

### 3.2.11 Irretrievable Commitment of Resources of the Proposed Action

The implementation of the project would result in the commitment of resources such as fossil fuels, construction materials, and labor. In addition, Federal funds will be expended for the construction of the proposed project.

### 3.2.12 Cumulative Impacts

The Proposed Action would have a net positive benefit to the silvery minnow in the Cochiti reach because of the enhanced habitat availability. Future restoration projects on Santo Domingo will be cumulative, increasing habitat for threatened and endangered species and overall biodiversity on Santo Domingo Tribal Lands.

Restoration efforts from neighboring tribes and pueblos would also benefit from this project because of increased habitat connectivity for the silvery minnow. Reclamation recently classified three priority sites in the Rio Grande corridor of Santo Domingo Tribal Lands in which measures will be taken to protect and restore the river's banks and levees. The anticipated methods to be used by Reclamation are expected to have no adverse impacts to any endangered or threatened species. Cumulative impacts from these projects would benefit the overall recovery efforts of the silvery minnow in the Cochiti reach by increasing the availability and connectivity of habitat in upper reaches of the Middle Rio Grande.

## Chapter 4. ENVIRONMENTAL COMMITMENTS BY THE SANTO DOMINGO TRIBE

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

- Section 7 of the ESA as administered by the US Fish and Wildlife Service. To protect shallow water habitat adjacent to the bank line during construction, a silt curtain will be installed. Standard best management practices will be used to prevent pollution an unnaturally high level of sediment loading in the river. 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.
- Avoid impacts to birds protected by the Migratory Bird Treaty Act (16 U.S.C. 703) by scheduling construction outside of the normal bird breeding and nesting season (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 Six, Seven and Eight and replanted adjacent to each channel (see page 5, section 2.2.2).

- Noxious weeds will be monitored and controlled with an approved broad spectrum herbicide in each site for a period of two years after completion.
- Baseline water quality parameters (temperature, dissolved oxygen, pH and salinity) will be collected by NRB staff before, during and after each site's construction. After construction is complete, water will be monitored monthly in each site.
- Compliance with Section 106 of the National Historic Preservation Act (NHPA). 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 Reclamation Albuquerque Area Office 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.

### **Chapter 5. CONSULTATION AND COORDINATION**

The USFWS has been notified about the proposed action and their determination of impacts to federal endangered and threatened species in the Project areas is consistent with the impacts described in Chapter 3. The USACE was consulted regarding CWA 404 permits and compliance and has determined no permits are needed for the proposed action. (Appendix A).

### **Chapter 6. LIST OF PREPARERS**

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### **Chapter 7. REFERENCES**

16 U.S.C. 470 (Short Title). National Historic Preservation Act of 1966, As amended through 2000. An Act to Establish a Program for the Preservation of Additional Historic Properties throughout the Nation, and for Other Purposes. United States Code.

16 U.S.C. 703. Migratory Bird Treaty Act of 1918. As Amended. United States Code.

42 U.S.C. 4331-4335. National Environmental Policy Act (NEPA). 1970. Title 42 - The Public Health and Welfare; Chapter 55 - National Environmental Policy , Subchapter I – Policies and Goals; Sections 4331-4335. U.S. GPO. U.S. Code Online via GPO Access at <http://www.access.gpo.gov/uscode/uscmmain.html>. Accessed 12-16-04.

FR. 1994b. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. Vol. 59, No. 32 / Wednesday, February 16, 1994. pp 7629.

Habitat Restoration Plan for the Middle Rio Grande. 2004. Prepared for: Middle Rio Grande Endangered Species Act Collaborative Program Habitat Restoration Subcommittee. Tetra Tech EM Inc., Albuquerque, New Mexico.

U.S. Fish and Wildlife Service. 2003. Biological and conference opinions on the effects of actions associated with the programmatic biological assessment of the Bureau of Reclamation's Water and River Maintenance Operations, Army Corps of Engineer's Flood Control Operation, and Related Non-Federal Actions on the Middle Rio Grande. Region 2, U.S. Fish and Wildlife Service, Albuquerque, NM.

## **Chapter 8. APPENDIX**

### **8.1.1 Correspondence and Coordination**

**U.S. Army Corps of Engineers- CWA 404 Jurisdictional Determination letter  
U.S. Fish and Wildlife Service – Section 7 Consultation for the Proposed Santo Domingo Pueblo Restoration Project Phase III – consultation number 22420-2008-I-0063**