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# STATE OF NEW MEXICO DEPARTMENT OF GAME & FISH

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6 August 2024

Department of the Army  
U.S. Army Garrison White Sands Environmental Division  
Building 163/DPW  
White Sands Missile Range, NM 88002

***RE: Draft Environmental Assessment Addressing Energy Readiness Support, White Sands Missile Range, New Mexico; NMDGF Project No. 3628.***

The New Mexico Department of Game and Fish (Department) has reviewed the Draft Environmental Assessment Addressing Energy Readiness Support (Draft EA). The U.S. Department of the Army is proposing to install, operate, and maintain additional energy readiness systems at the White Sands Missile Range (WSMR), New Mexico. The Proposed Action will incorporate the use of various technologies to promote energy resiliency on WSMR. The Proposed Action includes: (1) expanding the existing 6-megawatt solar photovoltaic (PV) system on the Main Post by adding a 20-megawatt solar PV system; (2) installing microgrid systems designed to incorporate carport and roof-top PV panels; (3) installing Energy Storage Systems and additional generators powered by natural gas, propane, or diesel to contribute to the desired goal of having 14 days of backup power capacity for critical facilities; and (4) installing electric vehicle charging stations within disturbed areas near existing facilities.

The Department provides the following recommendations to minimize potential impacts to wildlife:

- To eliminate or minimize the need to site solar PV arrays in undisturbed wildlife habitat, use microgrid systems on existing facility roof tops and carport parking areas to the maximum extent possible.
- All migratory birds are protected against direct take under the federal [Migratory Bird Treaty Act](#) (16 U.S.C. Sections 703-712). In addition, hawks, falcons, vultures, owls, songbirds, and other insect-eating birds are protected from take under New Mexico State Statutes (17-2-13 and 17-2-14 NMSA), unless permitted by the applicable regulatory agency. To minimize the likelihood of adverse impacts to migratory bird nests, eggs, or nestlings during project construction activities, the Department recommends that ground disturbance and vegetation removal activities be conducted outside of the primary breeding season. That season for migratory songbirds and most raptors is 1 March – 1 September; for golden eagle (*Aquila chysaetos canadensis*) and great horned owl (*Bubo virginianus*) it is 1 January – 15 July. If ground disturbing and clearing activities must be conducted during the breeding season, the area should be surveyed for active nest sites (with birds or eggs present in the nesting territory) and avoid disturbing active nests until young have fledged. For active nests, establish adequate buffer zones to minimize disturbance to nesting birds. Buffer distances should be a minimum of 100 feet from songbird

and raven nests; 0.25 miles from most raptor nests; and 0.5 miles for ferruginous hawk (*Buteo regalis*), golden eagle, peregrine falcon (*Falco peregrinus*), and prairie falcon (*Falco mexicanus*) nests. Active nest sites in trees or shrubs that must be removed should be mitigated by qualified biologists or wildlife rehabilitators. Department biologists are available to consult on nest site mitigation and can facilitate contact with qualified personnel.

- Your project could negatively impact prairie dog colonies if they occur within your project area. The black-tailed prairie dog (*Cynomys ludovicianus*) is designated as a New Mexico Species of Greatest Conservation Need, and prairie dog 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 prairie dog burrows are active or inactive and whether burrowing owls (*Athene cunicularia hypugaea*) may also 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. 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 the suitability of potential translocation areas and procedures.
- Due to potential impacts on burrowing owls if they occur within your project area, the Department recommends that a preliminary burrowing owl survey be conducted by a qualified biologist, using the Department's [burrowing owl survey protocol](#), before any ground-disturbing activities occur. Should burrowing owls be documented in the project area, please contact the Department or the U.S. Fish and Wildlife Service (USFWS) for further recommendations regarding relocation or avoidance of impacts.
- Any new or retrofitted, above-ground electrical transmission and distribution lines, substations, and transformer equipment should be constructed in conformance with the Avian Power Line Interaction Committee's (APLIC's) "Suggested Practices for Avian Protection on Power Lines", 2006 and "Reducing Avian Collisions with Power Lines", 2012 ([www.aplic.org/mission.php](http://www.aplic.org/mission.php)).
- Grading or blading within the proposed 20-megawatt PV project area should be minimized to the greatest extent possible. This will help retain wildlife habitat features within the site and preserve existing vegetation and soil structure. Keeping the existing soil and root structures intact also helps to minimize erosional run-off and reduce biodiversity loss within the site (Grotsky and Hernandez 2020).
- Security perimeter fencing around the 20-megawatt solar facility should be constructed to allow for some wildlife permeability. Leaving a 6- to 8-inch gap between the ground surface and bottom of the fence will allow smaller terrestrial wildlife species to move freely through the area and make use of any suitable habitat within the solar facility.
- For post-construction reclamation of the project area, the Department recommends that WSMR use only native plant species and that the reclamation seed mix is designed to enhance local pollinator habitat. The Department also recommends that only certified weed-free seed be used to avoid inadvertently introducing non-native species to the reclamation site. Any alternate seeds used to substitute for primary plant species that are unavailable at the time of reclamation should also be native. When possible, the Department recommends using seeds that are

sourced from the same region and habitat type as the reclamation site and suggests including seeds from a region that represents potential future climatic conditions at the site.

Thank you for the opportunity to review and comment on the Draft EA. If you have any questions, please contact: Ron Kellermueller, Mining and Energy Habitat Specialist, Ecological and Environmental Planning Section at (505) 270-6612 or [ronald.kellermueller@dgf.nm.gov](mailto:ronald.kellermueller@dgf.nm.gov).

Sincerely,

Virginia Seamster, Ph.D.  
Assistant Chief for Technical Guidance, Ecological and Environmental Planning Section

cc: USFWS NMES Field Office

Grodsky, S.M., and R.R. Hernandez. 2020. Reduced ecosystem services of desert plants from ground-mounted solar energy development. *Nature Sustainability* 3:1036–1043.  
<https://doi.org/10.1038/s41893-020-0574-x>