DECISION RECORD AND
FINDING OF NO SIGNIFICANT IMPACT
EA-NM-060-01-132
NM 105280

Recommendation: I recommend that the proposed action by Agave Energy Company for construction of a buried natural gas pipeline be approved as mitigated, for 30 years, subject to the terms and conditions in 43 CFR 2800; rental payments as determined by 43 CFR 2803.1-2; and the attached standard stipulations for buried pipelines. This action will affect the following public lands:

New Mexico Principal Meridian

T. 10 S., R. 25 E., N.M.P.M.
Section 25: N1/2NW1/4;
Section 26: N1/2N1/2.

Authority of this action is the Mineral Leasing Act of February 25, 1920; 30 USC 185.

Rationale for recommendation: The proposed action would not result in any undue or unnecessary environmental degradation. Portions of the subject lands and adjacent lands have been used for similar purposes and all present and potential uses and users have been considered.

Prepared by:

Irene Gonzales-Salas, Realty Specialist

7-31-01
Date

Decision: The recommendation and rationale are adopted as my decision.

Finding of No Significant Impact: The impact of the proposed action and alternatives to minority or low-income populations or communities has been considered and no significant impact is anticipated. Based on the analysis of potential environmental impacts contained in the attached environmental assessment, I have determined that impacts are not expected to be significant and an environmental impact statement is not required.

Compliance and Monitoring: The construction phase of this proposed action and subsequent operational phases will be monitored as per regulation.

Larry D. Bray
for: Assistant Field Manager
Roswell Field Office

7/31/01
Date

ROSWELL Field Office
ROSWELL, NM 88201

ENVIRONMENTAL ASSESSMENT
EA# NM-060-01-132
Right-of-Way NM 105280

Applicant: Agave Energy Company
105 South Fourth Street
Artesia, NM 88210

Location: T. 10 S., R. 25 E., N.M.P.M.
Section 25: N1/2NW1/4;
Section 26: N2N2.

Preparer: Irene Gonzales-Salas July 27, 2001

I. INTRODUCTION

A. Need for the Proposed Action

The proposed action is needed to develop the mineral lease (on State Land)and transport natural gas to market.

B. Conformance with Land Use Plan

The purposed action is in conformance with the approved Roswell Resource Management Plan (RMP), and is consistent with Bureau policy and guidance.

C. Relationship to Statues, Regulations, or Other Plans

The proposed action does not conflict with any known State or Local planning or zoning ordinance. The authority for this action is the Mineral Leasing Act of 1920, as Amended.

II. BACKGROUND, PROPOSED ACTION AND ALTERNATIVES

A. BACKGROUND/PROPOSED ACTION

On June 26, 2001, Agave Energy Company submitted a completed application for a buried pipeline right-of-way.

Agave Energy Company proposes to construct, operate and maintain a buried 4-inch X-42steel natural gas pipeline. Total proposed pipeline length would be approximately 6,667.5 feet in length, all of would be located on public land. The proposed natural gas pipeline would connect Comanche "PQ" Fed. 2-Y well located in Section 26, T. 10 S., R. 25 (990 FNL & 960 FWL)to a tie-in point in the NE1/4NW1/4 of Section 25, T. 10 S., R. 25 E. Maximum operating pressure of the pipeline line would be 1,000 psi and 5 mmmcfd.

Related appurtenance would consists of a pipeline meter station,

underground gates, block valves, and related appurtenance.

A width of temporary 50 feet is requested for the right-of-way during the construction phase to get equipment down the right-of-way. Once constructions is completed a width of 30 feet is requested for the permanent right-of-way. The proposed pipeline will be buried approximately 36 inches. Thirty feet of the ROW will be bladed, a ditcher will trench approximately 36 inches deep to allow for 3 feet of cover. The proposed pipeline would be constructed in accordance with the Standard Stipulations for Buried Pipelines in the Roswell Field Office, BLM.

The location of the proposed action is in Chaves County, New Mexico. The legal land description is:

T. 10 S., R. 25 E., N.M.P.M.
Section 25: N1/2NW1/4;
Section 26: N1/2N1/2.

A right-of-way 30 feet wide by 666.7.5 feet long yields 4.592 acres (1.263 miles).

C. Alternatives

1. No Action

Under this alternative the application would be rejected.

2. Change the Alignment--Reroute the Project

There are no alternate routes which would have significantly less impacts than or any clear advantages over the proposed action. Therefore the alternative of changing the location of the project is not analyzed further.

III. AFFECTED ENVIRONMENT

General Setting. The proposed pipeline is located approximately 8 miles east of Roswell. Access to the location will be via U.S. Highway 380, traveling approximately 8 miles east of Roswell turn North and follow existing road for approximately 1.7 miles. Go North .1 of a mile the southeast edge of the pad.

Both the surface and mineral estates are in public ownership. An inspection of the Master Title Plats revealed the following title information.

Oil and Gas Lease - NM 27909 currently leased to Yates Petroleum Corporation.

Pipeline Rights-of-Way NM 080197, NM 72810, NM 53771.

Powerline Right-of-Way NM 65790 and NM 0214768.

Road Right-of-Way NM 65790.

There are no mining claims recorded.

The regional industries are ranching, oil and gas development and seasonal hunting.

Affected Resources. The following critical elements have been evaluated and are either not present or are not affected by the proposed action or the alternatives in this EA:

Air Quality
Areas of Critical Environmental Concern (ACECs)
Cultural/Archaeological Resources (01-R-055-A)
Farm Lands (Prime and Unique)
Floodplains
Native American Religious Concerns
Threatened or Endangered (T&E) Species (plants & animal)
Wastes, Hazardous and/or Solid
Water Quality, Drinking and Ground
Wetlands and Riparian Zones
Wild and Scenic Rivers
Wilderness

The impact of the proposed action and alternatives to minority or low-income populations or communities has been considered and no significant impact is anticipated.

A. Soils

This soil group is described in the Soil Survey of Chaves County, New Mexico-Northern Part (pages 38 & 39 and map No. 28). The proposed action would occur in high terraces in the southern part of the survey area. HMA-Hollomex-Reeves_Milner, drky loams, gently undulating.

Permeability of the Holomex soil is moderate. Available water capacity is very low. Runoff is medium, and the hazard of water erosion is moderate. The hazard of soil blowing is high. 0 to 3 percent slopes.

Permeability of the Reeves is moderate. Available water capacity is moderate. Runoff is medium, and the hazard of water erosion is moderate. The hazard of soil blowing is high.

Permeability of the Milner soil is moderate. Available water capacity is low. Runoff is medium, and the hazard of water erosion is moderate. The hazard of soil blowing is high.

B. Vegetation

The native vegetation in the area is composed of mainly grasses, shrubs, and forbs, such as black grama, gyp grama, gyp muhly, coldenia, blue grama, tobosa and broom snakeweed, and sand dropseed. Deterioration of the native plant community results in a rapid invasion by other less desirable

plant species. The mean annual precipitation is 11 to 12 inches.

C. Range

The proposed project is located within the following grazing allotment:

Allotment 65094
Juan Ramox
P. O. Box 405
Dexter, NM 88230

D. Wildlife

Wildlife species utilizing this area for habitat include mule deer, pronghorn antelope, coyote, fox, rabbits, kangaroo rats, pocket gophers, prairie rattlesnakes, as well as a variety of songbirds, dove, quail, and raptors.

No known special status species or critical habitat occur within the project area or would be affected by the proposed action.

E. VRM/Recreation/Karst

The subject lands are within a Class IV VRM area. In a VRM Class IV area, contrast caused by a management activity may attract attention and be a dominate feature of the landscape. The proposed project is located an area where numerous oil and gas activities are ongoing.

Recreational use is varied from severely limited to nonexistent. The small amount of recreational use in the proposed project area primarily involves seasonal hunting activities. Animals hunted include mule deer, pronghorn antelope, dove, quail, coyote and rabbit.

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

IV. Environmental Impacts

Impacts of the Proposed Action.

Impacts from the proposed action are minimal and short-term in nature. Temporary disruption and soil and rock movement would occur primarily during construction activities. Removal of vegetation along the right-of-way would take place. Some soil loss will occur from soil blowing winds, as a natural result from the stripping of vegetation and exposing of the soils during construction. Less than 3 acres of vegetation would be depleted for 2 or 3 growing seasons. A reduction in AUMs would not occur.

Noxious weeds affect both crops and native plant species in the same way - by out-competing for light, water, and soil nutrients. Noxious weeds cause estimated crop losses of $2 to $3 billion annually. These losses are attributed to: (1) Decreased quality of agricultural products due to high

levels of competition from noxious weeds; and (2) decreased quantity of agricultural products due to noxious weed infestations.

Further, noxious weeds can negatively affect livestock and dairy producers by making forage unpalatable to livestock, thus decreasing livestock productivity and potentially increasing producers' feed costs. Increased cost to producers are eventually borne by consumers.

Infestations of noxious weeds can have a potentially disastrous impact on biodiversity and natural ecosystems. In order to combat the negative effects of noxious weeds on crop lands, grazing lands and waterways, herbicidal and other weed control strategies can be implemented at further costs to producers and government agencies. Such costs would then likely be passed down to consumers, who would pay more for products due to increased producer costs.

Impacts from the proposed construction activity would affect ground-dwelling species, but there is sufficient habitat in the area to minimize the impact. More mobile species such as small mammals and birds would temporarily leave the site during actual construction activities and should return in a short period of time.

Visual resources would not be significantly affected.

Recreational use is varied from severely limited to nonexistent. The small amount of recreational use in the proposed project area primarily involves seasonal hunting activities. Animals hunted include mule deer, pronghorn antelope, dove, quail, coyote and rabbit. The proposed right-of-way will have minimal impacts on the current recreational uses of the area.

Karst is not present in the immediate area of the proposed action.

Impacts of Alternatives

Alternative 1. No Action: The "No Action" alternative denies the application. This alternative would result in no environmental impacts; however, there would be adverse economic impacts to the applicant. There have been no significant or unmitigatable impacts identified which would warrant selection of this alternative.

Mitigating Measures

Reduce the width of the requested right-of-way from 50 feet to 30 feet maximum width.

The applicant will construct the pipeline in accordance with the Roswell Field Office Standard Stipulations for Buried Pipelines.

Residual Impacts

The direct effects of the proposed action include soil and vegetation disruption and further fragmentation of wildlife habitat. Indirect effects include the possibility of poor revegetation, resulting in soil erosion. Also, a slight possibility of pipeline rupture will exist for the life of the

proposed action, which could result in negative localized impacts to air, water, soil and vegetation, wildlife and livestock.

Past industrial activities in the Pecos Valley include dispersed oil and gas development and cattle grazing, trends which have continued to the present. These surface disturbing activities have collectively altered resources such as air quality, vegetation, soil, water and wildlife. These trends will continue into the foreseeable future, with some modifications, causing similar impacts.

The proposed action is located in an area with sufficient quantities of natural gas to assume near maximum development - one well per 320 acres (or 160 acres), each with access road, pad and pipeline - which would involve similar surface impacts. While the effects of this individual proposed action will likely be minimal, the potential exists for negative cumulative impacts to any or all of the affected resources by the combination of past, present and expected future land uses.

V. Consultation and Coordination

The comments and suggestions expressed during the consultation have been incorporated into this EA.