to ensure that the pipeline route is not used as a roadway.

Vegetation, soil, and rocks left as a result of construction or maintenance activity shall be randomly scattered over the project area and shall not be left in rows, piles, or berms, unless otherwise approved by the Authorized Officer. A berm shall be left over the ditch line to allow for settling back to grade.

No road is authorized as a part of this project for construction or maintenance.

Brush will be cleared by hand with hand tools.

The cooperator shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public land under this authorization.

Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the co-operator/contractor or any person working on the co-operator's/contractor behalf, on public or Federal land shall be immediately reported to the authorized officer. The co-operator/contractor shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The co-operator/contractor shall be responsible for the cost of evaluation and any decision as to the proper mitigation measures will be made by the Authorized Officer after consulting with the co-operator/contractor.

The co-operator/contractor is hereby obligated to comply with procedures established in the Native American Graves Protection and Repatriation Act (NAGPRA) to protect such cultural items as human remains, associated funerary objects, sacred objects, and objects of cultural patrimony discovered inadvertently during the course of the implementation. In the event that any of the cultural items listed above are discovered during the course of project work, the

proponent shall immediately halt the disturbance and contact the BLM within 24 hours for instructions. The proponent or initiator of any project shall be held responsible for protecting, evaluating, reporting, excavating, treating, and/or repatriation of these cultural items according to the procedures established by the BLM in consultation with Indian Tribes.

The co-operator/contractor shall be responsible for maintaining the site in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

The approval of the Permit/Agreement does not convey the right to prevent other lawful uses from occurring. The applicant/cooperator understands that other lawful users with proper authorizations may pass over, under, or through the range improvement authorized by the Permit/Agreement. Appropriate stipulations by the BLM to other users would protect the stability and purpose of this improvement.

The pipeline will meet or exceed the specifications for installation and construction:

PVC pipe and fittings shall conform to ASTM Standards D 1785, D 2241, D 2466, D 2467, D 2564, F 477, and AWWA Standard C 900. 2104, D2239, and AWWA Standard C 901. Pipe shall have a standard inside diameter dimension ratio, SIDR and connections shall be made with insert fittings of nylon with PVC with stainless steel clamps. Valves shall have a minimum pressure rating (psi) and be the same size as the connecting pipeline unless otherwise specified, and shall conform to AWWA C 500, except shall be written for individual project or approved equal.

Installation shall be in accordance with ASTM D 2774. No pipe shall be installed in water. Full length of each section of pipe shall rest firmly on the bedding material and be pitched to drain. When a ripper and attachment is used: a minimum of one pass will be done to the required pipe depth plus six inches, prior to pipe attachment. Ripping pass shall be in the same direction as the laying pass. The ripper trench shall be closed by having a tractor wheel or track run on each side to squeeze the sides together.

When trenching is the method used, trenches shall be excavated and backfilled in accordance with Section 02229: The 'V' type ditch depth limit shall be 18 inches. The bottom of the trenches shall be graded to provide uniform bearing support for the pipe. Plastic pipe laid in the ditch shall be snaked for a minimum 2 to 4 inch variance from the straight line not closer than every 20 feet or further apart than 40 feet. Valves and valve boxes shall be set plumb, with valve boxes centered directly over the valves and located outside the area of the roads and streets whenever possible. Ends of lines shall be capped leaving sufficient space for later removal. All connections shall be made in accordance with the drawings. Testing shall be in accordance with Section 01666—testing of piping systems.

B. ALTERNATIVES

1. No Action – Alternative 1

This alternative would leave the water supply as is. By not constructing this pipeline the water supply in the southern portions and buffalo lake area of the South East Pasture would remain unreliable.

2. Locate Elsewhere – Alternative 2

An alternate route for the proposed pipeline would also require installation through undisturbed portions of public land. The impacts of the affected resources would be the same as those of the proposed route. This alternative will not be given further consideration in this report.

III. AFFECTED ENVIRONMENT AND ENVIRONMENTAL IMPACTS.

A. General Setting:

The Derrick Draw Allotment #65084 is located in Chaves County, approximately 10 miles east of Lake Arthur, New Mexico. It is uniquely situated about one mile east of the Pecos River, bordering the 100-year floodplain. The elevation is between 3,200 and 3,500 feet. The annual average precipitation is 10 to 12 inches.

The following critical elements are not present or affected by the proposed action:

- Prime or Unique Farmland
- Cultural Resources
- Native American Religious Concerns
- Wastes, Hazardous/Solid
- Wetland/Riparian Zones
- Floodplains
- Wild and Scenic Rivers
- Wilderness
- Low Income/Minority Populations
- Areas of Critical Environmental concerns (ACEC)

A cultural resource inventory was conducted for the area of effect (08-R-099A), no Historic Properties were identified. No cultural resources will be affected. There are no known Traditional Cultural Properties (TCP) located within the project area.

B. Affected Resources and Environmental Consequences.

Air Quality:

BLM is required to comply with the Clean Air Act, as amended, and State implementation plans. The proposed area has not been identified as a non-attainment area. Additionally throughout most of the year the air quality throughout Chaves County is very good and is considered clean. Air quality will be temporarily impacted only during the dry spring months, windstorms and blowing dust can become a problem throughout the area.

Environmental Consequences—

Air quality would temporarily be directly impacted with pollution from exhaust emissions, chemical, odors, and dust that would be caused by the motorized equipment used to construct the project. Other factors that affect air quality in the area include dust from livestock herding activities, dust from recreational use, and dust from use of roads for vehicular traffic.

There would be some impact to air resources in the short term resulting from construction activities. The construction activities would cause temporary increase in dust concentrations in construction areas. The use of standard construction dust mitigation procedures would help control emissions.

Soil: The Soil Survey of Chaves County, New Mexico, Southern Part (USDA Soil Conservation Service 1980) was used to describe and analyze impacts to soil from the proposed action. The soil map units represented in the project area are:

Berino-Pintura complex, 0 to 15 percent slopes (Bf) Runoff of the Berino soil is very slow and the hazard of water erosion is slight and the hazard of soil blowing is moderate. Runoff of the Cacique soil is slow and the hazard of water erosion is slight and the hazard of soil blowing is moderate.

Holloman-Gypsum land complex, 3 to 5 percent slopes (HrC) Runoff of the Holloman unit soil is medium and the hazard of water erosion and soil blowing is moderate.

Holloman-Gypsum-land complex, 30 to 50 percent slopes (HSE) Runoff is rapid and the hazard of water erosion is severe and the hazard of soil blowing are moderate.

Reeves Holloman association, 0 to 5 percent slopes (RI) Runoff is medium and the hazard of water erosion and soil blowing are moderate.

Tencee gravelly loam, 1 to 9 percent slopes (Te) Runoff of the unit soil is medium and the hazard of water erosion is moderate and the hazard of soil blowing is slight.

Tencee-Sotim association, 0 to 9 percent slopes (TS) For Tencee soil the hazard of water erosion is moderate and the hazard of soil blowing is slight. For Sotim soil the hazards of water erosion and soil blowing are moderate. Runoff is medium.

Environmental Consequences

The construction of the project would physically disturb topsoil and would expose the substratum soil. Direct impacts resulting from the construction of the project include removal of vegetation, exposure of the soil, mixing of horizons, compaction, loss of top soil productivity and susceptibility to wind and water erosion. Wind erosion would be expected to be a minor contributor to soil erosion with the possible exception of dust from vehicle traffic. These impacts could result in increased indirect impacts such as runoff, erosion and off-site sedimentation.

Mitigation

The disturbed area should naturally re-vegetate within two growing seasons or less with adequate precipitation, resulting in cessation of project related erosion or runoff.

Watershed – Hydrology

Watershed and hydrology in the area is affected by land and water use practices. The degree to which hydrologic processes are affected by land and water use depends on location, extent, timing and type of activity. Factors that currently cause short-lived alterations to the hydrologic regime include livestock grazing management, recreational use activities, groundwater pumping and also oil and gas developments such as well pads, permanent and temporary roads, pipelines and power lines.

Long term direct and indirect impacts to watershed and hydrology would continue for the life of the project and would decrease once natural re-vegetation of the project has taken place. Short term direct and indirect impacts to the watershed and hydrology from pipelines that are not buried with material would occur and would likely decrease in time due to natural re-vegetation.

Mitigation

The disturbed area should naturally re-vegetate within two growing seasons with adequate precipitation.

Water Quality: Surface and Groundwater

Surface disturbance from construction of this project can result in degradation of surface water quality and groundwater quality from non-point source pollution, increased soil losses, and increased gully erosion.

Environmental Consequences

Potential direct impacts that would occur due to construction of the project include increased surface water runoff and off-site sedimentation brought about by soil disturbance and increased salt loading and water quality impairment of surface waters. The magnitude of these impacts to water resources would depend on the proximity of the disturbance to the drainage, channel, slope aspect and gradient, degree and area of soil disturbance, soil character, duration and time within which construction activity would occur, and the timely implementation and success or failure of mitigation measures.

Direct impacts would likely be greatest shortly after the start of construction activities and would likely decrease in time due to natural stabilization, and reclamation efforts. Construction activities would occur over a relatively short period; therefore, the majority of the disturbance would be intense but short lived. Direct impacts to surface water quality would be minor, short-term impacts which may occur during storm flow events. Indirect impacts to water-quality related resources, such as fisheries, would not occur.

Mitigation

Authorization of the proposed projects would require full compliance with BLM directives and stipulations that relate to surface and groundwater protection.

Vegetation: Grassland—shrub community

Vegetation within the proposed pipeline area is best described as a grassland—shrub community . These descriptions were developed and described in the Roswell Resource Management Plan, October 10, 1997. Further information on those communities can be found in the Draft RMP, Appendix 11.

The historic plant community associated with this sandy loam ecological site is shrub-grassland mixes where mid grasses is co-dominant with shrubs. The plants associated with this ecological site are: Three-awn (*Aristida spp.*), sand dropseed (*Sporobolus cryptandrus*), black grama (*Bouteloa eriopoda*), plains bristlegrass (*Setaria vulpiseta*), mesa dropseed (*Sporobolus flexuosus*), fourwing saltbush (*Atriplex canescens*), tobosa, burrograss (*Scleropogon brevifolius*), alkali sacaton (*Sporobolus airoides*), gyp grama (*Bouteloa breviseta*), gyp muhly (*Muhlenbergia*), coldenia (*Tiquilia spp.*), mormon tea (*Ephedra viridis*), blue grama (*Bouteloa gracilis*), soaptree yucca (*Yucca elata*), mesquite (*Prosopis*), shinnery oak (*Quercus*), and broom snakeweed (*Gutierrezia sarothrae*). Forbs fluctuate from year to year being the most abundant on early spring moisture.

Ecological sites found within this project area are SD-3. The soils of this range site are classified as deep, sandy loams by the NRCS.

Environmental Consequences

Vegetation disturbance would be localized to the immediate area of the project. A small amount of vegetation would be destroyed where the trench runs alongside this route.

Mitigation

The disturbed area should naturally re-vegetate within two growing seasons or less with adequate precipitation.

Non-Native and Invasive Species:

A noxious weed is defined as a plant that causes disease or has other adverse effects on the human environment and is, therefore, detrimental to the public health and to the agriculture and commerce of the United States. Generally, noxious weeds are aggressive, difficult to manage, parasitic, are carriers or hosts of harmful insects or disease, and are either native, new to, or not common, in the United States. In most cases, however, noxious weeds are non-native species.

The list currently includes the following weeds: 1) African rue (*Peganum harmala*), 2) black henbane (*Hyoscyamus niger*), 3) bull thistle (*Cirsium vulgare*), 4) camelthorn (*Alhagi pseudalhagi*), 5) Canada thistle (*Cirsium arvense*), 6) Dalmatian toadflax (*Linaria genistifolia* ssp. *Dalmatica*), 7) goldenrod, (*Solidago canadensis*), 8) leafy spurge (*Euphorbia esula*), 9) Malta starthistle (*Centaurea melitensis*), 10) musk thistle (*Carduus nutans*), 11) poison hemlock (*Conium maculatum*), 12) purple starthistle (*Centaurea calcitrapa*), 13) Russian knapweed (*Centaurea repens*), 14) Scotch thistle (*Onopordum acanthium*), 15) Spotted knapweed (*Centaurea maculosa*), 16) teasel (*Dipsacus fullonum*), 17) yellow starthistle (*Centaurea solstitialis*), 18) yellow toadflax (*Linaria vulgaris*), 19) Russian olive (*Elaeagnus angustifolia*), 20) Saltcedar (*Tamarix* spp.), 21) Siberian elm (*Ulmus pumila*).

Of the noxious weeds listed, the ones with known populations in the Roswell district are African rue, Non-native thistle (*Cirsium* spp.) such as bull thistle and Canadian thistle, leafy spurge, poison hemlock, teasel, musk thistle, goldenrod, Malta starthistle, Russian knapweed, tamarix species, Siberian elm, Russian olive and Scotch thistle. Also “problem weeds” of local concern are cocklebur (*Xanthium* spp.), buffalobur (*Curcubita foetidissima*), and spiny cocklebur (*Xanthium spinosum*). “Problem weeds are those weeds which may be native to the area but whose populations are out of balance with other local flora.

Infestations of noxious weeds can have a disastrous impact on biodiversity and natural ecosystems. Furthermore, noxious weeds can negatively affect livestock and dairy producers by increasing their feed and animal health care costs. Increased costs due to operators are eventually borne by consumers. Noxious weeds also affect recreational uses, and reduce realty values of both directly influenced and adjacent properties.

Recent federal legislation has been enacted requiring state and county agencies to implement noxious weed control programs using funds generated from the federal tax base. Therefore, all citizens and taxpayers of the United States are directly affected when noxious weed control prevention is not exercised.

There are no known noxious or invasive species populations within the boundaries of Allotment #65084.

Environmental Consequences

There is an opportunity for noxious weeds to become established within the proposed pipeline route. Noxious weeds could be introduced by the equipment used for construction .

Mitigation

Monitoring the area after installation would be conducted to ensure that weeds do not become established. If new weed populations are discovered, they will be aggressively treated.

Visual Resources:

The resource area contains one Visual Resource Management Area (VRM) Class IV. Areas allow that contrasts to the basic elements caused by a management activity may be evident and begin to attract attention in the landscape. Treatment sites along highway rights-of-way are categorized as Visual Class IV. These areas will be visible to the public.

Environmental Consequences:

There would be a short-term change in the color and texture along this pipeline route.

Recreation:

Dispersed recreational opportunities exist within this area but access to public land is not limited. Dispersed recreational activities may include hunting, sightseeing, bird watching, primitive camping, mountain biking, horseback riding, and hiking. Off Highway Vehicle designation for public land within this area is classified as "Limited" to existing roads and trails. Recreation activities would not be adversely affected by the proposed action.

Environmental Consequences

This project would have little or no effect on recreational opportunities within this area. Large blocks of public land would allow recreationists to use public land and avoid the immediate vicinity within this area thus minimizing environmental impacts.

Cave/Karst:

A complete inventory of significant cave or karst features has been completed for public land located in this grazing allotment. At the present time no cave or karst features has been identified within this allotment.

Environmental Consequences:

No surface cave/karst features were observed in the vicinity of the proposed action.

Wildlife:

The area provides habitat for numerous large and small animals, birds, rodents, and a sustainable population of mule deer (*Odocoileus hemionus*) and pronghorn antelope (*Antilocapra americana*).

Other game species occurring within the area include mourning dove (*Zenaida macroura*) and scaled quail (*Callipepla squamata*). Raptors that utilize the area on a more seasonal basis include the Swainson's red-tailed (*Buteo swainsoni*), and ferruginous hawks (*Buteo regalis*), American kestrel (*Falco sparverius*), and great-horned owl (*Bubo virginianus*). Numerous passerine birds utilize the grassland areas. The most common include the western meadowlark (*Sturnella neglecta*), mockingbird (*Mimus polyglottos*), horned lark (*Eremophila alpestris*), killdeer (*Charadrius vociferous*), loggerhead shrike (*Lanius ludovicianus*), and vesper sparrow (*Pooecetes gramineus*).

The warm prairie environment supports a large number of reptile species compared to higher elevations. The more common reptiles include the short-horned lizard (*Phrynosoma douglassi*), lesser earless lizard (*Holbrookia maculate*), eastern fence lizard (*Scleropus undulates*), coachwhip (*Masticophis flagellum*), bullsnake (*Pituophis m. sayi*), prairie rattlesnake (*Crotalus v. viridis*), and western rattlesnake (*Crotalus viridis*).

Environmental Consequences:

Impacts from the proposed construction activity may cause temporary disruption of wildlife activity within the immediate vicinity of the project area during construction. Long-term benefits to wildlife species should result from a more reliable water source in Saltgrass Pasture.

Mitigation:

Water would be made available yearlong for wildlife. A wildlife escape ramp would be installed in the trough. Trough height should not exceed 18" in height. No additional mitigating measures would be needed if the standard operating procedures and design features are adhered to.

Threatened and Endangered Species:

A list of federal threatened, endangered, and candidate species reviews for this EA can be found in Appendix 11 of the Roswell Approved RMP (AP 11-2). An update concerning the following species is provided in light of de-listing actions conducted by the USFWS and current species status.

The bald eagle (*Haliaeetus leucoccephalus*) was recently de-listed by the USFWS but continues to be monitored. This species remains a BLM sensitive species.

The Northern Aplomado falcon (*Falco femoralis septentrionalis*) remains listed as Endangered by the USFWS. Areas have been established as non-essential experimental populations of Northern Aplomado falcon in southern New Mexico and Arizona. Key habitat areas do occur in Lincoln County and are characterized by desert grasslands supporting mature and tall yucca as nesting habitat. These habitats are mostly located in the Tularosa Basin area.

The swift fox (*Vulpes velox*) is no longer listed as a Federal Candidate species since the preparation of the Biological Opinion (AP 11-38) in the Roswell RMP that provided a detailed description of the range, habitats, and potential threats.

Environmental Consequences:

There will be no impacts to T & E species because they do not occur in this area.

Livestock Grazing:

Derrick Draw allotment #65084 is operated as a cow/calf ranch on a year-long basis. Livestock are rotated through pastures which provide some grazing deferment during each year.

Environmental Consequences

Beneficial impacts to livestock would occur due to a more reliable water source and better distribution. No changes in livestock numbers would occur.

Mineral and Oil and Gas Development:

There are existing leases/permits for oil and gas within the area and the allotment.

Environmental Consequences

No impacts are anticipated with the mineral developments in the project area.

Land, Realty and Rights-of-Way:

Rights –of-Way for pipelines, power lines, communication sites and access routes are permitted within the Roswell Field Office.

Environmental Consequences

To avoid unforeseen impacts to the oil and gas industry and to allow for safety, all oil and gas operators and right-of-way holders will be contacted prior to the start of construction.

CUMULATIVE IMPACTS

A cumulative impact is defined as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time” (40 CFR 1508.7).

Analysis of cumulative impacts is driven by major resource issues. The action considered in this environmental assessment (EA) is the installation of a water pipeline on allotment #65084.

Roads, fences, stock trails and water well development have occurred in the past and may contribute to the cumulative impacts of the area. This is in addition to oil and gas field development in the area. The proposed actions will not contribute significantly to the cumulative impacts of the area.

C. DESCRIPTION OF MITIGATOIN MEASURES AN DRESIDUAL IMPACTS:

Mitigation incorporated into proposed action: A linear area of disturbance from pipeline will remain on the landscape. This feature will not stand out significantly on the landscape due to the fact that it will be installed along an existing roadway and natural re-vegetation of the trench will occur.

The following mitigation measures will be necessary to ensure project construction as outlined in this document:

1. To minimize erosion, water bars to turn run-off water away from the pipeline will be required every 100 feet in areas with slopes of 10 percent or greater
2. No blading will occur on public land, unless authorized by the Roswell Resource Area Manager.
3. Water will be provided yearlong to all drinking tubs located on public land, for wildlife purposes, when livestock are not in the pasture. Wildlife escape ladders will be installed in all drinkers.
4. Livestock drinking tubs will not exceed 18" in height.
5. The co-operator/contractor shall not use the pipeline route as a road for purposes other than routine maintenance as determined necessary by the Authorized officer in consultation with the co-operator/contractor. The co-operator/contractor shall take whatever steps are necessary to ensure that the pipeline route is not used as a roadway.
6. Vegetation, soil, and rocks left as a result on construction or maintenance activity shall be randomly scattered over the project area and shall not be left in rows, piles, or berms, unless otherwise approved by the Authorized Officer. A berm shall be left over the ditch line to allow for settling back to grade.
7. The co-operator/contractor shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public land under this authorization.
8. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the co-operator/contractor or any person working on the co-operator/contractor's behalf, on public or Federal land shall be immediately reported to the authorized officer. The co-operator/contractor shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The co-operator/contractor shall be responsible for the cost of evaluation and any decision as to the proper mitigation measures will be made by the Authorized Office after consulting with co-operator/contractor.
9. The co-operator/contractor is hereby obligated to comply with procedures established in the Native American Graves Protection and Repatriation Act (NAGPRA) to protect such cultural items as human remains, associated funerary objects, sacred objects, and objects of cultural patrimony discovered inadvertently during the course of the implementation. In the event that any of the cultural items listed above are discovered during the course of project work, the proponent shall immediately halt the disturbance and contact the BLM within 24 hours for instructions. The proponent or initiator of any project shall be held responsible for protecting, evaluating, reporting, excavating, treating, and/or repatriation of these cultural items according to the procedures established by the BLM in consultation with Indian Tribes.

10. The co-operator/contractor shall be responsible for maintaining the site in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to; human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
11. The approval of the Permit/Agreement does not convey the right to prevent other lawful uses from occurring. The applicant/cooperator understands that other lawful users with proper authorizations.
12. To avoid impacts to the oil and gas industry and to allow for safety, all oil and gas operators and right-of-way holders will be contacted prior to the start of construction.

IV. SOCIO-ECONOMIC FACTORS

Neither the proposed action nor the No Action Alternative as outlined in this document is anticipated to alter the socio-economic conditions for either the permittee or Chaves County.

V. PERSONS CONSULTED

Roswell Field Office:

Russell Fox, Support Services
Cindy Dreps, Support Services
Kyle Arnold, Rangeland Management Specialist
Dan Baggao, Wildlife Biologist
Randy Howard, Wildlife Biologist
Michael McGee, Hydrologist
Scott Sanderford, Realty Specialist
Richard Hill, Environmental Protection Specialist
John Simitz, Petroleum Engineer
Howard Parman, Planning and Environmental Coordinator
Bill Murry, Outdoor Recreation Planner
Pat Flanary, Archaeologist
Rebecca L. Hill, Archaeologist
Allotee for Allotment 65084

