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## PROJECT INFORMATION

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**Project Title:** Blue- El Paso Fiber  
**Project Type:** COMMUNICATIONS, BURIED LINES/CABLES, BURIED LINES, NEW  
**Latitude/Longitude (DMS):** 34.556271 / -105.017875  
**County(s):** CURRY; DE BACA; GUADALUPE; ROOSEVELT; SOCORRO; TORRANCE  
**Project Description:** Fiber optic conduit will be installed along US 60 from the I-25 intersection to Clovis, NM, approximately 230 miles. Construction will generally require a temporary 40-foot work area, while trench disturbance is expected to be limited to approximately 12-16 inches in width. Maximum excavation depth is anticipated to be approximately 4 feet for fiber-optic trenching/plowing and 10 feet for direction boring under roadways, utility infrastructure, and drainages. Trench, plow, and bore methods will be utilized where appropriate and most favorable to the land owner. The MMR team emphasized flexibility in route alignment to avoid cultural resources, environmentally sensitive areas, and other identified constraints. Typical bore lengths range from 400-600 feet, with specialized equipment capable of completing crossings of several thousand feet when needed

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## REQUESTOR INFORMATION

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**Project Organization:**  
**Contact Name:** Zane Robertson  
**Email Address:** zrobertson@tierra-row.com  
**Organization:** Tierra Right of Way, LTD.  
**Address:** 1575 E River Rd, #201, Tucson AZ 85719  
**Phone:** 425-903-2211

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## OVERALL STATUS

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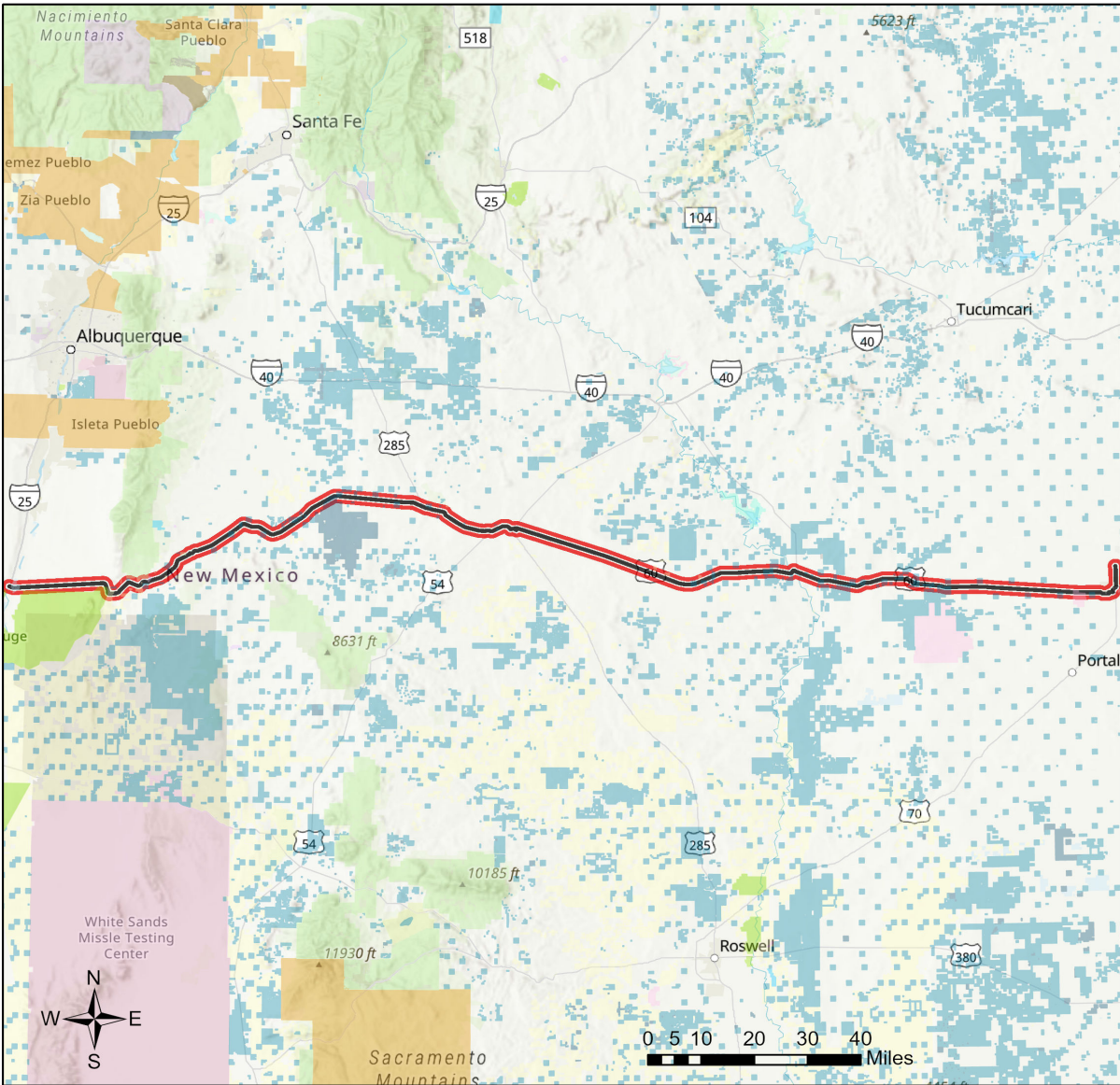
This report contains an initial list of recommendations regarding potential impacts to wildlife or wildlife habitats from the proposed project; see the Project Recommendations section below for further details. Your project proposal is being forwarded to a New Mexico Department of Wildlife (Department) biologist for review to determine whether there are any additional recommendations regarding the proposed actions. A Department biologist will be in touch within 30 days if there are further recommendations regarding this project proposal.

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**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 \(SGCN\)](#) (page 18, table 5), 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. Any surveys including handling or capturing wildlife may require a scientific collection permit; contact the Department's Wildlife Permits Manager at [dgf.permits@dgf.nm.gov](mailto:dgf.permits@dgf.nm.gov) for more information.
- 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.

# Blue- El Paso Fiber



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|---------------------------|------------------------------|---------------------------------------------|
| Buffered Project Boundary | NM Department of Game & Fish | U.S. Army Corps of Engineers                |
| Project_Boundary          | NM State Forestry Division   | U.S. Bureau of Reclamation                  |
| Bureau of Land Management | NM State Parks               | U.S. Department of Agriculture              |
| City Land                 | Other Federal Agency         | U.S. Fish and Wildlife Service              |
| County Land               | Other Federal Agency         | U.S. Forest Service                         |
| Department of Defense     | State Land Office            | U.S. Natural Resources Conservation Service |
| Department of Energy      | State of New Mexico          |                                             |
| National Park Service     | Tribal Land                  |                                             |

NHNM, USGS, USFS, US Census Bureau, NMDGF  
Esri, USGS  
Texas Parks & Wildlife, Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, NPS, USFWS

**Special Status Animal Species Potentially within 1 Miles of Project Area**

| Common Name                                    | Scientific Name                             | USFWS (ESA) | NMDOW (WCA) | NMDOW SGCN/SERI | USFS              | USFS SCC    | BLM           |
|------------------------------------------------|---------------------------------------------|-------------|-------------|-----------------|-------------------|-------------|---------------|
| <a href="#">Boreal Chorus Frog</a>             | <a href="#">Pseudacris maculata</a>         |             |             | SGCN            |                   |             |               |
| <a href="#">Barking Frog</a>                   | <a href="#">Craugastor augusti</a>          |             |             | SGCN            |                   |             |               |
| <a href="#">Plains Leopard Frog</a>            | <a href="#">Lithobates blairi</a>           |             |             | SGCN            |                   |             | BLM WATCH     |
| <a href="#">Northern Leopard Frog</a>          | <a href="#">Lithobates pipiens</a>          |             |             | SGCN            | Sensitive Species | USFS R3 SCC | BLM SENSITIVE |
| <a href="#">Clark's Grebe</a>                  | <a href="#">Aechmophorus clarkii</a>        |             |             | SGCN            |                   |             |               |
| <a href="#">American Bittern</a>               | <a href="#">Botaurus lentiginosus</a>       |             |             | SGCN            |                   |             | BLM WATCH     |
| <a href="#">Bald Eagle</a>                     | <a href="#">Haliaeetus leucocephalus</a>    |             | T           | SGCN            | Sensitive Species |             | BLM SENSITIVE |
| <a href="#">Golden Eagle</a>                   | <a href="#">Aquila chrysaetos</a>           |             |             | SGCN 2025       |                   |             | BLM WATCH     |
| <a href="#">Aplomado Falcon</a>                | <a href="#">Falco femoralis</a>             |             | E           | SGCN            |                   |             |               |
| <a href="#">Peregrine Falcon</a>               | <a href="#">Falco peregrinus</a>            |             | T           | SGCN            |                   |             | BLM WATCH     |
| <a href="#">Lesser Prairie-Chicken</a>         | <a href="#">Tympuchus pallidicinctus</a>    | LE          |             | SGCN            | Sensitive Species |             | BLM SENSITIVE |
| <a href="#">Mountain Plover</a>                | <a href="#">Anarhynchus montanus</a>        |             |             | SGCN            | Sensitive Species |             | BLM WATCH     |
| <a href="#">Long-Billed Curlew</a>             | <a href="#">Numenius americanus</a>         |             |             | SGCN            |                   |             | BLM WATCH     |
| <a href="#">Yellow-Billed Cuckoo</a>           | <a href="#">Coccyzus americanus</a>         | LT          |             | SGCN 2025       |                   |             |               |
| <a href="#">Flammulated Owl</a>                | <a href="#">Psilosops flammeolus</a>        |             |             | SGCN            |                   |             | BLM WATCH     |
| <a href="#">Western Burrowing Owl</a>          | <a href="#">Athene cunicularia hypugaea</a> |             |             | SGCN            | Sensitive Species | USFS R3 SCC | BLM SENSITIVE |
| <a href="#">Mexican Spotted Owl</a>            | <a href="#">Strix occidentalis lucida</a>   | LT          |             | SGCN            |                   |             |               |
| <a href="#">Common Nighthawk</a>               | <a href="#">Chordeiles minor</a>            |             |             | SGCN            |                   |             |               |
| <a href="#">Black Swift</a>                    | <a href="#">Cypseloides niger</a>           |             |             | SGCN            |                   | USFS R3 SCC |               |
| <a href="#">Lewis's Woodpecker</a>             | <a href="#">Melanerpes lewis</a>            |             |             | SGCN            |                   | USFS R3 SCC | BLM WATCH     |
| <a href="#">Red-Headed Woodpecker</a>          | <a href="#">Melanerpes erythrocephalus</a>  |             |             | SGCN            |                   |             |               |
| <a href="#">Williamson's Sapsucker</a>         | <a href="#">Sphyrapicus thyroideus</a>      |             |             | SGCN            |                   |             |               |
| <a href="#">Olive-Sided Flycatcher</a>         | <a href="#">Contopus cooperi</a>            |             |             | SGCN            |                   |             |               |
| <a href="#">Southwestern Willow Flycatcher</a> | <a href="#">Empidonax traillii extimus</a>  | LE          | E           | SGCN 2025       |                   |             |               |

**Special Status Animal Species Potentially within 1 Miles of Project Area**

| Common Name                                 | Scientific Name                            | USFWS (ESA) | NMDOW (WCA) | NMDOW SGCN/SERI | USFS                 | USFS SCC       | BLM              |
|---------------------------------------------|--------------------------------------------|-------------|-------------|-----------------|----------------------|----------------|------------------|
| <a href="#">Bank Swallow</a>                | <a href="#">Riparia riparia</a>            |             |             | SGCN            |                      |                |                  |
| <a href="#">Pinyon Jay</a>                  | <a href="#">Gymnorhinus cyanocephalus</a>  |             |             | SGCN            |                      | USFS R3<br>SCC | BLM<br>SENSITIVE |
| <a href="#">Clark's Nutcracker</a>          | <a href="#">Nucifraga columbiana</a>       |             |             | SGCN            |                      |                |                  |
| <a href="#">Juniper Titmouse</a>            | <a href="#">Baeolophus ridgwayi</a>        |             |             | SGCN            |                      | USFS R3<br>SCC | BLM WATCH        |
| <a href="#">Pygmy Nuthatch</a>              | <a href="#">Sitta pygmaea</a>              |             |             | SGCN            |                      |                |                  |
| <a href="#">Western Bluebird</a>            | <a href="#">Sialia mexicana</a>            |             |             | SGCN            |                      |                |                  |
| <a href="#">Mountain Bluebird</a>           | <a href="#">Sialia currucoides</a>         |             |             | SGCN            |                      |                |                  |
| <a href="#">Bendire's Thrasher</a>          | <a href="#">Toxostoma bendirei</a>         |             |             | SGCN            |                      | USFS R3<br>SCC | BLM<br>SENSITIVE |
| <a href="#">Loggerhead Shrike</a>           | <a href="#">Lanius ludovicianus</a>        |             |             | SGCN            |                      | USFS R3<br>SCC | BLM WATCH        |
| <a href="#">Bell's Vireo</a>                | <a href="#">Vireo bellii</a>               |             | T           | SGCN            |                      |                | BLM<br>SENSITIVE |
| <a href="#">Gray Vireo</a>                  | <a href="#">Vireo vicinior</a>             |             | T           | SGCN            | Sensitive<br>Species | USFS R3<br>SCC | BLM WATCH        |
| <a href="#">Virginia's Warbler</a>          | <a href="#">Leiothlypis virginiae</a>      |             |             | SGCN            |                      |                | BLM<br>SENSITIVE |
| <a href="#">Black-Throated Gray Warbler</a> | <a href="#">Setophaga nigrescens</a>       |             |             | SGCN            |                      |                | BLM WATCH        |
| <a href="#">Black-Chinned Sparrow</a>       | <a href="#">Spizella atrogularis</a>       |             |             | SGCN            |                      |                | BLM WATCH        |
| <a href="#">Vesper Sparrow</a>              | <a href="#">Pooecetes gramineus</a>        |             |             | SGCN            |                      |                |                  |
| <a href="#">Baird's Sparrow</a>             | <a href="#">Ammodramus bairdii</a>         |             | T           | SGCN 2025       | Sensitive<br>Species |                | BLM<br>SENSITIVE |
| <a href="#">Thick-billed Longspur</a>       | <a href="#">Rhynchophanes mccownii</a>     |             |             | SGCN            |                      |                | BLM<br>SENSITIVE |
| <a href="#">Chestnut-Collared Longspur</a>  | <a href="#">Calcarius ornatus</a>          |             |             | SGCN            |                      |                | BLM<br>SENSITIVE |
| <a href="#">Cassin's Finch</a>              | <a href="#">Haemorhous cassinii</a>        |             |             | SGCN            |                      |                | BLM WATCH        |
| <a href="#">Evening Grosbeak</a>            | <a href="#">Coccothraustes vespertinus</a> |             |             | SGCN            |                      |                |                  |
| <a href="#">Rainbow Trout</a>               | <a href="#">Oncorhynchus mykiss</a>        |             |             | SERI            |                      |                |                  |
| <a href="#">Central Stoneroller</a>         | <a href="#">Campostoma anomalum</a>        |             |             | SGCN 2025       |                      |                |                  |

**Special Status Animal Species Potentially within 1 Miles of Project Area**

| Common Name                                      | Scientific Name                           | USFWS (ESA) | NMDOW (WCA) | NMDOW SGCN/SERI | USFS              | USFS SCC    | BLM           |
|--------------------------------------------------|-------------------------------------------|-------------|-------------|-----------------|-------------------|-------------|---------------|
| <a href="#">Gila Chub</a>                        | <a href="#">Gila intermedia</a>           | LE          | E           | SGCN            |                   |             |               |
| <a href="#">Rio Grande Silvery Minnow</a>        | <a href="#">Hybognathus amarus</a>        | LE          | E           | SGCN 2025       |                   |             |               |
| <a href="#">Arkansas River Shiner</a>            | <a href="#">Alburnops girardi</a>         | LT          | E           | SGCN 2025       |                   |             |               |
| <a href="#">Rio Grande Shiner</a>                | <a href="#">Notropis jemezianus</a>       |             |             | SGCN 2025       |                   |             | BLM WATCH     |
| <a href="#">Pecos Bluntnose Shiner</a>           | <a href="#">Notropis simus pecosensis</a> | LT          | E           | SGCN            |                   |             |               |
| <a href="#">Speckled Chub</a>                    | <a href="#">Macrhybopsis aestivalis</a>   |             |             | SGCN 2025       |                   |             |               |
| <a href="#">Channel Catfish</a>                  | <a href="#">Ictalurus punctatus</a>       |             |             | SERI            |                   |             |               |
| <a href="#">Flathead Catfish</a>                 | <a href="#">Pylodictis olivaris</a>       |             |             | SERI            |                   |             |               |
| <a href="#">Pecos Pupfish</a>                    | <a href="#">Cyprinodon pecosensis</a>     |             | T           | SGCN            |                   |             | BLM SENSITIVE |
| <a href="#">Bigscale Logperch</a>                | <a href="#">Percina macrolepida</a>       |             | T           | SGCN 2025       |                   |             | BLM SENSITIVE |
| <a href="#">Least Shrew</a>                      | <a href="#">Cryptotis parva</a>           |             | T           | SGCN            |                   |             | BLM WATCH     |
| <a href="#">Spotted Bat</a>                      | <a href="#">Euderma maculatum</a>         |             | T           | SGCN            | Sensitive Species | USFS R3 SCC | BLM SENSITIVE |
| <a href="#">Black-Tailed Prairie Dog</a>         | <a href="#">Cynomys ludovicianus</a>      |             |             | SGCN            | Sensitive Species |             | BLM SENSITIVE |
| <a href="#">Gunnison's Prairie Dog</a>           | <a href="#">Cynomys gunnisoni</a>         |             |             | SGCN            | Sensitive Species |             | BLM SENSITIVE |
| <a href="#">New Mexican Meadow Jumping Mouse</a> | <a href="#">Zapus hudsonius luteus</a>    | LE          | E           | SGCN            | Sensitive Species |             | BLM SENSITIVE |
| <a href="#">Black Bear</a>                       | <a href="#">Ursus americanus</a>          |             |             | SERI            |                   |             |               |
| <a href="#">Mountain Lion</a>                    | <a href="#">Puma concolor</a>             |             |             | SERI            |                   |             |               |
| <a href="#">Elk</a>                              | <a href="#">Cervus canadensis</a>         |             |             | SERI            |                   |             |               |
| <a href="#">Mule Deer</a>                        | <a href="#">Odocoileus hemionus</a>       |             |             | SERI            |                   |             |               |
| <a href="#">Pronghorn</a>                        | <a href="#">Antilocapra americana</a>     |             |             | SERI            |                   |             |               |
| <a href="#">Bighorn Sheep</a>                    | <a href="#">Ovis canadensis</a>           |             |             | SERI            |                   |             |               |
| <a href="#">Western River Cooter</a>             | <a href="#">Pseudemys gorzugi</a>         |             | T           | SGCN            |                   |             | BLM SENSITIVE |
| <a href="#">Big Bend Slider</a>                  | <a href="#">Trachemys gaigeae</a>         |             |             | SGCN            |                   |             | BLM SENSITIVE |

### Special Status Animal Species Potentially within 1 Miles of Project Area

| Common Name                            | Scientific Name                               | USFWS (ESA) | NMDOW (WCA) | NMDOW SGCN/SERI | USFS              | USFS SCC | BLM |
|----------------------------------------|-----------------------------------------------|-------------|-------------|-----------------|-------------------|----------|-----|
| <a href="#">Dunes Sagebrush Lizard</a> | <a href="#">Sceloporus arenicolus</a>         | LE          | E           | SGCN            |                   |          |     |
| <a href="#">Plainbelly Water Snake</a> | <a href="#">Nerodia erythrogaster</a>         |             | E           | SGCN            |                   |          |     |
| <a href="#">Western Ribbon Snake</a>   | <a href="#">Thamnophis proximus</a>           |             | T           | SGCN            | Sensitive Species |          |     |
| <a href="#">Rock Rattlesnake</a>       | <a href="#">Crotalus lepidus</a>              |             |             | SGCN            |                   |          |     |
| <a href="#">Desert Massasauga</a>      | <a href="#">Sistrurus catenatus edwardsii</a> |             |             | SGCN            |                   |          |     |
| <a href="#">Bare Fairy Bee</a>         | <a href="#">Perdita aperta</a>                |             |             | SGCN 2025       |                   |          |     |
| <a href="#">Morrison's Bumble Bee</a>  | <a href="#">Bombus morrisoni</a>              |             |             | SGCN 2025       |                   |          |     |
| <a href="#">Thirsty Plaster Bee</a>    | <a href="#">Colletes aridus</a>               |             |             | SGCN 2025       |                   |          |     |

Common Name hyperlink takes you to species account in [bison-m.org](http://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.

### Special Status Plant Species Potentially within 1 Miles of Project Area

| Common Name                               | Scientific Name                      | USFWS (ESA) | NMAC | NMRPCS | USFS              | USFS SCC    | BLM           |
|-------------------------------------------|--------------------------------------|-------------|------|--------|-------------------|-------------|---------------|
| <a href="#">Dwarf Milkweed</a>            | <a href="#">Asclepias uncialis</a>   |             |      | SS     | Sensitive Species | USFS R3 SCC |               |
| <a href="#">Standley's Whitlow-Grass</a>  | <a href="#">Draba standleyi</a>      |             |      |        |                   |             |               |
| <a href="#">Sand Prickly-Pear</a>         | <a href="#">Opuntia arenaria</a>     |             | E    |        |                   |             | BLM SENSITIVE |
| <a href="#">Flint Mountains Milkvetch</a> | <a href="#">Astragalus siliceus</a>  |             |      | SS     |                   |             | BLM WATCH     |
| <a href="#">Wright's Globemallow</a>      | <a href="#">Sphaeralcea wrightii</a> |             |      | SS     |                   |             |               |

NMAC = New Mexico Administrative Code, E = Endangered; NMRPCS = [New Mexico Rare Plant Conservation Strategy](#), SS = NM Rare Plant Conservation Strategy Species; 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.

## Project Recommendations

Your proposed project activities may require a custom review for assessment of potential effects to wildlife. See the "OVERALL STATUS" section above to determine the likelihood that your project will be reviewed further based on its location. A Department biologist will confirm whether any additional conservation measures are needed. You should expect to receive any additional project recommendations within 30 days of your project submission. If the "OVERALL STATUS" section indicates that no further consultation with the Department is required based on its location, then you will only receive additional project feedback from the Department if a biologist deems it necessary.

If bats may be present in your project area and your project entails the following types of activities, the Department recommends following the relevant portions of the [Guidelines for Mitigating Impacts of Development on New Mexico's Bat Communities](#): bridge, building, or culvert demolition; extensive construction, excavation, paving, or trenching; outdoor lighting installation; pesticide use; prescribed burning; riparian restoration; vegetation removal.

Ground-disturbing activities may increase erosion, thus potentially negatively impacting surface waters and wildlife habitats. The movement of topsoil and other sediments may wash away soil nutrients, displace or destroy vegetation, increase sedimentation in waterways, and generally lead to ecosystem degradation. Reducing erosion before, during, and after ground-disturbing activities can reduce these effects and protect wildlife habitats. The Department has the following recommendations regarding erosion control and the selection of wildlife-friendly erosion-control materials:

- Divert water around the project site whenever possible.
- Preserve natural areas and vegetated buffers within and around the project site. Strive to maintain the natural drainage system of the site, including any natural stream channels, wetlands, and floodplains. Design, construct, and maintain the site to protect (or restore) the natural hydrology.
- Following construction, disturbed areas should be re-vegetated using native species that either approximate the pre-disturbance plant community composition or are otherwise appropriate for the site, including from a region that represents potential future climatic conditions at the site. Include as much locally appropriate genetic diversity in plant material sources as possible. Short-term erosion-control seed mixes are available for temporary control of surface erosion during project implementation; native mixes should be used for temporary and permanent erosion control. Native plants and materials should also be used for any landscaping. All seed mixtures should be certified as weed-free and designed to enhance local pollinator habitat, unless there is concern regarding potential for pesticide, especially neonicotinoid, presence. 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., use woven mesh) can reduce the chances of unintentional wildlife entanglement. Avoid the use of plastic netting or mesh. Regularly check the erosion control blankets after applying them to identify and release any wildlife that does become entangled.
- 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.

Further information regarding wildlife-friendly erosion control options is provided by the [U.S. Fish and Wildlife Service](#).

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, permitted biologists or wildlife rehabilitators. Department biologists are available to consult on nest site mitigation and can facilitate contact with qualified personnel. Removal of active nests of state-protected species may require a scientific collection permit; contact the Department's Wildlife Permits Manager at [dgf.permits@dgf.nm.gov](mailto:dgf.permits@dgf.nm.gov) for more information. The Wild Take Unit at the USFWS, which issues take and relocation permits for migratory birds, can be reached at [MBPermits\\_take@fws.gov](mailto:MBPermits_take@fws.gov).

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.

Please also consider impacts to pollinating insects from the removal of flowering plants and ground-disturbing activities. If possible, avoid removing flowering plants when bees and other insect pollinators are most actively foraging (March-October), including early flowering native tree and shrub species. Also avoid any observed bumble bee (*Bombus* spp.) nest sites using a buffer of at least 30 feet. Implement measures to prevent the spread of noxious weeds and invasive plants, including removing dirt, debris, and plant parts from equipment before bringing it on site.

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, can cause injury to large mammals, and can damage underground bee nests. 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. 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](#) 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, permitted 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](mailto: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](#) should be followed.

Your project could affect important components of habitat for large mammals, including important and sensitive seasonal areas, stopover sites, or movement corridors for elk (*Cervus canadensis*), mule deer (*Odocoileus hemionus*), or pronghorn (*Antilocapra americana americana*). Mitigation measures should be implemented as appropriate in these high use sites and movement areas that were identified based on data gathered and analyzed by the New Mexico Department of Wildlife (Department) and partners. Management recommendations within these areas may include the following (as relevant to the proposed project).

- Restrictions on noise-generating activities during wintering and calving/fawning seasons. These seasons are November 15-April 30 for wintering and May 15-June 30 for calving fawning in northern New Mexico; specific timing differs for southern New Mexico. These activities include oil and gas well pad development and operations that expose wildlife to loud noises from drilling, compressors, and pumping stations within 400 feet of the source.
- Avoid new fence construction where possible and modify unavoidable fences along high use areas to make them wildlife friendly and facilitate large animal movement. Where possible, divide larger fenced sites into smaller fenced areas with movement corridors in between.
- Avoid siting facilities within important habitats such as critical seasonal ranges or parturition sites.
- To minimize surface disturbance, implement directional drilling and co-locate drill holes on a single pad in the least suitable areas for wildlife.
- Avoid construction or development activities during important times, like parturition (May 15 – June 30 in northern New Mexico).
- Where feasible, coordinate with the Department on collection of pre- and post-construction observational or GPS collar data to quantify responses of big game herds to project implementation.

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 [Burrowing Owl Survey Protocol](#). Surveys including audio calls may require a scientific collection permit; contact the Department's Wildlife Permits Manager at [dgf.permits@dgf.nm.gov](mailto:dgf.permits@dgf.nm.gov) for more information. Should burrowing owls be documented in the project area, please contact the Department or USFWS for further recommendations and information on any permitting requirements regarding relocation or avoidance of impacts. The Wild Take Unit at the USFWS, which issues take and relocation permits for migratory birds, can be reached at [MBPermits\\_take@fws.gov](mailto:MBPermits_take@fws.gov).

Your project area intersects a Conservation Opportunity Area (COA) as identified in the [SWAP](#) for New Mexico. These areas contain high numbers of SGCN as identified in the SWAP and therefore represent areas where implementing conservation actions, including restoration projects intended to benefit wildlife, has higher potential to benefit a diversity of species. Within COAs, the Department encourages project proponents to consider (during project planning and design) and mitigate (during project implementation) potential adverse effects to non-federally listed SGCN and their habitats. State-listed and federally-listed species are protected from take by the New Mexico WCA and ESA, respectively, and migratory birds are protected from take by the Migratory Bird Treaty Act.

Your project area intersects designated critical habitat for one or more species that are listed under the federal ESA. The Department recommends that you confirm this using the USFWS's Information for Planning and Consultation (IPAC) system (<https://ipac.ecosphere.fws.gov/>) and then reach out to the appropriate species lead(s) with the [New Mexico Ecological Services Office of USFWS](#). The USFWS has authority to designate critical habitat for species listed under the ESA. The Department has no authority to designate critical habitat for species listed under the WCA or ESA. If there are any federally-listed plants within your project area and your project has a federal nexus, you may find these recommendations from the USFWS useful: [Recommendations for Endangered Species Act Section 7 Consultations Involving Plants in New Mexico](#); [Standards for Conducting and Reporting Consultation Surveys for Federally-Listed, Proposed, and Candidate Plants in New Mexico](#).

The proposed project occurs near an important bat area. This area may contain important bat roosting resources, such as caves or mines, that potentially could be affected by certain project activities. Follow the recommendations in the Department's [Guidelines for Mitigating Impacts of Development on New Mexico's Bat Communities](#) to minimize disturbance to roosting bats. These guidelines include:

- Avoid activities that create continuous noise greater than or equal to 70 decibels within 1.25 miles of known hibernacula or roosts.
- Avoid use of open-flame torches or heavy smoke-producing equipment, especially from May through October, within 0.25 miles of a known roost.
- If the use of permanent outdoor lights cannot be avoided, down-shield all outdoor lighting and use red light when possible; avoid white, blue-white, or ultraviolet-emitting lights.
- For any surface-disturbing activities that will impact more than 10 acres, the project footprint should be at least 1.5 miles away from occupied roosts or hibernacula. Tree-clearing activities should include a minimum 0.25 miles buffer from known or occupied roosts and prescribed fires should not take place within 1.25 miles of hibernacula during the winter.
- If pesticides must be used, use appropriate buffers around aquatic and native riparian habitats and caves, cliff faces with deep crevices, mixed-age ponderosa pine (*Pinus ponderosa*) stands, mature pinyon (*Pinus edulis*)-juniper (*Juniperus* spp.) woodlands, and other relevant habitat features for bats potentially found in the project area.
- If caves or mines are encountered within the project area and must be entered, ensure that clothing, footwear, and gear is decontaminated prior to and after cave or mine entry.

Our preliminary assessment indicates your project occurs in Lesser Prairie-chicken Crucial Habitat Category 1 (Focal Area).

The Lesser Prairie-chicken (*Tympanuchus pallidicinctus*) (LPC) was designated as a SGCN in New Mexico and previously the southern Distinct Population Segment, including populations in New Mexico and Texas, was federally listed as Endangered. The LPC Interstate Working Group has developed the Southern Great Plains Crucial Habitat Assessment Tool ([SGP-CHAT](#)) to designate and prioritize areas for LPC conservation activities and development. Our preliminary assessment indicates your project occurs in LPC habitat. For more information on the SGP-CHAT, contact Chanda Pettie, Industry LPC Program Contact with the Western Association of Fish and Wildlife Agencies, at (719) 207-5053 or [chanda.pettie@wafwa.org](mailto:chanda.pettie@wafwa.org).

If your project has potential to lead to take (including harassment, harm, pursuit, hunting, shooting, wounding, killing, trapping, capturing, collecting, or attempting to engage in these activities) of a LPC and you entered into the Candidate Conservation Agreement (CCA) or CCA with Assurances (CCAA) for the LPC with [CEHMM](#), the Department recommends you contact CEHMM (575-885-3700). If your project may lead to take of a LPC and you did not enter the CCA/A with CEHMM, the Department recommends a qualified, permitted biologist conduct surveys for the LPC according to these [Lesser Prairie-chicken Survey Protocols](#) and mitigating the effects of project activities by buffering (>1.25 miles of known leks) and avoiding construction or off-road activities during the breeding season (March 1-July 15). Low-altitude aerial surveys or surveys based on flush counts may require a scientific collection permit; contact the Department's Wildlife Permits Manager at [dgf.permits@dgf.nm.gov](mailto:dgf.permits@dgf.nm.gov) for more information.

It appears that your buffered project footprint intersects one or more properties owned by the State Wildlife Commission and managed by the New Mexico Department of Wildlife (Department). You can use the NM Ownership (2021) layer in the ERT's Create Project/Map tab to determine whether your project footprint directly intersects any Department-managed properties. To better coordinate any access or other administrative requirements and address any concerns from our Department lands program, please contact Donald Auer at [donaldd.auer@dgf.nm.gov](mailto:donaldd.auer@dgf.nm.gov).

The proposed project occurs near a playa. Playas are shallow, ephemeral wetlands that fill in response to precipitation. Some playas remain wet for just a few weeks or months, while others remain wet for years. Playas are often highly productive habitats that attract abundant wildlife and are vital to continentally important populations of waterfowl, shorebirds, waterbirds, and many other migratory and resident birds.

- To ensure continued function of these important wildlife habitats, the project footprint should completely avoid the playa feature during both wet *and* dry periods. Some playas may remain dry for multiple years. Construction techniques should not disturb the natural playa soils or hydrology, such as by farming, trenching, pitting, or draining.
- Projects occurring in upland areas near a playa should maintain a minimum 40-meter wide buffer around the entire playa. A buffer of 40 meters protects the playa from excess sedimentation, which is a major source of playa degradation. The buffer should consist of native grass species, preferably native shortgrass prairie species such as buffalo grass (*Bouteloua dactyloides*) or blue grama (*Bouteloua gracilis*).
- Because playas are bird concentration areas, tall structures should be located as far away from the playa as possible to prevent avian collisions. If location near a playa is deemed necessary, the Department requests the opportunity for additional consultation.
- Design considerations should also include clustering project activity and development within the project footprint wherever possible and avoiding disturbances that lead to increases in noise, lighting, perturbed soil and non-native vegetation, or other activity.

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. A scientific collection permit may be required; contact the Department's Wildlife Permits Manager at [dgf.permits@dgf.nm.gov](mailto:dgf.permits@dgf.nm.gov) for more information. The Department can provide recommendations regarding suitability of potential translocation areas and procedures. If a project will only impact 10 or fewer burrows and there is a large, active colony adjacent to the site the continued existence of which will not cause future conflicts, the Department suggests use of reverse dispersal translocation methods as outlined in [Creating Prairie Dog Management Plans Part three: Appendices and Attachments](#) (see Attachment 1). Methods include setting up a wire door over active burrows followed by monitoring and closure of the few burrows in the project disturbance area after prairie dog evacuation and barrier installation to prevent recolonization of closed areas. Removal activities should be performed after the spring breeding and birthing seasons and prior to winter hibernation (e.g., mid-June to mid-November). Prairie dogs in southern New Mexico may remain active in the winter, extending the potential removal period beyond mid-November. Removal activities should also begin roughly one month before construction or other disturbance occurs as it can take between one week and one month for the animals to disperse.

The proposed project occurs within or near a riparian area. Because riparian areas are important wildlife habitats, the project footprint should avoid removing any riparian vegetation or creating ground disturbance either directly within or affecting the riparian area, unless the project is intended to restore riparian habitat through non-native plant removal and replanting with native species. If your project involves removal of non-native riparian trees or planting of native riparian vegetation, please refer to the Department's habitat handbook guideline for [Restoration and Management of Native and Non-native Trees in Southwestern Riparian Ecosystems](#). In addition to these guidelines, consider planting a diversity of flowering native plants, including shrubs, and plants that provide bee nesting sites including pithy or hollow-stemmed species. The [New Mexico Riparian Habitat Map \(NMRipMap\)](#) may also provide useful information on local riparian habitat composition and structure.

Your proposed project occurs within an area where springs or other important natural water features occur. This may result in the presence of a high use area for wildlife relative to the surrounding landscape. To ensure continued function of these important wildlife habitats, your project should consider measures to avoid the following.

- Altering surface or groundwater flow or hydrology,
- Disturbance to soil that modifies geomorphic properties or facilitates invasion of non-native vegetation.
- Affecting local surface or groundwater quality.
- Creating disturbance to wildlife utilizing these water features. Disturbance to wildlife can be reduced through practices including clustering infrastructure and activity wherever possible, avoiding large visual obstructions around water features, and limiting nighttime project operations or activities.

Department biologists are available for site-specific consultation regarding measures to assist with management and conservation of these habitat resources.

The current project area appears to contain one or more wetland types as classified by the New Mexico Environment Department's [Wetland Map](#). Information on wetlands in your project area can also be viewed on the ERT's [Create Project/Map](#) page. This [key](#) can assist in interpreting Landscape Position, landform, water flow path, and waterbody type (LLWW) codes in the ERT's wetland data. Wetlands provide important habitat for numerous species of wildlife and pollinators and provide ecosystem services, such as water filtration and storage, to downstream users. The Department recommends avoiding disturbance of wetlands whenever possible, avoiding actions or infrastructure installment that may disrupt natural wetland hydrological processes, and reseeding or replanting areas where disturbance cannot be avoided with native wetland plant species appropriate to the local wetland type. For a list of native seed providers, please see the Department's habitat handbook guideline for [Restoration and Management of Native and Non-native Trees in Southwestern Riparian Ecosystems](#). For projects involving filling wetlands under federal jurisdiction, please contact the [Army Corps of Engineers](#) for more information on permits required under the Clean Water Act.

**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 Endangered Plant Program](#), 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.
- Unless a project is marked as confidential in the title or description by the project proponent and if a ERT-generated report is the only response that the project proponent receives from the Department, then the report will be made publicly accessible via the [Public Comment Letters](#) page on the ERT website.