

# RECLAMATION

*Managing Water in the West*

## Santo Domingo Tribe – Endangered Species Habitat Improvement Project- Phase II- Environmental Assessment

*Prepared by:*

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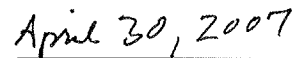
U.S. Department of the Interior  
BUREAU OF RECLAMATION  
Albuquerque Area Office  
Albuquerque, New Mexico

*Finding of No Significant Impact*

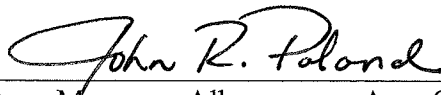
Santo Domingo Tribe – Endangered Species Habitat  
Improvement Project- Phase II-  
Environmental Assessment



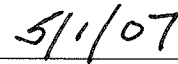
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Manager, Environment Division



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AAO-07-007  
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## **BACKGROUND**

The Cochiti Reach of the Middle Rio Grande (MRG) has undergone drastic landscape alterations. The riparian ecosystem has been negatively impacted by reduced pulse flows and the encroachment of non-native phreatophytes. Because of these conditions, the habitat for the Rio Grande silvery minnow (silvery minnow) has been degraded. The reconnection of abandoned side channels and isolated backwaters will enhance the habitat for this species. Re-growth of native vegetation will benefit the endangered Southwestern willow flycatcher (flycatcher).

## **SUMMARY OF PROPOSED ACTION**

The Proposed Action involves habitat construction and placement of large woody debris (LWD) in the Rio Grande, which is anticipated to contribute to the enhancement and recovery of silvery minnow in the Cochiti Reach of the MRG. The proposed projects are located on Santo Domingo Tribal Lands; three projects are located on the east side of the Rio Grande, while the LWD project will occur in area located in the Rio Grande from the Rio Galisteo confluence to the south boundary of tribal lands.

The Rio Grande projects include the diversification of habitat for the silvery minnow by removing sediment from an abandoned oxbow and modification of two nonfunctioning Bureau of Reclamation restoration sites from the 1990s. The LWD project is intended to encourage sediment deposition and water velocity reduction in the Rio Grande.

The proposed projects will affect approximately 23 acres in the Rio Grande Bosque, which is currently inundated with non-native phreatophytes and provides marginal wildlife habitat.

The Proposed Action is anticipated to benefit terrestrial and aquatic species and result in positive long term benefits in the Cochiti Reach of the Rio Grande. The Federal Action triggering NEPA compliance is the funding of the Proposed Action by the Middle Rio Grande Endangered Species Act Collaborative Program through Reclamation.

## **ENVIRONMENTAL IMPACTS RELATED TO THE RESOURCES OF CONCERN**

Resources of primary concern associated with the proposed action include the federally threatened and endangered species that could occur within the project area and their habitats, impacts to water quality and erosion into the river, impacts to bosque vegetation, and environmental justice.

Short-term environmental impacts are anticipated during the construction phase of the project, resulting from temporary construction disturbance and noise. Direct environmental impacts may include temporary and localized increases in the level of suspended sediments in the river, and riparian vegetation may be temporarily impacted from clearing and trampling. These short-term direct effects will be minimized by

following best management practices, monitoring water quality, using silt curtains to limit sedimentation, conducting construction during low flow periods and outside the nesting season for migratory birds, and monitoring bald eagles for any potential disturbance.

Indirect effects may result from construction noise above the ambient noise level normally experienced. Indirect long-term beneficial effects to silvery minnow and its habitat will be evaluated and monitored during the course of the project.

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:

i. Geology and Soils- The present day channels are composed of clay, silt, sand, and gravel, similar to the composition of ancestral river deposits. The soils on Santo Domingo are of alluvial origins which are deep and well drained. These soils are also very mobile and because of year round water flow, sediment transport in the river is constant and no adverse impacts are expected from the Proposed Action.

ii. Hydrology- Under the Proposed Action, no additional water sources will be utilized to allow water to inundate each of the three constructed projects.

iii. Water Resources and Water Balance- The habitat enhancement projects under the proposed action may create more water surface area, potentially increasing evaporation; however, these areas are well shaded which will limit evaporation. All projects are on Santo Domingo Tribal lands and a permit from the Office of the State Engineer will not be necessary for any potential water depletions. It is likely that the removal of an area of greater than 100 acres of phreatophytes during Phase I of this Project will add water to the system.

iv. Noxious Weeds- Implementation of the Proposed Action has the potential to result in the introduction and establishment of state listed noxious weeds; however, a revegetation plan combined with thorough cleaning of all equipment before arriving at the sites will minimize that potential. The Natural Resources Branch of the Santo Domingo Tribe will monitor the construction areas for noxious weeds and will treat them as necessary.

v. Threatened and Endangered Species and Species of Special Status- Habitat construction will occur while water levels are low and species surveys will be conducted prior to and while restoration activities are being conducted under the proposed action. The U.S. Fish and Wildlife Service concurred with Reclamation's determination that the proposed Project would not have adverse effects on the silvery minnow, flycatcher or bald eagle.

vi. Cultural Resources and Traditional Cultural Properties- No sacred sites or traditional cultural properties are expected in the project areas; however, should consultation with the Tribe result from any such site or property, then Reclamation will consult with the Tribe to ensure no adverse effects result from the Proposed Action.

vii. Indian Trust Assets- The Santo Domingo Tribe is proposing this project. There are no Native American Indian Trust lands or Assets that will be diminished because of the project activities.

viii. Socioeconomic Considerations- Positive economic impacts to the Tribal community are anticipated through temporary employment of sawyers and laborers. The Proposed Action will have no adverse impacts to the economy of Sandoval County or the Tribal economy.

ix. Land Use- The Proposed Action will have no effect on the current uses of water for agriculture, ranching, residential, or other activities in the area. The Proposed Action will not affect adjacent agricultural land use and will not change current land status or uses.

x. Environmental Justice- Construction would be undertaken entirely on lands of the Santo Domingo Tribe, a minority population. There are no anticipated environmental effects that would be adverse to tribal members. Employment opportunities for tribal members will have a positive benefit to the Tribe from the projects.

#### **ENVIRONMENTAL COMMITMENTS**

All applicable permits have been obtained prior to implementation of the project, including but not limited to:

- Clean Water Act (CWA), Section 404 as administered by the U.S. Army Corps of Engineers.
- Section 7 of the ESA as administered by the US Fish and Wildlife Service (USFWS). To protect shallow water habitat adjacent to the bank line during construction, a silt curtain will be installed. To protect aquatic habitats from spills or contamination, hydraulic lines will be protected from punctures. Additionally, all fueling will take place outside the active floodplain, and all equipment will undergo cleaning and inspection prior to operation. Equipment will be parked on predetermined locations on high ground away from the project area overnight.
- Should a bald eagle be observed within 0.25 mile, upstream or downstream of the active project site in the morning before project construction activity starts, or following breaks in project construction activity, the construction crew would be required to suspend all activity until the bird leaves on its own volition, or if the Tribal biologist in consultation with the USFWS determines that the potential for harassment is minimal. However, if a bald eagle arrives during project construction activities or if a bald eagle is observed beyond the specified distance, construction would not need to be interrupted. If bald eagles are found consistently in the immediate action area during project construction, Santo Domingo would contact the USFWS to determine whether formal consultation under ESA is necessary.
- Avoid impacts to birds protected by the Migratory Bird Treaty Act by scheduling construction outside of the normal bird breeding and nesting season (approximately April 15 through August 15) for most avian species or conducting preconstruction breeding

surveys and monitoring if construction were to occur during the breeding and nesting season, and consult with USFWS if affected species are observed.

- Coyote willow will be collected from Site Two, Four and Five and replanted adjacent to the constructed channel (see page 5, section 2.2.2).
- Section 106 of the National Historic Preservation Act (NHPA) as administered by the New Mexico State Historical Preservation Office (SHPO). 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.
- The Pueblo of Santo Domingo is committed to monitoring the habitat restoration projects for changes in site conditions and the presence of various fish species using the habitat. The Pueblo of Santo Domingo will be responsible for notifying the Service if the find silvery minnows using the ephemeral channels or other habitat features or in the event that isolated habitats form in the channel.

## **COORDINATION**

The USFWS was notified about the proposed action and concurred with the determination that the Project may affect, not likely to adversely affect federal endangered and threatened species potentially occurring in the Project areas. The USACE was consulted regarding CWA 404 permits and compliance and has determined no permits are needed for the proposed action.

## **CONCLUSION**

In accordance with the National Environmental Policy Act of 1969 (NEPA, 42 U.S.C. 4331-4335). as amended, and based on the analysis in the EA, the Bureau of Reclamation has determined that implementing the preferred plan presented in the EA for the Santo Domingo Tribe would not result in significant impact on the human environment and does not require preparation of an environmental impact statement.