



PROJECT INFORMATION

Project Title: Living Desert State Park planning
Project Type: PLANNING, RAPID ECOLOGICAL ASSESSMENT
Latitude/Longitude (DMS): 32.449725 / -104.284408
County(s): EDDY
Project Description: NM State Parks requests that we evaluate the landscape around the Living Desert Zoo for enhancement and protection opportunities to go alongside Zoo improvements. Introductory workshop begins November 16, 2023 and the project will continue into 2024. This request is to understand the rare plants and crucial habitat concerns that occur within the property so that the state park can work to better protect them.

REQUESTOR INFORMATION

Project Organization:
Contact Name: Caroline Hildebrand
Email Address: childebrand@biohabitats.com
Organization: Biohabitats Inc.
Address: 383 S Corona St, Denver CO 80204
Phone: 2035128964

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.

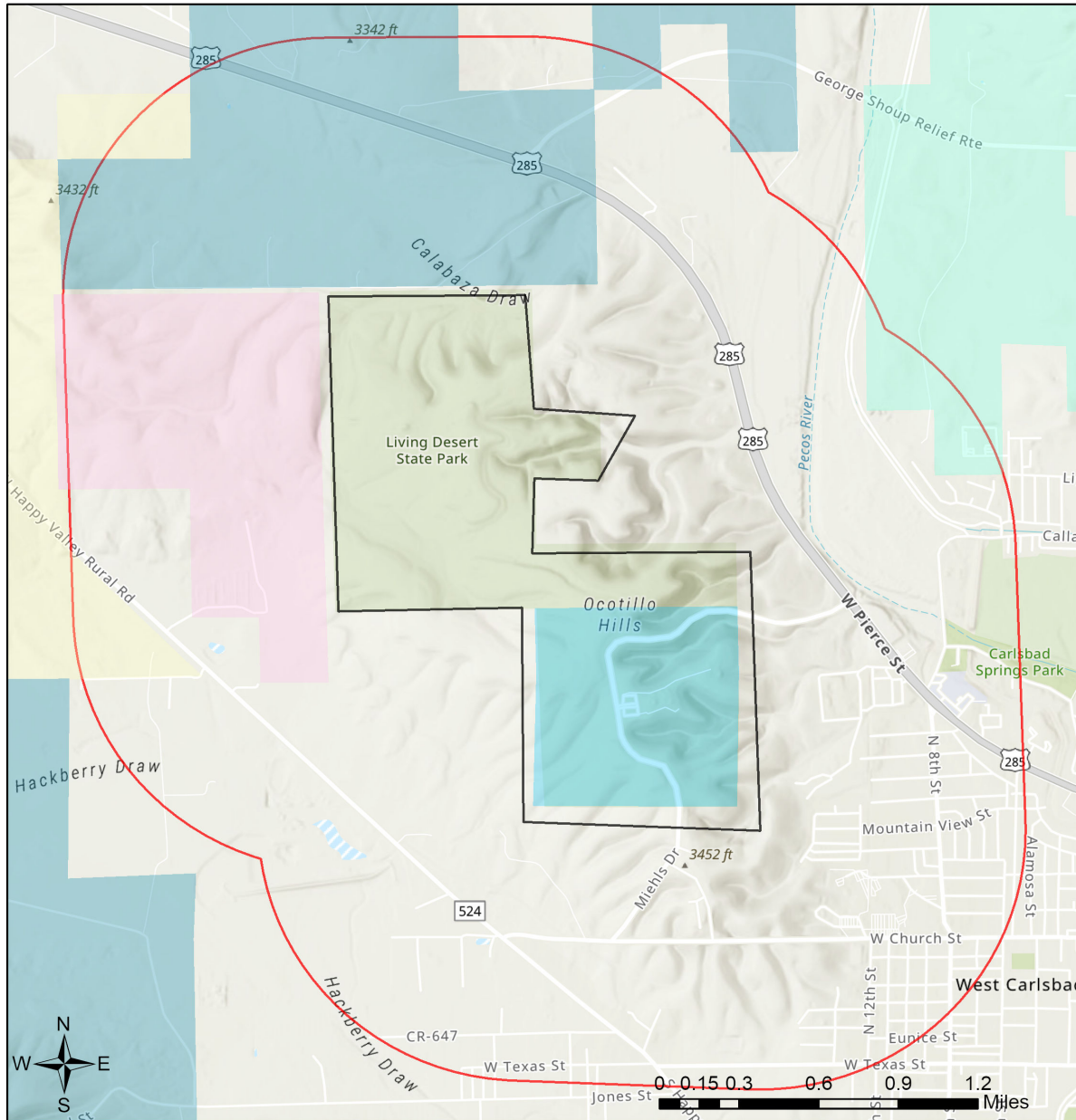


About this report:

- 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](#).
- This report contains information on wildlife species protected under the ESA and the [Wildlife Conservation Act \(WCA\)](#), [Species of Greatest Conservation Need \(SGCN\)](#), and Species of Economic and Recreational Importance (SERI). Species listed under the ESA are protected from take at the federal level and under the WCA are protected from take at the state level. SGCN are identified in the [State Wildlife Action Plan \(SWAP\) for New Mexico](#); all of these species are considered to be of conservation concern but not all of them are protected from take at the state or federal level. The harvest of all SERI is regulated at the state level. The Department has no authority to designate critical habitat for species listed under the WCA; only the USFWS can designate critical habitat for species listed under the ESA.
- 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](#), the data layers from which are included in the ERT, is the appropriate system for advising early-stage project planning and design to avoid areas of anticipated wildlife concerns and associated regulatory requirements.



Living Desert State Park planning



- | | | | |
|---------------------------|------------------------------|------------------------------|---|
| 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, Geodatasyrisen, 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
Barking Frog	Craugastor augusti			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
Snowy Plover	Charadrius nivosus nivosus			SGCN
Mountain Plover	Charadrius montanus			SGCN
Least Tern	Sternula antillarum	LE	E	SGCN
Yellow-Billed Cuckoo	Coccyzus americanus	LT		SGCN
Western Burrowing Owl	Athene cunicularia hypugaea			SGCN
Common Nighthawk	Chordeiles minor			SGCN
Lewis's Woodpecker	Melanerpes lewis			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
Sprague's Pipit	Anthus spragueii			SGCN
Loggerhead Shrike	Lanius ludovicianus			SGCN
Bell's Vireo	Vireo bellii		T	SGCN
Gray Vireo	Vireo vicinior		T	SGCN
Varied Bunting	Passerina versicolor		T	SGCN
Vesper Sparrow	Poocetes gramineus			SGCN
Thick-billed Longspur	Rhynchophanes mccownii			SGCN
Chestnut-Collared Longspur	Calcarius ornatus			SGCN
Rainbow Trout	Oncorhynchus mykiss			SERI
Channel Catfish	Ictalurus punctatus			SERI
Spotted Bass	Micropterus punctulatus			SERI
Largemouth Bass	Micropterus salmoides			SERI
Least Shrew	Cryptotis parva		T	SGCN
Pale Townsend's Big-Eared Bat	Corynorhinus townsendii pallescens			SGCN
Black-Tailed Prairie Dog	Cynomys ludovicianus			SGCN
Mule Deer	Odocoileus hemionus			SERI
Pronghorn	Antilocapra americana			SERI
Western River Cooter	Pseudemys gorzugi		T	SGCN



Special Status Animal Species Potentially within 1 Miles of Project Area

Common Name	Scientific Name	USFWS (ESA)	NMDGF (WCA)	NMDGF SGCN/SERI
Gray-Checkered Whiptail	Aspidoscelis tessellata		E	SGCN
Gray-Banded Kingsnake	Lampropeltis alterna		E	SGCN
Plainbelly Water Snake	Nerodia erythrogaster		E	SGCN
Western Ribbon Snake	Thamnophis proximus		T	SGCN
Rock Rattlesnake	Crotalus lepidus			SGCN
Desert Massasauga	Sistrurus catenatus edwardsii			SGCN

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

Special Status Plant Species Potentially within 1 Miles of Project Area

Common Name	Scientific Name	USFWS (ESA)	NMAC	NMRPCS
Wright's Water-Willow	Justicia wrightii			SS

NMAC = New Mexico Administrative Code, NMRPCS = [New Mexico Rare Plant Conservation Strategy](#), SS = NM Rare Plant Conservation Strategy Species, E = Endangered

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.

Burrowing owl (*Athene cunicularia*) may occur within your project area. Burrowing owls are protected from take by the Migratory Bird Treaty Act and under New Mexico state statute. 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 [SWAP](#) for New Mexico. These areas contain high numbers of 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 WCA and ESA, respectively, and migratory birds are protected from take by the Migratory Bird Treaty Act.



Your project area intersects an Important Plant Area (IPA) that contains one or more species of plants listed as threatened or endangered by the New Mexico Energy, Minerals and Natural Resources Department (EMNRD) under New Mexico Statutes Annotated (NMSA) 75-6-1 or by the USFWS under the federal ESA. Although IPAs have no legal designation, they have been identified as areas that support either a high diversity of sensitive plant species or contain the last remaining locations of New Mexico's most endangered plants. The Department recommends that you consult with EMNRD's [Endangered Plant Program Coordinator](#) regarding any state-listed plants and the USFWS's [Information for Planning and Consultation \(IPAC\)](#) system for any federally-listed plants and reaching out to the appropriate federal species lead(s) with the [New Mexico Ecological Services Office of USFWS](#). The Department does not have any authority to designate or advise on state- or federally-listed plants.

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 SGCN, 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](#). The [New Mexico Riparian Habitat Map \(NMRipMap\)](#) may also provide useful information on local riparian habitat composition and structure.

Your proposed project occurs within an area where springs or other important natural water features occur. This may result in the presence of a high use area for wildlife relative to the surrounding landscape. To ensure continued function of these important wildlife habitats, your project should consider measures to avoid the following.

- Altering surface or groundwater flow or hydrology,
- Disturbance to soil that modifies geomorphic properties or facilitates invasion of non-native vegetation.
- Affecting local surface or groundwater quality.
- Creating disturbance to wildlife utilizing these water features. Disturbance to wildlife can be reduced through practices including clustering infrastructure and activity wherever possible, avoiding large visual obstructions around water features, and limiting nighttime project operations or activities.

Department biologists are available for site-specific consultation regarding measures to assist with management and conservation of these habitat resources.



Your project is on or near a section of road that has experienced comparatively high incidence of wildlife-vehicle collisions. Coordinate with the New Mexico Department of Transportation to consider implementing mitigation actions that are appropriate to your project area and planned action to reduce wildlife-vehicle collisions. These may include but are not limited to: installation of wildlife-proof fencing; installation of wildlife passages such as arch culverts or overpasses; and installation of animal detection systems.

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.