



Rio Mora National Wildlife Refuge and Conservation Area

Land Protection Plan



July 2012



U. S. Fish and Wildlife Service Mission Statement

The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people.



National Wildlife Refuge System Mission Statement

The mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and, where appropriate, restoration of fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

—National Wildlife Refuge System Improvement Act of 1997

Land Protection Plan for the Proposed
Rio Mora National Wildlife Refuge and Conservation Area,
Colfax, Mora, and San Miguel Counties, New Mexico

June 1, 2012

U.S Fish and Wildlife Service
National Wildlife Refuge System
Southwest Region
Division of Planning
Albuquerque, NM

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1. INTRODUCTION AND PROJECT DESCRIPTION

This Land Protection Plan (LPP) identifies the proposed establishment of the Rio Mora National Wildlife Refuge (NWR) and Rio Mora Conservation Area, as outlined in the Fish and Wildlife Service's (Service) Proposed Action (Alternative C) in the Environmental Assessment (EA). The purposes of this LPP are to:

- announce the Service's proposal to establish the Rio Mora National Wildlife Refuge by accepting the donation of the 4,600-acre Wind River Ranch, and establish the Rio Mora Conservation Area with authority to acquire up to a total of 300,000 acres of land through fee title purchase or conservation easement;
- provide landowners and the public with an outline of Service policies, priorities, and the variety of methods available for wildlife and habitat conservation in the conservation area and provide an opportunity for input from the public;
- inform landowners about the Service's long-standing policy of acquiring land only from willing sellers.

The LPP presents the methods that the Service, conservation partners, and interested landowners can use to accomplish wildlife and habitat goals and objectives for the proposed Rio Mora NWR and Conservation Area, while maintaining the rural way of life and character of the landscape. The plan is based on an environmental assessment, developed with public involvement that documents the purpose, issues, alternatives, and effects analysis for the project. The plan contains goals, objectives, and operational considerations, and addresses wildlife habitats, easement or fee acquisition priorities, public uses, and interagency and non-governmental organization coordination.

Proposed Rio Mora National Wildlife Refuge and Conservation Area Overview

The National Wildlife Refuge System Improvement Act of 1997 provides clear direction to the Service to *“plan and direct the continued growth of the System in a manner that is best designed to accomplish the mission of the System, to contribute to the conservation of the ecosystems of the United States, to complement efforts of States and other Federal agencies to conserve fish and wildlife and their habitats, and to increase support for the System and participation from conservation partners and the public.”*

As a means of reaching this goal the Southwest Region (Region) of the Fish and Wildlife Service proposes to establish a multiple scale conservation project in Mora, San Miguel, and Colfax counties in northeast New Mexico (Figure 1). The goal for the project is to protect and restore habitat in support of species recovery plans, state and regional conservation plans, major bird conservation plans, and to maintain native species and sustainable ecosystems.

Actions outlined within this proposal are intended to 1) protect and restore part of one of the great grassland landscapes of North America, 2) protect and restore riparian areas in the Mora River watershed, 3) reduce threats to species from habitat fragmentation and degradation, altered ecological processes, invasive species, and impacts from global climate change, and 4) build on existing partnerships to restore wildlife populations and productivity to degraded ecosystems.

Key species and habitats of concern for this area include: long-billed curlew, loggerhead shrike, burrowing owl, mountain plover, southwestern willow flycatcher and a number of other riparian and aquatic species, and breeding and stopover habitat for a number of other declining migratory grassland and woodland birds.

Proposed Rio Mora National Wildlife Refuge

The first part of the project would be to accept a donation from the Thaw Charitable Trust (Trust) of the 4,600-acre Wind River Ranch (Ranch) as an addition to the National Wildlife Refuge System, to be managed as part of the Northern New Mexico National Wildlife Complex headquartered in Las Vegas, NM (Las Vegas & Maxwell NWRs). The Wind River Ranch would be transferred to the Service to establish the Rio Mora National Wildlife Refuge. In the short-term (until 2015), the Trust will continue to provide funding, through the Denver Zoological Foundation, for Ranch staff to support ongoing programs (see Conceptual Management Plan for details).

Proposed Rio Mora Conservation Area

The second part of the project is to establish the Rio Mora Conservation Area, using the 952,000-acre Mora River watershed as a boundary, to facilitate partnerships to provide protection and management for a number of priority species and ecosystems in the larger landscape. This will contribute to maintaining the biological integrity and sustainable human uses of the area, maintaining both rare and common species, and supporting the ecological function and resiliency within the larger landscape.

The approach within the proposed conservation area would be to utilize partnerships focused on cooperative management to achieve wildlife conservation goals. The option for fee title or easement acquisition from willing sellers or donors would also be considered. This would allow the Service the flexibility to respond to species needs and landowner interests within the Mora River watershed over time. The maximum long-term potential for fee and easement acquisition would be 300,000 acres within the 952,000-acre watershed.

The actions proposed here focus on working with willing private landowners to secure a legacy of conservation and sustainable uses for future generations. Participation by landowners would be voluntary and landowners would be under no obligation to participate in the partnership efforts or sell an interest in their properties to the Service. Easements would provide important opportunities for conservation, while at the same time maintaining the ability of the ranching community to continue to operate as they traditionally have, and benefit financially or from management or technical assistance. Cooperative management agreements, like those utilized by the Service's Partners for Fish and Wildlife Program, could be used to reach conservation goals with less need for land acquisition.



U.S. Fish & Wildlife Service

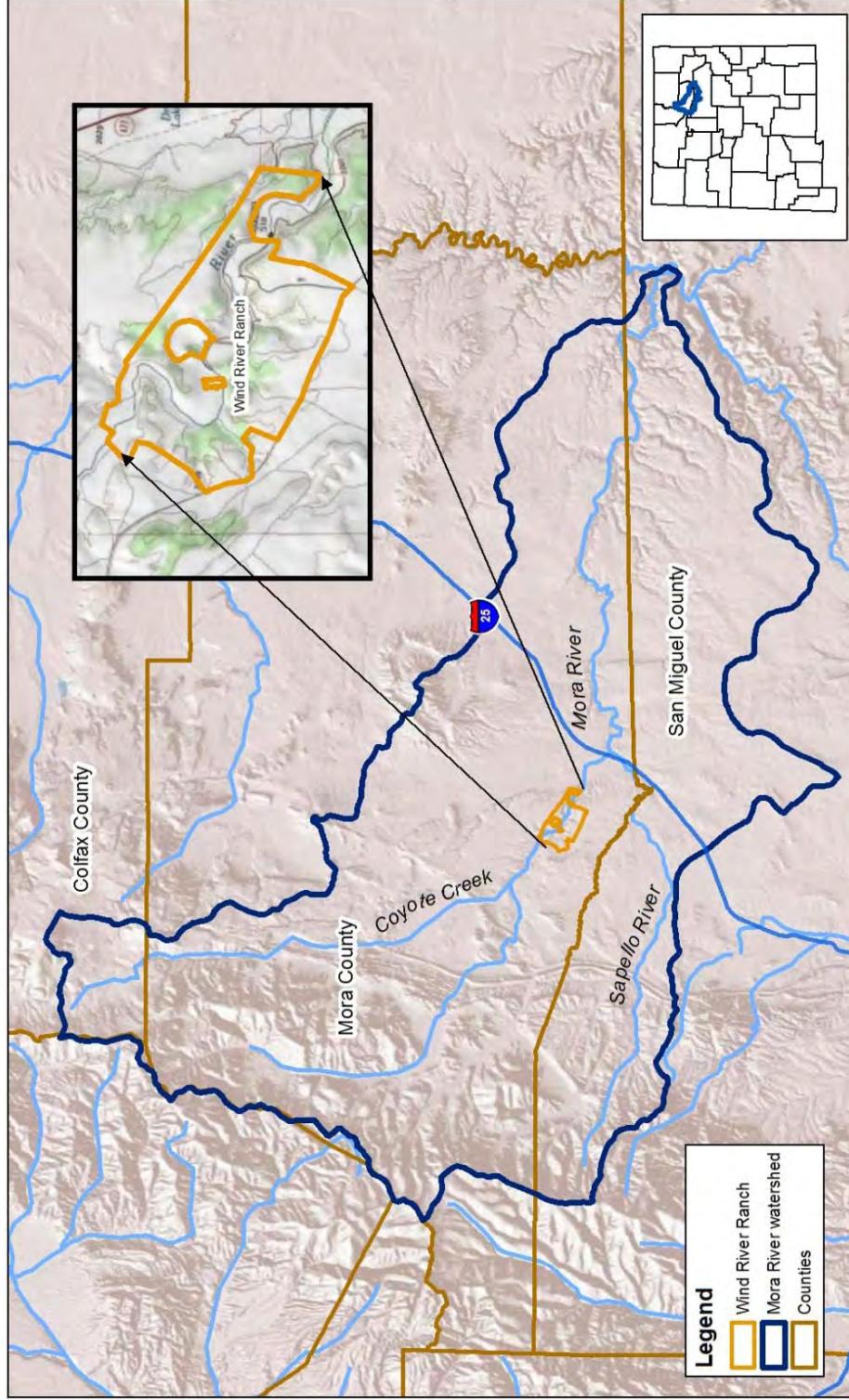
Rio Mora Conservation Area and NWR

Mora, San Miguel, Colfax counties, New Mexico

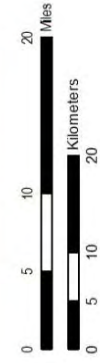


NATIONAL WILDLIFE REFUGE SYSTEM

Figure 1: Location



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 MAP DATE: March 2012
 BASEMAP: N/A
 MERIDIAN: N/A
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This approach allows the Service to engage the local citizens, conservation partners and surrounding communities in creative conservation strategies to achieve successful species and ecosystems conservation goals. In addition, this approach can advance conservation goals locally that feed into broader scale goals outlined by regional or national conservation plans. This approach is similar to a number of successful landscape level conservation projects where private citizens take an active role in determining future outcomes (e.g. Malpai Borderlands in AZ-NM, Sandhills Taskforce in NE, Blackfoot Challenge in Montana).

Conserving the Future

The publication entitled *Conserving the Future: Wildlife Refuges and the Next Generation* (<http://americaswildlife.org/>), is the U.S. Fish and Wildlife Service's bold, new vision for the National Wildlife Refuge System. The Service released the document as the culmination of 18 months of study and public conversation about conservation and the future of the System. Since it began taking shape two years ago, the *Conserving the Future* vision has been a collaboration of public and private viewpoints. The National Wildlife Refuge System considered more than 10,000 comments and more than 240 bold ideas. More than 2,300 people were part of the process. The vision will guide the National Wildlife Refuge System for the next decade. It emphasizes that the Service will “*volunteer to lead where appropriate, follow when we should, and catalyze and energize efforts to conserve and restore America's great outdoors.*” The following excerpt from that document highlights the Service's commitment to conservation in the future.

“We must consider how established and future refuges, other protected areas and working landscapes can function collectively to conserve fish, wildlife and their habitats for future generations. Conservation in the future must include the important roles of working ranches, farms and forests, as well as privately owned recreational properties with conservation provisions that can link and buffer protected areas.”

The National Wildlife Refuge System

The U.S. Fish and Wildlife Service is the principal federal agency with the responsibility for conserving, protecting, and enhancing fish and wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 150 million-acre National Wildlife Refuge System which encompasses 556 National Wildlife Refuges, thousands of small wetlands and other special management areas. It also operates 70 national fish hatcheries, 64 fishery resource offices, and 78 ecological services field stations. The agency enforces federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign governments with their conservation efforts. It also oversees the Wildlife and Sport Fish Restoration program that distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state fish and wildlife agencies.

The mission of the National Wildlife Refuge System is:

“... to administer a national network of lands and waters for the conservation, management and, where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within

the United States for the benefit of present and future generations of Americans” (National Wildlife Refuge System Improvement Act of 1997, Public Law 105-57).

The goals of the National Wildlife Refuge System are to:

- Conserve a diversity of fish, wildlife, and plants and their habitats, including species that are endangered or threatened with becoming endangered;
- Develop and maintain a network of habitats for migratory birds, anadromous and interjurisdictional fish, and marine mammal populations that is strategically distributed and carefully managed to meet important life history needs of these species across their ranges;
- Conserve those ecosystems, plant communities, wetlands of national or international significance, and landscapes and seascapes that are unique, rare, declining, or underrepresented in existing protection efforts;
- Provide and enhance opportunities to participate in compatible wildlife-dependent recreation (hunting, fishing, wildlife observation and photography, environmental education and interpretation); and
- Foster understanding and instill appreciation of the diversity and interconnectedness of fish, wildlife, and plants and their habitats.

Refuge Purposes, Vision, and Goals

National wildlife refuges are established for particular purposes. Formal establishment is generally based upon a statute or executive order that specifies a purpose for that refuge. This proposed project would be administered as part of the National Wildlife Refuge System in accordance with the National Wildlife Refuge System Administration Act of 1966 as amended by the National Wildlife Refuge System Improvement Act of 1997, and other relevant legislation, executive orders, regulations, and policies. The acquisition authority for the proposed Rio Mora National Wildlife Refuge and Conservation Area is the Fish and Wildlife Act of 1956, as amended; the Migratory Bird Conservation Act of 1929; Endangered Species Act of 1973 as amended; the Refuge Recreation Act of 1962; and the National Wildlife Refuge System Administration Act of 1966.

Refuge Purposes: The purposes for establishment of the proposed Rio Mora NWR and Conservation Area are:

“...for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude...for the development, advancement, management, conservation, and protection of fish and wildlife resources....” 16 U.S.C. 742f (Fish and Wildlife Act of 1956).

“...suitable for use...for any other management purpose, for migratory birds. 16 U.S.C. § 715d (Migratory Bird Conservation Act of 1929);

“to conserve (A) fish or wildlife which are listed as endangered species or threatened species” or (B) plants...” 16 U.S.C. § 1534 (Endangered Species Act of 1973);

"...for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ..." 16 U.S.C. § 460k-460k-4 (Refuge Recreation Act of 1962).

"... for conservation, management, and ... restoration of the fish, wildlife, and plant resources and their habitats ... for the benefit of present and future generations of Americans..."
"Recognition that wildlife-dependent recreational uses involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation... are legitimate and appropriate... and are the priority general public uses of the Refuge System." 16 U.S.C. 668dd(a)(2) (National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997).

The primary goal of the proposed action is to establish the Rio Mora NWR and establish and expand conservation efforts within the Rio Mora Conservation Area. The proposed Rio Mora NWR would serve as a core area for protection of native species and natural processes, and facilitate research, outreach, interpretation, and environmental education to help the Service catalyze further conservation efforts and advance partnerships working toward shared conservation goals within the Mora River watershed.

The initial vision for the proposed Rio Mora NWR and Conservation Area is to: work in partnership with the local community to conserve, protect, and manage the abundant fish and wildlife resources in a working rural landscape of northeast New Mexico; restore and protect riparian and upland ecosystems; maintain a landscape that is resilient to the effects of climate change and that supports long-term sustainable uses important to the region's economy and culture.

The project is a landscape-scale, strategic habitat conservation effort to protect ecologically diverse and intact, yet largely unprotected ecosystems. A very effective technique for conserving working lands is to work with private ranchers on conservation issues where benefits are realized by both wildlife managers and private landowners (Higgins et al. 2002). Over the long-term it has proven difficult to predict and proactively address threats in the Great Plains. Continual, often incremental negative impacts do not receive attention until they reach critical levels. This has often resulted in the need for expensive restoration efforts. Proactive prevention of further ecological degradation would be a much less intrusive approach, and be cheaper, more efficient, and more effective in the long-term.

The goals for the proposed Rio Mora NWR and Conservation Area follow:

- Conserve the ecological integrity of the Mora River Watershed by maintaining and enhancing the productivity of the native ecosystems and wildlife populations.
- Conserve, restore, enhance, and protect riparian, wetland, and grassland habitats for migratory bird productivity and diversity.
- Protect the integrity of native riparian and associated upland ecosystems by preventing habitat fragmentation and ecological degradation, and by conducting restoration.

- Conserve working landscapes based on grazing operations that support important wildlife habitat and a viable livestock industry.
- Support the recovery and protection of threatened and endangered species, and reduce the likelihood of future listings under the Endangered Species Act.
- Provide a buffer against climate change by providing resiliency for the ecosystems and connectivity for species range shifts and seasonal movement.
- Through landscape-scale conservation work, preserve the ecological function of these habitats by providing for floodwater retention, ground water recharge, carbon sequestration, improved water quality, and reduced soil erosion and water loss.
- To provide environmental education opportunities for students, private landowners and the general public, and to foster stewardship by demonstrating methods for management, protection, and restoration of the wildlife and natural resources in the Mora River watershed.
- To promote the reconnection of Americans with nature by creating an area of national significance that provides land management demonstration, environmental education, and interpretation opportunities.

The vision and goals would be achieved through management, protection, restoration, research, and environmental education. Important components would include:

- To use the proposed refuge as a demonstration site for wildlife conservation and management, and landscape scale ecological restoration compatible with agricultural land uses.
- To engage in scientific programs focused on land management practices that make a meaningful contribution to the conservation of biodiversity, ecosystem-function, ecological restoration, and landscape connectivity in the southwestern U.S.
- To develop careers of young natural resource managers through undergraduate and graduate education, particularly with students from groups which are under-represented in the fields of the Natural Sciences.
- To develop and enhance environmental science curricula and develop a community conservation ethic by working with school children and teachers in northern New Mexico.
- To develop cooperation among landowners, agencies, NGOs, tribes and local governments so that strategies beneficial to conservation and private land management can be coordinated across a broader area and lessons shared.
- To connect children with nature by providing experiential learning, promoting exploration, and providing the opportunity to form a foundation for future learning and respect for nature.

2. AREA DESCRIPTION AND WILDLIFE RESOURCES

Location

The proposed Rio Mora NWR (the Wind River Ranch) encompasses approximately 4,600 acres of land in south-central Mora County approximately 5 miles west of the town of Watrous, New Mexico. The property occurs at an elevation range of 6,500-6,900 feet at the transition zone between the Great Plains and the Southern Rocky Mountain. The Mora River flows through the center of the property for approximately 5 miles in a 250-300-foot deep canyon.

The proposed Rio Mora Conservation Area (the Mora River Watershed) is approximately 952,000 acres, or 1,500 square miles in size and encompasses land in northeast New Mexico in Colfax, Mora, and San Miguel counties. The Mora River is a major tributary to the Canadian River. With the headwaters in the Sangre de Cristo Mountains over 12,000 feet in elevation, the river flows approximately 100 miles to the east where it enters the Canadian River at an elevation of approximately 4,600 feet. Significant tributaries feeding the Mora River are the Sapello River and Coyote Creek. The watershed is in both the Southern Rockies and the Great Plains Landscape Conservation Cooperatives (LCCs); the Southern Shortgrass Prairie and Southern Rockies Ecoregions (Ecoregions of the U.S. - USDA Forest Service, modified by The Nature Conservancy); and Southern Rockies-Colorado Plateau (Intermountain West Joint Venture) and Shortgrass Prairie Bird Conservation Regions (Playa Lakes Joint Venture).

Habitats

The proposed Rio Mora NWR and the Rio Mora Conservation Area are dominated by natural land cover and relatively native ecosystems. Only about two percent of the Mora River Watershed has been converted from natural land cover to development and/or cultivation. While there has been degradation to the natural ecosystems due to human activities, it is less severe than cultivation and housing development and thus easier to restore evolutionary and ecological functions.

The most significant habitats (Ecological Systems – National Vegetation Classification Standard 2008) represented on the proposed Rio Mora NWR include shortgrass prairie, piñon-juniper (*Pinus edulis-Juniperus monosperma*) woodlands, and smaller amounts of ponderosa pine (*Pinus ponderosa*) woodlands and riparian systems. Approximately 5 miles of the Mora River flows through the center of the property. Vegetation along the river is dominated by relatively dense willow (*Salix* spp.) thickets with scattered cottonwood (*Populus* spp.) trees. The canyon along the Mora River on the property is up to 300 feet deep in places and there are numerous side canyons with permanent seeps, springs, and ponds with well-developed willow habitats and scattered cottonwood trees. There are several small hay meadows along the river near the Wind River Ranch headquarters. One irrigation ditch, the Larrazolo Ditch remains functional on the ranch. It was established by Octaviano Larrazolo, the 4th governor of New Mexico.

The dominant habitats within the proposed conservation area (generally from higher to lower elevations) include montane conifer forests and woodlands, aspen (*Populus tremuloides*) forests and woodlands, ponderosa pine forests and woodlands, lower montane-foothill riparian woodlands and shrublands, piñon and juniper woodlands and savanna, shortgrass prairie, playa wetlands, and Great Plains riparian habitats. Cultivated agricultural lands are a very small part of

area, but small irrigated hay meadows or croplands occur in a number of areas along the major streams in the watershed.

Along the major streams, water is diverted from the river to irrigate some land for hay production and other agricultural uses, but the river is perennial with consistent flow or pools even in dry years. The perennial nature of the river further ensures a higher reliability for water that would help facilitate ecological restoration of habitats that support wildlife populations during times of prolonged drought.

Playa wetlands (playas), which are ephemeral ponds on the Great Plains, are important for a number of migratory birds and are relatively common in the proposed conservation area. The Playa Lakes Joint Venture (PLJV – pljv.org) mapped approximately 75 playa wetlands totaling approximately 3,000 acres within the watershed. Playa wetlands within the area occur in native grasslands which is a condition necessary to maintain the hydrologic conditions critical for long-term natural function (Johnson et al. 2011). Some playa wetlands in the area appear to have been irrigated to grow crops, or excavated to make permanent or semi- permanent impoundments to provide water to livestock.

Table 1- Major Habitats within the Mora River Watershed

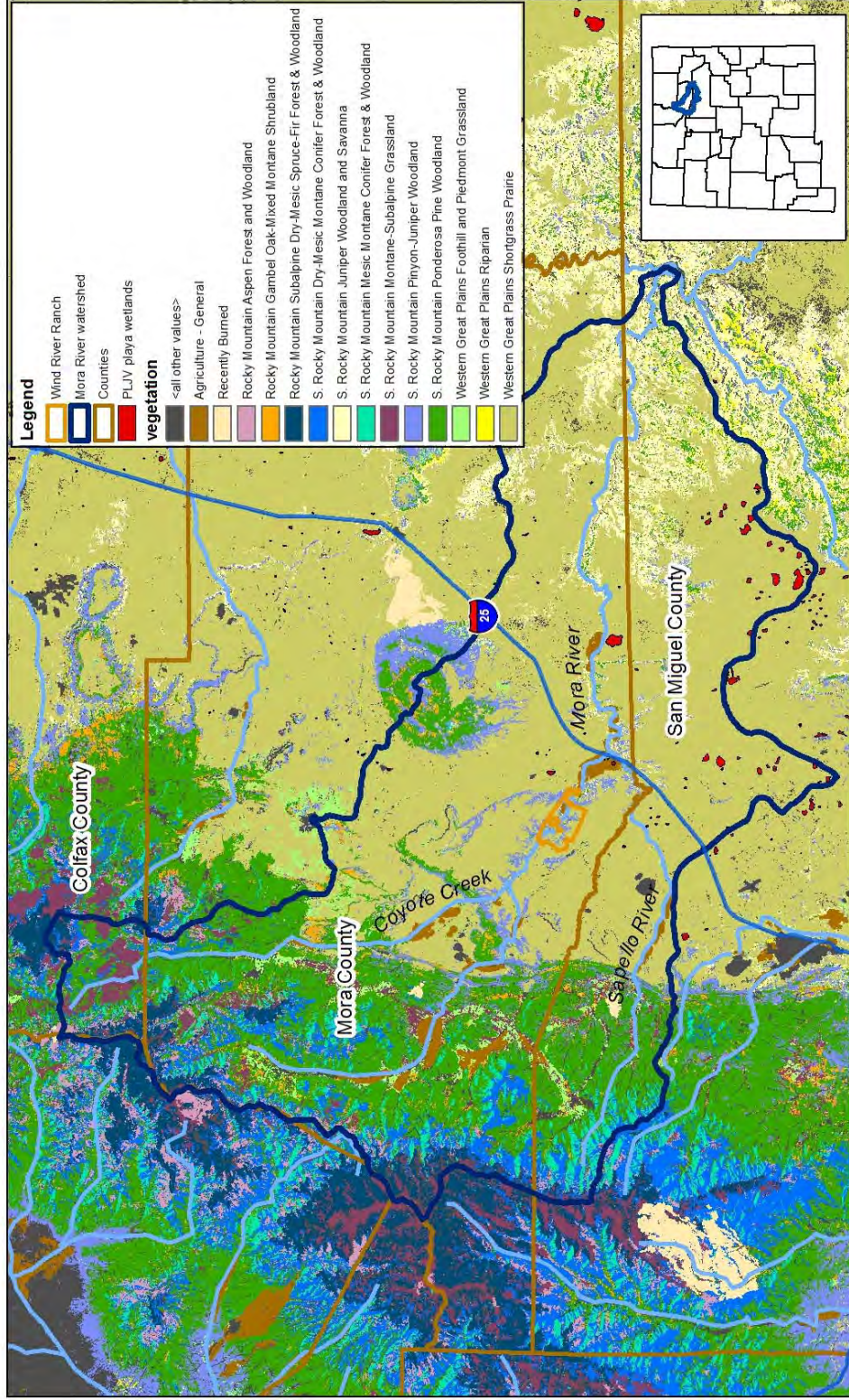
National Vegetation Classification Standard Ecological Systems (some minor systems not shown)	Acres	% of 952,432 total acres
Agriculture – General	17,621	1.9%
Developed	1,114	0.1%
Southern Rocky Mountain Dry-Mesic Montane Mixed Conifer Forest & Woodland	42,579	4.5%
Southern Rocky Mountain Mesic Montane Mixed Conifer Forest & Woodland	22,910	2.4%
Southern Rocky Mountain Ponderosa Pine Woodland	180,175	18.9%
Rocky Mountain Subalpine Dry-Mesic Spruce-Fir Forest & Woodland	22,351	2.3%
Southern Rocky Mountain Piñon-Juniper Woodland	41,024	4.3%
Southern Rocky Mountain Juniper Woodland & Savanna	57,100	6.0%
Southern Rocky Mountain Montane-Subalpine Grassland	29,782	3.1%
Western Great Plains Shortgrass Prairie	457,071	48.0%
Rocky Mountain Lower Montane-Foothill Riparian Woodland & Shrubland	16,705	1.8%

Data source: NatureServe – descriptions can be found at <http://usnvc.org/explore-classification/>

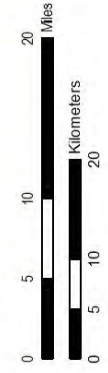


U.S. Fish & Wildlife Service
Rio Mora Conservation Area and NWR
 Mora, San Miguel, Colfax counties, New Mexico

Figure 2: Vegetation



PRODUCED IN THE DIVISION OF REFUGE PLANNING
 LAND STATUS CURRENT TO: 5/31/09
 MAP DATE: March 2012
 BASEMAP: NA
 MERIDIAN: NAD
 FILE: Mora River Fig 2_3_15_2012sk



Climate

The climate of the area is continental but due to the span of the proposed conservation area from near 13,000 feet elevation to near 4,600 feet elevation, the averages for temperatures and precipitation are highly variable. Precipitation over the entire area often varies from extremely dry to wet in relatively short periods, with few years near the long term average. Similarly, rapid changes in temperature occur seasonally as well as daily. This variability is partially responsible for the diversity of habitats and wildlife resources found in the area, and adaptability of many of the native plants and animals.

In general, the climate in the Sangre de Cristo Mountains is typified by cool summers, and cold winters. Most years there is moderate to heavy snow and in some years summer monsoon rainfall can be a significant source of moisture. Average annual precipitation is 25 inches or more. In most years, the streams originating in the mountains would have a spring snowmelt driven pulse of flow.

At the lower elevations on the Great Plains summers are generally hot and winters are cold. Approximately two-thirds of the precipitation is received during the late summer monsoons. Average annual precipitation ranges between approximately 15-20 inches. Snowfall is relatively low on average. Streams on the Great Plains portion of the area are often flooded by locally heavy summer thunderstorms. Approximately 47 acequias, or community operated irrigation ditches, occur on the Mora River and its tributaries throughout the watershed (Thompson and Ali 2009). Acequias are part of a strong cultural heritage of cooperative management in the local communities and throughout New Mexico.

Wildlife

Federally Listed Species

Southwestern willow flycatcher (*Empidonax traillii extimus*)

The species breeds in dense riparian habitats in the southwestern U.S. Its breeding range includes far western Texas, New Mexico, Arizona, southern California, southern portions of Nevada and Utah, southwestern Colorado, and possibly extreme northern portions of the Mexican States of Baja California del Norte, Sonora, and Chihuahua. The species breeds in relatively dense riparian tree and shrub communities associated with rivers, swamps, and other wetlands, including lakes (e.g., reservoirs). Most of these habitats are classified as forested wetlands or scrub-shrub wetlands. The southwestern willow flycatcher has experienced extensive loss and modification of breeding habitat, with consequent reductions in population levels. The recovery plan for the southwestern willow flycatcher (U.S. Fish and Wildlife Service 2002) outlines habitat characteristics suitable for the species, and the average abundance of the species is known for some habitats. Recent information suggests that higher elevation habitats for this species, such as those in the Mora River Watershed, may support greater densities than estimates from lower elevation range (USFWS NM Ecological Services Field Office). This species has been observed during the breeding season on the Wind River Ranch where suitable habitat exists, but breeding has not been confirmed. Critical habitat for the species is designated in the upper watershed (Figure 3).

Mexican spotted owl (*Strix occidentalis lucida*)

This species occurs in mature montane forest and woodland, shady wooded canyons, and steep canyons in Arizona, Colorado, New Mexico, Texas, and Mexico. The owl generally nests in older forests made up of mixed conifer or ponderosa pine/Gambel's oak (*Quercus gambelii*). Nests are found in live trees in natural platforms, snags, and on canyon walls from 4,100 to 9,000 ft. elevation). Throughout the species range the majority of the owls are found on Forest Service, tribal, National Park Service, and on Bureau of Land Management lands. Within the Mora River watershed critical habitat occurs in the upper reaches, on both National Forest and private lands (Figure 3). One of the greatest threats to the species is from destruction of habitat by catastrophic wildfires.

Candidate Species

Rio Grande cutthroat trout (*Oncorhynchus clarkii virginalis*)

The Rio Grande cutthroat trout is a subspecies of cutthroat trout occurring in the Rio Grande, Pecos, and Canadian drainages of southern Colorado and northern New Mexico. The majority of populations occur on Forest Service lands within the Southern Rocky Mountains. Most of these populations are spatially restricted, highly fragmented, and primarily confined to headwater streams. The Rio Grande cutthroat occurs in the headwaters of the Mora River (Sublette et al. 1990, New Mexico Department of Game and Fish 2006). Threats to the species include degradation of riparian/aquatic habitats and invasion of non-native fish (mainly non-native trout).

Gunnison's prairie dog (*Cynomys gunnisoni*)

Gunnison's prairie dog habitat includes level to gently sloping grasslands and semi-desert and montane shrublands, at elevations from 6,000 to 12,000 feet (1,830 to 3,660 meters) in Arizona, Colorado, New Mexico, and Utah. Gunnison's prairie dogs are colonial and generally occupy grass-shrub areas in low valleys and mountain meadows. Complexes of Gunnison's prairie dog colonies (metapopulations) expand or contract over time depending upon various natural factors (such as reproduction, food availability, and disease), an exotic disease (plague), and human-caused factors (such as chemical control and shooting). The Wind River Ranch established a colony of 300 Gunnison's prairie dogs on the ranch in 2006 and 2007. The Mora County Commission overturned a law against importing prairie dogs into Mora County so that this colony could be established. The colony is still active and occupies a site on grasslands above the Mora River floodplain.

New Mexico meadow jumping mouse (*Zapus hudsonius luteus*)

The New Mexico meadow jumping mouse (jumping mouse) is endemic to New Mexico, and Arizona, and possibly a small area of southern Colorado. It uses dense streamside riparian/wetland vegetation up to an elevation of about 8,000 feet mainly in two riparian community types: 1) persistent emergent herbaceous wetlands; and 2) scrub-shrub wetlands composed of willows and alders along perennial streams. This type of habitat is not uncommon in the watershed but systematic surveys have not been conducted in the area to fully document the presence or abundance of the species. The species has been documented to occur at Coyote Creek State Park in the upper part of the Mora River Watershed. Threats to the species include habitat degradation due to development, conversion of habitat to agricultural crop production,

excessive grazing pressure from livestock, removal of beavers and their dams, down-cutting of streams, drought, and water diversions that reduce suitable habitat.

State listed species

At least 13 species listed as threatened, endangered, or species of concern by the New Mexico Department of Game and Fish occur in the watershed (Table 2). One particularly notable example is the southern redbelly dace, which is listed as endangered in New Mexico. The species is more common in the Ohio and Mississippi River basins but there are a few disjunct populations in the foothills of the Rocky Mountain. The only locations for this species in New Mexico are in the headwaters of the Mora River, mainly Coyote Creek, one of the larger tributaries of the Mora River, and tributaries to Black Lake (Sublette et al. 1990, NM Department of Game and Fish 2006).

Other Species of Concern

Waterfowl

Northeastern New Mexico has historically been an important migration and wintering area for waterfowl in the Central Flyway, particularly Canada geese. The rolling high plains along the eastern slope of the rugged Sangre de Cristo Mountains, scattered with numerous playa wetlands, are a haven for waterfowl and sandhill cranes during the fall and winter months. The limited aquatic habitats in this arid part of the country have always been heavily utilized by ducks and geese, and have been of some importance as production areas.

Breeding Birds and Bird Migration and Winter Stopover Habitat

Habitats within the Mora River watershed provide important life-cycle needs for a wide variety of neo-tropical migratory birds and many other riparian, grassland, woodland, aquatic, and wetland dependent species (Table 2). The Playa Lakes Joint Venture has prepared an Area Implementation Plan for the shortgrass prairie region of New Mexico where national bird plan goals were stepped down and recommendation made that were expected to increase bird populations to desired levels (PLJV 2008). In addition to the species referenced in Table 2, the Migratory Bird Program in the Service's Southwest Region has identified at least 18 species from the Birds of Conservation Concern list (U.S. Fish and Wildlife Service 2008) that utilize the area during migration, or for winter stopover habitat.



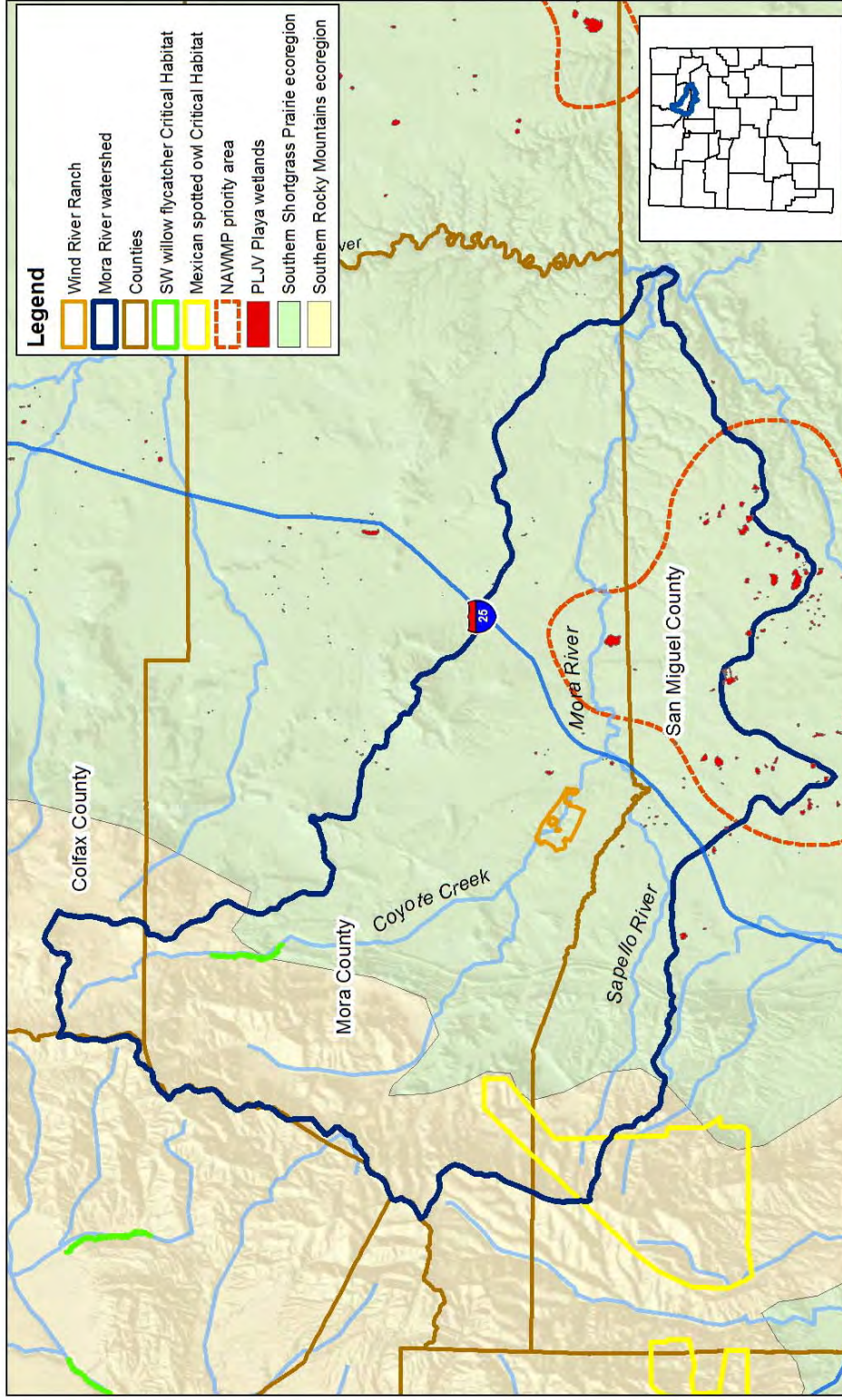
U.S. Fish & Wildlife Service

Rio Mora Conservation Area and NWR

Mora, San Miguel, Colfax counties, New Mexico



Figure 3: Critical Habitat and NAWMP priority area



PRODUCED IN THE DIVISION OF REFUGE PLANNING
 LAND STATUS CURRENT TO: 3/31/09
 MAP DATE: March 2012
 BROWSER: N/A
 MERIDIAN: N/A
 FILE: Mora River LPF Fig 3 3_19_2012sk

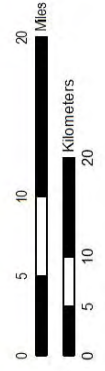


Table 2 - Partial List of Species of Concern known to occur within the Mora River Watershed and/or on the Wind River Ranch

Common name	Scientific name	¹ ESA status	² NM status	³ other status
Birds				
bald eagle	<i>Haliaeetus leucocephalus</i>		T	
Bell's vireo	<i>Vireo bellii</i>		T	
burrowing owl	<i>Athene cunicularia</i>			MBFS
Cassin's sparrow	<i>Peucaea cassinii</i>			PIF-RC
Chestnut-collared longspur	<i>Calcarius ornatus</i>			PIF-RC
ferruginous hawk	<i>Buteo regalis</i>			PIF-RC
golden eagle	<i>Aquila chrysaetos</i>			PIF-RC
grasshopper sparrow	<i>Ammodramus savannarum</i>			PIF-RC
lark sparrow	<i>Chondestes grammacus</i>			PIF-RC
Lewis's woodpecker	<i>Melanerpes lewis</i>			PIF-WL
loggerhead shrike	<i>Lanius ludovicianus</i>		S	PIF-RC
long-billed curlew	<i>Numenius americanus</i>			MBFS
Mexican spotted owl	<i>Strix occidentalis lucida</i>	T	S	
mountain plover	<i>Charadrius montanus</i>		S	MBFS
northern harrier	<i>Circus cyaneus</i>			PIF-RC
peregrine falcon	<i>Falco peregrinus</i>		T	
pinyon jay	<i>Gymnorhinus cyanocephalus</i>			PIF-WL
prairie falcon	<i>Falco mexicanus</i>			PIF-RC
southwestern willow flycatcher	<i>Empidonax traillii extimus</i>	E	E	
Swainson's hawk	<i>Buteo swainsoni</i>			PIF-WL
yellow warbler	<i>Setophaga petechia</i>			PIF-RC
Fish				
Rio Grande cutthroat trout	<i>Oncorhynchus clarki virginalis</i>	C	S	
southern redbelly dace	<i>Phoxinus erythrogaster</i>		T	
Mammals				
black-tailed prairie dog	<i>Cynomys ludovicianus</i>		S	
Gunnison's prairie dog	<i>Cynomys gunnisoni</i>	C	S	
New Mexico meadow jumping mouse	<i>Zapus hudsonius luteus</i>	C	T	

¹ ESA Status

T = Threatened
E = Endangered
C = Candidate

² NM Status

T = threatened
E = endangered
S = sensitive species

³ other status

MBFS = USFWS Migratory Bird Focal Species
PIF = Partners in Flight high priority, RC=regional concern; WL= national watchlist;

Land Ownership and Management

Over 87 percent of the land in the watershed is privately owned and therefore has no specific goals or mandates to manage for wildlife values. The largest public land owner in the watershed is the U.S. Forest Service, encompassing mostly forested land at higher elevations in the western part of the watershed. The New Mexico State Land Board manages approximately 32,000 acres, mostly in the foothills of the Sangre de Cristo Mountains and Great Plains parts of the watershed. In general, these lands are managed by lease as part of private ranches. There are other small federal and state managed public lands scattered throughout the watershed (Mora River National Fish Hatchery and Technology Center, Fort Union National Monument, Bureau of Land Management, and New Mexico State Parks). The vast majority of lands in the foothills and Great Plains portions of the watershed are privately owned (Figure 4).

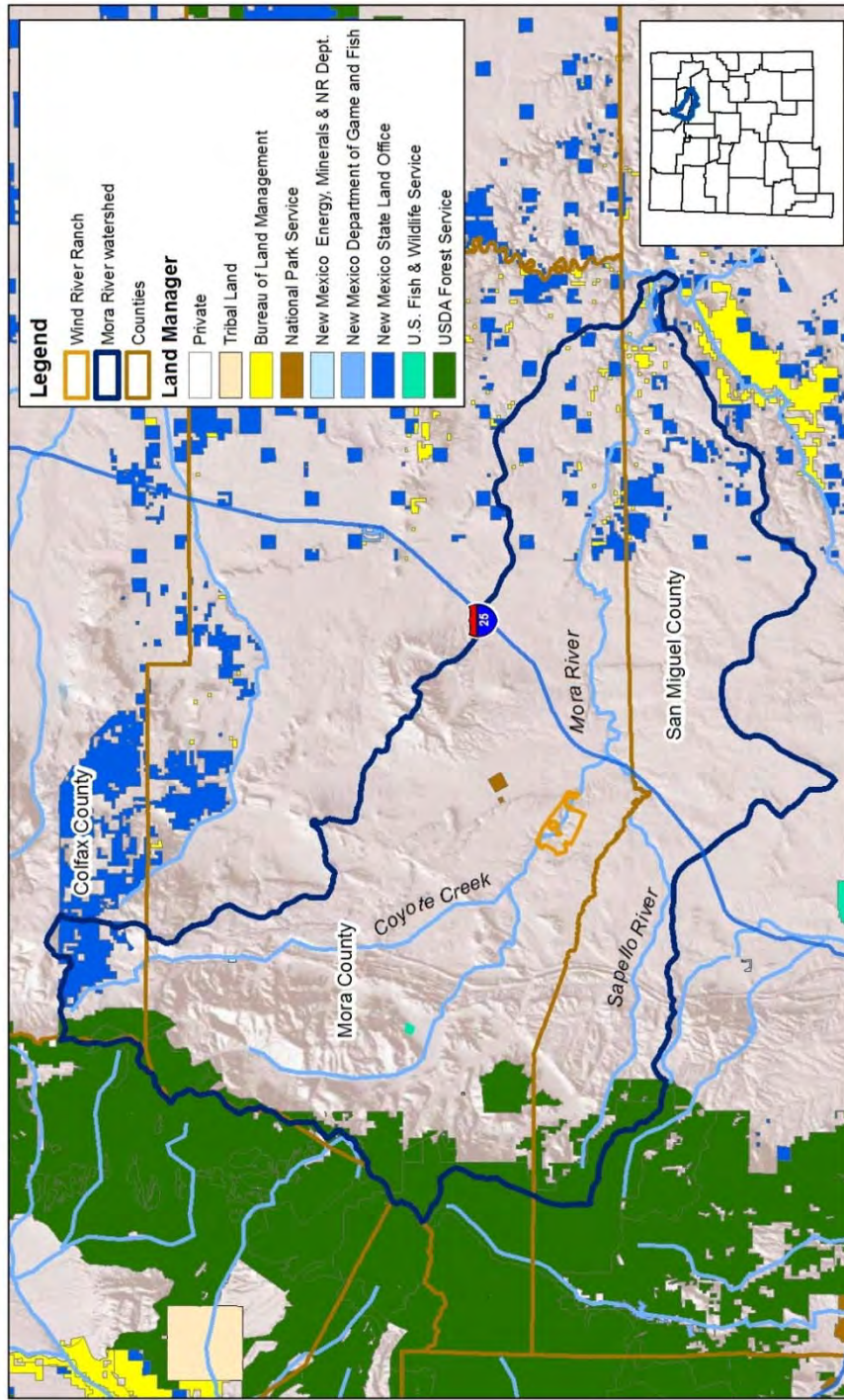
Within the watershed ranching dominates the land use. There are small areas with irrigated hay meadows or crops grown along some of the larger streams. Private ownership is a mixture of large ranches (including at least two over 75,000 acres in size) as well as many smaller ranches in the range of 100s to 1000s of acres. Outdoor recreation such as hunting, fishing, and hiking are popular in the area with local residents, as well as with citizens from outside of the local area.

Table 3– Land Ownership within the Mora River Watershed

Land Manager	Acres	% of total acres
Bureau of Land Management	3,590	0.4%
Forest Service	73,075	7.7%
National Park Service	720	0.1%
State Agency Managing Parks & Recreation	7,324	0.8%
State Land Board	32,228	3.4%
Unknown	190	0.0%
Private Unprotected Lands	835,186	87.7%
Fish & Wildlife Service	119	0.0%
Grand Total	952,432	100.0%

Source data: Conservation Biology Institute 2010

Figure 4: Land Management



PRODUCED IN THE DIVISION OF REFUGE PLANNING
 LAND STATUS CURRENT TO: 5/31/09
 MAP DATE: March 2012
 BASEMAP: N/A
 MERIDIAN: N/A
 FILE: Mora River OPP Fig 4_1_05_2012.tsk

3. THREATS TO RESOURCES

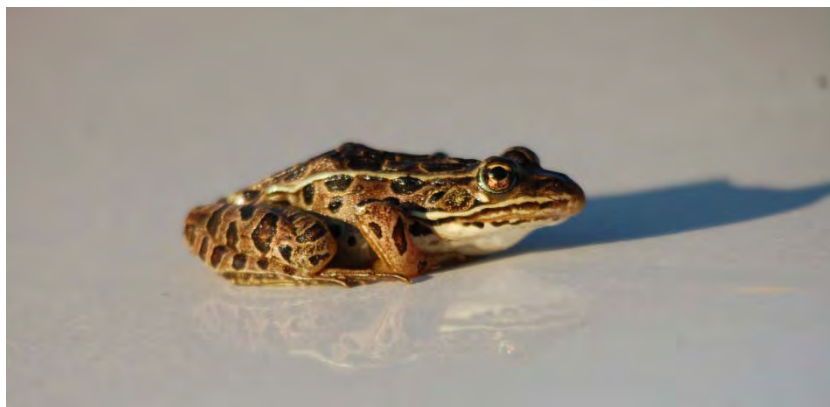
Over 90 percent of the 952,000 acres within the proposed conservation area have no “*known mandate to prevent conversion of natural land cover to anthropogenic land cover and allows for intensive use*” (NM Department of Game and Fish 2006). The greatest threats in the watershed are posed by land use practices not compatible with species conservation such as, fragmentation, and conversion of the land to incompatible uses (e.g. tilling of native grasslands, floodplain gravel mining).

Approximately three-quarters of the watershed occurs within the Southern Shortgrass Prairie Ecoregion. In that ecoregion as a whole, over 28 percent of the land has been converted to cultivated agricultural use or development (The Nature Conservancy 2007). Much of that conversion has taken place in the eastern part of the ecoregion (far eastern New Mexico and western Texas) where higher average precipitation and/or irrigation allow more reliable row-crop production. The predominant use of the land in the proposed conservation area, grazing of domestic livestock, has had negative impacts, but has also left approximately 98 percent of the proposed conservation area in natural land cover.

The minimal amount of conversion of the native ecosystems provides an opportunity to maintain or more easily restore wildlife populations and critical ecological process. Maintaining natural land cover offers an opportunity to maintain wildlife populations to avoid declines that lead to additional listings under the Endangered Species Act and more intensive and expensive species recovery efforts. Specific impacts from changing climate are uncertain, but maintaining natural land cover and being proactive with adaptive management strategies offer an opportunity to mitigate negative effects.

Riparian, Wetland, and Aquatic Ecosystem

During the last Century, New Mexico and Arizona lost an estimated 90 percent of their original riparian ecosystems (NM Department of Game and Fish 2006). Riparian habitats, ephemeral catchments, and perennial seeps, marshes, and springs are at the highest risk from multiple threats throughout New Mexico and are “*key areas upon which to focus conservation efforts*” (NM Department of Game and Fish 2006). The Mora River was identified as the fifth highest conservation priority river in the state in the Comprehensive Wildlife Strategy for New Mexico (NM Department of Game and Fish 2006).



Northern leopard frog – USFWS photo

In some places within the watershed riparian areas have been eroded, partially because of reduced vegetation cover due to overgrazing, or where the natural meander of the river has been altered. This has led to down-cutting of the stream, in-turn lowering the water table and stressing the native riparian vegetation as well as lowering the productivity of the habitat for wildlife and livestock use. This also can reduce oxygen levels, increase water temperature, and increase sedimentation (Schumm et al. 1984) all with negative effects on native wildlife. Willows (*Salix* spp.) and cottonwood (*Populus* spp.) are less abundant than they would have been historically. Cottonwoods no longer exist in continuous gallery forests, but have been reduced to small isolated stands. Similar impacts have been documented from many areas in the Western United States. Significant positive responses of birds and other wildlife to riparian restoration activities have been well documented (Krueper et al. 2003).

Upland Grasslands and Woodlands

Temperate grasslands and savannas have been identified as one of the most threatened, yet least protected ecosystems on Earth (Hoekstra et al. 2005) and are at greatest risk, i.e. rates of conversion are much higher than rates of protection. *“Temperate grasslands occupy ~8% of the earth's terrestrial surface and are now considered the most altered and beleaguered ecosystem on the planet, with only 5.5% protected. Temperate grasslands used to be home to some of the greatest assemblages of wildlife on earth”* (Temperate Grasslands Conservation Initiative 2008). Grassland birds in North America have experienced steeper, more consistent, and more widespread population declines than any other guild (Knopf 1994, Knopf and Samson 1997). Short-grass prairie is named the highest priority terrestrial habitat by the Comprehensive Wildlife Strategy for New Mexico (NM Department of Game and Fish 2006). There are over 450,000 acres of native shortgrass prairie as well as nearly 100,000 acres of piñon and juniper habitats mapped within the watershed.

“There is no single cause responsible for the declines of grassland birds. Rather, a cumulative set of factors such as afforestation in the eastern United States, fragmentation and replacement of prairie vegetation with a modern agricultural landscape, and large-scale deterioration of western U.S. rangelands are the major causes for these declines” (Brennan and Kuvlesky 2005).

Invasion of piñon and juniper trees into grasslands is occurring in the watershed and can lead to increases in erosion, lowering of the water table, and reduced grassland health and productivity (Huxman et al. 2005). Oil and gas extraction, and commercial wind and solar energy facilities are being considered in the area.



Butterfly in shortgrass prairie – USFWS photo

Table 4 - Ownership/Management Status for Lands within the Southern Shortgrass Prairie Ecoregion

Management Authority	Acres	% of total acres
Bureau of Land Management (BLM)	1,555,137	2.26%
Bureau of Reclamation (BOR)	23,651	0.03%
Conservation Land Holder	11,254	0.02%
Department of Defense (DOD) and Dept. of Energy	64,268	0.09%
Fish and Wildlife Service (FWS)	32,648	0.05%
Forest Service (USFS)	417,623	0.61%
National Park Service (NPS)	34,831	0.05%
Other Private Protected Lands	86,450	0.13%
State Agency Managing Fish & Game	34,386	0.05%
State Agency Managing Parks & Recreation	104,819	0.15%
State Land Boards	3,563,332	5.17%
Unknown	51,676	0.07%
Private Unprotected Lands	62,923,803	91.32%
Total	68,903,878	100.00%

Source data: Conservation Biology Institute 2010

Climate Change – Mitigation, Adaptation, and Engagement

The Service has recognized human induced climate change as a potential factor that could substantially affect fish and wildlife populations. Effects could be direct, such as changes in

temperature, precipitation, and hydrology influencing species and their habitats, or indirect, such as habitat loss caused by more intensive extractive uses and invasion of non-native species.

In the *Conserving the Future: Wildlife Refuges and the Next Generation* document (<http://americaswildlife.org/>) the Service stated that “*Strategies that will enhance ecological resilience and provide opportunities for fish, wildlife and plants to adapt to climate change include maintaining or restoring the ecological integrity of existing refuges and other protected areas, enhancing linkages and connectivity among protected areas, buffering core protected areas, such as wilderness, with conservation efforts on private working landscapes, identifying and protecting climate refugia, and ensuring adequate representation, size and redundancy of ecological communities in the collective conservation estate. The Refuge System must contribute to all of these efforts.*”

While planning needs to consider both direct and indirect effects, there are considerable uncertainties about climate change and future land use that greatly complicate any analysis. Due to these uncertainties, the Service sees landscape-scale conservation of native habitats as a sound approach to increase resiliency of the proposed conservation area and to buffer against unpredictable climate variables. The need to adaptively manage habitat conditions more explicitly for wildlife needs and to abate non-climate related impacts will become more critical. By taking a proactive approach to maintain the ecologically intact character of the watershed, the proposed project would help mitigate the impacts associated with climate change, increase the resiliency of the landscape, and assist in wildlife response to climate change and associated stressors.

For the area, most climate models predict conditions to become warmer and drier, and precipitation events to become more erratic, resulting in drought and extreme precipitation events of greater magnitude and earlier snowpack melt-off resulting in alteration to hydrologic regimes (IPCC 2007). If these predictions take place, conservation and restoration of lands in the proposed conservation area will be of even greater importance to the survival and management of a number of rare, threatened, and endangered species.

Many of the native ecosystems and species in the area have evolved with, and are well adapted to extreme variation in climate (Wiens 1974), and grazing (e.g. Milchunas et al. 1998). Though the specific effects of climate change are uncertain, maintaining the natural resiliency and intact nature of the area should provide mitigation potential and help to protect against negative impacts from climate change or other human caused factors. Maintaining the compatible historic uses of the land will allow long-term maintenance of the biodiversity of the area. Water availability is a key ecological factor that influences the habitats which support the diverse wildlife community in the watershed. Reducing water lost as runoff can be a key mitigation strategy. Actions that maintain soil surface integrity, protect riparian corridors, reduce erosion, and protect drought adapted ecosystems can ensure resiliency to the effects of climate change (Wiens and Bachelet 2010).

Protecting the Mora River riparian corridor along its transition from the Rocky Mountains to the Great Plains will help maintain, in a natural state, migration or movement corridors should it be necessary to facilitate species migration and range shifts in response to changing climate

condition. Mobile species, like birds, moving from south to north as climate warms would benefit from the protected “stepping stones” provided by the wetlands and riparian systems in the conservation area and at the proposed Rio Mora NWR, as well as the 3,000 acres of playa wetlands in the watershed. The proposed Rio Mora NWR, which is located between Maxwell and Las Vegas NWRs, would complement the resources protected at those refuges. Protection and restoration within the watershed will contribute to the ecological integrity of a number of avian migration corridors, including north-south yearly migration as well as elevation movement in response to changing habitat conditions and resources.

Restoring hydrological functions on streams within the watershed will help reduce stresses on the Mora River and its tributaries from climate change and contribute to increased carbon sequestration. Maintaining natural land cover can help reduce atmospheric carbon inputs that result when vegetation is destroyed by plowing or other activities. Acquisition of the Wind River Ranch would add permanent protection to approximately 5 percent of the length of the Mora River. Protection and providing ecological restoration of this section of the drainage is significant, and can enhance ecological resilience to changes in climate. The Wind River Ranch includes senior water rights (57 acre feet per year) that could be available for riparian restoration efforts. For example, those rights could be used to convert 45 acres of the 60 acre hayfield into native riparian and wetland habitats.

Playa wetlands in native grasslands retain the characteristics that provide critical wildlife values, while those in cultivated croplands have altered hydrologic regimes that reduce their ecological function and values (Johnson et al. 2011). Playa protection within native grasslands would add resilience as well as redundancy to an ecological system where suitable habitat conditions are dependent on rainfall patterns over an area where they are highly variable from year to year. The playa wetlands in this western part of the Great Plains are generally wet less frequently than those further to the east, but because of extreme precipitation variation across the playa region in the southern Great Plains, it is important to provide a network of protected playa wetlands. That network then ensures that in any one year the resources needed for wildlife are present in at least some part of the playa lakes region. This is particularly important for waterfowl during the spring migration, when they must arrive at their breeding areas with enough energy left to successfully reproduce.

Conservation efforts for playa wetlands have focused on protecting networks of playas as stopover sites for migratory bird species, and the proposed conservation area can significantly contribute to those efforts. A network of protected playa wetlands would serve as “stepping stones” for a number of migratory birds that also utilize the nearby Las Vegas and Maxwell National Wildlife Refuges, especially if predictions that precipitation and drought periods will become more erratic and extreme, and the associated resources needed by wildlife will correspondingly follow. The concept is that suitable conditions exist in some years in one area but not in others. Because that pattern changes constantly, a network of managed areas, either public or privately owned, is needed to support regional population goals. Successfully improving waterfowl and crane habitat in northeastern New Mexico would help provide redundancy in protection during periods of extreme weather in this climatically variable part of the Central Flyway.

Conservation and restoration actions on private lands in the watershed would help promote connectivity between U.S. Forest Service lands at higher elevation, and lands managed by the National Park Service, State of New Mexico, and Bureau of Land Management lands at lower elevations to the east on the Great Plains.

Related Efforts and Resources

U.S Fish and Wildlife Service National Wildlife Refuges

Las Vegas NWR is located approximately 7 miles to the south of the Mora River watershed and Maxwell NWR is approximately 35 miles to the north of the Mora River watershed. The Las Vegas NWR encompasses 8,672 acres of shortgrass prairie, natural playa wetlands, steep canyons, and agricultural lands managed to provide food for migratory birds. The Maxwell NWR encompasses 3,700 acres of short-grass prairie, playa wetlands, woodlots, wetlands, and agricultural lands managed to provide food for migratory birds. Both of these refuges are focused on providing protected feeding and resting areas to meet energy needs for Central Flyway migratory bird flocks, and to reduce crop depredation problems that existed in the area. Each year thousands of ducks, geese, and sandhill cranes utilize the refuges. Native vegetation on both refuges is managed to provide taller structure for nesting habitat conditions that are not common in the surrounding areas. Both refuges offer extensive environmental education and interpretation programs.

Wind River Ranch Foundation and Denver Zoological Foundation

The Wind River Ranch is owned by the Thaw Charitable Trust and operated through the Wind River Ranch Foundation (Foundation), a 501c3 non-profit organization. The mission of the Foundation is to conserve wild landscapes in northern New Mexico through ecological restoration, research, and education. Over the past 8 years the Foundation has established grassroots conservation and education programs that have been developed with significant input and support from partners, neighbors, and the local community. The Foundation works cooperatively with the Denver Zoological Foundation (Denver Zoo) on a number of research, restoration, education and outreach projects. The ranch property has been re-consolidated (after it had been sold piecemeal over the years) by acquiring 13 parcels. The property was historically used by a number of Native American tribes, then became part of the Mora Land Grant and was used for livestock grazing and some subsistence farming. Since 2005, the ranch has been managed for protection of native species and natural processes and it has been grazed by bison for the past 5 years. The Wind River Ranch Foundation currently funds the day-to-day operation and maintenance costs of the ranch. The ranch is managed by three full-time staff and their salaries are financed by the Foundation. All program funding has been obtained by the staff through competitive grant-writing.

Assets:

There are several homes, an office building/bunkhouse, a newly remodeled education building, corrals, barns, vehicles, ranch/farm equipment, and other lesser assets on the ranch. The Wind River Ranch in cooperation with the InterTribal Buffalo Council (ITBC) currently manages approximately 61 bison (*Bison bison*) on the ranch. Though the ITBC does not own any of the bison, they have provided funding for a full-time ITBC Native American bison manager to help with the day-to-day management of the animals. ITBC has expressed interest in continuing the

management of bison on the Wind River Ranch. The ranch owns 25 of the 61 animals with the remainder of the herd belonging to the Jicarilla Apache tribe, who graze under a short-term lease agreement.

Restoration and Research:

The Wind River Ranch has been actively protecting seeps and springs and restoring tributaries of the Mora River, as well as restoring natural meandering to the mainstream of the river, and conducting research related to restoration. Bison, prairie dogs, and their influences on the ecosystems are key elements of the research and restoration activities. The Riparian vegetation structure is recovering from past management impacts as a result of the staff's effort over the last several years. Two years ago southwestern willow flycatchers were observed on the Wind River Ranch during the breeding season, but breeding by the species was not confirmed. Staff from the Service's New Mexico Ecological Services office has confirmed that suitable breeding habitat is present on the ranch. More extensive surveys for the species are planned for the 2012 breeding season. Among others, the Service's Partners for Fish and Wildlife Program has funded planning, design, and implementation of successful wetland/riparian restoration on the ranch. The Denver Zoo plans to include the Wind River Ranch as part of an existing multi-site research project to compare the effects of bison grazing on grassland birds, reptiles, amphibians, and small mammals to cattle grazing. That project will include graduate students and/or undergraduate interns.

Environmental Education, Interpretation, and Outreach:

The U.S. Fish and Wildlife Service's "Conserving the Future, Wildlife Refuges and the Next Generation", recommendation 20 states, "*Develop an environmental education strategy that inventories existing efforts, identifies priorities for investment of staff and funds, and outlines basic standards for all refuges.*" This recommendation has already been implemented at the Wind River Ranch. The Wind River Ranch has offered extensive environmental education opportunities and outreach to underserved communities. Over 750 school-children come to the ranch each year, where they receive instruction in the natural sciences. Between 2007 and 2009, Education Department staff of the Denver Zoological Foundation and Wind River Ranch staff assessed the needs of science teachers and superintendents from more than 20 schools in northern New Mexico. They subsequently designed a curriculum to meet those needs. The efforts for in-school and hands-on activities in the classroom incorporate national environmental education guidelines, state standards and benchmarks, and the interests of agencies who serve schools.

The Wind River Ranch currently hosts workshops for teachers, landowners, and conservation professionals, as well as think-tank sessions. The ranch has been, and continues to be utilized by a number of New Mexico Highlands University interns, graduate students, and faculty as a research site and outdoor lab. A number of graduate students and faculty from other universities have also utilized the ranch as a research site.

A watershed partnership was proposed several years ago by staff at the Wind River Ranch to coordinate conservation actions in the Mora River watershed, but funding was not secured to support the partnership. There was broad support for the idea and letters of support were received from a number of federal, state, and local governments, numerous non-governmental

organizations, and private land owners. Since then, the watershed partnership has been pursued informally by Wind River Ranch staff. Partnerships were formed with a number of neighboring ranch owners who control approximately 300,000 acres of land near the Wind River Ranch. Establishment of the proposed Rio Mora NWR at the current Wind River Ranch can serve as the core for further development of the partnership in the watershed. Because so much of the groundwork for this has already been done by staff at the Wind River Ranch and others in the watershed, the Service plans to capitalize on that effort so the momentum is not lost.

Fish and Wildlife Service Partners for Fish and Wildlife Program (Partners Program)

The Partners Program is the Service's program that works with private landowners on mutually beneficial restoration projects. Creating and facilitating partnerships to conduct restoration efforts at the watershed scale is a focus of the program. On the Wind River Ranch, the Partners Program has funded ecological restoration efforts on the Mora River and several of its tributaries. The Partners Program could be a key element in building upon grassroots efforts to promote conservation throughout the watershed.

Bureau of Land Management (BLM)

The BLM manages approximately 3,590 acres within the proposed conservation area in scattered, small parcels. The 16,030-acre Sabinoso Wilderness is a remote area just south of the proposed conservation area. The Wilderness includes a series of high, narrow mesas with grassland and woodlands surrounded by cliff-lined canyons. Elevations range between 4,500 and 6,000 feet above sea level. The focus of management by the BLM is to preserve its wilderness character. The Wilderness is surrounded by privately owned land. Currently there is no public access but the BLM is working with private landowners to arrange access agreements.

National Park Service (NPS)

The 720-acre Fort Union National Monument, managed by the Department of the Interior National Park Service, is located in the proposed conservation area near the proposed refuge. Fort Union was established in 1851 to protect residents, travelers, and freight along the Santa Fe Trail, and to subdue tribal resistance to the changes that came with such activities and the displacement of native peoples from their land. The site contains the largest concentration of 19th century adobe ruins in the United States and is one of few federally managed sites preserving remains of the Santa Fe Trail. The remains of the Loma Parada village, which historically was a popular destination for soldiers from Fort Union, are partially on the Wind River Ranch. Opportunities exist to partner with the NPS on outreach and interpretive work.

North American Waterfowl Management Plan (NAWMP)

The proposed conservation area falls under both the Intermountain West and Playa Lakes Joint Ventures (PLJV). The Playa Lakes Joint Venture has prepared an Area Implementation Plan for the shortgrass prairie region of New Mexico where national bird plan goals were stepped down and recommendations made that were expected to increase bird populations to desired levels (PLJV 2008). In the 2011 NAWMP priority map, the PLJV delineated concentrations of playa wetlands and other wetlands to better highlight the distribution of playas within the PLJV boundary and their importance throughout the waterfowl migration and wintering seasons. One of the high priority areas overlaps the proposed Rio Mora Conservation Area (Figure 3).

Landscape Conservation Cooperatives (LCC)

Landscape Conservation Cooperatives (LCCs) are public-private partnerships composed of states, tribes, federal agencies, non-governmental organizations, universities and others. The role of LCCs is: to leverage funding, staff and resources; to develop common goals; to develop tools and strategies to inform landscape-scale planning and management decisions; to link science to management; and to facilitate information exchange among partners.

The proposed Rio Mora Conservation Area is in both the Southern Rockies LCC and The Great Plains LCC. LCCs are partnerships that provide applied science and decision support tools to assist natural resource managers with conservation of habitat and wildlife resources. Among the priorities identified by the Great Plains LCC are three of the priority habitats identified in the proposed conservation area - riparian areas, playa wetlands, and shortgrass prairie. At least twelve species identified as high priority for the Great Plains LCC occur within these habitats in the watershed.

United States Forest Service (USFS)

The USFS Santa Fe and Carson National Forests manage approximately 73,000 acres of land in the watershed. This land is in the watershed's forested, higher elevations and includes many of the headwater streams that drain to the Mora River or other major watershed tributaries. The land is managed for multiple uses. In addition, the Mills Canyon section of the Canadian River, part of Forest Service land making up the Kiowa National Grassland, is proposed for Wilderness Area designation. This land lies to the east of the proposed Mora River NWR, and it is just north of the recently designated Sabinoso Wilderness Area on BLM lands along the Canadian River.

New Mexico Department of Game and Fish

The New Mexico Department of Game and Fish has contributed significant funds for restoration efforts at the Wind River Ranch and supplied guidance and labor for restoration projects. They have also held teacher workshops at the Wind River Ranch. The proposed actions are in alignment with implementation steps identified in the Comprehensive Wildlife Strategy for New Mexico (NM Department of Game and Fish 2006). The cooperation of landowners uniting in partnership with agencies, local governments, tribes, universities, local schools, and NGOs, was identified as paramount to successful wildlife conservation. The findings of that plan assert that, "*we will need to create partnerships among local, state, federal, and tribal governments, non-government organizations, universities, and individuals to effectively forward our common wildlife conservation interests,*" and that these strategies need to be implemented on a landscape scale.

The Comprehensive Wildlife Strategy for New Mexico (New Mexico Department of Game and Fish 2006) identified shortgrass prairie as the highest priority terrestrial habitat. They also identified this section/assessment unit of the Mora River as important for a transitional warm-water to cold-water fishery which adds to the diversity of aquatic life and the wildlife supported by it. Conservation of the Mora River has also been noted as a priority for the New Mexico Environment Department.

The proposed project aligns with Prioritized Conservation Actions identified in the Comprehensive Wildlife Strategy including:

- “Protected areas have been established as wildlife corridors to reduce habitat fragmentation and provide Species of Greatest Conservation Need (SGCN) access to necessary habitat.”
- “To collaborate with state and federal agencies, the New Mexico Legislature, non-governmental organizations (NGOs), and private landowners to conserve riparian and other important wildlife habitat corridors linking Rocky Mountain Montane Mixed-Conifer Forest and Woodlands within and between other ecoregions.”
- To “collaborate with federal and state agencies and private landowners to ensure the ecological sustainability and integrity of the shortgrass prairie. Methods may include: establishing conservation agreements, agency memorandum of understanding, or land acquisition projects.”
- To “Support actions that create incentive based or voluntary partnerships with private landowners to conserve and manage their properties to sustain SGCN.”

New Mexico State Parks

Coyote Creek State Park is approximately 83 acres in size. The federally endangered southwestern willow flycatcher breeds there along the valley of Coyote Creek. The New Mexico meadow jumping mouse, a Candidate for listing has also been documented at the park. The park is utilized by the public for camping, hiking, fishing, and picnicking. Park management supports this project as an additional destination of offer their campers. Coyote Creek is one of the major tributaries draining into the Mora River approximately 5 miles upstream of the Wind River Ranch. Park management supports this project as an additional destination to offer their campers.

New Mexico State Land Office

The New Mexico State Land Office manages over 32,000 acres within the proposed conservation area at the headwaters of Coyote Creek and the confluence of the Mora and Canadian Rivers. In general, these lands are managed by lease as part of private ranches, with proceeds mainly funding the public education system in New Mexico. Wind River Ranch staff have cooperated with the New Mexico State Land Board on education projects with local schools and served on their wildlife advisory group.

InterTribal Buffalo Council (ITBC)

The Wind River Ranch works in partnership with the ITBC on bison management at the ranch and provides a location and opportunity for bison management workshops and Native American cultural ceremonies involving bison. The Service goals for metapopulation management of bison align well with the goals of the ITBC. The ITBC has provided funding for a full time staff person at the Wind River Ranch to manage the bison herd. The bison are a central theme in many of the restoration, education, and outreach programs directed by the Wind River Ranch staff. Future cooperation with the ITBC could help attain goals of the Department of the Interior Bison Initiative.

Natural Resources Conservation Service (NRCS) Conservation Districts

Conservation districts are local units of government established under state law to carry out natural resource management programs at the local level. These districts work cooperatively with private landowners to manage and protect land and water resources. There are three conservation

districts active in the proposed conservation area: Mora – Wagon Mound, Tierra y Montes, and Colfax Soil & Water Conservation Districts. NRCS staff conducted initial planning efforts for the restoration projects on the Wind River Ranch and are interested in continuing to participate in future restoration projects.

America's Great Outdoors Initiative

President Obama launched the America's Great Outdoors (AGO) Initiative to develop a 21st Century conservation and recreation agenda for our nation. The AGO Initiative takes as its premise that lasting conservation solutions should rise from the American people – that the protection of our natural heritage is a non-partisan objective shared by all Americans. The vision of the AGO Initiative involves connecting Americans to the great outdoors, conserving and restoring America's great outdoors, and working together for America's great outdoors. The AGO Initiative seeks to empower all Americans—citizens, young people, and representatives of community groups; the private sector; nonprofit organizations; and local, state, and tribal governments—to share in the responsibility to conserve, restore, and provide better access to our lands and waters in order to leave a healthy, vibrant outdoor legacy for generations yet to come. The proposed project, and current management of the Wind River Ranch, serves many objectives outlined by the AGO Initiative. (For more information about the AGO Initiative, please visit: [http://americasgreatoutdoors.gov/.](http://americasgreatoutdoors.gov/))

The proposed projects can address a number of America's Great Outdoors objectives (AGO 2011) including:

Objective 1: Provide Quality Jobs, Career Pathways, and Service Opportunities

Objective 2: Enhance Recreational Access and Opportunities

Objective 3: Raise Awareness of the Value and Benefits of America's Great Outdoors

Objective 4: Engage Young People in Conservation and the Great Outdoors

Objective 7: Conserve Rural Working Farms, Ranches, and Forests Through Partnerships and Incentives

Objective 8: Conserve and Restore our National Parks, Wildlife Refuges, Forests and other Federal Lands and Waters.

Objective 9: Protect and Renew Rivers and Other Waters

Objective 10: Make the Federal Government a More Effective Conservation Partner

Audubon of NM

Audubon has designated the Wind River Ranch as an Important Bird Area (IBA). Important Bird Areas are sites which provide essential breeding, migrating or wintering habitat for one or more species of bird and/or they support one or more high-priority species, large concentrations of birds, exceptional habitat, and/or have substantial research value. Designation as an IBA confers no regulatory authority.

The Nature Conservancy (TNC)

The proposed conservation area is also within a number of terrestrial and aquatic conservation sites identified as part of TNC's 2007 Biodiversity and Conservation Assessment of the Southern Shortgrass Prairie Ecoregion (TNC 2007) and the Southern Rocky Mountains: An Ecoregional Assessment and Conservation Blueprint (Neely et al. 2001).

4. PROJECT IMPLEMENTATION

Summary of the Proposed Action

The preferred alternative identified and analyzed in the Environmental Assessment is to accept the donation of the Wind River Ranch to become the Rio Mora NWR, and to designate the Mora River Watershed as the Rio Mora Conservation Area. The preferred alternative authorizes an acquisition capacity of up to 300,000 acres within the 952,000-acre conservation area. A partnership approach, working with willing private landowners and local communities, will be used to facilitate conservation and restoration on a broader scale in the watershed.

Actions and Objectives

Proposed Rio Mora NWR

The proposed action would result in the 4,600 acre Wind River Ranch becoming the Rio Mora NWR. The property will serve as a core area for protection of native species and natural processes, and facilitate natural resource research, environmental education, interpretation, and outreach to expand conservation efforts beyond the property boundaries. There will be potential in the future to expand this core through fee acquisition, easements, technical assistance, or management agreements. The Service presence will help catalyze further conservation efforts and help advance partnerships working towards shared conservation goals.

Proposed Rio Mora Conservation Area

Scott et al. (2004) report that the ecological integrity of many National Wildlife Refuges is often threatened by nearby land uses, and they stress that it is important to address issues on lands adjacent to Refuges to ensure integrity. By itself, the proposed refuge cannot meet the wildlife conservation mandates that direct the Service. This makes it essential to pursue the conservation area and partnership approach for the Mora River watershed.

For the Service to be successful in the long-term we need to inform and engage local citizens in the conservation in the area. The focus of this proposed conservation area approach will be to build on existing partnerships, develop new partnerships, and utilize outreach and education to reduce the need for fee or easement land acquisition. This can reinforce and build a greater culture of conservation, as well as help increase the productivity and sustainability of forest and rangeland resources. Maintaining productivity of the natural systems will help provide landowners with viable alternatives to other actions that negatively impact wildlife and other natural resources (such as development). With limited resources it may not be possible or desirable to acquire additional interests in land beyond the donation of the Wind River Ranch. However, the proposed land protection capacity of 300,000 acres allows the Service to be in a position to respond to specific wildlife needs and interest from local landowners considering sale or easements. Successful implementation of the partnership approach would offer the greatest chance for conservation success with the least investment of taxpayer money. This is not only an efficient approach for long-term conservation, but is an economically responsible way to conduct conservation business.

U.S. Fish and Wildlife Service Land Acquisition Policy

Land interests are acquired only from willing sellers/donors and are subject to the availability of funding. The presence of a national wildlife refuge would not mean increased regulation of adjacent private land uses. The Service acquires lands and interests in lands, such as easements,

and management rights in lands through leases or cooperative agreements, consistent with legislation or other congressional guidelines and executive orders, for the conservation of fish and wildlife and to provide wildlife-dependent public use for recreational and educational purposes. When land is needed to achieve those objectives, the Service seeks to acquire the minimum interest necessary to reach those objectives. If fee title is required, the Service gives full consideration to extended use reservations, exchanges, or other alternatives that will lessen the impact on the owner and the community. Donations of desired lands or interests are accepted. In all fee title acquisition cases, the Service is required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646) to offer 100 percent of the property's appraised market value, as set out in an approved appraisal that meets professional standards and federal requirements. The Service is required to assist eligible displaced tenants with finding comparable safe and sanitary housing. Eligibility for relocation assistance for tenants on the property will be assessed under Public Law 91-646. Public Law 91-646 was passed by Congress to provide for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by federal and federally assisted programs and to establish uniform and equitable land acquisition policies for federal and federally assisted programs.

The Service only proposes fee acquisition when adequate land protection is not assured under other ownerships, active land management is required, or we determine the current landowner would be unwilling to sell a partial interest such as a conservation easement. Generally, the lands the Service would acquire in fee require more than passive management to meet the wildlife conservation goals.

Conservation easements leave the parcel in private ownership, while allowing the Service involvement in land management decisions in a way that enables us to meet our conservation goals, as well as being able to provide some assistance to the landowner with stewardship and management of their lands. Easements are a property right, and typically are perpetual. If a landowner later sells the property, the easement continues as part of the title. The structure of such easements would provide permanent protection of existing wildlife habitats while also allowing habitat management or improvements and access to sensitive habitats, such as for endangered species or migratory birds. We would determine, on a case-by-case basis, and negotiate with each landowner, the extent of the rights we would be interested in buying. Those may vary, depending on the configuration and location of the parcel, the nature of wildlife activities in the immediate vicinity, the needs of the landowner, and other considerations. In general, easement acquisition would maintain the land in its current configuration with no further subdivision or development.

Properties subject to easements generally remain on the tax rolls and taxes are still paid by the landowner. The Service does not pay refuge revenue sharing (i.e., funds the Service pays to counties in lieu of taxes) on easement rights. Easements generally work best when:

- only minimal management of the resource is needed, but there is a desire to ensure the continuation of current undeveloped uses and to prevent fragmentation over the long term;
- a landowner is interested in maintaining ownership of the land, does not want it to be substantially altered, and would like to realize the benefits of selling development rights;
- current land use regulations do not limit the potential for adverse management practices;

- the protection strategy calls for the creation and maintenance of a conservation area that can be accommodated with passive management; or
- only a portion of the parcel contains lands of interest to the Service.

On easement lands the opportunities for wildlife-dependent public uses, partnerships, or scientific research would be at the discretion of the landowner. These uses would be considered on lands owned in fee by the Service.

While land owned by the U.S. Government is not taxable by state or local authorities, the federal government has a program in place to compensate local governments for foregone tax revenues as a result of federal acquisition of private lands. The Refuge Revenue Sharing Act of June 15, 1935, as amended (16 U.S.C. 715s) requires the Service to make payments to local taxing authorities, typically counties, to offset the loss of local tax revenues as a result of federal acquisition of private property. The Service makes annual payments to local taxing authorities, based on the estimated values of lands that the Service owns located in those jurisdictions. The actual refuge Revenue Sharing payment does vary from year to year because Congress may or may not appropriate sufficient funds to make full payment.

Protection Priorities

The proposed actions address a number of priorities identified (underlined below) in the *Conserving the Future* document (<http://americaswildlife.org/>). The document states “*The future growth of the Refuge System will be guided by the following priorities: habitats to fulfill the goals and objectives identified in threatened and endangered species recovery or habitat conservation plans; habitats to fulfill the goals and objectives identified in national bird, anadromous and interjurisdictional fish, and marine mammal management plans; habitats that are unique, rare, declining or under-represented in existing protection efforts; climate refugia as identified by LCCs...*”

The Service’s Strategic Habitation Conservation model will be used to guide conservation efforts in the watershed. This model focuses on a process that includes 1) Biological Planning – setting priorities and populations objectives, 2) Conservation Design - what types of habitat, where, how much are needed to meet objectives, 3) Conservation Delivery - strategic actions designed to efficiently meet the objectives, and 4) Monitoring and Research – evaluating the actions to make sure the intended objectives are being met.

Acquisition and restoration activities will be guided by the goals and objectives in major conservation plans (e.g. recovery plans, North American Waterfowl Management Plan, Joint Venture Implementation Plans). The process involves “stepping down” the objectives of the appropriate plans as they apply to the watershed to focus future actions on how to most efficiently meet the goals. The Playa Lakes Joint Venture has prepared an Area Implementation Plan for the shortgrass prairie region of New Mexico where national bird plan goals were stepped down and recommendations made that were expected to increase bird populations to desired levels (PLJV 2008).

Riparian and Aquatic Ecosystems

Utilizing information from the southwestern willow flycatcher recovery plan (U.S. Fish and Wildlife Service 2002) we are able to identify suitable types of habitat, as well as the size of the habitat patches necessary to support flycatcher breeding sites. On the Wind River Ranch alone it is estimated that restoration of approximately 350 acres of willow and cottonwood riparian habitat is possible. Using criteria in the recovery plan, we estimated that this could provide habitat for 17 southwestern willow flycatcher territories. With similar restoration efforts on lands beyond the Wind River Ranch, we could provide habitat to support a substantial number of territories toward the current recovery goal (USFWS 2002). Recent information suggests that higher elevation habitats for this species, such as those in the Mora River Watershed, may support greater densities than estimates from lower elevation range where most of the data for the recovery plan were gathered (USFWS NM Ecological Services Field Office). Our estimate of potential territories that could be restored and protected in the Mora River Watershed may be low. Efforts to manage for flycatcher habitat would also provide suitable habitat for a number of other priority aquatic and riparian dependent species.

Foothills riparian corridors are limited geographically and are not well protected, but can be especially important for migrant songbirds. Migration habitat is often a critical missing link in protecting the lifecycle of this important guild. The Service's Southwest Region Migratory Bird Program staff communicated that the area is utilized by a number of Birds of Conservation Concern that do not breed in the area but utilize riparian areas, as well as piñon-juniper woodlands and shortgrass prairie, during migration and for winter stopover sites.



Mora River looking west to the Sangre de Cristo Mountains – USFWS photo

Grasslands and Piñon-Juniper Woodlands

A number of high priority species utilize the uplands in the proposed conservation area. Long-billed curlew, mountain plover, burrowing owl, piñon jay, loggerhead shrike are just a few of those species. Goals from national bird conservation plans will guide conservation activities on the uplands. Managing for vegetation heterogeneity and maintaining large block of habitat are

important (PLJV 2008). These areas are also important because they buffer and influence the ecological functions of the riparian and aquatic ecosystems described above. Research has given us a better understanding of how grassland and piñon-juniper ecosystem dynamics affect the water table, groundwater, stream flow, and erosion rates (Romme et al. 2009, Huxman et al. 2005). With this information we can target restoration, monitoring, and adaptive management activities on the areas that can have the greatest positive impact on targeted riparian and aquatic ecosystems, as well as those that provide important upland species life cycle needs.



Rio Mora landscape viewed from the Wind River Ranch – USFWS photo

Playas Wetlands

Conservation of playa wetlands is a high priority for a number of state and federal agencies and NGOs. In the 2011 North American Waterfowl Management Plan priority map, the Playa Lakes Joint Venture delineated concentrations of playa wetlands and other wetlands to better reflect their importance throughout the migration and wintering seasons. One of these priority areas overlaps the proposed conservation area (Figure 3) and will be used to guide conservation actions. In describing strategies for regional conservation of playa wetlands, Smith (2003) suggested the first consideration should be playa wetlands within intact watersheds dominated by native grasslands. There are approximately 3,000 acres of playa wetlands mapped within the Mora River Watershed, most of which occur within the native grasslands critical to maintaining or restoring playa wetland hydrology and natural function. Because of the ephemeral nature of playa wetlands on the Western Great Plains, the common approach is to protect a network of playa wetlands within a region to provide the greatest benefits for wildlife. Playa wetland conservation would complement conservation efforts at Las Vegas and Maxwell National Wildlife Refuges within the Northern New Mexico National Wildlife Refuge Complex. The Playa Lakes Joint Venture Area Implementation Plan for the shortgrass prairie region of New

Mexico recommended actions needed to recover a foraging deficit for spring waterfowl (Playa Lakes Joint Venture 2008).

Acquisition Funding Alternatives

The Thaw Charitable Trust is willing to donate the Wind River Ranch (estimated value of \$6 million) to establish the Rio Mora NWR. No land acquisition funding is necessary for this proposed donation. The Trust would provide the Denver Zoo with guaranteed funding of \$330,000/year for 2012 and 2013, \$165,000 in 2014, \$82,500 in 2015 to maintain the successful programs that the Wind River Ranch staff have developed. This will allow the Denver Zoo and the Service the opportunity to evaluate if, and how, to continue the partnerships for the long-term.

The principal federal funding source to acquire property beyond the Wind River Ranch in the proposed conservation area would be the Land and Water Conservation Fund (LWCF), which is derived primarily from oil and gas leases on the Outer Continental Shelf, motorboat fuel tax revenues, and sale of surplus federal property, not from general taxpayer dollars. About 90 percent of that fund is now derived from Outer Continental Shelf oil and gas leases. The Federal Government receives no less than 40 percent of these funds as directed by the Land and Water Conservation Fund Act of 1965, to acquire and develop nationally significant conservation lands, such as National Wildlife Refuges. Funding for other acquisitions could also be provided by the Migratory Bird Conservation Fund or the North American Wetlands Conservation Act. The donation of the Wind River Ranch (worth an estimated \$6 million) could be used to meet the matching fund requirements of many grants and promote additional conservation actions. There could be additional funds to acquire lands, waters, or interest therein for fish and wildlife conservation purposes through other congressional appropriations, donations, or grants from non-profit organizations and other sources.

With declining federal budgets, the partnerships developed in the area would be critical to identifying and competing for non-Service funding sources for fee or easement acquisition. Cost-share funds for management and restoration projects could be sought for from a variety of sources (such as the Service's Partners Program and NRCS). Non-Service funds for conservation easements could be applied for through programs such the NRCS Wetlands Reserve Program or Grassland Reserve Program, as well as a number of land trusts active in the area (including the New Mexico Land Conservancy and The Nature Conservancy).

Numerous opportunities exist within the proposed conservation area to coordinate land protection, restoration, and management efforts with the Inter-Tribal Buffalo Council, National Park Service, U.S. Forest Service, Bureau of Land Management, New Mexico State Land Office, the Natural Resources Conservation Service (through local conservation districts), the New Mexico Department of Game and Fish, and the New Mexico Environment Department.

Public Involvement, Issue identification, and External Coordination

Public input was solicited and background information regarding the project proposal was presented to the public in a number of different ways. In early 2011, the Service initiated outreach efforts by contacting stakeholders to discuss the proposal. Staff from the Las Vegas NWR and the Service's Southwest Regional Office attempted to contact tribal, federal, state, and

local agencies, public representatives, neighbors, and conservation groups to assess the feasibility of this effort. Several tours and events were held at the Wind River Ranch to discuss the proposed project and to solicit feedback from federal, state and local agencies, government representatives, neighbors, community members, and other interested parties.

An initial contact list was developed which included mostly agencies, non-governmental organizations, elected officials, as well as the landowners adjacent to the Wind River Ranch. This initial list of contacts included approximately 200 people. In July of 2011, press releases were circulated in the local communities (Las Vegas, Mora, and Watrous) to present the proposed project and announce public scoping meetings to be held to describe the proposed project and solicit feedback. A planning update was also made available on the Region's website (listed on the press release) and included an email account and mailing address to submit comments. Copies of the planning update document were emailed to the initial contact list, and printed copies were hand delivered to a number of locations for distribution in the local communities. The meetings were also announced on two local radio stations and by a notice in the Las Vegas Optic newspaper. The two public scoping meetings were held in the local area (in Mora on July 25th and in Las Vegas on July 26th, 2011). Comments were accepted during public scoping period from July 25 to September 19, 2011. Over 118 landowners, citizens, and elected officials (or their representatives) attended the two scoping meetings. Afterwards the Service received over 50 written, email, or phone call communications providing comments, requesting more information, identifying issues or concerns, or requesting to be added to a contact list to receive future updates. Throughout the planning process anyone expressing interest or concern has been added to the contact list (if contact information was provided).

The Draft Land Protection Plan (including the Conceptual Management Plan and Interim Compatibility Determinations), and Draft Environmental Assessment were made available for a public review and comment period (March 30-May 1, 2012). Two hearings were held during this period to offer the public the opportunity to provide input on the proposed actions and the draft documents. The public hearings and availability of draft documents for public review were announced through email and regular mail to the contact list developed for the project (at this time approximately 325 contacts), through the Las Vegas Optic newspaper, and through a public notice posted in a number of locations around in the local communities. The first meeting was held in Mora on April 12th, and the second in Las Vegas on April 13th, 2012. Over 84 landowners, citizens, and elected officials (or their representatives) attended the two hearings and eight individuals gave public comment. Afterwards the Service received an additional 8 written, email, or phone call comments. Comments received at the hearings and by other means through the comment period are addressed in Appendix 3.

Public Scoping Meetings:

Monday July 25, 2011 5:30-7:30 pm
Mora High School Lecture Hall
Mora, NM

Tuesday July 26, 2011 5:30-7:30 pm
NM Highlands University - Donnelly Library Lecture Hall
Las Vegas, NM

Public Hearings:

Thursday, April 12, 2012 6:00 p.m. — 8:00 p.m.

Mora High School Lecture Hall

Mora, New Mexico

Friday, April 13, 2012 2:00 p.m. — 4:00 p.m.

NM Highlands University - Lora Shields Science Building - Lecture Hall 1

Las Vegas, New Mexico

Social, Cultural and Economic Impacts

For several millennia the Mora River provided native peoples with a travel route from the mountains to the plains. In the 1830s, the river valley was occupied by Hispanic homesteads, largely from land grants through Mexico. The Wind River Ranch holds numerous archeological sites, dating back to the Clovis Culture. There are Archaic pit houses (around 5,000 years before present), cliff houses, and numerous tipi rings and hearths. Pueblo tribes, Jicarilla Apache, Utes, Cheyenne, Comanche, Kiowa, and Navajo used the area to various extents. The ranch was part of the Mora Land grant. The ruins of Loma Parada, a village that served Fort Union, are on the Wind River Ranch, as are parts of the old roads that branched off of the Santa Fe Trail. The fourth governor of New Mexico, Octavio Larrazolo, lived in the historic house (circa 1920) at the headquarters area of the Wind River Ranch. In an area of the state that is predominantly Hispanic, he holds the prestigious title of being one of only 6 Hispanic governors since statehood.

We do not predict adverse socioeconomic or cultural impacts as a result of the proposed action, as further detailed in the EA. There would be an overall positive effect on the socioeconomic environment as a result of the action outlined in the LPP. Were the Service to buy fee title and/or easement interests in more lands in the proposed conservation area up to the 300,000 acres as outlined in the LPP, we believe positive benefits for local communities would include: increased property values, increased watershed protection (improved water quality, higher water tables, and reduced erosion), maintenance of many traditional uses, increased opportunities for public use activities, increased environmental education opportunities, and increased revenues for local businesses from refuge visitors who participate in bird watching, hunting, fishing, or wildlife observation. Refuge lands demand very little in the way of services and infrastructure from local governments and often generate tax revenues from tourism.

Recreational use on national wildlife refuges generated almost \$1.7 billion in total economic activity during fiscal year 2006, according to the Service's Banking on Nature 2006: The Economic Benefits to Local Communities of National Wildlife Refuge Visitation report (Carver and Caudill 2007). According to the Banking on Nature study, nearly 35 million people visited national wildlife refuges in 2006, supporting almost 27,000 private sector jobs and producing about \$543 million in employment income. In addition, recreational spending on refuges generated nearly \$185.3 million in tax revenue at the local, county, state, and federal levels. An estimated 87 percent of refuge visitors travel from outside the local area.

The potential exists for a decline in property tax revenue to local governments (as lands come under Service ownership). However, as stated earlier in this document, this decline may or may not occur, since those lost tax revenues would be offset by the Federal Government through the Refuge Revenue Sharing Act. The actual refuge Revenue Sharing payment does vary from year to year because Congress may or may not appropriate sufficient funds to make full payment. Las Vegas NWR Refuge Revenue Sharing payments to San Miguel County for 2011 were \$12,519.

Refuge lands would increase protection for cultural resources in the area. Service ownership would protect unidentified or undeveloped cultural sites from disturbance or destruction. Project-related and research-driven investigations would help elucidate the area's history, cultural adaptations to changing ecological and climatic conditions, and paleoecology. Partnering with the Native American tribes would aid in identifying and protecting sites, cultural landscapes, and specific biota of importance to the tribe(s). Planned interpretation and environmental education programs would continue to promote public understanding and appreciation of the area's rich cultural resources. Taken together, we believe there to be a net positive effect in the area.

The easement aspect of the program is not expected to cause any adverse changes to the sociocultural climate in the proposed conservation area but, rather, will help sustain the current agricultural based economy and traditional rural lifestyles.

5. GLOSSARY OF TERMS AND ABBREVIATIONS USED

Alternatives: Different sets of objectives and strategies or means of achieving refuge purposes and goals, helping fulfill the Service and Refuge System missions and mandates, and resolving issues. A reasonable way to fix an identified problem or satisfy a stated need [40 CFR 1500.2 (cf. “management alternative”)].

Anadromous fish: fish species that ascend rivers from the sea for breeding, such as Chinook salmon.

Biological or Ecological Integrity: Biotic composition, structure and functioning at genetic, organism and community levels comparable with historic conditions, including the natural biological processes that shape genomes, organisms and communities.

Candidate species/Candidate for listing: Species for which there is sufficient information available about their biological vulnerability and threats to propose listing them as threatened or endangered.

Carbon sequestration: The removal and storage of carbon from the atmosphere in carbon sinks (such as oceans, forests or soils) through physical or biological processes, such as photosynthesis.

Compatible Use: A wildlife-dependent recreational use, or any other proposed or existing use on a refuge that will not materially interfere with or detract from the purposes of the refuge or the National Wildlife Refuge System mission.

Compatibility Determination: A document that assesses whether or not a use is compatible with the refuge purposes.

Comprehensive Conservation Plan: A document that describes the desired future conditions of a refuge or planning unit and provides long-range guidance and management direction to achieve the purposes of the refuge; helps fulfill the mission of the Refuge System; maintains and, where appropriate, restores the ecological integrity of each refuge and the Refuge System; helps achieve the goals of the National Wilderness Preservation System; and meets other mandates.

Conceptual Management Plan: An overview of how the land will be managed until a Comprehensive Conservation Plan (CCP) for the refuge is completed. It does not provide extensive detail related to management or show exactly where public use facilities would be located.

Conservation: Managing natural resources to prevent loss or waste, management actions may include preservation, restoration, and enhancement.

Conservation Area: The proposed Conservation Area designation for this project encompasses the Mora River Watershed (approximately 952,000) and delineates the boundary within which the Service would have authority to work with partners and willing landowners to acquire fee

interest or easements of up to the 300,000 acres. The designation of a Conservation Area would not convey authority to establish rules and regulations throughout that area.

Conservation easement: A non-possessory interest in real property owned by another imposing limitations or affirmative obligations with the purpose of returning or protecting the property's conservation values.

Cooperative agreement: A legal instrument reflecting a relationship between the Federal Government and a recipient when the principle purpose is to fund a project to support or stimulate activities that are not for the direct benefit or use of the Federal government but instead for a public purpose that the government participates substantially in.

Corridor: Areas in the landscape that contain and connect natural areas, open spaces and scenic or other resources. They often lie along streams, rivers or other natural features.

Cultural Resources: The collective evidence of the past activities and accomplishments of people such as the remains of sites, structures, or objects used by people in the past; typically greater than 50 years old.

Designated critical habitat: A specific geographic area(s) that is essential for the conservation of a threatened or endangered species and that may require special management and protection.

Endangered Species: A plant or animal species listed under the Endangered Species Act that is in danger of extinction throughout all or a significant portion of its range.

Enhance: increasing the level or values provided by the action.

Environmental Assessment: A systematic analysis to determine if proposed Federal actions would result in a "significant effect on the quality of the human environment" thereby requiring either the preparation of an environmental impact statement (EIS) or a determination of a "Finding of No Significant Impact."

Environmental education: Curriculum-based education aimed at producing a citizenry that is knowledgeable about the environment and its associated problems, aware of how to help solve those problems, and motivated to work toward solving them.

Federal land: Public land owned by the Federal Government, including national forests, national parks, and national wildlife refuges.

Fee-title interest: The acquisition of most or all of the rights to a tract of land; a total transfer of property rights with the formal conveyance of a title. While a fee-title acquisition involves most rights to a property, certain rights may be reserved or not purchased, including water rights, mineral rights, or use reservation (e.g., the ability to continue using the land for a specified time period, such as the remainder of the owner's life).

Finding of No Significant Impact (FONSI): Supported by an environmental assessment, a document that briefly presents why a Federal action will have no significant effect on the human environment, and for which an environmental impact statement, therefore, will not be prepared [40 CFR 1508.13].

Genetic drift: Random fluctuations in the frequency of the appearance of a gene in a small isolated population, presumably owing to chance rather than natural selection.

Groundwater: Water located beneath the ground surface in soil pore spaces and in the fractures of rock formations.

Heterogeneity: Composed of parts of different kinds; having widely dissimilar elements or constituents.

Interpretation: A process that aims to reveal meanings and relationships through the use of original objects by firsthand experience of illustrative media rather than simply to communicate factual information. It typically involves visitor observation of on-site presentations by expert guides about biological, ecological, or cultural topics pertinent to the site or the Refuge System in general.

Invasive Plant Species: A non-native plant to the ecosystem that lacks natural controls and tends to aggressively dominate the plant community, often forming extensive mono-cultures

Keystone species: A species whose presence and role within an ecosystem has a disproportionate effect on other organisms within the system.

Land Protection Plan (LPP): A document that identifies and prioritizes lands for potential Service acquisition from willing landowners, and describes other methods of providing protection.

Metapopulation: A group of spatially separated populations of the same species which interact at some level.

National Environmental Policy Act of 1969 (NEPA): Requires all Federal agencies to examine the environmental impacts of their actions, incorporate environmental information, and use public participation in planning and implementing environmental actions

National Wildlife Refuge: A designated area of land or water or an interest in land or water within the Refuge System, such as refuges, wildlife management areas, waterfowl production areas and other areas under Service jurisdiction for the protection and conservation of fish and wildlife and plant resources.

National Wildlife Refuge System: All lands, waters and interests therein administered by the U.S. Fish and Wildlife Service as wildlife refuges, wildlife ranges, wildlife management areas, waterfowl production areas and other areas for the protection and conservation of fish, wildlife and plant resources.

Native plant: A plant that has grown in the region since the last glaciation, and occurred here before European settlement.

Neo-tropical migratory bird: A bird that breeds in Canada and the United States during our summer and spends our winter in Mexico, Central America, South America or the Caribbean islands

Non-native species: A plant or animal species not native to the area and introduced intentionally or unintentionally.

Non-priority public use: Any use other than a compatible wildlife-dependent recreational use.

Partnership: A contract or agreement among two or more individuals, groups of individuals, organizations, or agencies, in which each agrees to furnish capital or some service in kind (e.g., labor) for a mutually beneficial enterprise.

Priority Public Use: Wildlife-dependent recreational uses involving hunting, fishing wildlife observation and photography, and environmental education and interpretation which receive priority consideration in refuge planning and management.

Public involvement: Offering an opportunity to interested individuals and organizations potentially affected by actions or policies to become informed and provide input. Public input is thoroughly studied and given thoughtful consideration in shaping decisions about managing refuges.

Purposes of the Refuge: “The purposes specified in or derived from the law, proclamation, executive order, agreement, public land order, donation document, or administrative memorandum establishing, authorizing, or expanding a refuge, refuge unit, or refuge subunit.” (601 FW 1)

Refuge Revenue Sharing: Compensation to local governments for foregone tax revenues from land acquired by the Service. The amount of the annual payment depends on the value of the land and the final Congressional budget appropriations for the Service for that year.

Restoration: recreating environmental conditions similar those when there was less human influence on the landscape.

Riparian: Of or relating to land lying immediately adjacent to a water body and having specific characteristics of that area, such as vegetation influenced by that water body.

Scoping: A process for identifying the “scope of issues” to be addressed in planning refuge activities.

Species of special concern: A species or population which warrants special protection, recognition, or consideration because it has an inherent significant vulnerability to habitat

modification, environmental alteration, human disturbance, or substantial human exploration which, in the foreseeable future, may result in its becoming threatened.

Surface water: Water collecting on the ground or in a stream, river, lake, wetland or ocean.

Trust species or resources: Species that the Service has specific legal mandates to protect and conserve. These included endangered and threatened species, migratory birds, anadromous fish and others.

Water table: The level at which the subsurface materials that are saturated with groundwater in a given vicinity.

Wetland: Areas such as lakes, marshes, ponds, swamps, or streams that are inundated by surface or groundwater long enough to support plants and animals that require saturated or seasonally saturated soils.

Wildfire: Unplanned ignition of a wildland fire (such as a fire caused by lightning, volcanoes, unauthorized and accidental human-caused fires) and escaped prescribed fires.

Wildlife-dependent Recreational Use: “A use of a refuge involving hunting, fishing, wildlife observation and photography, or environmental education and interpretation.” (605 FW 1). These are the six priority public uses of the Refuge System Administration Act, as amended. Wildlife-dependent recreational uses, other than the six priority public uses, are those that depend on the presence of wildlife.

Abbreviations Used

CCP:	Comprehensive Conservation Plan
DOI:	Department of the Interior
EA:	Environmental Assessment
EE:	Environmental Education
FTE:	Full-time employee
FWS:	U.S. Fish & Wildlife Service
ITBC:	InterTribal Buffalo Council
LCC:	Landscape Conservation Cooperative
LPP:	Land Protection Plan
NMDGF:	NM Department of Game and Fish
NWR:	National Wildlife Refuge
NRCS:	Natural Resources Conservation Service
Service:	U.S. Fish & Wildlife Service
System:	National Wildlife Refuge System
TNC:	The Nature Conservancy
USFWS:	U.S. Fish & Wildlife Service

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Document Preparation:

Documents were prepared by the Division of Planning, with input and review from the Refuges Realty and Visitor Services Programs and from the staff at the Las Vegas and Maxwell National Wildlife Refuges. Input was also provided by the Migratory Bird, Fisheries, and Ecological Services Programs, Southwest Region, U.S. Fish and Wildlife Service, Albuquerque, NM. Copies of this document or the Environmental Assessment can be downloaded from the Southwest Region website (<http://www.fws.gov/southwest/>), or requested by contacting the Division of Planning – National Wildlife Refuge System, 500 Gold Ave. SW, Albuquerque, NM 87102.

7. APPENDICES

Appendix 1 - Conceptual Management Plan and Interim Compatibility Determinations

CONCEPTUAL MANAGEMENT PLAN AND INTERIM COMPATIBILITY DETERMINATIONS FOR THE PROPOSED RIO MORA NWR, MORA COUNTY, NEW MEXICO

INTRODUCTION

This Conceptual Management Plan for the proposed Rio Mora National Wildlife Refuge in Mora County, New Mexico, is an overview of how the land would be managed until a Comprehensive Conservation Plan (CCP) could be completed. Over time, refuges develop more specific plans (referred to as step-down plans) to identify and analyze detailed actions being considered. The step-down plans usually involve an assessment under National Environmental Policy Act guidelines, which includes the opportunity for the public to review and provide input.

As a Conceptual Management Plan, this document does not provide extensive detail related to site-specific management, pinpoint exact locations of management activities, or show exactly where public use facilities would be located. However, this plan should answer those questions commonly posed by the public during the planning and public involvement process for consideration of establishing a new national wildlife refuge. All management and public use actions must be compatible with the purposes for which a refuge is established. The only specific land acquisition proposed in this Land Protection Plan is establishing the Rio Mora NWR (currently the Wind River Ranch); therefore, this plan only addresses management of that property, but within the context of the broader goals for the proposed Rio Mora Conservation Area. If other properties are acquired in fee title in the future, they would be managed under the guidelines in this plan until detailed site-specific plans could be completed.

Proposed Rio Mora NWR

The proposed addition to the National Wildlife Refuge System encompasses the 4,600-acre Wind River Ranch, approximately 5 miles west of the town of Watrous, in Mora County, New Mexico.

The mission of the National Wildlife Refuge System is:

“... to administer a national network of lands and waters for the conservation, management and, where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans” (National Wildlife Refuge System Improvement Act of 1997, Public Law 105-57).

The goals of the National Wildlife Refuge System are to:

- Conserve a diversity of fish, wildlife, and plants and their habitats, including species that are endangered or threatened with becoming endangered;
- Develop and maintain a network of habitats for migratory birds, anadromous and

interjurisdictional fish, and marine mammal populations that is strategically distributed and carefully managed to meet important life history needs of these species across their ranges;

- Conserve those ecosystems, plant communities, wetlands of national or international significance, and landscapes and seascapes that are unique, rare, declining, or underrepresented in existing protection efforts;
- Provide and enhance opportunities to participate in compatible wildlife-dependent recreation (hunting, fishing, wildlife observation and photography, and environmental education and interpretation); and
- Foster understanding and instill appreciation of the diversity and interconnectedness of fish, wildlife, and plants and their habitats.

Purposes of a National Wildlife Refuge

Refuge purpose statements are primary to the management of each refuge within the System. The purpose statement along with the Mission of the National Wildlife Refuge System are the bases upon which primary management activities are determined. These statements are the foundation from which “allowed” uses of refuges are determined through a defined “compatibility” process.

Refuge Purposes: The purposes for establishment of the proposed Rio Mora NWR and Conservation Area are:

“...for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude...for the development, advancement, management, conservation, and protection of fish and wildlife resources....” 16 U.S.C. 742f (Fish and Wildlife Act of 1956).

“...suitable for use...for any other management purpose, for migratory birds. 16 U.S.C. § 715d (Migratory Bird Conservation Act of 1929);

“to conserve (A) fish or wildlife which are listed as endangered species or threatened species” or (B) plants...” 16 U.S.C. § 1534 (Endangered Species Act of 1973);

“...for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ...” 16 U.S.C. § 460k-460k-4 (Refuge Recreation Act of 1962).

“... for conservation, management, and ... restoration of the fish, wildlife, and plant resources and their habitats ... for the benefit of present and future generations of Americans...”
“Recognition that wildlife-dependent recreational uses involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation... are legitimate and appropriate... and are the priority general public uses of the Refuge System.” 16 U.S.C. 668dd(a)(2) (National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997).

Refuge Goals:

The goals for the proposed Rio Mora NWR and Conservation Area are to:

- Conserve the ecological integrity of the Mora River watershed by maintaining and enhancing the productivity of the native ecosystems and wildlife populations.
- Conserve, restore, and protect riparian, wetland, and grassland habitats for migratory birds.
- Protect the integrity of native riparian and associated upland ecosystems by preventing habitat fragmentation and ecological degradation.
- Conserve working landscapes based on grazing operations that support important wildlife habitat and a viable livestock industry.
- Support the recovery and protection of threatened and endangered species, and reduce the likelihood of future listings under the Endangered Species Act.
- Provide a buffer against climate change by providing resiliency for the ecosystems and connectivity for species range shifts and seasonal movement.
- Through landscape-scale conservation work, preserve the ecological function of these habitats by providing for floodwater retention, ground water recharge, carbon sequestration, improved water quality, and reduced soil erosion and water loss.
- To provide environmental education opportunities for students, private landowners and the general public, and to foster stewardship by demonstrating methods for management, protection, and restoration of the wildlife and natural resources in the Mora River watershed.
- To promote the reconnection of Americans with nature by creating an area of national significance that provides land management demonstration, environmental education, and interpretation opportunities.

The vision and goals would be achieved through management, protection, restoration, research, and environmental education. Important components would include:

- To use the proposed refuge as a demonstration site for wildlife conservation and management, and landscape scale ecological restoration compatible with agricultural land uses.
- To engage in scientific programs focused on land management practices that make a meaningful contribution to the conservation of biodiversity, ecosystem-function, ecological restoration, and landscape connectivity in the southwestern U.S.
- To develop careers of young natural resource managers through undergraduate and graduate education, particularly with students from groups which are under-represented in the fields of the Natural Sciences.
- To develop and enhance environmental science curricula and develop a community conservation ethic by working with school children and teachers in northern New Mexico.
- To develop cooperation among landowners, agencies, NGOs, tribes and local governments so that strategies beneficial to conservation and private land management can be coordinated across a broader area and lessons shared.
- To connect children with nature by providing experiential learning, promoting exploration, and providing the opportunity to form a foundation for future learning and respect for nature.

Overview of Current Programs at the Wind River Ranch

The non-profit Wind River Ranch Foundation (Foundation) has managed the Wind River Ranch since 2005. Their mission is to conserve wild landscapes in northern New Mexico through ecological restoration, research, and education. Currently, the programs at the Wind River Ranch fall into four broad categories: 1) Restoration efforts; 2) Research activities; 3) Education and outreach with local communities; and 4) Bison management in cooperation with Native American tribes.

The Foundation has recently entered into a partnership with the Denver Zoological Foundation (Denver Zoo) to continue operations through 2015. The Denver Zoo's Department of Conservation Biology has a strategic plan to guide the department's operations. That plan established a system of focal areas to develop conservation and education programs, one of which is the Rocky Mountains-Great Plains of the U.S. In addition, the Denver Zoo has assisted the Wind River Ranch staff in designing and implementing environmental education programs in northern New Mexico. The Wind River Ranch would be a part of Denver Zoo's further development of that focal area. The Thaw Charitable Trust (Trust) would provide the Denver Zoo with guaranteed funding of \$330,000/year for 2012 and 2013, \$165,000 in 2014, \$82,500 in 2015. This transition period would maintain the successful programs that Wind River Ranch staff have developed, while allowing the Denver Zoo and the Service the opportunity to evaluate if, and how the partnership can be continued for the long-term.

The Denver Zoo Conservation Program has an active research program investigating the differences between bison and cattle grazing, on birds, reptiles, and other species. They plan to incorporate the Wind River Ranch site into the ongoing research program that includes other sites on the Great Plains. Nearby New Mexico Highlands University has utilized the ranch for research and is currently in discussions with the Denver Zoo on potential partnership on a large grant proposal.

The Wind River Ranch, in cooperation with the InterTribal Buffalo Council (ITBC), currently manages approximately 61 bison (*Bison bison*) on the ranch. The ITBC has provided funding for a full-time bison manager to help with the day-to-day management of the animals and ITBC has expressed interest in continuing the management of bison on the Wind River Ranch. The ranch owns 25 of the 61 animals with the remainder of the herd belonging to the Jicarilla Apache tribe. The 25 owned by the Wind River Ranch would become property of the Service if this project is approved, and would be managed under an agreement with the ITBC through the 2015 transition period. All bison managed on the ranch after the transition period with the Denver Zoo would be owned and managed by the USFWS, with the potential to provide the ITBC with surplus animals.

The missions of the Wind River Ranch Foundation and the Conservation Biology and Education Programs of the Denver Zoo are closely aligned with that of the Service and the National Wildlife Refuge System. The Conservation Biology and Education Programs of the Denver Zoo have successful programs and partnerships that are in many ways similar to those developed by National Wildlife Refuges across the country. In essence, the Wind River Ranch is being managed like a national wildlife refuge. For these reasons, the Service plans to continue to manage the Wind River Ranch in partnership with the Foundation and Denver Zoo through the

transition period funded by the Trust. This approach is practical for several reasons; 1) trying to recreate the existing knowledge base and partnerships would be inefficient and require considerable Service resources that are not currently available; 2) the momentum built over the years by staff at the Wind River Ranch might be lost; 3) investing in, and developing partnerships has been identified as an important focus for the Service if we want to achieve our mission (*Conserving the Future: Wildlife Refuges and the Next Generation* <http://americaswildlife.org/>).

REFUGE ADMINISTRATION AND FACILITIES MANAGEMENT

Oversight

The proposed Rio Mora National Wildlife Refuge would be administered and managed by the Service as part of the National Wildlife Refuge System, and subject to laws, regulations, and policies applicable to refuge lands.

The Northern New Mexico National Wildlife Refuge Complex Office (Las Vegas and Maxwell NWRs), located in Las Vegas, New Mexico, would provide oversight of refuge administration and management. The Complex Office also would provide technical assistance on matters such as engineering, public use planning, and land acquisition.

Staffing

During the transition out of funding from the Thaw Charitable Trust through 2015, the Service will be able to evaluate the long-term needs for staffing, and phase in staff resources appropriately. The extent of the staffing will depend upon the Denver Zoo's interest in continuing the operation of the ranch in the long-term, and the resources available to support operations. The Service's staffing plan will reflect the Denver Zoo's staffing at the time, in order to adequately address facilities maintenance, administration, land management, and public use activities. The first Service staff position would most likely be a Refuge Manager position with an emphasis on developing and managing partnerships. Regional funding priorities will dictate how soon a manager position could be established. In the interim resources will be provided by the Northern New Mexico National Wildlife Refuge Complex.

In order to actively manage the property as an addition to the National Wildlife Refuge System, and to meet and expand the current ecological restoration, research, and education programs, a minimum of five full time positions would be needed. Extensive partner involvement, including the Denver Zoo, InterTribal Buffalo Council, New Mexico Highlands University, a Friends of the Rio Mora NWR organization, and USFWS volunteers, could be developed to help staff, facilitate, and potentially manage programs.

Budget

The donation from the Thaw Charitable Trust of the land, facilities, and equipment at the Wind River Ranch, and the short-term funding commitment to maintain the existing staff will help continue important programs. This will allow the Service time to identify resources to operate and maintain the property.

Because it is a donation, estimated start-up costs for the new refuge are low. Estimated annual operations and maintenance costs of \$420,000 (\$336,000 salary + 84,000 operations) anticipated at full refuge development. Initial operations costs would include needs for signage, habitat restoration, maintenance, and facility upgrades to meet national safety and accessibility standards.

Estimated Operations and Maintenance Costs

Estimated Operations and Maintenance Costs - for Wind River Ranch donation only			
Estimated <u>One-Time</u> Operations Costs			
	FTEs	Costs	
Restoration ¹		\$600,000	
Land Management ²		\$500,000	
Public Use ³		\$800,000	
Subtotals:		\$1,900,000	
Estimated <u>Annual</u> Costs			
Operations	Land Management ²	2.5	\$197,000
	Public Use ³	1	\$60,000
Maintenance	Land Management ²	1	\$49,000
	Public Use ³	.5	\$30,000
Subtotals:	5	\$336,000	
Grand Totals	5	\$2,236,500	
Revenue Sharing		\$TBD	
¹ habitat, building site cleanup			
² habitat, equipment, roads, utilities, buildings, and other facilities			
³ equipment, roads, utilities, buildings, and other facilities			

Management would require funding for maintaining the existing infrastructure, operational supplies and materials, and personnel. Many of these costs will be recurring annual expenses, though infrastructure will only require maintenance after improvement. The Inter-Tribal Buffalo Council has provided funding for the salary of full time bison manager. If the decision is made to keep bison on the ranch in the future, the bison program could be managed solely by the Service or in partnership with ITBC.

Facilities

The donation of the Wind River Ranch to become the Rio Mora NWR would provide for a fully functional refuge unit including facilities, ranch infrastructure, ranch vehicles, farm equipment, furniture, a library, research and education materials, displays, and equipment. There are several homes, an office building/bunkhouse, a newly remodeled education building, corrals, and barns on the property. One of the houses on the Ranch was built in the early 1900s by the 4th governor of New Mexico. Building restoration or upgrading may be needed, or some small buildings might need to be constructed in the future for refuge administration purposes. We would not anticipate increasing the developed footprint of the headquarters above what it is currently. Maintaining the low-key character of human infrastructure would be in line with the vision for the refuge.

Upon acquisition of any property, the Service will evaluate the condition and any need for retaining any structures or buildings. Structures or buildings may be kept for Service use, sold

off for relocation to another site, sold for salvage, or destroyed. If a structure is on, or eligible to be on a state or national register of historic places, it cannot be destroyed and must be maintained or disposed of to an entity that will maintain it.

A four or five strand barbwire perimeter boundary fence (45 to 48 inches high) currently confines the bison to the property; however, they do roam freely within the ranch. To date, the perimeter fence has been effective in keeping the bison on the property. If ranch boundary fences need to be upgraded in the future to accommodate changes in herd dynamics, the Service would need to consider not only the cost, but also how fencing might affect the natural movement of other species of concern. There are corrals and other bison-handling infrastructure in place on the property. Conditions of Highway 161 which accesses the ranch would need to be assessed in the future. Use of that highway by commercial mining trucks has degraded the condition of the road between the ranch entrance and Interstate 25 to the east.

Law Enforcement

Enforcement of state and federal laws on a national wildlife refuge is important to safeguard the refuge's infrastructure, natural and cultural resources, and to protect and manage visitors. Service law enforcement staff would work closely with other law enforcement agencies and complement their efforts. An existing agreement to house personnel from the New Mexico Department of Game and Fish on the Wind River Ranch could be continued, as it proves beneficial in providing a law enforcement presence on the proposed refuge. The extent of future land acquisitions in the proposed conservation area would determine the need for Service law enforcement presence on the proposed Rio Mora NWR and the other Northern New Mexico NWRs.

Visitors must comply with existing laws, regulations, and policies concerning access and harassment of wildlife when participating in any activity on the refuge. The refuge exterior boundary would be posted to minimize potential visitor trespass on to adjacent properties. The refuge will limit and control access through enforcement of refuge regulations, signage, and education of the public as to the purpose of the Refuge and responsibilities of visitors. These actions also help ensure visitor safety and quality of experience.

HABITAT MANAGEMENT

The Service's Strategic Habitation Conservation model will guide management efforts. This model focuses on a process that includes 1) Biological Planning – setting priorities and populations objectives, 2) Conservation Design - what types of habitat, where, how much are needed to meet objectives, 3) Conservation Delivery - strategic actions designed to efficiently meet the objectives, and 4) Monitoring and Research – evaluating the actions to make sure the intended objectives are being met.

The focus of management and restoration activities will be guided by the goals and objectives in major conservation plans (e.g., recovery plans, North American Waterfowl Management Plan, Joint Venture Implementation Plans). The process involves “stepping down” the objectives of the appropriate plans as they apply to the area and focusing actions that most efficiently meet the objectives.

Habitat management on the proposed refuge would focus on restoring habitats for migratory birds, fishes, and other native non-game wildlife species and to restoring and maintaining the relatively intact ecosystems. Since 2007, the Wind River Ranch Foundation has restored a former wetland, reintroduced beaver, restored meanders and the floodplain on over one-half mile of the Mora River, and built 150 small one-rock dams (one rock high) structures in tributary arroyos and canyons to reduce the effects of erosion, capture sediment, and raise the water table. Workshops and ranch tours were conducted to demonstrate the positive results, both for wildlife and increased ecosystem productivity and resiliency. The Service envisions continuing these restoration and outreach efforts to encourage similar efforts at the watershed scale.

The Wind River Ranch, in cooperation with the ITBC, currently manages 61 bison on the ranch. The bison are currently utilized for several purposes; 1) as a native grazing species, 2) as a keystone ecological regulator (e.g. killing juniper and yucca that are invading the grasslands), and 3) providing a cultural resource and healthier alternative to beef for Native American tribes.

During the transition out of Thaw Charitable Trust support, the Service can analyze the feasibility of keeping a bison herd on the property. The conservation goal for bison within the Service, as part of the larger Department of the Interior (DOI) Bison Conservation Initiative (DOI 2008), is to manage the species nationally as a metapopulation, to conserve genetic diversity of the species, to minimize the risk of genetic drift, and maintain a healthy resource for conservation. Should the Service decide that keeping bison on the property is a goal long-term management will follow established Service guidelines for the Service metapopulation. Should the existing animals in the herd not meet the Service objectives for genetic conservation these bison could be removed and replaced with conservation bison from within the Service's metapopulation. The Service could also use the bison as a keystone native grazing species for grassland management, potentially affording opportunities for research on the ecological role of bison within the shortgrass prairie.

Ecological Restoration

Vegetative restoration objectives would be to re-establish riparian vegetation, limit the invasion of piñon and juniper trees into grasslands and reverse arroyo erosion to restore the water table and grassland health, and restore natural meanders to the Mora River. Riparian restoration would focus on developing and maintaining ecological processes responsible for providing suitable breeding habitat for a number of aquatic and riparian dependent species including the southwestern willow flycatcher. Restoration plans would also focus on restoring the hydrology on upland grassland and piñon-juniper habitats along tributaries that support riparian and wetland habitats. To reduce erosion and runoff, raise the water table, and restore more natural ecological functions and decrease piñon and juniper expansion into grasslands, manual clearing, prescribed burning, bison grazing, and other methods of management would be considered. Water rights acquired with the land could be used to support riparian and wetland restoration projects. If restored, parts of the existing hay meadows on the Wind River Ranch could support wetland and riparian vegetation. Populations of endangered southwestern willow flycatcher, other high priority migratory birds, aquatic species, and other non-game wildlife species would benefit.

Past restoration efforts on these watershed tributaries completed by staff and volunteers at the Wind River Ranch have promoted development of suitable southwest willow flycatcher habitat.

The ranch has served as a demonstration area for habitat conservation and restoration techniques for riparian, shortgrass prairie, and piñon-juniper habitats that are compatible with local land uses. The Wind River Ranch has conducted workshops for nearby private neighbors and university classes on erosion control, riparian and wetland health, grassland health, and bison management. One of the goals would be to maintain and expand these restoration efforts to other parts of the Mora River watershed as part of the Service's Land Management and Research Demonstration Site program. This could be done by providing technical assistance and demonstration to other landowners, and through outreach events such as workshops on habitat improvement or informing landowners of the many cost-share programs available for restoration.



Mora River on the Wind River Ranch – USFWS photo

Staff at the Wind River Ranch have been very successful at acquiring grant money to fund restoration and research projects on the property and neighboring properties. Having the Denver Zoo and New Mexico Highlands University as partners would also bring excellent grant funding opportunities to the project. We anticipate continuing to seek grant funds to support these activities throughout the Mora River watershed. Funding could be pursued from USFWS Partners for Fish and Wildlife Program, N.M. Department of Game and Fish's Landowners Incentive Program, Environmental Protection Agency, Denver Zoological Foundation, Rocky Mountain Elk Foundation, Wild Turkey Federation, Playa Lakes Joint Venture, and others.

Fish and Wildlife Population Monitoring

Monitoring would be conducted in cooperation with the New Mexico Department of Game and Fish to tie into its current databases. Educational institutions, other governmental agencies, and private groups will generally be allowed to conduct surveys or research on the refuge, as long as these activities are deemed compatible, provide insight for management activities, and do not

cause harm to resources. To date, Wind River Ranch staff have utilized partnerships extensively to conduct monitoring and research projects. New Mexico Highlands University, University of New Mexico, New Mexico State University, the Denver Zoological Foundation, the U.S. Geological Survey, and a number of other institutions have utilized the ranch for research and have an interest in continuing those efforts in the future.

Staff at the Wind River Ranch, and their partners, have already collected much of the baseline inventory data on the property. New Mexico Highlands University and the Denver Zoo have been in discussions to begin collaboration on research efforts at Wind River Ranch and will include projects from the ranch in a major National Sciences Foundation grant proposal soon to be submitted. If they are successful in receiving the grant funding, the research could be guided toward the high priority monitoring projects. The Service's Southwest Region Inventory and Monitoring, Fisheries, Migratory Birds, and Ecological Services programs were consulted during the development of the Land Protection Plan. Those programs have identified some of the high priority protection and related monitoring needs. The Inventory and Monitoring Program will be consulted to plan and design a detailed monitoring program that tracks progress toward the biological objectives (focused on priority species and important habitats).

Migratory birds that utilize riparian areas, shortgrass prairie, and piñon-juniper woodlands are the focal points of the conservation and restoration actions planned. Therefore monitoring and research that is focused on species response to habitat restoration and management would be a priority. Because migratory birds require suitable habitat throughout their life cycle and migration may be the most limiting time of year (Sillert and Holmes 2002), learning more about which habitats are important for migrants is critical to effective management and conservation. The Migratory Bird Program in the Service's Southwest Region has identified at least 18 species from the Birds of Conservation Concern list (U.S. Fish and Wildlife Service 2008) that utilize the area during migration, or for winter stopover habitat. Little is known about many of these species during their migration. Developing monitoring programs and gathering data, both during spring and fall migration, would be an important contribution to our understanding of the abundance, richness, stopover ecology, and limiting factors during migration.

The elevation transition between the Great Plains and the Sangre de Cristo Mountains, the juxtaposition of two ecoregions, and the riparian habitats all enrich the biodiversity of the area. The mid-elevation transition zones are very important for connectivity across a landscape, but are not well represented in conservation research. This makes the property a valuable setting for ecological studies and education.

PUBLIC USE OPPORTUNITIES AND MANAGEMENT

National Wildlife Refuge System Priority Recreational Uses

A primary objective for the Service is to utilize refuges “...to foster environmental awareness and outreach programs, and to develop an informed and involved citizenry that will support fish and wildlife conservation” (USFWS Refuge Manual 341 FW 1). The Service does this through environmental education and interpretation and through wildlife-oriented recreational experiences to the degree that these activities are compatible with the purposes for which a refuge is established.

The National Wildlife Refuge System Improvement Act of 1997 (Act) ensures that six priority wildlife-dependent recreational uses are strongly considered for integration into refuge programs provided they are determined compatible with the purposes for which the refuge was established and the mission of the National Wildlife Refuge System as defined earlier. These six priority wildlife-dependent uses are hunting, fishing, wildlife observation and photography, environmental education, and interpretation. The Act also insures that, on lands added to the Refuge System, existing compatible wildlife-dependent recreational uses will continue, pending completion of a comprehensive conservation plan (CCP) for the refuge. The Act ensures that the public is given an opportunity to participate in the process that determines whether an activity is compatible. Additionally, recommendations to discontinue uses found not to be compatible would most likely undergo analysis guided by the National Environmental Policy Act, where the public has the opportunity to review and provide input. If an existing use is legal, compatible and appropriate, safe, consistent with sound fish and wildlife management principles, and otherwise in the public interest, the Service assesses whether it has the funding and staffing to administer that program. If those resources are insufficient, the Act requires the Service to seek out partners to assist in implementing that program. Only after exhausting all possibilities for assistance from partners, can the Service prohibit an otherwise compatible and appropriate, safe and sound wildlife-dependent public recreational use. Therefore, the Service must determine the compatibility of recreational uses that are possible and considered to be part of a new refuge. In the case of a new refuge, Interim Compatibility Determinations are drafted and included here. These apply only to the proposed Rio Mora NWR. If other properties are acquired in fee title in the future, compatible uses would be evaluated at that time.

Public use opportunities on the proposed Rio Mora National Wildlife Refuge could include uses such as wildlife observation, photography, environmental education, interpretation, hunting, and fishing. Because the property does not provide a viable fishery or access to a quality sport-fishing experience, is not stocked, and existing native fishes are negatively impacted by introduction of non-native fishes, fishing will be prohibited.

The following public use regulations, common to many national wildlife refuges, will be adopted to achieve the management goals for the refuge:

- Public entry is prohibited, unless otherwise permitted in those areas shown on refuge signs and brochures. Closures may be required in order to protect sensitive resources.
- Use of the refuge for any activity is limited to daylight hours only, except by Special Use Permit. Night use of environmental education or interpretation buildings will be allowed. Camping or overnight parking is generally prohibited, but special events may be allowed by Special Use Permit.
- Discharging firearms is prohibited, except during authorized hunting activities.
- Collecting any plant, animal, or animal artifacts is prohibited unless otherwise specified.

- No person may search for, disturb, or remove from the Refuge any cultural artifact or other historical artifact.
- Fires are not permitted except for agricultural and habitat management practices, or by Special Use Permit.
- Dogs and other pets must be kept on a leash at all times.
- Fishing and trapping is prohibited.
- Individuals or organizations that bring clients to the refuge for the purpose of interpretation and charge a fee or tuition for their service are required to have a Special Use Permit issued by the refuge. This requirement ensures that private businesses are not unfairly making a profit from public lands and provides a mechanism for the refuge to regulate where and when commercial activities occur.

Visitor Access

The goal would be to offer a variety of high-quality opportunities for the public to observe nature, while minimizing potential conflict between humans and wildlife or between user groups. Safety of visitors will be a paramount consideration. Some areas may be closed to visitors at certain times of the year to protect restoration sites and sensitive wildlife and their habitats. Signs and maps would clearly indicate the open and closed areas of the Refuge. The needs of physically challenged persons will be considered during planning for any refuge activity or facility. Roads in the proposed refuge will be open for public use only for specific permitted access. Other designated parts of the refuge could be open for access by non-motorized means only, except for wheelchairs or other power-driven devices designed primarily for use by an individual with a mobility disability for the main purpose of indoor and/or outdoor locomotion. Public off-road use of all-wheel-drive vehicles and all-terrain vehicles (ATVs) will be prohibited on the refuge. Trails designed in the future will encourage lingering and observing, and be structured so that “outdoor classrooms” for student groups would not conflict with visitors seeking to explore on their own.

Visitor Services

The Wind River Ranch serves as an exceptional facility for natural resources interpretation, demonstrating land management practices, outreach for the public of all ages stressing environmental stewardship, connecting people with nature, and providing value back to the local community.

The Service’s vision for the environmental education component of the proposed refuge consists of two related but distinct programs. The first is to provide environmental education opportunities to students of all ages that are currently underserved by other facilities in northern New Mexico. The philosophy of the Service’s environmental education program is one of “place based education,” that is, students have repeated, in-depth experiences in the environment where they live – where they can become scientists and biologists and make a connection with their local environment. Secondly, environmental education at this site would take a multi-disciplinary approach, using the environment as a context for learning other subjects such as math, language

arts and art as well as science. This authentic approach to learning has demonstrated that using the environment as the context for other subjects is an effective tool for higher achievement in standardized testing. It is anticipated that the refuge environmental education program would focus on a smaller number of students, with repeat, in-depth visits, rather than the traditional model of “one-shot” visits, where large numbers of students visit once for a short period of time. The goal is high quality of education, not the number of student visits. Working through public-private partnerships and locally-supported conservation strategies, the Service will reconnect Americans, especially young adults, to America’s natural heritage.

Education and outreach form a core component of the activities currently occurring on the Wind River Ranch and within all of Denver Zoo’s focal areas. The Denver Zoo has a proven record in environmental education and the structure for their environmental education efforts has been successful for 15 years. Between 2007-2009 the Education Department staff at the Denver Zoo and Wind River Ranch staff assessed the needs of science teachers and superintendents from more than 20 schools in northern New Mexico. They subsequently designed a curriculum to meet those needs. The efforts for in-school and hands-on activities in the classroom incorporate national environmental education guidelines, state standards and benchmarks, and the interests of agencies who serve schools. This education program would be continued as part of the cooperative agreement between the Wind River Ranch Foundation and the Denver Zoological Foundation. Future programs will strive to meet Common Core State Standards as well as provide added value to existing school curriculums.

The Visitor Services Specialist/Manager for the Northern New Mexico National Wildlife Refuge Complex has historically, and will continue to provide support for environmental education programs at the Wind River Ranch and continues to build a strong working relationship in the mutual quest to “Connect People with Nature.” The Service strives to improve the engagement of young people and their families in outdoor recreation, by making the outdoors relevant, inviting, exciting, and by ensuring that Americans have access to outdoor places that are safe, clean, and close to home.

The Service’s environmental education vision and the programs put in place by the staff at Wind River Ranch and the Denver Zoological Foundation share much in common. The timing of the transition away from funding from the Thaw Charitable Trust will allow for the opportunity to evaluate if it is desirable, and how to develop a longer-term formal partnership to continue those efforts. There are a number of successful examples of this type of partnership on national wildlife refuges around the country (e.g. Prairie Wetlands Learning Center in Minnesota, Minnesota Valley NWR, Tualatin River NWR) that could be used as models.

Exhibits and interpretive materials could introduce the Rio Mora ecosystems and unique cultural history. Working with partners we could incorporate displays that invite visitors to explore not only the proposed Rio Mora NWR, but also other nearby facilities such as the Fort Union National Monument, Bureau of Land Management lands, U.S. Forest Service lands, Las Vegas and Maxwell NWRs, and Storrie Lake and Coyote Creek State Parks. The nearby Fort Union National Monument, managed by the National Park Service, may have an interest in developing complementary interpretive programs in conjunction with the Service, to inform the public about the ecology and the historical land uses in the area. There is a great interpretation potential

through the numerous cultural resources on the Wind River Ranch, including the Clovis Culture, Archaic pit houses, cliff houses, numerous tipi rings and hearths, ruins of the Loma Parda village, local ranching history, and spur trails off the Santa Fe Trail and from the Fort Union National Monument.

If the proposed refuge is established, a detailed Visitor Services Management Plan would be developed. This plan would be designed to complement existing visitor services programs at Las Vegas and Maxwell NWRs, as well as those at the Fort Union National Monument and nearby state parks.

DEVELOPMENT OF A COMPREHENSIVE CONSERVATION PLAN

Within 10 years of establishment, the Refuge will develop a Comprehensive Conservation Plan (CCP) in accordance with the requirements of the National Wildlife Refuge System Improvement Act of 1997. The CCP will review any interim plans that were developed, and establish a management proposal that will include the establishment of long-term (15 years) management goals, objectives, and strategies. These will include habitat management, recreational use management (i.e. wildlife observation, wildlife photography, interpretation, education, and hunting), water management, fire management, and a program for inventorying, and monitoring habitat and wildlife populations.

The following interim compatibility determinations describe the uses on the proposed Rio Mora NWR, whether resources are available to manage them, their anticipated impacts, and any stipulations thought necessary to manage the activities and resources.

INTERIM COMPATIBILITY DETERMINATION

Use: Wildlife Observation

Refuge Name: Rio Mora National Wildlife Refuge, Mora County, New Mexico

Establishing and Acquisition Authorities:

The acquisition authority for the proposed Rio Mora National Wildlife Refuge and Conservation Area is the Fish and Wildlife Act of 1956, as amended; the Migratory Bird Conservation Act of 1929; the Endangered Species Act of 1973 as amended; the Refuge Recreation Act of 1962; and the National Wildlife Refuge System Administration Act of 1966, as amended.

Refuge Purposes: The purposes for establishment of the proposed Rio Mora NWR and Conservation Area are:

“...for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude...for the development, advancement, management, conservation, and protection of fish and wildlife resources...” 16 U.S.C. 742f (Fish and Wildlife Act of 1956).

“...suitable for use...for any other management purpose, for migratory birds. 16 U.S.C. § 715d (Migratory Bird Conservation Act of 1929);

“to conserve (A) fish or wildlife which are listed as endangered species or threatened species” or (B) plants...” 16 U.S.C. § 1534 (Endangered Species Act of 1973);

“...for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ...” 16 U.S.C. § 460k-460k-4 (Refuge Recreation Act of 1962).

“... for conservation, management, and ... restoration of the fish, wildlife, and plant resources and their habitats ... for the benefit of present and future generations of Americans...”
“Recognition that wildlife-dependent recreational uses involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation... are legitimate and appropriate... and are the priority general public uses of the Refuge System.” 16 U.S.C. 668dd(a)(2) (National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997).

National Wildlife Refuge System Mission:

The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

The Wind River Ranch (proposed Rio Mora NWR) and the adjacent landscape offer a wide diversity of wildlife observation opportunities including bison, big game animals, and the wide diversity of plants and animals that occur at the ecotone of the Rocky Mountains and Great Plains.

(a) What is the use?

Wildlife observation encompasses the act of viewing, listening to, and watching animal behavior and habitats in as natural a setting as possible. This will involve individuals or groups hiking (or using power-driven mobility devices for those with mobility disabilities) within the refuge. Observation sites, boardwalks, trails, and parking areas will be planned to provide safe and convenient areas for visitors to use. Visitors must comply with existing laws, regulations, and policies concerning access and harassment of wildlife.

(b) Where is the use conducted?

Public entry is prohibited, unless otherwise permitted in those areas shown on refuge signs and brochures. Existing trails and roads would be used as the main points of access but some off trail use would be expected. Additional trails may be constructed in the future.

(c) When is the use conducted?

Refuge visitors may be allowed access for wildlife observation during daylight hours, year round, 7 days per week. Special nighttime activities would be allowed. Wildlife observation activities will be managed and conducted at appropriate times and locations to minimize disturbance to wildlife and other natural resources.

(d) How is the use conducted?

The refuge would develop a Visitor Services Management Plan in the future to facilitate and coordinate wildlife observation activities. This activity may be facilitated through other wildlife-dependent recreation activities (hunting, environmental education, interpretation, and photography) or secondary supportive uses, such as hiking. Visitors can benefit from wildlife observation by gaining an understanding of the interrelationships between humans and nature. Observation sites, trails, and parking areas will be planned for the future to provide safe and convenient areas for visitors to use. Visitors must comply with existing laws, regulations, and policies concerning access and harassment of wildlife when participating in any activity on the refuge.

Individuals or organizations that bring clients to the refuge for the purpose of wildlife observation, and charge a fee or tuition for their service are required to have a Special Use Permit issued by the refuge.

Why is this use being proposed?

The goal of the use is to offer a variety of high quality opportunities for the public to observe wildlife in their native habitats, while minimizing potential conflict between humans and wildlife, or between user groups. This use has the potential to create understanding, reveal relationships, examine systems, and explore how the natural world and human activities are intertwined. An objective of wildlife observation is to stimulate additional interest and positive

action in visitors, which can also prepare citizens for participation in environmental and social decision-making emphasizing natural resource conservation.

Availability of Resources:

The Thaw Charitable Trust will support existing staff at the Wind River Ranch through a funding transition period ending after 2015. During the transition away from funding from the Thaw Charitable Trust, the Service will be able to evaluate the long-term needs for staffing, and phase in staff resources appropriately. The extent of the staffing will depend upon the Denver Zoo's interest in continuing the operation of the ranch in the long-term, and the resources available to support operations. The Service's staffing plan will reflect the Denver Zoo's staffing at the time, in order to adequately address facilities maintenance, administration, land management, and public use activities. The first Service staff position would most likely be a Refuge Manager position with an emphasis on developing and managing partnerships. Regional funding priorities will dictate how soon a manager position could be established. In the interim resources will be provided by the Northern New Mexico National Wildlife Refuge Complex.

In order to actively manage the property as an addition to the National Wildlife Refuge System, and to meet and expand the current ecological restoration, research, and education programs, a minimum of five full time positions would be needed. Extensive partner involvement, including the Denver Zoo, InterTribal Buffalo Council, New Mexico Highlands University, a Friends of the Rio Mora NWR organization, and USFWS volunteers, could be developed to help staff, facilitate, and potentially manage programs.

Because it is a donation, estimated start-up costs for the new refuge are low. Estimated annual operations and maintenance costs of \$420,000 anticipated at full refuge development. Initial operations costs would include needs for signage, habitat restoration, maintenance, and facility upgrades to meet national safety and accessibility standards.

Anticipated Impacts of the Use:

Short and Long-term Impacts:

The use of roadways and trails to facilitate wildlife observation may result in some environmental impacts to the refuge, its habitat, and wildlife species. Potential impacts from visitors engaged in wildlife observation include damage to vegetation, littering, increased road/trail maintenance, trespass, and disturbance to wildlife. The Service may consider confining the use to designated roads and trails designed to accommodate the use in order to minimize resource impacts or conflict between user groups.

Alternatively, wildlife observation may result in long-term beneficial impacts to the human environment. This use may increase the viewers' understanding and appreciation of wildlife and their habitat needs as well as the role of the National Wildlife Refuge System in resource conservation. Wildlife observation will offer opportunities for the public to view wildlife in a variety of habitats occurring on the refuge while enhancing the overall Refuge System mission.

Cumulative Impacts:

There are no anticipated adverse cumulative impacts resulting from wildlife observation. Ultimately this activity, when combined with other public use opportunities on the refuge, will

result in beneficial cumulative impacts on the human environment. The wide variety of public use opportunities available on the refuge will increase public awareness about conservation issues and the National Wildlife Refuge System. This will benefit the Service's overall mission and the refuge purposes.

Public Review and Comment:

The Service distributed this interim Compatibility Determination for a 30-day public review as part of the Land Protection Plan and Environmental Assessment. The public was encouraged to provide comments on the proposed use as comments would be considered in the decision-making process.

Determination (check one below):

- Use is Not Compatible
- Use is Compatible with Following Stipulations

Stipulations Necessary to Ensure Compatibility:

The refuge will implement the following stipulations to ensure that wildlife observation remains a compatible use:

1. Public entry is prohibited, unless otherwise permitted in those areas shown on refuge signs and brochures. Closures may be required in order to protect sensitive resources.
2. Use of the refuge for any activity is limited to daylight hours only, except by Special Use Permit. Night use of environmental education or interpretation buildings will be allowed. Camping or overnight parking is generally prohibited, but special events may be allowed by Special Use Permit.
3. Discharging firearms is prohibited, except during authorized hunting activities.
4. Collecting any plant, animal, or animal artifacts is prohibited unless otherwise specified.
5. Dogs and other pets must be kept on a leash at all times.
6. Fishing and trapping is prohibited.
7. The refuge will limit and control refuge access through enforcement of refuge regulations, signage, and education of the public as to the purpose of the refuge and responsibilities of visitors. These actions also help ensure visitor safety and quality of experience.
8. Individuals or organizations that bring clients to the refuge for the purpose of wildlife observation and charge a fee or tuition for their service are required to have a Special Use Permit issued by the refuge. This requirement ensures that private businesses are not unfairly making a profit from public lands and provides a mechanism for the refuge to regulate where and when commercial activities occur.

Justification:

As defined by the National Wildlife Refuge System Improvement Act of 1997, wildlife-dependent recreational uses may be authorized on a refuge when they are compatible and not inconsistent with public safety. Wildlife observation is included as one of these six wildlife-dependent activities, which are to receive enhanced and priority consideration in refuge planning and management. Regulated wildlife observation as described above and consistent with the management direction will provide the visitor with a chance to experience wildlife first-hand and develop knowledge about species' behaviors, adaptations, and habitat requirements while also developing an understanding of the refuge's role in wildlife and habitat conservation through the

National Wildlife Refuge System. This activity will not conflict with any of the other priority public uses or adversely impact biological resources. Therefore, through the compatibility determination process, the Service has determined that wildlife observation, in accordance with the stipulations provided above, will not materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purposes of the refuge. Instead, this use directly supports the purposes for which the refuge was established by providing an opportunity for visitors to experience nature so they can better understand and support conservation of all wildlife and their habitats.

Signature:

Project Leader

6/5/2012
(Signature and Date)

Concurrence:

Regional Chief

6/12/2012
(Signature and Date)

Mandatory 15-year Re-Evaluation Date: _____

INTERIM COMPATIBILITY DETERMINATION

Use: Photography

Refuge Name: Rio Mora National Wildlife Refuge, Mora County, New Mexico

Establishing and Acquisition Authorities:

The acquisition authority for the proposed Rio Mora National Wildlife Refuge and Conservation Area is the Fish and Wildlife Act of 1956, as amended; the Migratory Bird Conservation Act of 1929; the Endangered Species Act of 1973 as amended; the Refuge Recreation Act of 1962; and the National Wildlife Refuge System Administration Act of 1966, as amended.

Refuge Purposes: The purposes for establishment of the proposed Rio Mora NWR and Conservation Area are:

"...for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude...for the development, advancement, management, conservation, and protection of fish and wildlife resources...." 16 U.S.C. 742f (Fish and Wildlife Act of 1956).

"...suitable for use...for any other management purpose, for migratory birds. 16 U.S.C. § 715d (Migratory Bird Conservation Act of 1929);

"to conserve (A) fish or wildlife which are listed as endangered species or threatened species" or (B) plants..." 16 U.S.C. § 1534 (Endangered Species Act of 1973);

"...for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ..." 16 U.S.C. § 460k-460k-4 (Refuge Recreation Act of 1962).

"... for conservation, management, and ... restoration of the fish, wildlife, and plant resources and their habitats ... for the benefit of present and future generations of Americans..."
"Recognition that wildlife-dependent recreational uses involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation... are legitimate and appropriate... and are the priority general public uses of the Refuge System." 16 U.S.C. 668dd(a)(2) (National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997).

National Wildlife Refuge System Mission:

The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

The area offers spectacular vistas of open prairie, snow covered peaks, and lush riparian habitats as a back drop to the opportunities to photograph wildlife. The landscape offers a wide diversity of photography opportunities including bison, big game animals, and the wide diversity of plants and animals that occur at the ecotone of the Rocky Mountains and Great Plains.

(a) What is the use?

High-quality photography could be an important wildlife-dependent recreational use on the refuge. This is a popular public use on many refuges and can include a variety of formats (i.e., still, video, or movie).

(b) Where is the use conducted?

Public entry is prohibited, unless otherwise permitted in those areas shown on refuge signs and brochures. Existing trails and roads would be used as the main points of access but some off trail use would be expected. Additional trails may be constructed in the future. Vehicle access is restricted to refuge and county roads.

(c) When is the use conducted?

Refuge visitors may be allowed access for photography during daylight hours, year round, 7 days per week. Special nighttime activities would be allowed. Photography activities will be managed and conducted at appropriate times and locations to minimize disturbance to wildlife and other natural resources.

(d) How is the use conducted?

The refuge would develop a Visitor Services Management Plan in the future to facilitate and coordinate wildlife photography activities. This activity may be facilitated through other wildlife-dependent recreation activities (environmental education, interpretation, and wildlife observation) or secondary supportive uses such as hiking. Visitors could benefit by gaining an understanding of the interrelationships between humans and nature. Observation sites, boardwalks, trails, and parking areas will be planned for the future to provide safe and convenient areas for visitors to use. Visitors must comply with existing laws, regulations, and policies concerning access and harassment of wildlife when participating in any activity on the refuge.

Individuals or organizations that bring clients to the refuge for the purpose of photography and charge a fee or tuition for their service would be required to have a Special Use Permit issued by the refuge.

(e) Why is this use being proposed?

The goal of the activity will be to offer a variety of high quality opportunities to photograph wildlife in their native habitats and nature in general while minimizing potential conflict between user groups and between humans and wildlife. The use can help connect people to the land, foster an appreciation of the resources, and facilitate outdoor, nature-based recreation. This use has the potential to create understanding, reveal relationships, examine systems, and explore how the natural world and human activities are intertwined. An objective of the use is to stimulate additional interest and positive action in visitors, which can also prepare citizens to participate in

environmental and social decision-making emphasizing natural and cultural resource conservation.

Availability of Resources:

The Thaw Charitable Trust will support existing staff at the Wind River Ranch through a funding transition period ending after 2015. During the transition away from funding from the Thaw Charitable Trust, the Service will be able to evaluate the long-term needs for staffing, and phase in staff resources appropriately. The extent of the staffing will depend upon the Denver Zoo's interest in continuing the operation of the ranch in the long-term, and the resources available to support operations. The Service's staffing plan will reflect the Denver Zoo's staffing at the time, in order to adequately address facilities maintenance, administration, land management, and public use activities. The first Service staff position would most likely be a Refuge Manager position with an emphasis on developing and managing partnerships. Regional funding priorities will dictate how soon a manager position could be established. In the interim resources will be provided by the Northern New Mexico National Wildlife Refuge Complex.

In order to actively manage the property as an addition to the National Wildlife Refuge System, and to meet and expand the current ecological restoration, research, and education programs, a minimum of five full time positions would be needed. Extensive partner involvement, including the Denver Zoo, InterTribal Buffalo Council, New Mexico Highlands University, a Friends of the Rio Mora NWR organization, and USFWS volunteers, could be developed to help staff, facilitate, and potentially manage programs.

Because it is a donation, estimated start-up costs for the new refuge are low. Estimated annual operations and maintenance costs of \$420,000 anticipated at full refuge development. Initial operations costs would include needs for signage, habitat restoration, maintenance, and facility upgrades to meet national safety and accessibility standards.

Anticipated Impacts of the Use:

Short and Long-term Impacts:

The use of roadways and trails to facilitate photography may result in some environmental impacts to the refuge, its habitat, and wildlife species. Potential impacts from visitors engaged in photography include damage to vegetation, littering, increased road/trail maintenance, trespass, and disturbance to wildlife. The refuge may consider confining the use to designated roads and trails designed to accommodate the use to minimize resource impacts or conflict between user groups. Therefore, negative impacts to natural resources would be considered minor.

Alternatively, photography may result in long-term beneficial impacts to the human environment. This use may increase the viewers' understanding and appreciation of wildlife and their habitat needs while allowing visitors to capture images that preserve their refuge experience for years to come. In this sense, photography supports interpretation, education and heightened understanding of the refuge's role in wildlife conservation.

Cumulative Impacts:

There are no anticipated adverse cumulative impacts resulting from photography. Ultimately, this activity will add to public use opportunities on the refuge, which together will result in

beneficial cumulative impacts on the human environment. The wide variety of public use opportunities available on the refuge will increase public awareness about conservation issues and the National Wildlife Refuge System. This will benefit the Service's overall mission and the refuge purpose.

Public Review and Comment:

The Service distributed this interim Compatibility Determination for a 30-day public review as part of the Land Protection Plan and Environmental Assessment. The public was encouraged to provide comments on the proposed use, as comments would be considered in the decision-making process.

Determination (check one below):

- Use is Not Compatible
 Use is Compatible with Following Stipulations

Stipulations Necessary to Ensure Compatibility:

The refuge will implement the following stipulations to ensure that photography remains a compatible use:

1. Seasonal closures relative to sensitive wildlife populations or vegetation restoration may also apply. Closures may be required in order to protect sensitive resources.
2. Use of the refuge for any activity is limited to daylight hours only, except by Special Use Permit. Night use of environmental or interpretation buildings will be allowed. Camping or overnight parking is generally prohibited, but special events may be allowed by Special Use Permit.
3. Discharging firearms is prohibited, except during authorized hunting activities.
4. Collecting any plant, animal, or animal artifacts is prohibited unless otherwise specified.
5. Dogs and other pets must be kept on a leash at all times.
6. Fishing and trapping is prohibited.
7. The refuge will limit and control refuge access through enforcement of refuge regulations, signage, and education of the public as to the purpose of the refuge and responsibilities of visitors. These actions also help ensure visitor safety and quality of experience.
8. Commercial photographers, individuals or organizations that bring clients to the refuge for the purpose of photography and charge a fee or tuition for their service are required to have a Special Use Permit issued by the refuge. This requirement ensures that private businesses are not unfairly making a profit from public lands and provides a mechanism for the refuge to regulate where and when commercial activities occur.

Justification:

As defined by the National Wildlife Refuge System Improvement Act of 1997, wildlife-dependent recreational uses may be authorized on a refuge when they are compatible and not inconsistent with public safety. Photography is included as one of these six wildlife-dependent activities, which are to receive enhanced and priority consideration in refuge planning and management. Regulated photography as described above and consistent with the management direction will provide the visitor with a chance to experience wildlife first-hand and develop knowledge about species' behaviors, adaptations, and habitat requirements while also developing an understanding of the refuge's role in wildlife and habitat conservation through the National

Wildlife Refuge System. This activity will not conflict with any of the other priority public uses or adversely impact biological resources. Therefore, through the compatibility determination process, the Service has determined that photography, in accordance with the stipulations provided above, will not materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purposes of the refuge. Instead, this use directly supports the purposes for which the refuge was established by providing an opportunity for visitors to experience nature so they can better understand and support conservation of all wildlife and their habitats.

Signature: Project Leader 6/5/2012
(Signature and Date)

Concurrence: Regional Chief 6/12/2012
(Signature and Date)

Mandatory 15-year Re-Evaluation Date: _____

INTERIM COMPATIBILITY DETERMINATION

Use: Environmental Education (EE)

Refuge Name: Rio Mora National Wildlife Refuge, Mora County, New Mexico

Establishing and Acquisition Authorities:

The acquisition authority for the proposed Rio Mora National Wildlife Refuge and Conservation Area is the Fish and Wildlife Act of 1956, as amended; the Migratory Bird Conservation Act of 1929; the Endangered Species Act of 1973 as amended; the Refuge Recreation Act of 1962; and the National Wildlife Refuge System Administration Act of 1966, as amended.

Refuge Purposes: The purposes for establishment of the proposed Rio Mora NWR and Conservation Area are:

"...for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude...for the development, advancement, management, conservation, and protection of fish and wildlife resources...." 16 U.S.C. 742f (Fish and Wildlife Act of 1956).

"...suitable for use...for any other management purpose, for migratory birds. 16 U.S.C. § 715d (Migratory Bird Conservation Act of 1929);

"to conserve (A) fish or wildlife which are listed as endangered species or threatened species" or (B) plants..." 16 U.S.C. § 1534 (Endangered Species Act of 1973);

"...for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ..." 16 U.S.C. § 460k-460k-4 (Refuge Recreation Act of 1962).

"... for conservation, management, and ... restoration of the fish, wildlife, and plant resources and their habitats ... for the benefit of present and future generations of Americans..."
"Recognition that wildlife-dependent recreational uses involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation... are legitimate and appropriate... and are the priority general public uses of the Refuge System." 16 U.S.C. 668dd(a)(2) (National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997).

National Wildlife Refuge System Mission:

The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources, and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

The Wind River Ranch (proposed Rio Mora NWR) and adjacent landscape offers a unique opportunity for the engagement of young people and their families in outdoor recreation. Environmental education programs will connect children with nature by providing experiential learning, promoting exploration, and providing the opportunity to form a foundation for future learning and respect for nature.

(a) What is the use?

The Service's vision is to provide environmental education opportunities to students of all ages that are currently underserved by other facilities in northern New Mexico. The philosophy of the Service's environmental education program is one of "place based education," that is, students have repeated, in-depth experiences in the environment where they live – where they can become scientists and biologists and make a connection with their local environment.

Environmental education at this site would take a multi-disciplinary approach, using the environment as a context for learning other subjects such as math, language arts and art as well as science. This authentic approach to learning has demonstrated that using the environment as the context for other subjects is an effective tool for higher achievement in standardized testing. It is anticipated that the refuge environmental education program would focus on a smaller number of students, with repeat, in-depth visits, rather than the traditional model of "one-shot" visits, where large numbers of students visit once for a short period of time. The goal is high quality of education, not the number of student visits. Working through public-private partnerships and locally-supported conservation strategies, the Service will reconnect Americans, especially young adults, to America's natural heritage. The Service and/or its partners plan to utilize the environmental education facility on site to provide extensive programs and interpretive opportunities. The use would involve classroom instruction as well as time for field observations and activities related to the resources being protected or restored.

(b) Where is the use conducted?

Most programs will begin at the education center and then move outdoors to various parts of the refuge. The related outdoor uses may occur throughout the refuge, focused along existing access roads, trails, or parking areas developed in the future but some may occur off trail. Observation sites, boardwalks, trails, and parking areas will be planned for the future to provide safe and convenient areas for visitors to use. Visitors must comply with existing laws, regulations, and policies concerning access and harassment of wildlife when participating in any activity on the refuge.

(c) When is the use conducted?

Refuge visitors would be allowed access for environmental education activities during daylight hours, year round, 7 days per week. Special nighttime activities and indoor activities at developed facilities would be allowed. Activities outside of the classroom will be designed and conducted at appropriate times and locations to minimize disturbance to wildlife and other natural resources.

(d) How is the use conducted?

The Visitor Services Specialist/Manager for the Northern New Mexico National Wildlife Refuge Complex has historically, and will continue to provide support for environmental education programs at the Wind River Ranch and continues to build a strong working relationship in the mutual quest to “Connect People with Nature.” The refuge would develop a Visitor Services Management Plan to facilitate and coordinate EE programs. This plan would be designed to complement existing visitor services programs at Las Vegas and Maxwell NWRs, as well as those at the Fort Union National Monument and nearby state parks. Environmental education may be facilitated through other wildlife-dependent recreation activities (interpretation, wildlife observation, photography, and hunting) or secondary supportive uses such as hiking.

The Service’s environmental education vision and the programs put in place by the staff at Wind River Ranch and the Denver Zoological Foundation share much in common. Education and outreach form a core component of the activities currently occurring on the Wind River Ranch and within all of Denver Zoo’s focal areas. The Denver Zoo’s Department of Conservation Biology has a strategic plan to guide the department’s operations. That plan established a system of focal areas to develop conservation and education programs, one of which is the Rocky Mountains-Great Plains of the U.S. In addition, the Denver Zoo has assisted the Wind River Ranch staff in designing and implementing environmental education programs in northern New Mexico. The proposed Rio Mora NWR would be a part of Denver Zoo’s further development of that focal area.

The Denver Zoo has a proven record in environmental education and the structure for their environmental education efforts has been successful for 15 years. Between 2007-2009 the Education Department staff at the Denver Zoo and Wind River Ranch staff assessed the needs of science teachers and superintendents from more than 20 schools in northern New Mexico. They subsequently designed a curriculum to meet those needs. The efforts for in-school and hands-on activities in the classroom incorporate national environmental education guidelines, state standards and benchmarks, and the interests of agencies who serve schools. This education program would be continued as part of the cooperative agreement between the Wind River Ranch Foundation and the Denver Zoological Foundation. Future programs will strive to meet Common Core State Standards as well as provide added value to existing school curriculums. Programs should emphasize the mission of the Service, wildlife appreciation and conservation, restoration, sustainable land use, and developing a conservation ethic in future generations.

Individuals or organization that bring clients to the refuge for the purpose of environmental education, and charge a fee or tuition for their service are required to have a Special Use Permit issued by the refuge.

(e) Why is this use being proposed?

The goal is to provide environmental education opportunities for students, private landowners and the general public, and to foster stewardship by demonstrating methods for management, protection, and restoration of the wildlife and natural resources in the Mora River watershed. Through a learning process that employs nature as teacher, students gain an appreciation of natural systems, an awareness of environmental issues, and learn the importance of a healthy environment to humans as well as wildlife. An environmental education program at the proposed Rio Mora NWR has the potential to foster environmental awareness and to develop an informed and involved citizenry that will support fish and wildlife conservation by making the outdoors relevant, inviting, and exciting. An objective of the program is to engage students in scientific programs that make a meaningful contribution to the conservation of biodiversity, ecosystem-function, ecological restoration, and landscape connectivity in the southwestern U.S. and will develop careers of young natural resource managers through undergraduate and graduate education, particularly with students from groups which are under-represented in the fields of the Natural Sciences.

Availability of Resources:

The Thaw Charitable Trust will support existing staff at the Wind River Ranch through a funding transition period ending after 2015. During the transition away from funding from the Thaw Charitable Trust, the Service will be able to evaluate the long-term needs for staffing, and phase in staff resources appropriately. The extent of the staffing will depend upon the Denver Zoo's interest in continuing the operation of the ranch in the long-term, and the resources available to support operations. The Service's staffing plan will reflect the Denver Zoo's staffing at the time, in order to adequately address facilities maintenance, administration, land management, and public use activities. The first Service staff position would most likely be a Refuge Manager position with an emphasis on developing and managing partnerships. Regional funding priorities will dictate how soon a manager position could be established. In the interim resources will be provided by the Northern New Mexico National Wildlife Refuge Complex.

In order to actively manage the property as an addition to the National Wildlife Refuge System, and to meet and expand the current ecological restoration, research, and education programs, a minimum of five full time positions would be needed. Extensive partner involvement, including the Denver Zoo, InterTribal Buffalo Council, New Mexico Highlands University, a Friends of the Rio Mora NWR organization, and USFWS volunteers, could be developed to help staff, facilitate, and potentially manage programs.

Because it is a donation, estimated start-up costs for the new refuge are low. Estimated annual operations and maintenance costs of \$420,000 anticipated at full refuge development. Initial operations costs would include needs for signage, habitat restoration, maintenance, and facility upgrades to meet national safety and accessibility standards.

Anticipated Impacts of the Use:

Short and Long-term Impacts:

The overall impacts to refuge resources resulting from the EE program will be minimal. The newly remodeled educational building is already on site and therefore will not increase the developed footprint of the refuge. There may be some minimal disturbance to wildlife resulting

from large groups of students visiting the refuge, but the level of disturbance is unlikely to interfere with production or population maintenance. Travel along trails may cause trampling, erosion, and plant damage, thus resulting in habitat degradation. These impacts are likely to be minimal and short-term, occurring only in close proximity to the educational building and on trails designed for this use. Offering these activities does not conflict with the primary objectives of the refuge.

Implementation of the EE program will ultimately continue to provide a benefit to local residents by developing a higher level of environmental knowledge and awareness among students. In addition, the program will provide long-term benefits for the refuge itself by promoting environmental stewardship. This use will increase visitor's understanding and appreciation of wildlife and their habitats needs as well as the role of the National Wildlife Refuge System in resource conservation.

Cumulative Impacts:

There are no anticipated adverse cumulative impacts resulting from environmental education. Ultimately, this activity will add to public use opportunities on the refuge, which together will result in beneficial cumulative impacts on the human environment. The wide variety of public use opportunities anticipated on the refuge will increase public awareness about conservation issues and the National Wildlife Refuge System. This will contribute to the Service's overall mission and the refuge purposes.

Public Review and Comment:

The Service distributed this interim Compatibility Determination for a 30-day public review as part of the Land Protection Plan and Environmental Assessment. The public was encouraged to provide comments on the proposed use as comments would be considered in the decision-making process.

Determination (check one below):

- Use is Not Compatible
 Use is Compatible with Following Stipulations

Stipulations Necessary to Ensure Compatibility:

The refuge will implement the following stipulations to ensure that EE remains a compatible use:

1. Seasonal closures relative to sensitive wildlife populations or vegetation restoration may also apply. Closures may be required in order to protect sensitive resources.
2. Use of the refuge for any activity is limited to daylight hours only, except by Special Use Permit. Night use of environmental or interpretation buildings will be allowed. Camping or overnight parking is generally prohibited, but special events may be allowed by Special Use Permit.
3. Discharging firearms is prohibited, except during authorized hunting activities.
4. Collecting any plant, animal, or animal artifacts is prohibited unless otherwise specified.
5. Dogs and other pets must be kept on a leash at all times.
6. Fishing and trapping is prohibited.
7. The refuge will limit and control refuge access through enforcement of refuge regulations, signage, and education of the public as to the purpose of the refuge and responsibilities of

visitors. These actions also help ensure visitor safety and quality of experience.

8. Individuals or organizations that bring clients to the refuge for the purpose of environmental education and charge a fee or tuition for their service are required to have a Special Use Permit issued by the refuge. This requirement ensures that private businesses are not unfairly making a profit from public lands and provides a mechanism for the refuge to regulate where and when commercial activities occur.

Justification:

As defined by the National Wildlife Refuge System Improvement Act of 1997, wildlife-dependent recreational uses may be authorized on a refuge when they are compatible and not inconsistent with public safety. Environmental education is included as one of these six wildlife-dependent activities, which are to receive enhanced and priority consideration in refuge planning and management and will increase the public's awareness, understanding, and appreciation of fish and wildlife resources. This activity will not conflict with any of the other priority public uses or adversely impact biological resources. Therefore, through the compatibility determination process, the Service has determined that environmental education, in accordance with the stipulations provided above, will not materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purposes of the refuge. Instead, this use directly supports the purposes for which the refuge was established by educating visitors so they can better understand and support conservation of all wildlife and their habitats.

Signature:

Project Leader

6/5/2012
(Signature and Date)

Concurrence:

Regional Chief

4/12/2012
(Signature and Date)

Mandatory 15-year Re-Evaluation Date: _____

INTERIM COMPATIBILITY DETERMINATION

Use: Interpretation

Refuge Name: Rio Mora National Wildlife Refuge, Mora County, New Mexico

Establishing and Acquisition Authorities:

The acquisition authority for the proposed Rio Mora National Wildlife Refuge and Conservation Area is the Fish and Wildlife Act of 1956, as amended; the Migratory Bird Conservation Act of 1929; the Endangered Species Act of 1973 as amended; the Refuge Recreation Act of 1962; and the National Wildlife Refuge System Administration Act of 1966, as amended.

Refuge Purposes: The purposes for establishment of the proposed Rio Mora NWR and Conservation Area are:

“...for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude...for the development, advancement, management, conservation, and protection of fish and wildlife resources....” 16 U.S.C. 742f (Fish and Wildlife Act of 1956).

“...suitable for use...for any other management purpose, for migratory birds. 16 U.S.C. § 715d (Migratory Bird Conservation Act of 1929);

“to conserve (A) fish or wildlife which are listed as endangered species or threatened species” or (B) plants...” 16 U.S.C. § 1534 (Endangered Species Act of 1973);

“...for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ...” 16 U.S.C. § 460k-460k-4 (Refuge Recreation Act of 1962).

“... for conservation, management, and ... restoration of the fish, wildlife, and plant resources and their habitats ... for the benefit of present and future generations of Americans...”
“Recognition that wildlife-dependent recreational uses involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation... are legitimate and appropriate... and are the priority general public uses of the Refuge System.” 16 U.S.C. 668dd(a)(2) (National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997).

National Wildlife Refuge System Mission:

The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

The Wind River Ranch (proposed Rio Mora NWR) serves as an exceptional facility for natural resources interpretation, demonstrating land management practices, outreach for the public of all ages stressing environmental stewardship, connecting people with nature, and providing value back to the local community.

(a) What is the use?

Interpretation is a process that aims to reveal meanings and relationships through the use of original objects by firsthand experience or illustrative media rather than simply to communicate factual information. This use typically involves persons or groups of varying ages observing on-site presentations by expert guides about biological, ecological, or cultural topics pertinent to the site or the Refuge System in general.

(b) Where is the use conducted?

Most interpretive programs will begin at the environmental building on site and then move outdoors to various parts of the refuge. Outdoor interpretive activities may occur throughout the refuge. These will be focused along existing access roads, trails, or parking areas developed in the future but some may occur off trail. There is a great interpretation potential through the numerous cultural resources on the Wind River Ranch, including the Clovis Culture, Archaic pit houses, cliff houses, numerous tipi rings and hearths, ruins of the Loma Parada village, local ranching history, spur trails off the Santa Fe Trail and from the Fort Union National Monument, and the historic house (circa 1920) at the headquarters of the Wind River Ranch, which was built by the fourth governor of New Mexico.

(c) When is the use conducted?

Refuge visitors may be allowed access for interpretive activities during daylight hours, year round, 7 days per week. Special nighttime activities indoor activities at developed facilities would be allowed. Outdoor interpretive activities will be designed and conducted at appropriate times and locations to minimize disturbance to wildlife and other natural resources.

(d) How is the use conducted?

The Visitor Services Specialist/Manager for the Northern New Mexico National Wildlife Refuge Complex has historically, and will continue to provide support for interpretation programs at the Wind River Ranch and continues to build a strong working relationship in the mutual quest to “Connect People with Nature.” The refuge would develop a Visitor Services Management Plan to facilitate and coordinate EE programs. This plan would be designed to complement existing visitor services programs at Las Vegas and Maxwell NWRs, as well as those at the Fort Union National Monument and nearby state parks.

Interpretation occurs through signage, informational kiosks, brochures, exhibits, demonstrations, oral presentations, audiovisual media, and conversations with staff. Interpretation is both educational and recreational in nature. Exhibits and interpretive materials could introduce the Rio Mora ecosystems and unique cultural history. Working with partners we could incorporate displays that invite visitors to explore not only the proposed Rio Mora NWR, but also other nearby facilities such as the Fort Union National Monument, Bureau of Land Management lands, U.S. Forest Service lands, Las Vegas and Maxwell NWRs, and Storrie Lake and Coyote Creek

State Parks. The nearby Fort Union National Monument, managed by the National Park Service, may have an interest in developing complementary interpretive programs in conjunction with the Service, to inform the public about the ecology and the historical land uses in the area.

Interpretation may be facilitated through other wildlife-dependent recreation activities (interpretation, wildlife observation, photography, and hunting) or secondary supportive uses such as hiking. Observation sites, boardwalks, trails, and parking areas will be planned for the future to provide safe and convenient areas for visitors to use. Visitors must comply with existing laws, regulations, and policies concerning access and harassment of wildlife when participating in any activity on the refuge.

The Services interpretation vision and the programs put in place by the staff at Wind River Ranch and the Denver Zoological Foundation share much in common. Outreach forms a core component of the activities currently occurring on the Wind River Ranch and within all of Denver Zoo's focal areas. The Denver Zoo's Department of Conservation Biology has a strategic plan to guide the department's operations. That plan established a system of focal areas to develop conservation and education programs, one of which is the Rocky Mountains-Great Plains of the U.S. In addition, the Denver Zoo has assisted the Wind River Ranch staff in designing and implementing environmental education programs in northern New Mexico. The proposed Rio Mora NWR would be a part of Denver Zoo's further development of that focal area. Programs should emphasize the mission of the Service, wildlife appreciation and conservation, restoration, sustainable land use, and developing a conservation ethic in future generations.

Individuals or organization that bring clients to the refuge for the purpose of interpretation, and charge a fee or tuition for their service are required to have a Special Use Permit issued by the refuge.

(e) Why is this use being proposed?

The primary goals of an Interpretation Program are to help connect people to the land, to foster an appreciation of natural resources and the historical/cultural context of the site, and to facilitate outdoor, nature-based recreation. This use has the potential to create understanding, reveal relationships, examine systems, and explore how the natural world and human activities are intertwined. An objective of interpretation is to stimulate additional interest and positive action in visitors, which can also prepare citizens to participate in environmental and social decision-making emphasizing natural and cultural resource conservation. The Wind River Ranch would serve as a demonstration site for wildlife conservation and management and landscape scale ecological restoration compatible with sustainable land uses thus complementing the proposed refuge's goal of providing interpretation opportunities for students, private landowners and the general public, and to foster stewardship by demonstrating methods for management, protection, and restoration of the wildlife and natural resources in the Mora River watershed

Availability of Resources:

The Thaw Charitable Trust will support existing staff at the Wind River Ranch through a funding transition period ending after 2015. During the transition away from funding from the Thaw Charitable Trust, the Service will be able to evaluate the long-term needs for staffing, and phase

in staff resources appropriately. The extent of the staffing will depend upon the Denver Zoo's interest in continuing the operation of the ranch in the long-term, and the resources available to support operations. The Service's staffing plan will reflect the Denver Zoo's staffing at the time, in order to adequately address facilities maintenance, administration, land management, and public use activities. The first Service staff position would most likely be a Refuge Manager position with an emphasis on developing and managing partnerships. Regional funding priorities will dictate how soon a manager position could be established. In the interim resources will be provided by the Northern New Mexico National Wildlife Refuge Complex.

In order to actively manage the property as an addition to the National Wildlife Refuge System, and to meet and expand the current ecological restoration, research, and education programs, a minimum of five full time positions would be needed. Extensive partner involvement, including the Denver Zoo, InterTribal Buffalo Council, New Mexico Highlands University, a Friends of the Rio Mora NWR organization, and USFWS volunteers, could be developed to help staff, facilitate, and potentially manage programs.

Because it is a donation, estimated start-up costs for the new refuge are low. Estimated annual operations and maintenance costs of \$420,000 anticipated at full refuge development. Initial operations costs would include needs for signage, habitat restoration, maintenance, and facility upgrades to meet national safety and accessibility standards.

Anticipated Impacts of the Use:

Short and Long-term Impacts:

The use of roadways and trails to facilitate interpretation may result in some environmental impacts to the refuge, its habitat, and wildlife species. Potential impacts from visitors engaged in interpretation may include damage to vegetation, littering, increased road/trail maintenance, trespass, and disturbance to wildlife. The Service may consider confining the use to designated roads and trails designed to accommodate the use to minimize resource impacts or conflict between user groups.

Active interpretive contacts with the public would generally be facilitated by refuge staff, volunteers trained by refuge staff, or Denver Zoo partners. This would give the refuge some level of influence over the participants' behavior and help avoid negatively impacting resources. In addition, the refuge would maintain control over the timing and location of this activity through the requirements for Special Use Permits when commercial interpretive events occur and when group sizes are large. All of these impacts are expected to be negligible to minor, site-specific, and short-term.

Interpretation may also result in long-term beneficial impacts to the visitor experience and the mission of the National Wildlife Refuge System. The educational facilities, publications, audio-visual media, and public workshops will increase public awareness of the refuge and local and national conservation issues. This use may increase visitors' understanding and appreciation of wildlife and their habitat needs as well as the role of the National Wildlife Refuge System in resource conservation. The additional interpretive facilities will offer increased opportunities for the public to observe, understand, and appreciate nature while gaining an understanding of the overall Refuge System mission.

Cumulative Impacts:

There are no anticipated adverse cumulative impacts resulting from interpretation. Ultimately, this activity will add to public use opportunities on the refuge, which together will result in beneficial cumulative impacts on the human environment. The wide variety of public use opportunities anticipated on the refuge will increase public awareness about conservation issues and the National Wildlife Refuge System. This will contribute to the Service's overall mission and the refuge purposes.

Public Review and Comment:

The Service distributed this interim Compatibility Determination for a 30-day public review as part of the Land Protection Plan and Environmental Assessment. The public was encouraged to provide comments on the proposed use as comments would be considered in the decision-making process.

Determination (check one below):

- Use is Not Compatible
 Use is Compatible with Following Stipulations

Stipulations Necessary to Ensure Compatibility:

The refuge will implement the following stipulations to ensure that interpretation remains a compatible use:

1. Seasonal closures relative to sensitive wildlife populations or vegetation restoration may also apply. Closures may be required in order to protect sensitive resources.
2. Use of the refuge for any activity is limited to daylight hours only, except by Special Use Permit. Night use of environmental or interpretation buildings will be allowed. Camping or overnight parking is generally prohibited, but special events may be allowed by Special Use Permit.
3. Discharging firearms is prohibited, except during authorized hunting activities.
4. Collecting any plant, animal, or animal artifacts is prohibited unless otherwise specified.
5. Dogs and other pets must be kept on a leash at all times.
6. Fishing and trapping is prohibited.
7. The refuge will limit and control refuge access through enforcement of refuge regulations, signage, and education of the public as to the purpose of the refuge and responsibilities of visitors. These actions also help ensure visitor safety and quality of experience.
8. Individuals or organizations that bring clients to the refuge for the purpose of interpretation and charge a fee or tuition for their service are required to have a Special Use Permit issued by the refuge. This requirement ensures that private businesses are not unfairly making a profit from public lands and provides a mechanism for the refuge to regulate where and when commercial activities occur.

Justification:

As defined by the National Wildlife Refuge System Improvement Act of 1997, wildlife-dependent recreational uses may be authorized on a refuge when they are compatible and not inconsistent with public safety. Interpretation is included as one of the six wildlife-dependent activities, which are to receive enhanced and priority consideration in refuge planning and

management. Regulated interpretation as described above will provide the visitor with a chance to experience the refuge in a high-quality, safe, wholesome, and enjoyable recreational environment. This will ultimately further the visitors' understanding of the refuge's role in wildlife and habitat conservation through the National Wildlife Refuge System. This activity will not conflict with any of the other priority public uses or adversely impact biological resources. Therefore, through the compatibility determination process, the Service has determined that interpretation, in accordance with the stipulations provided above, will not materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purposes of the refuge. Instead, this use directly supports the purposes for which the refuge was established by educating visitors so they can better understand and support conservation of all wildlife and their habitats.

Signature: Project Leader 6/5/2012
(Signature and Date)

Concurrence: Regional Chief 6/12/2012
(Signature and Date)

Mandatory 15-year Re-Evaluation Date: _____

INTERIM COMPATIBILITY DETERMINATION

Use: Hunting

Refuge Name: Rio Mora National Wildlife Refuge, Mora County, New Mexico

Establishing and Acquisition Authorities:

The acquisition authority for the proposed Rio Mora National Wildlife Refuge and Conservation Area is the Fish and Wildlife Act of 1956, as amended; the Migratory Bird Conservation Act of 1929; the Endangered Species Act of 1973 as amended; the Refuge Recreation Act of 1962; and the National Wildlife Refuge System Administration Act of 1966, as amended.

Refuge Purposes: The purposes for establishment of the proposed Rio Mora NWR and Conservation Area are:

"...for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude...for the development, advancement, management, conservation, and protection of fish and wildlife resources...." 16 U.S.C. 742f (Fish and Wildlife Act of 1956).

"...suitable for use...for any other management purpose, for migratory birds. 16 U.S.C. § 715d (Migratory Bird Conservation Act of 1929);

"to conserve (A) fish or wildlife which are listed as endangered species or threatened species" or (B) plants..." 16 U.S.C. § 1534 (Endangered Species Act of 1973);

"...for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ..." 16 U.S.C. § 460k-460k-4 (Refuge Recreation Act of 1962).

"... for conservation, management, and ... restoration of the fish, wildlife, and plant resources and their habitats ... for the benefit of present and future generations of Americans..."
"Recognition that wildlife-dependent recreational uses involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation... are legitimate and appropriate... and are the priority general public uses of the Refuge System." 16 U.S.C. 668dd(a)(2) (National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997).

National Wildlife Refuge System Mission:

The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Description of Use:

Managed hunting programs are in place on the Wind River Ranch (proposed Rio Mora NWR) and could be continued. Further investigation, in cooperation with the NMDGF, is necessary to determine if populations and habitats on the proposed refuge could support hunting, while accomplishing the purpose of the refuge and maintaining public safety. Abundance, populations trends and habitat information would need to be gathered before any decision regarding hunting could be made.

(a) What is the use?

Wind River Ranch currently has a big game hunting program in place and the area offers a unique opportunity for quality, recreational hunting. This public use could be continued by permit at designated areas and times, with public safety being the primary consideration. State and federal licensing requirements, types of firearms, shells, etc., apply. Hunters may need to pay a user's fee.

(b) Where is the use conducted?

Public entry is prohibited, unless otherwise permitted in those areas shown on refuge signs and brochures. Existing trails and roads would be used as the main points of access but some off trail use would be expected. Pertinent state laws in the NMDGF hunting proclamation that would be considered prior to implementation would include:

IT IS ILLEGAL TO:

1. Shoot at, wound, take, attempt to take, or kill any protected species or artificial wildlife on, from or across any graded and maintained public road, or to shoot at game from within the fenced right-of-way of any paved road or highway or from within 40 feet of the pavement or maintained surface if no right-of-way fence exists.
2. Discharge a firearm within 150 yards of an inhabited dwelling or other building, except abandoned or vacated buildings, without permission of its owner or lessee.
3. Take or attempt to take game mammals or game birds over ground baited with any material (i.e., agricultural fields).

(c) When is the use conducted?

Hunting activities will be managed and conducted at appropriate times and locations to minimize disturbance to wildlife, other natural resources, to protect public safety and minimize potential conflict between user groups. This may include determination of the number of hunters and hunting days and hours or modification of such to maintain a quality recreational hunt for refuge visitors.

(d) How is the use conducted?

The Service would regulate hunting with day or weekly use permits, mandatory check-in/check-out, or periodic visits by cooperating outside enforcement entities. This would give the Service some level of influence over the participants' behavior and help avoid negatively impacting resources. In addition, the Service would maintain control over the timing and location of this activity.

(e) Why is this use being proposed?

The goal is to offer a variety of high quality opportunities for the public to participate in, while minimizing potential conflict between humans and wildlife, or between user groups. The area provides for a quality opportunity for the consumptive use of a renewable resource without the adverse impact on wildlife populations, habitat, or other refuge objectives. Limited public hunting would foster understanding and instill appreciation of the diversity and interconnectedness of fish, wildlife, and plants and their habitats. Hunting would assist the Service goal of conserving the ecological integrity of the Mora River watershed by maintaining and enhancing the productivity of the native ecosystem and wildlife populations.

Availability of Resources:

The Thaw Charitable Trust will support existing staff at the Wind River Ranch through a funding transition period ending after 2015. During the transition away from funding from the Thaw Charitable Trust, the Service will be able to evaluate the long-term needs for staffing, and phase in staff resources appropriately. The extent of the staffing will depend upon the Denver Zoo's interest in continuing the operation of the ranch in the long-term, and the resources available to support operations. The Service's staffing plan will reflect the Denver Zoo's staffing at the time, in order to adequately address facilities maintenance, administration, land management, and public use activities. The first Service staff position would most likely be a Refuge Manager position with an emphasis on developing and managing partnerships. Regional funding priorities will dictate how soon a manager position could be established. In the interim resources will be provided by the Northern New Mexico National Wildlife Refuge Complex.

In order to actively manage the property as an addition to the National Wildlife Refuge System, and to meet and expand the current ecological restoration, research, and education programs, a minimum of five full time positions would be needed. Extensive partner involvement, including the Denver Zoo, InterTribal Buffalo Council, New Mexico Highlands University, a Friends of the Rio Mora NWR organization, and USFWS volunteers, could be developed to help staff, facilitate, and potentially manage programs.

Because it is a donation, estimated start-up costs for the new refuge are low. Estimated annual operations and maintenance costs of \$420,000 anticipated at full refuge development. Initial operations costs would include needs for signage, habitat restoration, maintenance, and facility upgrades to meet national safety and accessibility standards.

Costs could be offset through the collection of fees. Additional law enforcement support (from internal and external cooperators) would be necessary to ensure compliance with State and Federal regulations and public safety.

Anticipated Impacts of the Use:

Short and Long-term Impacts:

Potential impacts associated with hunting include mortality, short-term changes in game species distribution and abundance, and disturbance (to target and non-target species). Public safety is also a concern given the size of the ranch and in-holdings within its boundaries. If big game

hunting is managed well, potential impacts on non-target species and their habitat are expected to be insignificant.

The use of roadways and trails to facilitate hunting may result in some environmental impacts to the refuge, its habitat, and wildlife species. Potential impacts from visitors engaged in hunting may include damage to vegetation, littering, increased road/trail maintenance, trespass on adjacent private lands, and disturbance to wildlife. The Service may consider confining the use to designated areas designed to accommodate the use to minimize resource impacts or conflict between user groups.

The Service would regulate hunting with day or weekly use permits, mandatory check-in/check-out, or periodic visits by cooperating outside enforcement entities. This would give the Service some level of influence over the participants' behavior and help avoid negatively impacting resources. In addition, the Service would maintain control over the timing and location of this activity.

Hunting may also result in long-term beneficial impacts to the visitor experience and the mission of the National Wildlife Refuge System. This use may increase visitors' understanding and appreciation of wildlife and their habitat needs as well as the role of the National Wildlife Refuge System in resource conservation. The additional wildlife dependent recreational use of hunting will offer increased opportunities for the public to observe, understand, and appreciate nature while gaining an understanding of the overall Refuge System mission.

Cumulative Impacts:

There are no anticipated adverse cumulative impacts resulting from limited public hunting. Managed well, hunting's potential impacts on non-target species and their habitat are expected to be insignificant. Ultimately, quality recreational hunting will add to public use opportunities on the refuge, which together will result in beneficial cumulative impacts on the human environment. The wide variety of public use opportunities anticipated on the refuge will increase public awareness about conservation issues and the National Wildlife Refuge System. This will contribute to the Service's overall mission and the refuge purposes.

Public Review and Comment:

The Service distributed this interim Compatibility Determination for a 30-day public review as part of the Land Protection Plan and Environmental Assessment. The public was encouraged to provide comments on the proposed use as comments would be considered in the decision-making process.

Determination (check one below):

- Use is Not Compatible
- Use is Compatible with Following Stipulations

Stipulations Necessary to Ensure Compatibility:

The refuge will implement the following stipulations to ensure that hunting remains a compatible use:

1. Seasonal closures relative to sensitive wildlife populations or vegetation restoration may also

- apply. Closures may be required in order to protect sensitive resources.
2. Use of the refuge for any activity is limited to daylight hours only, except by Special Use Permit.
 3. Discharging firearms is prohibited, except during authorized hunting activities.
 4. Collecting any plant, animal, or animal artifacts is prohibited unless otherwise specified.
 5. Dogs and other pets must be kept on a leash at all times.
 6. Fishing and trapping is prohibited.
 7. The refuge will limit and control refuge access through enforcement of refuge regulations, signage, and education of the public as to the purpose of the refuge and responsibilities of visitors. These actions also help ensure visitor safety and quality of experience.
 8. Individuals or organizations that bring clients to the refuge for the purpose of hunting and charge a fee for their service are required to have a Special Use Permit issued by the refuge. This requirement ensures that private businesses are not unfairly making a profit from public lands and provides a mechanism for the refuge to regulate where and when commercial activities occur.
 9. Hunting will be regulated with day or weekly use permits, mandatory check-in/check-out, or periodic visits by cooperating outside enforcement entities (USFWS special agents, NMDGF game wardens, county sheriff deputies, etc.).
 10. Hunting will be allowed in designated, specific areas and times only.
 11. The Service will gather and review (annually) population data in coordination with the NMDGF to ensure that potential harvest from hunting would not unacceptably impact target populations.
 12. Any hunt program would need to be carried out in accordance with State regulations and Service policy (FWS Manual Chapter 605 FW 2, Hunting), with public safety being the primary consideration.

Justification:

As defined by the National Wildlife Refuge System Improvement Act of 1997, wildlife-dependent recreational uses may be authorized on a refuge when they are compatible and not inconsistent with public safety. Hunting is included as one of the six wildlife-dependent activities, which are to receive enhanced and priority consideration in refuge planning and management. Regulated hunting as described above will provide the visitor with a chance to experience the refuge in a high-quality, safe, wholesome, and enjoyable recreational environment. This will ultimately further the visitors' understanding of the refuge's role in wildlife and habitat conservation through the National Wildlife Refuge System. This activity will not conflict with any of the other priority public uses or adversely impact biological resources. Therefore, through the compatibility determination process, the Service has determined that hunting, in accordance with the stipulations provided above, will not materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purposes of the refuge. Instead, this use directly supports the purposes for which the refuge was established by providing an opportunity for visitors to better understand and support conservation of all wildlife and their habitats.

Signature:

Project Leader

6/15/2012
(Signature and Date)

Concurrence:

Regional Chief

6/12/2012
(Signature and Date)

Mandatory 15-year Re-Evaluation Date: _____

INTRA-SERVICE SECTION 7 BIOLOGICAL EVALUATION

OZENNM00-
Consultation 2012 - I-0034

Originating Person: Steve Kettler – Land Protection Planner

Telephone number: 505-248-7403

Project Name: Proposed new refuge establishment - Rio Mora National Wildlife Refuge (Mora County, NM) and Conservation Area (Colfax, Mora, San Miguel counties, NM)

Date: March 29, 2012

Action Area: Wind River Ranch and Rio Mora Conservation Area (the Mora River Watershed)

I. Region: Southwest, Region 2

II. Service Activity (Program): National Wildlife Refuge System

III. Pertinent Species and Habitat:

A. Listed species and/or their critical habitat within the action area:

Southwestern willow flycatcher (*Empidonax traillii extimus*) (flycatcher)

Mexican spotted owl (*Strix occidentalis lucida*)

B. Proposed species and/or proposed critical habitat within the action area: none known

C. Candidate species within the action area:

Gunnison's prairie dog (*Cynomys gunnisoni*)

Rio Grande Cutthroat trout (*Oncorhynchus clarki virginalis*)

New Mexico meadow jumping mouse (*Zapus hudsonius luteus*)

IV. Geographic area or station name and action:

The proposed project includes the 4,600-acre Wind River Ranch in Mora County, New Mexico, which is proposed for acquisition as a National Wildlife Refuge, and the Mora River watershed (proposed conservation area). The proposed Rio Mora Conservation Area is the Mora River watershed which is approximately 952,000 acres, or 1,500 square miles in size and encompasses land in northeast New Mexico in Colfax, Mora, and San Miguel counties. The Mora River is a major tributary to the Canadian River. With the headwaters in the Sangre de Cristo Mountains near 12,000 feet in elevation, the river flows approximately 100 miles to the east where it enters the Canadian River at an elevation of approximately 4,600 feet.

V. Location: Wind River Ranch and Mora River Watershed

A. County and state: Colfax, Mora, and San Miguel Counties, New Mexico

B. Latitude-longitude: 35.840662 degrees N – 105.0523337 degrees W

C. Distance (miles) and direction to nearest town:

The Wind River Ranch is approximately 5 miles west of Watrous, NM¹.

D. Species/habitat occurrence:

Rio Mora NWR (Wind River Ranch)

The Wind River Ranch property proposed for acquisition encompasses approximately 4,600 acres of land in south-central Mora County approximately 5 miles west of the town of Watrous,

¹ See attached map of project area.

New Mexico. The property occurs at the transition zone between the Great Plains and the Southern Rocky Mountain at elevations of 6,500-6,900 feet. The Mora River flows through the center of the property in a 250-300 foot deep canyon. The Wind River Foundation currently manages the property and has done a number of restoration projects on the Mora River and its tributaries. As a result of restoration activities over the last several years, riparian vegetation structure is recovering from impacts from past management. There are scattered large cottonwood trees along the river and cottonwood poles have been planted. Coyote willow has regenerated to form dense stands in places along the river and on several small tributaries.

Two years ago flycatchers were observed on the Wind River Ranch, but breeding by the species was not confirmed. New Mexico Ecological Services staff has confirmed that suitable breeding habitat is present. More extensive surveys at the Wind River Ranch for the flycatcher are planned for the 2012 breeding season. Critical habitat for the species occurs at higher elevations in the Mora River watershed on Coyote Creek (approximately 25 stream miles above and 19 linear miles from the Wind River Ranch).

The Wind River Ranch established a colony of 300 Gunnison's prairie dogs on the ranch in 2006 and 2007. The Mora County Commission overturned a law against importing prairie dogs into Mora County so that this colony could be established. The colony is still active and occupies a site on grasslands above the Mora River floodplain.

Rio Mora Conservation Area

The watershed which forms the Conservation Area boundary is approximately 952,000 acres, or 1,500 square miles in size and encompasses land in Colfax, Mora, and San Miguel counties. Elevations range from nearly 13,000 feet in the Sangre de Cristo Mountains, to near 4,600 feet at the confluence of the Mora and Canadian Rivers. The watershed contains montane ecosystems (forests, riparian areas, and grasslands), foothill ecosystems (piñon-juniper woodlands, grasslands, and riparian areas) and Great Plains ecosystems (piñon-juniper savanna, grasslands, and riparian areas).

Critical habitat for the flycatcher occurs at higher elevations in the Mora River watershed on Coyote Creek, where nesting has been documented. Beyond that, the next nearest documented breeding locations are near Taos and Cimarron, NM approximately 25 and 15 miles respectively outside of the Mora River watershed. Comprehensive surveys for the species have not been completed in the Mora River watershed. Critical habitat for the Mexican spotted owl occurs in the higher elevation portions of the Mora River watershed, on both public and private land. The Rio Grande cutthroat trout occurs in headwater streams in the watershed, mainly on public land managed by the U.S. Forest Service. The New Mexico meadow jumping mouse uses moist, streamside, dense riparian/wetland vegetation up to an elevation of about 8,000 feet, especially microhabitats of patches or stringers of tall dense sedges on moist soil along the edge of permanent water. These types of habitat are not uncommon in the Mora River watershed. The species is thought to occur in the three counties included in the proposed action. The New Mexico meadow jumping mouse is known to occur in Coyote Creek State Park in the upper part of the Mora River watershed. Beyond that, the next nearest documented population is at Sugarite Canyon State Park, over 50 miles to the north.

V. Description of proposed action:

The Southwest Region of the Fish and Wildlife Service proposes to establish a multiple scale conservation project in Mora, San Miguel, and Colfax counties in northeast New Mexico (Figure 1: project proposal map). The first part of the project would be to accept the donation from the Thaw Charitable Trust of the Wind River Ranch to establish the Rio Mora National Wildlife Refuge System. The second part is to establish the Rio Mora Conservation Area to facilitate land acquisition (fee title or easement) and cooperative management for a number of priority species and ecosystems in the larger landscape. This will contribute to maintaining the biological integrity and sustainable human uses of the area, maintaining both rare and common species, and supporting the ecological function and resiliency within the larger landscape.

Restoration projects in place at the Wind River Ranch will be maintained as specified in those funding agreements. Further restoration of riparian habitat to provide migration and/or breeding habitat for the flycatcher and other riparian dependent species would be one of the main focuses of the proposed action at the ranch and in the watershed.

Habitat protection and restoration goals in the watershed (as outlined in the Land Protection Plan and Environmental Assessment) will be guided by existing recovery plans and conservation plans and are expected to result in beneficial effects for the flycatcher, other high priority migratory birds, aquatic species, and other non-game wildlife species.

The Land Protection Plan and Environmental Assessment are incorporated by reference. Vegetative restoration objectives would be to re-establish riparian vegetation, limit the invasion of piñon and juniper trees into grasslands and reverse arroyo erosion to restore the water table and grassland health, and restore natural meanders to the Mora River. Riparian restoration would focus on developing and maintaining ecological processes responsible for providing suitable breeding habitat for a number of aquatic and riparian dependent species including the flycatcher. Restoration plans would also focus on restoring the hydrology on upland grassland and piñon-juniper habitats along tributaries that support riparian and wetland habitats. To achieve these objectives, some specific conservation measures that are protective of federally endangered and candidate species include:

- Protection (acquisition as a national Wildlife Refuge) of riparian, wetland, shortgrass prairie and piñon-juniper habitat at the Wind River Ranch;
- Enhanced riparian and wetland vegetation cover and structure as a result of managed grazing, stream and arroyo restoration, planting of native species, and reintroduction of beaver;
- Restoration in tributary watersheds and the adjacent uplands to enhance vegetation recovery and improve hydrologic function, including reduction of juniper expanding into native grasslands;
- To reduce erosion and runoff, raise the water table, and restore more natural ecological functions and decrease piñon and juniper expansion into grasslands, manual clearing, prescribed burning, bison grazing, and other methods of management would be considered;
- Monitoring and control of invasive non-native plant species; and
- Water rights acquired with the Wind River Ranch property could be used to support riparian and wetland restoration projects.

On lands owned by the Fish and Wildlife Service outdoor education and interpretation programs and providing outdoor recreation opportunities such as hunting, hiking, bird watching, and nature photography will be considered. The educational component would include aspects of endangered and rare species education. The flycatcher recovery plan identifies outreach and education recovery actions. Trails may be developed to access the property for the outdoor education and interpretation activities. These activities will be managed and conducted at appropriate times and locations to minimize disturbance to wildlife and other natural resources.

Acquisitions or management agreements pursued in the future will be evaluated in respect to the recovery plans. If these future actions conflict with those plans or are determined to have the potential to cause effects to the species or their habitats that are not considered in this consultation, further ESA consultation will be required.

VI. Determination of Effects:

Establishment of the Rio Mora National Wildlife Refuge and the Conservation Area in accordance with the principles described above is expected to result in beneficial effects to the southwestern willow flycatcher, the Mexican spotted owl, Gunnison's prairie dog, the Rio Grande cutthroat trout, and the New Mexico meadow jumping mouse.

Wildlife values would be protected at the proposed Rio Mora NWR resulting in positive effects to populations of federally listed and candidate species. Increased levels of protection and restoration within the Mora River watershed should result in greater resilience of the ecosystems and the associated wildlife community. Protection and restoration would likely occur over a greater extent and provide suitable habitat and positive effects to federally listed and candidate species in the Mora River watershed.

The proposed action "may affect, is not likely to adversely affect" the southwestern willow flycatcher and its designated critical habitat. The proposed action is likely to result in beneficial effects to this species by 1) promoting the establishment and protection of potentially suitable migratory and/or nesting habitat, and 2) implementing some educational elements of recovery actions identified in the southwestern willow flycatcher recovery plan.

The proposed action "may affect, is not likely to adversely affect" the Mexican spotted owl and its designated critical habitat. The proposed action is likely to result in a beneficial effect to this species by promoting the establishment and protection of potentially suitable habitat.

The proposed action "is not likely to jeopardize" the Gunnison's prairie dog. The proposed action may result in beneficial effects from land protection and compatible management.

The proposed action "is not likely to jeopardize" the Rio Grande cutthroat trout. The proposed action may result in beneficial effects from land protection and appropriate habitat restoration.

The proposed action "is not likely to jeopardize" the New Mexico meadow jumping mouse. The proposed action may result in beneficial effects from land protection and appropriate habitat restoration.

VII. Effect determination and response requested:

A. Listed species/designated critical habitat:

Determination : Southwestern willow flycatcher

Response Requested

No effect on species/critical habitat

_____ Concurrence

May affect, is not likely to adversely affect species
/critical habitat

 X Concurrence

May affect, is likely to adversely affect species
/critical habitat

_____ Formal Consultation

Determination : Mexican spotted owl

Response Requested

No effect on species/critical habitat

_____ Concurrence

May affect, is not likely to adversely affect species
/critical habitat

 X Concurrence

May affect, is likely to adversely affect species
/critical habitat

_____ Formal Consultation

B. Candidate species:

Determination: Gunnison's prairie dog

Response Requested

No effect on candidate species

_____ Concurrence

Is not likely to jeopardize candidate species

 X Concurrence

Is likely to jeopardize candidate species

_____ Conference

Determination: Rio Grande cutthroat trout

Response Requested

No effect on candidate species

_____ Concurrence

Is not likely to jeopardize candidate species

 X Concurrence

Is likely to jeopardize candidate species

_____ Conference

Determination: New Mexico meadow jumping mouse

Response Requested

No effect on candidate species

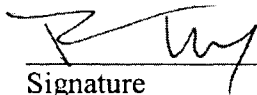
_____ Concurrence

Is not likely to jeopardize candidate species

 X Concurrence

Is likely to jeopardize candidate species

_____ Conference



Signature

Chief - Planning Division Region 2, Acting

05/14/12
Date

VIII. Reviewing ESFO Evaluations:

A. Concurrence: X Nonconcurrence: _____

B. Formal consultation required: _____

C. Conference required _____

D. Informal conference required _____

E. Remarks (attach additional pages as needed): *This consultation was coordinated*

Lori Robertson

5/16/2012

for

Signature

Date

Field Supervisor - New Mexico Ecological Services Field Office

with Eric Hein, Terrestrial Branch Chief, and Susan Oetker, for and Debra Hill for species evaluations & concurrences.

IX. Literature Cited:

U.S. Fish and Wildlife Service. 2012. Environmental Assessment, Land Protection Plan, and Conceptual Management Plan for the National Wildlife Refuge System. *Rio Mora National Wildlife Refuge and Conservation Area, Colfax, Mora, and San Miguel counties, New Mexico*. Southwest Region – Division of Planning, Albuquerque, NM.

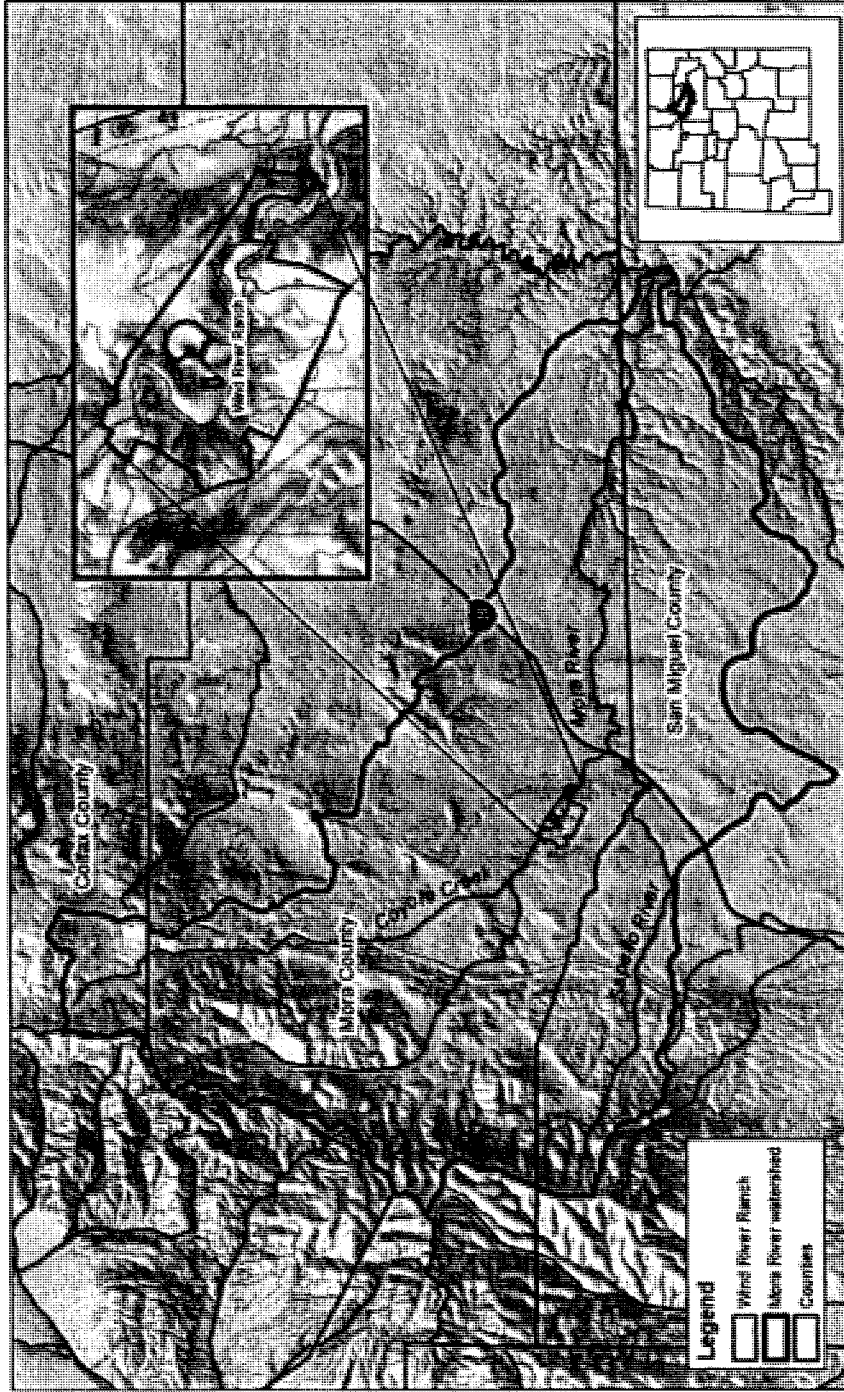


U.S. Fish & Wildlife Service

Rio Mora Conservation Area and NWR

Mora, San Miguel, Colfax counties, New Mexico

Figure 1: Location



PROCESSED IN THE FRAMEWORK OF RESERVE PLANNING
 ON THE BASIS OF THE CURRENT TO 2016
 MAP DATE: March 2011
 BASEMAP: NAD 83
 FILE: Mora Plan Area map.mxd 11/16/10

0 5 10 20 Miles
 0 5 10 20 Kilometers



Appendix 3 – Public Review Comments and Responses

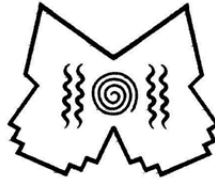
Response to Comments Received at Public Hearings and During the Public Review Period

All responses made during the public comment period were considered and addressed. Respondents were self-selected (i.e., they voluntarily provided comments); therefore their comments do not necessarily represent the sentiments of the public as a whole. Written comments from agencies or organizations include the entire letter and the response. All comments received will be made part of the administrative record.

Comment:

GOVERNOR
George Rivera

TRIBAL SECRETARY
Stephanie J. Crosby



LIEUTENANT GOVERNOR
Joseph M. Talachy

TRIBAL TREASURER
Mary Ann K. Fierro

PUEBLO OF POJOAQUE

OFFICE OF THE GOVERNOR
78 CITIES OF GOLD ROAD
SANTA FE, NEW MEXICO 87506
Tel: (505)819-2276 Fax (505)819-2299

April 17, 2012

Steve Kettler
Lead Planner, US Fish and Wildlife Service
P.O. Box 1306
Albuquerque, New Mexico 87103

Re: Proposed Rio Mora National Wildlife Refuge and Conservation Area Comments

The Pueblo of Pojoaque would like to express our support for the creation of the Rio Mora Conservation Area and the acquisition of the Wind River Ranch as the heart of the conservation and in order to create a new National Wildlife Refuge.

We support the continued presence of bison on the landscape and all of the work with the bison including research, educational outreach, and cultural connections around the buffalo that has been started at Wind River Ranch. We would like to continue to see the bison on the new Refuge managed for the benefit and with the inclusion of us and the other Tribes in the area.

The inclusion of the local Tribes in all aspects of the refuge would be a great benefit to the new Refuge as it allows for cultural exchange to occur as well provides insight into the Tribal relationship with buffalo that exists and is unique for each Tribe.

The Pueblo of Pojoaque is a Member of the Inter Tribal Buffalo Council (ITBC) and ITBC has been a partner with WRR and we would like to see that continue after the acquisition. ITBC will assist the local Tribes with a reconnection to a traditional food source by our work with the bison on the facility. We want to be able to bring back harvesting practices to serve our people; our communities and provide a learning environment for low stress management and a focus on the impacts to the ecology that result when buffalo are brought back onto the landscape. Our cultural and religious practices are based on connections to the land and animals. The partnership that has started at Wind River Ranch is one of cooperation and healing and should continue after the transition. ITBC has committed to a partnership with the Denver Zoo to work in conjunction on a management plan for the bison that will allow for the continued usage of the animals by Tribal peoples and incorporate research and educational outreach for all communities.

In closing the Pueblo of Pojoaque supports the acquisition of the Wind River Ranch as a new National Wildlife Refuge as long as bison are a part of the wildlife on the landscape and they are managed in coordination with the Inter Tribal Buffalo Council. We would also like to see involvement of the local Tribes in manner which supports the development of education, outreach and research programs that benefit the Tribal and non-Tribal communities that will utilize the facility.

Respectfully,

A handwritten signature in black ink, appearing to read 'J. Talachy', written over a horizontal line.

Lieutenant Governor Joseph Talachy

Response: The Service recognizes the values and importance of bison to the tribes and ITBC. If the acquisition of the Wind River Ranch is approved, the Service, working along with the Denver Zoo, plans to maintain the bison herd at the property, at least for the duration of the funding agreement with the Thaw Charitable Trust (until 2015). During that time, the Service, ITBC, and the Denver Zoo can explore in more detail the options to maintain, manage, and utilize bison on the ranch over the long-term. The conservation goal for bison within the Service, as part of the larger Department of the Interior (DOI) Bison Conservation Initiative (DOI 2008), is to manage the species nationally as a metapopulation, to conserve genetic diversity of the species, to minimize the risk of genetic drift, and maintain a healthy resource for conservation. If maintaining bison on the property is a long-term goal, management would need to follow established Service guidelines. All bison managed on the ranch after 2015 would be owned and managed by the USFWS, with the potential to provide the ITBC with surplus animals.

The many benefits to the partners working at the Wind River Ranch would have to be weighed along with the costs and practicalities of managing a bison herd on the property, while maintaining the values for priority wildlife species. The Service hopes that by utilizing and strengthening the partnerships, we can find creative ways to maintain a bison herd on the ranch while meeting the needs of ITBC, the Denver Zoo, the National Wildlife Refuge System, and the Department of the Interior Bison Initiative.

Comment:



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Advisors

Sid Goodloe
Working Lands Advisor
Carrizo Valley Ranch
Capitan, NM

*Honoring New Mexico's land
heritage by helping people
conserve the places they love*

April 10, 2012

Steve Kettler
Lead Planner
U.S. Fish and Wildlife Service
P.O. Box 1306
Albuquerque, NM 87103

Dear Mr. Kettler,

I am writing today to formally comment on the Draft Land Protection Plan for the Proposed Rio Mora National Wildlife Refuge and Conservation Area ("LPP") on behalf of the New Mexico Land Conservancy ("NMLC"), a statewide, non-profit land conservation organization based in Santa Fe, New Mexico.

NMLC's mission is to honor New Mexico's land heritage by helping people conserve the places they love. Since our founding in 2002, we have protected over 100,000 acres of high conservation value lands across the state and have set an ambitious 25-year goal of expanding that to 1,000,000 acres by 2037.

NMLC has reviewed the LPP and supports the majority of goals, actions and information contained in the plan. We would, however, like to further emphasize the importance of the potential effectiveness that public/private partnerships can provide in meeting the stated goals of the LPP. We believe that these partnerships provide increased expertise and added resources for sometimes complex conservation and real estate transactions. These partnerships are also valuable for outreach and education purposes by offering private landowners many perspectives concerning the potential for conservation and restoration of private lands.

We also believe that in this particular area of New Mexico, federal land acquisition beyond the proposed Rio Mora NWR may not be the best tool for making significant conservation progress at landscape scales and often includes high acquisition costs and ongoing property maintenance. Conservation easements and voluntary private land restoration efforts, on the other hand, have reduced or minimal costs and achieve similar conservation results. We believe the cost/benefit ratio of conservation easements and private lands restoration should be fully explored when considering tools for achieving the goals of the LPP for the Rio Mora Conservation Area.

Thank you for involving NMLC and the public in this process and we look forward to the continuation of this great conservation opportunity. If we can be of further assistance, please feel free to contact us.

Sincerely,

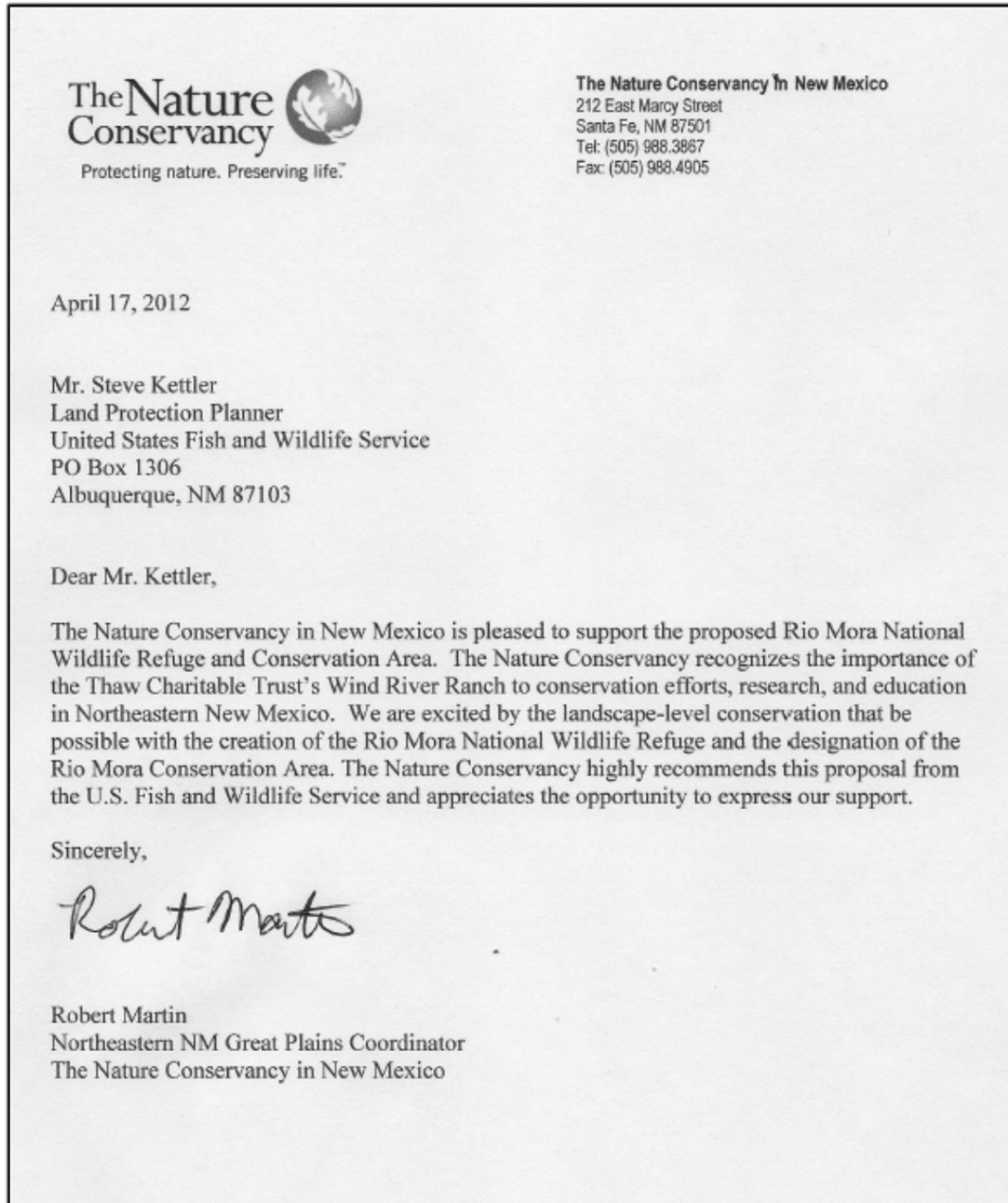
Michael Scisco
Conservation Director

c.c. Scott Wilber, Executive Director, NMLC
Rob Larranaga, Wildlife Refuge Manager, Northern NM NWR Complex

Post Office Box 6759
Santa Fe, NM 87502-6759
T 505/986-3801 F 505/986-3806
www.nmlandconservancy.org

Response: We agree that the public-private partnership aspects of this project are critical to its success and the Service is committed to pursuing those partnerships. The Service hopes to be able to advance those partnerships that facilitate conservation, minimizing the need for land acquisition. Cooperative management agreements and conservation easements are valuable tools to meet conservation objectives, yet in some cases fee title purchase may be the best option to meet the wildlife conservation goals or to meet the needs of the landowner. We agree that there are numerous benefits to utilizing conservation easements over fee title acquisition. Conservation easements not only protect important wildlife habitat but also help maintain the working ranches and agricultural lifestyle of the area, keep land in private hands, reduce the immediate and long-term costs of conservation, and engage landowners in win-win conservation solutions.

Comment:



Response:

Thank you for your comments.

Comment: Several private citizens submitted comments by mail saying they supported the project.

Response: Thank you for your comments.

Comment: A private landowner adjacent to the Wind River Ranch contests the validity of the property lines and associated title documentation.

Response: If approval to make the Wind River Ranch a national wildlife refuge is granted, the acquisition would be required to be insured by a local title company. In addition to the review by the title company, all documents would be reviewed by the Southwest Region's Realty Office and the Department of Justice Regional Solicitor's office for final approvals before closing. If lands are approved for acquisition, the Service will continue to work with adjacent landowners to establish legally defined boundaries.

Comment: A private citizen expressed concern about long-term funding for management and staffing should the Wind River Ranch become a national wildlife refuge.

Response: Given existing economic and budget conditions, it is clear that the Service will have to be resourceful in its management of refuge lands. The Service has experienced reduced budgets in the past, and is constantly working to prioritize its work and to develop partnerships and volunteer groups (Friends groups) that can assist with various aspects of refuge management. Throughout the Service's *Conserving the Future: Wildlife Refuges and the Next Generation* (<http://americaswildlife.org/>) document, working in partnership to leverage resources and benefits is identified as a key theme for long-term success of the National Wildlife Refuge System. The Service feels that collaboration with the Denver Zoo (and potentially other organizations) can serve as a model of how to utilize partnerships to develop shared resources and manage more efficiently.

Comment: Several concerned citizens inquired about the process for access for research or for school group use.

Response: All proposed uses would be considered in accordance with the Service's Compatible Use Policy. If these are found to be compatible with the purposes of the refuge they would be strongly considered. A research proposal and special use permit may be required. The process to obtain a special use permit is relatively simple.

Comment: A private citizen encouraged landowners in the watershed to carefully consider easement stipulations to ensure that they still retain the ability to manage their agricultural operations as they need. This citizen also questioned whether the federal government could manage the Wind River Ranch better than the previous owners.

Response: The Service agrees that any land transaction should be thoroughly evaluated by the owners. Any restrictions on a property would have to be agreed upon by the owner and the Service during the conservation easement negotiation before any agreement was formalized.

The Service would manage the proposed refuge with a focus on wildlife conservation and ecosystem health, which is probably different from the focus of most of the owners before the Thaw Charitable Trust. Management by the Service would maintain the ranch as one parcel and maintain in perpetuity the wildlife and conservation values. If the ranch were sold on the private market, the long-term management focus would be hard to predict but would likely change over the long-term if the property was bought and sold numerous times, or split into smaller parcels as it has been in the recent decades.

Comment: A representative of the New Mexico Cattle Growers Association wanted to make sure landowners were clearly informed that fee title or easement purchases could be pursued by the Service with funding from the Land and Water Conservation Fund, and that fee purchase by the federal government could result in incremental losses of property tax income to the county.

Response: Service policy is to acquire the least interest in land necessary to achieve conservation objectives. It is in the best interest of the Service to utilize management agreements and conservation easements to meet conservation goals before resorting to fee title purchase. None the less, there are situations where outright purchase may be the best option for protection of wildlife values, or the desires of the landowners.

If conservation easements were purchased the land would remain on the tax role for the county. There is a potential loss of tax base with federal ownership of the fee title value but this may be offset by funds paid to local taxing authorities through the Refuge Revenue Sharing Act of June 15, 1935, as amended (16 U.S.C. 715s). This Act requires the Service to make payments to local taxing authorities, typically counties, to offset the loss of local tax revenues as a result of federal acquisition of private property. The actual payment varies from year to year because Congress may or may not appropriate sufficient funds to make full payment. Additionally, National Wildlife Refuge lands demand very little in the way of services and infrastructure from local governments, and often generate new tax revenues related to tourism.

Comment: A private citizen commented that there was no public access to the Bureau of Land Management's nearby Sabinoso Wilderness, and requested that access to the public be provided at the Rio Mora National Wildlife Refuge.

Response: The Sabinoso Wilderness is not located in, nor tied to the proposed Rio Mora Conservation Area. On National Wildlife Refuge land the National Wildlife Refuge System Improvement Act of 1997 (Act) ensures that six priority wildlife-dependent recreational uses are strongly considered by Service, provided they are determined compatible with the purposes for which the refuge was established and the mission of the National Wildlife Refuge System. These six priority wildlife-dependent uses are hunting, fishing, wildlife observation and photography, environmental education, and interpretation. Interim compatibility determinations were drafted and included in the Conceptual Management Plan part of the Land Protection Plan document. These describe how access would be allowed related to those priority wildlife dependent uses. Within 10 years of establishment, the refuge will develop a Comprehensive Conservation Plan (CCP) in accordance with the requirements of the National Wildlife Refuge System Improvement Act of 1997. The CCP will review any interim plans that were developed, and establish a management proposal that will include the establishment of long-term (15 years) management goals, objectives, and strategies. These will include recreational use management (i.e. wildlife

observation, wildlife photography, interpretation, education, and hunting). If conservation easements were acquired, the opportunities for wildlife-dependent public uses or scientific research would be left to the discretion of the landowner on those parcels.

Comment: A private citizen expressed support for designation as a national wildlife refuge and thought that optimizing education opportunities, revitalizing the Mora River, conserving topsoil and water, and improving habitat were all valuable to the public and helped develop the public's conservation ethic.

Response: Thank you for your comments.

Comment: A private citizen expressed strong support for a partnership between the Service and Wind River Ranch, expressed thanks to the Wind River Ranch staff and owners for the opportunities to conserve the ranch for children to learn about and experience nature, for research and education, and for people of all ages to enjoy. The Service was urged to make the Wind River Ranch a refuge and establish the conservation area, as long as the Service was working with willing landowners.

Response: Thank you for your comments. The Service envisions many of the same benefits and values. It is Service policy to only seek easements or fee acquisition from willing landowners.

Comment: Two private citizens had suggestions regarding naming of the proposed refuge and conservation area. One questioned why the historic name for the proposed refuge was not being used; in this case the headquarters of the Wind River Ranch was named after Octavio Larrazolo, the fourth governor of New Mexico, who lived at the ranch around 1920. Another citizen expressed the opinion that we consider going back further in history, to the Native American names for the area.

Response: The Service is instructed by policy to use recognizable local geographic or geologic names for national wildlife refuges and avoid using names of individuals. Names of individuals can be used for buildings, trails, or other facilities within national wildlife refuges. Within 10 years of establishment, the Refuge will develop a Comprehensive Conservation Plan (CCP) in accordance with the requirements of the National Wildlife Refuge System Improvement Act of 1997. Public input is solicited during that process and we encourage the public to participate in that process. If the Wind River Ranch becomes a national wildlife refuge, the rich cultural history (and names) can become part of the interpretive message developed to educate the public about the area.

A private citizen submitted the following detailed comments which are printed below verbatim (*in italics*), with the Service's response to individual sections of the letter following.

Comment: *As a land owner in Mora County, This letter represents an opinion against the establishment of this Refuge and Conservation Area, for the reasons stated below:*

-I attended the first scoping meeting last summer in Las Vegas, New Mexico about this proposal. Although it should have been the first meeting to gather comments from the public it was presented as a done deal with over 50 supporters a majority of them not from Mora County. Those that asked questions were marginalized and made to feel as if they were opposed to a good thing that everyone supported, which is not true.

Response: A scoping meeting was held in Mora, NM, on July 25, 2011 (the night before the meeting in Las Vegas, NM). Approximately thirty-eight people attended that meeting. Both meetings were open to anyone who desired to attend. Extensive efforts were made to inform the public about the meetings and the process through an email list, local radio, the local newspaper, and by posting announcements in public places in local communities in the watershed.

The Service does considerable background research to determine if a project like this has potential merits and benefits before investing the significant resources necessary to bring this to the public. At the time of the scoping meetings the Service thought the project would efficiently help meet the Service's mission and mandates, but we did not consider it a "done deal." The intention at the scoping meetings was to gather comments, opinions, and concerns from the public, not to make anyone feel marginalized. We understand that there are a variety of opinions on the proposal but we do not attempt to control or influence who attends the public meetings. The attendance or comments received at the scoping meetings were not taken as a vote or a poll; all comments are considered and evaluated equally.

Comment: *-I am concerned about the top-down approach to this process, and the mainstream environmental discourse that marginalized concerns of overgrazing by the proposed re-integration of Bison to the area. The Mora River already suffers nitrate and sediment problems caused by overgrazing and bank destruction. It seems ill-advised to introduce at this time more of these type of animals.*

Response: The process the Service has followed for this project is used throughout the country and follows the requirements of the National Environmental Policy Act, Service Policy, and other federal regulations.

Bison are currently grazed at the Wind River Ranch and have been for approximately 6 years. Since the Ranch has been, and still is, privately owned and operated the owners have the right to choose the type of grazing animal they wish to utilize. The only proposal regarding bison is to keep the herd at the Wind River Ranch, at least through 2015. The bison serve several purposes in the restoration, education, and research programs at the ranch. The Service does see a role for well managed grazing on the landscape, regardless of what animal is used. Well managed grazing can create, maintain, or restore important wildlife habitat and restore natural functions of riparian area and the upland drainages, helping to reduce nutrient and sedimentation problems. The Service supports and strives for this type of management in the landscapes where we work and hopes for that type of management throughout the watershed. Recent management of the Wind River Ranch with a grazing animal (in this case bison), and other habitat restoration projects, have improved wildlife habitat and general ecological conditions. Bison can affect the landscape in different ways than cattle or sheep (such as offsetting invasion of soapweed yucca or juniper expansion into grasslands). Those traits may be useful for some types of ecological restoration, but a number of other methods would also be considered to accomplish restoration goals.

Comment: *-Although a watershed for the area may be a positive thing, it will depend on who is making the decisions about how and for who the water shed will be managed. It was reported at the first Scoping Meeting that 100 rock dams had already been built in this area, diverting water from the Mora River. This process also stimulates evaporation, which can not be good for anyone on the Mora River. This summer the Mora River downstream from the proposed refuge and conservation area was dry. This project will have a major impact on ranches downstream from the Refuge. This smacks of environmental racism.*

Response: The one-rock dams on the Wind River Ranch have been used on gullies and arroyos feeding into the Mora River, and have been installed with guidance by professional restoration ecologists. These structures are recognized as being beneficial for watershed restoration, and are commonly used by land management agencies and private landowners in many places throughout the Southwest. The primary purpose of a one-rock dam is to keep a gully or arroyo from eroding deeper, and to capture sediments and nutrients that would otherwise wash downstream during flood flows. A one-rock dam is only one rock tall and is permeable to water; it is not used for water storage or diversion. This helps slow flows during flood events, raises the water table, reduces nutrient and sediment inputs downstream, and helps restore natural hydrologic functions to degraded streams.

Comment: *-From, what I understand no one in our family and other land-owners in the area had not heard of this nor did they get notice of the meeting. We question which Mora County landowners on the Mora River has been contacted and would like a list of these.*

-This seems to be a case of poor notice public notice and a lack of meaningful involvement by impacted landowners. We consider this an issue of environmental injustice and demand that this process be restarted:

**We demand a wider and more transparent process*

**We demand more meetings in Mora County and other counties served by the Mora River - There was only one meeting in Mora County.*

**At the minimum we ask for an extension of the deadline for comments and that landowners all along the Mora River be notified.*

Response: Because this project focuses on an entire watershed there was no practical or resource efficient way to identify and contact every landowner in that watershed. Because the only land transaction proposed at this time is the transfer of the Wind River Ranch to the Service, the only landowners individually identified and contacted directly were those who owned land adjacent to the Wind River Ranch.

In early 2011, the Service initiated outreach efforts by contacting stakeholders to discuss the proposal. Staff from the Las Vegas NWR and the Service's Southwest Regional Office attempted to contact tribal, federal, state, and local agencies, public representatives, neighbors, and conservation groups to assess the feasibility of this effort. Several tours and events were held at the Wind River Ranch to discuss the proposed project and to solicit feedback from federal, state and local agencies, government representatives, neighbors, community members, and other interested parties. An initial contact list was developed which included mostly agencies, non-

governmental organizations, elected officials, as well as the landowners adjacent to the Wind River Ranch. This initial list of contacts included approximately 200 people. In July of 2011, press releases were circulated in the local communities (Las Vegas, Mora, and Watrous) to present the proposed project and announce public scoping meetings to be held to describe the proposed project and solicit feedback. A planning update was also made available on the Region's website (listed on the press release) and included an email account and mailing address to submit comments. Copies of the planning update document were emailed to the initial contact list, and printed copies were hand delivered to a number of locations for distribution in the local communities. The meetings were also announced on two local radio stations and by a notice in the Las Vegas Optic newspaper. The two public scoping meetings were held in the local area (in Mora on July 25th and in Las Vegas on July 26th, 2011). Comments were accepted during public scoping period from July 25 to September 19, 2011. Over 118 landowners, citizens, and elected officials (or their representatives) attended the two scoping meetings. Afterwards the Service received over 50 written, email, or phone call communications providing comments, requesting more information, identifying issues or concerns, or requesting to be added to a contact list to receive future updates. Throughout the planning process anyone expressing interest or concern has been added to the contact list (if contact information was provided).

The Draft Land Protection Plan (including the Conceptual Management Plan and Interim Compatibility Determinations), and Draft Environmental Assessment were made available for a public review and comment period (March 30-May 1, 2012). Two hearings were held during this period to offer the public the opportunity to provide input on the proposed actions and the draft documents. The public hearings and availability of draft documents for public review were announced through email and regular mail to the contact list developed for the project (at this time approximately 325 contacts), through the Las Vegas Optic newspaper, and through a public notice posted in a number of locations around in the local communities. The first meeting was held in Mora on April 12th, and the second in Las Vegas on April 13th, 2012. Over 84 landowners, citizens, and elected officials (or their representatives) attended the two hearings and eight individuals gave public comment. Afterwards the Service received an additional 8 written, email, or phone call comments. This information was clarified and provided in the Public Involvement, Issue identification, and External Coordination section of the final Environmental Assessment.

The choice to work with the Service on cooperative management, a conservation easement, or fee title sale of their property is left up to landowners. The designation of a conservation area does not give the Service any special jurisdiction or control over lands or landowners. Lands would become part of the National Wildlife Refuge System only when, and if, they were purchased from willing sellers or placed under agreements with willing participants. Land owners who choose not to sell would continue to own and manage their lands as before.

The process the Service has followed for this project is used throughout the country and follows the requirements of the National Environmental Policy Act, Service Policy, and other federal regulations.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



In Reply Refer To:
FWS/NWRS/051697

JUL 10 2012

Memorandum

To: Regional Director, Region 2

From: Director *L. M. Ashe*

Subject: Approval to Proceed with Publication and Distribution of the Final Planning Documents for the Authorization of the Rio Mora National Wildlife Refuge and Conservation Area, Colfax, Mora, and San Miguel Counties, New Mexico

I approve your request dated June 13, 2012, to authorize the Rio Mora National Wildlife Refuge (NWR) and Rio Mora Conservation Area in northeast New Mexico. The Decision Package you submitted for my consideration demonstrates the application of Strategic Habitat Conservation and uses spatially explicit decision support tools for targeting conservation delivery. It also contains an Environmental Assessment, Finding of No Significant Impact, and other related documents indicative of detailed planning. These documents comply with the requirements of the Director's land acquisition planning procedures memo dated August 11, 2000.

The lands targeted for protection include the 4,600-acre Wind River Ranch, which will be donated to the U.S. Fish and Wildlife Service (Service) to be managed as the Rio Mora National Wildlife Refuge. In addition, the Service will pursue significant conservation actions throughout the 952,000-acre Rio Mora Conservation Area, facilitating partnerships to provide protection and management for a number of priority species and ecosystems within the Mora River watershed.

Attachments



United States Department of the Interior

FISH AND WILDLIFE SERVICE
P.O. Box 1306
Albuquerque, New Mexico 87103




In Reply Refer To:
FWS/R2/NWRS-PLAN/051697

JUN 13 2012

Memorandum

To: Director

From: Regional Director, Region 2 

Subject: Transmittal of Decision Document – Establishing the Rio Mora National Wildlife Refuge and Rio Mora Conservation Area

The Decision Document to establish the Rio Mora National Wildlife Refuge (NWR) and Rio Mora Conservation Area in northeast New Mexico has been signed. With your approval of this project, the U.S. Fish and Wildlife Service (Service) may accept the donation of the 4,600-acre Wind River Ranch and pursue significant conservation actions throughout the 952,000-acre Mora River watershed. The goal for the project is to protect and restore habitats in cooperation with our partners to support species recovery plans, state and regional conservation plans, major bird conservation plans, and to maintain native species and sustainable ecosystems.

The proposed Rio Mora NWR would serve as a core area for protection of native species and natural processes, and facilitate research, outreach, interpretation, and environmental education to help the Service catalyze further conservation efforts and advance partnerships working toward shared conservation goals within the Mora River watershed.

Actions outlined within this proposal are intended to 1) protect and restore part of one of the great grassland landscapes of North America, 2) protect and restore riparian areas in the Mora River watershed, 3) reduce threats to species from habitat fragmentation and degradation, altered ecological processes, invasive species, and impacts from global climate change, and 4) build on existing partnerships to restore wildlife populations and productivity to degraded ecosystems. This will contribute to maintaining the biological integrity and sustainable human uses of the area, maintaining both rare and common species, and supporting the ecological function and resiliency within the larger landscape.

Through establishment of the Rio Mora NWR and Rio Mora Conservation Area, multiple Service and Department of the Interior objectives will be supported. The partnership potential

to America's natural heritage. The approach is similar to a number of successful landscape level conservation projects where private citizens take an active role in determining future outcomes.

Attached are the following documents, in accordance with land acquisition planning requirements, submitted for the Director's approval.

1. Environmental Assessment
2. Finding of No Significant Impact
3. Environmental Compliance Certificate
4. Environmental Action Statement
5. Land Protection Plan
6. Conceptual Management Plan and Interim Compatibility Determinations

APPROVE _____ DISAPPROVE _____

Date _____ Date _____

**United States Fish and Wildlife Service
Environmental Action Statement**

Within the spirit and intent of the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA), and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record and determined that the action of: establishment of the Rio Mora National Wildlife Refuge and Rio Mora Conservation Area in Colfax, Mora, and San Miguel Counties, New Mexico.

Check One:

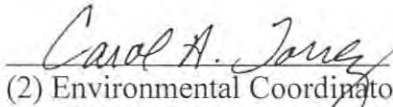
- is a categorical exclusion as provided by 516 DM Chapter 8. No further NEPA documentation will therefore be made.
- is found not to have significant environmental effects as determined by the attached environmental assessment and finding of no significant impact.
- is found to have significant effects and, therefore, further consideration of this action will require a notice of intent to be published in the Federal Register announcing the decision to prepare an EIS.
- is not approved because of unacceptable environmental damage, or violation of Fish and Wildlife Service mandates, policy, regulations, or procedures.
- is an emergency action within the context of 40 CFR 1506.11. Only those actions necessary to control the immediate impacts of the emergency will be taken. Other related actions remain subject to NEPA review.

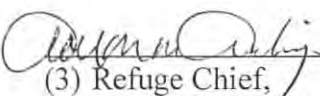
Other supporting documents: (attached)

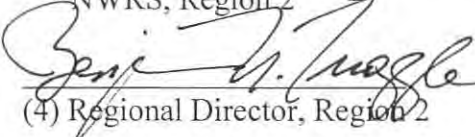
- Finding of No Significant Impact
- U.S. Fish and Wildlife Service. 2012. *Environmental Assessment for the Proposed Rio Mora National Wildlife Refuge and Conservation Area, Colfax, Mora, San Miguel Counties, New Mexico.* Prepared by the Southwest Region – Division of Planning, Albuquerque, NM. June 1, 2012.
- U.S. Fish and Wildlife Service. 2012. *Land Protection Plan for the Proposed Rio Mora National Wildlife Refuge and Conservation Area, Colfax, Mora, San Miguel Counties, New Mexico.* Prepared by the Southwest Region – Division of Planning, Albuquerque, NM. June 1, 2012.
- Intra-service Section 7 consultation completed May 16, 2012.

Signature Approval:

 6-5-2012
(1) Originator Date

 6-5-2012
(2) Environmental Coordinator, Date
NWRS, Region 2

 6/12/2012
(3) Refuge Chief, Date
NWRS, Region 2

 6/13/2012
(4) Regional Director, Region 2 Date

FINDING OF NO SIGNIFICANT IMPACT

ENVIRONMENTAL ASSESSMENT

RIO MORA NATIONAL WILDLIFE REFUGE AND CONSERVATION AREA LAND PROTECTION PLAN, COLFAX, MORA, AND SAN MIGUEL COUNTIES, NM U.S. FISH AND WILDLIFE SERVICE

The U.S. Fish and Wildlife Service (Service) has proposed to acquire the 4,600-acre Wind River Ranch in Mora County, New Mexico to establish the Rio Mora NWR, and to designate the Mora River watershed in Colfax, Mora, and San Miguel Counties as the Rio Mora Conservation Area with an acquisition limit of 300,000 acres. The Service has developed a Land Protection Plan (Plan) and Environmental Assessment (EA) for the proposed national wildlife refuge and conservation area. The Plan describes the recommended acquisition of the Wind River Ranch through donation and establishment as a national wildlife refuge, and designation of a conservation area to facilitate protection and restoration of wildlife habitats; conserve “trust resources” such as migratory birds and threatened and endangered species; and enhance compatible outdoor education, interpretation, photography, and wildlife observation opportunities in the Mora River watershed.

An EA was completed to fulfill the requirements of the National Environmental Policy Act (NEPA) of 1969 and to inform the public of the possible environmental consequences of implementing the Plan. The EA was prepared to provide a decision-making framework that explores a reasonable range of alternatives to meet project objectives and evaluates potential issues and impacts on resources and the human environment.

ALTERNATIVES CONSIDERED AND ANALYZED

Alternative A: No Action

Under the No Action Alternative, the Service would not acquire the Wind River Ranch to establish the Rio Mora NWR, nor would it establish the Rio Mora Conservation Area. If a conservation outcome cannot be accomplished, the owners have indicated they would likely sell the Wind River Ranch on the open market and the conservation outcomes would not likely be supported in the future. The conservation benefits and environmental education and interpretation opportunities fundamental to the Service’s mission would not be realized. The likely scenario with no action would be continued levels of fragmentation, ecological degradation, unnatural levels of erosions and sedimentation, and a continued loss of, or negative effects to declining wildlife species and ecosystems in the Mora River Watershed. The Service’s mission and mandates would not be supported in the watershed.

Alternative B: Rio Mora NWR only alternative

Under Alternative B, the Service would acquire the Wind River Ranch and establish it as the Rio Mora National Wildlife Refuge but would not establish the Rio Mora Conservation Area. Land protection would be limited to approximately 4,600 acres; there would be minimal protection to the larger watershed and over time there would likely be many negative effects to the physical, natural, and socioeconomic resources in the Mora River watershed. The Service’s mission and

mandates would not be supported and beneficial effects at the scale of the Mora River watershed would not be realized.

Alternative C: Acquisition of Rio Mora National Wildlife Refuges and establishment of the Rio Mora Conservation Area (Preferred Alternative)

Under Alternative C, the Service would acquire the 4,600-acre Wind River Ranch property (through donation) to establish it as the Rio Mora National Wildlife Refuge, and establish the Rio Mora Conservation Area encompassing the 952,000-acre Mora River watershed, with a 300,000-acre acquisition limit within the watershed. Establishment of the proposed Rio Mora NWR at the current Wind River Ranch can serve as a core for wildlife conservation and development of partnerships to engage landowners in the watershed in conservation, restoration, and outreach activities designed to benefit a variety of native wildlife species and habitats. This alternative would also add compatible public uses, and enhance educational and outreach programs in northeast New Mexico. This action supports Service and Department of Interior initiatives for developing partnerships for conservation and connecting people to nature to build long-term support for the mission of the Service.

The benefits to long-term ecosystem health and wildlife conservation that this project could accomplish are substantial. The effects of the proposed action on physical, natural, and socioeconomic resources would be positive.

DECISION: THE SELECTED ALTERNATIVE

Alternative C was selected as the Service's proposed action and is the basis for the Land Protection Plan. This alternative offers the Service the best opportunity to achieve its mandates and mission in a strategic manner. The establishment of the Rio Mora National Wildlife Refuge and Conservation Area will result in benefits to long-term ecosystem health and wildlife conservation. The effects of the proposed action on physical, natural, and socioeconomic resources would be positive. Opportunities for wildlife-dependent recreation activities, such as wildlife observation, photography, environmental education, and interpretation will be enhanced. Recommendations in the Land Protection Plan will ensure that refuge management is consistent with the mission of the National Wildlife Refuge System.

SUMMARY OF EFFECTS

Implementation of the Service's decision would be expected to result in environmental, social and economic effects as described in the Plan/EA and summarized here. The Plan/EA describes how acquisition and designation of a national wildlife refuge and conservation area would result in increased protection of threatened and endangered species, enhanced wildlife populations, and improved habitat conditions. The proposed visitor service management activities would result in enhanced wildlife-dependent recreational, education, and interpretation opportunities. Implementation of activities provided by the visitor services program would take place through carefully controlled timing and placement to avoid direct contact with sensitive areas, such as nesting habitat, or wildlife.

The increased opportunities for wildlife dependent recreational opportunities would have beneficial impacts on the local economy through increased visitation and tax revenue.

Partnerships with county, state and federal agencies, private landowners, and conservation groups would enable the refuge to achieve goals and objectives, minimize costs, and strengthen relationships.

Implementing the Service's acquisition alternative is not expected to have any significant adverse effects on wetlands and floodplains, pursuant to Executive Order 11990 and 11988, because there would be no development of Refuge buildings within wetlands or active floodplains. This action is not likely to adversely impact threatened, endangered, proposed or candidate species and/or critical habitat, as documented in the intra-service Section 7 (Endangered Species) Consultation completed with the New Mexico Ecological Services Field Office in Albuquerque, NM and signed on May 16, 2012. In addition, archeological and/or historical resources would not be impacted.

The Service is not aware of any other past, present, or reasonably foreseeable future planned actions that would result in a significant cumulative impact when added to the Refuge's proposed action, as outlined in Alternative C.

PUBLIC OUTREACH, REVIEW AND COMMENT

Public input was solicited and background information regarding the project proposal was presented to the public in a number of different ways. In early 2011, the Service initiated outreach efforts by contacting stakeholders to discuss the proposal. An initial contact list was developed which included mostly agencies, non-governmental organizations, elected officials, as well as the landowners adjacent to the Wind River Ranch. In July of 2011, press releases were circulated in the local communities to present the proposed project and announce public scoping meetings. The meetings were also announced on two local radio stations and by a notice in the local newspaper. The two public scoping meetings were held in the local area on July 25th and July 26th, 2011. Over 118 landowners, citizens, and elected officials (or their representatives) attended the two scoping meetings. Comments were accepted during the public scoping period from July 25 to September 19, 2011. The Service received over 50 written, email, or phone call comments.

The Draft Land Protection Plan (including the Conceptual Management Plan and Interim Compatibility Determinations), and Draft Environmental Assessment were made available for a public review and comment period (March 30-May 1, 2012). Two hearings were held during this period to offer the public the opportunity to provide input on the proposed actions and the draft documents. The public hearings and availability of draft documents for public review were announced through email and regular mail to the contact list developed for the project (at this time approximately 325 contacts), through the Las Vegas Optic newspaper, and through a public notice posted in a number of locations around in the local communities. Over 84 landowners, citizens, and elected officials (or their representatives) attended the two hearings. Eight individuals gave comments at the public hearings and the Service received an additional 8 written or verbal comments. All comments received at the hearings and by other means through the public comment period are addressed in Appendix 3 of the Land Protection Plan.

The Cumulative Impacts section of the EA was modified to make it consistent with the analysis of public uses in the Interim Compatibility Determinations (available in the Land Protection Plan - Appendix 1). As a result of comments received from the public, the Public Participation, Issue Identification, and External Coordination section of the EA (and the Land Protection Plan) was revised to clarify the process. Other minor editorial changes were made to improve the document. None of these modifications resulted in changes to the finding of no significant impact.

DETERMINATION

Based on the analysis documented in the Environmental Assessment and with due consideration given to comments from the public, it is my determination that the proposed action does not constitute a major Federal action that will have a significant effect on the quality of the human environment under the meaning of Section 102 (2) (C) of the National Environmental Policy Act of 1969 (as amended). As such it is my conclusion that an Environmental Impact Statement is not required for this Plan and the selected alternative may be implemented as soon as practicable. This determination is based on the following factors (40 C.F.R. 1508.27), as addressed in the attached Environmental Assessment.

1. Both beneficial and adverse effects have been considered and this action will not have a significant effect on the environment. (EA, section 4).
2. The actions will not have a significant effect on public health and safety. (EA, section 4).
3. The project will not significantly affect any unique characteristics of the geographic area such as proximity to historical or cultural resources, wild and scenic rivers, or ecologically critical areas. (EA, page 34).
4. The effects on the quality of the human environment are not likely to be highly controversial. (EA, section 4).
5. The actions do not involve highly uncertain, unique, or unknown environmental risks to the human environment. (EA, section 4).
6. The actions do not establish a precedent for future actions with significant effects nor do they represent a decision in principle about a future consideration. (EA, section 4).
7. There will be no cumulatively significant impacts on the environment. Cumulative impacts have been analyzed with consideration of other similar activities on adjacent lands, in past action, and in foreseeable future actions. (EA, pages 39-40).
8. The actions will not significantly affect any site listed in, or eligible for listing in, the National Register of Historic Places, nor will they cause loss or destruction of significant scientific, cultural, or historic resources. (EA, page 34).


9. The actions are not likely to adversely affect threatened or endangered species, or their habitats. (EA, page 33, LPP Appendix 2 - Section 7 Consultation).
10. The actions will not lead to a violation of federal, state, or local laws imposed for the protection of the environment. (EA, page 7).

It is the intent of the Service to revisit questions of significant environmental consequences in accordance with NEPA upon consideration of the implementation of site-specific proposals discussed in the final Plan.

The finding of no significant impact, the environmental assessment, and other supporting documents are on file at the U.S. Fish and Wildlife Service, Division of Refuge Planning, 500 Gold Ave., SW, Albuquerque, NM 87102.

SUPPORTING REFERENCES

- U.S. Fish and Wildlife Service. 2012. *Environmental Assessment for the Proposed Rio Mora National Wildlife Refuge and Conservation Area, Colfax, Mora, and San Miguel Counties, New Mexico*. Prepared by the Southwest Region – Division of Planning, Albuquerque, NM. June 1, 2012.
- U.S. Fish and Wildlife Service. 2012. *Land Protection Plan for the Proposed Rio Mora National Wildlife Refuge and Conservation Area, Colfax, Mora, and San Miguel Counties, New Mexico*. Prepared by the Southwest Region – Division of Planning, Albuquerque, NM. June 1, 2012.
- U.S. Fish and Wildlife Service. 2012. *Draft Environmental Assessment for the Proposed Rio Mora National Wildlife Refuge and Conservation Area, Colfax, Mora, and San Miguel Counties, New Mexico*. Prepared by the Southwest Region – Division of Planning, Albuquerque, NM. March 29, 2012.
- U.S. Fish and Wildlife Service. 2012. *Draft Land Protection Plan for the Proposed Rio Mora National Wildlife Refuge and Conservation Area, Colfax, Mora, and San Miguel Counties, New Mexico*. Prepared by the Southwest Region – Division of Planning, Albuquerque, NM. March 29, 2012.

Recommended:	 Aaron Archibeque, Refuge Chief U.S. Fish and Wildlife Service, Region 2	<u>6/12/2012</u> Date
Approved:	 Dr. Benjamin N. Tuggle, Regional Director U.S. Fish and Wildlife Service, Region 2	<u>6/13/2012</u> Date


Land Acquisition Planning
Compliance Certificate

Project: Rio Mora NWR and Rio Mora Conservation Area State: New Mexico

Action: Proposed establishment of the Rio Mora NWR and Rio Mora Conservation Area.

NEPA - Environmental Action Statement..... June 1, 2012
E.O. 12372 Intergovernmental Review of Federal Programs..... June 1, 2012
E.O. 11988 Floodplain ManagementJune 1, 2012
E.O. 11990 Protection of Wetlands June 1, 2012
Preliminary Engineering Report NA
Endangered Species Act, Section 7..... May 16, 2012
Preliminary Contaminants Report..... NA
E.O. 11593 Protection of Historic, Archaeological, and Scientific
Resources June 1, 2012
P.L. 91-646 Uniform Relocation Assistance and Real Property
Acquisition Policies Act (Realty Feasibility Report) NA

I hereby certify that all requirements of laws, rules, and Service policies or regulations applicable to pre-acquisition planning for the above project have been complied with.


Regional Director
Southwest Region
U.S. Fish and Wildlife Service
Albuquerque, NM

6/13/2012
Date

U.S. Fish & Wildlife Service
National Wildlife Refuge System
Division of Planning
P.O. Box 1306
Albuquerque, NM 87103
505/248-6642
www.fws.gov/southwest/

Rio Mora National Wildlife Refuge
Northern New Mexico Refuge Complex
Route 1, Box 399
Las Vegas, NM 87701
575/525-3581
575/454-8510 Fax

www.fws.gov/southwest/refuges/nm/lasvegas/index.html

Rio Mora National Wildlife Refuge / USFWS

July 2012

