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TO THE COMMISSION  
Michael B. Sloane

# STATE OF NEW MEXICO DEPARTMENT OF GAME & FISH

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24 February 2025

Dana M. Price  
Environmental Resource Section  
U.S. Army Corps of Engineers  
4101 Jefferson Plaza NE  
Albuquerque, NM 87109

***RE: Draft Environmental Assessment (DEA), Conchas Lake Vegetation Management Plan; NMERT 4189***

Dear Ms. Price,

The New Mexico Department of Game and Fish (Department) has reviewed the DEA for the Conchas Lake Vegetation Management Plan (Plan). The Department appreciates the opportunity to review this DEA. We encourage continuing the U.S. Army Corps of Engineers' partnership with the Department and the willingness to incorporate our recommendations to strengthen measures taken to benefit New Mexico wildlife and their habitats as outlined below.

Although the Department has a few comments and recommendations regarding the DEA, we are in full support of "Alternative 2: Proposed Action". The Department's comments are organized sequentially by page number within the DEA.

### **Comments**

#### **Page 6: Treatment Methods**

Regarding the herbicide application using both low-volume basal bark and cut-stump techniques, the Department has the following recommendations to mitigate impacts on wildlife from spot or ground herbicide application techniques:

- To mitigate the potential for herbicide drift into sensitive aquatic and native riparian habitats, the Department recommends applying a minimum buffer of 20 ft (for spot applications) or 100ft (if using ground application; [USFWS 2007](#)) around all aquatic habitats and native riparian vegetation in the proposed treatment area.
- To mitigate the potential for herbicide drift into sensitive habitats for federally or state-listed species, the Department recommends applying a minimum buffer of 10 ft (for spot applications) or 90 ft (if using ground application) around all known terrestrial habitats for federally or state-listed species. Buffer distances are larger for insect pollinators of federally or state-listed plants (2,640 ft for small pollinators, 10,560 ft for large pollinators such as bumble bees) ([USFWS 2007](#)).

- Use mechanical weed removal techniques or individual plant treatments when buffers cannot be implemented, and federally or state-listed species habitats are present.
- Apply herbicides directly to target plants, rather than broadly to large areas, whenever possible to avoid harming nearby non-target or native vegetation.
- Avoid herbicide spraying on days when wind speeds are high (> 10 mph) and on days when rain is expected within 48 hours.
- Apply herbicides no later than two months before normal spring runoff and high-water tables are anticipated in the project area and wait until streamflow is back below normal bank full stage to consider applying herbicides in the late summer or fall.
- Use the lowest concentration possible that will still allow for the achievement of the desired result.
- Avoid applying herbicides to and removing vegetation that is being used by birds for nesting. When nesting birds may be present in target vegetation in the project area, herbicides should be applied outside of the breeding bird season (April – September).
- In areas dominated by undesired or non-native plants, habitat loss may occur if a herbicide is applied to the entire area, resulting in a total loss of vegetation. To avoid this, apply herbicides in a mosaic pattern, alternating treated and non-treated sites between years.
- The Department recommends not using herbicides that contain the following chemicals that are slightly to highly toxic to wildlife including birds, fish, and pollinators: 2,4-D, dichlobenil, dichlorprop, fluazifop, glyphosate, oxyfluorfen, propyzamide, quizalofop, sulfometuron, and triclopyr ([Michael 2002](#)).

#### **Page 16 Terrestrial Wildlife Resources:**

Consider rewording “migratory waterfowl” to “resident and migratory waterfowl” and removing “wading birds” as it is redundant.

#### **Page 19 Table 2: Federally Listed Endangered and Threatened Species with Potential to Occur at Conchas Lake**

If possible, the Department would like to see the following state-listed species added to Table 2. These species were previously made available to the U.S. Army Corps of Engineers via a New Mexico Environmental Review Tool-generated list for project NMERT-4097. Species that are federally listed are marked with an \*: bald eagle (*Haliaeetus leucocephalus*), gray vireo (*Vireo vicinior*), peregrine falcon (*Falco peregrinus*), plainbelly water snake (*Nerodia erythrogaster*), western ribbon snake (*Thamnophis proximus*), and yellow-billed cuckoo\* (*Coccyzus americanus*). The Department does not see the need to include the Holy Ghost Ipomopsis (*Ipomopsis sancti-spiritus*) in Table 2 as it is endemic to the Sangre de Cristo Mountains, outside of the proposed project area.

Thank you for the opportunity to review and submit comments regarding this project. Please contact Erin Salano, Terrestrial Habitat Specialist, at [erin.salano@dgf.nm.gov](mailto:erin.salano@dgf.nm.gov) or (505) 321-5485 with any questions.

Sincerely,

Virginia Seamster, Ph.D.  
Assistant Chief, Ecological and Environmental Planning Section  
cc: USFWS NMES Field Office