

New Mexico Department of Game and Fish Project ID: NMERT-4943

Project Number: FY2025 TCI

PROJECT INFORMATION

Project Title: Roof Replacement on Library and Technology Center. FY 25 TCI Grant

Project Type: RURAL DEVELOPMENT, BUILDINGS

Latitude/Longitude (DMS): 35.587020 / -106.010401

County(s): SANTA FE

Project Description: Roof replacement on Library and Technology Center. Anticipate to start May 2026 and

end June 2026

REQUESTOR INFORMATION

Project Organization:

Contact Name: Laura Hurtado

Email Address: laura.hurtado@usda.gov

Organization: New Mexico Department of Agriculture

Address: 1927 Suite A 7th Street , Las Vegas NM 87701

Phone: 505-652-3232

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.

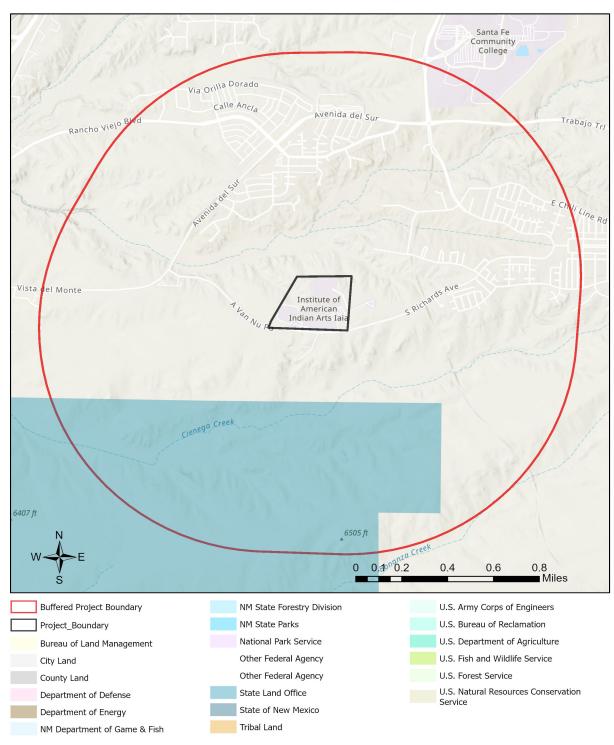
Page 1 of 9 8/13/2025 03:33:17 PM

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.

Page 2 of 9 8/13/2025 03:33:17 PM

Roof Replacement on Library and Technology Center. FY 25 TCI Gran



NHNM, USGS, USFS, US Census Bureau, NMDGF
Esri, NASA, NGA, USGS, FEMA
Texas Parks & Wildlife, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS

Page 3 of 9 8/13/2025 03:33:17 PM

Special Status Animal Species Potentially within 1 Miles of Project Area

Aplomado Falcon Falco femoralis E SGCN Petegrina Falcon Falcon Ealco peregrinus T SGCN Sensitive Species BLM WATC Mountain Plover Charadrius montanus SGCN Sensitive Species Sensitive Species Sensitive Species Sensitive Species Sensitive Species Sensitive Secondary Species Sensitive Secondary Species Sensitive Secondary Sec	Common Name	Scientific Name	USFWS (ESA)	NMDGF (WCA)	NMDGF SGCN/SERI	USFS	USFS SCC	BLM
Aplomado Falcon Falco femoralis E SGCN Peregrine Falcon Falco peregrinus T SGCN Sensitive Species BLM WATC Mountain Plower Charadrius montanus SGCN Sensitive Species BLM WATC Long-Billed Curlew Numenius americanus SGCN Sensitive Species BLM WATC Elammulated Owl Otus flammeolus SGCN Sensitive Species SGCN BLM WATC Elammulated Owl Athene cunicularia hypugaea SGCN Sensitive Species SGCN Sensitive SENSITIV Mexican Spotted Owl Strix occidentalis lucida LT SGCN Common Nighthawk Chordelies minor SGCN Lewis's Woodpecker Melanerpes lewis SGCN USFS R3 BLM WATC Williamson's Sapsucker Sphyrapicus thyroideus SGCN Ulive-Sided Flycatcher Contopus cooperi SGCN Ulive-Sided Flycatcher Contopus cooperi SGCN Ulive-Sided Flycatcher Sensitive SGCN USFS R3 BLM WATC SCC SCC SENSITIVE SENSITIVE Uniper Timouse SGCN USFS R3 BLM WATC SCC SCC SCC SCC SCC SCC SCC SCC SCC S	Boreal Chorus Frog	Pseudacris maculata			SGCN			
Peregrine Falcon Falco peregrinus T SGCN Sensitive Species BLM WATC	Plains Leopard Frog	<u>Lithobates blairi</u>			SGCN			BLM WATCH
Mountain Plover Charadrius montanus SGCN Sensitive Species SLM WATC Long-Billed Curlew Numenius americanus SGCN Sensitive Flammulated Owl Western Burrowing Owl Athene cunicularia hypugaea SGCN Sensitive Species SCC Sensitive SECN Sensitive SECN Sensitive SECN Sensitive SECN SELM WATC Species SCC SENSITIV Mexican Spotted Owl Strix occidentalis lucida LT SGCN Common Nighthawk Chordelies minor Lewiss Woodpacker Melanerpes lewis SGCN USFS R3 SELM WATC SCC Williamson's Sapsucker Solvyrapicus thyroideus SGCN USFS R3 BLM WATC Common Nighthawk Chordelies minor Lewiss Woodpacker SGCN Williamson's Sapsucker Solvyrapicus thyroideus SGCN USFS R3 BLM WATC SCC Williamson's Sapsucker Solvyrapicus thyroideus SGCN USFS R3 BLM WATC SENSITIV Clark's Nutcracker Nuclifraga columbiana SGCN USFS R3 BLM WATC SENSITIV Clark's Nutcracker Nuclifraga columbiana SGCN USFS R3 BLM WATC SENSITIV Western Bluebird Sialia mexicana Mountain Bluebird Sialia currucoides SGCN USFS R3 BLM WATC Virginia's Warbler Leiothlypis virginiae SGCN USFS R3 BLM WATC SENSITIV SENSIT	Aplomado Falcon	Falco femoralis		E	SGCN			
Long-Billed Curlew Numenius americanus SGCN SECN BLM WATC SECN Sensitive SECN SENSITIV Western Burrowing Owl Attene cunicularia hypugaea SGCN Sensitive SECN SENSITIV SECN SECN SENSITIV SECN SENSITIV SECN SENSITIV SECN SECN SENSITIV SECN SENSITIV SECN SENSITIV SECN SECN SECN SECN SECN SECN SECN SECN	Peregrine Falcon	Falco peregrinus		Т	SGCN			BLM WATCH
Flammulated Owl Citus flammeolus SGCN Sensitive USFS R3 BLM WATCH Species SCC Sensitive SGCN Sensitive SGCN Sensitive SGCN Sensitive SGCN Sensitive SGCN SENSITIVE SENSITIVE SGCN SENSITIVE SENSITIVE SGCN SENSITI	Mountain Plover	Charadrius montanus			SGCN			BLM WATCH
Western Burrowing Owl Athene cunicularia hypugaea SGCN Sensitive Species USFS R3 SENSITIV Mexican Spotted Owl Strix occidentalis lucida LT SGCN Common Nighthawk Chordeiles minor SGCN Lewis's Woodpecker Melanerpes lewis SGCN Williamson's Sapsucker Sphyrapicus thyroideus SGCN Olive-Sided Flycatcher Contopus cooperi SGCN Pinyon Jay Gymnorhinus cyanocephalus SGCN Clark's Nutcracker Nucifraga columbiana SGCN Juniper Titmouse Baeolophus ridgwayi SGCN Pygmy Nuthatch Sitta pygmaea SGCN Western Bluebird Siala mexicana SGCN Mountain Bluebird Siala currucoides SGCN Loggerhead Shrike Lanius ludovicianus SGCN USFS R3 Virginia's Warbler Leiothlypis virginiae SGCN USFS R3 Black-Throated Gray Warbler Setophaga graciae SGCN USFS R3 Bl.M WATC Setophaga graciae SGCN USFS R3	Long-Billed Curlew	Numenius americanus			SGCN			BLM WATCH
Mexican Spotted Owl Strix occidentalis lucida LT SGCN Common Nighthawk Chordeiles minor SGCN Lewis's Woodpecker Melanerpes lewis SGCN Williamson's Sapsucker Sphyrapicus thyroideus SGCN Williamson's Sapsucker Sphyrapicus thyroideus SGCN Olive-Sided Flycatcher Contopus cooperi SGCN Pinyon Jay Gymnorhinus cyanocephalus SGCN USFS R3 BLM WATC Clark's Nutcracker Nucifraga columbiana SGCN Juniper Titmouse Baeolophus ridgwayi SGCN Western Bluebird Sialia mexicana SGCN Western Bluebird Sialia mexicana SGCN Mountain Bluebird Sialia curucoides SGCN USFS R3 BLM WATC SCC Virginia's Warbler Leiothlypis virginiae SGCN USFS R3 BLM WATC SCC Virginia's Warbler Setophaga nigrescens SGCN BLM WATC Grace's Warbler Setophaga graciae SGCN USFS R3 BLM WATC Grace's Warbler Setophaga graciae	Flammulated Owl	Otus flammeolus			SGCN			BLM WATCH
Common Nighthawk Chordelles minor SGCN Lewis's Woodpecker Melanerpes lewis SGCN USFS R3 SCC Williamson's Sapsucker Sphyrapicus thyroideus SGCN Olive-Sided Flycatcher Contopus cooperi SGCN Pinyon Jay Gymnorhinus cyanocephalus SGCN Clark's Nutoracker Nucifraga columbiana SGCN Juniper Titmouse Baeolophus ridgwayi SGCN Pygmy Nuthatch Sitta pygmaea SGCN Western Bluebird Sialia mexicana SGCN Mountain Bluebird Sialia currucoides SGCN Loggerhead Shrike Lanius ludovicianus SGCN USFS R3 SLM WATC Virginia's Warbler Leiothlypis virginiae SGCN USFS R3 SENSITIV Black-Throated Gray Warbler Setophaga nigrescens SGCN USFS R3 BLM WATC Grace's Warbler Setophaga graciae SGCN USFS R3 BLM WATC	Western Burrowing Owl	Athene cunicularia hypugaea			SGCN			BLM SENSITIVE
Lewis's Woodpecker Melanerpes lewis SGCN USFS R3 SCC BLM WATC Williamson's Sapsucker Sphyrapicus thyroideus SGCN SGCN SCC SENSITIV SCC SCC SENSITIV SCC	Mexican Spotted Owl	Strix occidentalis lucida	LT		SGCN			
Milliamson's Sapsucker Sphyrapicus thyroideus Sigcn Olive-Sided Flycatcher Contopus cooperi Sigcn Pinyon Jay Gymnorhinus cyanocephalus Sigcn Sigcn USFS R3 BLM Sigcn Sigcn USFS R3 Sigcn Sensitivi Clark's Nutcracker Nucifraga columbiana Sigcn Juniper Titmouse Baeolophus ridgwayi Sigcn Sitta pygmaea Sigcn Pygmy Nuthatch Sitta pygmaea Sigcn Western Bluebird Sialia mexicana Sigcn Mountain Bluebird Sialia curruccides Sigcn Loggerhead Shrike Lanius ludovicianus Sigcn USFS R3 BLM WATC Sigcn BLM WATC Sigcn Sigcn USFS R3 BLM WATC Signia's Warbler Sigcn BLM WATC Sigcn Sigcn Sigcn BLM WATC Signia's Warbler	Common Nighthawk	Chordeiles minor			SGCN			
Olive-Sided Flycatcher Contopus cooperi SGCN Pinyon Jay Gymnorhinus cyanocephalus SGCN Clark's Nutcracker Nucifraga columbiana SGCN Juniper Titmouse Baeolophus ridgwayi SGCN Pygmy Nuthatch Sitta pygmaea SGCN Western Bluebird Sialia mexicana SGCN Mountain Bluebird Sialia currucoides SGCN Loggerhead Shrike Lanius ludovicianus SGCN USFS R3 BLM WATC SCC Virginia's Warbler Leiothlypis virginiae SGCN USFS R3 BLM WATC SCC Black-Throated Gray Warbler Setophaga nigrescens SGCN USFS R3 BLM WATC SCROCK Grace's Warbler Setophaga graciae SGCN USFS R3 BLM WATC SCROCK	Lewis's Woodpecker	Melanerpes lewis			SGCN			BLM WATCH
Pinyon Jay Gymnorhinus cyanocephalus SGCN USFS R3 SCC SENSITIVE Clark's Nutcracker Nucifraga columbiana SGCN Juniper Titmouse Baeolophus ridgwayi SGCN USFS R3 SCC Pygmy Nuthatch Sitta pygmaea SGCN Western Bluebird Sialia mexicana SGCN Mountain Bluebird Sialia curruccides SGCN Loggerhead Shrike Lanius ludovicianus SGCN Virginia's Warbler Leiothlypis virginiae SGCN BLM WATC SCC Virginia's Warbler Setophaga nigrescens SGCN BLM WATC Grace's Warbler Setophaga graciae SGCN USFS R3 BLM WATC SGCN BLM SENSITIVE Black-Throated Gray Warbler Setophaga graciae SGCN USFS R3 BLM WATC SGCN USFS R3 BLM WATC SCC USFS R3 BLM WATC SCC USFS R3 BLM WATC SETOPHAGA GRAY WArbler Setophaga graciae	Williamson's Sapsucker	Sphyrapicus thyroideus			SGCN			
Clark's Nutcracker Nucifraga columbiana SGCN Juniper Titmouse Baeolophus ridgwayi SGCN USFS R3 BLM WATCR SCC Pygmy Nuthatch Sitta pygmaea SGCN Western Bluebird Sialia mexicana SGCN Mountain Bluebird Sialia curruccides SGCN Loggerhead Shrike Lanius ludovicianus SGCN USFS R3 BLM WATCR SCC Virginia's Warbler Leiothlypis virginiae SGCN BLM SENSITIVE Black-Throated Gray Warbler Setophaga nigrescens SGCN USFS R3 BLM WATCR SGCR SGCN SENSITIVE Black-Throated Gray Warbler Setophaga graciae SGCN USFS R3 BLM WATCR SGCR SGCN USFS R3 BLM WATCR SGCR SGCN SENSITIVE Black-Throated Gray Warbler Setophaga graciae SGCN USFS R3 BLM WATCR SGCR SGCR SGCR SGCR SGCR SGCR SGCR SG	Olive-Sided Flycatcher	Contopus cooperi			SGCN			
Juniper Titmouse Baeolophus ridgwayi SGCN USFS R3 SCC BLM WATCH SCC Pygmy Nuthatch Sitta pygmaea SGCN Western Bluebird Sialia mexicana SGCN Mountain Bluebird Sialia curruccides SGCN Loggerhead Shrike Lanius ludovicianus SGCN USFS R3 SCC Virginia's Warbler Leiothlypis virginiae SGCN BLM WATCH SENSITIV Black-Throated Gray Warbler Setophaga nigrescens SGCN BLM WATCH SENSITIV Grace's Warbler Setophaga graciae SGCN USFS R3 BLM WATCH SENDING	Pinyon Jay	Gymnorhinus cyanocephalus			SGCN			BLM SENSITIVE
Pygmy Nuthatch Sitta pygmaea SGCN Western Bluebird Sialia mexicana SGCN Mountain Bluebird Sialia currucoides SGCN Loggerhead Shrike Lanius ludovicianus SGCN Virginia's Warbler Leiothlypis virginiae SGCN BLM WATC SCC Virginia's Warbler Setophaga nigrescens SGCN BLM WATC SENSITIV Black-Throated Gray Warbler Setophaga graciae SGCN USFS R3 BLM WATC SENSITIV SENSITI	Clark's Nutcracker	Nucifraga columbiana			SGCN			
Western Bluebird Sialia mexicana SGCN Mountain Bluebird Sialia curruccides SGCN Loggerhead Shrike Lanius ludovicianus SGCN Virginia's Warbler Leiothlypis virginiae SGCN Black-Throated Gray Warbler Setophaga nigrescens SGCN Grace's Warbler Setophaga graciae SGCN	<u>Juniper Titmouse</u>	Baeolophus ridgwayi			SGCN			BLM WATCH
Mountain Bluebird Sialia currucoides SGCN Loggerhead Shrike Lanius ludovicianus SGCN Virginia's Warbler Leiothlypis virginiae SGCN Black-Throated Gray Warbler Setophaga nigrescens SGCN Grace's Warbler Setophaga graciae SGCN USFS R3 BLM WATC BLM WATC BLM WATC Grace's Warbler Setophaga graciae SGCN USFS R3	Pygmy Nuthatch	Sitta pygmaea			SGCN			
Loggerhead ShrikeLanius IudovicianusSGCNUSFS R3 SCCBLM WATO SCCVirginia's WarblerLeiothlypis virginiaeSGCNBLM SENSITIVBlack-Throated Gray WarblerSetophaga nigrescensSGCNBLM WATO SCONGrace's WarblerSetophaga graciaeSGCNUSFS R3 BLM WATO SCON	Western Bluebird	Sialia mexicana			SGCN			
Virginia's Warbler Leiothlypis virginiae SGCN BLM SENSITIV Black-Throated Gray Warbler Setophaga nigrescens SGCN BLM WATO Grace's Warbler Setophaga graciae SGCN USFS R3 BLM WATO	Mountain Bluebird	Sialia currucoides			SGCN			
Black-Throated Gray Warbler Setophaga nigrescens SGCN BLM WATC Grace's Warbler Setophaga graciae SGCN USFS R3 BLM WATC	Loggerhead Shrike	<u>Lanius Iudovicianus</u>			SGCN			BLM WATCH
Grace's Warbler Setophaga graciae SGCN USFS R3 BLM WATC	<u>Virginia's Warbler</u>	<u>Leiothlypis virginiae</u>			SGCN			BLM SENSITIVE
	Black-Throated Gray Warbler	Setophaga nigrescens			SGCN			BLM WATCH
	Grace's Warbler	Setophaga graciae			SGCN			BLM WATCH

Page 4 of 9 8/13/2025 03:33:17 PM

Special Status Animal Species Potentially within 1 Miles of Project Area

Common Name	Scientific Name	USFWS (ESA)	NMDGF (WCA)	NMDGF SGCN/SERI	USFS	USFS SCC	BLM
Chestnut-Collared Longspur	Calcarius ornatus			SGCN			BLM SENSITIVE
Cassin's Finch	Haemorhous cassinii			SGCN			BLM WATCH
Evening Grosbeak	Coccothraustes vespertinus			SGCN			
Spotted Bat	Euderma maculatum		Т	SGCN	Sensitive Species	USFS R3 SCC	BLM SENSITIVE
American Pika	Ochotona princeps			SGCN			
Black-Tailed Prairie Dog	Cynomys Iudovicianus			SGCN	Sensitive Species		BLM SENSITIVE
Gunnison's Prairie Dog	Cynomys gunnisoni			SGCN	Sensitive Species		BLM SENSITIVE
New Mexican Meadow Jumping Mouse	Zapus hudsonius luteus	LE	E	SGCN	Sensitive Species		BLM SENSITIVE
Black Bear	Ursus americanus			SERI			
Mountain Lion	Puma concolor			SERI			
<u>Elk</u>	Cervus canadensis			SERI			
Desert Massasauga	Sistrurus catenatus edwardsii			SGCN			

Common Name hyperlink takes you to species account in bison-m.org; Scientific Name hyperlink takes you to information in NatureServe Explorer; ESA = Endangered Species Act, C = Candidate, LE = Listed Endangered, LT = Listed Threatened, XN = Non-essential Experimental Population, for other ESA codes see this website; 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.

Page 5 of 9 8/13/2025 03:33:17 PM

Project Recommendations

With implementation of the applicable mitigation or avoidance measures included in the project description, and incorporation of the guidance listed below, the Department does not anticipate significant impacts to wildlife or sensitive wildlife habitats from the proposed project activities. See the "OVERALL STATUS" section above to determine the likelihood that your project will be reviewed further based on its location. If a Department biologist determines that additional conservation measures are needed, then you should expect to receive notification and/or any additional project recommendations within 30 days of your project submission.

Page 6 of 9 8/13/2025 03:33:17 PM

Open trenches excavated for underground water or oil and gas pipelines, powerlines, or fiber optic communication lines can unintentionally entrap and cause the unnecessary mortality of amphibians, reptiles, and small mammals, and can cause injury to large mammals. Trapped animals can die from exposure, starvation, crushing from pipe-laying, entombment from trenching backfilling, drowning, and predation. This unnecessary wildlife mortality can be avoided by implementing conservation measures including: concurrent trenching, pipe-laying, and backfilling operations to minimize the amount of trench left open overnight or longer; construction escape ramps; and employing biological monitors to remove trapped animals. Periods of highest activity for amphibians and reptiles vulnerable to entrapment include summer months and wet weather, and they can be active both day and night. Small mammals subject to entrapment are active year-round and generally most active at night.

Implementing the general trenching conservation measures outlined in the Department's <u>Trenching Project Guidelines</u> will help minimize unnecessary mortality of wildlife. Best management practices should include, at minimum, the following mitigation measures.

- Whenever possible, locate trenching activities within previously disturbed areas, such as existing road or pipeline right-of-ways. To the extent possible, avoid trenching in undisturbed habitat.
- Trench during the cooler months (October March).
- Utilize concurrent trenching, pipe- or cable-laying, and backfilling. Keep trenching, pipe- or cable-laying, and
 backfilling crews as close together as possible to minimize the amount of open trench at any given time. When
 trenching activities are temporarily halted (e.g., overnight, weekends, holidays, weather shutdowns), protect
 wildlife from accessing any open trench between digging and backfilling operations by using one or more of the
 methods described below.
- Avoid leaving trenches open overnight. When trenches cannot be backfilled immediately, escape ramps should be constructed at least every 90 meters and preferably 30 meters. Escape ramps can be constructed parallel or perpendicular to the existing trench. The escape ramp slope should be less than 45 degrees (1:1). If pipe or cable has been installed but backfilling has not occurred, escape ramps may need to be constructed on both sides of the trench, since, unless the pipe is elevated enough to allow animals to move underneath it, the pipe or cable may block access of amphibians, reptiles, and small mammals to the ramps if only constructed on one side.
- Trenches that have been left open overnight should be inspected the following day by a qualified biological monitor and trapped animals removed as soon as possible, especially where state- or federally-listed threatened or endangered amphibians, reptiles, or small mammals occur. Untrained personnel should not attempt to remove trapped wildlife because of the potential to injure animals and the possibility of injury from venomous snakes. Required tools for removal will include snake tongs for removing snakes and a dip net for capturing and removing amphibians and small mammals. Many animals trapped in a trench will burrow under loose soil. To the extent possible, the biological monitor should disturb loose soil in the trench to uncover and remove trapped animals. Animals should be relocated at least 50 meters away from the open trench in undisturbed habitat.
- When pipe has been laid in the trench, end caps should be placed on the open end(s) of the pipe to preclude animals from entering. Pipe staged outside the trench should be capped until placed in the trench or checked for wildlife before being placed into the trench.
- Most wildlife can be protected by constructing silt fence completely around the open trench. Silt fence should
 be supported from sagging by t-posts, rebar, or stakes and buried at the base to preclude animals from moving
 below the fence. If construction of a silt fence is a required best management practice for erosion control, then,
 to preclude the need for a biological monitor, escape ramps, and concurrent backfilling, the guidelines for silt
 fence installation and maintenance in the <u>Trenching Project Guidelines</u> should be followed.

Page 7 of 9 8/13/2025 03:33:17 PM

All migratory birds are protected against direct take under the federal Migratory Bird Treaty Act (16 U.S.C. Sections 703-712), and hawks, falcons, vultures, owls, songbirds, and other insect-eating birds are protected 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 birds, nests, eggs, or nestlings, the Department recommends that ground disturbance and vegetation removal activities be conducted outside of the primary migratory bird breeding season of April 15-September 1. Breeding season may begin earlier for raptors or when working in low-elevation habitats such as deserts. 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 at least 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 (*Aquila chrysaetos canadensis*), 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.

The list of New Mexico SGCN (see link, page 14, table 5) and the federal list of Birds of Conservation Concern should be reviewed to fully evaluate potential effects to migratory birds from your proposed project. Federal agencies are also required under Executive Order 13186 to implement standards and practices that lessen the amount of unintentional take attributable to agency actions. These conservation measures are strongly recommended to ensure persistence of migratory bird species whose populations are small and/or declining within New Mexico.

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.

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.

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.

Page 8 of 9 8/13/2025 03:33:17 PM

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.

Page 9 of 9 8/13/2025 03:33:17 PM