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28 September 2026

U.S. Army Corps of Engineers, Albuquerque District
Environmental Resources Section
Attn: CESPAL-LE (Stephanie Jentsch)
4104 Jefferson Plaza NE
Albuquerque, NM 87109

Re: Draft Environmental Assessment (EA) for Bosque Wildfire Jetty Jack Removal Project, Bernalillo County, New Mexico; NMERT Project No. NMERT-6585.

The New Mexico Department of Wildlife (Department) would like to thank the U.S. Army Corps of Engineers and the City of Albuquerque (Project Sponsor) for the opportunity to comment on the draft EA for the Bosque Wildfire Jetty Jack Removal Project (Proposed Action). These comments are provided in addition to those included in the attached New Mexico Environmental Review Tool (NMERT)-generated report for this Proposed Action (NMDOW 2026).

General Comments

As of 1 July 2026, the Department's name officially changed to the New Mexico Department of Wildlife, with a new acronym of NMDOW. To align with this change, we request all mentions of the Department be updated to this new name and acronym. The team that was contacted in preparation of this EA should be referenced as the Ecological and Environmental Planning Section, rather than the Conservation Services Division.

The current Proposed Action area appears to be within Crucial Habitat as identified in the Crucial Habitat Assessment Tool (CHAT) layers provided in the NMERT. This indicates that a diversity of species of conservation concern and sensitive or important habitats for wildlife are likely to be found in the Proposed Action area. The Department recommends the completion of a thorough environmental assessment prior to, and exercising care during, the implementation of Proposed Action activities to avoid adverse impacts on sensitive wildlife and habitats.

Section-Specific Comments to Minimize Impacts of the Proposed Action on Wildlife

3.1 Physical Environment

The Department appreciates acknowledgement that a Storm Water Pollution Prevention Plan may be required for this Proposed Action in section 3.1.3, that such a plan will be prepared in the conservation measures listed in Appendix B, and the reference to equipment staging taking place within an existing parking area (section 2.2) and offers the following guidance to reduce impacts on surface waters and wildlife.

- Divert water around Proposed Action area where possible and relevant.
- Preserve natural areas within the Proposed Action site. Strive to maintain the natural drainage system of the site, including natural stream channels, wetlands, and floodplains. Design, implement the Proposed Action, and maintain the Proposed Action Area to protect (or restore) the natural hydrology.
- Following Proposed Action implementation, 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, and, as feasible, seeds and plants that are sourced from the same region and habitat type as the restoration site and including some seeds and plants 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 Proposed Action 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, unless there is concern regarding potential for pesticide, especially neonicotinoid, presence. For pollinating insects, including a diversity of flowering plants appropriate for use in a riparian zone with different colors and shapes and flowering times that span spring through fall (March-October), high-nutrient or value plants (e.g., 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 in the Proposed Action area, bury the blanket edges, and use blankets without fused mesh corners (e.g., woven mesh), to 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 as needed instead of storm sewers or lined channels. Vegetated swales should be gently sloped (4:1) so that small wildlife is able to maneuver them.
- Efforts should be made during Proposed Action implementation 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.

3.2 Hazardous, Toxic, and Radio Active Waste Environment (HTRW)

The Department appreciates the reference to application of herbicides in accordance with EPA [Environmental Protection Agency] label restrictions and recommendations and timing restrictions listed in the conservation measures provided in Appendix B. The Department has the following recommendations to further mitigate impacts to wildlife from herbicide use:

- To mitigate the potential for herbicide drift into sensitive aquatic and native riparian habitats, the Department recommends applying a minimum buffer of 20 feet (for spot applications), 100feet (if using ground application), 350 feet (if using low-altitude aerial

spraying), or 1,320 feet (if using high-altitude aerial spraying; [USFWS 2007](#)) around all aquatic habitats and native riparian vegetation in the proposed treatment area.

- To mitigate the potential for herbicide drift into sensitive habitats for federally or state-listed species, the Department recommends applying a minimum buffer of 10 feet (for spot applications), 90 feet (if using ground application), 300 feet (if using low-altitude aerial spraying), or 1,320 feet (if using high-altitude aerial spraying) around all known terrestrial habitats for federally or state-listed species. Buffer distances are larger for insect pollinators of federally or state-listed plants (2,640 feet for small pollinators, 10,560 feet for large pollinators such as bumble bees [*Bombus* spp.]) ([USFWS 2007](#)). Ground-based application, especially spot treatment, is preferred over aerial spraying to minimize impacts to wildlife.
- Use mechanical weed removal techniques or individual plant treatments when buffers cannot be implemented and federally or state-listed species habitats are present. Utilize integrated vegetation management techniques as much as possible.
- Apply herbicides directly to target plants, rather than broadly to large areas, whenever possible to avoid harming nearby non-target or native vegetation.
- Avoid herbicide spraying on days when wind speeds are high (> 10 miles per hour) and on days when rain is expected within 48 hours or when dew is present.
- Apply herbicides no later than two months before normal spring runoff and high-water tables are anticipated in the project area and wait until streamflow is back below normal bank-full stage to consider applying herbicides in the late summer or fall.
- Use the lowest concentration and least number of applications possible that will still allow for achievement of the desired result. Do not apply multiple herbicides together.
- Avoid applying herbicides to and removing vegetation that is being used by birds for nesting. When nesting birds may be present in target vegetation in the project area, herbicides should be applied outside of the breeding bird season (April – September).
- Avoid applying herbicides to and removing vegetation that is being used by pollinating insects for foraging (i.e., flowering plants). It is especially important to avoid areas with abundant and diverse native floral species. If herbicides must be applied to flowering plants, apply them early in the season, before plants flower. When foraging pollinating insects may be present in the project area, herbicides should be applied outside of the timeframe when most pollinating insects are potentially active above ground and foraging (March - October). Avoid herbicide application in early spring as floral resources are typically limited yet important in this period when bumble bee (*Bombus* spp.) queens are starting new colonies. If herbicides must be applied May-October, try to apply herbicides at early morning or in the evening when pollinators are generally less active. Once plants flower, consider mowing prior to herbicide application as appropriate to deter local use by pollinating insects. When feasible, replace any removed pollinator-friendly vegetation with native flowering plants with similar flower characteristics and phenology.
- In areas dominated by undesired or non-native plants, habitat loss may occur if herbicide is applied to the entire area, resulting in a total loss of vegetation. To avoid this, apply herbicides in a mosaic pattern, alternating treated and non-treated sites between years. Limit each treatment to no more than one third of the target area.
- The Department recommends not using herbicides that contain the following chemicals that have been found to be slightly to highly toxic to wildlife, including birds, fish, and pollinators, or to damage non-target plants: 2,4-D, dicamba, dichlobenil, dichlorprop, fluazifop, glyphosate, oxyfluorfen, propyzamide, quizalofop, sulfometuron, and triclopyr ([Michael 2002](#)). The Department also recommends avoiding herbicides noted as being toxic to bees according to the [Bee Precaution Pesticide Ratings tool](#), herbicides with long residual toxicities, or herbicides sold as dust or wettable powders; granular

herbicides are less likely to be hazardous to bees and more selective herbicides designed for the target plant species are preferred.

3.3. Biological Resources

The Department appreciates mitigation measures included in section 3.3.1, particularly reseeding disturbed areas with a native bosque seed mix. As a part of these mitigation efforts and as mentioned above for section 3.1, the Department recommends that the mix be designed to enhance local pollinator habitat. For pollinating insects, including a diversity of flowering plants with the characteristics described above and plants that are not pre-treated with systemic pesticides may be beneficial. The Department also recommends that, in addition to the seed mix, any mulch be certified weed-free to avoid inadvertently introducing non-native species to the restoration site and that sterile non-native seed sources not be used. Any alternative plant species used to substitute for primary plant species that are unavailable at the time of restoration should also be native. For trees, use of containerized seedlings or poles is recommended over seeds as is selection of more protected planting sites with higher soil moisture to increase likelihood of revegetation success. Planting trees in separated clumps or patches may better match natural regeneration and support greater wildlife diversity.

The Department appreciates the inclusion of Best Management Practices for vegetation removal in section 3.3.2, specifically the restriction of vegetation removal to the period of September 15 to April 15 to avoid impacts to nesting birds, and the reference in Appendix B to cleaning previously used equipment prior to bringing it into the Project Area. The Department also recommends considering potential 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 any debris and plant parts from equipment before bringing it on site.

Thank you for the opportunity to review and comment on the draft EA and for your consideration of these comments. If you have any 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, Wildlife Management Division

References

Michael, J. L. 2002. Impact of Herbicides on the Forest Ecosystem, Aquatic Ecosystems and Wildlife: The American Experience. *Revue Forestiere Francaise*, special issue 6 2002:593-608. <https://research.fs.usda.gov/download/treesearch/6117.pdf>.

[NMDOW] New Mexico Department of Wildlife. 2026. Draft EA for Bosque Wildfire Jetty Jack Removal Project, Bernalillo County, New Mexico. New Mexico Environmental Review Tool Report. New Mexico Department of Wildlife, Santa Fe, New Mexico,

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[USFWS] U.S. Fish and Wildlife Service. 2007. Recommended Protection Measures for Pesticide Applications in Region 2 of the U.S. Fish and Wildlife Service. U.S. Fish and Wildlife Service, Region 2, Environmental Contaminants Program, Austin, Texas, USA.
<<https://azdot.gov/sites/default/files/media/2022/10/USFWS-2007-Recommended-Protections-for-Pesticide-Applications-in-Region-2.pdf>>.