

PROJECT INFORMATION

Project Title: BLM Solar 6 SE of Roswell

Project Type: (NO PROJECT REVIEW) SPECIES LIST ONLY

Latitude/Longitude (DMS): 33.163867 / -104.252820

County(s): CHAVES

Project Description: BLM Solar Draft PEIS 2024

REQUESTOR INFORMATION

Project Organization:

Contact Name: Brian Nowicki

Email Address: bnowicki@biologicaldiversity.org
Organization: Center for Biological Diversity
Address: P.O. Box 1178, Flagstaff AZ 86002

Phone: 5059175611

OVERALL STATUS

This report contains an initial list of recommendations regarding potential impacts to wildlife or wildlife habitats from the proposed project; see the Project Recommendations section below for further details. Your project proposal is being forwarded to a New Mexico Department of Game and Fish (Department) biologist for review to determine whether there are any additional recommendations regarding the proposed actions. A Department biologist will be in touch within 30 days if there are further recommendations regarding this project proposal.

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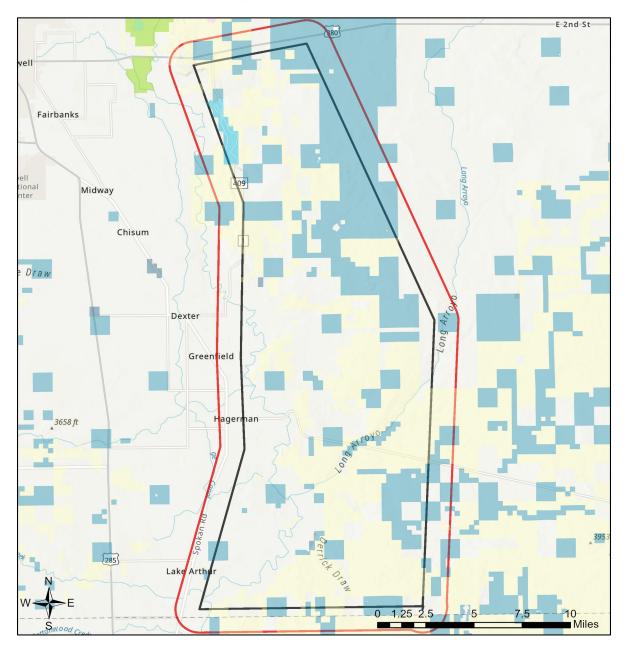
About this report:

- 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.

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BLM Solar 6 SE of Roswell



NHNM, USGS, USFS, US Census Bureau, NMDGF Esri, CGIAR, USGS Texas Parks & Wildlife, Esri, TomTom, Garmin, SafeGraph, METI/NASA, USGS, EPA, NPS, USDA, USFWS

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Special Status Animal Species Potentially within 2000 Meters of Project Area

| | Special Status Allillai Spec | - | IIIII 2000 Mictors | or r roject Area | 4 | | |
|-----------------------|--------------------------------|-------------|--------------------|--------------------|----------------------|----------------|------------------|
| Common Name | Scientific Name | USFWS (ESA) | NMDGF (WCA) | NMDGF SGCN/SERI | USFS | USFS SCC | BLM |
| Boreal Chorus Frog | Pseudacris maculata | | | SGCN | | | |
| Barking Frog | Craugastor augusti | | | SGCN | | | |
| Northern Leopard Frog | <u>Lithobates pipiens</u> | | | SGCN | Sensitive Species | USFS R3 SCC | BLM SENSITIVE |
| Eared Grebe | Podiceps nigricollis | | | SGCN | | | |
| Clark's Grebe | Aechmophorus clarkii | | | SGCN | | | |
| American Bittern | Botaurus lentiginosus | | | SGCN | | | BLM WATCH |
| Bald Eagle | Haliaeetus leucocephalus | | Т | SGCN | Sensitive Species | | BLM SENSITIVE |
| Aplomado Falcon | Falco femoralis | | E | SGCN | | | |
| Peregrine Falcon | Falco peregrinus | | Т | SGCN | | | BLM WATCH |
| Snowy Plover | Charadrius nivosus nivosus | | | SGCN | | | |
| Mountain Plover | Charadrius montanus | | | SGCN | Sensitive Species | | BLM WATCH |
| Long-Billed Curlew | Numenius americanus | | | SGCN | | | BLM WATCH |
| <u>Least Tern</u> | Sternula antillarum | LE | Е | SGCN | | | |
| Interior Least Tern | Sternula antillarum athalassos | LE | Е | SGCN | | | |
| Yellow-Billed Cuckoo | Coccyzus americanus | LT | | SGCN | | | |
| Western Burrowing Owl | Athene cunicularia hypugaea | | | SGCN | Sensitive Species | USFS R3 SCC | BLM SENSITIVE |
| Common Nighthawk | Chordeiles minor | | | SGCN | | | |
| Lewis's Woodpecker | Melanerpes lewis | | | SGCN | | USFS R3 SCC | BLM WATCH |
| Red-Headed Woodpecker | Melanerpes erythrocephalus | | | SGCN | | | |
| Bank Swallow | Riparia riparia | | | SGCN | | | |
| Pinyon Jay | Gymnorhinus cyanocephalus | | | SGCN | | USFS R3 SCC | BLM SENSITIVE |
| Pygmy Nuthatch | Sitta pygmaea | | | SGCN | | | |
| Mountain Bluebird | Sialia currucoides | | | SGCN | | | |
| Sprague's Pipit | Anthus spragueii | | | SGCN | | | BLM SENSITIVE |

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Special Status Animal Species Potentially within 2000 Meters of Project Area

| Common Name | Scientific Name | USFWS (ESA) | NMDGF (WCA) | NMDGF | USFS | USFS SCC | BLM |
|-------------------------------|------------------------------------|-------------|-------------|-----------|----------------------|----------------|------------------|
| | | | | SGCN/SERI | | | |
| Loggerhead Shrike | Lanius Iudovicianus | | | SGCN | | USFS R3 SCC | BLM WATCH |
| Bell's Vireo | <u>Vireo bellii</u> | | Т | SGCN | | | BLM SENSITIVE |
| Gray Vireo | <u>Vireo vicinior</u> | | Т | SGCN | Sensitive Species | USFS R3 SCC | BLM WATCH |
| Virginia's Warbler | Leiothlypis virginiae | | | SGCN | | | BLM SENSITIVE |
| Vesper Sparrow | Pooecetes gramineus | | | SGCN | | | |
| Chestnut-Collared Longspur | <u>Calcarius ornatus</u> | | | SGCN | | | BLM SENSITIVE |
| Mexican Tetra | Astyanax mexicanus | | Т | SGCN | | | BLM SENSITIVE |
| <u>Cutthroat Trout</u> | Oncorhynchus clarkii | | | SERI | | | |
| Rio Grande Cutthroat Trout | Oncorhynchus clarkii virginalis | | | SERI | | | |
| Rainbow Trout | Oncorhynchus mykiss | | | SERI | | | |
| Brown Trout | Salmo trutta | | | SERI | | | |
| Brook Trout | Salvelinus fontinalis | | | SERI | | | |
| Rio Grande Chub | Gila pandora | | | SGCN | Sensitive Species | USFS R3 SCC | BLM SENSITIVE |
| Arkansas River Shiner | Notropis girardi | LT | E | SGCN | | | |
| Pecos Bluntnose Shiner | Notropis simus pecosensis | LT | Е | SGCN | | | |
| Channel Catfish | <u>lctalurus punctatus</u> | | | SERI | | | |
| Flathead Catfish | Pylodictis olivaris | | | SERI | | | |
| Pecos Pupfish | Cyprinodon pecosensis | | Т | SGCN | | | BLM SENSITIVE |
| Bigscale Logperch | Percina macrolepida | | Т | SGCN | | | BLM SENSITIVE |
| <u>Least Shrew</u> | Cryptotis parva | | Т | SGCN | | | BLM WATCH |
| Pale Townsend's Big-Eared Bat | Corynorhinus townsendii pallescens | | | SGCN | Sensitive Species | USFS R3 SCC | BLM SENSITIVE |

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| Special Status Animal Species Potentially within 2000 Meters of Pro | oiect Area |
|---|------------|
|---|------------|

| Common Name | Scientific Name | USFWS (ESA) | NMDGF (WCA) | NMDGF SGCN/SERI | USFS | USFS SCC | BLM |
|--------------------------|-------------------------------|-------------|-------------|--------------------|----------------------|----------|------------------|
| Black-Tailed Prairie Dog | Cynomys ludovicianus | | | SGCN | Sensitive Species | | BLM SENSITIVE |
| Mule Deer | Odocoileus hemionus | | | SERI | | | |
| <u>Pronghorn</u> | Antilocapra americana | | | SERI | | | |
| Western River Cooter | Pseudemys gorzugi | | Т | SGCN | | | BLM SENSITIVE |
| Gray-Checkered Whiptail | Aspidoscelis tesselata | | Е | SGCN | | | BLM SENSITIVE |
| Plainbelly Water Snake | Nerodia erythrogaster | | E | SGCN | | | |
| Western Ribbon Snake | Thamnophis proximus | | Т | SGCN | Sensitive Species | | |
| Rock Rattlesnake | Crotalus lepidus | | | SGCN | | | |
| Desert Massasauga | Sistrurus catenatus edwardsii | | | SGCN | | | |

Common Name hyperlink takes you to species account in <u>bison-m.org</u>; Scientific Name hyperlink takes you to information in <u>NatureServe Explorer</u>; ESA = Endangered Species Act, C = Candidate, LE = Listed Endangered, LT = Listed Threatened, XN = Non-essential Experimental Population, for other ESA codes see this <u>website</u>; WCA = Wildlife Conservation Act, E = Endangered, T = Threatened; SERI = Species of Economic and Recreational Importance; SGCN = Species of Greatest Conservation Need; USFS = U.S. Forest Service, Sensitive Species = A species likely to occur on USFS lands that is of concern for a potential reduction in population viability; SCC = Species of Conservation Concern; BLM = Bureau of Land Management, BLM SENSITIVE = A species that occurs on BLM lands and whose viability is at risk, BLM WATCH = Species that may be added to the sensitive species list in future pending new information regarding species status.

Special Status Plant Species Potentially within 2000 Meters of Project Area

| Common Name | Scientific Name | USFWS (ESA) | NMAC | NMRPCS | USFS | USFS SCC | BLM |
|----------------------------|---|-------------|------|--------|------|----------|------------------|
| <u>A Lichen</u> | Acarospora clauzadeana | | | SS | | | BLM SENSITIVE |
| Puzzle Sunflower | Helianthus paradoxus | LT | E | SS | | | |
| Scheer's Pincushion Cactus | Coryphantha robustispina ssp. scheeri | | E | SS | | | BLM SENSITIVE |
| Gypsogenus Ringstem | Anulocaulis leiosolenus var. gypsogenus | | | | | | BLM WATCH |

NMAC = New Mexico Administrative Code, E = Endangered; NMRPCS = New Mexico Rare Plant Conservation Strategy, SS = NM Rare Plant Conservation Strategy Species; USFS = U.S. Forest Service, Sensitive Species = A species likely to occur on USFS lands that is of concern for a potential reduction in population viability; SCC = Species of Conservation Concern; BLM = Bureau of Land Management, BLM SENSITIVE = A species that occurs on BLM lands and whose viability is at risk, BLM WATCH = Species that may be added to the sensitive species list in future pending

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new information regarding species status.

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Project Recommendations

This report includes a preliminary species list that may be used during early stages of project or conservation planning. Even if this report indicates that your proposed project location would require a custom review from a biologist, **no review will be returned** until additional project details are provided. **To obtain a project review**, please submit additional details regarding the **type** of project, project **objectives**, anticipated project **duration**, **timing** of project construction, the composition and dimensions/quantities of **materials** that will be utilized for project implementation, any **equipment** that will be used, anticipated **ground disturbance** that will occur, wildlife surveys or observations that have occurred on or near the project site, and **any other relevant details** regarding potential effects of project activities on wildlife or wildlife habitat. **Photographs** of the project site are especially useful.

Although this project report may include management recommendations based on the project location, additional conservation measures may be needed. The Department can not fully assess potential effects and associated management recommendations until a **project type and description** have been submitted and an appropriate **impact buffer** for that project type has been applied. Also, the species list within this report represents an estimation of special status species that could be present at the site of a small-scale project. Species lists for projects that occur across **broader geographic scales** (e.g., one or more counties, multiple habitat types) are more appropriately obtained from the **Department's Biota Information System of New Mexico (BISON-M) database**. Species lists generated by the ERT may contain modeled species distributions in order to predict species occurrences within areas that lack previous wildlife inventories or surveys. This list can be refined using occurrence-based information within BISON-M regarding wildlife-habitat relationships and biological needs for species that might be present within the project footprint.

Our preliminary assessment indicates your project occurs in Lesser Prairie-chicken Crucial Habitat Category 3 (Modeled Habitat Zone).

The Lesser Prairie-chicken (*Tympanuchus pallidicintus*) (LPC) was designated as a SGCN in New Mexico and the southern Distinct Population Segment, including populations in New Mexico and Texas, is federally listed as Endangered. The LPC Interstate Working Group has developed the Southern Great Plains Crucial Habitat Assessment Tool (<u>SGP-CHAT</u>) 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 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. 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 <u>burrowing owl survey protocol</u>. Should burrowing owls be documented in the project area, please contact the Department or USFWS for further recommendations regarding relocation or avoidance of impacts.

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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 designated critical habitat for one or more species that are listed under the federal ESA. The Department recommends that you confirm this using the USFWS'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 USFWS. The USFWS has authority to designate critical habitat for species listed under the ESA. The Department has no authority to designate critical habitat for species listed under the WCA or ESA.

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 Department, who can facilitate contacts with other appropriate personnel.

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.

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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.

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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
 <u>Endangered Plant Program</u>, 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.

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