



U.S. DEPARTMENT OF THE INTERIOR  
**BUREAU OF LAND  
MANAGEMENT**

## **Finding of No Significant Impact (FONSI)**

**DOI-BLM-NM-F010-2023-0068-EA**

**December 2024**

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### **Black Spring Humate Mine Expansion Project**

***Applicant:*** *Menefee Mining Corporation*  
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#### **FINDING OF NO SIGNIFICANT IMPACT**

Based on my review of the attached Environmental Assessment (EA), DOI-BLM-NM-F010-2023-0068-EA entitled “Black Spring Humate Mine Expansion Project”, I have determined that the selected alternative and identified mitigation measures will not significantly affect the quality of the human environment. Therefore, an Environmental Impact Statement is not required.

The Proposed Action and its impacts have been evaluated in a manner consistent with the Council on Environmental Quality regulations for determining *significance*. Per 40 CFR § 1508.27, a determination of significance requires consideration of both context and intensity. Context refers to the relative context in which the action would occur, such as society as a whole, the affected region, affected interests, etc. Intensity refers to the severity of the impact.

#### **CONTEXT**

The proposed project was evaluated under the 2003 Farmington Resource Management Plan (RMP) and Record of Decision (ROD). Stipulations would be applied to the Mineral Material Contract in accordance with the RMP and ROD. Proponent-proposed design features were incorporated into the Proposed Action, with the potential impacts of the Proposed Action analyzed accordingly.

The Proposed Action is located in the San Juan Basin in northwestern New Mexico. Mineral development has been occurring in this area since an oil and gas discovery near the Chaco Slope in 1911. The San Juan

Basin is one of the largest oil and gas producing basin in the United States consisting of 183 oil and gas fields and approximately 29,355 active wells having produced 56.2 trillion cubic feet of gas and 360 million barrels of oil from Federal, private, tribal trust, Indian-allotted and state wells. Mineral development activity of all types, and attendant industries, have become identifying components of the economic and social fabric of the region. Affected interests include public health, water quality and quantity, air quality, climate, cultural resources, and the economics of the community.

## **INTENSITY**

The following factors (taken from 40 CFR 1501.3(d)(2)(i-viii)) have been considered in my evaluation of the Proposed Action:

### **1. The degree to which the action may adversely affect public health and safety**

Design features have been included in the Proposed Action to address any impacts to public health and safety. These are described in the Proposed Action in Chapter 2 of the EA and in the Mining and Reclamation Plan. The Proposed Action achieves the balance of resource protection and beneficial uses of the human environment envisioned by NEPA.

### **2. The degree to which the action may adversely affect unique characteristics of the geographic area such as historic or cultural resources, parks, Tribal sacred sites, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.**

Unique characteristics of the geographic area of the BLM FFO are designated as Areas of Critical Environmental Concern (ACECs) or Specially Designated Areas (SDAs) in the 2003 BLM FFO Resource Management Plan (RMP). ACECs and SDAs include special management provisions to protect resources including historic or cultural resources, parks, Tribal sacred sites, wetlands and ecologically critical areas. The proposed project is in conformance with the RMP, therefore no ACECs or SDAs would be affected by the Proposed Action to a degree that would affect the resource values for which the area was designated. The BLM FFO does not contain any prime and unique farmlands, or suitable or designated wild and scenic rivers.

### **3. Whether the action may violate relevant Federal, State, Tribal, or local laws or other requirements or be inconsistent with Federal, State, Tribal, or local policies designed for the protection of the environment.**

The Proposed Action does not violate any Federal, state, local, or Tribal law, regulation, or policy imposed for the protection of the environment. This project is consistent with applicable laws, land management plans, and policies.

### **4. The degree to which the potential effects on the human environment are highly uncertain.**

The Proposed Action is relatively routine within northwest New Mexico and the potential effects on the human environment are not highly uncertain or involve unique or unknown risks.

**5. The degree to which the action may adversely affect resources listed or eligible for listing in the National Register of Historic Places.**

The Proposed Action is not anticipated to create any degree of impacts to sites/objects on the National Register of Historic Places or to cause significant adverse loss or destruction of significant scientific, cultural, or historical resources. The Proposed Action, with its applied conditions of approval, includes project elements to mitigate or eliminate potentially significant impacts to cultural resources.

**6. The degree to which the action may adversely affect an endangered or threatened species or its habitat, including habitat that has been determined to be critical under the Endangered Species Act of 1973 (ESA).**

The Proposed Action is not likely to adversely affect any endangered or threatened species or its critical habitat. The Proposed Action is in conformance with the 2003 FFO RMP, which is based on the analysis of the Proposed Resource Management Plan/Final Environmental Impact Statement and associated Biological Assessment. Consultation was conducted with the United States Fish and Wildlife Service regarding the implementation of the RMP. This consultation resulted in concurrence from USFWS that the RMP “may affect, not likely to adversely affect” determination for all federally listed species and critical habitat under the ESA (Cons. #2-22-01-I-389).

**7. The degree to which the action may adversely affect communities with environmental justice concerns.**

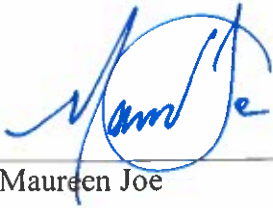
Environmental Justice communities in northwest New Mexico have the potential to be impacted by BLM decisions when there are changes to wildlife movement, water use and quality, timing of project implementation, visual impacts, noise, air quality and infrastructure. Due to the remote nature of the project, no significant impacts to an Environmental Justice community are expected.

**8. The degree to which the action may adversely affect rights of Tribal Nations that have been reserved through treaties, statutes, or Executive Orders.**

The Proposed Action would not adversely affect rights of Tribal Nations. The BLM FFO recognizes that Indian tribes are governmental sovereigns with inherent powers to make and enforce laws, administer justice, and manage and control their natural resources. The BLM FFO continues to pursue meaningful and long-lasting relationships with Tribes and Pueblos that may be affected by BLM decisions to ensure rights of Tribal Nations are respected and honored.

**CONCLUSION**

Based on the information contained in the EA, as well as all other information available to me at this time, it is my determination that the Proposed Action is in conformance with the 2003 RMP, and that the degree of the effects of the Proposed Action do not rise to the level of significance requiring preparation of an EIS.



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Maureen Joe  
Field Manager  
Farmington Field Office

12/10/24

Date