

RECLAMATION

Managing Water in the West

**FINDING OF NO SIGNIFICANT IMPACT AND DRAFT
ENVIRONMENTAL ASSESSMENT
OF
RIVER MILE 111 PRIORITY SITE PROJECT**



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
Albuquerque, New Mexico

Finding of No Significant Impact

RIVER MILE 111 PRIORITY SITE PROJECT

Manager, Environment Division

Date

Area Manager, Albuquerque Area Office

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AAO-07-016
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. Reclamation monitors changes in the river channel. The evaluations include channel and levee capacity in an effort to keep track of river maintenance priority sites where the river may cause damage to riverside facilities.

There is one location called River Mile (RM) 111 Priority Site (Project) located on the west side of the Rio Grande approximately 5.2 miles downstream of the San Acacia Diversion Dam. The Project is located at an actively migrating bend in the river. The concern at this site is the proximity of the river channel to the Low Flow conveyance Channels (LFCC), and the rate at which this distance has been decreasing with sustained flood flows.

SUMMARY OF THE PROPOSED ACTION

At the Project, Reclamation proposes to relocate the LFCC and the levee to the west to allow the river more freedom to move within its historic floodplain. A similar action was done at the RM 114 and 113 priority sites, and is often referred to as the RM 114 to 113 levee setback.

ENVIRONMENTAL IMPACTS RELATED TO THE RESOURCES OF CONCERN

Native Vegetation

In the areas affected by the proposed action (such as staging and stockpile areas, and the new LFCC), no more than approximately 800 to 900 native trees (such as Cottonwood trees) would be removed. Cottonwood trees removed would be utilized according to a mitigation plan in section 2.4, page 9. The following is a list of useful purposes for removal of Cottonwood trees:

- Some Cottonwood trees would be utilized for Silvery Minnow habitat near the project.
- Some of the trees would be used as snags for raptor perches etc.
- Some trees piled randomly near the project site would serve as wildlife habitat.

Some species of willow trees would also be removed. Most of these species would regenerate naturally.

Native grass species would be planted to control erosion and to reseed areas denuded as a result of staging areas, and stockpile areas.

Wetlands

5500 feet of the existing LFCC would be filled with spoil material from the existing levee on the east side which would include 4-6 acres of area below the ordinary high water mark. However, 4500 feet of the existing channel would be back-filled completely above the ordinary high water mark. Approximately 1000 feet of vegetation above the ordinary high water mark on the LFCC would be preserved (see Environmental Feature Figure 3). This action, in addition to creating

6200 feet of new LFCC to the west, would compensate for the displacement of a portion of the wetlands in the existing LFCC as a result of the proposed action.

Water Resources

This alternative would protect the levee, which helps protect the LFCC from westward migration of the river channel. The river would continue to deliver water and sediment to Elephant Butte Reservoir, as would the LFCC continue to deliver water uninterrupted. These water deliveries help meet Rio Grande Compact requirements. In addition, the proposed action would provide the Rio Grande an opportunity to meander naturally.

Wildlife Including Threatened and Endangered Species

Wildlife

To reduce the impact to fish in the LFCC, filling in the old LFCC would occur from north to south as described in section 2.4. A berm would be placed across the existing LFCC to divert the water into the new channel, gradually reducing flow down the old LFCC. Fish are expected to move downstream as the flow recedes. Seepage under the berm and the groundwater inflow is expected to maintain a minimal flow in the old LFCC as it is being filled in. This construction sequence would push fish downstream ahead of filling in the old LFCC, protecting fish while eliminating handling stress.

Although construction activities may displace 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

The project would have no effect on the minnow in the LFCC. To insure that this determination is confirmed, the Lemitar radial gate structure located at station 1626+00 in the LFCC would be utilized as a fish barrier. The radial gates would be closed during the entire duration of the construction operations. Reclamation has previously surveyed this reach for the potential presence of RGSM below the proposed construction area to the radial gates.

The proposed action also includes a mitigation plan that includes placing debris piles in the Rio Grande made of Cottonwood trees removed from the project area. In addition, Cottonwood tree root wads would be placed on the bank near RM 111 priority site that would cascade into the river as it migrates to the west. The construction of woody debris piles and use of root wads as part of the mitigation plan would occur in an area designated critical habitat for the silvery minnow and is utilized by silvery minnows. As a result, the woody debris piles and root wads would potentially have beneficial effects. Therefore, we have determined that the proposed action may affect, but is not likely to adversely affect silvery minnows; and may affect, but is not likely to adversely affect silvery minnow critical habitat. A Biological Assessment would be

required to be submitted to the U.S. Fish and Wildlife service to obtain concurrence with this conclusion.

Southwestern Willow Flycatcher

This project would have no adverse effects to the flycatcher or its critical habitat. Flycatcher surveys in the project area for at least the past 10 years have not detected any resident territorial or nesting birds. Vegetation in the project area is primarily composed of a mix of saltcedar, Russian olive, and cottonwood. Much of this vegetation has been degraded though grazing by livestock (east of the LFCC). Though the project area is within the bounds of designated flycatcher critical habitat, this location is largely xeric and does not contain the suitable combination of primary constituent elements of flycatcher critical habitat (correct vegetation species composition, density, structure, and proximity to surface water).

Noxious Weeds

Whenever land is disturbed, the potential exists for the intrusion and establishment of noxious weeds. River Mile 111 priority site project would disturb up to 150 acres. To minimize the potential for the continued establishment and spread of State-listed and other noxious weeds, revegetation of grass would be implemented.

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, 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.

Environmental Justice

No disproportionate adverse effects to low-income or minority populations are anticipated as a result of the Project.

Indian Trust Assets (ITAs)

No ITAs have been identified within the Project area that could potentially be affected.

Cultural Resources

Sections of the LFCC and associated non-engineered levee would be affected by the proposed action. The proposed action would be nearly identical to the action of a previous project two miles upstream of this one at RM 113/114. A determination of effects would be the same for RM 111 (see Appendix B). Although these structures are eligible for the National Register of Historic Places, the SHPO has concurred (see Appendix B) with Reclamation that the report by Bishoff (2001) does, in fact, serve as mitigation for any adverse effects that may occur as a result of the modification of the LFCC.

In addition, no sacred sites or traditional cultural properties are in the project area. However, if any such sites or properties are identified as a result of the proposed action, then the Section 106 process would be conducted with the New Mexico State Historic Preservation Office.

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 schedules would be coordinated with a neighboring horse breeding and riding club to avoid adverse impacts to their business.
- 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.
- The Lemitar radial gate structure located at station 1626+00 in the LFCC would be utilized as a fish barrier. The radial gates would be closed during the entire duration of the construction operations.
- During construction, Reclamation would obtain water for dust abatement from drains, canals, and the LFCC.
- An environmental feature would be preserved in the existing LFCC to save Cottonwood and Willow species saplings to provide for Project mitigation.
- The mitigation plan submitted described in section 2.4 would be implemented during and at the conclusion of construction activities for the Project.
- Permit conditions listed in the individual 404 and the 401 permits are required to be implemented (see Appendix A)
- Should evidence of possible scientific, pre-historical, 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.

COORDINATION

Two scoping meetings were conducted. One meeting was a non-public meeting with representatives of the U.S. Fish and Wildlife Service (Service), Middle Rio Grande Conservancy District, Save Our Bosque Task Force (SOBTF) and Socorro County Fire Marshal at the office of SOBTF on June 5, 2007. The other was a public meeting held at Reclamation's Field Division Office located in Socorro on June 6, 2007, from 6:30 to 8:00 p.m. The purpose of both of these meetings was to find out what issues there may be as a result of the proposed action.

One field trip was conducted with representatives of the Reclamation engineering division, Corps of Engineers, and the Service on September 14, 2007 at the project site to discuss the mitigation plan.

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.