

R. T. HICKS CONSULTANTS, LTD.

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October 24, 2008

Guy Bralley
Sandoval County Development
711 Camino Del Pueblo
Bernalillo, New Mexico 87004

RE: Sandoval County Desalination Project: Possible Impact on Listed Species in Sandoval County

Dear Mr. Bralley:

We have reviewed the list of endangered, threatened and candidate species in Sandoval County as presented on the U.S. Fish and Wildlife Service website and conducted research regarding their possible presence at the site of the Sandoval County Desalination Project in Rio West. The list given is as follows:

Common Name	Scientific Name	Group	Status
Yellow-billed cuckoo	<i>Coccyzus americanus</i>	Bird	Candidate
Rio Grande cutthroat trout	<i>Oncorhynchus clarki virginalis</i>	Fish	Candidate
New Mexican meadow jumping mouse	<i>Zapus hudsonius luteus</i>	Mammal	Candidate
Southwestern willow flycatcher	<i>Empidonax traillii extimus</i>	Bird	Endangered
Rio Grande silvery minnow	<i>Hybognathus amarus</i>	Fish	Endangered
Black-footed ferret	<i>Mustela nigripes</i>	Mammal	Endangered
Mexican spotted owl	<i>Strix occidentalis lucida</i>	Bird	Threatened

As you know, the project is located in the Rio Puerco river valley west of Rio Rancho and east of Laguna Pueblo. While there are ephemeral drainages and arroyos in the project area, there are no significant flowing streams, rivers, or year-round wetlands. We researched the preferred habitats of the animals listed above and spoke with specialists at New Mexico Game and Fish to evaluate the possibility of the project adversely impacting endangered, threatened or candidate species listed for Sandoval County.

We spoke with Ms. Yvette Paroz, a New Mexico Game and Fish Biologist, regarding her opinion of the presence of Rio Grande cutthroat trout or Rio Grande silvery minnow at Rio West. She confirmed, given the lack of streams or rivers, these fish will not be present. She noted that the Mexican spotted owl is found in wooded mountains and is not present in the project area.

We spoke with Mr. Jim Stuart, a New Mexico Game and Fish Mammologist regarding the mammals on the list. Mr. Stuart noted that the New Mexican meadow jumping mouse

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prefers riparian habitat and there is no known evidence of this species in the project area. He noted that no Black-footed ferrets are known in New Mexico beyond those being introduced in a northeast portion of the state. Mr. Stuart knew of no sensitive mammals in the region.

Ms. Hira Walker, Non-game Endangered Species Ornithologist for New Mexico Game and Fish was out when we called, but we will continue to follow up with her regarding the birds on this list. Nevertheless, information on the yellow-billed cuckoo and the Southwestern willow flycatcher indicates that these birds prefer riparian habitat, specifically willows and cottonwoods near flowing and standing water. As this habitat is not present within the project area, we do not believe these birds are present.

Given our research, familiarity with the project area and the area surrounding it, and interviews with biologists familiar with the area and the animals listed above, we find no evidence to suggest that these animals are present at or near the project area and therefore will not be adversely impacted by the Sandoval County Desalination Project.

Sincerely,
R.T. Hicks Consultants, Ltd.

A handwritten signature in cursive script that reads "Katie Lee".

Katie Lee
Project Scientist