

**U.S. Department of the Interior**

**BUREAU OF RECLAMATION**  
**Albuquerque Area Office**  
**Albuquerque, New Mexico**

*Finding of No Significant Impact*

**Espanola Dikes Cross-drainage (Borregos Arroyo) Project**  
**Rio Arriba County, New Mexico**

\_\_\_\_\_  
Manager, Environment Division

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Date

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Area Manager, Albuquerque Area Office

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Date

AAO-05-009  
FONSI Number

## **BACKGROUND**

Historically, the Borregos Arroyo emptied into a floodplain created by the Rio Grande. Originally, the river channel changed course as a result of flooding. The river would flow in one location until it had built its bed to a higher elevation than the adjacent lands. A high flow would then breach onto the lower lands and establish a new channel location. As a result, Reclamation performed floodway construction and channel rectification (channelization) activities on the Middle Rio Grande for the purpose of providing flood control. As part of Reclamation's channelization program, a pilot channel and spoil dike were constructed to straighten out the Rio Grande and confine the river between a system of levees.

A spoil dike was constructed at the outlets of the Estaca, Lopez, and Borregos Arroyos in the late 1940s. However, the dikes currently restrict stormwater flows of three arroyos from entering the Rio Grande. In addition, the dike restricts irrigation ditch overflows and stormwater flows from adjacent properties from entering the Rio Grande. As a result, the restrictions cause water to pond west of the dike on the adjacent landowner properties.

## **SUMMARY OF THE PROPOSED ACTION**

The proposed action would include construction of a channel and an outlet to the Rio Grande to accomplish the following objectives:

- Eliminate ponding of stormwater on adjacent landowner properties.
- Provide an outlet for stormwater flows of the Borregos Arroyo and irrigation ditch overflows to the Rio Grande.
- Provide drainage of stormwater flows to the Rio Grande from the Estaca and Lopez Arroyos that pond north of the Borregos Arroyo.

An open riprap lined channel, and corrugated metal pipes (cmps) through the spoil dike would allow previously restricted flows to enter the Rio Grande. The new channel would have a 10-foot bottom width and berms approximately 6 feet high. The easement width for the new channel would be 97 feet.

Included in the project would be the replacement of the 12 cottonwood trees with 122 cottonwood pole plantings on private landowner property just south of the Borregos Arroyo. Through an agreement with the landowner, Reclamation would access the private land to monitor the condition of the cottonwood poles for the next five years (In accordance with the Corps of Engineers Mitigation and Monitoring Guidelines).

## **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:

### Native Vegetation

The removal of 12 large cottonwood trees would be mitigated by planting 122 young cottonwood poles. In addition, all native vegetation would be mulched and spread on the slopes of the new channel susceptible to soil erosion. Therefore, environmental effects of vegetation removal from the proposed action would be mitigated.

### Wetlands

Wetlands 196 feet north and approximately 300 feet south of the new channel would not be affected by the channel construction of the project.

### Threatened and Endangered Species

The threatened Bald Eagle and the endangered Southwestern Willow Flycatcher are known to be present in the project area.

Bald Eagles are known to use the Rio Grande corridor during the winter months. Bald Eagles could potentially utilize large cottonwood trees within the area for perching. Removal of the large cottonwood trees and other trees in the project area would remove some potential perches that could be utilized by the Bald Eagle. However, other cottonwood forests are nearby and as a result, they would utilize those areas for perches when hunting and fishing. Should a Bald Eagle be observed within 0.25 mi. upstream or downstream of the active project site in the morning before project activity, the construction crew would be instructed not to begin. In addition, if an eagle is spotted following breaks in project construction activity, the crew would also be required to suspend all activity until the bird leaves on its own volition, or if the Reclamation biologist, in consultation with the Service, determines that the potential for harassment is minimal.

The Southwestern Willow Flycatchers were not found in the project area and the habitat in the project area is not suitable for nesting. Therefore, the species would not be affected by the proposed project.

### Water Resources

The waters which flow in the wasteway ditch from the acequia to the dike of the Rio Grande has been identified by the Corps of Engineers as waters of the United States. The construction of the new channel would provide a more efficient tributary to the Rio Grande. In addition, the new channel would mitigate the replacement of the old wasteway ditch.

### Private Land

Construction of the project would eliminate flooding of private landowner property which is adjacent to the project's new channel. The effects of the proposed action would allow private land owners to utilize their property more effectively.

### Environmental Justice

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

An old concrete headgate located within the project area would be covered by construction material. However, the headgate would not be disturbed or affected by the new channel construction.

The dike at the Rio Grande would be disturbed as a result of the installation of three cmps described further in section 2.4. The purpose and function of the dike would remain; however breaching the dike and construction of the ramps would change the appearance. A report was sent to the New Mexico State Historic Preservation Office (NMSHPO) with pictures and a description of the scope of work. The NMSHPO responded by concurring that the documentation would serve as mitigation of any adverse effects that may occur as a result of the project.

### Air Quality and Noise

Increased dust and noise would occur only during the construction phase of the project. As soon as the project is completed, noise and dust from the project would not continue.

## **ENVIRONMENTAL COMMITMENTS**

The environmental commitments to minimize potential adverse effects are listed in Chapter 5 and will be implemented during construction activities. In addition, monitoring the planting of cottonwood poles in accordance with the mitigation plan submitted to the Corps of Engineers will continue for at least five years. At the end of five years, a "Certificate of Compliance" is required to be submitted to the Corps of Engineers.

## **COORDINATION**

The U.S. Fish and Wildlife Service visited the project site to informally discuss any potential effects to endangered species as a result of the proposed project. During the visit the Service indicated that there are no species of concern within the project area. The ACOE and NMED were consulted with regarding CWA Section 404 and 401, respectively. NMDG&F was consulted through their website regarding any state protected animal species that could potentially occur in the project area. The NMSHPO of New Mexico was consulted by Reclamation to determine project compliance with state and federal laws (Section 106 of the NHPA) regarding cultural resources in the project area. San Juan Pueblo was contacted to inform them of the project and to request any comments on the project or the draft EA (copy of the letter in Appendix C). The public was consulted with during a public meeting held December 3, 2003.

## **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 preferred plan presented in the EA (for the construction of a new channel for Borregos Arroyo to the dike of the Rio Grande) would not result in a significant impact on the human environment and does not require the preparation of an environmental impact statement.