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31 May 2024

Brian D. Knight
Chief, Environmental Division
Directorate of Public Works
United States Army Garrison
White Sands Missile Range, New Mexico 88002-5000

RE: White Sands Missile Range Draft Supplemental Environmental Assessment (SEA) for Expanded Test Activities at Lee and Yucca Impact Areas; NMERT Project No. NMERT-3515

Dear Mr. Knight,

The New Mexico Department of Game and Fish (Department) has reviewed the draft Supplemental Environmental Assessment (SEA) for Expanded Test Activities at Lee and Yucca Impact Areas at White Sands Missile Range (WSMR), New Mexico. This letter constitutes the Department's official comments regarding the SEA.

While the SEA addresses impacts to Migratory Birds in Section 3.6, the SEA does not take into account other wildlife, including mammals and reptiles, nor the impacts, both immediate and cumulative, that the proposed action might have on these other species. The Department strongly recommends that the SEA be revised to consider the potential impacts of the Proposed Action on all local wildlife, especially state- and federally-listed species and Species of Greatest Conservation Need (SGCN) that may be present in the action area, and to include mitigation strategies to address these impacts.

Section 2.1.2 states that targets for missile tests may include "above ground bunkers made of earth." Additionally, Section 3.3.2 states that "testing activities such as ground clearing, target setup involving construction of trenches, berms and earth bunkers, equipment setup and the increase in missile impacts (≤ 10) may cause medium soil erosion." The Department recommends that surveys be conducted prior to initiation of earth-moving activities to confirm that burrowing animals and noxious weeds or invasive plants are not present in the soil.

Section 2.1.2 also states that “after test activities are complete, contractor or government personnel supporting White Sands Test Center will remove test debris and smooth the ground back to the original contours.” The Department recommends clarifying in the SEA whether test missiles might release harmful chemicals and rocket fuel upon impact and how any such pollutants will be cleaned up by contractors or government personnel to avoid negative impacts to vegetation and wildlife.

Section 3.3.2 states “It is anticipated that cleared areas will naturally revegetate and provide additional soil stabilization which would help minimize soil erosion issues.” The Department recommends proactively planting native vegetation from the same region and habitat type as the action area and potentially including seeds or plants from a region that represents future climatic conditions at the site. The Department also recommends using other erosion prevention measures, including silt fences, where soil erosion is expected to occur.

The first Best Management Practice (BMP) bullet point under Section 3.5.2 states that mowing will be used to “maintain cleared areas and enhance ground cover.” The Department supports this BMP and recommends applying mowing treatments in patches to create a mosaic of treated and untreated habitat within the Yucca Impact Area. This proposed modification would create habitat heterogeneity within the landscape, thus benefiting local wildlife.

Section 3.6.1 states that the “the [G]ray [V]ireo, and [P]inyon [J]ay are associated with juniper or pinyon-juniper woodland and may occur within the project area.” Additionally, the second Mitigation bullet point for the Lee Impact Area under Section 6.0 (page 21) states that “Migratory birds may include the [G]ray [V]ireo and [P]inyon [J]ay.” The Department expects that this list of migratory birds excludes numerous other bird species, both migratory and resident, that might occur in the Lee and Yucca Impact Areas. Examples of other birds that might occur in the Lee and Yucca Impact Areas at various times of the year include: Black-chinned Sparrow (*Spizella atrogularis evura*), Burrowing Owl (*Athene cunicularia*), Cactus Wren (*Campylorhynchus brunneicapillus couesi*), Chestnut-collared Longspur (*Calcarius ornatus*), Common Nighthawk (*Chordeiles minor*), Curve-billed Thrasher (*Toxostoma curvirostre celsum*), Juniper Titmouse (*Baeolophus ridgwayi*), Loggerhead Shrike (*Lanius ludovicianus*), Mountain Bluebird (*Sialia currucoides*), Sprague’s Pipet (*Anthus spragueii*), Thick-billed Longspur (*Rhynchophanes mccownii*), Western Bluebird (*Sialia mexicana bairdi*). The Department requests that the SEA be revised to consider these and other bird species when evaluating the impacts of the Proposed Action on wildlife.

The Department requests that the following statement be added to the second sub-bullet point of the final Mitigations bullet point (Line 18) on Page 22 so that the Mitigation actions for the Lee and Yucca Impact Areas are aligned: “Buffer distances are determined with input from NMDGF and USFWS.”

As referenced above, Burrowing Owls may occur within the action 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 U.S. Fish and Wildlife Service for further recommendations regarding relocation or avoidance of impacts.

Prairie dog colonies may occur within the vicinity of the action 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 in the action area 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.

Thank you for the opportunity to review this SEA. Please contact Jack Marchetti, Aquatic/Riparian Habitat Specialist, at jack.marchetti@dof.nm.gov or (505) 479-1269 if you have any questions.

Sincerely,

Virginia Seamster
Assistant Chief for Technical Guidance