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27 June 2023

Ashlee Rudolph, Project Manager  
Bureau of Reclamation  
Albuquerque Area Office  
555 Broadway Blvd NE, Albuquerque, NM 87102

**Re: Middle Rio Grande Lower San Acacia Reach Improvement Project DEIS Scoping;  
NMDGF Project No. NMERT 2632**

Dear Ms. Rudolph:

The Department of Game and Fish (Department) has reviewed available materials describing the proposed Middle Rio Grande Lower San Acacia Reach Improvement Project Draft Environmental Impact Statement and request for comments during the current scoping period.

The Bureau of Reclamation (BOR), as the project proponent, intends to prepare a Draft Environmental Impact Statement (DEIS) for the proposed project within the Lower San Acacia Reach of the Middle Rio Grande. BOR is considering realigning a portion of the Rio Grande from approximately river mile (RM) 74 to RM 54.5 (project). The U.S. Army Corps of Engineers, Bureau of Indian Affairs, U.S. Fish and Wildlife Service, Bureau of Land Management, Middle Rio Grande Conservancy District, and New Mexico Interstate Stream Commission will be invited to participate as cooperating agencies for the DEIS. Other entities will be considered, as necessary, during the full EIS process.

The project's goals are to increase water delivered to Elephant Butte Reservoir (EBR), maintain and enhance ecosystem health (including protecting and promoting recovery of endangered species, minimizing river drying, and increasing available habitat), and increase the benefits of system maintenance actions by working with geomorphic trends of the river. BOR is authorized to conduct work within the channel and floodplain of the Rio Grande under the Federal Flood Control Acts of 1948 and 1950 (Public Laws 858 and 516, respectively). BOR is also authorized to engage in planning for major rehabilitation and replacement of existing assets under the Reclamation Project Act of 1902 (32 Stat. 388) and supplementary acts.

The project will address several key hydrological and ecological issues, including perching of the Rio Grande channel, losses of conveyed water, and an overall decline in ecosystem health. Department staff attended the 20 June 2023 Albuquerque scoping meeting for this project and learned that BOR will follow the best management practices outlined in the U.S. Fish and Wildlife Service's 2016 biological opinion in order to mitigate for adverse effects to three federally-listed species within the project area, specifically the Rio Grande silvery minnow (*Hybognathus amarus*), Southwestern willow flycatcher (*Empidonax traillii extimus*), and yellow-

billed cuckoo (*Coccyzus americanus*). Both proposed action alternatives are expected to benefit all three of these listed species.

At this early scoping phase, the Department does not anticipate significant adverse effects to the three focal, federally-listed species for this project and concurs that either action alternative is likely to benefit all three species in the long-term.

We recommend consideration of our 2017 Habitat Restoration and Management of Native and Non-native Trees in Southwestern Riparian Ecosystems guidelines, available at <https://www.wildlife.state.nm.us/download/conservation/habitat-handbook/project-guidelines/Restoration-and-Management-of-Native-and-Non-native-Trees-in-Southwestern-Riparian-Ecosystems-2019.pdf> .

We appreciate the opportunity to comment on the scoping phase of this project. Should you have any questions regarding our comments, please contact Mark Watson, Terrestrial Habitat Specialist, at (505) 321-5485 or [mark.watson@dgf.nm.gov](mailto:mark.watson@dgf.nm.gov).

Sincerely,

Matt Wunder, Ph.D.  
Chief, Ecological and Environmental Planning Division

Cc: Jill Wick, NMDGF Native Fish Program Manager  
Bryan Bakevich, NMDGF Rio Grande Basin Native Fish Supervisor  
Joanna Hatt, NMDGF Rio Grande Basin Native Fish Biologist  
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