

FINDING OF NO SIGNIFICANT IMPACT

San Pedro Mountains Abandoned Mines Safeguarding Project Phase II
eAMLIS Key NM-935052 (San Pedro)

The Office of Surface Mining Reclamation and Enforcement (OSMRE) has reviewed the Environmental Assessment (EA) for the San Pedro Mountains Abandoned Mines Safeguarding Project Phase II prepared by Grouse Mountain Environmental Consultants, LLC on behalf of the New Mexico Abandoned Mine Land Program (AMLP). OSMRE has determined the EA and supporting documentation discuss potential environmental issues and impacts sufficiently for us to authorize the expenditure of federal funds in support of the project. Based on the effects analysis in the EA and supporting documentation, OSMRE finds that AMLP's reclamation activities in the subject project area will not significantly impact the quality of the human environment. We therefore conclude that a detailed Environmental Impact Statement is not necessary.

Information reviewed to support this Finding includes:

- An EA prepared by Grouse Mountain Environmental Consultants, LLC, dated July, 2018.
- A paleontology analysis report.
- Findings from two Class III cultural resource inventories, dated February 1, 2017 and December, 2015, respectively of (1) the 1,680 acre Area of Potential Effect (APE) managed by the New Mexico State Land Office, US Bureau of Land Management (BLM), and private landowners and (2) the 160.8 acre APE managed by Santa Fe County. The inventories included a records review, archival research, and pedestrian field survey.
- A Biological Assessment / Biological Evaluation (BA/BE) prepared by Sites Southwest, LLC, dated June 8, 2017.
- Bat survey results and closure method recommendations based on field investigations conducted by Bat Conservation International (BCI) in August, 2014; February, 2015; October, 2015; March, 2017; and June, 2018.
- Summaries of the December 12, 2017 and June 29, 2017 public meetings jointly conducted by the AMLP and BLM. The summaries include copies of the public notices used to advertise the meetings; meeting agendas, public comment sheets, and sign-in sheets; project area display boards; and slide presentations.
- A map of the project area and diagrams of the New Mexico AMLP's suite of standard closure designs.
- A consultation letter (code: 02ENNM00-2017-SLI-0196) from the United States Fish and Wildlife Service (USFWS), New Mexico Ecological Services Field Office dated January 5, 2017.
- Consultation letters between the New Mexico AMLP and Historic Preservation Division dated April 13, 2017 and August 3, 2017.
- Problem Area Description NM-935052 (San Pedro) in OSMRE's electronic Abandoned Mine Land Inventory System (eAMLIS).
- A summary of tribal outreach activities conducted in support of this project.

OSMRE's specific reasons for making this Finding are as follows:

- The proposed action will enhance public health and wellbeing by safeguarding approximately 100 high-priority AML problem-types including adits, shafts, subsidence areas, and other mine openings

throughout the project area by way of earthen backfill, polyurethane foam plugs, and construction of wildlife-compatible structural barriers.

- Impacts to four federally listed species with the potential to occur in the project area were considered under the BA/BE; the proposed action will have no effect on federal endangered, threatened, or proposed species due to lack of critical habitat, general habitat, or occurrence in the project area. A no effect determination was made for eight of the 14 BLM-sensitive and state-listed species with the potential to occur in the project areas due to lack of general habitat or occurrence. According to the BA/BE, individual occurrences of the remaining six species (spotted bat, Townsend's big-eared bat, American peregrine falcon, gray vireo, pinyon jay, and Bendire's thrasher) may be affected but not to the extent likely to lead towards federal listing or a loss of viability due to the temporary, localized nature of the habitat disturbances and the fact that disrupted individuals can relocate to adjacent, undisturbed habitat. With regard to individual occurrences of the spotted bat and Townsend's big-eared bat, impacts will be minimized because individual mine closure stipulations developed by BCI will be followed. With regard to individual occurrences of the American peregrine falcon, no nest sites are known to exist within the project area.
- There are no Areas of Critical Environmental Concern, Wilderness Areas, or Wilderness Study Areas within or directly adjacent to the project area. The San Pedro Mountains Special Recreation Management Area (SRMA) does occur within the project area. However, one of the BLM's management directives for the SRMA is to "ensure any open mines or mining related hazards on public lands are adequately mitigated to provide for public safety" which aligns with the objective of this project.
- No safeguarding activities will take place within project area Ordinary High Water Marks. The project will have no impact on Waters of the US and no effect on project area drainage hydrology.
- Existing roads will be utilized to the extent possible to minimize surface disturbances to herbaceous and shrub species. Most of the areas surrounding mine features are previously disturbed by historic mining operations. Post-closure earthwork will restore surface contours to resemble natural drainage patterns, reducing erosion. Revegetation will be accomplished with a native, certified weed-free seed mix specified by the BLM.
- The paleontology analysis report concluded the project will have minimal impacts to fossil resources and included the requirement to halt construction and contact the BLM-permitted paleontologist to determine appropriate next steps, should a discovery be made.
- Air quality impacts, including equipment emissions and fugitive dust, will be minor, temporary, and localized. No impacts to Class 1 Air Sheds are anticipated. Dust control measures may include vehicular speed restrictions, road-wetting, and avoiding ground-disturbing activities during high winds.
- Safeguarding closures are only recommended for hazardous mine features within the APE; the majority of historic and cultural sites within the APE will remain unaffected. Avoidance areas up to 50 feet from known archeological sites and features will be outlined with four-foot high-visibility fencing. Construction will be monitored by an AMLP project manager and archaeologist to ensure design features and stipulations are adhered to. Highly visible waste piles will be retained where possible and mining features filled with existing waste rock or polyurethane foam will remain visible as shallow depressions. If previously unidentified sites or artifacts are encountered, AMLP will immediately terminate area operations until the proper agencies and Native American groups have been contacted and offered the opportunity to assess the discovery site. By letters dated April 20,

2017 and August 8, 2017, the New Mexico State Historic Preservation Officer concurred with AMLP's determinations of no adverse effects to historic properties based upon recommendations from the TAMARCH Cultural Resource Management Services and Westland Resources, Inc. cultural resource inventories.

TCM

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11/6/2018

Date

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