CEHMM
Conservation & Environmental Services

2025

Quarterly Report

January 1, 2025 – March 31, 2025

Candidate Conservation Agreements

Texas Hornshell (*Popenaias popeii*)

Creating Conservation Through Partnerships

Contents

I. Program Overview

This report describes the activities conducted in the first quarter of 2025 under the three sister Candidate Conservation Agreements for the Texas hornshell mussel (*Popenaias popeii*, THM) and other covered species. The Center for Environmental Health Monitoring and Management (CEHMM) administers a Candidate Conservation Agreement (CCA) for federal land and a Candidate Conservation Agreement with Assurances (CCAA) for non-federal and non-state (i.e. private) lands. The New Mexico State Land Office (SLO) administers a CCAA for state trust lands. The three conservation agreements are referred to collectively herein as the "CCA/As." To the extent practicable, CEHMM and the SLO jointly implement the CCA/As in cooperation with the Bureau of Land Management (BLM) and the U.S. Fish and Wildlife Service (Service) through a common governance structure.

The purpose of the CCA/As is to:

- Develop, coordinate, and implement conservation actions to reduce and/or eliminate known threats to the THM and other covered species on federal, state, and private lands.
- Support ongoing efforts to maintain viable populations of THM and other covered species in currently occupied and suitable habitats.
- Encourage the development and protection of occupied and suitable THM habitat by incentivizing Participants to implement specific conservation measures.

Under the CEHMM CCA, federal lessees, operators, or permittees, who join by voluntarily signing a Certificate of Participation (CP), receive a high degree of certainty that additional restrictions would not be placed on their otherwise legal activities if a covered species is listed. The CEHMM CCAA provides enrollees with incentives for voluntary conservation of at-risk species on non-federal lands and the SLO CCAA provides enrollees with incentives for voluntary conservation of at-risk species on state lands. By signing a Certificate of Inclusion (CI) under the CEHMM CCAA, the lessee, owner, or permittee voluntarily commits to implement specific conservation measures for the species on non-federal lands. By signing a CI under the SLO CCAA, the lessee, owner, or permittee voluntarily commits to implementing specific conservation measures for the species on state lands. Under the CCAAs, if one of the covered species is listed, private landowners or state land enrollees receive assurances that additional restrictions will not be placed on their otherwise legal activities.

Additional details about the CCA/As are available in the 2018 annual report and in the agreements themselves, which can be accessed at:

- http://cehmm.org/thmreports
- https://www.fws.gov/species/texas-hornshell-popenaias-popeii

II. Enrollment and Funding

CEHMM administers 42 CIs under the CCAA and 33 CPs under the CCA. To date, CEHMM has enrolled 293,504.34 acres in the CCAA and 391,278.49 acres in the CCA. The SLO administers 28 CIs and has 112,284.17 acres enrolled in the CCAA. Fifty Participants are enrolled in multiple CCA/As due to their combination of land ownership types. The total amount of land enrolled in the CCA/As in 2025 is 797,067.00 acres. Figure 1 shows the CCA/A boundary, CCA/A management zones, and participant enrollment.

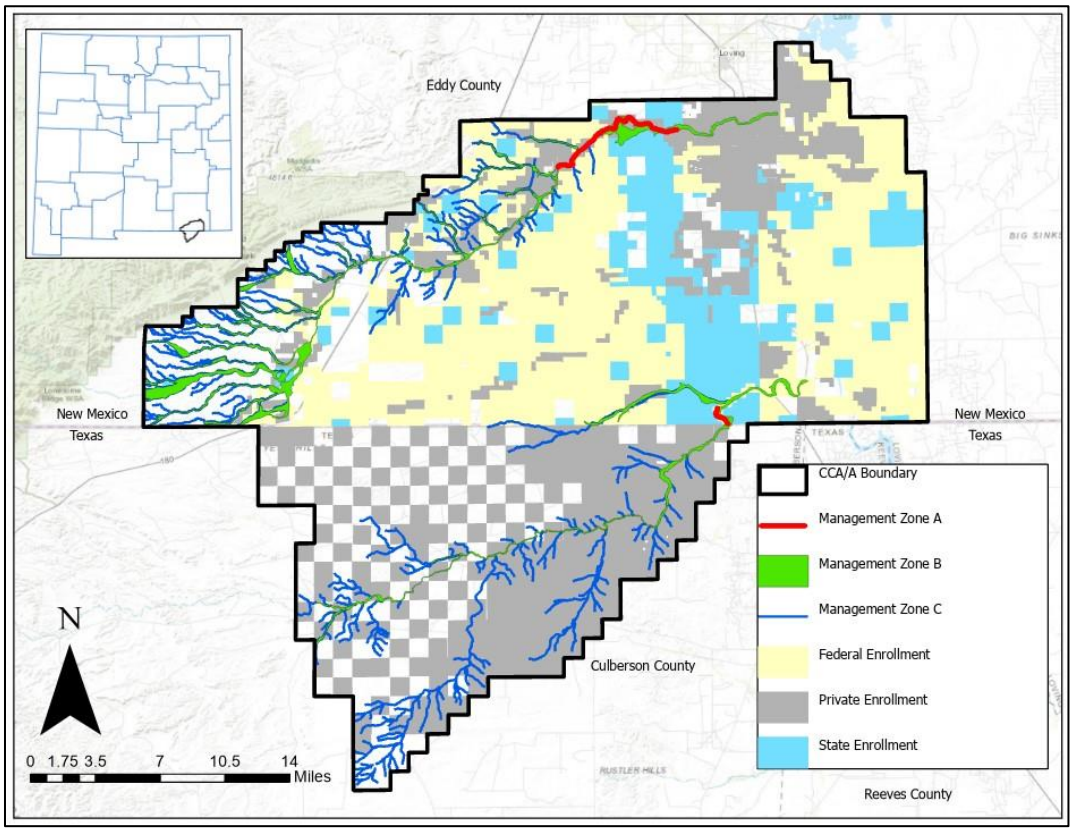

Figure 1. CCA/A enrollment area and management zones including Management Zone A (red), Management Zone B (green), Management Zone C (dark blue), federally enrolled lands (yellow), state enrolled lands (light blue), and privately enrolled lands (grey).

Annual acreage can vary since the Participants who opted for "All Activities Enrollment" are able to add or remove enrolled acreage based on their current areas of activity. The same acres can also be enrolled more than once by different Participants who are using the land for different activities; the totals therefore reflect multiple enrollments of the same parcels. CCA/A Participant and parcel acreage enrollment data for 2025 are shown in Table 1.

Table 1. CCA/A Enrollment 2025.

	CI	CP	Acres Enrolled in CCA	Acres Enrolled in CCAA
CEHMM	42	33	391,278.49	293,504.34
SLO	28	N/A	N/A	112,284.17
TOTAL	**70**	**33**	**391,278.49**	**405,788.51**

III. Mitigation of Impacts to Habitat

During the first quarter of 2025, CEHMM received a total of 37 notices of new surface disturbances from industry, with 325.09 acres of new surface disturbances documented. The SLO received 24 notices of new surface disturbances from industry, with 65.32 acres of new surface disturbances documented during the first quarter of 2025. Of the new disturbances in quarter one of 2025, one occurred in Zone B while all of the others occurred in Zone D. CEHMM worked with the Participants to ensure all the proper conservation measures were followed including Reasonable and Prudent Practices for Stabilization (RAPPS) and Spill Prevention Control and Countermeasure (SPCC). These practices included water bars, silt fences, culverts, erosion blankets, waddles, and reseeding. These details are shown in Table 2 below.

Table 2. New Surface Disturbances in the First Quarter of 2025.

CEHMM	Well Pads	ROWS	Infrastructure	Total
Notifications of New Surface Disturbances	12	22	3	**37**
Acres Disturbed	57.26	52.76	215.07	**325.09**
SLO				
Notifications of New Surface Disturbances	4	16	4	**24**
Acres Disturbed	26.08	21.29	17.95	**65.32**
COMBINED				
Notifications of New Surface Disturbances	16	38	7	**61**
Acres Disturbed	83.34	74.05	233.02	**390.41**

IV. Compliance Monitoring

The CCA/As require CEHMM and the SLO to submit an annual compliance verification to the Service for each enrolled Participant. CEHMM assists the SLO with compliance verification through a Memorandum of Agreement (MOA) for joint implementation of the CCAAs. During quarter one, CEHMM's CCA/A compliance monitoring included inspection for failure to submit new surface disturbances. CEHMM utilized the New Mexico Oil Conservation Division (NMOCD) data and BLM right-of-way data to conduct inspections for compliance. In quarter one, CEHMM sent out 19 notices of non-compliance regarding rights of ways.

V. River Monitoring

Black River Monitoring

CEHMM staff utilizes three United States Geological Survey (USGS) gages to monitor the daily flow of the Black River. In order from the most upstream to the most downstream, the USGS gages that are monitored in the Black River are:

- Black River Below Blue Springs NR Whites City, NM - 08405350
- Black River at Harkey Crossing NR Malaga, NM – 08405400
- Black River Above Malaga, NM – 08405500

CEHMM staff has set alarms for all gages in the Black River; when flows are nearing or below 3.0 cubic feet per second (cfs), they are notified and can monitor the river more closely. During periods of low flow which may pose a threat to the THM, Participants in the CCA/A who withdraw water from or near the Black River are notified to implement pumping curtailment conservation measures contained in their CIs/CPs. No low flow notices were sent out during quarter one. In addition to USGS gage monitoring, CEHMM conducted monthly physical assessments of the Black River throughout the first quarter. These assessments included visual inspections and photo documentation from designated locations to ensure consistency and repeatability over time.

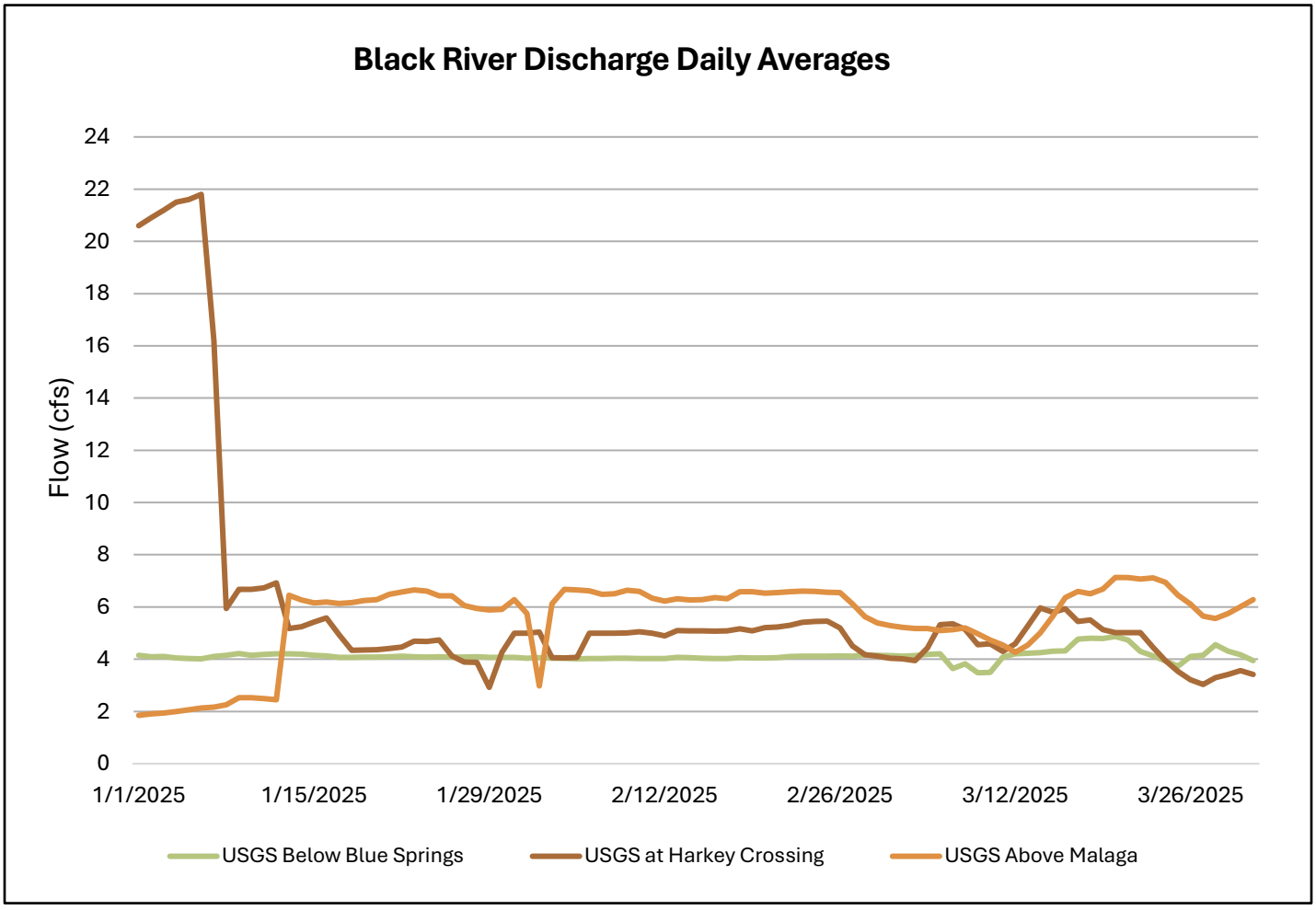

Figure 2. Black River Daily Average Discharge according to USGS Stream Gage Data.

Delaware River Monitoring

CEHMM staff use the Delaware River NR Red Bluff, NM gage to monitor daily flow in the Delaware River. In addition to the USGS gage monitoring, CEHMM conducted monthly physical monitoring of the river during the first quarter. Although the river was observed flowing during CEHMM's March monitoring, the USGS Delaware gage recorded no flow readings throughout the first quarter. Compared to previous years, the flow of the Delaware River was later than usual. In 2022, the flow returned in August, and in December 2023, the flow returned. However, in 2024, we did not observe a return of flows, but they did return in March 2025.

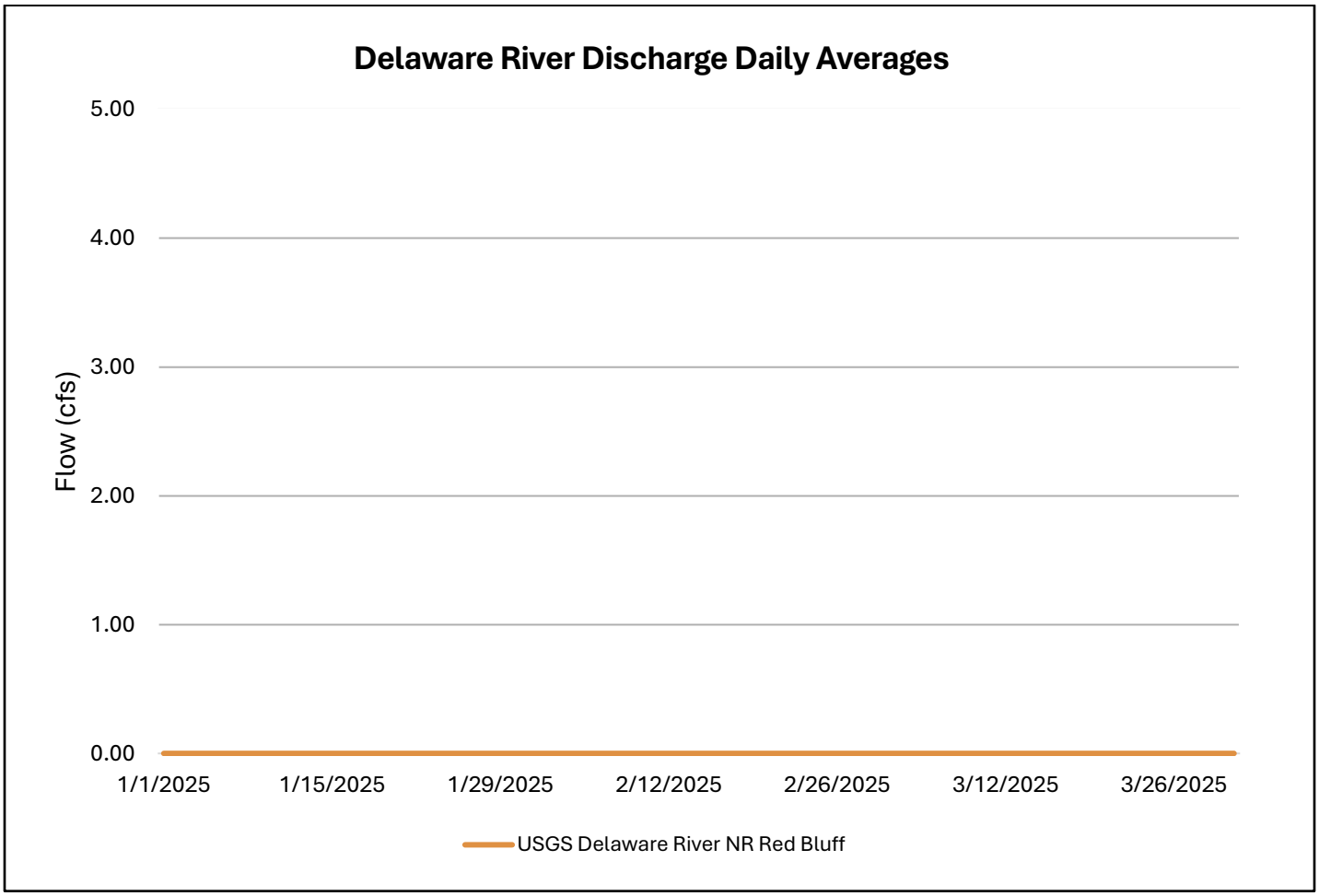

Figure 3. Delaware River Daily Average Discharge according to USGS Stream Gage Data.

VI. Species Surveys

Fish Surveys

In March 2025, CEHMM assisted the New Mexico Department of Game and Fish (NMDGF) with fish surveys at Blue Springs using electroshocking (Figure 4) and minnow traps. Our team supported efforts to assess fish populations by helping safely capture and document the various species present. The data collected during these surveys provide insight into the species currently present and help guide future management and conservation strategies for the Blue Springs aquatic ecosystem.

Figure 4. Photo of a roundnose minnow *(Dionda episcopa)* captured during electroshocking fish surveys.

Pecos Springsnail Surveys

Also in March, CEHMM and NMDGF staff installed tile arrays at the headwaters of Blue Springs to support future Pecos springsnail (*Pyrgulopsis pecosensis*) surveys. The tiles mimic natural rocks, which the springsnails prefer as habitat, thereby making them easier to monitor. This survey method is based on a population study previously conducted by Miami University in Ohio and is intended to provide a standardized approach for future population assessments. (Jones & Berg, 2024)

VII. Grants

Instream Flow Program Initiative for the THM

In 2020, CEHMM and the SLO partnered on a proposal to the National Fish and Wildlife Foundation (NFWF) to fund the development of an instream flow program to protect the endangered THM and other at-risk species in the Black and Delaware rivers. The NFWF awarded the grant in 2021. The Executive Committee approved the CCA/As to match $250,000 for the grant. The overall objective of the initiative is to provide instream flow for the THM in the Black and Delaware rivers. This may be achieved through the purchase or lease of water rights, or through alternative mechanisms such as forbearance agreements or strategies that make water available for instream flow during otherwise dry periods or when high flows are needed for life history requirements.

Progress: During the first quarter, CEHMM, AMP Insights, SLO, and the Water User held three meetings to develop the water user agreement. The water user agreement aims to promote cooperative conservation and ensure that water flows through the occupied reach of the THM in the Black River. Additionally, the New Mexico Office of the State Engineer approved a permit to change the current water rights point of diversion. In Q2 of 2025, all parties will review and sign the finalized water user agreement.

Texas Hornshell Habitat Conservation Plan

In 2023, CEHMM applied for the US Fish and Wildlife Service Cooperative Endangered Species Conservation Fund Grant, which provides funding for the development of habitat conservation plans. In October 2023, CEHMM was selected for funding for the development of the Texas Hornshell Habitat Conservation Plan (HCP). An executed MOA for this grant was completed on June 11, 2024. Using the

grant funds, CEHMM hired one full-time wildlife biologist for a two-year period to assist in developing the HCP. The current timeline for the HCP completion is December 2026.

Progress: In the first quarter, a draft was developed outlining the HCP sections for covered activities for Energy Development and Agriculture and Ranch. Additionally, the Environmental Settings section of the HCP was drafted. This section includes a watershed analysis, information on threatened and endangered species, details about covered species, and relevant biology. CEHMM also applied for a one-year, no-cost extension for the development of the HPC. TPWD approved the no-cost extension on March 3, 2025. In the second quarter, CEHMM will begin working on the mitigation measures related to the activities covered. Ongoing interpretation of the HCP handbook and coordination with USFWS will ensure a comprehensive understanding of the requirements for the HCP.

VIII. Project Updates

Black River Salt Cedar Spray

During the first quarter, a hand treatment of salt cedar along the Black River was completed. This treatment, covering three acres, was approved and funded in April 2024 for $5,740. Salt cedar is a species of concern because it can be highly invasive, reduce water availability, and increase salt content within riparian areas (U.S. Fish and Wildlife Service, 2021). This project will help improve bank stability and decrease sedimentation.

IX. Outreach

Carlsbad High School Natural Resource Management Class Presentation

In March 2025, CEHMM staff gave a presentation to the Natural Resource Management class at Carlsbad High School (Figure 5). This course is designed for students interested in pursuing careers in natural resource management and, at the time, they were working on right-of-way (ROW) routes for oil and gas projects. CEHMM staff discussed key natural resource issues to consider when planning ROW routes, including the presence of threatened and endangered species, CCA/A conservation measures, special status plant species, and other environmental and regulatory factors that influence ROW placement. This presentation also provided an opportunity for CEHMM staff to share their own career paths and experiences in the natural resource field, highlighting the variety and opportunities available to students interested in this line of work.

Figure 5. CEHMM staff presenting to Natural Resource Management class at Carlsbad High School.

X. Signature

If you have any questions, please contact Matt Ramey at (575)-885-3700.

Signed: Emily K Wirth

Emily K. Wirth
Executive Director

Date: 4/16/2025

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XI. Appendix A – USGS Discharge Gages in the CCA/A Boundary