PROJECT INFORMATION

Project Title:	9 Rights of Way
Project Type:	(NO PROJECT REVIEW) SPECIES LIST ONLY
Latitude/Longitude (DMS):	35.782556 / -107.287863
County(s):	MCKINLEY; SANDOVAL
Project Description:	Exploratory

REQUESTOR INFORMATION

Project Organization:	
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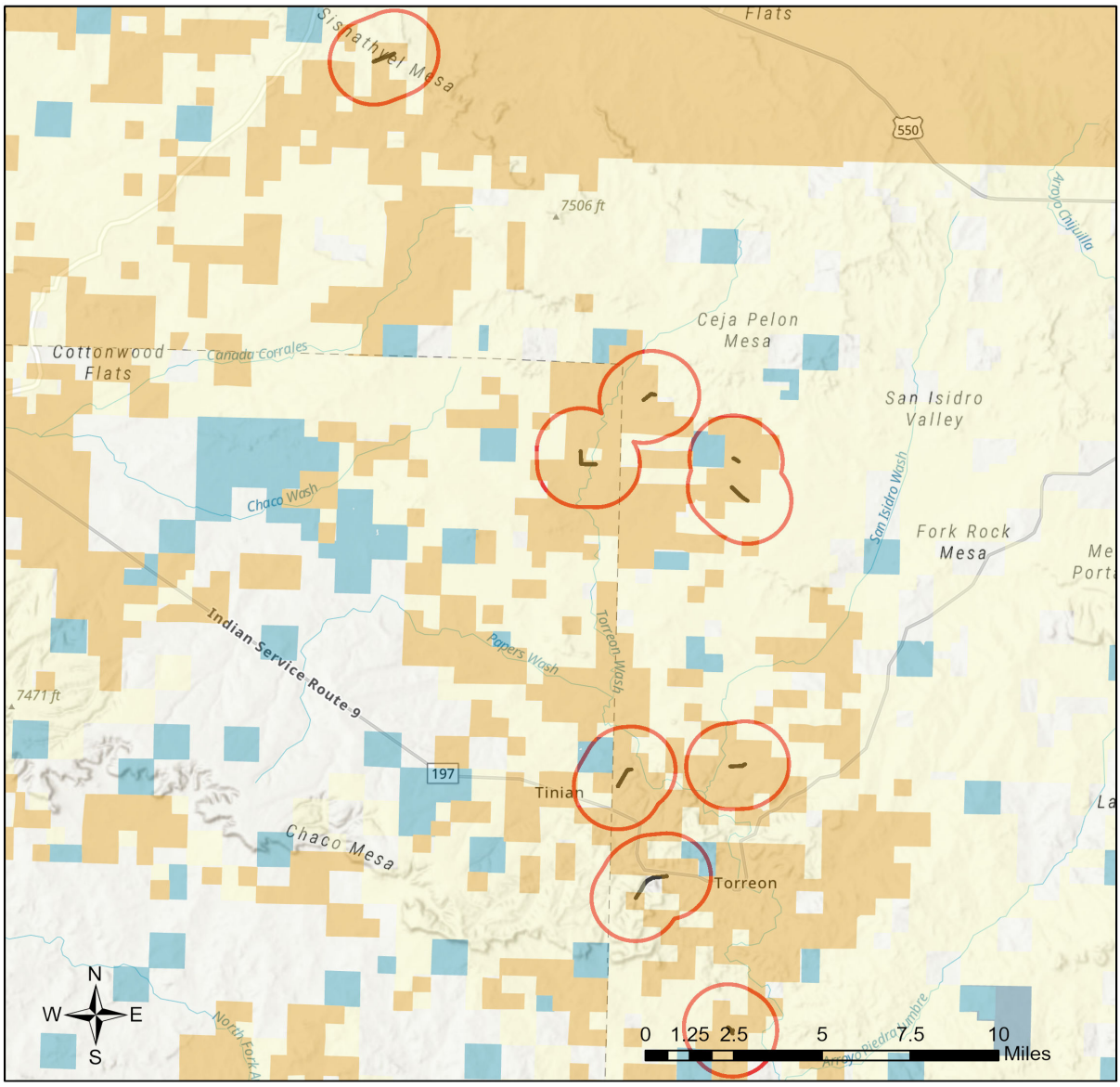
OVERALL STATUS

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.

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.

9 Rights of Way



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

NHNM, USGS, USFS, US Census Bureau, NMDGF
Esri, TomTom, Garmin, SafeGraph, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA, USFWS
Esri, CGIAR, USGS

Special Status Animal Species Potentially within 2000 Meters of Project Area

Common Name	Scientific Name	Wildlife Habitats	USFWS (ESA)	NMDOW (WCA)	NMDOW SGCN/SERI	USFS	USFS SCC	BLM
Boreal Chorus Frog	Pseudacris maculata	Alpine, Aquatic, Plains, Riparian			SGCN			
Northern Leopard Frog	Lithobates pipiens	Alpine, Aquatic, Riparian			SGCN	Sensitive Species	USFS R3 SCC	BLM SENSITIVE
American Bittern	Botaurus lentiginosus	Aquatic, Riparian			SGCN			BLM WATCH
Peregrine Falcon	Falco peregrinus			T	SGCN			BLM WATCH
Mountain Plover	Anarhynchus montanus	Alpine, Aquatic, Desert, Plains, Riparian			SGCN	Sensitive Species		BLM WATCH
Flammulated Owl	Psiloscops flammeolus	Alpine, Cliff, Desert, Plains, Riparian			SGCN			BLM WATCH
Western Burrowing Owl	Athene cunicularia hypugaea	Alpine, Arroyo, Cliff, Desert, Plains, Riparian			SGCN	Sensitive Species	USFS R3 SCC	BLM SENSITIVE
Common Nighthawk	Chordeiles minor	Alpine, Aquatic, Arroyo, Cliff, Desert, Plains, Riparian			SGCN			
Lewis's Woodpecker	Melanerpes lewis	Alpine, Desert, Riparian			SGCN		USFS R3 SCC	BLM WATCH
Williamson's Sapsucker	Sphyrapicus thyroideus	Alpine, Cliff, Riparian			SGCN			
Olive-Sided Flycatcher	Contopus cooperi	Alpine, Cliff, Riparian			SGCN			
Bank Swallow	Riparia riparia	Aquatic, Arroyo, Riparian			SGCN			
Pinyon Jay	Gymnorhinus cyanocephalus	Alpine, Aquatic, Arroyo, Cliff, Desert, Plains, Riparian			SGCN		USFS R3 SCC	BLM SENSITIVE
Clark's Nutcracker	Nucifraga columbiana	Alpine, Aquatic, Desert, Riparian			SGCN			
Juniper Titmouse	Baeolophus ridgwayi	Alpine, Cliff, Desert, Plains, Riparian			SGCN		USFS R3 SCC	BLM WATCH
Pygmy Nuthatch	Sitta pygmaea	Alpine, Cliff, Riparian			SGCN			
Western Bluebird	Sialia mexicana	Alpine, Arroyo, Cliff, Desert, Plains, Riparian			SGCN			
Mountain Bluebird	Sialia currucoides	Alpine, Aquatic, Cliff, Desert, Plains, Riparian			SGCN			
Loggerhead Shrike	Lanius ludovicianus	Alpine, Arroyo, Cliff, Desert, Plains, Riparian			SGCN		USFS R3 SCC	BLM WATCH
Gray Vireo	Vireo vicinior	Alpine, Arroyo, Cliff, Desert, Plains, Riparian		T	SGCN	Sensitive Species	USFS R3 SCC	BLM WATCH
Black-Throated Gray Warbler	Setophaga nigrescens	Alpine, Arroyo, Cliff, Desert, Riparian			SGCN			BLM WATCH

Special Status Animal Species Potentially within 2000 Meters of Project Area

Common Name	Scientific Name	Wildlife Habitats	USFWS (ESA)	NMDOW (WCA)	NMDOW SGCN/SERI	USFS	USFS SCC	BLM
Vesper Sparrow	Pooecetes gramineus	Alpine, Aquatic, Arroyo, Desert, Plains, Riparian			SGCN			
Chestnut-Collared Longspur	Calcarius ornatus	Alpine, Desert, Plains			SGCN			BLM SENSITIVE
Cassin's Finch	Haemorhous cassinii	Alpine, Cliff, Desert, Riparian			SGCN			BLM WATCH
Evening Grosbeak	Coccothraustes vespertinus	Alpine, Cliff, Desert, Riparian			SGCN			
Spotted Bat	Euderma maculatum	Alpine, Aquatic, Arroyo, Cliff, Desert, Plains, Riparian		T	SGCN	Sensitive Species	USFS R3 SCC	BLM SENSITIVE
Gunnison's Prairie Dog	Cynomys gunnisoni	Alpine, Arroyo, Desert, Plains			SGCN	Sensitive Species		BLM SENSITIVE
Mountain Lion	Puma concolor				SERI			
Elk	Cervus canadensis				SERI			
Mule Deer	Odocoileus hemionus				SERI			
Pronghorn	Antilocapra americana				SERI			

Common Name hyperlink takes you to species account in bison-m.org; Scientific Name hyperlink takes you to information in NatureServe Explorer; Wildlife Habitats abbreviations are: Alpine = Alpine and Montane, Arroyo = Arroyo Riparian, Cliff = Cliff, Scree, and Rock, Desert = Desert Grassland and Shrubland, Plains = Plains-Mesa Grasslands, Riparian = Riparian Woodlands and Wetlands; ESA = Endangered Species Act, C = Candidate, DL = Delisted, LE = Listed Endangered, LT = Listed Threatened, PE = Proposed Endangered, PT = Proposed Threatened, UR = Under Review, 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 2000 Meters of Project Area

Common Name	Scientific Name	USFWS (ESA)	NMAC	NMRPCS	USFS	USFS SCC	BLM
Clover's cactus	Sclerocactus cloverae		E				BLM SENSITIVE

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

This report includes a preliminary species list that may be used during early stages of project or conservation planning. Even if this report indicates that your proposed project location would require a custom review from a biologist, **no review will be returned** until additional project details are provided. **To obtain a project review**, please submit additional details regarding the **type** of project, project **objectives**, anticipated project **duration**, **timing** of project construction, the composition and dimensions/quantities of **materials** that will be utilized for project implementation, any **equipment** that will be used, anticipated **ground disturbance** that will occur, wildlife surveys or observations that have occurred on or near the project site, and **any other relevant details** regarding potential effects of project activities on wildlife or wildlife habitat. **Photographs** of the project site are especially useful.

Although this project report may include management recommendations based on the project location, additional conservation measures may be needed. The Department can not fully assess potential effects and associated management recommendations until a **project type and description** have been submitted and an appropriate **impact buffer** for that project type has been applied. Also, the species list within this report represents an estimation of special status species that could be present at the site of a small-scale project. Species lists for projects that occur across **broader geographic scales** (e.g., one or more counties, multiple habitat types) are more appropriately obtained from the **Department's Biota Information System of New Mexico (BISON-M) database**. Species lists generated by the ERT may contain modeled species distributions in order to predict species occurrences within areas that lack previous wildlife inventories or surveys. This list can be refined using occurrence-based information within BISON-M regarding wildlife-habitat relationships and biological needs for species that might be present within the project footprint.

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 an Important Plant Area (IPA) that contains one or more species of plants listed as threatened or endangered by the New Mexico Energy, Minerals and Natural Resources Department (EMNRD) under New Mexico Statutes Annotated (NMSA) 75-6-1 or by the USFWS under the federal ESA. Although IPAs have no legal designation, they have been identified as areas that support either a high diversity of sensitive plant species or contain the last remaining locations of New Mexico's most endangered plants. The Department recommends that you consult with EMNRD's Endangered Plant Program Coordinator regarding any state-listed plants and the USFWS's Information for Planning and Consultation (IPAC) system for any federally-listed plants and reaching out to the appropriate federal species lead(s) with the New Mexico Ecological Services Office of USFWS. The Department does not have any authority to designate or advise on state- or federally-listed plants.

Prairie dog colonies may occur within the vicinity of your project area. Both black-tailed prairie dogs (*Cynomys ludovicianus*) and Gunnison's prairie dogs (*Cynomys gunnisoni*) are designated as New Mexico SGCN, and their colonies provide important habitat for other grassland wildlife. Wherever possible, occupied prairie dog colonies should be left undisturbed, and all project activities should be directed off the colony. Any burrows that are located on the project site should be surveyed by a qualified biologist to determine whether burrows are active or inactive and whether burrowing owls may be utilizing the site. Colonies within the range of the black-tailed prairie dog can be surveyed by a qualified biologist diurnally, year-round using binoculars. Colonies within the range of the Gunnison's prairie dog can be surveyed by a qualified biologist diurnally, using binoculars during the warmer months from April through October and by searching for fairly fresh scat and lack of cobwebs or debris at the mouths of burrows during the cold months (November through March). If ground-disturbing activities cannot be relocated off the prairie dog colony, or if project activities involve control of prairie dogs, the Department recommends live-trapping and relocation of prairie dogs. A scientific collection permit may be required; contact the Department's Wildlife Permits Manager at 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.

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.