

**Worksheet**  
**Determination of NEPA Adequacy (DNA)**  
**U.S. Department of the Interior**  
**Bureau of Land Management**  
**Las Cruces District Office**

**NEPA Log Number:** DOI-BLM-NM-030- 2010-084-DNA

**Casefile/Project Number:** 96 Creek Lease No. 04509

**Proposed Action Title/Type:** Renewal of Grazing Lease

**Location/Legal Description:** Township 24 South, Range 16 West, Sections 10, 11, 14 and 15. This allotment is located in Grant County New Mexico approximately 14 miles southeast of Lordsburg, New Mexico. The Section 15 Lease consists of 270 acres of Federal land described as the SE ¼ Section 10; SE ¼ NW ¼ and the S ½ Section 11; N ½ Section 14; and the NE ¼ Section 15 all located in the aforementioned Township and Range.

**Applicant:** John W. and Kathy Hatcher, DBA Hatcher Revocable Trust

**1 Description of the Proposed Action and any applicable design standards:**

The proposed action is to renew the term grazing lease for the 96 Creek Lease No. 04509, a Section 15 grazing lease under the Taylor Grazing Act. The grazing lease for this allotment authorizes 4 cattle yearlong billed at 100 percent Federal use. This lease is an “M” (Maintain) category lease under the Selective Rangeland Management System.

The issuance of a grazing lease for this allotment was analyzed for a 10 year term grazing lease under Environmental Assessments NM-030-99-083, dated April 1, 1999. The issuance of a new grazing lease for this allotment meets the criteria for a DNA as described below.

There are no Terms and Conditions for this lease.

**2 Land Use Plan (LUP) Conformance**

Mimbres Resource Management Plan, December 1993.

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

Range Management Decision #40 – Issue Grazing Permits and Leases. Mimbres Resource Management Plan Record of Decision (April 1993)

**3 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.

- Notice of Final Decision – 96 Creek Lease No 04509, dated April 7, 1999
- Finding of No Significant Impact, dated April 7, 1999
- Environmental Assessment No. NM-030-99-083, dated April 1, 1999

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.)

- Allotment and Permit/Lease Review and Rangeland Health Assessment, dated March 26, 2007
- Evaluation and Determination, dated March 26, 2007

#### **4 NEPA Adequacy Criteria**

**4.1 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 proposed action is to renew the term grazing lease for the same allotment that was analyzed in EA NM-030-99-083. The terms and conditions would be similar to those on the current term grazing permit and lease. The resource conditions, such as forage availability, are sufficiently similar based on field inspections. Existing special designations, rights-of-ways or special species concerns are essentially similar to what was previously analyzed.

**4.2 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 range of alternatives analyzed in EA NM-030-99-083 is appropriate with respect to the grazing lease renewal of the 96 Creek Lease. The environmental concerns, resource values, circumstances and interests are not expected to be affected as a result of the proposed action.

**4.3 Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, and 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?**

While some additional information has been collected, the existing analysis is valid in light of new information regarding this allotment

On March 26, 2007, a Rangeland Health Assessment and Evaluation and Determination of the Standards for Public Land Health was completed on this allotment. Based on field visits, evaluation of the indicators of rangeland health, and other available data, it was determined that the upland and biotic standards were being achieved and grazing was in conformance with the guidelines for Livestock Management. There are no riparian sites on the allotment and thus the riparian standard was not applicable.

*Wildlife* – The reviewing Wildlife Biologist discovered that the allotment is in Grant County rather than Hidalgo which is stated in the original Environmental Assessment. Even though the incorrect county list was

used in the original analysis, it does not “substantially change the analysis because the expected species for the habitat would be the same regardless of county jurisdiction.” His review also found that the aplomado falcon had not been included in the original assessment, but that “there is no new information that would substantially change the analysis. Because the standard is being met the determination for aplomado would be not likely to adversely affect.” (Please refer to attached memorandum for complete review.)

**4.4 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?**

No new projects have been completed on this allotment, the lessee is still the same and the management practices are not proposed to be changed, thus the methodology and analytical approach used in EA NM-030-99-083 continues to be appropriate. The direct, indirect and cumulative effects for the proposed action, in light of new information, are thus similar to those analyzed in aforementioned EA.

**4.5 Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Yes, Environmental Assessment NM-030-99-083 was mailed to the interested public for a 30 day comment period. The subsequent Proposed Decision was also issued to the public for a 15-day protest and a 30-day appeal period. No comments, protests or appeals were received. In addition, a proposed decision will be issued to the lessee and interested public as part of the reissuance of the new term grazing permit and lease. The proposed decision will allow for a protest and appeal period in accordance with the grazing regulations.

**5 Persons/Agencies /BLM Staff Consulted**

<b>Name</b>	<b>Title</b>	<b>Resource Represented</b>
Tom Holcomb	Archeologist	Cultural
Jack Barnitz	Wildlife Biologist	Botany (T & E)
Jack Barnitz	Wildlife Biologist	Wildlife (T & E)
Dona Rutherford	Range Technician	Range

Note: Refer to the EA/EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

**6 Mitigation Measures**

List any applicable mitigation measures that were identified, analyzed, and approved in relevant LUPs and existing NEPA document(s). List the specific mitigation measures or identify an attachment that includes those specific mitigation measures. Document that these applicable mitigation measures must be incorporated and implemented:

The new lease would incorporate the following terms and conditions:

- Grazing use will be in accordance with the proposed action and mitigation measures identified in NM-030-99-083 and DOI-BLM-NM-030-2010-084-DNA

