



PROJECT INFORMATION

Project Title: Silver City (NM)
Project Type: COMMUNICATIONS, TOWERS (CELLULAR AND OTHER), CELL TOWERS LESS THAN 200 FT, NO GUY WIRES, AND WITHIN DEVELOPED AREA
Latitude/Longitude (DMS): 32.798285 / -108.255066
County(s): GRANT
Project Description: Proposed construction of a 100-ft (104-ft with appurtenances) monopole communications tower with associated fence compound, access/utility easement and gravel turnaround area

REQUESTOR INFORMATION

Project Organization:
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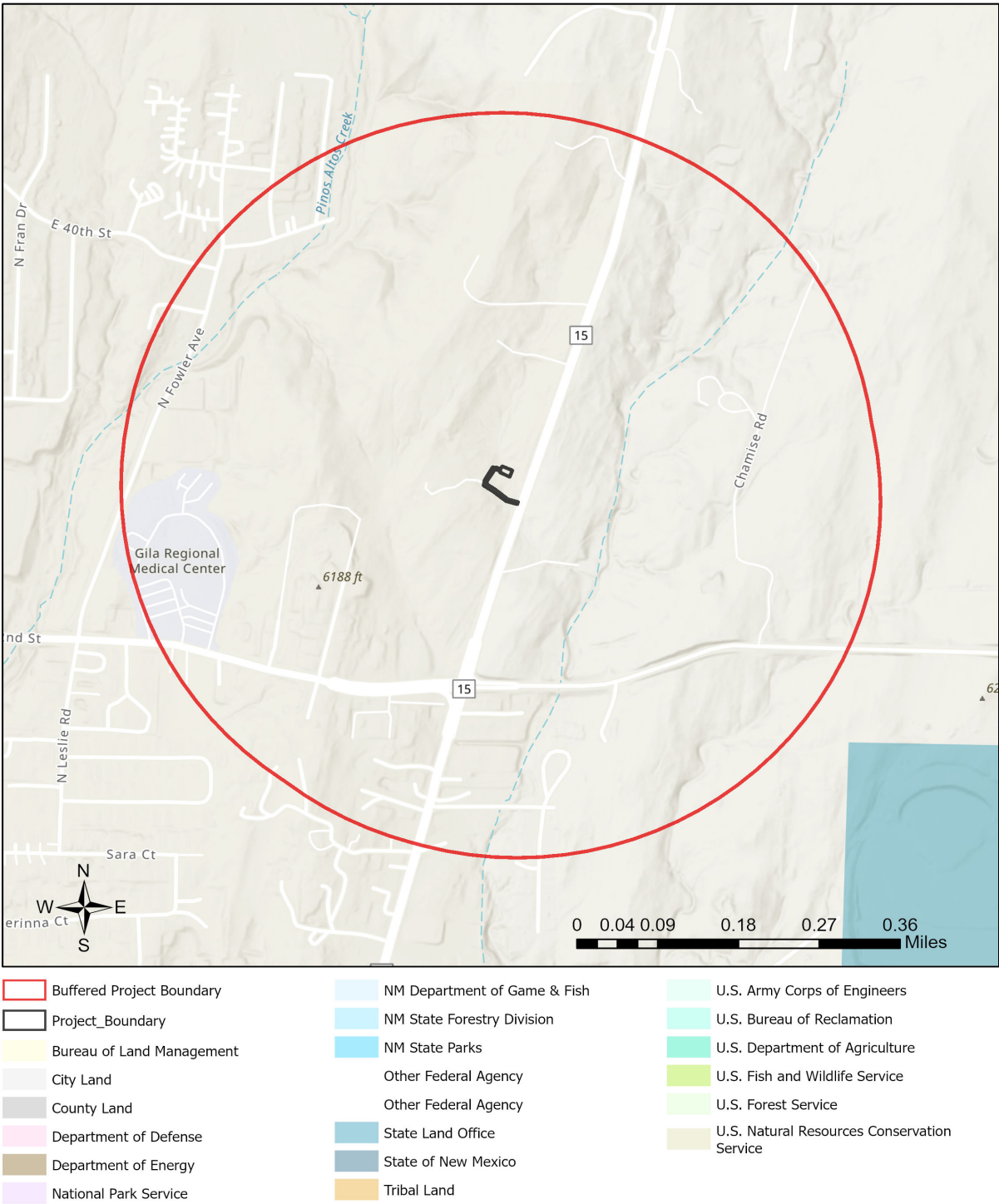
OVERALL STATUS

The information contained within this report comprises the recommendations of the New Mexico Department of Wildlife (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.

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 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.

Silver City (NM)



NHNM, USGS, USFS, US Census Bureau, NMDGF
Esri Community Maps Contributors, New Mexico State University, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS

Special Status Animal Species Potentially within 650 Meters of Project Area

Common Name	Scientific Name	USFWS (ESA)	NMDOW (WCA)	NMDOW SGCN/SERI	USFS	USFS SCC	BLM
Plains Leopard Frog	Lithobates blairi			SGCN			BLM WATCH
Chiricahua Leopard Frog	Lithobates chiricahuensis	LT		SGCN	Sensitive Species		
Aplomado Falcon	Falco femoralis		E	SGCN			
Peregrine Falcon	Falco peregrinus		T	SGCN			BLM WATCH
Yellow-Billed Cuckoo	Coccyzus americanus	LT		SGCN 2025			
Elf Owl	Micrathene whitneyi			SGCN			BLM WATCH
Western Burrowing Owl	Athene cunicularia hypugaea			SGCN	Sensitive Species	USFS R3 SCC	BLM SENSITIVE
Mexican Spotted Owl	Strix occidentalis lucida	LT		SGCN			
Common Nighthawk	Chordeiles minor			SGCN			
Lewis's Woodpecker	Melanerpes lewis			SGCN		USFS R3 SCC	BLM WATCH
Williamson's Sapsucker	Sphyrapicus thyroideus			SGCN			
Bank Swallow	Riparia riparia			SGCN			
Pinyon Jay	Gymnorhinus cyanocephalus			SGCN		USFS R3 SCC	BLM SENSITIVE
Juniper Titmouse	Baeolophus ridgwayi			SGCN		USFS R3 SCC	BLM WATCH
Pygmy Nuthatch	Sitta pygmaea			SGCN			
Western Bluebird	Sialia mexicana			SGCN			
Mountain Bluebird	Sialia currucoides			SGCN			
Sprague's Pipit	Anthus spragueii			SGCN			BLM SENSITIVE
Loggerhead Shrike	Lanius ludovicianus			SGCN		USFS R3 SCC	BLM WATCH
Gray Vireo	Vireo vicinior		T	SGCN	Sensitive Species	USFS R3 SCC	BLM WATCH
Virginia's Warbler	Leiothlypis virginiae			SGCN			BLM SENSITIVE
Lucy's Warbler	Leiothlypis luciae			SGCN			BLM WATCH
Black-Throated Gray Warbler	Setophaga nigrescens			SGCN			BLM WATCH

Special Status Animal Species Potentially within 650 Meters of Project Area

Common Name	Scientific Name	USFWS (ESA)	NMDOW (WCA)	NMDOW SGCN/SERI	USFS	USFS SCC	BLM
Grace's Warbler	Setophaga graciae			SGCN		USFS R3 SCC	BLM WATCH
Red-Faced Warbler	Cardellina rubrifrons			SGCN		USFS R3 SCC	
Black-Chinned Sparrow	Spizella atrogularis			SGCN			BLM WATCH
Vesper Sparrow	Pooecetes gramineus			SGCN			
Thick-billed Longspur	Rhynchophanes mccownii			SGCN			BLM SENSITIVE
Cassin's Finch	Haemorhous cassinii			SGCN			BLM WATCH
Evening Grosbeak	Coccothraustes vespertinus			SGCN			
Spotted Bat	Euderma maculatum		T	SGCN	Sensitive Species	USFS R3 SCC	BLM SENSITIVE
Black Bear	Ursus americanus			SERI			
Jaguar	Panthera onca	LE		SGCN			
Mountain Lion	Puma concolor			SERI			
Elk	Cervus canadensis			SERI			
Mule Deer	Odocoileus hemionus			SERI			
Pronghorn	Antilocapra americana			SERI			
Sonoran Mud Turtle	Kinosternon sonoriense			SGCN			
Gila Monster	Heloderma suspectum		E	SGCN			BLM SENSITIVE
Rock Rattlesnake	Crotalus lepidus			SGCN			

Common Name hyperlink takes you to species account in [bison-m.org](https://www.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 650 Meters of Project Area

Common Name	Scientific Name	USFWS (ESA)	NMAC	NMRPCS	USFS	USFS SCC	BLM
Standley's Whitlow-Grass	Draba standleyi						

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

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.

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 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.

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.

Because of the potential for communications towers to cause significant impacts to night-migrating migratory bird populations, we submit the following recommendations:

- We recommend co-locating communications equipment, antennas, etc. on existing towers or buildings (e.g., water towers) or within existing groups of towers or "antenna farms", if feasible.
- If possible, towers should not be located in or near wetlands, riparian areas, playas, lakes, or other known bird concentration areas (e.g., state or federal waterfowl refuges, staging areas, rookeries); in known migratory or daily movement flyways; or in habitat of threatened or endangered bird species that could be prone to tower-caused mortality (i.e., night-migrating species). If location near or within one of these areas is deemed necessary, the Department requests the opportunity for additional consultation.
- Local meteorological conditions should be reviewed, and areas with an especially high incidence of fog, mist, and low cloud ceilings should be avoided, if possible.
- If significant numbers of breeding, feeding, or roosting birds are known to habitually use a proposed tower construction site, relocation of the tower to an alternate site is recommended. If this is not an option, seasonal restrictions on construction may be advisable in order to avoid disturbance during nesting (i.e., avoid construction during spring and summer).
- If possible, new towers should be designed structurally and electrically to accommodate the applicant's antenna(s), and comparable antennas for at least two additional users, to reduce the number of future towers, unless this design would require the building of a larger tower with lights or guy wires.
- Any security lighting for on-ground facilities and equipment should be down-shielded to keep light within the boundaries of the site and minimize its potential attraction for birds and bats.
- Tower construction, including road access and fencing, should be implemented to minimize habitat loss and fragmentation and to reduce above-ground obstacles that might impact birds in flight. A larger tower footprint, however, is preferable to construction of a taller, guy-supported tower.
- Towers that involve any trenching activities, especially creation of any trenches that may be left open overnight, should follow the Department's [Trenching Guidelines](#).
- If constructing multiple towers, project proponents should consider the cumulative impacts of all of those towers on migratory birds, as well as the impacts of each individual tower.
- Towers no longer in use or determined to be obsolete should be removed within 12 months of the cessation of use.

See [Communication Tower Project Guidelines NMDGF](#) and [Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance, and Decommissioning](#) from the USFWS for more information.

The highly invasive, noxious weed African rue (*Peganum harmala*) has been documented near the proposed project area. African rue thrives on disturbed sites and along road sides. It is extremely drought-tolerant and will undergo rapid vegetative growth when soil moisture is available. African rue is extremely toxic to horses, sheep, cattle, and humans, containing at least four types of poisonous alkaloids. In addition, most parts of the plant contain allelopathic chemicals that will reduce the growth of surrounding native plants. To help control this species' spread, the Department recommends that any vehicles and equipment arriving on the project site be thoroughly cleaned of all visible dirt and mud to help contain and control the potential spread of weed seeds. The operator should also initiate a weed management program that includes a commitment to aggressive control of any African rue on the project site. For more information on potential control of African rue, see this [field guide](#).

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 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.

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 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.

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 project is on or near a section of road that has experienced comparatively high incidence of wildlife-vehicle collisions. Coordinate with the New Mexico Department of Transportation to consider implementing mitigation actions that are appropriate to your project area and planned action to reduce wildlife-vehicle collisions. These may include but are not limited to: installation of wildlife-proof fencing; installation of wildlife passages such as arch culverts or overpasses; and installation of animal detection systems.

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.