

**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-030-2009-051-DNA

**Casefile/Project Number:** Martine Ridge Allotment No. 09020, Plowman Ridge Allotment No. 09021, and Lower Devils Den Canyon Allotment No. 09022

**Proposed Action Title/Type:**

Grazing Permit Renewal: Martine Ridge Allotment No. 09020, and  
Plowman Ridge Allotment No. 09021.

Grazing Lease Renewal: Lower Devils Den Canyon Allotment No. 09022

**Location/Legal Description:** Martine Ridge Allotment No. 09020 (Otero and Eddy County, T. 25 S., R. 20 & 21 E. and T. 26 S., R. 20 E.), Plowman Ridge Allotment No. 09021 (Otero County, T. 25, 26, 27 S., R.20 E., and Lower Devils Den Canyon Allotment No. 09022 (Eddy County, T. 26 S., R. 21 E.)

**Applicant** (if any): Allotment's Permittee

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

The proposed action is to renew the term grazing permits for the Martine Ridge Allotment No. 09020, and Plowman Ridge Allotment No. 09021, as well as renew the term grazing lease for the Lower Devils Den Canyon Allotment No. 09022.

The issuance of term grazing permits and term grazing lease was analyzed in EA-NM-030-99-054, dated February 25, 1999. Grazing use on each allotment would be authorized as follows:

**Table 1 Allotment Information**

<b>ALLOTMENT NAME/#</b>	<b>LIVESTOCK # AND KIND</b>	<b>PERIOD OF USE</b>	<b>% PL</b>	<b>AUMS</b>
Martine Ridge/09020	114 C	3/1-2/28	32	438
Plowman Ridge/09021*	124 C 10 H	3/1-2/28	35	563
Lower Devils Den Canyon/09022*	9 C	3/1-2/28	100	108
NOTE: *Since completion of EA-NM-030-99-054, two allotments have had name changes to comply with BLM policy. The Plowman Ridge Allotment had been previously named Hughes Brothers Allotment and the Lower Devils Den Canyon Allotment had been known as the Hughes Brothers Lease.				

The existing terms and conditions, as per EA-NM-030-99-054, listed on the grazing permits for Martine Ridge and Plowman Ridge Allotments are as follows:

“A conversion of livestock from sheep to cattle on the Plowman Ridge Allotment #09021 and Martine Ridge Allotment #09020 was approved on February 25, 1999. The grazing preference for both allotments will remain the same. The active Animal Unit Months (AUMs) changed as a result of the 7:1 conversion rate (sheep to cattle), i.e. Environmental Assessment for Grazing Permit Renewal , Plowman Ridge and Martine Ridge Allotments (EA No. NM-030-99-054). The active AUMs changed from 612 to 438 AUMs on Martine Ridge Allotment and 780 to 563 on Plowman Ridge Allotment. The remaining 174 AUMs on Martine Ridge and 217 AUMs on Plowman Ridge have been put into non-schedule use. These AUMs are available if one of the following actions occur; (1) Monitoring studies indicate one or both allotments can run a higher number of livestock other than the current 7:1 ratio or (2) An application for the conversion from cattle back to sheep is approved.

Monitoring studies will be established on both allotments. Condition, trend, and utilization data will be collected for a minimum of 3 years. This information will be analyzed and used to determine the livestock grazing capacities for both allotments. If livestock numbers change, a new 10 year permit will be issued.

Portions of the Plowman Ridge Allotment #09021, are in the Brokeoff Mountains Wilderness Study Area (WSA), Brokeoff Mountains NM-030-112. This permit authorizes livestock grazing only. Other actions such as range improvements construction or other surface disturbance activities must have prior approval by BLM. Failure to obtain prior approval for such actions may jeopardize your grazing preference on the Plowman Ridge Allotment.

Placement of supplemental feeds, such as salt, minerals, vitamins, and protein in block or liquid form on public land is authorized.”

There are currently no other terms and conditions listed for the Lower Devils Den Canyon Allotment.

## 2 Land Use Plan (LUP) Conformance

**Table 2 Land Use Plan Conformance**

LUP Name*	White Sands Resource Management Plan	Date Approved	October 1986
LUP Name*	ROD Standards & Guideline for Public Land Health	Date Approved	January 2001
Other document**		Date Approved	
Other document**		Date Approved	
*List applicable LUPs (e.g., Resource Management Plans or applicable amendments).			
**List applicable activity, project, management, water quality restoration, or program plans.			

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

N/A

**The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):**

RM-1 on page 34 of the White Sands Resource Management Plan (RMP) addresses the initial livestock grazing use on all allotments. The decision indicates that the initial livestock grazing use would approximate the 5-year average and not exceed preference as noted on Table 2-7 of the RMP. Therefore, while the land use plan does not specifically indicate that grazing permits/leases will be issued for these allotment, issuance is clearly consistent and within the intent of the LUP.

## 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 Proposed Decision, issued February 25, 1999.  
(Note: When no protests were filed, the Proposed Decision became the Final Decision.)
- Finding of No Significant Impacts, issued February 25, 1999.
- Environmental Assessment NM-030-99-054, signed February 19, 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).

N/A

#### 4 NEPA Adequacy Criteria

**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 permits and term grazing lease on the same allotments analyzed in EA-NM-030-99-054. The terms and conditions would be similar to those on the current term grazing permits/lease. The resource conditions, such as forage availability, are sufficiently similar based on field inspections. Existing special designations, rights-of-ways, or special status species concerns are essentially similar to what was previously analyzed.

**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-030-99-054 is still appropriate with respect to the grazing permit renewal of the Martine Ridge and the Plowman Ridge Allotments, and the grazing lease renewal of Lower Devils Den Canyon Allotment.

EA-NM-030-99-054 analyzed three alternatives:

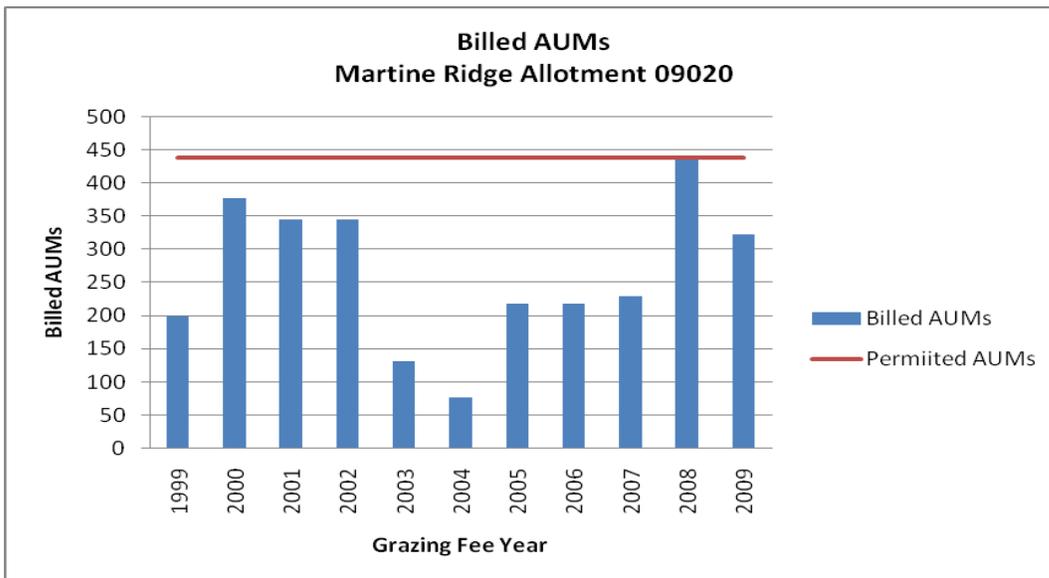
- Proposed Action - A 7:1 conversion ratio from sheep to cattle on the Plowman Ridge and Martine Ridge Allotments and authorize a grazing lease on the Lower Devils Den Canyon Allotment. Horses would continue to be authorized on the Plowman Ridge Allotment.
- Alternative 1 (No Action) – Deny the application and continue to run sheep, cattle, and horses on the Plowman Ridge Allotment, sheep and cattle on the Martine Ridge Allotment, and deny the application for livestock grazing use on the Lower Devils Den Canyon Allotment.

- Alternative 2 (Southwest Center for Biological Diversity) – Livestock grazing would be excluded from the WSA portion of the Plowman Ridge Allotment and would authorize a 7:1 conversion ratio from sheep to cattle on the remainder of the allotment.

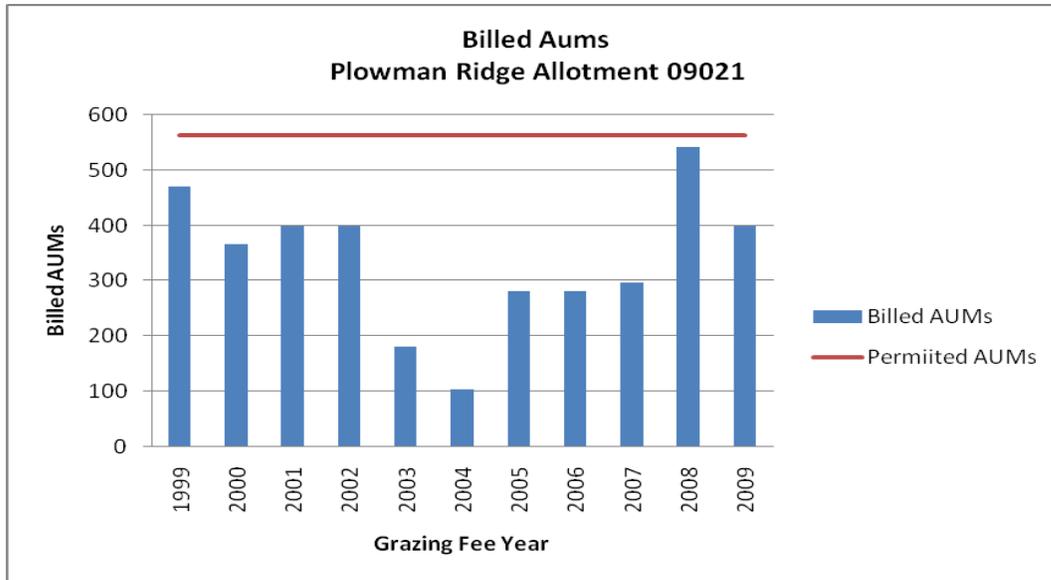
In 1999, the permit renewal of the Plowman Ridge and Martine Ridge Allotments addressed a conversion from sheep to cattle. With the issuance of the Proposed Decision for EA-NM-030-99-054, one of the terms and conditions of the permits was that monitoring studies would be established on the Plowman Ridge and Martine Ridge Allotments and condition, trend, and utilization data would be collected for a minimum of 3 years. The information would be analyzed and used to determine the livestock grazing capacities for both allotments.

The long-term monitoring studies (condition and trend) on the Plowman Ridge Allotment were established and read in 1993. Use pattern maps were completed in 1983, 1993, and 1997. No studies have been established on the Martine Ridge Allotment, although use pattern maps were completed in 1988 and 1999. This information was collected prior to the conversion from sheep to cattle.

Since the issuance of the proposed decision, no new monitoring data has been collected to address a different conversion ratio, thus the alternatives analyzed would still be appropriate. Following the issuance of the decision, there was widespread drought and rather than focusing on collecting monitoring data, drought conditions were being monitored. At the same time, the permittee was reducing livestock numbers on the Martine Ridge and Plowman Ridge Allotments. Refer to the following charts showing billed use versus permitted use.

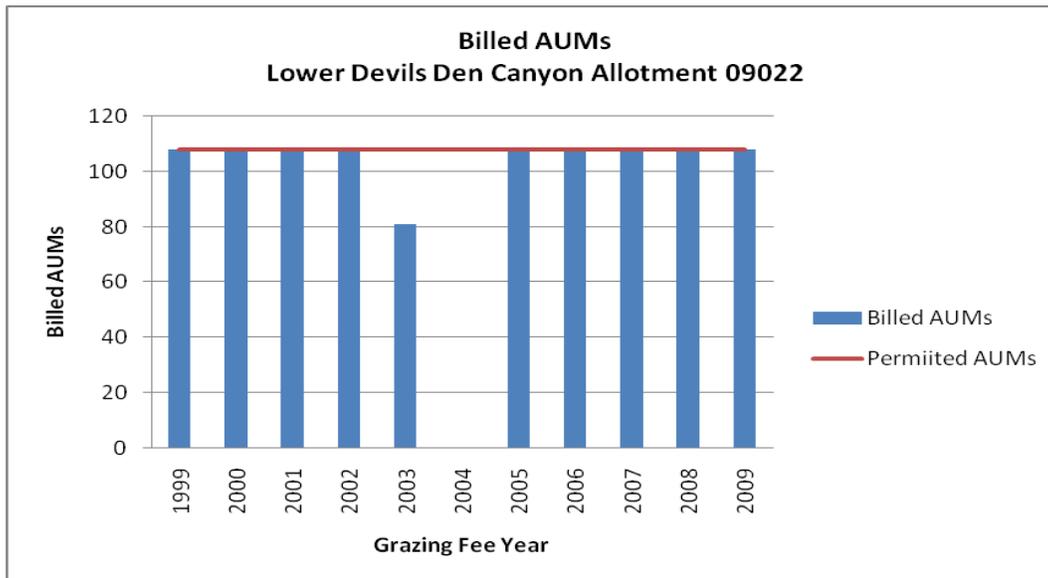


**Figure 1 Billed AUMs Martine Ridge Allotment**



**Figure 2 Billed AUMs Plowman Ridge Allotment**

The Lower Devils Den Canyon Allotment is authorized via a grazing lease for 9 cattle year long. While overall numbers on the allotment were reduced, the permittee continued to pay for the 9 head of cattle. In 2003, all livestock were removed in November when conditions were extremely dry and continued to be off of the allotment through 2004. See chart below.



**Figure 3 Billed AUMs Lower Devils Den Canyon Allotment**

**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 these allotments.

***Rangeland Health Standard Assessment:***

A rangeland health standard assessment was completed for the Martine Ridge Allotment and the Plowman Ridge Allotment on August 25, 2009 by a team consisting of four experts in the fields of rangeland, soils/hydrology, and wildlife resources. Twenty-one public land health indicators were used to assess the attributes of soil/site stability, hydrologic function, and biotic integrity, following the methods outlined in Interpreting Indicators of Rangeland Health, Version 4, Technical Reference 1734-6 (Pellant, Shaver, Pyke, and Herrick, 2005). After an evaluation of the rangeland health standard assessment, it was found that the Martine Ridge Allotment and the Plowman Ridge Allotment were meeting all of the standards for rangeland health. The full evaluation can be found at [http://www.blm.gov/nm/st/en/prog/planning.html#las\\_cruces](http://www.blm.gov/nm/st/en/prog/planning.html#las_cruces) under Rangeland Health Evaluations. As part of the rangeland health process the evaluation was sent to all interested public for a 30-day comment period. No comments were received.

***Use Supervisions:***

Allotment use supervisions were completed on the Plowman Ridge Allotment on November 26, 2001 as well as on the Martine Ridge Allotment on January 26, 2002. Both allotments were reported as going through a drought at the time of the visit, but were considered to be in good condition and within compliance of all mandatory terms and conditions. As indicated earlier, the permittee has been reducing livestock numbers during the drought and continues to be conservative and runs below permitted AUMs. The existing management practices are not changing, therefore the impacts analyzed in EA-NM-030-99-054 would not change.

***Wildlife Escape Ramps:***

The analysis in EA-NM-030-99-054 stated that “though some wildlife species benefit from water sources within the allotment that do not have wildlife escape ramps, there will continue to be some wildlife mortality.” It has long been BLM policy to ensure that any water developments (open water troughs and tanks) on public land have wildlife escape ramps installed to protect water quality and reduce wildlife loss. Within the Martine Ridge Allotment, the range improvement permit for the Martine Pipeline (Project No. 635459) specifically states that water would be provided yearlong for wildlife and that wildlife escape ramps in the troughs would be provided for wildlife. On the Plowman Ridge Allotment, the range improvement permit for the Plowman Pipeline (Project No. 635458) stated that water would be provide for wildlife yearlong but it did not specifically mention the wildlife escape ramps. There are a total of six troughs and three storage tanks (closed top) on public land on the Martine Ridge and Plowman Ridge

Allotments. Martine Ridge has two troughs, Plowman Ridge also has two troughs, and two troughs are shared between the two allotments. The Lower Devils Den Canyon Allotment has no troughs on public land. The use supervisions did not indicate which troughs or tanks did or did not have wildlife escape ramps. Because it is BLM policy to install and maintain wildlife escape ramps on open water troughs and tanks on public land, a term and condition will be added to the term grazing permits on the Martine Ridge and Plowman Ridge Allotments. This requirement would not significantly change the conclusions in the analysis of EA-NM-030-99-054.

***Cultural Resources:***

During the scoping process, EA-NM-030-99-054 addressed that although few archaeological surveys have been completed and no sites recorded within these allotments, there is a high potential for archaeological sites/features to exist. While it is standard operating procedure to complete archaeological surveys on new projects, surveys are usually not completed in salting/supplemental feeding locations. Due to the nature of surface archaeological remains, avoidance of surface sites is the primary form of mitigation. Therefore, as part of the mitigation measures, placement of supplemental feeds, minerals, vitamins, and protein, in liquid or block form in or near any visible archaeological site will be restricted. Any future ground-disturbing activities within this allotment will be subjected to cultural resource clearance and the resulting stipulations in accord with Section 106 of the National Historic Preservation Act of 1966 as amended. This requirement would not significantly change the conclusions in the analysis of EA-NM-030-99-054.

**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?**

Past use supervision of these allotments indicate compliance with terms and conditions of the permits/lease. In addition, as indicated above, the permittee has grazed the allotments conservatively during drought conditions and has continued to graze conservatively to continue to allow for recovery. No new projects have been completed on this allotment, the permittee is still the same, and the management practices are not proposed to be changed, thus the methodology and analytical approach used in EA-NM-030-99-054 continues to be appropriate. The direct, indirect, and cumulative effects for the proposed action are thus similar to those analyzed in EA-NM-030-99-054.

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

Yes. EA-NM-030-99-054 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 period and 30-day appeal period. No comments, protests, or appeals were received.

In addition, a proposed decision will be issued to the permittee, lessee, and interested public as part of the reissuance of new term grazing permits 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

**Table 3 BLM Staff Consulted**

<b>NAME</b>	<b>TITLE</b>	<b>RESOURCE REPRESENTED</b>
Amelia Underwood	Rangeland Management Specialist	Range
Darrell Winfree	Archeologist	Cultural Resources
Mark Hakkila	Wildlife Biologist	T/E Plant and Animals
Joe Sanchez	Natural Resource Specialist	Wilderness

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:

New terms and conditions will be added to the term grazing permit and term grazing lease, in addition to the existing terms and conditions to address the new information. The White Sands RMP (page 31, Rangeland Improvements) specifically states that “Escape ramps for birds and small mammals will be placed in open water storages and troughs located on public lands.” In addition, the RMP states that “A water supply will be maintained yearlong in open steel storages and troughs for wildlife use where BLM controls the water source.” In the case of these allotments, while the water source is not controlled by BLM, the requirement was included as part of the authorization of the Section 4 range improvement permit for these waters on public lands. Adding these terms and conditions will add further clarification to what is already required and to be in compliance with the land use plan requirements. The new terms and conditions to be added to the Martine Ridge and Plowman Ridge Allotments are as follows:

- “Grazing use will be in accordance with the proposed action and mitigating measures identified in EA-NM-030-99-054 and DOI-BLM-NM-030-2009-051-DNA.
- Water would be supplied to all livestock water troughs on public lands on a year round basis to provide water to wildlife. Any deviation from this requirement would require written authorization from the authorized officer. Wildlife escape ramps will be installed and maintained to BLM specifications on all open water troughs and tanks.”

The following term and condition will be added to the Lower Devils Den Canyon Allotment:

- “Grazing use will be in accordance with the proposed action and mitigating measures identified in EA-NM-030-99-054 and DOI-BLM-NM-030-2009-051-DNA.”
- A specific term and condition restricting placement of the supplemental feed, mineral, etc. in or near visible archaeological sites will not be specifically added to the terms and conditions of the permit, however, this mitigation measure will be addressed through the all encompassing term and condition stating that “Grazing use will be in accordance with the proposed action and mitigation measures .....

The following terms and conditions will be removed:

- “A conversion of livestock from sheep to cattle on the Plowman Ridge Allotment #09021 and Martine Ridge Allotment #09020 was approved on February 25, 1999. The grazing preference for both allotments will remain the same. The active Animal Unit Months (AUMs) changed as a result of the 7:1 conversion rate (sheep to cattle), i.e. Environmental Assessment for Grazing Permit Renewal , Plowman Ridge and Martine Ridge Allotments (EA No. NM-030-99-054). The active AUMs changed from 612 to 438 AUMs on Martine Ridge Allotment and 780 to 563 on Plowman Ridge Allotment. The remaining 174 AUMs on Martine Ridge and 217 AUMs on Plowman Ridge have been put into non schedule use. These AUMs are available if one of the following actions occur; (1) Monitoring studies indicate one or both allotments can run a higher number of livestock other than the current 7:1 ratio or (2) An application for the conversion from cattle back to sheep is approved.”
- “Monitoring studies will be established on both allotments. Condition, trend, and utilization data will be collected for a minimum of 3 years. This information will be analyzed and used to determine the livestock grazing capacities for both allotments. If livestock numbers change, a new 10-year permit will be issued.”

The above terms & conditions will be removed. The evaluation of the public land health standards for these allotments indicates that the standards are being met and current grazing is in conformance with guidelines. BLM will continue to complete annual compliance inspections, as well as reevaluating the carrying capacities on these allotments in accordance with existing policy and guidance. If in the future a request was made for a conversion back to sheep, BLM will initiate the appropriate monitoring and NEPA procedures before authorizing any change.

## 7 Conclusion

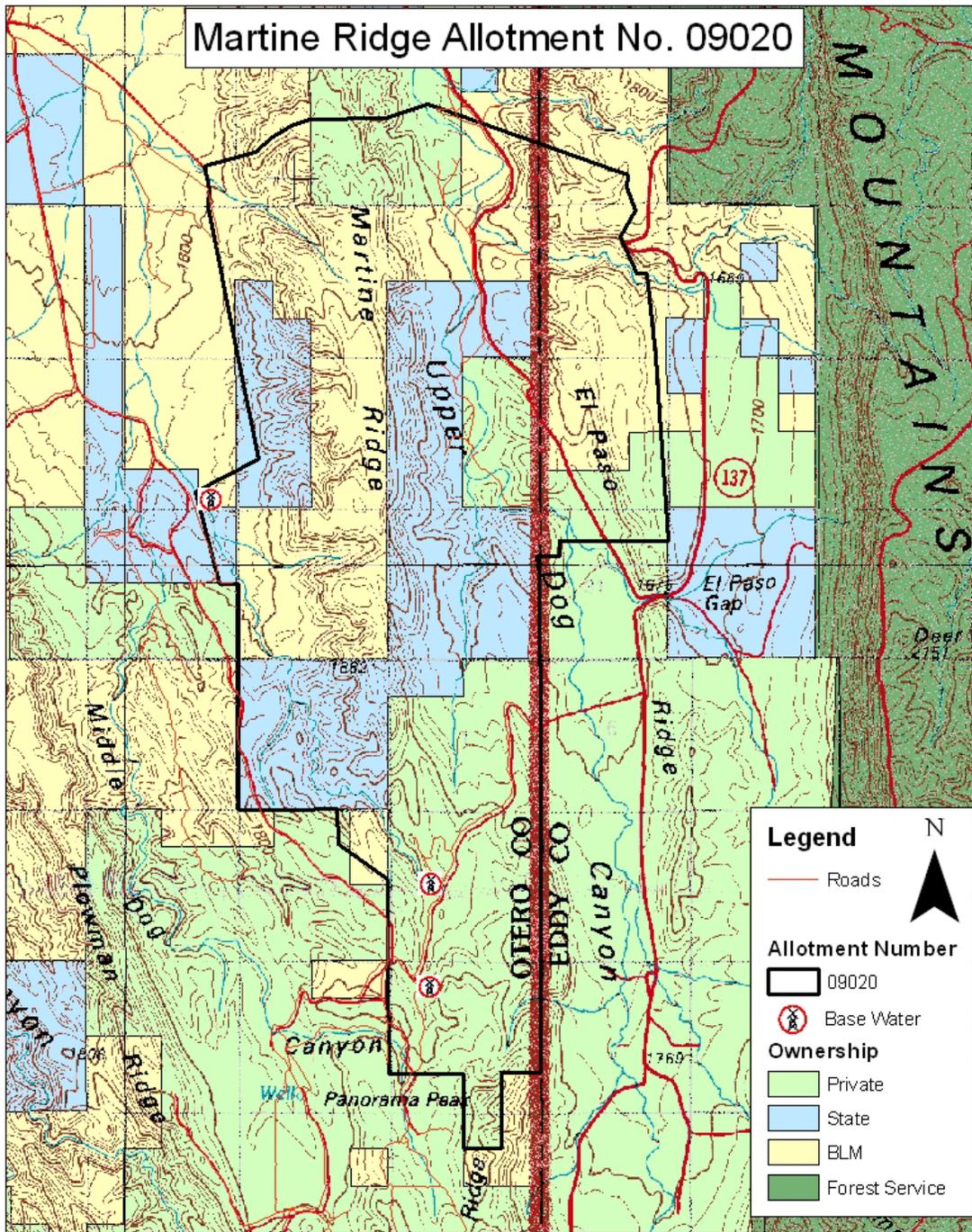
Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the existing NEPA documentation cited herein fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA.

Project Lead /s/ Amelia Underwood

NEPA Coordinator /s/Dwayne Sykes

Assistant District Manager: /s/ Jim McCormick Date 6/4/2010

**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.



No Warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data, or for purposes not intended by the BLM. Spatial information may not meet National Map Accuracy Standards. This information is subject to change without notification.

Figure 4 Map of Martine Ridge Allotment

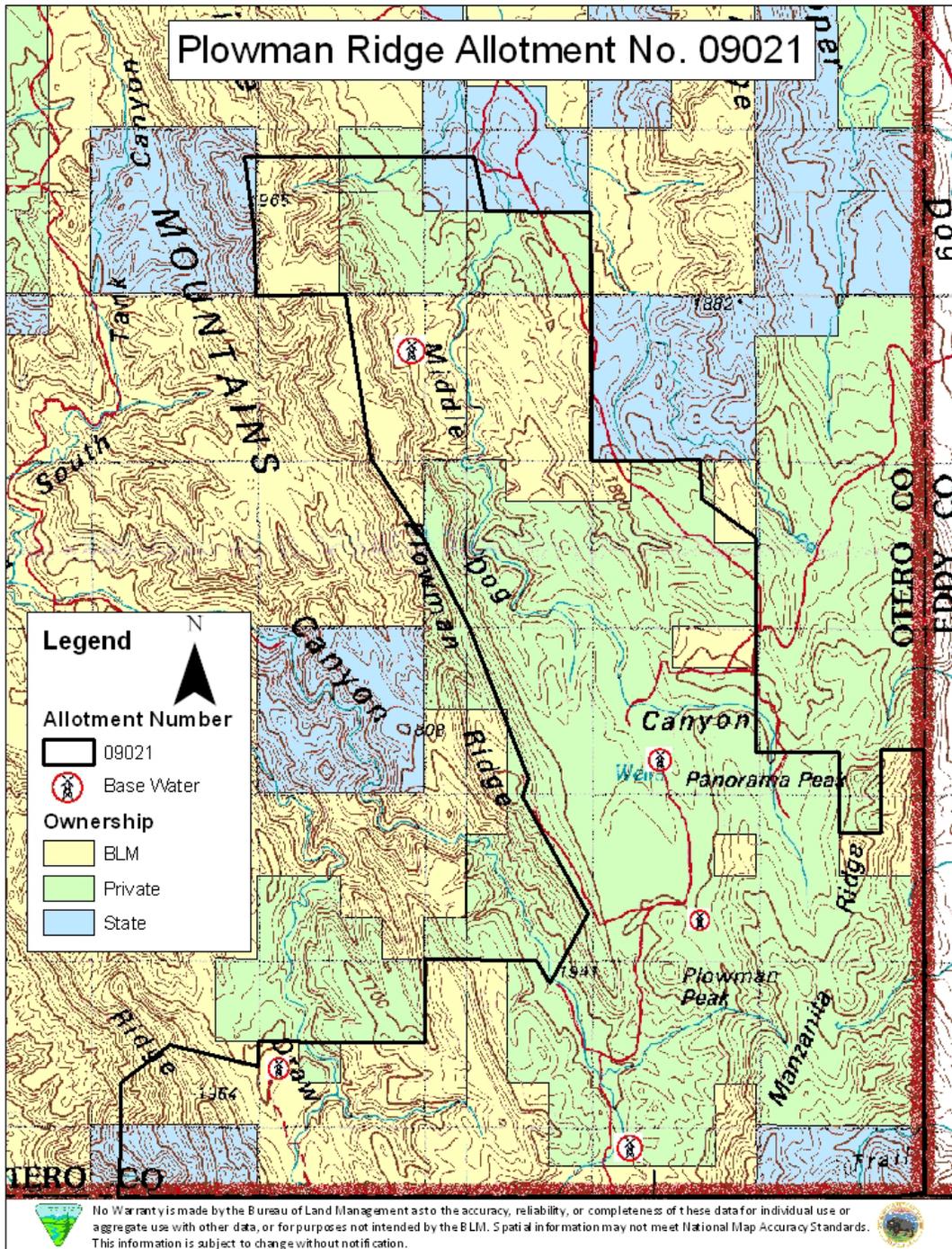


Figure 5 Map of Plowman Ridge Allotment

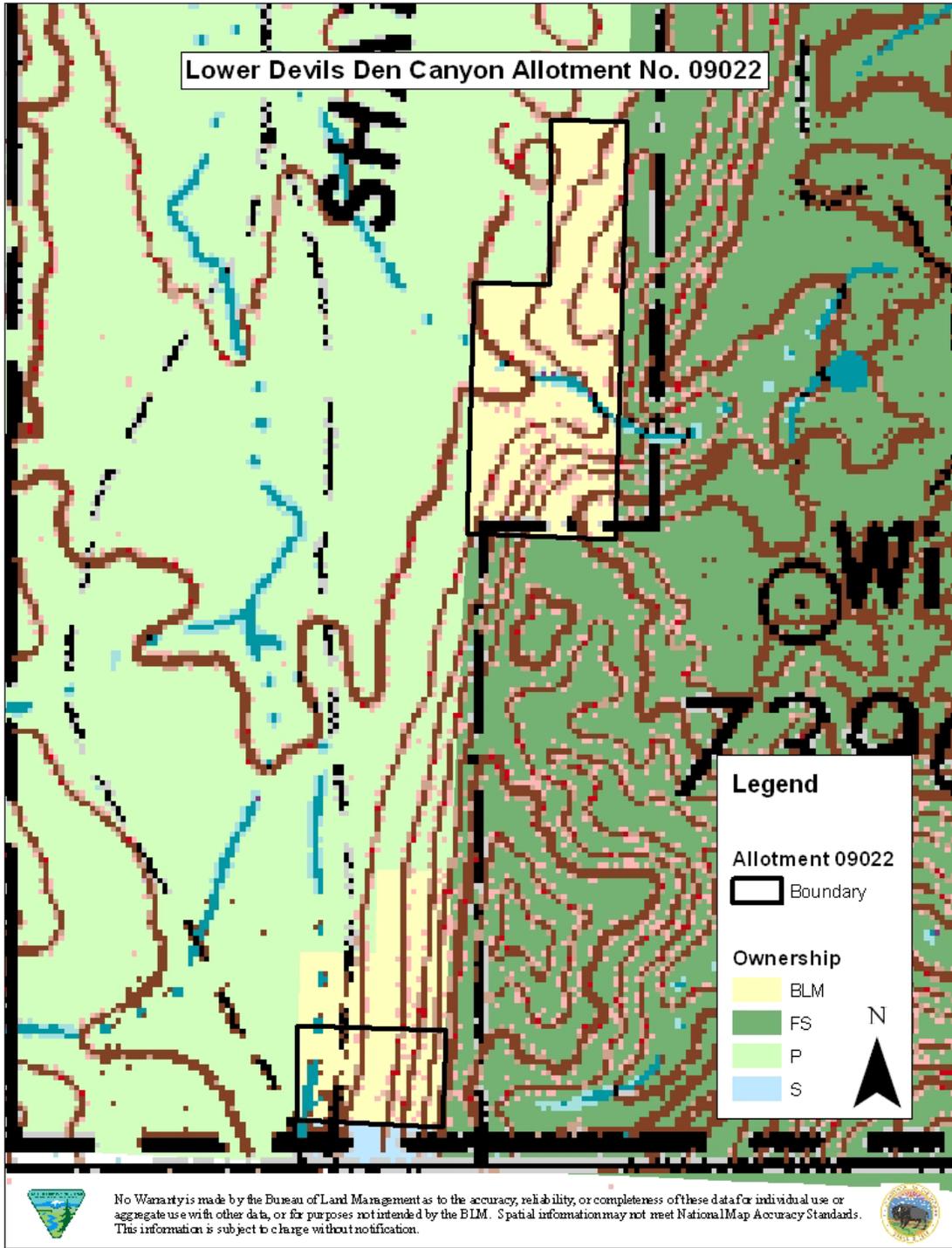


Figure 6 Map of Lower Devils Den Canyon Allotment