Determination of NEPA Adequacy (DNA)

U.S. Department of the Interior
Bureau of Land Management
San Luis Valley Field Office
1313 East Highway 160
Monte Vista, CO 81144

OFFICE: San Luis Valley Field Office

PROJECT NUMBER: DOI-BLM-CO-F03-2015-0015-DN

CASEFILE:

Authorization #	Permittee
0505100	Ronald, Max & Mercedes Ruybal

PROPOSED ACTION TITLE/TYPE: Range – Term Grazing Permit Renewal for the following allotment:

Las Mesitas #04234

LOCATION/LEGAL DESCRIPTION: BLM lands in the New Mexico Principal Meridian, Conejos County, Colorado

Las Mesitas T. 33N, R8E.Sec. 31

A. Description of the Proposed Action and any applicable mitigation measures

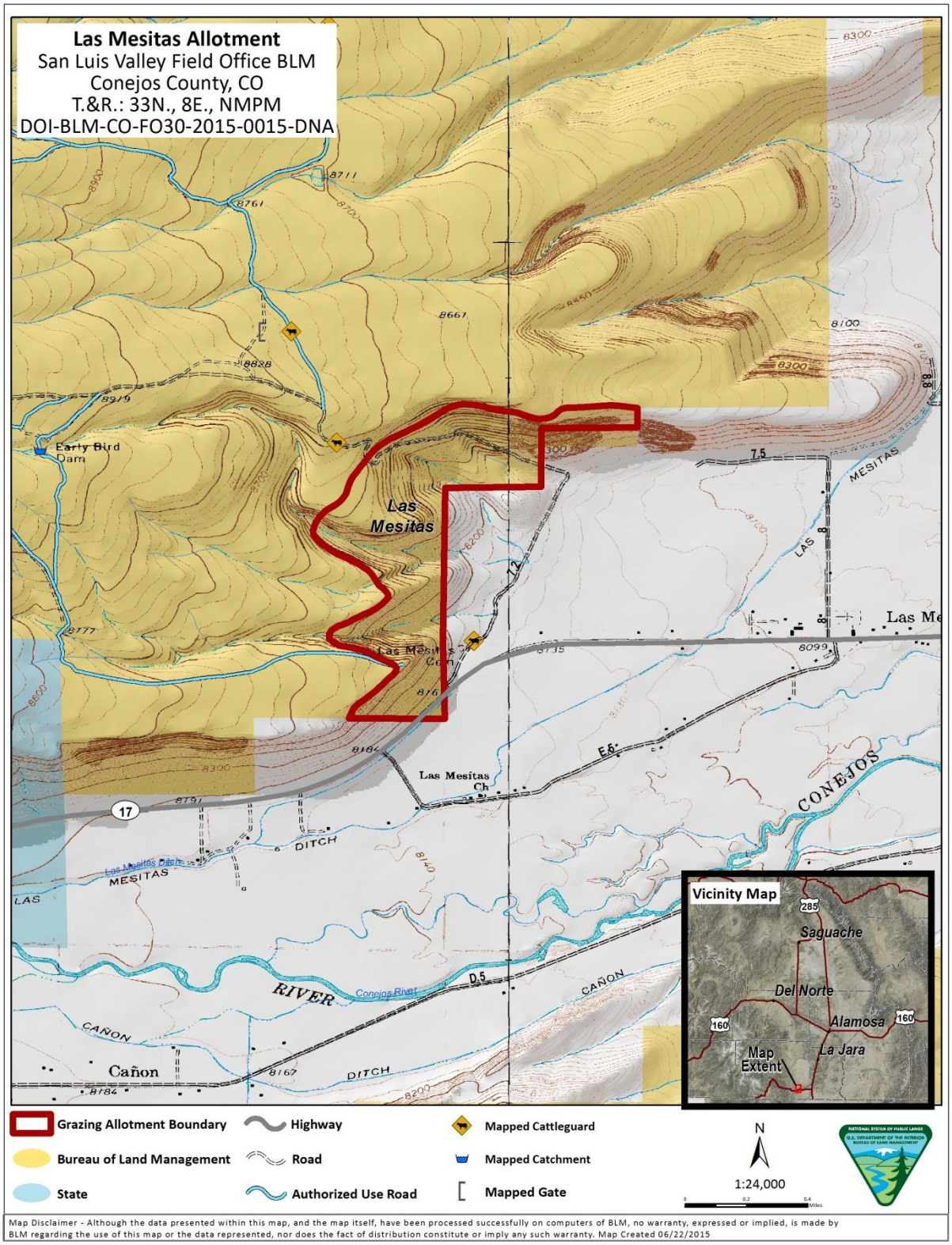
The proposed action is to renew the authorizations (permit) to Ronald, Max & Mercedes Ruybal for a 10 year term to expire on 2/28/2025. Grazing use on the allotment will remain as currently scheduled. There will not be changes in livestock numbers, authorized grazing dates and times, authorized levels of use, or terms and conditions.

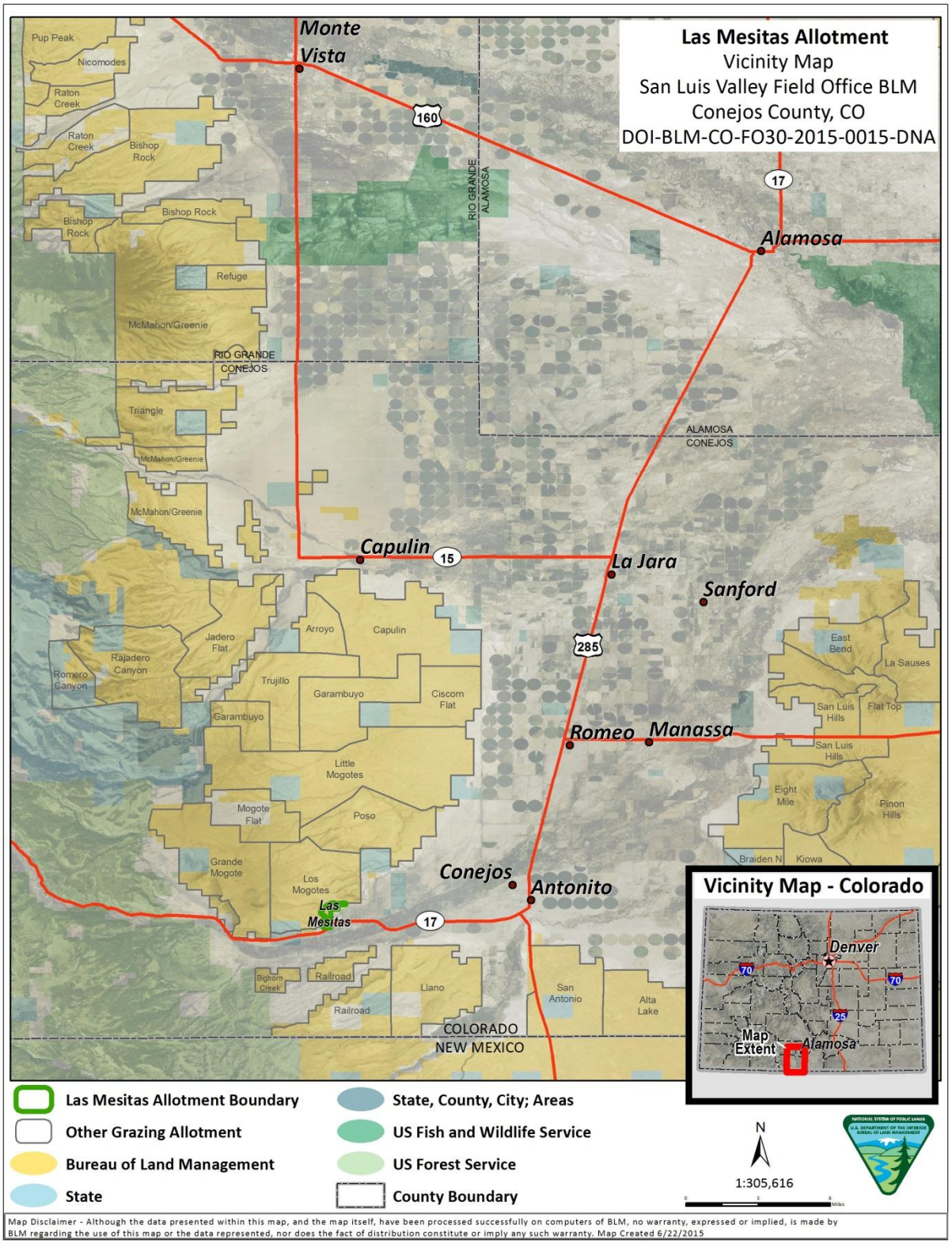
As per CFR 4130.3-3 the authorized officer may modify the grazing schedule, terms and conditions of the permits at any time during the term when the active use or related management practices are not meeting the land use plan, allotment management plan, activity plan, or management objectives.

The allotment is currently scheduled as follows:

Allotment	Number	Kind	Grazing Period Begin	End	% Public Land	Type Use	AUMs
Las Mesitas	1	Cattle	03/01	- 05/31	100	Custodial	3
Las Mesitas	1	Cattle	10/01	- 01/31	100	Custodial	4

The Terms & Conditions associated with each allotment are too lengthy to list in this document. They can be reviewed in the previous permit renewal EA's referenced in the list of associated NEPA documents.




Las Mesitas Allotment
Vicinity Map
San Luis Valley Field Office BLM
Conejos County, CO
DOI-BLM-CO-FO30-2015-0015-DNA
Monte Vista
Alamosa
Capulin
La Jara
Sanford
Romeo
Manassa
Conejos
Antonito
Las Mesitas
160
17
15
285
RIO GRANDE
ALAMOSA
RIO GRANDE
CONEJOS
ALAMOSA
CONEJOS
COLORADO
NEW MEXICO
Pup Peak
Nicomodes
Raton Creek
Bishop Rock
Refuge
McMahon/Greenie
Triangle
Jadero Flat
Arroyo
Capulin
Rajadero Canyon
Romero Canyon
Trujillo
Garambuyo
Ciscom Flat
Little Mogotes
Mogote Flat
Poso
Grande Mogote
Los Mogotes
East Bend
La Sauses
San Luis Hills
Flat Top
Eight Mile
Pinon Hills
Braiden N
Kiowa
Bighorn Creek
Railroad
Llano
San Antonio
Alta Lake
Vicinity Map - Colorado
Denver
Map Extent
Alamosa
Las Mesitas Allotment Boundary
Other Grazing Allotment
Bureau of Land Management
State
State, County, City; Areas
US Fish and Wildlife Service
US Forest Service
County Boundary
N
1:305,616
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B. Land Use Plan (LUP) Conformance

LUP Name SLA Resource Management Plan	Date Approved 12/18/1991
Other Document	Date Approved
Other Document	Date Approved

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

1-6: Continue the 50 fully implemented AMP's, if necessary to meet present and future objectives, and continue to review and implement the 36 allotment management plans not implemented.
1-7: Provide 40% of increased forage production to livestock grazing and 60%, if needed, to non-livestock uses and needs.
1-8: Monitor all grazing areas and take appropriate methods to accomplish enhanced riparian values, enhance effected habitat where special status plants & animals are present.
1-9: Allow livestock grazing year round based on planning objectives, where no conflict occurs with wildlife or mitigated. Early spring use (3/1 – 4/30) could be allowed for special management prescriptions.
1-6 (Land Use Allocation): Continue authorizing 32,400 AUMs annually for livestock grazing on existing grazing allotments.

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action.

Las Mesitas Term Permit Renewal CO-0056-99-4-EA

List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Yes. The previous EA analyzed grazing use and permit renewal for the same allotment. The Proposed Action is substantially the same action and at the same site specifically analyzed in the existing NEPA document(s). Grazing use on the allotment will remain as previously scheduled. There will be no changes in livestock numbers, authorized grazing dates, times, authorized levels of use or terms and conditions.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and

resource values?
Yes. The RMP considered a range of alternatives. The RMP consisted of the existing management alternative, the natural resource enhancement alternative, and the preferred alternative. The existing EA continues to be appropriate for the permit renewal for current conditions. The EA included a proposed action alternative that analyzed the need for reissuing the term grazing permit as was with no changes made to the permit. No other alternatives were needed or analyzed due to the proximity of this very small custodial allotment to private lands owned by the permittee. No new environmental conditions or changes in resource values have arisen that would invalidate those alternatives analyzed.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?
The information and circumstances surrounding the grazing permit in this renewal are unchanged from the previous analysis. No new evidence or circumstances have arisen that would change the analysis.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?
Yes. There are no negative direct or indirect impacts associated with the proposed action. The impacts analyzed in the permit renewal EA remains unchanged.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?
Yes. Public scoping was conducted for the previous NEPA analysis. No new issues were brought forward as a result of this scoping.

E. Persons/Agencies /BLM Staff Consulted

INTERDISCIPLINARY TEAM REVIEW			
NAME	**TITLE**	**AREA OF RESPONSIBILITY**	**Initials/date**
Joel Humphries	Wildlife Biologist	Terrestrial Wildlife, T&E, Migratory Birds, Fisheries	JTH 7/20/15
Melissa Shawcroft	Range Management Spec.	Range, Vegetation	MJS 7/8/2015
Eduardo Duran	NRS	Riparian, T&E species, Farmland, Invasive Plants	END 7/8/2015
Rebecca Morris	Physical Scientist	Minerals, Paleontology, Waste Hazardous or Solid	RSM 7/9/2015
Negussie Tedela	Hydrologist	Hydrology, Water Quality/Rights, Soils, Air Quality	NHT 7/13/2015
Sean Noonan	Outdoor Recreation Planner	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers,	STN 7/13/2015
Martin Weimer	NEPA Coordinator	Environmental Justice, Noise, SocioEconomics	mw, 7/27/15

Brian Fredericks	Archaeologist	Cultural, Native American	BAF 07/09/2015
Leon Montoya	Realty Specialist	Realty	LAM 07/09/2015

Other Agency Represented:

REMARKS:

Cultural Resources: Pursuant to BLM Instruction Memorandum Number CO-2002-029, SLVFO cultural resources staff conducted a literature review of previous inventories conducted and sites recorded on the public land within the allotment area. There are currently no archaeological sites or surveys present within the Las Mesitas allotment. It is the intention of the SLVFO BLM to conduct cultural resource inventories over the term of the renewal to identify high impact livestock concentration areas and record historic properties located. If the inventories suggest that historic properties are present and may be impacted by range activities, cultural resource staff will work with range managers, in consultation with the SHPO and other interested parties, to identify applicable mitigation strategies.

Native American Religious Concerns: Native American Tribal consultation has been completed for this allotment. There is no known evidence that suggests the project area holds special significance for Native Americans. Therefore, it is unlikely that any traditional cultural properties or other sites of concern to the tribes will be affected by grazing.

Paleontology: No Paleontological concerns

Threatened and Endangered Species: This DNA was prepared in accordance with the Endangered Species Act of 1973, as amended. Section 7 consultation with the U.S. Fish and Wildlife Service (USFWS), in accordance with the Endangered Species Act, was not required. The Proposed Action would have no effect on any threatened, endangered, proposed, or candidate species that is listed under the Endangered Species Act.

Wildlife: The Proposed Action would not have any new effects on wildlife or fisheries that were not previously analyzed. The Proposed Action complies with the Migratory Bird Treaty Act of 1918.

MITIGATION: None.

CONCLUSION

DOI-BLM-CO-F03-2015-0015 DN

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

SIGNATURE OF PROJECT LEAD: Melissa Shawcroft

SIGNATURE OF NEPA COORDINATOR: /s/ Martin Weimer

SIGNATURE OF THE RESPONSIBLE OFFICIAL: /s/ Andrew Archuleta
Andrew Archuleta, Field Manager

DATE: 8/6/15

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.