



PROJECT INFORMATION

Project Title: US 285, New Port of Entry-Study Phase IA-ID, MP 0 to MP 7
Project Type: TRANSPORTATION, ROADS AND BRIDGES, ROADS AND BRIDGES-MAINTENANCE/MINOR RETROFIT
Latitude/Longitude (DMS): 32.013186 / -104.043652
County(s): EDDY
Project Description: The US 285 corridor in southeastern New Mexico is a critical piece of infrastructure that has seen an explosion of use due to the growth of the oil and gas industry in the region. The New Mexico Department of Transportation (NMDOT) has already invested in upgrading the roadway to provide additional capacity, improve safety, and address structural issues. Given the connectivity US 285 provides at the Texas/New Mexico border, there is a significant volume of heavy commercial traffic entering the state at this location. A new Port of Entry (POE) would help protect the state's infrastructure and improve safety for the corridor. The purpose of studying a new Port of Entry to the US 285 corridor between MP 0 to MP 7 is to facilitate the continued economic growth in the region by ensuring the commercial vehicles entering the state are safe and legal. The need arose due to of the significant increase in heavy commercial vehicle traffic throughout the corridor; gross vehicle weight (GVW) must be regulated to protect the state's infrastructure, improve safety, and ensure commercial drivers are following state law.

REQUESTOR INFORMATION

Project Organization:
Contact Name: Jacob Richards
Email Address: jrichards@epsilonsystems.com
Organization: Epsilon Systems Solutions, Inc.
Address: 1311 Edith Blvd SE, Albuquerque NM 87102
Phone: 6122403099

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.

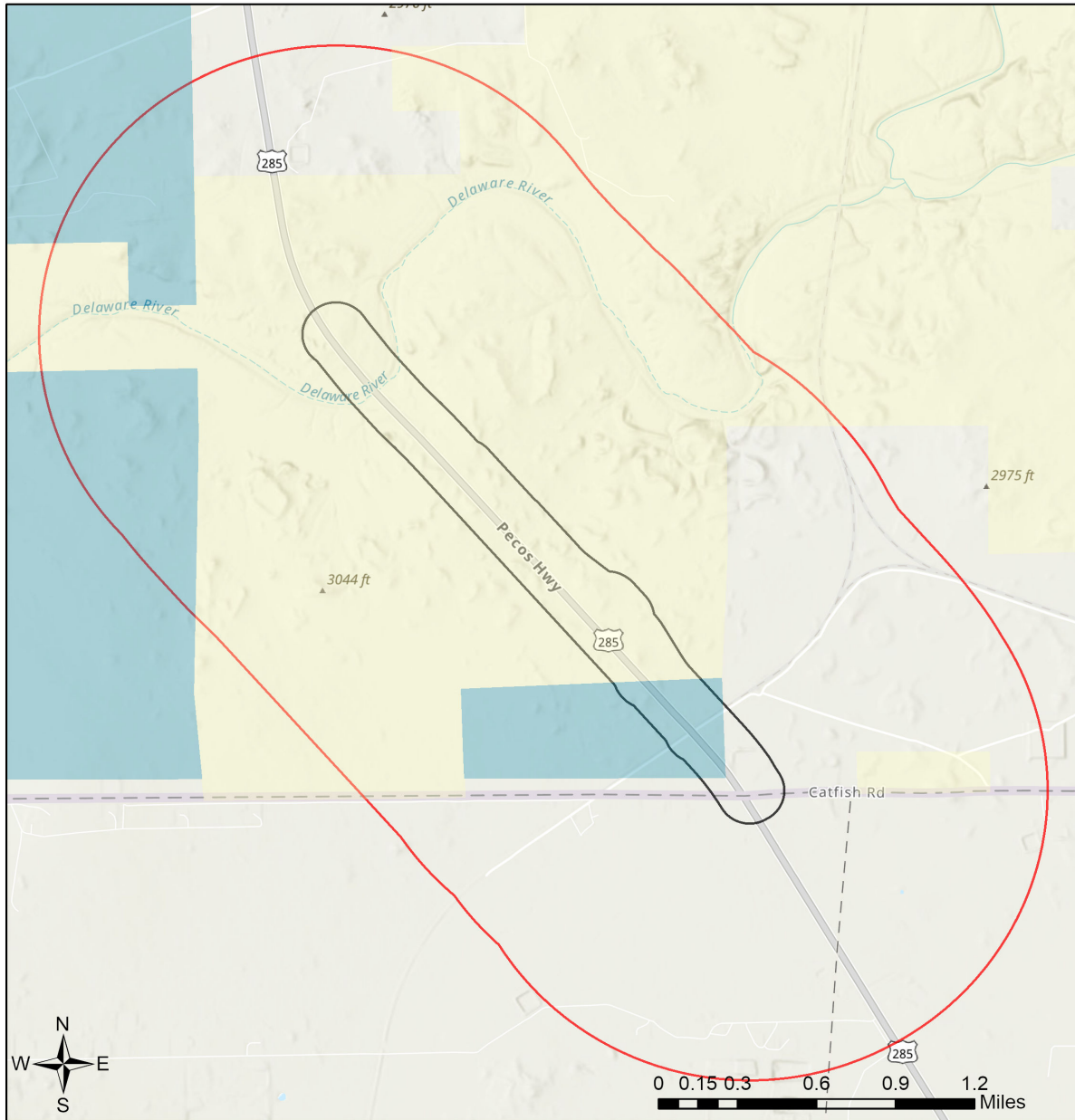


About this report:

- 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.



US 285, New Port of Entry-Study Phase IA-ID, MP 0 to MP 7



- | | | | |
|---------------------------|------------------------------|------------------------------|---|
| 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
Barking Frog	Craugastor augusti			SGCN
Rio Grande Leopard Frog	Lithobates berlandieri			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
Long-Billed Curlew	Numenius americanus			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
Pygmy Nuthatch	Sitta pygmaea			SGCN
Sprague's Pipit	Anthus spragueii			SGCN
Loggerhead Shrike	Lanius ludovicianus			SGCN
Bell's Vireo	Vireo bellii		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
Gray Redhorse	Moxostoma congestum		E	SGCN
Least Shrew	Cryptotis parva		T	SGCN
Black-Tailed Prairie Dog	Cynomys ludovicianus			SGCN
Western River Cooter	Pseudemys gorzugi		T	SGCN
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
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://nhtm.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
Scheer's Pincushion Cactus	Coryphantha robustispina ssp. scheeri		E	SS

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

Project Recommendations

Since the proposed highway project includes bridge or road construction activities, the Department recommends implementation of its [Bridge and Culvert Construction Guidelines for Stream, Riparian, and Wetland Habitats](#) for any rivers, streams, washes, springs, seeps, or riparian areas that are fall within the impact footprint of this project. These guidelines should assist in minimizing impacts to the river or wetland, and should be incorporated into the standard best management practices for these types of construction activities.

The Department also recommends that preconstruction bat surveys be conducted during summer months to determine if bats occur. If bats are determined to occur at bridge sites, work should be scheduled to avoid impacting bats that may roost there (i.e., conduct work in winter months).

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.

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.



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.