

**U.S. Department of the Interior, Bureau of Land Management
Pecos District, Roswell Field Office**

**Documentation of Land Use Plan Compliance and NEPA Adequacy (DNA)
DOI-BLM-NM-P010-2016-1002-DNA**

A. Roswell Field Office

Lease/Serial/Case File No.: Allotment 63032

Proposed Action Title/Type: Gallo Pipeline (North/ Hines/ Lake Pipeline extensions)

Location of Proposed Action:

North pipeline
T. 3 S., R. 17 E. Sections 3, 4, 9 & 10
NMPM, Lincoln County, New Mexico

Hines pipeline
T. 4 S., R. 16 E. Sections 1,2
NMPM, Lincoln County, New Mexico

Lake pipeline
T. 4 S., R. 17 E. Sections 4,8
NMPM, Lincoln County, New Mexico

Description of Proposed Action: Gallo Allotment permittee is proposing construction of approximately 3 miles of new water pipeline on public land, to supply water to 3 livestock troughs and 2 water storage facilities. The project will be split into 3 separate pipelines within the Gallo Allotment. (see attached maps).

North Pipeline

1 mile of new pipeline connecting at an existing water in section 9, with one new water storage facility in section 10 and a new livestock water in section 4.

Hines Pipeline

1 mile of new pipeline connecting at an existing water well on the east side of section 1, with a water storage facility in section 1, and a livestock trough at the end of the pipeline on the west side of section 1.

Lake Pipeline

1 mile of new pipeline connecting at an existing water in section 4, with one new livestock water in section 8.

B. Conformance with the Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans

LUP Name: *Roswell Resource Management Plan*, Date Approved: October 1997

Other document: **DOI-BLM-NM-P010-2015-0050-EA** Signed: 6/5/2015

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

Livestock Grazing Management, p. 31: "Rangeland improvements and vegetation treatments will continue to be implemented to improve or maintain forage productions and range condition, in an effort to achieve the Desired Plant Community." And Appendix 8: Decisions from Previous Planning Documents which are carried forward.

C. Identify the applicable NEPA document(s) and other related documents that cover the Proposed action.

DOI-BLM-NM-P010-2015-0050-EA **Signed: 6/5/2015**

D. NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Yes, this new construction will substantially serve the same purpose, differing only in location.
 2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, resource values and circumstances? Yes, no new environmental concerns have been raised. Resource values will increase as the pipeline will serve to reduce grazing pressure elsewhere.
 3. Is the existing analysis adequate and are the conclusions adequate in light of any new information or circumstances? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis on the proposed action? Yes. No new information or circumstances have been made apparent.
 4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action? Yes.
 5. Are the direct and indirect impacts of the current proposed action substantially unchanged for those identified in the existing NEPA document(s)? Does the existing NEPA document sufficiently analyze site-specific impacts related to the current proposed action? Yes.
 6. Can you conclude without additional analysis or information that the cumulative impacts that would result from the implementation of the current proposed action are substantially unchanged from those analyzed in the existing NEPA document(s)? Yes.
 7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action? Yes. The original EA was reviewed by members of the public, NM Game & Fish, the allottee and other interested publics.
- E. Interdisciplinary Analysis: Identify those team members conducting or participating in the preparation of this worksheet. See attached EA Checklist.
- F. Mitigation Measure: Please review the original EA for mitigation measures and construction requirements.

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 fully covers the proposed action. This constitutes BLM's compliance with the requirement of NEPA.



Signature of the Responsible Official



Date

PIPELINE DESCRIPTION OF MITIGATION MEASURES AND RESIDUAL IMPACTS:

Mitigation incorporated into proposed action: A linear area of disturbance from pipeline will remain on the landscape. This feature will not stand out significantly on the landscape due to the fact that it will be installed along an existing roadway and natural re-vegetation of the trench will occur.

The following mitigation measures will be necessary to ensure project construction as outlined in this document:

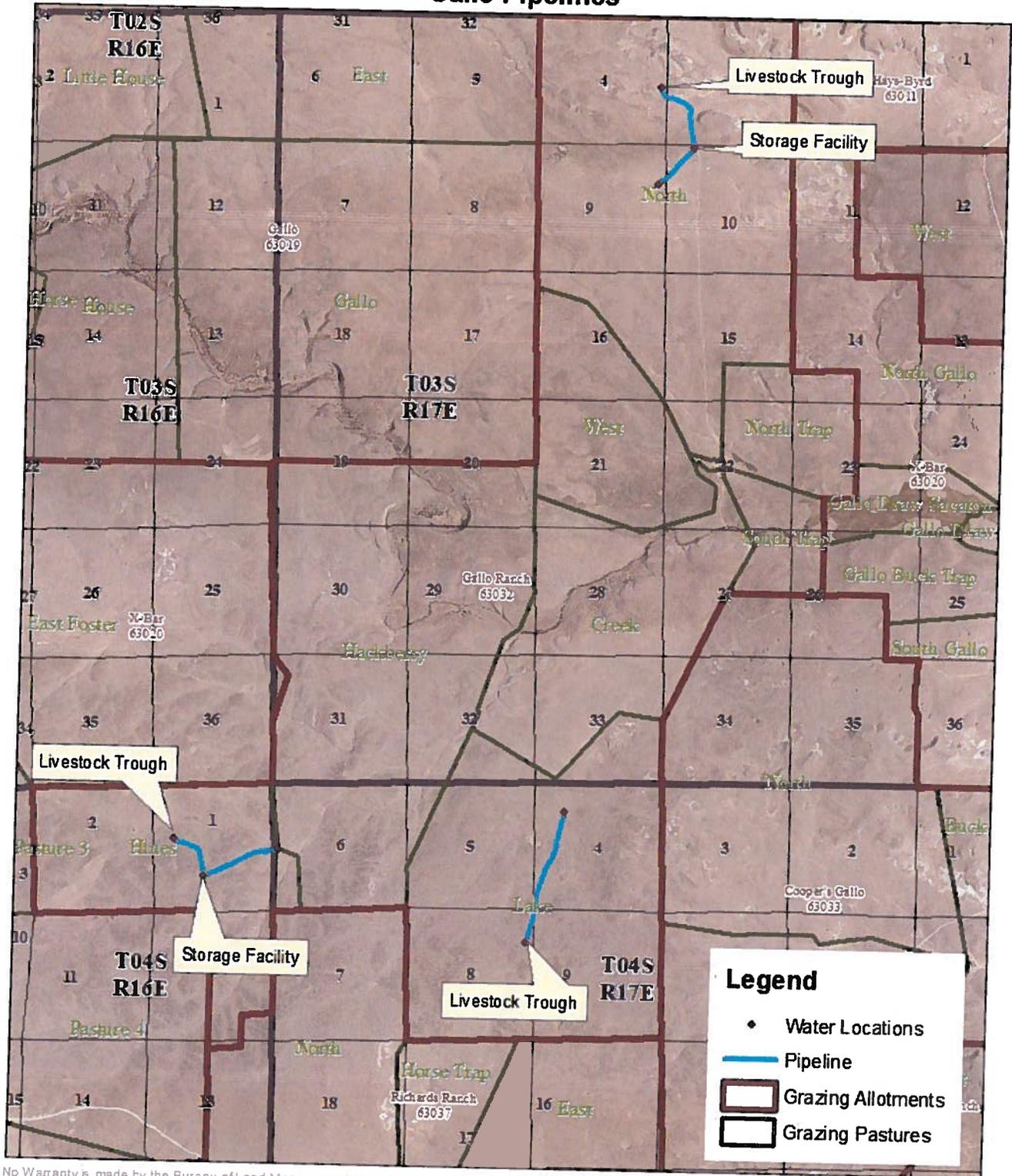
1. To minimize erosion, water bars to turn run-off water away from the pipeline will be required where necessary in areas with slopes of 10 percent or greater.
2. No blading will occur on public land, unless approved by the Authorized Officer.
3. Water will be provided yearlong to all drinking tubs located on public land, for wildlife purposes, when livestock are not in the pasture. Wildlife escape ladders will be installed in all drinkers.
4. Livestock drinking tubs will not exceed 18" in height.
5. The co-operator/contractor shall not use the pipeline route as a road for purposes other than routine maintenance as determined necessary by the Authorized officer in consultation with the co-operator/contractor. The co-operator/contractor shall take whatever steps are necessary to ensure that the pipeline route is not used as a roadway.
6. Vegetation, soil, and rocks left as a result on construction or maintenance activity shall be randomly scattered over the project area and shall not be left in rows, piles, or berms, unless otherwise approved by the Authorized Officer. A berm shall be left over the ditch line to allow for settling back to grade.
7. The co-operator/contractor shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public land under this authorization.
8. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the co-operator/contractor or any person working on the co-operator/contractor's behalf, on public or Federal land shall be immediately reported to the authorized officer. The co-operator/contractor shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The co-operator/contractor shall be responsible for the cost of evaluation and any decision as to the proper mitigation measures will be made by the Authorized Office after consulting with co-operator/contractor.

9. The co-operator/contractor is hereby obligated to comply with procedures established in the Native American Graves Protection and Repatriation Act (NAGPRA) to protect such cultural items as human remains, associated funerary objects, sacred objects, and objects of cultural patrimony discovered inadvertently during the course of the implementation. In the event that any of the cultural items listed above are discovered during the course of project work, the proponent shall immediately halt the disturbance and contact the BLM within 24 hours for instructions. The proponent or initiator of any project shall be held responsible for protecting, evaluating, reporting, excavating, treating, and/or repatriation of these cultural items according to the procedures established by the BLM in consultation with Indian Tribes.

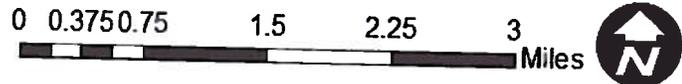
10. The co-operator/contractor shall be responsible for maintaining the site in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to; human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

11. The approval of the Permit/Agreement does not convey the right to prevent other lawful uses from occurring. The applicant/cooperator understands that other lawful users with proper authorizations.

Gallo Pipelines



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.



DECISION RECORD

DOI-BLM-NM-P010-2016-1002-DNA Gallo Pipeline (North/Hines/Lake Pipeline extension)

Proposed Decision: It is my decision to implement the BLM-Preferred Alternative as described in DOI-BLM-NM-P010-2016-1002-DNA, Gallo Pipeline (North/Hines/Lake Pipeline extensions) as analyzed in the DOI-BLM-NM-P010-2015-0050-EA and to authorize the construction of the Gallo Pipeline. The mitigation measures identified in the Environmental Assessment have been formulated into terms and conditions that will be attached to the Cooperative Range Improvement Permit. This decision incorporates, by reference, those conditions identified in the attached Determination of NEPA Adequacy (DNA).

The Proposed Action will be in compliance with the 1997 Roswell Resource Management Plan and Record of Decision and the 2001 New Mexico Standards for Public Land Health and Guidelines for Livestock Grazing Management.

If you wish to protest this proposed decision in accordance with 43 CFR 4160.2, you are allowed 15 days to do so in person or in writing to the authorized officer, after the receipt of this decision. Please be specific in your points of protest.

The protest shall be filed with the Field Manager, Bureau of Land Management, 2909 West 2nd, Roswell, NM 88201. This protest should specify, clearly and concisely, why you think the proposed action is in error.

In the absence of a protest within the time allowed, the above decision shall constitute my final decision. Should this notice become the final decision, you are allowed an additional 30 days within which to file an appeal for the purpose of a hearing before the Interior Board of Land Appeals, and to petition for stay of the decision pending final determination on the appeal (43 CFR 4.21 and 4.410). If a petition for stay is not requested and granted, the decision will be put into effect following the 30-day appeal period. The appeal and petition for stay should be filed with the Field Manager at the above address. The appeal should specify, clearly and concisely, why you think the decision is in error. The petition for stay should specify how you will be harmed if the stay is not granted.

/s/ Kyle Arnold
Kyle Arnold
Assistant Field Manager

2/5/16
Date