

RECLAMATION

Managing Water in the West

**DRAFT FINDING OF NO SIGNIFICANT IMPACT AND DRAFT
ENVIRONMENTAL ASSESSMENT
FOR
THE COCHITI PRIORITY SITES RIVERMILE 231.3 AND 228.9**



U.S. Department of the Interior
Bureau of Reclamation
Albuquerque Area Office
Environment Division
Albuquerque, New Mexico

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BUREAU OF RECLAMATION
Albuquerque Area Office
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Finding of No Significant Impact

THE COCHITI PRIORITY SITES RIVERMILE 231.3 AND 228.9

Manager, Environment Division

Date

Area Manager, Albuquerque Area Office

Date

AAO-07-008
FONSI Number

BACKGROUND

The Bureau of Reclamation has authority for river channel maintenance on the Rio Grande between Velarde, New Mexico, and the headwaters of Caballo Reservoir. As a result, Reclamation monitors changes in the river channel in order to identify sites that require maintenance. Monitoring includes channel and levee capacity evaluations in an effort to keep track of river maintenance priority sites that may provide damage to riverside facilities.

There are two priority sites on the Pueblo of Cochiti that require extensive maintenance: River Mile 231.3 about one mile down stream of the Cochiti Dam and River Mile 231.3 about three miles downstream of the dam (see map Page 2). The maintenance activities of these priority sites have been analyzed in the environmental assessment subsequent to this Finding of No Significant Impact.

SUMMARY OF THE PROPOSED ACTION

At River Mile 231.3, Reclamation proposes to protect a road and agricultural fields on the west side of the Rio Grande from damage caused by migration of the river and sinkhole formation. In addition, Reclamation also proposes to protect the east levee at River Mile 228.9 from damage caused by eastward migration of the river's secondary channel (see figure 1, page 3).

ENVIRONMENTAL IMPACTS RELATED TO THE RESOURCES OF CONCERN

As a result of analyzing the effects of the proposed action in this EA, the following summarizes the reasons why there would be a Finding of No Significant Impact:

Vegetation

Native trees (such as Cottonwoods or New Mexico Olive trees) or shrubs removed at the beginning of construction would be replaced. These new trees and shrubs would be spaced irregularly throughout the project area in appropriate locations to improve their potential for survival and to create a more natural condition.

Native grasses and wildflowers would be seeded in areas disturbed by construction to re-establish vegetation. Only the amount of the proposed staging and stockpiling areas needed would be used or disturbed. Upon completion of stabilization activities, all work areas would be cleaned up and all materials and equipment removed. The re-establishment of vegetation would be monitored and irrigation water would be brought in by truck, if necessary, to ensure the successful establishment of seeded areas

Wildlife Including Threatened and Endangered Species

Although construction activities may scare existing wildlife away temporarily, most animal species in the project area would be able to return after project completion. Some mortality of less mobile species would be expected but not in quantities that would damage local populations. The improved quality of the habitat after new vegetation becomes established would offset these losses over time.

Rio Grande Silvery Minnow is considered to be extirpated from the Cochiti reach or possibly persist at undetectable population densities, the Fish and Wildlife Service considers the likelihood of silvery minnows being present in either construction area to be small and discountable (J. Parody pers. comm.). The construction of the proposed action would not result in the adverse effects on minnow critical habitat. The project would result in an increase in potential habitat for the species, anticipating future re-introduction efforts in cooperation with the pueblos or a rebound by the local population.

The proposed action would have no adverse effects on the Southwestern Willow Flycatcher or its designated critical habitat based on the distance to occupied habitat and the fact that minimal existing vegetation would be disturbed by the proposed activity. Additionally, the proposed action would result in the planting of riparian/wetland communities in newly created areas that could eventually mature and create potentially suitable Southwestern Willow Flycatcher habitat.

The Bald Eagle has been delisted as a threatened species as of July 9, 2007 (Federal Register 72(130): 37345-37372). However, precautions will continue in the project areas during construction. Potential roosting and perching structures would not be impacted by the proposed action, since existing native vegetation would be protected. Additionally, implementation of the proposed river maintenance activities would likely create suitable conditions for the Bald Eagle's prey base by creating a secondary channel with slower water velocities and planting riparian and wetland vegetation on newly created areas. Newly created habitat for its prey base may attract Bald Eagles to the project area.

Noxious Weeds

Whenever land is disturbed, the potential exists for the intrusion and establishment of noxious weeds. River Mile 231.3 portion of the project could disturb up to 21 acres and River Mile 228.9 could disturb up to 32 acres. To minimize the potential for the continued establishment and spread of State-listed and other noxious weeds, an aggressive revegetation plan would be implemented. This plan, as described in Section 2.3.1 of this EA, would allow native species to become re-established more rapidly than they otherwise might. Past experience has shown that, over time, any noxious weeds that manage to gain a foothold in the project area would likely be crowded out by the more competitive native vegetation.

In addition to reseeding and planting, the introduction of noxious weed seeds would be minimized by a requirement that all equipment used on the project be pressure washed before arriving and leaving the site. Reclamation, in cooperation with the Pueblo of Cochiti, would monitor the project area following construction (5 years) for noxious weeds and treat them as necessary. By preventing the introduction of noxious weed seeds and pursuing an aggressive revegetation plan, the potential for noxious weeds becoming established in the project area over time would be minimal.

Water Resources

During construction, the removal of vegetation in the project area could potentially result in erosion and contribute to additional turbidity in the river downstream of the project area; however, standard construction best management practices (BMP) would be used to minimize runoff during this period. Consequently, most runoff would be contained within the active

construction site. The re-establishment of native riparian vegetation in the project area following construction would ultimately reduce the project area's contribution to turbidity in the river. The Pueblo of Cochiti and Region 6 of the Environmental Protection Agency would specify project requirements for certification and compliance with Section 401 of the Clean Water Act (CWA).

Environmental Justice

No effects of any kind to the local population are expected under the proposed action. No adverse effects to low-income or minority populations are anticipated.

Indian Trust Assets (ITAs)

There are no ITAs within the project area or within the vicinity to be affected.

Cultural Resources

There are no structures eligible for the National Register of Historic Places that would be affected by the proposed action. In addition, no sacred sites or traditional cultural properties are expected in the project area; however, should consultation with the tribes result in the identification of any such sites or properties, then Reclamation would consult with tribe(s) concerned to ensure no adverse effects result from the proposed action.

Air Quality and Noise

Fugitive dust generation from excavating and grading activities in the project area, along with exhaust emissions from heavy equipment and vehicles working on the project, are the only anticipated effects to air quality during construction. These temporary effects would not be expected to be significantly adverse. There would be no effects to air quality following completion of construction activities and re-establishment of vegetation in disturbed areas.

ENVIRONMENTAL COMMITMENTS

- Construction of the stabilized bankline would be implemented during low flows to minimize the area of disturbance at the construction site.
- All construction debris and waste would be disposed of at an approved landfill facility.
- Best Management Practices would be implemented and utilized to prevent stormwater runoff and water pollution from entering the Rio Grande during construction activities.
- Even though the Bald Eagle has been delisted as a threatened species as of July 9, 2007 (Federal Register 72(130): 37345 – 37372), precautions will continue in the project area as follows: In the morning before construction activities start or following breaks in construction activities, any sighting of a Bald Eagle in the project area would be reported to a Reclamation Biologist. If a Bald Eagle arrives during construction activities, construction would not be interrupted. If Bald Eagles are found consistently in the immediate project area during the construction period, Reclamation would contact the

Service to determine whether formal consultation is necessary.

- Should evidence of possible scientific, prehistorical, historical, or archeological data be discovered during the course of this action, work shall cease at that location and the Area archaeologist shall be notified by phone immediately, with the location and nature of the findings. Care shall be exercised so as not to disturb or damage artifacts or fossils uncovered during operations, and the proponents shall provide such cooperation and assistance as may be necessary to preserve the findings for removal or other disposition by the Government.
- Any person who knows or has reason to know that he or she has inadvertently discovered human remains on Federal or tribal lands, must provide immediate telephone notification of the inadvertent discovery, with written confirmation, to the responsible Federal agency official with respect to Federal lands, and, with respect to tribal lands, to the responsible Indian tribe official. The requirement is prescribed under the Native American Graves Protection and Repatriation Act (P.L. 101-601; 104 Stat. 3042) of November 1990 and National Historic Preservation Act, Section 110(a)(2)(E)(iii) (P.L. 102-575, 106 Stat. 4753) of October 1992.
- During the construction period, Reclamation would use an exclusion cage with ¼-inch hardware cloth enclosing the sides to screen the pump intake. The ¼-inch hardware cloth would exclude small silvery minnows and other fish from the pump intake. The cage would be sized (larger than 2'L x 2'W x 2'D) to allow sufficient water for pumping and avoid pressure differential (suction) along the sides of the cage that could injure small fish.
- During construction, Reclamation would obtain water for dust abatement from drains, canals, and the river (not during the minnow spawning season).
- Monitoring and maintenance of vegetation seeded or planted for reestablishment shall occur for a period of five years.
- The introduction of noxious weed seeds would be minimized by a requirement that all equipment used on the project be pressure washed before arriving and leaving the site. Reclamation, in cooperation with the Pueblo of Cochiti, would monitor the project area following construction (5 years) for noxious weeds and treat them as necessary. By preventing the introduction of noxious weed seeds and pursuing an aggressive revegetation plan, the potential for noxious weeds becoming established in the project area over time would be minimal.

COORDINATION

The U.S. Fish and Wildlife Service (Service) participated in a field review of the project site and were informally consulted about any species of concern. The U.S. Army Corps of Engineers (ACOE) and New Mexico Environment Department (NMED) were consulted with regarding CWA Section 404 and 401, respectively. New Mexico Department of Game and Fish (NMDG&F) was consulted with through their website regarding any state protected animal species that could potentially occur in the project area. The New Mexico State Historic Preservation Office (NMSHPO) was consulted with by Reclamation to determine project compliance with state and federal laws (Section 106 of the National Historic Preservation Act (NHPA) regarding cultural resources in the project area. A government to government consultation was conducted with the Pueblo of Cochiti on August 24, 2006, to provide the governor and tribal counsel an opportunity to make comments or voice any issues or concerns regarding the proposed project. On October 25, 2007, a field trip to the priority sites was conducted with the Pueblo, Reclamation, and a representative from the Corps of Engineers.

CONCLUSION

In accordance with the National Environmental Policy Act of 1969 (NEPA), as amended, and based on the analysis in the EA, Reclamation has determined that implementing the proposed action would not result in a significant impact on the human environment and does not require the preparation of an environmental impact statement.