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29 July 2026

Mark Pentecost, Deputy Forest Supervisor
Lincoln National Forest
901 Mechem Drive
Ruidoso, NM 88345

RE: Draft Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for South Fork and Blue 2 Post-Fire Treatments; NMERT Project No. NMERT-6212

Dear Mr. Pentecost,

The Lincoln National Forest (LNF) is seeking public comment on a preliminary Environmental Assessment (EA) analyzing post-fire recovery actions in the South Fork Fire and Blue 2 Fire boundaries and vegetation treatments in unburned areas in the vicinity of the fire boundaries (Proposed Action). The New Mexico Department of Wildlife (Department) would like to thank the LNF for the opportunity to comment on the [Proposed Action](#). In addition to the information provided in the attached New Mexico Environmental Review Tool (NMERT)-generated report for this project (NMDOW 2026), the Department has the following comments on the Proposed Action.

General Comments

The Department appreciates that Tribal consultation was conducted for the purposes of this project. The Department has no jurisdiction or authority over the wildlife resources on Indian reservations or property. Thus, for any wildlife concerns in project areas bordering Tribal lands, the Department encourages ongoing collaboration, as included in the EA, with local Tribes.

The Department also appreciates and concurs with the design features included in Appendix C and the associated planning for the Mexican spotted owl (*Strix occidentalis lucida*) in both general habitat and Protected Activity Centers (PACs).

Since the Proposed Action will include road and culvert construction or repair activities, the Department recommends implementation of its [Bridge and Culvert Construction Guidelines for Stream, Riparian, and Wetland Habitats](#) (NMDOW 2025b) for any rivers, streams, washes, springs, seeps, or riparian areas that fall within the impact footprint of the Proposed Action and will be affected by a bridge, culvert, or other road crossing. These guidelines should assist in minimizing impacts to the local rivers or wetlands and should be incorporated into the standard best management practices for these types of construction activities.

The Department also recommends that pre-construction bat surveys be conducted during summer months to determine if bats occur in existing culverts or bridges that will be impacted by the Proposed Action. If bats are determined to occur at existing bridge or culvert sites, work should be scheduled to avoid impacting bats that may roost there (i.e., conduct work in winter months).

Construction areas and other impervious surfaces associated with the Proposed Action can have significant impacts on surface waters by increasing the amount of sediment and other pollutants that are washed into surface waters, increasing the velocity and volume of water, and reducing infiltration into groundwater. Reducing the amount of impervious surfaces and phasing construction will reduce these impacts. The Department appreciates the stormwater control measures included in the EA to prevent sediment and other pollutants from entering waterways within the Proposed Action footprint and recommends the following additional recommendations to minimize or eliminate impacts to wildlife and wildlife habitat:

- Divert water around construction sites whenever possible.
- Preserve natural areas within project sites. Strive to maintain the natural drainage system of the sites, including natural stream channels, wetlands, and floodplains. Design, construct, and maintain the sites to protect (or restore) the natural hydrology.
- Following construction, disturbed areas should be re-vegetated using native species that approximate the pre-disturbance plant community composition or native plant communities appropriate for the site, including from a region that represents potential future climatic conditions at the site, whichever is more beneficial to wildlife. Short-term erosion control seed mixes are available for temporary control of surface erosion during project implementation; native mixes should be used for temporary as well as permanent erosion control. Native plants and materials should also be used for landscaping. All seed mixtures should be certified as weed-free and designed to enhance local pollinator habitat. For pollinating insects, including a diversity of flowering plants with different colors and shapes and flowering times that span spring through fall (March-October), high-nutrient or value plants (e.g., goldenrods [*Solidago* spp.], gumweed [*Grindelia* spp.], or sunflowers [*Helianthus* spp.]), perennials, native bunch grasses and thistles, some plants with pithy and woody stems, some bare ground, and rarer plants may be beneficial. Ideally, at least three different species should be flowering at all times between March and October. Consult pollinator-friendly plant species lists provided by the [Xerces Society for Invertebrate Conservation](#) or other appropriate resources. No-till drills may be

more effective than broadcast seeding for establishing flowering plants. New Mexico grass ecotypes for commercial seeding are available through the Los Lunas Plant Materials Center and New Mexico State University. Seeding guidelines are available from the [Natural Resources Conservation Service](#).

- If erosion control blankets are used post-construction, burying the blanket edges, and using blankets without fused mesh corners (e.g., woven mesh) can reduce the chances of unintentional wildlife entanglement. Regularly check the erosion control blankets after applying them to identify and release any wildlife that does become entangled.
- Maintain a vegetated buffer zone along all watercourses, including ephemeral arroyos, sufficient to minimize erosion and sediment delivery.
- Use properly engineered drainage swales and other vegetated channel systems instead of storm sewers, lined channels, curbs, and gutters. Vegetated swales should be gently sloped (4:1) so that small wildlife is able to maneuver them.
- Efforts should be made during construction to minimize impacts on vegetative communities. Existing roads and rights-of-way should be used for all transportation. Off-road driving should be avoided. Staging areas should be located in previously disturbed sites, where possible, and kept as small as possible.

Comments to Minimize Impacts on Wildlife and Terrestrial Habitat

Open trenches or substantive excavations performed under the Proposed Action could 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 of 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. Conducting pre-trenching wildlife surveys, especially for bumble bee (*Bombus* spp.) nests, which may occur in abandoned rodent holes and other cavities and be present year-round, and active burrows, can aid in avoiding nest and burrow destruction. The [Bumble Bee Nest Quest](#) project provides some information on what to look for when searching for bumble bee nests.

Implementing the general trenching conservation measures outlined in the Department's [Trenching Project Guidelines](#) (NMDOW 2022) 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. Capture and relocation of all state-protected animals, and even of unprotected animals using a dip net, may require a scientific collection permit; contact the Department's Wildlife Permits Manager at dgf.permits@dgf.nm.gov for more information.
- 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 [Trenching Project Guidelines](#) (NMDOW 2022) should be followed.

If any fencing will be repaired or replaced as a part of the Proposed Action, the Department has the following recommendations for wildlife-friendly fencing:

- No use of woven wire fencing or buck and rail fencing and minimize use of barbed wire.
- Keep all wires tight and ensure consistent spacing between wires along the length of the fence.
- Have a bottom wire or rail at least 16 inches and preferably 18 to 20 inches above the ground. A bottom wire at 10 inches above ground may be needed in areas with domestic sheep. Use a higher wire (e.g., 22 inches) if the bottom wire is electrified.
- Use smooth wire, including double-stranded smooth wire, or rail for the top and smooth wire on the bottom.
- Preferably, have no vertical stays between posts. If stays are used, consider stiff plastic or composite stays with 10-foot spacing between posts and stays.
- Preferably use a three-strand fence. Four-strand fence may be needed in areas with domestic sheep or high cattle density/use. Five-strand fence may be needed in areas with bison (*Bos bison*).
- Use poly-tape, flagging, light weight PVC pipe, or other markers on the top rail or wire to increase fence visibility.
- Incorporate lay-down sections, gates, or adjustable wires/dropped rails (e.g., temporary wildlife underpasses) for use when livestock are not present and in areas with evidence of wildlife use.
- Cap all open vertical pipes associated with fences, including fence posts or gate uprights.
- Use virtual fencing where feasible.
- If fencing is along a road where the intent is to mitigate wildlife-vehicle collisions, the Department recommends the use of 8-foot-tall game-proof fencing.

Further details on these suggestions can be found in the following documents:

[Recommendations for Constructing Wire Fences for Livestock in Big Game Habitats](#) (NMDOW 2003) and [A Wyoming Landowner's Handbook to Fences and Wildlife: Practical Tips for Fencing with Wildlife in Mind](#) (Paige 2025).

The Department appreciates the LNFs plans for site restoration and reforestation. In addition to the EA's information regarding seed mixes, the Department suggests any seed mixes be designed to enhance local pollinator habitat. For pollinating insects, including a diversity of flowering plants with flowering times that span spring through fall (March-October), rarer plants, and plants that are not pre-treated with systemic pesticides may be beneficial.

Since pinyon jay (*Gymnorhinus cyanocephalus*) is listed as potentially present in the Proposed Action area, the Department notes that the breeding season for the pinyon jay starts March 1, earlier than for some other migratory birds, and encourages implementation of recommendations outlined in the [Conservation Strategy for the Pinyon Jay \(*Gymnorhinus cyanocephalus*\)](#) (Somershoe et al. 2020) for any vegetation treatments conducted in pinyon (*Pinus* spp.)-juniper (*Juniperus* spp.) woodlands. In

particular, the Department encourages completion of surveys for active pinyon jay colonies during the breeding season prior to treatment implementation and buffering any previously detected colonies with 500 m buffers during project implementation. Further information and management recommendations for pinyon jay within the Gila National Forest can be found in the [Pinyon Jay Surveys in the Gila National Forest, New Mexico - Final Report](#) (Johnson et al. 2023).

If the Proposed Action entails the burning of debris or slash piles, wildlife including small mammals ([Goguen et al. 2015](#)), snakes ([Sperry and Weatherhead 2010](#)), birds ([Aigner et al. 1998](#)), and insects are known to use brush piles for habitat and cover, including hibernation sites. To avoid unintended wildlife mortality, if woody material can't be retained on the landscape in piles due to wildfire concerns, the Department recommends chipping or masticating all mechanically removed woody plant material, rather than creating piles, or using lop and scatter prior to burning as this can be associated with lower-intensity burns; higher-intensity fires can negatively impact ground-nesting bees. If piling and burning is necessary, burn either immediately after piles are constructed or during the winter, though this can be problematic for overwintering insects. If burning overwinter, consider leaving some piles unburned to provide refugia. Check piles prior to burning for bee or other animal activity, including individual animals, signs of burrows under the pile, and signs of bee cavity nests (e.g., holes with natural debris plugging the hole), especially March through October. Also consider placing piles away from sensitive, biodiverse habitats including wet meadows, springs, and riparian areas.

Since the Proposed Action may include prescribed burns, the Department recommends these be conducted in a way that produces a mosaic of burned areas and unburned refugia, with unburned refugia representing at least 66% of the project area and including some smaller unburned patches at regular intervals (less than 0.6 miles spacing) within the treatment area. Smaller unburned patches can protect important resources for animals, including leaf litter for overwintering insects and flowering plants for foraging pollinators. Avoid high-intensity fires that can harm animals, including nesting and overwintering bees. Conduct burns when animals, including foraging bees, are less active and outside of the avian breeding season (i.e., potential burn season would be November-February). If burning during the active season (March-October), consider timing burns when ground-nesting bees are below ground (e.g., early morning, late evening) or in the warmer part of the day when adult butterflies and some other animals are more active and better able to escape. In grasslands, burning in the morning may increase burn heterogeneity and reduce soil heating, both beneficial for invertebrates. Allow time for site recovery and implement heterogeneous fire intervals. Buffer high biodiversity aquatic and riparian habitats from burned areas.

If the Proposed Action entails the use of insecticides, consider whether other techniques (e.g., vegetation management) might achieve the desired outcome and whether the effects of the target insects are substantial enough to justify insect removal. Insecticides can be highly toxic to native insects. The Department has the following recommendations to mitigate impacts to wildlife in instances where the use of insecticides cannot be avoided:

- Select the least-toxic, most specialized insecticide option to minimize impacts to native insect pollinators.
- Use the lowest concentration and least number of applications possible that will still allow for the achievement of the desired result and ensure application is conducted by qualified, trained applicators. Do not apply multiple insecticides together.
- Use ground-based application as much as possible. If aerial application is necessary, fly at the lowest height and speed possible and conduct applications when wind speeds are less than 10 miles per hour.
- Avoid insecticides noted as being toxic to bees according to the [Bee Precaution Pesticide Ratings tool](#); systemic insecticides such as neonicotinoids (e.g., clothianidin, dinotefuran, imidacloprid, thiamethoxam); insect growth regulators; adulticide sprays including malathion and liquid formulations of carbaryl; or insecticides sold as dust, wettable powders, or microencapsulated products. Granular insecticide formulations and *Bacillus thuringiensis israelensis* (Bti) are preferred.
- Avoid applying insecticides to vegetation that is being used by native pollinating insects for foraging (i.e., flowering plants). To mitigate the potential for insecticide drift into sensitive aquatic and native riparian habitats or rare plant populations used by pollinating insects, the Department recommends applying a three-mile buffer to aquatic and riparian habitats and state-listed plant species populations. Other pollinator foraging habitat should be buffered by at least 125 feet from insecticide application.

Comments to Minimize Impacts on Fish and Aquatic Habitat

For projects implemented under the Proposed Action in aquatic habitats where beavers (*Castor canadensis*) are present, the Department recommends implementing or consulting its [Beavers in New Mexico: Coexistence and Relocation](#) (NMDOW 2025a) guidelines as needed to mitigate any local conflicts with beaver activities and for information on relocation procedures in situations where coexistence is not feasible, respectively. Consultation with the Department is required in instances where relocation is determined to be necessary. Due to their alteration of aquatic habitats and creation of ponds and wetlands and expansion of riparian habitats, keeping beavers on the landscape where feasible can greatly benefit a diversity of other wildlife species, including pollinating insects.

As much as is feasible, the Department encourages the use of low-tech, process-based restoration (LTPBR) techniques (i.e., structures such as beaver dam analogs, one-rock dams, media lunas, post-assisted log structures, and Zuni bowls) and the use of native vegetation or buried log structures (rather than rip rap, concrete, gabions, or other hardening substrate/structures) to stabilize stream banks and address issues related to erosion. LTPBR techniques are low in cost, made from natural and locally sourced materials, and have been shown to be effective in restoring fluvial processes and

habitats. Native riparian vegetation provides important habitat to a wide diversity of wildlife.

The Department encourages the LNF to implement biosecurity measures in site-specific plans in order to prevent the transmission of fish and amphibian diseases. Information on disinfection protocols to be implemented before going into the field, during the sampling of amphibians, and after work is completed can be found here: [Disinfection Protocols for Herpetofaunal Pathogens](#) (Bletz et al. 2023). The Department recommends these disinfection protocols be used when working in aquatic habitats, even when no faunal sampling or direct handling will take place, in order to protect aquatic species.

If construction activities necessitate temporary dewatering of any waterway within the Proposed Action footprint, the Department recommends conducting fish salvage in the dewatered area and using screens and block nets to prevent fish from being entrapped in any pumps and machinery or any areas disconnected from the mainstem flow during the project. If a waterway is diverted, the Department recommends best management practices include ensuring any diversion liners are constructed and installed so no animals can become entrapped between the lining material and stream banks or other substrates.

Thank you for the opportunity to review and comment on the Proposed Action and for your consideration of these comments. If you have any questions regarding terrestrial habitat or species, please contact Meredith Dalton, Terrestrial Habitat Specialist, at (505)709-0671 or meredith.dalton@dgf.nm.gov. For aquatic species or habitat questions, please contact Jelsie Kerr, Aquatic Habitat Restoration Biologist, at (505)637-2811 or jelsie.kerr@dgf.nm.gov.

Sincerely,

Virginia Seamster
Assistant Chief for Technical Guidance
Ecological and Environmental Planning Section

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