



PROJECT INFORMATION

Project Title: FY24 Riverside MRGCD Drain Thin Phase 2

Project Type: FOREST MANAGEMENT, WILDLAND URBAN INTERFACE

Latitude/Longitude (DMS): 34.806771 / -106.713019

County(s): VALENCIA

Project Description: Work will occur under the supervision and approval from Middle Rio Grande Conservancy District (Entity) experts. As a continuation of the FY23 Peralta Riverside Drain Unit Project, Entity Project Managers have identified a 23-mile stretch of the riverside drains to the east and west of the Rio Grande starting from the southern boundary of Isleta Pueblo, through to the southern boundary of Valencia county. This will include the Upper Peralta, Lower Peralta, and Upper San Juan Riverside Drains on the east side of the river and the Upper Belen, Lower Belen, Upper Sabinal, and Lower Sabinal Riverside Drains on the west side of the river. See attached maps for Project Area. The Project Area is total of 145 acres. This work plan covers Phase 2 of the project which will treat 25 acres within this Project Area. Treatment will consist of cutting, excavating, and removing the vegetation within the outer banks of the Riverside Drains on the Entity's land. Forestry Division will select a thinning contractor from a statewide price agreement to complete the work as follows:

- The thinning contractor shall cut all trees and shrubs within the outer bank of the riverside drain right-of-way including the side slope unless identified by marking or flagging. This will be the east bank for drains east of the river and the west bank for drains west of the river. Entity Project Manager shall mark 'leave' trees prior to thinning.
- All trees and shrubs within the drain bank and slope of the drain to be cut shall have the root balls removed where feasible in the project area, if the Thinning Contractor is unable to remove root ball they shall notify the Entity Project Coordinator.
- Trees or shrubs to remain will be marked or flagged. Branches on the 'leave' vegetation shall be limbed to a minimum height of 13 feet to facilitate access by maintenance equipment.
- Tree felling must be away from private property boundaries and fences. Measures shall be taken to prevent damage to spoil bank levees on the opposite side of the drain.
- Cut and excavated vegetation must be removed immediately from inside the drain channel to prevent plugs.
- Boundary vegetation that is dead, has substantial dead wood, may imminently fall or cause damage to an Entity facility or pose an imminent public safety threat may also be removed at the determination of Entity or Forestry Division Project Manager.
- The Thinning Contractor shall chip all slash into the bed of a pickup truck or dump trailer for removal. All cut and mulched vegetation and root balls will be removed offsite and legally disposed.
- The thinning contractor shall obtain access to the project location through a Special Use License issued from the Entity by applying at licensing.mrgcd.com and clicking on the Special Use icon.

Timeline: October 2023 Forestry Division selects thinning contractor and issues a notice to proceed. October 2023 Thinning contractor begins work. October 2023 - May 2024 Entity and Forestry Division Project Managers conduct periodic inspections. October 2023 - May 2024 Thinning contractor submits invoices to Forestry Division no more than twice



monthly. May 2024 Thinning contractor completes work and submits final invoice for payment to Forestry Division. May 2024 Forestry Division and Entity Project Mangers conduct final inspection. May 2024 Forestry Division provides Entity and thinning contractor with final inspection report and final invoice is paid to thinning contractor. Project Completion Date: May 30th 2024.

REQUESTOR INFORMATION

Project Organization:

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Organization: New Mexico Energy Minerals and Natural Resources Department - State Forestry Division
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OVERALL STATUS

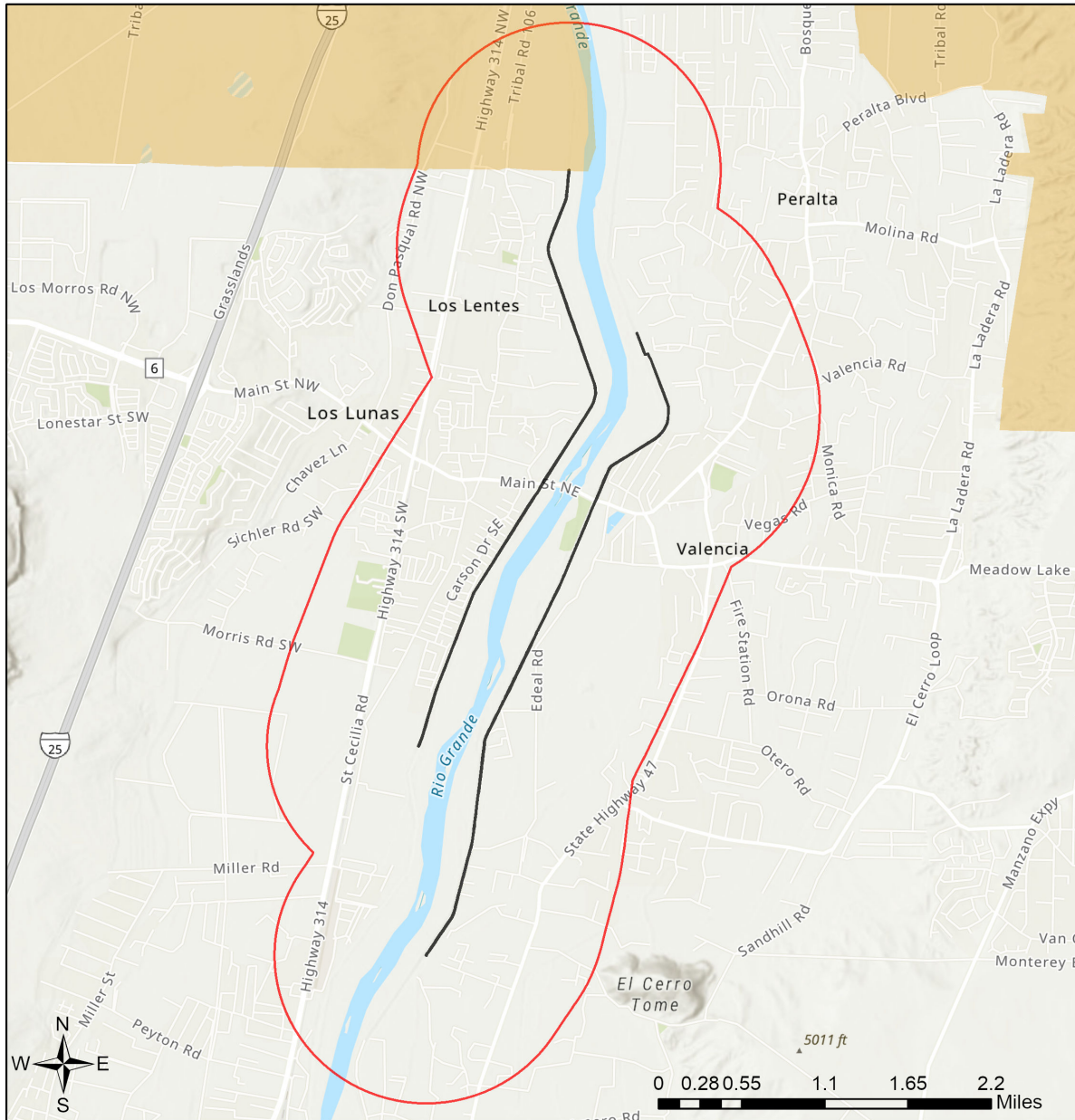
The information contained within this report comprises the recommendations of the New Mexico Department of Game and Fish (Department) for management and mitigation of proposed project impacts to wildlife and habitat resources; see the Project Recommendations section below for further details. No further consultation with the Department is required based on the project's location and, with implementation of mitigation measures described in the Project Recommendations section below, no adverse effects to wildlife or important habitats are anticipated. However, a Department biologist may be in touch within 30 days if they determine that further review is required.

About this report:

- This environmental review is based on the project description and location that was entered. The report must be updated if the project type, area, or operational components are modified.
- This is a preliminary environmental screening assessment and report. It is not a substitute for the potential wildlife knowledge gained by having a biologist conduct a field survey of the project area. Federal status and plant data are provided as a courtesy to users. The review is also not intended to replace consultation required under the federal Endangered Species Act (ESA), including impact analyses for federal resources from the U.S. Fish and Wildlife Service (USFWS) using their [Information for Planning and Consultation tool](#).
- The New Mexico Environmental Review Tool (ERT) utilizes species observation locations and species habitat suitability models, both of which are subject to ongoing change and refinement. Inclusion or omission of a species within a report cannot guarantee species presence or absence within your project area. To determine occurrence of any species listed in this report, or other wildlife that may be present within your project area, onsite surveys conducted by a qualified biologist during appropriate, species-specific survey timelines may be necessary.
- The Department encourages use of the ERT to modify proposed projects for avoidance, minimization, or mitigation of wildlife impacts. However, the ERT is not intended to be used in a repeatedly iterative fashion to adjust project attributes until a previously determined recommendation is generated. The ERT serves to assess impacts once project details are developed. The [New Mexico Crucial Habitat Assessment Tool](#) is the appropriate system for advising early-stage project planning and design to avoid areas of anticipated wildlife concerns and associated regulatory requirements.



FY24 Riverside MRGCD Drain Thin Phase 2



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|---------------------------|------------------------------|------------------------------|---|
| Buffered Project Boundary | Department of Energy | State Land Office | U.S. Department of Agriculture |
| Project Boundary | NM Department of Game & Fish | State of New Mexico | U.S. Fish and Wildlife Service |
| Bureau of Land Management | NM State Forestry Division | Tribal Land | U.S. Forest Service |
| City Land | NM State Parks | U.S. Army Corps of Engineers | U.S. Natural Resources Conservation Service |
| County Land | National Park Service | U.S. Bureau of Reclamation | |
| Department of Defense | Private | | |

USGS, New Mexico Department of Game and Fish (NMDGF), Natural Heritage New Mexico (NHNM), and USDA Forest Service,

Compiled by Richard Norwood of NHNM over the period 2020 to 2021.

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastysreisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community



Special Status Animal Species Potentially within 1 Miles of Project Area

Common Name	Scientific Name	USFWS (ESA)	NMDGF (WCA)	NMDGF SGCN/SERI
Boreal Chorus Frog	Pseudacris maculata			SGCN
Northern Leopard Frog	Lithobates pipiens			SGCN
Eared Grebe	Podiceps nigricollis			SGCN
Clark's Grebe	Aechmophorus clarkii			SGCN
American Bittern	Botaurus lentiginosus			SGCN
Bald Eagle	Haliaeetus leucocephalus		T	SGCN
Aplomado Falcon	Falco femoralis		E	SGCN
Peregrine Falcon	Falco peregrinus		T	SGCN
Mountain Plover	Charadrius montanus			SGCN
Yellow-Billed Cuckoo	Coccyzus americanus	LT		SGCN
Flammulated Owl	Otus flammeolus			SGCN
Elf Owl	Micrathene whitneyi			SGCN
Western Burrowing Owl	Athene cunicularia hypugaea			SGCN
Common Nighthawk	Chordeiles minor			SGCN
Lewis's Woodpecker	Melanerpes lewis			SGCN
Red-Headed Woodpecker	Melanerpes erythrocephalus			SGCN
Olive-Sided Flycatcher	Contopus cooperi			SGCN
Southwestern Willow Flycatcher	Empidonax traillii extimus	LE	E	SGCN
Bank Swallow	Riparia riparia			SGCN
Pinyon Jay	Gymnorhinus cyanocephalus			SGCN
Juniper Titmouse	Baeolophus ridgwayi			SGCN
Pygmy Nuthatch	Sitta pygmaea			SGCN
Mountain Bluebird	Sialia currucoides			SGCN
Bendire's Thrasher	Toxostoma bendirei			SGCN
Loggerhead Shrike	Lanius ludovicianus			SGCN
Black-Throated Gray Warbler	Setophaga nigrescens			SGCN
Thick-billed Longspur	Rhynchophanes mccownii			SGCN
Chestnut-Collared Longspur	Calcarius ornatus			SGCN
Rainbow Trout	Oncorhynchus mykiss			SERI
Rio Grande Silvery Minnow	Hybognathus amarus	LE	E	SGCN
Spotted Bat	Euderma maculatum		T	SGCN
Pale Townsend's Big-Eared Bat	Corynorhinus townsendii pallescens			SGCN
Black-Tailed Prairie Dog	Cynomys ludovicianus			SGCN
Gunnison's Prairie Dog	Cynomys gunnisoni			SGCN
New Mexican Meadow Jumping Mouse	Zapus hudsonius luteus	LE	E	SGCN
Mule Deer	Odocoileus hemionus			SERI
Gray-Checkered Whiptail	Aspidoscelis tessellata		E	SGCN
Desert Massasauga	Sistrurus catenatus edwardsii			SGCN

ESA = Endangered Species Act, WCA = Wildlife Conservation Act, SGCN = Species of Greatest Conservation Need, SERI = Species



of Economic and Recreational Importance, C = Candidate, E = Endangered, LE = Listed Endangered, LT = Listed Threatened, T = Threatened, XN = Non-essential Experimental Population, for other ESA codes see this website: <https://nhnm.unm.edu/node/1378928>.

Project Recommendations

Your proposed project activities may require a custom review for assessment of potential effects to wildlife. See the "OVERALL STATUS" section above to determine the likelihood that your project will be reviewed further based on its location. A Department biologist will confirm whether any additional conservation measures are needed. You should expect to receive any additional project recommendations within 30 days of your project submission. If the "OVERALL STATUS" section indicates that no further consultation with the Department is required based on its location, then you will only receive additional project feedback from the Department if a biologist deems it necessary.

All migratory birds are protected against direct take under the federal [Migratory Bird Treaty Act](#) (16 U.S.C. Sections 703-712), and hawks, falcons, vultures, owls, songbirds, and other insect-eating birds are protected under New Mexico State Statutes (17-2-13 and 17-2-14 NMSA), unless permitted by the applicable regulatory agency. To minimize the likelihood of adverse impacts to migratory birds, nests, eggs, or nestlings, the Department recommends that ground disturbance and vegetation removal activities be conducted outside of the primary migratory bird breeding season of April 15-September 1. Breeding season may begin earlier for raptors or when working in low-elevation habitats such as deserts. If ground disturbing and clearing activities must be conducted during the breeding season, the area should be surveyed for active nest sites (with birds or eggs present in the nesting territory) and avoid disturbing active nests until young have fledged. For active nests, establish adequate buffer zones to minimize disturbance to nesting birds. Buffer distances should be at least 100 feet from songbird and raven nests; 0.25 miles from most raptor nests; and 0.5 miles for ferruginous hawk, golden eagle, peregrine falcon, and prairie falcon nests. Active nest sites in trees or shrubs that must be removed should be mitigated by qualified biologists or wildlife rehabilitators. Department biologists are available to consult on nest site mitigation and can facilitate contact with qualified personnel.

The list of [New Mexico Species of Greatest Conservation Need](#) (see link, page 14, table 5) and the federal list of [Birds of Conservation Concern](#) should be reviewed to fully evaluate potential effects to migratory birds from your proposed project. Federal agencies are also required under Executive Order 13186 to implement standards and practices that lessen the amount of unintentional take attributable to agency actions. These conservation measures are strongly recommended to ensure persistence of migratory bird species whose populations are small and/or declining within New Mexico.

Burrowing owl (*Athene cunicularia*) may occur within your project area. Before any ground disturbing activities occur, the Department recommends that a preliminary burrowing owl survey be conducted by a qualified biologist using the Department's [burrowing owl survey protocol](#). Should burrowing owls be documented in the project area, please contact the Department or USFWS for further recommendations regarding relocation or avoidance of impacts.

Your project area intersects a Conservation Opportunity Area (COA) as identified in [the State Wildlife Action Plan \(SWAP\)](#) for New Mexico. These areas contain high numbers of Species of Greatest Conservation Need (SGCN) as identified in the SWAP and therefore represent areas where implementing conservation actions, including restoration projects intended to benefit wildlife, has higher potential to benefit a diversity of species. Within COAs, the Department encourages project proponents to consider (during project planning and design) and mitigate (during project implementation) potential adverse effects to non-federally listed SGCN and their habitats. State-listed and federally-listed species are protected from take by the New Mexico Wildlife Conservation Act and Endangered Species Act, respectively, and migratory birds are protected from take by the Migratory Bird Treaty Act.



Your project area intersects designated critical habitat for one or more species that are listed under the federal Endangered Species Act. The Department recommends that you confirm this using the U.S. Fish and Wildlife Service's Information for Planning and Consultation (IPAC) system (<https://ipac.ecosphere.fws.gov/>) and then reach out to the appropriate species lead(s) with the [New Mexico Ecological Services Office of U.S. Fish and Wildlife Service](#). The U.S. Fish and Wildlife Service has authority to designate critical habitat for species listed under the Endangered Species Act. The Department has no authority to designate critical habitat for species listed under the Wildlife Conservation Act or Endangered Species Act.

The proposed project occurs near an important bat area. This area may contain important bat roosting resources, such as caves or mines, that potentially could be affected by certain project activities. Follow the guidelines below to minimize disturbance to roosting bats.

- Avoid use of pesticides, firearms, open-flame torches, or heavy smoke-producing equipment, especially from April through September.
- If artificial lighting is needed, use only light sources powered by batteries, or cyalume glow/light sticks. Keep the site clean by picking up refuse or materials from project lighting or operations whenever they are shut down.
- For any surface disturbing activities, the project footprint (including a 350 foot buffer) should avoid potential roost sites such as caves or mines, especially from April through July. Tree clearing activities and prescribed burns should include a minimum 0.5 mile buffer from any such features.
- If caves, mines, bridges, or other man-made structure suitable as potential bat roosts are encountered within the project area, they should not be entered during any time of year, and no roosting or hibernating bats should be contacted or disturbed. Report any dead or injured bats to the New Mexico Department of Game and Fish, who can facilitate contacts with other appropriate personnel.

Prairie dog colonies may occur within the vicinity of your project area. Both black-tailed prairie dogs (*Cynomys ludovicianus*) and Gunnison's prairie dogs (*Cynomys gunnisoni*) are designated as New Mexico Species of Greatest Conservation Need, and their colonies provide important habitat for other grassland wildlife. Wherever possible, occupied prairie dog colonies should be left undisturbed, and all project activities should be directed off the colony. Any burrows that are located on the project site should be surveyed by a qualified biologist to determine whether burrows are active or inactive and whether burrowing owls may be utilizing the site. Colonies within the range of the black-tailed prairie dog can be surveyed by a qualified biologist diurnally, year-round using binoculars. Colonies within the range of the Gunnison's prairie dog can be surveyed by a qualified biologist diurnally, using binoculars during the warmer months from April through October and by searching for fairly fresh scat and lack of cobwebs or debris at the mouths of burrows during the cold months (November through March). If ground-disturbing activities cannot be relocated off the prairie dog colony, or if project activities involve control of prairie dogs, the Department recommends live-trapping and relocation of prairie dogs. The Department can provide recommendations regarding suitability of potential translocation areas and procedures.

The proposed project occurs within or near a riparian area. Because riparian areas are important wildlife habitats, the project footprint should avoid removing any riparian vegetation or creating ground disturbance either directly within or affecting the riparian area, unless the project is intended to restore riparian habitat through non-native plant removal and replanting with native species. If your project involves removal of non-native riparian trees or planting of native riparian vegetation, please refer to the Department's habitat handbook guideline for [Restoration and Management of Native and Non-native Trees in Southwestern Riparian Ecosystems](#).



Disclaimers regarding recommendations:

- The Department provides technical guidance to support the persistence of all protected species of native fish and wildlife, including game and nongame wildlife species. Species listed within this report include those that have been documented to occur within the project area, and others that may not have been documented but are projected to occur within the project vicinity.
- Recommendations are provided by the Department under the authority of § 17-1-5.1 New Mexico Statutes Annotated 1978, to provide "communication and consultation with federal and other state agencies, local governments and communities, private organizations and affected interests responsible for habitat, wilderness, recreation, water quality and environmental protection to ensure comprehensive conservation services for hunters, anglers and nonconsumptive wildlife users".
- The Department has no authority for management of plants or Important Plant Areas. The [New Mexico Endangered Plant Program](#), under the Energy, Minerals, and Natural Resources Department's Forestry Division, identifies and develops conservation measures necessary to ensure the survival of plant species within New Mexico. Plant status information is provided within this report as a courtesy to users. Recommendations provided within the ERT may not be sufficient to preclude impacts to rare or sensitive plants, unless conservation measures are identified in coordination with the Endangered Plant Program.
- Additional coordination and/or consultation may also be necessary under the federal ESA or National Environmental Policy Act (NEPA). Further site-specific mitigation recommendations may be proposed during ESA consultation and/or NEPA analyses or through coordination with affected federal agencies.