APPENDIX B

TETRA TECH, INC.

One Towne Centre
6121 Indian School Road N.E., Suite 205
Albuquerque, New Mexico 87110
(505) 881-3188 Main Number
(505) 881-3283 FAX

January 30, 2002

TTAL-LTR-02-003

Ms. Joy Nicholopoulos
Field Supervisor
New Mexico Ecological Services Field Office
Fish and Wildlife Service
2105 Osuna NE
Albuquerque, NM 87113

RE: Comments of Concern and a List of Federally Listed Threatened and Endangered Species for a Portion of Hidalgo County, NM.

Dear Joy Nicholopoulos:

Tetra Tech is preparing an environmental assessment for the National Renewable Energy Lab for the building of a proposed small-scale (~1 Mw) geothermal power plant approximately 5 miles north-northeast of Cotton City, New Mexico in Hidalgo County. Included are a project description and project maps which indicate projected site layout.

We would appreciate receiving a list of animal species receiving Federal protection that your records indicate may be in the vicinity of the project area. Also, we would value any comments of concern you may have regarding these listed species. This information will be of assistance in preparing the environmental assessment and a related biological report.

Please contact me at the above address, or at 881-3188 if you have any questions.

Sincerely,

Cliff Jarman
Project Manager

Attachments: As stated

FILE: USFWS letter.doc

United States Department of the Interior

FISH AND WILDLIFE SERVICE
New Mexico Ecological Services Field Office
2105 Osuna NE
Albuquerque, New Mexico 87113
Phone: (505) 346-2525 Fax: (505) 346-2542

April 9, 2002

Cons. # 2-22-02-I-317

Mr. George K. Pratt
Tetra Tech, Inc.
One Towne Centre
6121 Indian School Road NE, Suite 205
Albuquerque, New Mexico 87110

Dear Mr. Pratt:

This responds to your April 2, 2002, fax requesting information on threatened or endangered species or important wildlife habitats that could be affected by the Department of Energy's National Renewable Energy Lab for the proposed construction of a small-scale geothermal power plant approximately 5 miles north-northeast of Cotton City, Hidalgo County, New Mexico.

We have enclosed a current list of federally-endangered, threatened, candidate species, and species of concern that may be found in Hidalgo County, New Mexico. Additional information about these species is available on the internet at <http://nmrareplants.unm.edu>, <http://nmnhp.unm.edu/bisonm/bisonm.cfm>, and <http://ifw2es.fws.gov/endangeredspecies>. Under the Endangered Species Act, as amended (Act), it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action "may affect" any threatened, endangered, or proposed species, or critical habitat, and if necessary, to consult with us further. If your action area has suitable habitat for any of these species, we recommend that species-specific surveys be done during the appropriate flowering/breeding season to evaluate any possible project-related impacts.

Candidates and species of concern have no legal protection under the Act and are included in this document for planning purposes only. We monitor the status of these species. If significant declines are detected, these species could potentially be listed as endangered or threatened. Therefore, actions that may contribute to their decline should be avoided. We recommend that candidates and species of concern be included in your surveys.

Under Executive Order 11990, Federal agencies are required to minimize the destruction, loss, or degradation of wetlands, and preserve and enhance their natural and beneficial values. We recommend you contact the U.S. Army Corps of Engineers for permitting requirements under Section 404 of the Clean Water Act if your proposed action could impact wetlands. These

habitats should be conserved through avoidance, or mitigated to ensure no net loss of wetlands functions and values.

The Migratory Bird Treaty Act (MBTA) provides a year-round no hunting season for non-game birds and prohibits the taking of migratory birds, nests, and eggs, except as permitted. To minimize the likelihood of adverse impacts to all birds protected under the MBTA, we recommend construction activities occur outside the general migratory bird nesting season of March through August, or that areas proposed for construction during the nesting season be surveyed, and if necessary, avoided until nesting is complete.

Please keep in mind that the scope of federally-listed species compliance also includes any interrelated or interdependent project activities (e.g., equipment staging areas, offsite borrow material areas, or utility relocations) and any indirect and cumulative effects. We suggest you contact the New Mexico Department of Game and Fish, and the New Mexico Energy, Minerals, and Natural Resources Department, Forestry Division for information regarding fish, wildlife, and plants of State concern.

Thank you for your concern for endangered species and New Mexico's wildlife habitats. If you have any questions, please contact Delfinia Montaño at the letterhead address or at (505) 346-2525, ext. 117.

Sincerely,

Joy E. Nicholopoulos

Joy E. Nicholopoulos
Field Supervisor

Enclosure

cc: (w/o enc)
Director, New Mexico Department of Game and Fish, Santa Fe, New Mexico
Director, New Mexico Energy, Minerals, and Natural Resources Department, Forestry Division, Santa Fe, New Mexico

TETRA TECH NUS, INC.
2300 Buena Vista S.E. ▪ Suite 110 ▪ Albuquerque, N.M. 87106
(505) 247-4933 ▪ FAX (505) 247-8151 ▪ www.tetratech.com

April 3, 2002

Cliff Jarman, Project Manager
Tetra Tech Inc.
One Towne Centre
6121 Indian School Road NE
Suite 205
Albuquerque, NM 87110

Dear Mr. Jarman:

Enclosed you will find five copies of the report entitled *Cultural Resource Survey for a Proposed Geothermal Development Near Cotton City, Hidalgo County, New Mexico.* Also enclosed are five copies of the NMCRIS Laboratory of Anthropology investigation record.

It has been a pleasure doing this project for you; please let me know if you need assistance on any future projects.

Sincerely,

Katherine J. Roxlau
Cultural Resource Specialist

Enclosures