



PROJECT INFORMATION

Project Title: Discharge Permit Application - ETC Texas Pipeline, LTD, Jal #3 Gas Plant

Project Type: DISCHARGE PERMIT/PLAN

Latitude/Longitude (DMS): 32.173894 / -103.173961

County(s): LEA

Project Description: The New Mexico Oil Conservation Division (OCD), Environmental Bureau, has reviewed a discharge permit application for ETC Texas Pipeline, LTD, Jal #3 Gas Plant. The discharge permit application was deemed administratively complete on 8/21/2023. Subsection E of 20.6.2.3108 NMAC requires the below information be posted on OCD's website and sent to those persons on a general and facility-specific list maintained by OCD. ETC Texas Pipeline, LTD owns and operates the Jal #3 Gas Plant located in Section 33, Township 24 South, Range 37 East in Lea County (32.173543°N, 103.174206°W). The Plant processes and treats natural gas of up to 100 million standard cubic feet per day and 800 barrels per day of condensate which is sold to various oil and gas operators. All wastes (e.g., sludges, pigging waste, solids entrained in process streams, rainwater, spent amine, spent TEG, and used oil) are manifested or tracked with an appropriate contractor for transportation and disposal. All liquids utilized at the facility are stored in dedicated above ground or below-grade storage tanks prior to offsite disposal or recycling at an approved site. All storage tanks are within properly engineered secondary containments. Groundwater most likely to be affected is at a depth of approximately 80 feet below ground surface and total dissolved solids (TDS) can range from 320 milligrams per liter (mg/l) to 20,200 mg/l. The OCD contact by which interested parties may obtain information, submit comments, and request to be placed on a facility-specific mailing list for future notices is Leigh Barr, Administrative Permitting Supervisor, 505-795-1722, LeighP.Barr@emnrd.nm.gov. The OCD mailing address is 1220 South St. Francis Drive, Santa Fe, New Mexico, 87505. The website address for discharge permit notices can be found at <https://www.emnrd.nm.gov/ocd/applications-permits-notifications/>. The OCD will accept comments and statements of interest regarding the discharge permit application and will create a facility-specific mailing list for persons who wish to receive future notices.

REQUESTOR INFORMATION

Project Organization:

Contact Name: Jack Marchetti

Email Address: jack.marchetti@dgf.nm.gov

Organization: New Mexico Department of Game and Fish

Address: 1 Wildlife Way, Santa Fe NM 87507

Phone: 5054791269

OVERALL STATUS



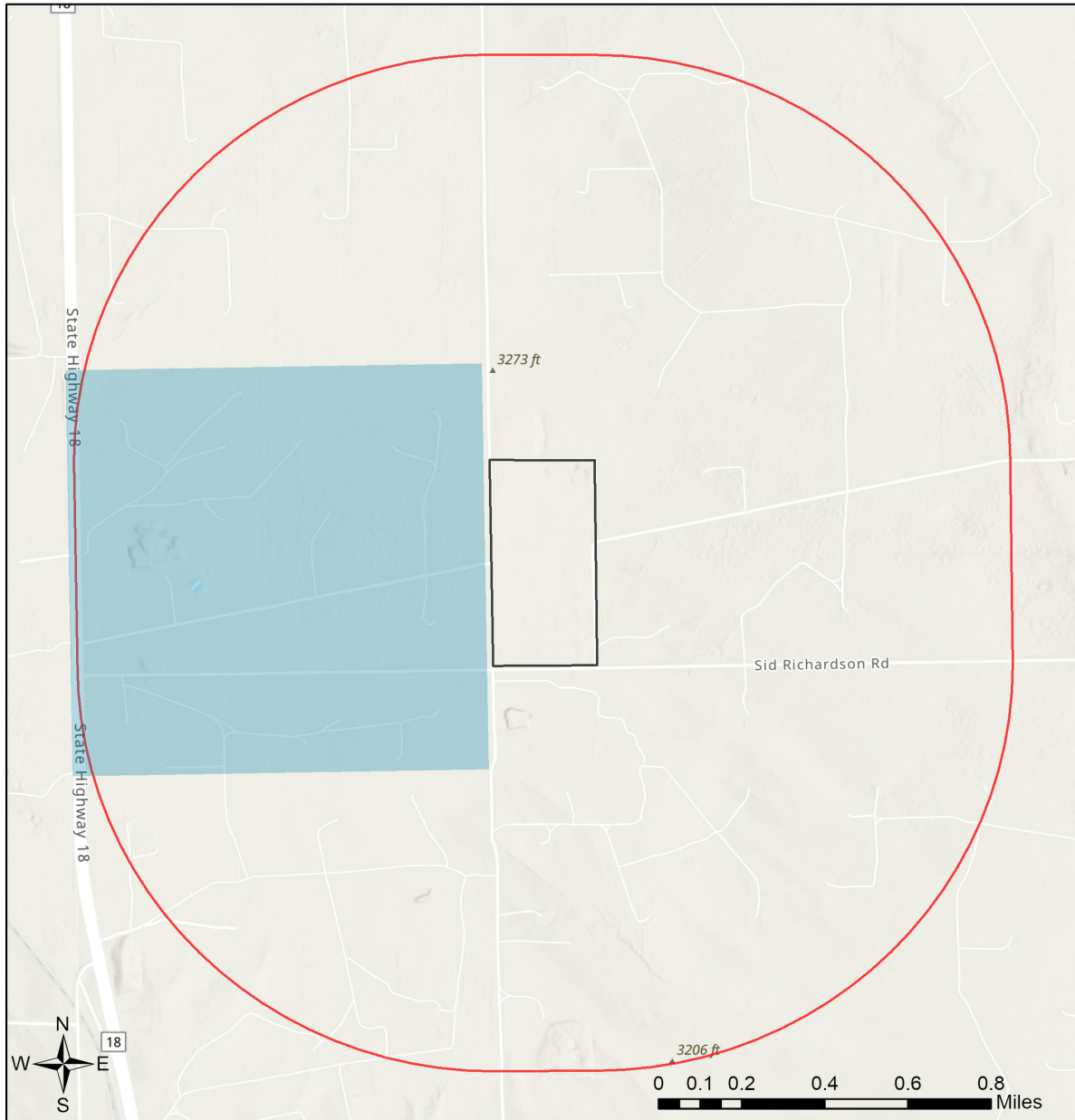
The information contained within this report comprises the recommendations of the New Mexico Department of Game and Fish (Department) for management and mitigation of proposed project impacts to wildlife and habitat resources; see the Project Recommendations section below for further details. No further 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.



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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. Bureau of Reclamation |
| County Land | National Park Service | U.S. Bureau of Reclamation | U.S. Natural Resources Conservation Service |
| 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, Geodastystreisen, 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
Barking Frog	Craugastor augusti			SGCN
Aplomado Falcon	Falco femoralis		E	SGCN
Peregrine Falcon	Falco peregrinus		T	SGCN
Lesser Prairie-Chicken	Typanuchus pallidicinctus	LE		SGCN
Western Burrowing Owl	Athene cunicularia hypugaea			SGCN
Common Nighthawk	Chordeiles minor			SGCN
Lewis's Woodpecker	Melanerpes lewis			SGCN
Pinyon Jay	Gymnorhinus cyanocephalus			SGCN
Pygmy Nuthatch	Sitta pygmaea			SGCN
Sprague's Pipit	Anthus spragueii			SGCN
Loggerhead Shrike	Lanius ludovicianus			SGCN
Vesper Sparrow	Poocetes gramineus			SGCN
Thick-billed Longspur	Rhynchophanes mccownii			SGCN
Chestnut-Collared Longspur	Calcarius ornatus			SGCN
Black-Tailed Prairie Dog	Cynomys ludovicianus			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

With implementation of the applicable mitigation or avoidance measures included in the project description, and incorporation of the guidance listed below, the Department does not anticipate significant impacts to wildlife or sensitive wildlife habitats from the proposed project activities. See the "OVERALL STATUS" section above to determine the likelihood that your project will be reviewed further based on its location. If a Department biologist determines that additional conservation measures are needed, then you should expect to receive notification and/or any additional project recommendations within 30 days of your project submission.



The Lesser Prairie-chicken (*Tympanuchus pallidicinctus*) (LPC) was designated as a Species of Greatest Conservation Need in New Mexico and the southern Distinct Population Segment, including populations in New Mexico and Texas, is federally listed as Endangered as of March 27th, 2023. The LPC Interstate Working Group has developed the Southern Great Plains Crucial Habitat Assessment Tool ([SGP-CHAT](#)) to designate and prioritize areas for LPC conservation activities and development. Our preliminary assessment indicates your project occurs in LPC habitat. For more information on the SGP-CHAT, contact Chanda Pettie, Industry LPC Program Contact with the Western Association of Fish and Wildlife Agencies, at (719) 207-5053 or chanda.pettie@wafwa.org. If your project has potential to lead to take (including harassment, harm, pursuit, hunting, shooting, wounding, killing, trapping, capturing, collecting, or attempting to engage in these activities) of a LPC, the Department recommends you contact Lauren Rangel, at 505-761-4745 or lauren_rangel@fws.gov, who is the species lead for the LPC in the Ecological Services Office with U.S. Fish and Wildlife Service (USFWS). She is also the contact for the rangewide renewable energy Habitat Conservation Plan (HCP) if relevant for your project. The Department recommends a qualified, permitted biologist conduct surveys for the LPC according to these [lesser prairie-chicken survey protocols](#) (or others recommended by USFWS) and following any training as required by USFWS.

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.

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.



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.