

INITIATING AGENCY NAME NEW MEXICO DEPARTMENT OF GAME AND FISH	BUD REFERENCE 121	STATE OF NEW MEXICO	BUSINESS UNIT 51600	8/20/2020
INITIATING ORG NAME P-717 CONSERVATION SERVICES	CLASS CODE E0000	BUDGET ADJUSTMENT REQUEST	FISCAL YEAR 2021	DATE FCD RECEIVED

SHARE Appropriation Budget Journal 2879623

FOR KEY ENTRY - FINANCIAL CONTROL DIVISION					ESTIMATED REVENUE ALLOCATION - FOR STATE BUDGET DIVISION				
BUDGETED APPROPRIATIONS	FUND/AGCY/P-Code	APPR UNIT CODE	AMOUNT INCREASE (I)	AMOUNT DECREASE (D)	GENERAL FUND	OTHER STATE FUNDS	INTERNAL SERV FUNDS/ INTERAGENCY TRANSFERS	FED. FUNDS CFDA NO.: 15.611	CASH BALANCE
CONTRACTUAL SERVICES	19800/51600 P717	300	\$28,122.48					\$ 310,296.93	
OTHER	19800/51600 P717	400	\$282,174.45						
<b>TOTAL</b>			<b>\$310,296.93</b>					<b>\$ 310,296.93</b>	

SHARE Revenue Budget Journal 2879624

BUDGETED REVENUES	FUND/AGCY/P-Code	REVENUE SOURCE	AMOUNT INCREASE (I)	AMOUNT DECREASE (D)	STATUTORY AUTHORITY
FEDERAL FUNDS	19800/51600 P717	491503	\$310,296.93		NMSA 6-3-23 1978 LAWS OF 2020, 2ND SESSION, CHAPTER 83, SECTION 3 (I)
					<b>BAR TYPE</b> 1. PROGRAM TRANSFER [ ] 2. CATEGORY TRANSFER [ ] 3. BUDGET INCREASE [X] 4. BUDGET DECREASE [ ] 5. CAPITAL PROJECTS (Multi-Year Budget) [ ]
					<b>FEDERAL FUNDS</b> NO 10-DAY WAIT X
					<b>FOR DFA USE ONLY</b> ANALYST #1 REVIEW _____ DATE _____ ANALYST #2 REVIEW _____ DIRECTOR REVIEW _____ FINAL POSTING _____
					<b>CONTROL NUMBER</b> ACCEPT _____ REJECT _____
<b>TOTAL</b>			<b>\$310,296.93</b>		

ROUND AMOUNTS DOWN TO THE NEAREST DOLLAR, e.g. \$2,851.67 SHOWN AS \$2,851. DO NOT INCLUDE CENTS.

**Department of Finance and Administration  
State Budget Division  
BAR Checklist**

Complete	BAR Form
<input checked="" type="checkbox"/>	Initiating Agency Name/Initiating Org Name
<input checked="" type="checkbox"/>	Bud Reference/Class Code
<input checked="" type="checkbox"/>	Department Code/Fiscal year
<input checked="" type="checkbox"/>	Date/Date FCD Received
<input checked="" type="checkbox"/>	Initiating Org Name/Class Code/Fiscal Year
<input checked="" type="checkbox"/>	SHARE Appropriation/Revenue Journal IDs
<input checked="" type="checkbox"/>	Budgeted Appropriation Categories
<input checked="" type="checkbox"/>	Fund/Agency/Dept
<input checked="" type="checkbox"/>	Appr Unit Code
<input checked="" type="checkbox"/>	Amount Increase/Decrease
<input checked="" type="checkbox"/>	Estimated Revenue Allocation - Source
<input checked="" type="checkbox"/>	Budgeted Revenues
<input checked="" type="checkbox"/>	Fund/Agency/Dept
<input checked="" type="checkbox"/>	BAR Type
<input checked="" type="checkbox"/>	Federal Funds - No 10 Day Wait (optional)
<input checked="" type="checkbox"/>	Signature - Authorized Official
<input checked="" type="checkbox"/>	Statutory Authority Cited
<input checked="" type="checkbox"/>	Amounts in all sections of form are rounded to the nearest dollar
Complete	SHARE Journal Entries
<input checked="" type="checkbox"/>	Approp_P Entry
<input checked="" type="checkbox"/>	Revenue Entry (**Not Required for category transfer or increase from fund/cash balance)
<input checked="" type="checkbox"/>	Long Description
<input checked="" type="checkbox"/>	Fund (5 digit code)
<input checked="" type="checkbox"/>	Dept (Pcode)
<input checked="" type="checkbox"/>	Account - Approp_P Entry (Category i.e., 200,300,400 or 500)
<input checked="" type="checkbox"/>	Account - Revenue Entry (5 digit revenue source)
<input checked="" type="checkbox"/>	Bud Reference (i.e., 111, 911)
<input checked="" type="checkbox"/>	Class Code (i.e., 00000, etc.)
<input checked="" type="checkbox"/>	Amount
<input checked="" type="checkbox"/>	Verify Journal ID Type i.e., Journal Transfer v. Journal Entry
<input checked="" type="checkbox"/>	*Reduction in 'child-level' budget - prior to submission of program level change
Complete	Supporting Documentation
<input checked="" type="checkbox"/>	Expenditure/Revenue Projections
<input checked="" type="checkbox"/>	Copy of grant, award or authorization
<input checked="" type="checkbox"/>	A611 Trial Balance Report or Balance Sheet
<input checked="" type="checkbox"/>	CAFR Budget Status Report
<input checked="" type="checkbox"/>	Copy of statute cited
<input checked="" type="checkbox"/>	Fund Balance Projection
<input checked="" type="checkbox"/>	Fund Balance Reconciliation
<input checked="" type="checkbox"/>	Budget Overview Report
<input checked="" type="checkbox"/>	Printed copies of SHARE Journal IDs (Include department level decrease when appropriate*)
<input checked="" type="checkbox"/>	One original copy of supporting documentation and two additional copies.
<input checked="" type="checkbox"/>	*Copy of SHARE Journal Entry - Department Level Reduction (when appropriate)

I hereby certify that the following information has been reviewed for accuracy and included with BAR submission.

Agency: NEW MEXICO DEPARTMENT OF GAME AND FISH

Name: PAUL VARELA

Title: 

Signature: 

Date: 8/20/2020



DIRECTOR AND SECRETARY  
TO THE COMMISSION  
Michael B. Sloane

STATE OF NEW MEXICO  
DEPARTMENT OF GAME & FISH

One Wildlife Way, Santa Fe, NM 87507  
Post Office Box 25112, Santa Fe, NM 87504  
Tel: (505) 476-8000 | Fax: (505) 476-8123  
For information call: (888) 248-6866

[www.wildlife.state.nm.us](http://www.wildlife.state.nm.us)

STATE GAME COMMISSION  
SHARON SALAZAR HICKEY  
Chair  
Santa Fe  
ROBERTA SALAZAR-HENRY  
Vice-Chair  
Las Cruces  
JIMMY RAY BATES, SR.  
Albuquerque  
GAIL CRAMER  
Mayhill  
TIRZIO J. LOPEZ  
Cebolla  
DAVID SOULES  
Las Cruces  
JEREMY VESBACH  
Placitas

I. BAR IDENTIFICATION

BAR Type: **FEDERAL FUNDS BUDGET INCREASE**

**SHARE Budget Journal I.D. APPROP P 0002879623 AND REVENUE 0002879624**

Initiating Agency: **Department Game and Fish**  
Fund/Agency/Dept: **19800/51600/P717/300/400**

II. AGENCY CONTACT  
Initiating Organization: **CONSERVATION SERVICES**

Name: **Ivie Vigil**  
Title: **Budget Director**  
Phone number: **(505) 476-8166**

III. LEGAL AUTHORITY - **6-3-23 (D) NMSA 1978 LAWS OF 2020 2<sup>ND</sup> SESSION, CHAPTER 83 SECTION 3 (I)**

Identify the specific legal authority governing this BAR, such as the General Appropriation Act, special bill, or state statute. If the statutory authority for the increase comes from a source other than the General Appropriation Act, please attach a copy of the relevant statute

IV. BAR JUSTIFICATION

Purpose: **This BAR is intended to provide federal funding for a project (broken out into 3 separate federal grants) focused on big game seasonal movements. Each grant funds a big game seasonal migration sub-project in a different location. NMO1R1 funds a project on deer, elk, and pronghorn in northcentral New Mexico; NMO1R2 is a project on deer and elk in GMUs 5B and 51; and NMO1R3 is a project focused on deer and elk in the northern Sangre de Cristos. Many populations of wild ungulates require both**

winter and summer ranges (and forage resources therein) to fulfill their life history characteristics, reproductive requirements, and to maintain adequate nutritional status allowing for population vital rates (e.g., adult and neonate survival) sufficient to prevent population declines and ensure population persistence over the long-term. Migratory ungulates require both corridors with conditions that facilitate movement between summer and winter ranges and stop-over locations for foraging along the migratory route. Research indicates that migration corridors are culturally transmitted from one generation of ungulates to the next. Thus without appropriate management of both migration routes and stop-over locations, the continued persistence of these migratory populations could be threatened. This project is implemented and the BAR will provide additional funding to keep the project moving forward.

What action is being taken? A research project is being carried out to identify big game seasonal movements in northern New Mexico. The Department is cooperating with New Mexico State University's Cooperative Unit. Data gathered from the project will provide a scientific basis from which to base big game management recommendations.

Why is this action necessary? Data gathered from the project will provide a scientific basis from which to base big game management recommendations.

How will the action being taken improve program performance? This project will enable the Department to develop scientifically based management recommendations for elk, mule deer, and pronghorn including hunting season dates and license numbers, on a landscape where these species may make some large migratory movements to satisfy their life requirements. This project will satisfy the goals and objectives of the Department's Strategic Plan and will facilitate meeting our statutory mandates to provide an adequate supply of game.

- B. Does this BAR support an increase in term FTE? If yes, how many and how will these FTE and the programmatic activities they are undertaking be

funded in the long term? Is the action being taken in conflict with any limitation or does it support any requirement within the General Appropriation Act? **NO**

C. What other sources of funds within existing appropriations could be used to cover this request? **NONE**

D. What are the programmatic effects of not implementing this BAR? **Without implementing this BAR, the project will stall after only 1 year of data. There will not be a sufficient quantity of data, nor will the analysis be complete, to allow us to understand big game seasonal movements in the northern part of New Mexico. Ultimately, this could lead to inadequate big game management recommendations and decreased recreational opportunities.**

## V. BAR DETAIL

### A. Funding Impacts

1. Is this increase related to a one-time project? **YES**
2. If not, how will the increase to this year's budget are funded in future years?

B. If the source of funds is federal:

1. Does this increase reflect a new grant or a continuation of a prior grant? **It is both the continuation of a prior grant (NM O-1-R-1) and implementation of two newly approved grants (NM O-1-R-2 and NM O-1-R-3).**
2. Does the grant require state matching funds and have those funds been already budgeted for this fiscal year? **No, the grants are 100% federal funds.**
3. Complete the Federal BAR Worksheet (see SBD website for the template) and attach it to the BAR narrative. BARs will not be processed without this form.

B. If the source of funds is other state funds or internal service funds/interagency transfers:

1. Is this BAR subject to the five percent limitation?
  - a. If no, cite the specific statutory authority or appropriation language that exempts this increase from the five percent limit.

b. If yes, the spreadsheet for calculating the five percent limit and cumulative increase must be attached.

2. Does this increase reflect a new program effort or a continuation of an existing effort?
3. Is this increase related to a one-time project? If not, how will the increase to this year's budget are funded in future years?
4. Are there matching requirements and have funds been already budgeted for this fiscal year?
5. Is the revenue being budgeted a projected amount or has it already been received?
6. Please complete the following reconciliation:

Total estimated revenue for current fiscal year	_____
Amount already budgeted in the current fiscal year	- _____
Requested increase	- _____
Balance	= _____

If the source of funds is fund balance, provide a fund balance reconciliation form.

Note that if the original source of transferred funds being brought in to increase the budget is federal, the appropriate revenue code is 499505.

#### VI. REQUIRED ATTACHMENTS:

- A. If the source of funds is federal, include a copy of the notice of grant award or other evidence of federal participation.
- B. If the source of funds is another state agency, include a copy of the Joint Powers Agreement, Memorandum of Understanding or grant award and the approved account transfer order.
- C. If the source of funds is fund balance, include a reconciliation and verification of available, unbudgeted/unobligated fund balances. (I.e. June 30, Trial Balance, Fund Balance Reconciliation Form.)
- D. If the source of funds is other state funds, provide evidence (i.e., deposit slips, transfer orders, etc.) that the additional revenue has been earned, or include a projection of anticipated earned revenue for the fiscal year.

Unit 51600

Journal ID 0002879623

Date 08/20/2020

\*Ledger Group APROP\_P

Fiscal Year 2021

Period 2

Control ChartField Bud Ref

\*Currency JSD

Budget Header Status None

Rate Type CRRNT

\*Budget Entry Type Adjustment

Exchange Rate 1.00000000

Cur Effdt 08/20/2020

**Parent Budget Options**

Generate Parent Budget(s)

Use Default Entry Event

Parent Budget Entry Type

Budget Type Expense

\*Entry Type BAR

Attachments (0)

**Long Description**

To establish budget for 3 Grants NM O-1-R-1/O-1-R-2/O-1-R-3 with \$28,122.48 in the 300 category and \$282,174.45 in the 400 category Fund - 19800 Dept - P717 seasonal movement. . Laws of 2020, 2nd Session, Chapter 83, Section 3 (I) NMSA 6-3-23 1978.

5 characters remaining

**Alternate Description**

150 characters remaining

Unit 51600

Journal ID 0002879623

Date 08/20/2020

Errors Only

Budget Header Status None

Approval Header Status Not Submitted

\*Process **Post Journal**

Submit For Approval

Process

Lines Personalize | Find | View All | First 1-2 of 2 Last

Chartfields and Amounts Base Currency Details

Delete	Line	Approval Line Status	SpeedType	Account	Fund	Dept	Class	Bud Ref	Currency	Amount
<input type="checkbox"/>	1	Not Submitted		300	19800	P717	E0000	121	USD	28,122.48
<input type="checkbox"/>	2	Not Submitted		400	19800	P717	E0000	121	USD	282,174.45

Lines to add    Journal Line Copy Down

From Line  To

<b>Totals</b>		
Total Lines 2	Total Debits 0.00	Total Credits 310,296.93



Unit 51600

Journal ID 0002879624

Date 08/20/2020

\*Ledger Group REVENUE

Fiscal Year 2021

Period 2

Control ChartField Fund

\*Currency USD

Budget Header Status None

Rate Type CRRNT

\*Budget Entry Type Adjustment

Exchange Rate 1.00000000

Cur Effdt 08/20/2020

Parent Budget Options

Generate Parent Budget(s)

Use Default Entry Event

Parent Budget Entry Type

Budget Type Revenue

\*Entry Type BAR

Attachments (0)

Long Description

To establish Revenue for 3 Grants NM O-1-R-1/O-1-R-2/O-1-R-3 in the amount of \$310,296.93 Fund - 19800 Dept - P717 seasonal movement. . . Laws of 2020, 2nd Session, Chapter 83, Section 3 (I) NMSA 6-3-23 1978.

46 characters remaining

Alternate Description

150 characters remaining

Unit 51600

Journal ID 0002879624

Date 08/20/2020

Errors Only

Budget Header Status None

Approval Header Status Not Submitted

\*Process **Post Journal**

Submit For Approval

Process

▼ Lines Personalize | Find | View All | First 1 of 1 Last

Chartfields and Amounts | Base Currency Details

Delete	Line	Approval Line Status	SpeedType	Account	Fund	Dept	Class	Bud Ref	Currency	Amount
<input type="checkbox"/>	1	Not Submitted		451903	19800	P717	E0000	121	USD	310,296.93

Lines to add

1 + - Journal Line Copy Down

From Line  To  **Generate Budget Period Lines**

**Totals**

Total Lines 1

Total Debits 310,296.93

Total Credits 0.00

Save | Return to Search | Previous in List | Next in List | Notify | Refresh | Add | Update/Display

## FEDERAL GRANT BAR WORKSHEET

Business Unit/Fund/Program Code: 51600/19800/300  
51600/19800/400

Federal Grant Program Name: Big game seasonal movements

Federal Grant Number: NM O-1-R-1

(Enter Data in Boxed Cells Only)

Start	Total Grant Award from date of award to BAR date:	=	\$325,657.50
Less		-	\$255,360.57
	Balance	=	\$70,296.93
Less	Amount Budgeted in Current FY OpBud:	-	0.00
	Balance	=	70,296.93
Less	Amount of previous BAR processed (BAR No. _____):	-	
	Balance	=	70,296.93
Less	Amount of previous BAR processed (BAR No. _____):	-	
Total	AMOUNT AVAILABLE FOR THIS BAR:	=	70,296.93
Total	AMOUNT OF THIS BAR (NO. _____):	-	70,296.93
Balance	Amount Remaining:	=	0.00

## FEDERAL GRANT BAR WORKSHEET

Business Unit/Fund/Program Code: 51600/19800/400

Federal Grant Program Name: Big game seasonal movements - GMUs 5B and 51B

Federal Grant Number: NM O-1-R-2

(Enter Data in Boxed Cells Only)

Start	Total Grant Award from date of award to BAR date:	=	<input type="text" value="177,000"/>
Less		-	<input type="text" value="0"/>
	Balance	=	177,000
Less	Amount Budgeted in Current FY OpBud:	-	<input type="text" value="0"/>
	Balance	=	177,000
Less	Amount of previous BAR processed (BAR No. _____):	-	<input type="text"/>
	Balance	=	177,000
Less	Amount of previous BAR processed (BAR No. _____):	-	<input type="text"/>
Total	AMOUNT AVAILABLE FOR THIS BAR:	=	177,000
Total	AMOUNT OF THIS BAR (NO. _____):	-	<input type="text" value="147,000"/>
Balance	Amount Remaining:	=	30,000

## FEDERAL GRANT BAR WORKSHEET

Business Unit/Fund/Program Code: 51600/19800/400

Federal Grant Program Name: Big game seasonal movements - Northern Sangre de Cristos

Federal Grant Number: NM O-1-R-3

(Enter Data in Boxed Cells Only)

Start	Total Grant Award from date of award to BAR date:	=	<input type="text" value="123,000"/>
Less		-	<input type="text" value="0"/>
	Balance	=	123,000
Less	Amount Budgeted in Current FY OpBud:	-	<input type="text" value="0"/>
	Balance	=	123,000
Less	Amount of previous BAR processed (BAR No. _____):	-	<input type="text"/>
	Balance	=	123,000
Less	Amount of previous BAR processed (BAR No. _____):	-	<input type="text"/>
Total	AMOUNT AVAILABLE FOR THIS BAR:	=	123,000
Total	AMOUNT OF THIS BAR (NO. _____):	-	<input type="text" value="93,000"/>
Balance	Amount Remaining:	=	30,000

CATEGORY TOTALS

51600 NM DEPARTMENT OF GAME AND FISH  
Based on Budget Overview report by Pcode dated 8/20/20  
P-717 CONSERVATION SERVICES DIVISION  
FY21- P-717

08/20/20  
01:54 PM

ALL FUNDS COMBINED

T:\MAN\P-717 FY21 BudProjections 8.14.2020 (3).xlsx|Category

DESCRIPTION	CATEGORY	A	B	C	D	E	F	G	H	I	J
		FY20	FY21- P-717	FY21- P-717	FY21- P-717	FY21- P-717	FY21- P-717	FY21- P-717	FY21- P-717	FY21- P-717	FY21- P-717
		PRIOR YR ACTUAL EXPENSES	ORIGINAL BUDGET	BUDGET ADJUSTMENTS	ADJUSTED BUDGET	EXPENDED YEAR TO DATE <sup>1</sup>	ENCUMBRANCES YEAR TO DATE <sup>1</sup>	TOTAL OBLIGATIONS	UNOBLIGATED BALANCE	PROJECTED EXPENDITURES TO YEAR END <sup>2</sup>	BALANCE AVAILABLE
<b>Total Personal Services &amp; Employee Benefits</b>	<b>200</b>	10,700,521	11,836,600	(372,300)	11,464,300	1,210,419	0	1,210,419	10,253,881	10,036,730	217,151
77200 REVENUE		86,903	101,800	0	101,800	10,362	0	10,362	91,438	79,750	11,687
10840 REVENUE		291,739	379,800	0	379,800	26,557	0	26,557	353,243	271,345	81,898
09700 REVENUE		70,535	111,400	0	111,400	8,711	0	8,711	102,689	73,085	29,604
198 REVENUE		10,251,344	11,243,600	(372,300)	10,871,300	1,164,788	0	1,164,788	9,706,512	9,612,550	93,961
494 307 REVENUE		0	0	0	0	0	0	0	0	0	0
<b>Total Contractual Services</b>	<b>300</b>	4,296,924	3,628,300	28,122	3,656,422	55,429	1,499,711	1,555,140	2,101,282	0	2,101,282
77200 REVENUE		560,472	430,000	0	430,000	3,800	209,803	213,603	216,397	0	216,397
10840 REVENUE		10,166	50,000	0	50,000	5,000	559	5,559	44,441	0	44,441
09700 REVENUE		277,950	0	0	0	0	0	0	0	0	0
198 REVENUE		2,949,817	2,798,300	28,122	2,826,422	41,171	1,099,961	1,141,133	1,685,290	0	1,685,290
494 307 REVENUE		498,518	350,000	0	350,000	5,458	189,387	194,845	155,155	0	155,155
<b>Total Other Operating Costs</b>	<b>400</b>	7,530,578	8,024,500	477,174	8,501,674	317,742	1,580,195	1,897,937	6,603,737	0	6,603,737
77200 REVENUE		192,318	310,000	0	310,000	460	27,186	27,647	282,353	0	282,353
10840 REVENUE		410,894	431,500	0	431,500	1,057	41,830	42,888	388,612	0	388,612
09700 REVENUE		740	285,200	0	285,200	0	121,977	121,977	163,223	0	163,223
198 REVENUE		6,838,411	6,747,800	477,174	7,224,974	306,967	1,226,955	1,533,922	5,691,053	0	5,691,053
494 307 REVENUE		88,215	250,000	0	250,000	9,258	162,247	171,504	78,496	0	78,496
<b>Total Other Financing Uses</b>	<b>500</b>	182,300	182,300	0	182,300	0	0	0	182,300	0	182,300
77200 REVENUE		0	0	0	0	0	0	0	0	0	0
10840 REVENUE		0	0	0	0	0	0	0	0	0	0
09700 REVENUE		0	0	0	0	0	0	0	0	0	0
198 REVENUE		182,300	182,300	0	182,300	0	0	0	182,300	0	182,300
494 307 REVENUE		0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>		<b>22,710,324</b>	<b>23,671,700</b>	<b>132,997</b>	<b>23,804,697</b>	<b>1,583,590</b>	<b>3,079,906</b>	<b>4,663,496</b>	<b>19,141,201</b>	<b>10,036,730</b>	<b>9,104,471</b>
TOTAL 772 REVENUE		839,693	841,800	0	841,800	14,623	236,989	251,612	590,188	79,750	510,438
TOTAL 10840 REVENUE		712,800	861,300	0	861,300	32,614	42,389	75,004	786,296	271,345	514,952
TOTAL 09700 REVENUE		349,225	396,600	0	396,600	8,711	121,977	130,688	265,912	73,085	192,827
TOTAL 198 REVENUE		20,221,872	20,972,000	132,997	21,104,997	1,512,927	2,326,916	3,839,843	17,265,154	9,612,550	7,652,604
494 307 REVENUE		586,733	600,000	0	600,000	14,715	351,634	366,350	233,650	0	233,650

<sup>1</sup> These amounts must tie to the SHARE report - Single-Year CAFR Budget Status Report By Pcode. Please attach SHARE report.

<sup>2</sup> Agencies must provide a detailed justification by object code of assumptions used for projecting planned expenditures through year end. This should include detailed salary projections (see tab Salary) that State Budget Division can use to verify the agency methodology used in the projection calculations.

NOTES: 7/8/20 Special Session budget reduction of 4% raise in GPF only;  
8/10/20 - DFA INACTIVATED POSITIONS 5097, 5106, 5117, 10103764, 10105182, 10105183, 10108184 EFFECTIVE 7/25/20 8/20/2020 Fed Funds BAR 195K. FED FUNDS BAR SEASONAL MOVEMENT 28K-300 282K-400 8-20-2020.

Prepared by: Vince Olguin  
Phone: 505-476-8075  
Date: Thursday, August 20, 2020







Total Other Financing Uses	0.00	102,000.00	102,000.00	0.00	102,000.00	0.00	0.00	0.00	0.00	102,000.00	0.00	102,000.00
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<sup>1</sup> These amounts must tie to the SHARE report - Single-Year CAFR Budget Status Report By Pcode. Please attach SHARE report.  
<sup>4</sup> Agencies must

NOTES:	FEDERAL FUNDS BAR GRANT W-204-M-1 in the amount of \$195,000.00 Marquez Wildlife Management Area. FED FUNDS BAR SEASONAL MOVEMENT 28K-300 282K-400 8-20-2020.
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Prepared by: <i>Vince Olguin</i> Phone: <i>505-476-8075</i> Date: <i>Thursday, August 20, 2020</i>
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# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

P.O. Box 1306  
Albuquerque, New Mexico 87103

April 17, 2019



In Reply Refer To:  
FWS/R2/RD-WSFR

Michael Sloane, Director  
New Mexico Department of Game and Fish  
P.O. Box 25112  
Santa Fe, New Mexico 87504  
DUNS: 617792288

Attention: Michaela Wolfe, Federal Aid Coordinator

Subject: Notice of Grant Award F19AP00272

Dear Mr. Sloane:

The New Mexico Department of Game and Fish's (Department) application for Federal financial assistance, titled NM O-1-R-1 Big Game Seasonal Movements submitted to the U.S. Fish and Wildlife Service's (Service) CFDA Program number 15.670, is approved for funding. This award is made under the authority of the Adaptive Science Grant Program and is based on the Service's approval of the Department's application, hereby incorporated by reference into this award. For a complete list of this program's authorizing legislation, go to <https://beta.sam.gov/> and search by the CFDA Program number. Funds under this award are to be used to research needs associated with big game migration and wintering range.

The grant period of this award is July 1, 2019 through June 30, 2021. Only allowable costs resulting from obligations incurred during the grant period and any authorized pre-award costs may be charged to the award. All obligations incurred under the award must be liquidated no later than 90 calendar days after the end of the grant period, unless the Service approves a final financial reporting period extension.

The Department has completed enrollment in U.S. Treasury's Automated Standard Application for Payment (ASAP) system. When requesting payment in ASAP, your Payment Requestor will be required to enter an Account ID. When entering the Account ID in ASAP, the Payment Requestor should enter the Grant Award number identified in the subject line on letter followed by a percent sign (%). Refer to the ASAP.gov Help menu for detailed instructions on requesting payments in ASAP.

This grant is funded as follows:

<b>Program Subaccount - 1420</b>	<b>Approved Funding</b>	
Federal	\$	300,000
State	\$	0
<b>Grant Total</b>	<b>\$</b>	<b>300,000</b>

The Department is eligible to request Federal obligated funds up to but not in excess of an amount equal to **100** percent of the total project expenditures.

Awards are based on the application and supporting documents submitted to and approved by the Service. Acceptance of this grant award carries with it the responsibility to be aware of and comply with Program legislation, Federal regulations, special award terms, conditions, and provisions, including those assurances submitted annually by the Department. Acceptance is defined as the start of work, drawing down funds, or accepting the award via electronic means. The Federal regulations applicable to Service awards are listed by recipient type in the **Service Financial Assistance Award Terms and Conditions** posted at <http://www.fws.gov/grants/>. The “Department of the Interior (DOI) Award Provisions” attached to this Notice of Award also apply (Attachment A). If you do not have access to the Internet and require a printed copy of the award terms and conditions, contact the Service Project Officer identified in the Project Contacts section.

This following Terms, Conditions and Provisions are applicable to this award:

1. Reporting requirements are as follows:

<b>Report Title</b>	<b>Report Period</b>	<b>Due Date</b>
Interim Federal Financial Report (SF-425)	July 1, 2019 – June 30, 2020	September 28, 2020
Interim Performance Report	July 1, 2019 – June 30, 2020	September 28, 2020
Final Federal Financial Report (SF-425)	July 1, 2019 – June 30, 2021	September 28, 2021
Final Performance Report	July 1, 2019 – June 30, 2021	September 28, 2021

- a) All required reports must be sent to [fw2fa@fws.gov](mailto:fw2fa@fws.gov). Cost accounting is required at the subaccount level. The Standard Form (SF) 425, Federal Financial Report must be used for all financial reporting and is available at [http://www.whitehouse.gov/omb/grants\\_forms](http://www.whitehouse.gov/omb/grants_forms). For additional information regarding financial reporting requirements, including sanctions for noncompliance, please reference <http://www.fws.gov/policy/516fw1.html>.
- b) Performance reports must contain: a) the Service award number identified in the subject line of this letter; b) a comparison of actual accomplishments with the goals and objectives of the award as detailed in the approved scope of work outline in the proposal; c) a description of reasons why established goals were not met, if appropriate; and d) any other pertinent information relevant to the project results. For additional information regarding performance reporting requirements, including

sanctions for noncompliance, please reference <http://www.fws.gov/policy/516fw2.html>.

- c) Financial and performance reporting due dates may be extended by the Service upon receipt of a written request addressed to the Service at [fw2fa@fws.gov](mailto:fw2fa@fws.gov) identifying the type of report to be extended, the requested revised due date, and a justification for the extension. Requests for reporting due date extensions must be received by the Service no later than **1 day before** the original reporting due date.
- d) Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, notify the Service Project Officer in writing as soon as the following types of conditions become known: 1) Problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation and/or; 2) favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.
- e) Recipients are responsible for notifying the Service Project Officer in writing of any conflicts of interest that arise during the life of this award, including those reported to them by any subrecipient under the award. Conflicts of interest include any relationship or matter that might place the recipient, including their employees and subrecipients, in a position of conflict, real or apparent, between their responsibilities under the award and any other outside interests. Conflicts of interest include direct or indirect financial interests; close personal relationships; positions of trust in outside organizations; consideration of future employment arrangements with a different organization; and decision-making authority related to the proposed project. Conflicts of interest are those circumstances real or perceived that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the recipient, or the recipient's employees or subrecipients, in matters pertaining to the award. Recipients must notify the Service in writing if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee within the Federal program issuing this award. The term employee means any individual engaged in the performance of work under the Federal award. Recipients may not have a former Federal employee as a key project official, or in any other substantial role related to their award, whose participation put them out of compliance with the legal authorities addressing post-Government employment restrictions. The Service will examine each conflict of interest disclose based on its particular facts and nature of the project and will determine if a significant potential conflict exists. If it does, the Service will work with the recipient to determine an appropriate resolution. Failure to disclose and resolve conflicts of interest in a manner that satisfies the Service may result in any of the remedies described in 2 CFR 200.338 Remedies for Noncompliance, including termination of this award.

2. Indirect costs under this award are approved on the condition that the Department will submit an indirect cost rate proposal to their cognizant agency immediately after the award is made and no later than 90 calendar days past the award project period start date. The Department is not authorized to charge indirect costs under this award until the Department has received, and provided a copy to the Grants Fiscal Officer at [fw2fa@fws.gov](mailto:fw2fa@fws.gov), an approved Negotiated Indirect Cost Rate Agreement (NICRA) from the Federal government. In the event the Recipient fails to establish an approved rate before the end of the award project period, the Service may either: 1) deobligate the Federal amount budgeted for indirect costs and, if not otherwise prohibited by legislation or regulation, allow the Department to use costs otherwise allocable as indirect costs to satisfy cost-sharing or matching requirements; or 2) allow the Department to transfer the amount otherwise allocable as indirect costs to direct costs. Service approval of such budget changes will depend on the particular award circumstance. Indirect costs otherwise allocable to this award may not be shifted to another Federal award unless specifically authorized by legislation.

If the Department has submitted an indirect cost rate proposal to the cognizant agency within the required timeframe but the cognizant agency has delayed approval of the proposal, the Recipient must provide to the Service at [fw2fa@fws.gov](mailto:fw2fa@fws.gov) a letter containing the submitted rate, the name of the cognizant agency, and evidence of the proposal submission date in the form of either a copy of an emailed submission or written confirmation of the proposal receipt date from the cognizant agency. The Service may, upon review of the documentation and consultation with the cognizant agency, give written approval to the Department to charge indirect costs at their proposed rate until their proposal is approved. Service approval to charge indirect costs based on a proposed rate will depend on the circumstance; the Service will not approve a Department to charge indirect costs based on a proposed rate if rate approval delays are due to the Department having submitted a late, incomplete or inaccurate proposal. The Department must receive prior written approval from the Service before charging indirect costs based on a proposed rate. The award may be subject to further revision if the approved rate is higher or lower than the proposed rate.

3. Under the terms and conditions of this award, your organization must maintain an active SAM registration at <https://www.sam.gov/portal/public/SAM/> until the final financial report is submitted or final payment is received, whichever is later. If your organization's SAM registration expires during the required period, the Service will suspend payment under this and all other Service awards to your organization until you update your organization's SAM registration.
4. The Department is permitted to re-budget within the approved direct cost budget to meet unanticipated requirements and may make limited program changes to the approved project. However, certain types of post-award changes in budgets and projects shall require the prior written approval of the Service. Refer to **2 CFR 200.308 (c)(1-7)** for additional information on the types of changes that require prior written approval.
5. If additional time is needed to complete the approved project, you must send a SF-424 and written notice to the Service. The SF-424 and written notice must be received by the

Service at least **10 calendar days** before the authorized project period end date, and must include supporting reasons and revised end date. Extensions for time cannot be authorized for the purpose of spending an unused balance of funds that remains after the approved project activities have been completed.

- 6. During the grant period, an SF-424 and written notice must be sent to the Service at fw2fa@fws.gov to add or delete a project, increase or decrease the Federal funds, and increase the rate of Federal participation.

<b>The Service Grant Manager for this award is:</b>	<b>The Federal Aid Coordinator for this award is:</b>
Nicole Jimenez WSFR – USFWS P.O. Box 1306 500 Gold Ave. SW., Room 8514 Albuquerque, NM 87102 505-248-7466 Nicole_Jimenez@fws.gov	Michaela Wolfe Federal Aid Coordinator New Mexico Department of Game and Fish P.O. Box 25112 Santa Fe, NM 87504 505-476-8166 Michaela.Wolfe@state.nm.us

Please contact the Service Grant Manager with any questions or concerns about the terms of this award.

Sincerely,



for Cliff Schleusner, Chief  
Wildlife and Sport Fish Restoration Program

Enclosures

cc: Nicole Tatman, Big Game Program Coordinator  
Orrin Duvuvuei, Deer and Pronghorn Biologist

1. DATE ISSUED MM/DD/YYYY 06/30/2020

1a. SUPERSEDES AWARD NOTICE dated except that any additions or restrictions previously imposed remain in effect unless specifically rescinded

2. CFDA NO. 15.670 - Adaptive Science

3. ASSISTANCE TYPE Project Grant

4. GRANT NO. F20AP10175-00 Formerly

5. TYPE OF AWARD Other

4a. FAIN F20AP10175

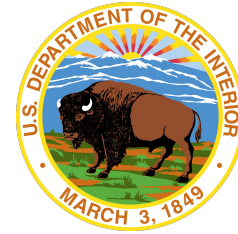
5a. ACTION TYPE New

6. PROJECT PERIOD MM/DD/YYYY From 07/01/2020 Through 06/30/2022

7. BUDGET PERIOD MM/DD/YYYY From 07/01/2020 Through 06/30/2022

8. TITLE OF PROJECT (OR PROGRAM) Big Game Seasonal Movements-GMUs 5B&51B

# NOTICE OF AWARD



AUTHORIZATION (Legislation/Regulations)

Fish and Wildlife Coordination Act, 16 U.S.C. §§661-666; Fish and Wildlife Act, 16 U.S.C. §742 et seq.; Fish and Wildlife Conservation Act.

9a. GRANTEE NAME AND ADDRESS  
GAME & FISH, NEW MEXICO DEPARTMENT OF  
1 Wildlife Way  
Santa Fe, NM 87507-9210

9b. GRANTEE PROJECT DIRECTOR  
Michaela Wolfe  
1 WILDLIFE WAY  
SANTA FE, NM 87507-9210  
Phone: 111-111-1111

10a. GRANTEE AUTHORIZING OFFICIAL  
Michaela Wolfe  
1 WILDLIFE WAY  
SANTA FE, NM 87507-9210  
Phone: 111-111-1111

10b. FEDERAL PROJECT OFFICER  
Ms. Nicole Jimenez  
500 GOLD AVE. SW  
Wildlife and Sport Fish Restoration  
ALBUQUERQUE, NM 87102  
Phone: 505-248-7466

**ALL AMOUNTS ARE SHOWN IN USD**

<b>11. APPROVED BUDGET (Excludes Direct Assistance)</b>		<b>12. AWARD COMPUTATION</b>	
I Financial Assistance from the Federal Awarding Agency Only		a. Amount of Federal Financial Assistance (from item 11m) \$ 177,000.00	
II Total project costs including grant funds and all other financial participation		b. Less Unobligated Balance From Prior Budget Periods \$ 0.00	
a. Salaries and WageS	4,000.00	c. Less Cumulative Prior Award(s) This Budget Period \$ 0.00	
b. Fringe Benefits	1,400.00	<b>d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION</b> \$ 177,000.00	
c. Total Personnel Costs	5,400.00	<b>13. Total Federal Funds Awarded to Date for Project Period</b> \$ 177,000.00	
d. Equipment	0.00	<b>14. RECOMMENDED FUTURE SUPPORT</b> (Subject to the availability of funds and satisfactory progress of the project):	
e. Supplies	73,368.68	YEAR	TOTAL DIRECT COSTS
f. Travel	40,000.00	a. 2	\$
g. Construction	0.00	b. 3	\$
h. Other	0.00	c. 4	\$
i. Contractual	30,000.00	d. 5	\$
j. TOTAL DIRECT COSTS	\$ 148,768.68	e. 6	\$
k. INDIRECT COSTS	\$ 28,231.32	f. 7	\$
<b>l. TOTAL APPROVED BUDGET</b>	<b>\$ 177,000.00</b>	<b>15. PROGRAM INCOME SHALL BE USED IN ACCORD WITH ONE OF THE FOLLOWING ALTERNATIVES:</b>	
m. Federal Share	\$ 177,000.00	a. DEDUCTION	
n. Non-Federal Share	\$ 0.00	b. ADDITIONAL COSTS	
		c. MATCHING	
		d. OTHER RESEARCH (Add / Deduct Option)	
		e. OTHER (See REMARKS)	
		<b>16. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY, THE FEDERAL AWARDING AGENCY ON THE ABOVE TITLED PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:</b>	
		a. The grant program legislation	
		b. The grant program regulations.	
		c. This award notice including terms and conditions, if any, noted below under REMARKS.	
		d. Federal administrative requirements, cost principles and audit requirements applicable to this grant.	
		In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall prevail. Acceptance of the grant terms and conditions is acknowledged by the grantee when funds are drawn or otherwise obtained from the grant payment system.	

REMARKS (Other Terms and Conditions Attached -  Yes  No)

**GRANTS MANAGEMENT OFFICIAL:**

Cliff Schelusner, CHIEF- WILDLIFE AND SPORT FISH RESTORATION PROGRAM  
500 GOLD AVE. SW  
ALBUQUERQUE, NM 87102  
Phone: 505-248-7465

17. VENDOR CODE 0070164552		18. DUNS 617792288			19. CONG. DIST. 03	
LINE#	FINANCIAL ACCT	AMT OF FIN ASST	START DATE	END DATE	TAS ACCT	PO LINE DESCRIPTION
1	0051001438-00010	\$177,000.00	07/01/2020	06/30/2022	1611	New Grant - 1420

## NOTICE OF AWARD (Continuation Sheet)

PAGE 2 of 5	DATE ISSUED 06/30/2020
GRANT NO. F20AP10175-00	

### SCOPE OF WORK

1. Big Game Seasonal Movements-GMUs 5B & 51B

### Terms and Conditions

1. [U.S. Fish and Wildlife General Award Terms and Conditions](#)
2. **Mandatory Disclosures**

**Conflicts of interest:** Per [2 CFR §1402.112](#), non-Federal entities and their employees must take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements. In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in [2 CFR §200.318](#) apply. Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with [2 CFR §200.112](#). Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Service Project Officer identified in their notice of award in writing of any conflicts of interest that may arise during the life of the award, including those that reported by subrecipients. The Service will examine each conflict of interest disclosure to determine whether a significant potential conflict exists and, if it does, work with the applicant or recipient to develop an appropriate resolution. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies for noncompliance described in [2 CFR §200.338](#), including suspension or debarment (see also [2 CFR Part 180](#)).

**Lobbying:** The recipient must not use any federally appropriated funds (annually appropriated or continuing appropriations) or matching funds under a Federal award to pay any person for lobbying in connection with the award. Lobbying is influencing or attempting to influence an officer or employee of any U.S. agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. Congress connection with the award. The recipient must complete and submit the [SF-LLL, "Disclosure of Lobbying Activities"](#) form to the Service Project Officer identified in their notice of award if the Federal share of their award is more than \$100,000 and the recipient has made or has agreed to make any payment using non- appropriated funds for lobbying in connection with the application or award. See [43 CFR, Subpart 18.100](#) for more information on when additional submission of this form is required.

**Other Mandatory Disclosures:** Recipients and subrecipients must disclose, in a timely manner, in writing to the Service Project Officer identified in their notice of award or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that receive a Federal award including the term and condition outlined in [2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters](#) are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies for noncompliance described in [2 CFR §200.338](#), including suspension or debarment.

### PAYMENTS

1. **Domestic Recipients Enrolled in Treasury's ASAP System**

The recipient will request payments under this award in the [U.S. Treasury's Automated Standard](#)



PAGE 3 of 5	DATE ISSUED 06/30/2020
GRANT NO. F20AP10175-00	

[Application for Payment \(ASAP\)](#) system. When requesting payment in ASAP, your Payment Requestor will be required to enter an Account ID. The number assigned to this award is the partial Account ID in ASAP. When entering the Account ID in ASAP, the Payment Requestor should enter the award number identified in the subject line on letter followed by a percent sign (%). Refer to the ASAP.gov Help menu for detailed instructions on requesting payments in ASAP.

Cost accounting is required at the subaccount level.

## BUDGET AND PROGRAM REVISIONS

### 1. Budget and Program Plan Revisions

The Department is permitted to re-budget within the approved direct cost budget to meet unanticipated requirements and may make limited program changes to the approved project. However, certain types of post-award changes in budgets and projects shall require the prior written approval of the Service. Refer to **2 CFR 200.308** for additional information on the types of changes that require prior written approval.

## REPORT

### 1. Interim Financial Reports

The recipient is required to submit interim financial reports on an annual basis directly in GrantSolutions. The recipient must follow the financial reporting period end dates and due dates provided in GrantSolutions. The interim reporting due dates are available by signing in to GrantSolutions and selecting the menu for Reports>Federal Financial Report. The GrantSolutions financial report data entry fields are the same as those on the SF-425, [“Federal Financial Report”](#) form. See also our instructional video on [“Completing the Federal Financial Report \(SF-425\)”](#).

### 2. Interim Performance Reports

The recipient is required to submit interim performance reports on an annual basis directly in GrantSolutions. The recipient must follow the performance reporting period end dates and due dates provided in GrantSolutions. The interim reporting due dates are available by signing in to GrantSolutions and selecting the menu for Reports>FPR.

### 3. Final Reports

The recipient must liquidate all obligations incurred under the award and submit a *final* financial report in GrantSolutions no later than 90 calendar days after the award period of performance end date. The GrantSolutions financial report data entry fields are the same as those on the SF-425, [“Federal Financial Report”](#) form. See also our instructional video on [“Completing the Federal Financial Report \(SF-425\)”](#).

The recipient must submit a *final* performance report no later than 90 calendar days after the award period of performance end date. Performance reports must contain: 1) a comparison of actual accomplishments with the goals and objectives of the award as detailed in the approved scope of

PAGE 4 of 5	DATE ISSUED 06/30/2020
GRANT NO. F20AP10175-00	

work; 2) a description of reasons why established goals were not met, if appropriate; and 3) any other pertinent information relevant to the project results. Please include the Service award number on all reports.

The recipient must follow the final Federal Financial Report and the final Performance Report reporting period end dates and due dates provided in GrantSolutions. The final reporting due dates are available by signing in to GrantSolutions and selecting the menu for Reports>Federal Financial Report or Reports>FPR.

**4. Reporting Due Date Extensions**

Reporting due dates may be extended for an award upon request to the Service Project Officer identified in the notice of award. The request should be sent by selecting the award in GrantSolutions and selecting send message. The message must include the type of report to be extended, the requested revised due date, and a justification for the extension. The Service may approve an additional extension if justified by a catastrophe that significantly impairs the award Recipient’s operations. The recipient must submit reporting due date extension requests through GrantSolutions to the Service Project Officer identified in their notice of award before the original due date. The Service Project Officer will respond to the recipient after approval or denial of the extension request.

**5. Significant Developments Reports**

See 2 CFR §200.328(d). Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, recipients are required to notify the Service in writing as soon as the recipient becomes aware of any problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation. The recipient should also notify the Service in writing of any favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

**AWARD CONDITIONS**

**1. Matching Requirements**

The Department is eligible to request Federal obligated funds equal to 100 percent of the total project expenditures. See also 2 CFR §200.306.

**2. Indirect Cost Restrictions**

The Service has conditionally approved the proposed indirect costs on the budget incorporated into this award. The recipient must provide a copy of their approved negotiated indirect cost rate agreement to the Service Project Officer identified on the notice of award before charging any indirect

NOTICE OF AWARD (Continuation Sheet)

PAGE 5 of 5	DATE ISSUED 06/30/2020
GRANT NO. F20AP10175-00	

costs to this award. The recipient is required to submit their indirect cost rate proposal to their cognizant agency for indirect costs no later than 90 calendar days past the award period of performance start date. In the event the recipient does not establish an approved rate by the award period of performance end date, the recipient must contact the Service Project Officer identified on the notice of award to discuss the situation and determine what budget revisions may be required. If the recipient submitted their rate agreement in a timely manner but the cognizant agency delayed processing it, the recipient should provide relevant details to the Service Project Officer.

**3. Other Program or Project Specific Conditions**

If at the end of the grant, there is a residual inventory of unused supplies exceeding \$5,000 in total aggregate value and the supplies are not needed for any other Federal award, the State must retain the supplies for use on other activities or sell them, but must, in either case, compensate the Federal government for its share (2 CFR §200.314). The amount of compensation must be computed in the same manner as for equipment. See 2 CFR §200.313 Equipment, paragraph (e)(2) for the calculation methodology.

**SPECIAL TERMS AND REQUIREMENTS**

**1. Inadvertent Archeological or Historical Discoveries**

In the event any archaeological or historic materials are encountered during project activity, work in the immediate area must stop and the following actions taken:

1. Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering;
2. Take reasonable steps to ensure the confidentiality of the discovery sites; and
3. Take reasonable steps to restrict access to the site of discovery.

The recipient must notify the concerned Tribes and all appropriate county, state, and federal agencies, including the State Historic Preservation Office. Agencies and the Tribe(s) will discuss the possible measures to remove or avoid cultural material, and will reach an agreement with the recipient regarding actions to be taken and disposition of material. If Human remains are uncovered, appropriate law enforcement agencies must be notified first, and the above steps followed. If the remains are determined to be Native, consultation with the affected Tribe(s) will take place in order to mitigate the final disposition of said remains.

1. DATE ISSUED MM/DD/YYYY 06/30/2020

1a. SUPERSEDES AWARD NOTICE dated except that any additions or restrictions previously imposed remain in effect unless specifically rescinded

2. CFDA NO. 15.670 - Adaptive Science

3. ASSISTANCE TYPE Project Grant

4. GRANT NO. F20AP10181-00 Formerly

5. TYPE OF AWARD Other

4a. FAIN F20AP10181

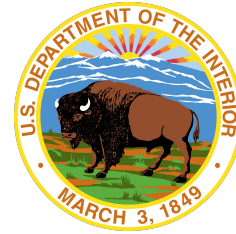
5a. ACTION TYPE New

6. PROJECT PERIOD MM/DD/YYYY From 07/01/2020 Through 06/30/2022

7. BUDGET PERIOD MM/DD/YYYY From 07/01/2020 Through 06/30/2022

8. TITLE OF PROJECT (OR PROGRAM) Big Game Seasonal Movements-Northern Sangre de Cristo

# NOTICE OF AWARD



## AUTHORIZATION (Legislation/Regulations)

Fish and Wildlife Coordination Act, 16 U.S.C. §§661-666; Fish and Wildlife Act, 16 U.S.C. §742 et seq.; Fish and Wildlife Conservation Act.

9a. GRANTEE NAME AND ADDRESS  
GAME & FISH, NEW MEXICO DEPARTMENT OF  
1 Wildlife Way  
Santa Fe, NM 87507-9210

9b. GRANTEE PROJECT DIRECTOR  
Michaela Wolfe  
1 WILDLIFE WAY  
SANTA FE, NM 87507-9210  
Phone: 111-111-1111

10a. GRANTEE AUTHORIZING OFFICIAL  
Michaela Wolfe  
1 WILDLIFE WAY  
SANTA FE, NM 87507-9210  
Phone: 111-111-1111

10b. FEDERAL PROJECT OFFICER  
Ms. Nicole Jimenez  
500 GOLD AVE. SW  
Wildlife and Sport Fish Restoration  
ALBUQUERQUE, NM 87102  
Phone: 505-248-7466

**ALL AMOUNTS ARE SHOWN IN USD**

11. APPROVED BUDGET (Excludes Direct Assistance)		12. AWARD COMPUTATION	
I Financial Assistance from the Federal Awarding Agency Only		a. Amount of Federal Financial Assistance (from item 11m)	\$ 123,000.00
II Total project costs including grant funds and all other financial participation		b. Less Unobligated Balance From Prior Budget Periods	\$ 0.00
a. Salaries and WageS	\$ 3,000.00	c. Less Cumulative Prior Award(s) This Budget Period	\$ 0.00
b. Fringe Benefits	\$ 1,050.00	<b>d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION</b>	<b>\$ 123,000.00</b>
c. Total Personnel Costs	\$ 4,050.00	<b>13. Total Federal Funds Awarded to Date for Project Period</b>	<b>\$ 123,000.00</b>
d. Equipment	\$ 0.00	<b>14. RECOMMENDED FUTURE SUPPORT</b> <i>(Subject to the availability of funds and satisfactory progress of the project):</i>	
e. Supplies	\$ 51,250.00	YEAR	TOTAL DIRECT COSTS
f. Travel	\$ 20,000.00	a. 2	\$
g. Construction	\$ 0.00	b. 3	\$
h. Other	\$ 0.00	c. 4	\$
i. Contractual	\$ 29,801.19	d. 5	\$
j. TOTAL DIRECT COSTS	\$ 105,101.19	e. 6	\$
k. INDIRECT COSTS	\$ 17,898.81	f. 7	\$
<b>l. TOTAL APPROVED BUDGET</b>	<b>\$ 123,000.00</b>	<b>15. PROGRAM INCOME SHALL BE USED IN ACCORD WITH ONE OF THE FOLLOWING ALTERNATIVES:</b>	
m. Federal Share	\$ 123,000.00	a. DEDUCTION	
n. Non-Federal Share	\$ 0.00	b. ADDITIONAL COSTS	
		c. MATCHING	
		d. OTHER RESEARCH (Add / Deduct Option)	
		e. OTHER (See REMARKS)	
		<b>16. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY, THE FEDERAL AWARDOING AGENCY ON THE ABOVE TITLED PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:</b>	
		a. The grant program legislation	
		b. The grant program regulations.	
		c. This award notice including terms and conditions, if any, noted below under REMARKS.	
		d. Federal administrative requirements, cost principles and audit requirements applicable to this grant.	
		In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall prevail. Acceptance of the grant terms and conditions is acknowledged by the grantee when funds are drawn or otherwise obtained from the grant payment system.	

REMARKS (Other Terms and Conditions Attached -  Yes  No)

**GRANTS MANAGEMENT OFFICIAL:**

Cliff Schelusner, CHIEF- WILDLIFE AND SPORT FISH RESTORATION PROGRAM  
500 GOLD AVE. SW  
ALBUQUERQUE, NM 87102  
Phone: 505-248-7465

17. VENDOR CODE	0070164552	18. DUNS	617792288	19. CONG. DIST.	03	
LINE#	FINANCIAL ACCT	AMT OF FIN ASST	START DATE	END DATE	TAS ACCT	PO LINE DESCRIPTION
1	0051001439-00010	\$123,000.00	07/01/2020	06/30/2022	1611	New Grant - 1420

## NOTICE OF AWARD (Continuation Sheet)

PAGE 2 of 5	DATE ISSUED 06/30/2020
GRANT NO. F20AP10181-00	

### SCOPE OF WORK

1. Big Game Seasonal Movements-Northern Sangre de Cristo

### Terms and Conditions

1. [U.S. Fish and Wildlife General Award Terms and Conditions](#)
2. **Mandatory Disclosures**

**Conflicts of interest:** Per [2 CFR §1402.112](#), non-Federal entities and their employees must take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements. In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in [2 CFR §200.318](#) apply. Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with [2 CFR §200.112](#). Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Service Project Officer identified in their notice of award in writing of any conflicts of interest that may arise during the life of the award, including those that reported by subrecipients. The Service will examine each conflict of interest disclosure to determine whether a significant potential conflict exists and, if it does, work with the applicant or recipient to develop an appropriate resolution. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies for noncompliance described in [2 CFR §200.338](#), including suspension or debarment (see also [2 CFR Part 180](#)).

**Lobbying:** The recipient must not use any federally appropriated funds (annually appropriated or continuing appropriations) or matching funds under a Federal award to pay any person for lobbying in connection with the award. Lobbying is influencing or attempting to influence an officer or employee of any U.S. agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. Congress connection with the award. The recipient must complete and submit the [SF-LLL, "Disclosure of Lobbying Activities"](#) form to the Service Project Officer identified in their notice of award if the Federal share of their award is more than \$100,000 and the recipient has made or has agreed to make any payment using non- appropriated funds for lobbying in connection with the application or award. See [43 CFR, Subpart 18.100](#) for more information on when additional submission of this form is required.

**Other Mandatory Disclosures:** Recipients and subrecipients must disclose, in a timely manner, in writing to the Service Project Officer identified in their notice of award or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that receive a Federal award including the term and condition outlined in [2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters](#) are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies for noncompliance described in [2 CFR §200.338](#), including suspension or debarment.

### PAYMENTS

1. **Domestic Recipients Enrolled in Treasury's ASAP System**

The recipient will request payments under this award in the [U.S. Treasury's Automated Standard](#)

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[Application for Payment \(ASAP\)](#) system. When requesting payment in ASAP, your Payment Requestor will be required to enter an Account ID. The number assigned to this award is the partial Account ID in ASAP. When entering the Account ID in ASAP, the Payment Requestor should enter the award number identified in the subject line on letter followed by a percent sign (%). Refer to the ASAP.gov Help menu for detailed instructions on requesting payments in ASAP.

Cost accounting is required at the subaccount level.

## BUDGET AND PROGRAM REVISIONS

### 1. Budget and Program Plan Revisions

The Department is permitted to re-budget within the approved direct cost budget to meet unanticipated requirements and may make limited program changes to the approved project. However, certain types of post-award changes in budgets and projects shall require the prior written approval of the Service. Refer to **2 CFR 200.308** for additional information on the types of changes that require prior written approval.

## REPORT

### 1. Interim Financial Reports

The recipient is required to submit interim financial reports on an annual basis directly in GrantSolutions. The recipient must follow the financial reporting period end dates and due dates provided in GrantSolutions. The interim reporting due dates are available by signing in to GrantSolutions and selecting the menu for Reports>Federal Financial Report. The GrantSolutions financial report data entry fields are the same as those on the SF-425, "[Federal Financial Report](#)" form. See also our instructional video on "[Completing the Federal Financial Report \(SF-425\)](#)".

### 2. Interim Performance Reports

The recipient is required to submit interim performance reports on an annual basis directly in GrantSolutions. The recipient must follow the performance reporting period end dates and due dates provided in GrantSolutions. The interim reporting due dates are available by signing in to GrantSolutions and selecting the menu for Reports>FPR.

### 3. Final Reports

The recipient must liquidate all obligations incurred under the award and submit a *final* financial report in GrantSolutions no later than 90 calendar days after the award period of performance end date. The GrantSolutions financial report data entry fields are the same as those on the SF-425, "[Federal Financial Report](#)" form. See also our instructional video on "[Completing the Federal Financial Report \(SF-425\)](#)".

The recipient must submit a *final* performance report no later than 90 calendar days after the award period of performance end date. Performance reports must contain: 1) a comparison of actual accomplishments with the goals and objectives of the award as detailed in the approved scope of

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work; 2) a description of reasons why established goals were not met, if appropriate; and 3) any other pertinent information relevant to the project results. Please include the Service award number on all reports.

The recipient must follow the final Federal Financial Report and the final Performance Report reporting period end dates and due dates provided in GrantSolutions. The final reporting due dates are available by signing in to GrantSolutions and selecting the menu for Reports>Federal Financial Report or Reports>FPR.

**4. Reporting Due Date Extensions**

Reporting due dates may be extended for an award upon request to the Service Project Officer identified in the notice of award. The request should be sent by selecting the award in GrantSolutions and selecting send message. The message must include the type of report to be extended, the requested revised due date, and a justification for the extension. The Service may approve an additional extension if justified by a catastrophe that significantly impairs the award Recipient’s operations. The recipient must submit reporting due date extension requests through GrantSolutions to the Service Project Officer identified in their notice of award before the original due date. The Service Project Officer will respond to the recipient after approval or denial of the extension request.

**5. Significant Developments Reports**

See 2 CFR §200.328(d). Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, recipients are required to notify the Service in writing as soon as the recipient becomes aware of any problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation. The recipient should also notify the Service in writing of any favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

**AWARD CONDITIONS**

**1. Matching Requirements**

The Department is eligible to request Federal obligated funds equal to **100** percent of the total project expenditures. See also 2 CFR §200.306.

**2. Indirect Cost Restrictions**

The Service has conditionally approved the proposed indirect costs on the budget incorporated into this award. The recipient must provide a copy of their approved negotiated indirect cost rate agreement to the Service Project Officer identified on the notice of award before charging any indirect

NOTICE OF AWARD (Continuation Sheet)

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costs to this award. The recipient is required to submit their indirect cost rate proposal to their cognizant agency for indirect costs no later than 90 calendar days past the award period of performance start date. In the event the recipient does not establish an approved rate by the award period of performance end date, the recipient must contact the Service Project Officer identified on the notice of award to discuss the situation and determine what budget revisions may be required. If the recipient submitted their rate agreement in a timely manner but the cognizant agency delayed processing it, the recipient should provide relevant details to the Service Project Officer.

**3. Other Program or Project Specific Conditions**

If at the end of the grant, there is a residual inventory of unused supplies exceeding \$5,000 in total aggregate value and the supplies are not needed for any other Federal award, the State must retain the supplies for use on other activities or sell them, but must, in either case, compensate the Federal government for its share (2 CFR §200.314). The amount of compensation must be computed in the same manner as for equipment. See 2 CFR §200.313 Equipment, paragraph (e)(2) for the calculation methodology.

**SPECIAL TERMS AND REQUIREMENTS**

**1. Inadvertent Archeological or Historical Discoveries**

In the event any archaeological or historic materials are encountered during project activity, work in the immediate area must stop and the following actions taken:

1. Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering;
2. Take reasonable steps to ensure the confidentiality of the discovery sites; and
3. Take reasonable steps to restrict access to the site of discovery.

The recipient must notify the concerned Tribes and all appropriate county, state, and federal agencies, including the State Historic Preservation Office. Agencies and the Tribe(s) will discuss the possible measures to remove or avoid cultural material, and will reach an agreement with the recipient regarding actions to be taken and disposition of material. If Human remains are uncovered, appropriate law enforcement agencies must be notified first, and the above steps followed. If the remains are determined to be Native, consultation with the affected Tribe(s) will take place in order to mitigate the final disposition of said remains.



# AWARD ATTACHMENTS

GAME & FISH, NEW MEXICO DEPARTMENT OF

F20AP10181-00

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1. Award Attachments

Ref: Adaptive Science, Federal Compliance Approval

**Project Approach:** Big Game Seasonal Movements-Northern Sangre de Cristo

Up to 50 mule deer and 50 elk will be captured from a helicopter using net guns. Once captured, the ungulates will be blindfolded, hobbled, receive a GPS collar and an ear tag, and processed on site. Once processing is complete, the ungulates will be released at the capture location. We will limit staging to existing developed/disturbed sites. Our operations will cause less than 1 square meter of impact overall.

**Endangered Species Act Determinations:**

No effect- no species or suitable habitat in project areas

**NHPA:**

NHPA process completed in compliance with the Programmatic Agreement for Section 106 signed and effective as of May 31, 2018.

**NEPA Determinations:**

No extraordinary circumstances were triggered by this project so NEPA compliance for these projects has been determined by WSFR to be a categorical exclusion as provided by 516 DM 8, Appendix 1 and/or 516 DM 2, Appendix 1.

B (1) Research, inventory, and information collection activities directly related to the conservation of fish and wildlife resources which involve negligible animal mortality or habitat destruction, no introduction of contaminants, or no introduction of organisms not indigenous to the affected ecosystem.



Grant Manager  
Date: June 26, 2020

**Intra-Service Section 7 Biological Evaluation**  
***Big Game Seasonal Movements Northern Sangre de Cristos***  
**INTRA-SERVICE SECTION 7 BIOLOGICAL EVALUATION**  
**Taos county**

**Originating Person:** Nicole Tatman  
**Telephone Number:** (505)476-8035  
**Date:** April 14, 2020

**I. Region:** Southwest Region 2

**II. Service Activity (Program):** Wildlife Restoration

**III. Pertinent Species and Habitat:**

Mule deer (*Odocoileus hemionus*) and elk (*Cervus canadensis*) occur primarily in woodland habitats and low elevation sagebrush habitats in northcentral New Mexico. There are no federally listed plants in Taos county New Mexico.

**A. Listed Species and/or Their Critical Habitat within the Action Area:**

Black-footed Ferret (*Mustela nigripes*)  
Canada Lynx (*Lynx canadensis*)  
Mexican Spotted Owl (*Strix occidentalis lucida*)  
New Mexico Meadow Jumping Mouse (*Zapus hudsonius luteus*)  
Piping Plover (*Chardrius melodus*)  
Southwestern Willow Flycatcher (*Empidonax traillii extimus*)  
Yellow-billed Cuckoo (*Coccyzus americanus*)

**B. Proposed Species and/or Proposed Critical Habitat within the Action Area:**

None

**C. Candidate Species within the Action Area:**

No candidate species within the action area.

**IV. Geographic Area and Action:**

The New Mexico Department of Game and Fish (Department) plans to capture mule deer and elk on public property in northcentral New Mexico, likely where target species are present in the foothills and mountains of Carson National Forest north of Taos New Mexico.

**V. Location:**

**A. Ecoregion:** (FWS only)

**B. County and State:** Taos county, New Mexico

**C. Section, Township, and Range (or Latitude and Longitude):**

36.566708 N, -105.572500 W (approximate)

**D. Distance (Miles) and Direction to Nearest Town:** Approximately 11 miles north northeast of Taos New Mexico.

**VI. Description of Proposed Action:**

Up to 50 mule deer and 50 elk will be captured from a helicopter using net guns. Once captured, the ungulates will be blindfolded, hobbled, receive a GPS collar and an ear tag, and processed on site. Once processing is complete, the ungulates will be released at the capture location. We will limit staging to existing developed/disturbed sites. Our operations will cause less than 1 square meter of impact overall.

## VII. Determination of Effects:

### A. Explanation of effects of the action:

Black-footed Ferret (*Mustela nigripes*) – This species is dependent on prairie dogs (*Cynomys* spp.) for food, and therefore, they are found in areas with large prairie dog populations. They are currently only found on a private ranch in northeastern NM and no captures will occur there. The areas in which the actions will occur do not have large populations of prairie dogs. Therefore, this species will not be present in the project area, and no negative impacts will occur to this species.

Yellow-billed Cuckoo (*Coccyzus americanus*) – This species is associated with lowland deciduous woodlands, willow and alder thickets, second-growth woods, deserted farmlands, and orchards. This species winters in South America. Yellow-billed cuckoos leave their summer range in early autumn and do not return until late April or early May. Therefore, this species will not be present in the project area during the time that the action will take place, and no negative impacts will occur to this species.

Mexican Spotted Owl (*Strix occidentalis lucidea*) - This species is found from central Colorado and Utah south through Arizona, New Mexico, and west Texas. Spotted owls are residents in the mountains of New Mexico. The preferred habitat is old-growth mixed-conifer forests, usually more than 200 years old. This habitat type occurs near the action area, but no action will occur within this habitat type. Therefore, this species will not be present in the project area, and no negative impacts will occur to this species.

New Mexico Meadow Jumping Mouse (*Zapus hudsonius luteus*) – This species nests in dry soils, but uses moist, streamside, dense riparian/wetland vegetation up to an elevation of about 8,000 feet (Frey 2006d, pp. 34-45). The jumping mouse appears to only utilize two riparian community types: 1) persistent emergent herbaceous wetlands (i.e., beaked sedge and reed canarygrass alliances); and 2) scrub-shrub wetlands (i.e., riparian areas along perennial streams that are composed of willows and alders) (Frey 2005, p. 53). It especially uses microhabitats of patches or stringers of tall dense sedges on moist soil along the edge of permanent water. This project will not take place in or near riparian zones, and is therefore expected to have no impact to this species.

Piping plover (*Charadrius melodus*) - This shorebird of the great plains, great lakes, and eastern coast is a very rare migrant to the wetlands of central and eastern New Mexico. Piping plovers winter along the coast of the Gulf of Mexico and breed in the great plains and along the upper Atlantic Coast. Seasonally, piping plovers may stopover in the project area during migration. Breeding piping plovers would be limited in this location. The proposed actions on the action area should be completed before Piping Plovers begin migrating from wintering to breeding grounds. Additionally, all activities will be temporary and will take place away from the habitats used by Piping Plovers. Therefore no negative impacts are expected to occur to this species.

Southwestern willow flycatcher (*Empidonax traillii extimus*) - The species inhabits and breeds in riparian habitats from southern California to Arizona and New Mexico. They prefer dense growths of willows and saltcedar often in a scattered overstory of cottonwood. These riparian communities provide nesting and foraging habitats. While this species may occur in isolated portions of the project area, it will be outside of breeding and nesting season, and any impacts (displacement, stress) will be temporary. Therefore no negative impacts are anticipated for this species or its designated Critical Habitat.

Canada lynx (*Lynx canadensis*) - The distribution of lynx in North America is closely associated with the distribution of North American boreal forest. In Canada and Alaska, lynx inhabit the classic boreal forest ecosystem known as the taiga. The range of lynx populations extends south from the classic boreal forest zone into the subalpine forest of the western United States, and the boreal/hardwood forest ecotone in the eastern United States. Forests with boreal features extend south into the contiguous United States along the North Cascade and Rocky Mountain Ranges in the west, the western Great Lakes Region, and northern Maine. Within these general forest types, lynx are most likely to persist in areas that receive deep snow and have high-density populations of snowshoe hares, the principal prey of lynx. This project will not take place in or near boreal forest, and will have no impact on the species or its habitat.

**B. Actions to be implemented to reduce adverse effects:**

The capture event will take place during times when migratory avian species are not present. There will be no driving off of established roads. We will limit staging to existing developed/disturbed sites. Our operations will cause less than 1 square meter of impact overall. The project will not impact riparian areas or waterways as ungulates will be captured on dry-land and not along lakes, streams, and rivers.

**VIII. Effect determination and response requested:**

**State Recommendation:**

**A. Listed species/designated critical habitat:**

**no effect:**

- Black-footed Ferret (*Mustela nigripes*)
- Canada Lynx (*Lynx canadensis*)
- Mexican Spotted Owl (*Strix occidentalis lucida*)
- New Mexico Meadow Jumping Mouse (*Zapus hudsonius luteus*)
- Piping Plover (*Chardrius melodus*)
- Southwestern Willow Flycatcher (*Empidonax traillii extimus*)
- Yellow-billed Cuckoo (*Coccyzus americanus*)

**may effect, is not likely to adversely affect:** None

**may effect, is likely to adversely affect:** None

**undetermined effect:** None

**B. Proposed species/proposed critical habitat:**

**no effect:** None

**may effect, is not likely to jeopardize proposed species/adversely modify proposed critical habitat:** None

**may effect, is likely to jeopardize proposed species/adversely modify proposed critical habitat:** None

**undetermined effect:** None

**C. Candidate species:**

No effect: None

May effect, is not likely to jeopardize:

May effect, is likely to jeopardize: None

Undetermined effect: None

**D. Remarks:**

**State Approval**

Signature  Date 4/17/20

Elise Goldstein, Assistant Chief, Wildlife

**Federal Aid Determination**

**Response Requested**

**A. Listed species/designated critical habitat**

No effect on species/critical habitat (list) X **Concurrence Optional**

May affect, is not likely to adversely affect species/critical habitat (list): \_\_\_\_\_ **Concurrence Requested**

May affect, is likely to adversely affect species/critical habitat (list): \_\_\_\_\_ **Formal Consultation Required**

**B. Proposed species/proposed critical habitat**

No effect on species/critical habitat (list): \_\_\_\_\_ **Concurrence Optional**

May effect, is not likely to jeopardize proposed species or adversely modify proposed critical habitat (list): \_\_\_\_\_ **Concurrence Requested**

May effect, is likely to jeopardize proposed species or adversely modify proposed critical habitat (list): \_\_\_\_\_ **Conference Required**

**C. Candidate species**

No effect on candidate species (list): \_\_\_\_\_ Concurrence Optional

May effect, is not likely to jeopardize candidate species (list) \_\_\_\_\_ Concurrence Requested

May effect, is likely to jeopardize candidate species (list): \_\_\_\_\_ Conference Required

Remarks:

Federal Aid Grant Manager

Signature *Rhode D. Jimenez*

Date 6/26/2020

**IX. Reviewing Ecological Services Office Evaluation:**

A. Concurrence \_\_\_\_\_ Nonconcurrence \_\_\_\_\_

B. Formal consultation required \_\_\_\_\_

C. Conference required \_\_\_\_\_

D. Remarks

Signature \_\_\_\_\_

Date \_\_\_\_\_

**LITERATURE SOURCES:**

1. All About Birds: Piping Plover. The Cornell Lab of Ornithology <[http://www.allaboutbirds.org/guide/Piping\\_plover/lifehistory](http://www.allaboutbirds.org/guide/Piping_plover/lifehistory)>. Accessed April 2020.
2. American Ornithologists' Union. 1998. Check-list of North American birds. 7<sup>th</sup> edition. Allen Press, Lawrence, KS. 829 pp.
3. [BISON-M] Biota Information System of New Mexico. BISON-M home page. <http://www.bison-m.org>. Accessed April 2020.
4. Species Profile: Black-Footed Ferret. U.S. Fish and Wildlife Service. <<https://ecos.fws.gov/ecp0/profile/speciesProfile?spcode=A004>>. Accessed April 2020.
5. Threatened and Endangered Species of New Mexico, 2014 Biennial Review, September 2016, Conservation Services Division, New Mexico Department of Game & Fish.
6. U.S. Fish & Wildlife Service—IpaC—Information, Planning, and Conservation System <<http://ecos.fws.gov/ipac/wizard/trustResourceList!prepare.action>> Accessed April 2020

# AWARD ATTACHMENTS

GAME & FISH, NEW MEXICO DEPARTMENT OF

F20AP10175-00

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1. Award Attachments



Ref: Adaptive Science, Federal Compliance Approval

**Project Approach:** Big Game Seasonal Movements-GMUs 5B & 5I

Up to 40 mule deer and 40 elk will be captured from a helicopter using net guns. Once captured, the ungulates will be blindfolded, hobbled, receive a GPS collar and an ear tag, and processed on site. Once processing is complete, the ungulates will be released at the capture location. We will limit staging to existing developed/disturbed sites. Our operations will cause less than 1 square meter of impact overall.

**Endangered Species Act Determinations:**

No effect- no species or suitable habitat in project areas

**NHPA:**

NHPA process completed in compliance with the Programmatic Agreement for Section 106 signed and effective as of May 31, 2018.

**NEPA Determinations:**

No extraordinary circumstances were triggered by this project so NEPA compliance for these projects has been determined by WSFR to be a categorical exclusion as provided by 516 DM 8, Appendix 1 and/or 516 DM 2, Appendix 1.

B (1) Research, inventory, and information collection activities directly related to the conservation of fish and wildlife resources which involve negligible animal mortality or habitat destruction, no introduction of contaminants, or no introduction of organisms not indigenous to the affected ecosystem.



Grant Manager  
Date: June 26, 2020

**Intra-Service Section 7 Biological Evaluation**  
**Big Game Seasonal Movements - GMUs 5B & 5I**  
**INTRA-SERVICE SECTION 7 BIOLOGICAL EVALUATION**  
**Rio Arriba and Sandoval counties**

**Originating Person:** Nicole Tatman  
**Telephone Number:** (505) 476-8035  
**Date:** April 14, 2020

**I. Region:** Southwest Region 2

**II. Service Activity (Program):** Wildlife Restoration

**III. Pertinent Species and Habitat:**

Mule deer (*Odocoileus hemionus*) and elk (*Cervus canadensis*) occur in many types of habitat, including woodland and desert habitats. There are no federally listed plants in Rio Arriba and Sandoval counties.

**A. Listed Species and/or Their Critical Habitat within the Action Area:**

Canada Lynx (*Lynx canadensis*)  
New Mexico Meadow Jumping Mouse (*Zapus hudsonius luteus*)  
Least Tern (*Sterna antillarum*)  
Mexican Spotted Owl (*Strix occidentalis lucida*)  
Southwestern Willow Flycatcher (*Empidonax traillii extimus*) and Critical Habitat  
Yellow-billed Cuckoo (*Coccyzus americanus*)  
Jemez Mountains Salamander (*Plethodon neomexicanus*)  
Rio Grande Silvery Minnow (*Hybognathus amarus*)

**B. Proposed Species and/or Proposed Critical Habitat within the Action Area:**

None

**C. Candidate Species within the Action Area:**

No candidate species within the action area.

**IV. Geographic Area and Action:**

The New Mexico Department of Game and Fish (Department) plans to capture mule deer and elk in Game Management Units 5B and 5I in northern New Mexico using the helicopter netgun method.

**V. Location:**

**A. Ecoregion:** (FWS only)

**B. County and State:** Rio Arriba and Sandoval counties, New Mexico

**C. Section, Township, and Range (or Latitude and Longitude):**

36.435728 N, -106.657236 W (approximate)

**D. Distance (Miles) and Direction to Nearest Town:** Less than 6 miles west of Canjilon, NM.

**VI. Description of Proposed Action:**

Up to 40 mule deer and 40 elk will be captured from a helicopter using net guns. Once captured, the ungulates will be blindfolded, hobbled, receive a GPS collar and an ear tag, and processed on site. Once

processing is complete, the ungulates will be released at the capture location. We will limit staging to existing developed/disturbed sites. Our operations will cause less than 1 square meter of impact overall.

## VII. Determination of Effects:

### A. Explanation of effects of the action:

Canada lynx (*Lynx canadensis*) - The distribution of lynx in North America is closely associated with the distribution of North American boreal forest. In Canada and Alaska, lynx inhabit the classic boreal forest ecosystem known as the taiga. The range of lynx populations extends south from the classic boreal forest zone into the subalpine forest of the western United States, and the boreal/hardwood forest ecotone in the eastern United States. Forests with boreal features extend south into the contiguous United States along the North Cascade and Rocky Mountain Ranges in the west, the western Great Lakes Region, and northern Maine. Within these general forest types, lynx are most likely to persist in areas that receive deep snow and have high-density populations of snowshoe hares, the principal prey of lynx. This project will not take place in or near boreal forest, and will have no impact on the species or its habitat.

New Mexico Meadow Jumping Mouse (*Zapus hudsonius luteus*) – This species nests in dry soils, but uses moist, streamside, dense riparian/wetland vegetation up to an elevation of about 8,000 feet (Frey 2006d, pp. 34-45). The jumping mouse appears to only utilize two riparian community types: 1) persistent emergent herbaceous wetlands (i.e., beaked sedge and reed canarygrass alliances); and 2) scrub-shrub wetlands (i.e., riparian areas along perennial streams that are composed of willows and alders) (Frey 2005, p. 53). It especially uses microhabitats of patches or stringers of tall dense sedges on moist soil along the edge of permanent water. This project will not take place in or near riparian zones, and is therefore expected to have no impact to this species.

Least Tern (*Sterna antillarum*) – This species feeds on fish, crustaceans, and aquatic insects and it nests on sandbars and alkali flats. Therefore, the species is closely associated with large bodies of water such as rivers, lakes, and reservoirs. This habitat type occurs near the action area, but no action will occur in these habitat types. In addition, the action will occur during the winter and this species will not be nesting at the time of the action. Therefore, no negative impacts will occur to this species.

Mexican Spotted Owl (*Strix occidentalis lucidea*) - This species is found from central Colorado and Utah south through Arizona, New Mexico, and west Texas. Spotted owls are residents in the mountains of New Mexico. The preferred habitat is old-growth mixed-conifer forests, usually more than 200 years old. This habitat type occurs near the action area, but no action will occur within this habitat type. Therefore, this species will not be present in the project area, and no negative impacts will occur to this species.

Southwestern willow flycatcher (*Empidonax traillii extimus*) - The species inhabits and breeds in riparian habitats from southern California to Arizona and New Mexico. They prefer dense growths of willows and saltcedar often in a scattered overstory of cottonwood. These riparian communities provide nesting and foraging habitats. While this species may occur in isolated portions of the project area, it will be outside of breeding and nesting season, and any impacts (displacement, stress) will be temporary. Therefore no negative impacts are anticipated for this species or its designated Critical Habitat.

Yellow-billed Cuckoo (*Coccyzus americanus*) – This species is associated with lowland deciduous woodlands, willow and alder thickets, second-growth woods, deserted farmlands, and orchards. This species winters in South America. Yellow-billed cuckoos leave their summer range in early autumn and do not return until late April or early May. Therefore, this species will not be present in the project area during the time that the action will take place, and no negative impacts will occur to this species.

Jemez Mountains Salamander (*Plethodon neomexicanus*) – This species is restricted to coniferous forests at high elevations. This species spends much of the time below the surface, and under rocks and fallen logs. The action will not disturb sub-surface soil. In addition, the action will occur in open areas and meadows within the project area, and no actions will occur inside the forests. Therefore, no negative impacts will occur to this species.

Rio Grande Silvery Minnow (*Hybognathus amarus*) – This species is fully aquatic and occupies a variety of habitats in low-gradient, large streams with shifting sand or silty bottoms. A flowing mainstream environment is important for this species persistence. The project will not impact aquatic species such as the Rio Grande Silvery Minnow because ungulates will be captured on dry-land and not along lakes, streams, and rivers

**B. Actions to be implemented to reduce adverse effects:**

The capture event will take place during times when migratory avian species are not present. There will be no driving off of established roads. We will limit staging to existing developed/disturbed sites. Our operations will cause less than 1 square meter of impact overall. The project will not impact riparian areas or waterways as ungulates will be captured on dry-land and not along lakes, streams, and rivers.

**VIII. Effect determination and response requested:**

**State Recommendation:**

**A. Listed species/designated critical habitat:**

**no effect:**

Canada Lynx (*Lynx canadensis*)  
New Mexico Meadow Jumping Mouse (*Zapus hudsonius luteus*)  
Least Tern (*Sterna antillarum*)  
Mexican Spotted Owl (*Strix occidentalis lucida*)  
Southwestern Willow Flycatcher (*Empidonax traillii extimus*) and Critical Habitat  
Yellow-billed Cuckoo (*Coccyzus americanus*)  
Jemez Mountains Salamander (*Plethodon neomexicanus*)  
Rio Grande Silvery Minnow (*Hybognathus amarus*)

**may effect, is not likely to adversely affect:** None

**may effect, is likely to adversely affect:** None

**undetermined effect:** None

**B. Proposed species/proposed critical habitat:**

**no effect:** None

**may effect, is not likely to jeopardize proposed species/adversely modify proposed critical habitat:** None

**may effect, is likely to jeopardize proposed species/adversely modify proposed critical habitat:** None


**undetermined effect:** None

**C. Candidate species:**

No effect: None  
May effect, is not likely to jeopardize:  
May effect, is likely to jeopardize: None  
Undetermined effect: None

**D. Remarks:**

**State Approval**

Signature  Date 4/17/20  
Elise Goldstein, Assistant Chief, Wildlife

**Federal Aid Determination**

**Response Requested**

**A. Listed species/designated critical habitat**

No effect on species/critical habitat (list) X **Concurrence Optional**  
May affect, is not likely to adversely affect species/critical habitat (list): \_\_\_\_\_ **Concurrence Requested**  
May affect, is likely to adversely affect species/critical habitat (list): \_\_\_\_\_ **Formal Consultation Required**

**B. Proposed species/proposed critical habitat**

No effect on species/critical habitat (list): \_\_\_\_\_ **Concurrence Optional**  
May effect, is not likely to jeopardize proposed species or adversely modify proposed critical habitat (list): \_\_\_\_\_ **Concurrence Requested**  
May effect, is likely to jeopardize proposed species or adversely modify proposed critical habitat (list): \_\_\_\_\_ **Conference Required**

**C. Candidate species**

No effect on candidate species (list): \_\_\_\_\_ **Concurrence Optional**

May effect, is not likely to jeopardize candidate species (list) \_\_\_\_\_ **Concurrence Requested**

May effect, is likely to jeopardize candidate species (list): \_\_\_\_\_ **Conference Required**

**Remarks:**

**Federal Aid Grant Manager**

**Signature** *Ricardo D. Jimenez*

**Date** 6/26/2020

**IX. Reviewing Ecological Services Office Evaluation:**

- A. **Concurrence** \_\_\_\_\_ **Nonconcurrence** \_\_\_\_\_
- B. **Formal consultation required** \_\_\_\_\_
- C. **Conference required** \_\_\_\_\_
- D. **Remarks**

**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_

**LITERATURE SOURCES:**

1. All About Birds: Piping Plover. The Cornell Lab of Ornithology <[http://www.allaboutbirds.org/guide/Piping\\_plover/lifehistory](http://www.allaboutbirds.org/guide/Piping_plover/lifehistory)>. Accessed April 2020.
2. American Ornithologists' Union. 1998. Check-list of North American birds. 7<sup>th</sup> edition. Allen Press, Lawrence, KS. 829 pp.
3. [BISON-M] Biota Information System of New Mexico. BISON-M home page. <http://www.bison-m.org>. Accessed April 2020.
4. Species Profile: Black-Footed Ferret. U.S. Fish and Wildlife Service. <<https://ecos.fws.gov/ecp0/profile/speciesProfile.action?scode=A004>>. Accessed April 2020.
5. Species Profile: Rio Grande Silvery Minnow. U.S. Fish and Wildlife Service. <<https://ecos.fws.gov/ecp/species/1391>>. Accessed April 2020
6. Threatened and Endangered Species of New Mexico, 2014 Biennial Review, September 2016, Conservation Services Division, New Mexico Department of Game & Fish.
7. U.S. Fish & Wildlife Service—IPaC—Information, Planning, and Conservation System <<http://ecos.fws.gov/ipac/wizard/trustResourceList!prepare.action>> Accessed April 2020

## **Attachment A: DOI Award Provisions**

### **I. Conflicts of Interest**

#### **(a) Applicability.**

(1) This section intends to ensure that non-Federal entities and their employees take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements.

(2) In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 2 CFR 200.318 apply.

#### **(b) Requirements.**

(1) Non-Federal entities must avoid prohibited conflicts of interest, including any significant financial interests that could cause a reasonable person to question the recipient's ability to provide impartial, technically sound, and objective performance under or with respect to a Federal financial assistance agreement.

(2) In addition to any other prohibitions that may apply with respect to conflicts of interest, no key official of an actual or proposed recipient or subrecipient, who is substantially involved in the proposal or project, may have been a former Federal employee who, within the last one (1) year, participated personally and substantially in the evaluation, award, or administration of an award with respect to that recipient or subrecipient or in development of the requirement leading to the funding announcement.

(3) No actual or prospective recipient or subrecipient may solicit, obtain, or use non-public information regarding the evaluation, award, or administration of an award to that recipient or subrecipient or the development of a Federal financial assistance opportunity that may be of competitive interest to that recipient or subrecipient.

#### **(c) Notification.**

(1) Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with 2 CFR 200.112, Conflicts of Interest.

(2) Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Financial Assistance Officer in writing of any conflicts of interest that may arise during the life of the award, including those that have been reported by subrecipients.

(d) Restrictions on Lobbying. Non-Federal entities are strictly prohibited from using funds under this grant or cooperative agreement for lobbying activities and must provide the required certifications and disclosures pursuant to 43 CFR Part 18 and 31 USC 1352.

(e) Review Procedures. The Financial Assistance Officer will examine each conflict of interest disclosure on the basis of its particular facts and the nature of the proposed grant or cooperative agreement, and will determine whether a significant potential conflict exists and, if it does, develop an appropriate means for resolving it.

(f) Enforcement. Failure to resolve conflicts of interest in a manner that satisfies the Government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies described in 2 CFR 200.338, Remedies for Noncompliance, including suspension or debarment (see also 2 CFR Part 180).

## **II. Data Availability**

(a) **Applicability.** The Department of the Interior is committed to basing its decisions on the best available science and providing the American people with enough information to thoughtfully and substantively evaluate the data, methodology, and analysis used by the Department to inform its decisions.

(b) **Use of Data.** The regulations at 2 CFR 200.315 apply to data produced under a Federal award, including the provision that the Federal Government has the right to obtain, reproduce, publish, or otherwise use the data produced under a Federal award as well as authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes.

(c) **Availability of Data.** The recipient shall make the data produced under this award and any subaward(s) available to the Government for public release, consistent with applicable law, to allow meaningful third party evaluation and reproduction of the following:

- (1) The scientific data relied upon;
- (2) The analysis relied upon; and
- (3) The methodology, including models, used to gather and analyze data.



Received 04/09/2019 - CAR

**Application for Federal Assistance SF-424**

\* 1. Type of Submission:

- Preapplication
- Application
- Changed/Corrected Application

\* 2. Type of Application:

- New
- Continuation
- Revision

\* If Revision, select appropriate letter(s):

\* Other (Specify):

\* 3. Date Received:

4. Applicant Identifier:

NM O-1-R-1

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

F19AP00272

**State Use Only:**

6. Date Received by State:

7. State Application Identifier:

**8. APPLICANT INFORMATION:**

\* a. Legal Name:

New Mexico Department of Game and Fish

\* b. Employer/Taxpayer Identification Number (EIN/TIN):

85-6000565

\* c. Organizational DUNS:

6177922880000 TR

**d. Address:**

\* Street1:

~~XXXXXXXXXX~~ 1 Wildlife Way

Street2:

\* City:

Santa Fe

County/Parish:

Santa Fe

\* State:

NM: New Mexico

Province:

\* Country:

USA: UNITED STATES

\* Zip / Postal Code:

~~XXXXXXXX~~ 87507-9210

**e. Organizational Unit:**

Department Name:

NM Department of Game and Fish

Division Name:

Wildlife Management Divission

**f. Name and contact information of person to be contacted on matters involving this application:**

Prefix:

\* First Name:

Michaela

Middle Name:

\* Last Name:

Wolfe

Suffix:

Title:

Federal Aid Coordinator

Organizational Affiliation:

\* Telephone Number:

505-476-8074

Fax Number:

505-476-8137

\* Email:

michaela.wolfe@state.nm.us

**Application for Federal Assistance SF-424**

**\* 9. Type of Applicant 1: Select Applicant Type:**

A: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

**\* 10. Name of Federal Agency:**

US DOI/Fish and Wildlife Service/WSFR Program

**11. Catalog of Federal Domestic Assistance Number:**

15.670 CAR

CFDA Title:

**\* 12. Funding Opportunity Number:**

F18AS00367

\* Title:

**13. Competition Identification Number:**

Title:

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

Add Attachment

Delete Attachment

View Attachment

**\* 15. Descriptive Title of Applicant's Project:**

Big Game Seasonal Movement

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

**Application for Federal Assistance SF-424**

**16. Congressional Districts Of:**

\* a. Applicant

\* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

**17. Proposed Project:**

\* a. Start Date:

\* b. End Date:

**18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="300,000.00"/>
* b. Applicant	<input type="text"/>
* c. State	<input type="text"/>
* d. Local	<input type="text"/>
* e. Other	<input type="text"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text" value="300,000.00"/>

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

- Yes  No

If "Yes", provide explanation and attach

**21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

\*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix:  \* First Name:   
Middle Name:   
\* Last Name:   
Suffix:

\* Title:

\* Telephone Number:  Fax Number:

\* Email:

\* Signature of Authorized Representative:  CAR

\* Date Signed:

**Memorandum**

To: File – *Wildlife and Sport Fish Restoration Program, NM O-1-R-1*  
From: Nicole Jimenez, *Grant Manager, Region 2, WSFR*  
Subject: Environmental Action Statement for the Big Game Seasonal Movements Project

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 have determined that the proposed action does not individually or cumulatively have a significant effect on the human environment. Therefore, this action is Categorically Excluded from NEPA documentation requirements (i.e., preparation of an Environmental Assessment or Environmental Impact Statement) consistent with guidance provided in 43 CFR 46.210, 43 CFR 46.215, and 516 DM 8.5. No further NEPA documentation will therefore be made.

**Proposed Action Description:**

Identify the specific movement corridors, overwintering areas, timing, and magnitude of migration for deer, elk, and pronghorn movement across the Northcentral landscape by deploying 50 GPS collars on deer and 50 on elk over 2 study areas for each species when animals are on winter range. In addition deploying 30 GPS collars on pronghorn on their high elevation summer range. Capture will occur using a net gun fired from a helicopter. The capture will occur over a 3-5 day period for each species. GPS collars with a fix rate of 2-3 hours will be deployed on the animals to identify detailed movements.

**Extraordinary Circumstances:** I have also reviewed the extraordinary circumstances listed below and determined that none are applicable to the proposed action.

**Yes No Will the Proposed Action:**

---

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (a) Have significant impacts on public health or safety.   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> |  |

**CONSIDER THIS MEMO AS DOCUMENTATION**

(h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.

(i) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.

(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

(k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

(l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

**Categorical Exclusion:** The Categorical Exclusions listed below are excerpted from the Department of the Interior's Departmental Manual for the Fish and Wildlife Service 516 DM 8.5, and are often applicable for habitat restoration projects. The Categorical Exclusion(s) checked below apply(*ies*) to the proposed action:

A (1) Changes or amendments to an approved action when such changes have no or minor potential environmental impact.

A (2) Personnel training, environmental interpretation, public safety efforts, and other educational activities, which do not involve new construction or major additions to existing facilities..

A (3) The issuance and modification of procedures, including manuals, orders, guidelines, and field instructions, when the impacts are limited to administrative effects.

A (4) The acquisition of real property obtained either through discretionary acts or when acquired by law, whether by way of condemnation, donation, escheat, right-of-entry, escrow, exchange, lapses, purchase, or transfer and that will be under the jurisdiction or control of the United States. Such acquisition of real property shall be in accordance with 602 DM 2 and the Service's procedures, when the acquisition is from a willing seller, continuance of or minor modification to the existing land use is planned, and the acquisition planning process has been performed in coordination with the affected public.

B (1) Research, inventory, and information collection activities directly related to the conservation of fish and wildlife resources which involve negligible animal mortality or habitat destruction, no introduction of contaminants, or no introduction of organisms not indigenous to the affected ecosystem.

B (2) The operation, maintenance, and management of existing facilities and routine recurring management activities and improvements, including renovations and replacements which result in no or only minor changes in the use, and have no or negligible environmental effects on-site or in the vicinity of the site.

B (3) The construction of new, or the addition of, small structures or improvements, including structures and improvements for the restoration of wetland, riparian, instream, or native habitats, which result in no or only minor changes in the use of the affected local area. The following are examples of activities that may be included:

A) The installation of fences.

B) The construction of small water control structures.

C) The planting of seeds or seedlings and other minor revegetation actions.

D) The construction of small berms or dikes.

E) The development of limited access for routine maintenance and management purposes.

**CONSIDER THIS MEMO AS DOCUMENTATION**

- B (4) The use of prescribed burning for habitat improvement purposes, when conducted in accordance with local and State ordinances and laws.
- B (5) Fire management activities, including prevention and restoration measures, when conducted in accordance with departmental and Service procedures.
- (6) The reintroduction or supplementation (e.g. stocking) of native, formerly native, or established species into suitable habitat within their historic or established range, where no or negligible environmental disturbances are anticipated.
- B (7) Minor changes in the amounts or types of public use on Service or State-managed lands, in accordance with existing regulations, management plans, and procedures.
- B (8) Consultation and technical assistance activities directly related to the conservation of fish and wildlife resources.
- B (9) Minor changes in existing master plans, comprehensive conservation plans, or operations, when no or minor effects are anticipated. Examples could include minor changes in the type and location of compatible public use activities and land management practices.
- B (10) The issuance of new or revised site, unit, or activity-specific management plans for public use, land use, or other management activities when only minor changes are planned. Examples could include an amended public use plan or fire management plan.
- B (11) Natural resource damage assessment restoration plans, prepared under sections 107, 111, and 122(j) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA); section 311(f)(4) of the Clean Water Act; and the Oil Pollution Act; when only minor or negligible change in the use of the affected areas is planned.
- C (8) Actions where the Service has concurrence or coapproval with another agency and the action is a categorical exclusion for that agency. This would normally involve one Federal action or connected actions where the Service is a cooperating agency.
- E (1) State, local, or private financial assistance (grants and/or cooperative agreements), including State planning grants and private land restorations, where the environmental effects are minor or negligible.
- E (2) Grants for categorically excluded actions in paragraphs A, B, and C, above; and categorically excluded actions in 43 CFR 46.210.

**Supporting Documents:** All environmental compliance documentation is contained in the project files located in the Region 2, Wildlife and Sport Fish Restoration. Supporting documents for this determination include relevant office file material and the following key references.

- Big Game Seasonal Movements, Intra-Service Section 7 Biological Evaluation, dated April 4, 2019

*Nicole D. Jimenez*

\_\_\_\_\_  
Grant Manager

4/10/2019

Date

**CONSIDER THIS MEMO AS DOCUMENTATION**

**Intra-Service Section 7 Biological Evaluation**  
***Big Game Seasonal Movements***  
**INTRA-SERVICE SECTION 7 BIOLOGICAL EVALUATION**  
**Rio Arriba, Taos, and Colfax counties**

**Originating Person:** Nicole Tatman  
**Telephone Number:** (505)476-8035  
**Date:** March 29, 2019

**I. Region:** Southwest Region 2

**II. Service Activity (Program):** Wildlife Restoration

**III. Pertinent Species and Habitat:**

Mule deer (*Odocoileus hemionus*), elk (*Cervus canadensis*), and pronghorn (*Antilocapra americana*) occur in many types of habitat, including woodland and desert habitats. There are no federally listed plants in Rio Arriba, Taos, and Colfax counties.

**A. Listed Species and/or Their Critical Habitat within the Action Area:**

Black-footed Ferret (*Mustela nigripes*)  
Canada Lynx (*Lynx canadensis*)  
Least Tern (*Sterna antillarum*)  
Mexican Spotted Owl (*Strix occidentalis lucida*)  
New Mexico Meadow Jumping Mouse (*Zapus hudsonius luteus*)  
Piping Plover (*Chardrius melodus*)  
Southwestern Willow Flycatcher (*Empidonax traillii extimus*) and Critical Habitat  
Yellow-billed Cuckoo (*Coccyzus americanus*)  
Jemez Mountains Salamander (*Plethodon neomexicanus*)

**B. Proposed Species and/or Proposed Critical Habitat within the Action Area:**

None

**C. Candidate Species within the Action Area:**

No candidate species within the action area.

**IV. Geographic Area and Action:**

The New Mexico Department of Game and Fish (Department) plans to capture mule deer, elk, and pronghorn on public property in northcentral New Mexico and on private land south of Chama, NM.

**V. Location:**

**A. Ecoregion:** (FWS only)

**B. County and State:** Rio Arriba, Taos, and Colfax counties, New Mexico

**C. Section, Township, and Range (or Latitude and Longitude):**

36.625712 N, -106.708655 W (approximate)  
36.885697 N, -106.231924 W (approximate)

**D. Distance (Miles) and Direction to Nearest Town:** Less than approximately 20 miles south and east of Chama, NM.

**VI. Description of Proposed Action:**

Up to 50 mule deer, 50 elk, and 30 pronghorn will be captured from a helicopter using net guns. Once captured, the ungulates will be blindfolded, hobbled, receive a GPS collar and an ear tag, and processed on site. Once processing is complete, the ungulates will be released at the capture location. We will limit staging to existing developed/disturbed sites. Our operations will cause less than 1 square meter of impact overall.

**VII. Determination of Effects:**

**A. Explanation of effects of the action:**

Black-footed Ferret (*Mustela nigripes*) – This species is dependent on prairie dogs (*Cynomys* spp.) for food, and therefore, they are found in areas with large prairie dog populations. They are currently only found on a private ranch in northeastern NM and no captures will occur there. The areas in which the actions will occur do not have large populations of prairie dogs. Therefore, this species will not be present in the project area, and no negative impacts will occur to this species.

Least Tern (*Sterna antillarum*) – This species feeds on fish, crustaceans, and aquatic insects and it nests on sandbars and alkali flats. Therefore, the species is closely associated with large bodies of water such as rivers, lakes, and reservoirs. This habitat type occurs near the action area, but no action will occur in these habitat types. In addition, the action will occur during the winter and this species will not be nesting at the time of the action. Therefore, no negative impacts will occur to this species.

Yellow-billed Cuckoo (*Coccyzus americanus*) – This species is associated with lowland deciduous woodlands, willow and alder thickets, second-growth woods, deserted farmlands, and orchards. This species winters in South America. Yellow-billed cuckoos leave their summer range in early autumn and do not return until late April or early May. Therefore, this species will not be present in the project area during the time that the action will take place, and no negative impacts will occur to this species.

Jemez Mountains Salamander (*Plethodon neomexicanus*) – This species is restricted to coniferous forests at high elevations. This species spends much of the time below the surface, and under rocks and fallen logs. The action will not disturb sub-surface soil. In addition, the action will occur in open areas and meadows within the project area, and no actions will occur inside the forests boundaries. Therefore, no negative impacts will occur to this species.

Mexican Spotted Owl (*Strix occidentalis lucida*) - This species is found from central Colorado and Utah south through Arizona, New Mexico, and west Texas. Spotted owls are residents in the mountains of New Mexico. The preferred habitat is old-growth mixed-conifer forests, usually more than 200 years old. This habitat type occurs near the action area, but no action will occur within this habitat type. Therefore, this species will not be present in the project area, and no negative impacts will occur to this species.

New Mexico Meadow Jumping Mouse (*Zapus hudsonius luteus*) – This species nests in dry soils, but uses moist, streamside, dense riparian/wetland vegetation up to an elevation of about 8,000 feet (Frey 2006d, pp. 34-45). The jumping mouse appears to only utilize two riparian community types: 1) persistent emergent herbaceous wetlands (i.e., beaked sedge and reed canarygrass alliances); and 2) scrub-shrub wetlands (i.e., riparian areas along perennial streams that are composed of willows and alders) (Frey 2005, p. 53). It especially uses microhabitats of patches or stringers of tall dense sedges on moist soil along the edge of permanent water. This project will not take place in or near riparian zones, and is therefore expected to have no impact to this species.



Piping plover (*Charadrius melodus*) - This shorebird of the great plains, great lakes, and eastern coast is a very rare migrant to the wetlands of central and eastern New Mexico. Piping plovers winter along the coast of the Gulf of Mexico and breed in the great plains and along the upper Atlantic Coast. Seasonally, piping plovers may stopover in the project area during migration. Breeding piping plovers would be limited in this location. The proposed actions on the action area should be completed before Piping Plovers begin migrating from wintering to breeding grounds. Additionally, all activities will be temporary and will take place away from the habitats used by Piping Plovers. Therefore no negative impacts are expected to occur to this species.

Southwestern willow flycatcher (*Empidonax traillii extimus*) - The species inhabits and breeds in riparian habitats from southern California to Arizona and New Mexico. They prefer dense growths of willows and saltcedar often in a scattered overstory of cottonwood. These riparian communities provide nesting and foraging habitats. While this species may occur in isolated portions of the project area, it will be outside of breeding and nesting season, and any impacts (displacement, stress) will be temporary. Therefore no negative impacts are anticipated for this species or its designated Critical Habitat.

Canada lynx (*Lynx canadensis*) - The distribution of lynx in North America is closely associated with the distribution of North American boreal forest. In Canada and Alaska, lynx inhabit the classic boreal forest ecosystem known as the taiga. The range of lynx populations extends south from the classic boreal forest zone into the subalpine forest of the western United States, and the boreal/hardwood forest ecotone in the eastern United States. Forests with boreal features extend south into the contiguous United States along the North Cascade and Rocky Mountain Ranges in the west, the western Great Lakes Region, and northern Maine. Within these general forest types, lynx are most likely to persist in areas that receive deep snow and have high-density populations of snowshoe hares, the principal prey of lynx. This project will not take place in or near boreal forest, and will have no impact on the species or its habitat.

**B. Actions to be implemented to reduce adverse effects:**

The capture event will take place during times when migratory avian species are not present. There will be no driving off of established roads. We will limit staging to existing developed/disturbed sites. Our operations will cause less than 1 square meter of impact overall. The project will not impact riparian areas or waterways as ungulates will be captured on dry-land and not along lakes, streams, and rivers.

**VIII. Effect determination and response requested:**

**State Recommendation:**

**A. Listed species/designated critical habitat:**

**no effect:**

- Black-footed Ferret (*Mustela nigripes*)
- Canada Lynx (*Lynx canadensis*)
- Least Tern (*Sterna antillarum*)
- Mexican Spotted Owl (*Strix occidentalis lucida*)
- New Mexico Meadow Jumping Mouse (*Zapus hudsonius luteus*)
- Piping Plover (*Charadrius melodus*)
- Southwestern Willow Flycatcher (*Empidonax traillii extimus*) and Critical Habitat
- Yellow-billed Cuckoo (*Coccyzus americanus*)
- Jemez Mountains Salamander (*Plethodon neomexicanus*)

**may effect, is not likely to adversely affect:** None

**may effect, is likely to adversely affect:** None

undetermined effect: None

**B. Proposed species/proposed critical habitat:**

**no effect:**  
Proposed Critical Habitat for New Mexico Meadow Jumping Mouse (*Zapus hudsonius luteus*)

**may effect, is not likely to jeopardize proposed species/adversely modify proposed critical habitat:** None

**may effect, is likely to jeopardize proposed species/adversely modify proposed critical habitat:**  
None

**undetermined effect:** None

**C. Candidate species:**

**No effect:** None

**May effect, is not likely to jeopardize:**

**May effect, is likely to jeopardize:** None

**Undetermined effect:** None

**D. Remarks:**

**State Approval**

Signature Elise Goldstein  
Elise Goldstein, Assistant Chief, Wildlife

Date 4/4/19

**Federal Aid Determination**

**Response Requested**

**A. Listed species/designated critical habitat**

**No effect on species/critical habitat (list)** \_\_\_\_\_ **Concurrence Optional**

**May affect, is not likely to adversely affect species/critical habitat (list):** \_\_\_\_\_ **Concurrence Requested**

**May affect, is likely to adversely affect species/critical habitat (list):** \_\_\_\_\_ **Formal Consultation**

**Required**

**B. Proposed species/proposed critical habitat**

No effect on species/critical habitat (list): \_\_\_\_\_ **Concurrence Optional**

May effect, is not likely to jeopardize  
proposed species or adversely modify

proposed critical habitat (list): \_\_\_\_\_ **Concurrence Requested**

May effect, is likely to jeopardize proposed  
species or adversely modify proposed  
critical habitat (list):

\_\_\_\_\_ **Conference Required**

**C. Candidate species**

No effect on candidate species (list): \_\_\_\_\_ **Concurrence Optional**

May effect, is not likely to jeopardize  
candidate species (list)

\_\_\_\_\_ **Concurrence Requested**

May effect, is likely to jeopardize  
candidate species (list):

\_\_\_\_\_ **Conference Required**

**Remarks:**

**Federal Aid Grant Manager**

Signature *Ricardo D. Jimenez*

Date 4/10/2019

**IX. Reviewing Ecological Services Office Evaluation:**

**A. Concurrence** \_\_\_\_\_ **Nonconcurrence** \_\_\_\_\_

**B. Formal consultation required** \_\_\_\_\_

**C. Conference required** \_\_\_\_\_

**D. Remarks**

Signature \_\_\_\_\_

Date \_\_\_\_\_

## LITERATURE SOURCES:

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The Legislature  
of the  
State of New Mexico

54th Legislature, 2nd Session

LAWS 2020

CHAPTER 83

HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 2 AND 3, as amended, with certificate of correction

Introduced by



PARTIAL  
VETO

1 any operating budget reduced pursuant to this subsection.

2 G. Except as otherwise specifically stated in the General Appropriation Act of 2020,  
3 appropriations are made in this act for the expenditures of agencies and for other purposes as required  
4 by existing law for fiscal year 2021. If any other act of the second session of the fifty-fourth  
5 legislature changes existing law with regard to the name or responsibilities of an agency or the name or  
6 purpose of a fund or distribution, the appropriation made in the General Appropriation Act of 2020 shall  
7 be transferred from the agency, fund or distribution to which an appropriation has been made as required  
8 by existing law to the appropriate agency, fund or distribution provided by the new law.

9 H. The department of finance and administration will regularly consult with the legislative  
10 finance committee staff to compare fiscal year 2021 revenue collections with the revenue estimate. If the  
11 analyses indicate that revenues and transfers to the general fund are not expected to meet  
12 appropriations, then the department shall present a plan to the legislative finance committee that  
13 outlines the methods by which the administration proposes to address the deficit.

14 I. Pursuant to Sections 6-3-23 through 6-3-25 NMSA 1978, agencies whose revenue from state  
15 board of finance loans, from revenue appropriated by other acts of the legislature, or from gifts,  
16 grants, donations, bequests, insurance settlements, refunds or payments into revolving funds exceeds  
17 specifically appropriated amounts may request budget increases from the state budget division. If  
18 approved by the state budget division, such money is appropriated.

19 J. Except for gasoline credit cards used solely for operation of official vehicles,  
20 telephone credit cards used solely for official business and procurement cards used as authorized by  
21 Section 6-5-9.1 NMSA 1978, none of the appropriations contained in the General Appropriation Act of 2020  
22 may be expended for payment of agency-issued credit card invoices.

23 K. For the purpose of administering the General Appropriation Act of 2020, the state of New  
24 Mexico shall follow the modified accrual basis of accounting for governmental funds in accordance with  
25 the manual of model accounting practices issued by the department of finance and administration.

6-3-23. Budget adjustment defined. (1992)

6-3-23. Budget adjustment defined.

As used in Chapter 6, Article 3 NMSA 1978, "budget adjustment" means:

- A. an increase or decrease in expenditures from other state funds, internal service funds or interagency transfer;
- B. a transfer of funds from one division of an agency to other divisions of that agency;
- C. a transfer of funds between budget categories within an agency or a division; or
- D. an authorization to expend federal funds.

History: 1978 Comp., § 6-3-23, enacted by Laws 1992, ch. 2, § 1.