

**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-030-2009-095-DNA

**Casefile/Project Number:** Grazing Permit No. 09042

**Proposed Action Title/Type:** Grazing Permit Renewal for Vee Prod Allotment

**Location/Legal Description:** See attached map. The allotment includes public land on portions of:

T. 25 and 26 S. R. 17 and 18 E.

**Counties:** Otero

**Applicant:** Grazing permittees for Vee Prod Allotment.

**Name of BLM Preparer:** Lisa Phillips, Rangeland Management Specialist

**A. Description of the Proposed Action:**

The Vee Prod Allotment No. 09042 is a Section 3 grazing allotment under the Taylor Grazing Act. The allotment is designated in the "M" Maintain selective management category. The allotment was analyzed for a 10 year term grazing permit renewal under Environmental Assessment EA-NM-030-99-112. The permit is scheduled for renewal.

The proposed action is to renew the 10 year term permit for the Vee Prod Allotment No. 09042 to authorize 89 Cattle Yearlong (CYL), and 2 horses or 688 Federal AUMs, March 1 to February 28 each year, billed at 63 percent public land use.

The existing terms and conditions, as per EA-NM-030-99-112, listed on the grazing permits for the Vee Prod Allotment are as follows:

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

**B. Land Use Plan (LUP) Conformance**

**LUP Name:** White Sands Resource Management Plan October 1986

**LUP Name:** ROD Standards and Guidelines for Public Land Health Approved January 2001

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.

### **C. List and Attach Other Documents**

All applicable NEPA documents that cover the proposed action:

- EA-NM-030-99-112, Permit Renewal for the Vee Prod Allotment No. 09042, signed April 30, 1999
- Finding of No Significant Impact, signed May 6, 1999.
- Notice of Proposed Decision, issued May 6, 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).

- Coordinated Resource Management Plan for Allotment No. 09042
- Otero and Chavez Counties Grassland Restoration and Range Management Structural Projects EA No. NM-030-2008-0106

### **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 new action is the same as that previously analyzed in EA-NM-030-99-112. The same class and number of livestock and the same season of use are proposed. Terms/conditions have been added to the permit, but do not change the analysis of the proposed action.

**2. Is the project within the same analysis area?**

Yes, the proposed action is for the same grazing allotment and the same lands and locations which were specifically analyzed in EA-NM-030-99-112.

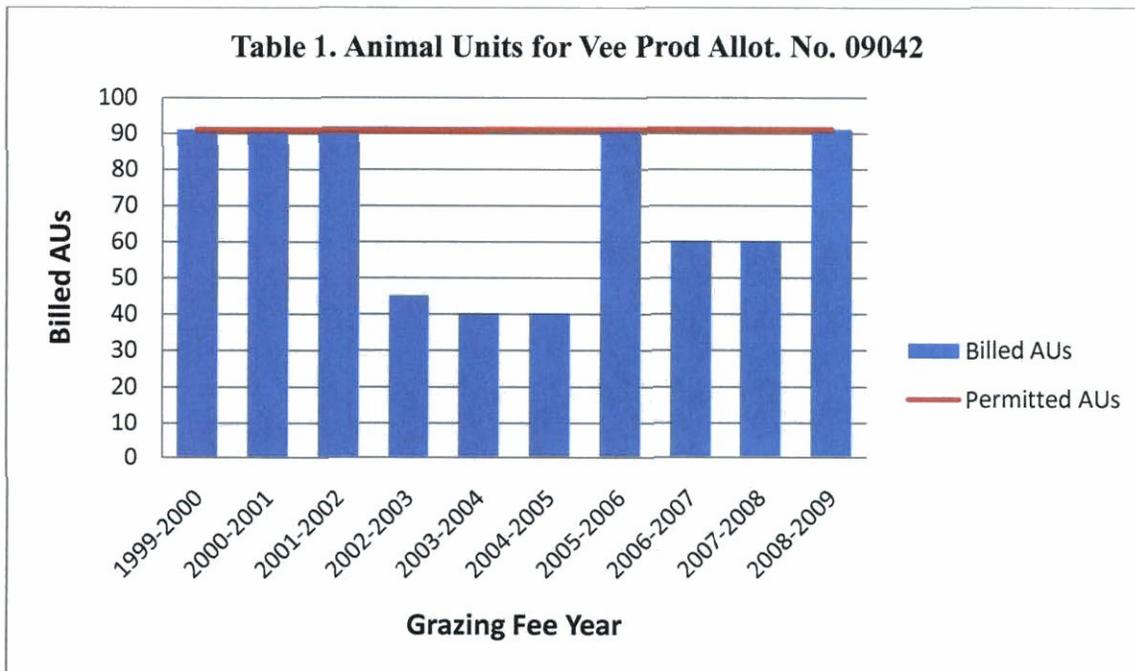
**3. Is the *range* of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?**

Yes, the range of alternatives analyzed in EA-NM-030-99-112 is still appropriate. A proposed action and a no action alternative were analyzed. A BLM interdisciplinary NEPA team discussed this proposed action and brought no new differences or issues to light that would create a need for additional alternatives.

**4. 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?**

Yes, the existing analysis is valid. While some additional information is available, the environmental concerns, resource values, circumstances and interests are the same.

Table 1 shows the billed animal units for the last 10 years.



Use Supervisions

A use supervision was done on August 12, 2009. There were 30 cattle counted on the allotment. Range conditions were satisfactory, however the area had little precipitation early in the summer and had just started receiving some rainfall.

### Wildlife Escape Ramps

It has long been BLM policy to ensure that any water developments (open water troughs and tanks) on public lands have wildlife escape ramps installed to comply with the Migratory Bird Treaty Act and Endangered Species Act, protect water quality, and reduce wildlife loss. For the Vee Prod Allotment none of the existing range improvement permits for livestock waters require wildlife escape ramps. Because it is BLM policy to install and maintain wildlife escape ramps on open water troughs and tanks on public lands, a term and condition will be added to the term grazing permits on the Vee Prod Allotment. This requirement would not significantly change the conclusions in the analysis of EA-NM-030-99-112.

### New Range Improvements

In 2008, the permittee signed a contract as part of the Federal Environmental Quality Incentives Program (EQIP). Part of the requirements of the program are that a Coordinated Resource Management Plan (CRMP) is completed for the allotment. As part of the program, a brush control treatment targeting creosotebush was completed in February 2009. The treatment consisted of 3,200 acres treated with the herbicide SPIKE 20P at 0.75 lbs. a.i./ac. on BLM lands. A pasture fence and livestock water pipeline and trough are also planned for this allotment through the EQIP program and anticipated to be completed in late 2009 and early 2010. The implementation of the projects was analyzed in EA-NM-030-2008-0106. These projects will provide additional options for deferment through additional pastures and livestock waters. The brush treatment will increase vegetative cover, decreasing soil loss and retaining more water on site to improve watershed conditions.

### Cultural Resources

It is standard operating procedure to complete archeological studies for newly proposed rangeland improvement projects, such as watering locations. In the past, cultural surveys have not usually been completed for supplementing and salting sites, as such sites do not often require installation of equipment. Supplements are typically set directly on the ground, or placed in removable containers.

Even though no installations are required, damage can occur to archeological sites due simply to the impact of livestock traveling across supplementation locations and congregating upon them. Avoidance of archeological sites is the primary form of mitigation recommended. Therefore, as part of the mitigation measures for the proposed action, placement in or near any visible archeological site would be restricted.

**5. 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, the direct, indirect and cumulative effects that would result from re-issuance of the grazing permit are the same. The proposed action is to authorize continued grazing of the same class, frequency, level and number of livestock on the Vee Prod Allotment No. 09042. The impacts associated with grazing are not anticipated to change as a result of the proposed action.

Past activities occurring on and near the allotment includes livestock and wildlife grazing, fence building, farming, recreation, hunting, and the construction and use of roads.

The planned range improvement projects will create an additional pasture and an additional watering point to improve distribution of livestock and provide additional options for deferment. The brush treatment will increase vegetative cover, decreasing soil loss and retaining more water on site to improve watershed conditions.

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

Yes, the public involvement and interagency review associated with EA-NM-030-99-112 is adequate for the current proposed action. The EA was sent out to the interested public for a 30-day comment period. No comments were received. The Notice of Proposed Decision issued May 6, 1999 was issued for a 15-day protest period and a 30-day appeal period. The decision was neither protested nor appealed.

**E. Persons/Agencies/BLM Staff Consulted**

For the currently proposed action:

**Table 2 BLM Staff Consulted**

Name	Title	Resource Represented
Mark Hakkila	Wildlife Biologist	Wildlife/Special Status Species
Darrell Winfree	Archeologist	Cultural Resources
Phil Smith	Rangeland Management Specialist	Vegetation/Livestock/Weeds
Edward Seum	Geologist	Minerals
Lorraine Salas	Realty Specialist	Lands/Realty
Joe Sanchez	Natural Resource Specialist	Recreation/Visual/Wildernes
Bruce Call	Soil Scientist	Soils/Water/Air
David Jevons	Hazardous Materials Coordinator	Hazardous Materials

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.

## **G. 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 permit would incorporate the following terms and conditions:

- “Grazing use will be in accordance with the proposed action and mitigating measures identified in EA-NM-030-99-112 and DOI-BLM-NM-030-2009-095-DNA.
- The permittee shall turn in actual use data to the BLM within 15 days, upon request.
- Placement of supplemental feeds such as salt, mineral, vitamins, and protein, in block or liquid form, is authorized on public land. Placement in or near any visible archeological site will be restricted. Supplemental feeding shall be defined as providing stock a small amount of high protein feed (containing at least 15-30 percent protein and provided at a rate of no more than 3 lbs./day/head) to assist in the metabolism of dry forage. Supplements shall be placed in upland locations, away from channels, and in places where congregation of livestock will not lead to adverse impacts to soil and water resources.
- Maintenance feeding of livestock with access to public land is prohibited. Maintenance feeding shall be defined as providing livestock with feed to assist in meeting their basic caloric needs, provided at a rate of 3 lbs./day/head or more.
- Grazing will be in accordance with the proposed action and mitigating measures identified in EA-NM-030-99-112 and DOI-BLM-NM-030-095-DNA
- The terms of the permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.
- Escape ramps for birds and small mammals will be placed in open water storages and troughs located on public lands. A water supply will be maintained yearlong in open steel storages and troughs for wildlife use in all troughs located on BLM land.

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 .....

**H. 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: Lisa Phillips Lisa Phillips 11/16/09

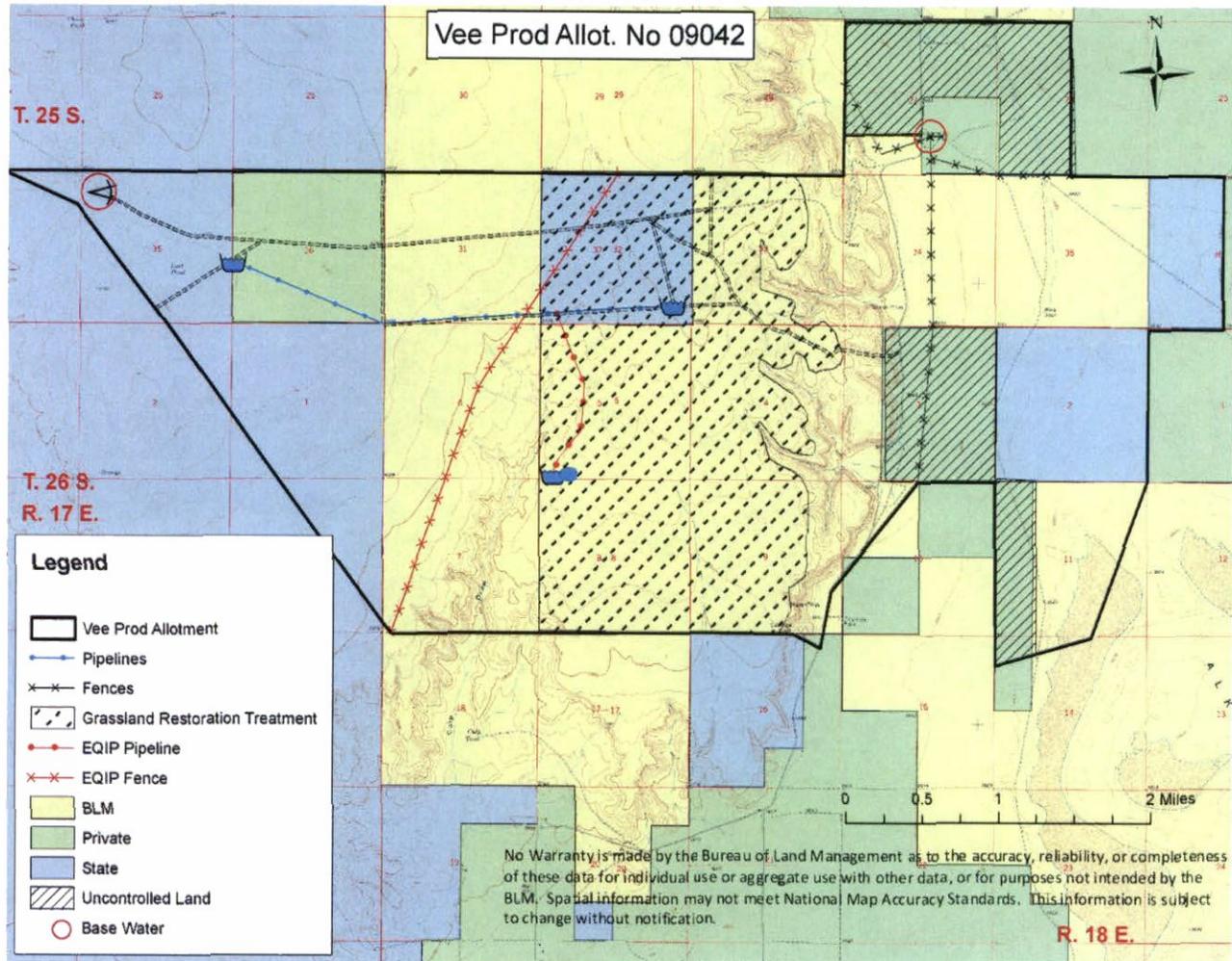
NEPA Coordinator: Jennifer Montoya Jennifer Montoya 11/18/09

Assistant District Manager: Jim C. McCormick Jr.

Jim C. McCormick Jr. Date: 1-26-2010

**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.**

Attachment 1: Map of Vee Prod Allotment No. 09042



United States Department of the Interior  
 Bureau of Land Management  
 Las Cruces District Office

**NEPA INTERDISCIPLINARY SIGN OFF WORKSHEET**

<u>PROJECT NAME</u> Grazing Permit Renewal Vee Prod	<u>PROJECT LEAD</u> Lisa Phillips
<u>APPLICANT</u>	<u>NEPA LOG NUMBER</u> DOI-BLM-NM-030- 2009- <del>097</del> DNA 095
<u>LOCATION</u> Otero Cty. Approximately 10 miles north of Dell City, TX. T. 25 S., R. 18 E. and T. 26 S., Range 18 East.	<u>LEASE/SERIAL/CASE FILE NO.</u> Allotment No. 09042
<u>LAND USE PLAN CONFORMANCE</u> White Sands	<u>DATE INITIATED</u> 4/6/09

TEAM MEMBER	RESOURCE	COMMENTS			FINAL REVIEW	
		NO	DATE	YES	INITIAL	DATE
Holcomb/Legare	Cultural Resources	<i>HL</i>	4/6/09			
Smith	Vegetation/Livestock/Weeds	<i>PLS</i>	4/6/09			
Merrill	Minerals	<i>EB</i>	4-6-09			
Salas	Lands/Realty		4/6/09	<i>lp*</i>	<i>lp</i>	11/5/09
Sanchez	Recreation/Visual/Wilderness	<i>JNB</i>	4-6-09			
Call	Soils/Water/Air	<i>BC</i>	4/6/09			
Hakkila	Wildlife/Special Status Species		4/6/09	<i>MH</i>	<i>MH</i>	11/11/09
Jevons	Hazardous Materials	<i>pd.</i>	11/12/09			
Cox	*Fire/Fuels					

GIS Files:

\*Sign-off by Fire/Fuels Management is required for landscape EAs, multi-disciplinary programmatic EAs, and vegetation treatment EAs.

PUBLIC NOTIFICATION NEEDED?:

COMMENTS: I'll review by 4/10/09

\* Need to see original EA comments by 4/10/09

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