

4.3.9. Irreversible and Irretrievable Commitment of Resources of the Proposed Action

Some top soil would be removed from the project site, and would not be replaced in the same location at the end of the project. A small amount of wildlife habitat within the project area would be destroyed but would be replaced with a larger area of habitat as a result of bio-engineering bank line and revegetation activities of the proposed alternative. Construction equipment would utilize fuel and lubricants that would be permanently used.

Chapter 5. CONSULTATION AND 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.

Chapter 6. ENVIRONMENTAL COMMITMENTS

- 6.1.** Construction of the stabilized bankline would be implemented during low flows to minimize the area of disturbance at the construction site.
- 6.2.** All construction debris and waste would be disposed of at an approved landfill facility.
- 6.3.** Best Management Practices would be implemented and utilized to prevent stormwater runoff and water pollution from entering the Rio Grande during construction activities.
- 6.4.** If a Bald Eagle is visible at the project area in the morning before construction activities start or following breaks in construction activities, Reclamation would be required to suspend all activity until the Bald Eagle leaves of its own volition. 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.
- 6.5.** For the construction period January 15, 2008 to April 15, 2008, 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.

- 6.6.** During construction, Reclamation would obtain water for dust abatement from drains, canals, and the river (not during the minnow spawning season).
- 6.7.** 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.

Chapter 7. LIST OF PREPARERS

NAME: Mr. Robert Maxwell

Affiliation: Bureau of Reclamation

Education: B.S., Botany and Range Management, Brigham Young University, 1975
Graduate Studies: Hazardous Waste Management, Arizona State University

Technical Experience: Environmental Protection Specialist with over 30 years of experience in environmental resource management with the Bureau of Land Management, U.S. Forest Service, and Department of Defense. In addition, served 15 years in the private sector as an Environmental Engineer for Arizona Public Service Company and Woodgrain Millwork, respectively.

EA Responsibility: Project NEPA Team Leader responsible for project environmental compliance and preparation of the EA.

Chapter 8. REFERENCES

- [BIO-WEST] BIO-WEST, Inc. 2005. Middle Rio Grande Project Bernalillo Priority Site, Final Alternatives Analysis. U.S. Department of the Interior, Bureau of Reclamation, Albuquerque Area Office, Albuquerque, New Mexico. 74 p. plus appendices.
- Coykendall, A. 2004. Art Coykendall, Endangered Species Coordinator, Bureau of Reclamation, Upper Colorado Region, Albuquerque, NM. Personal communication with Mike Sipos of BIO-WEST, Inc., regarding the distribution of known southwestern willow flycatcher breeding populations. 11/30/04.
- eCFR. 2005. Data obtained from the electronic Code of Federal Regulations website: <http://ecfr.gpoaccess.gov/cgi/t/text/textidx?region=DIV1;type=boolean;c=ecfr;cc=ecfr;sid=2e742a92f3578c95bdbf6a8c22847204;q1=aqcr%20156;rgn1=Section;op2=and;rgn2=Section;op3=and;rgn3=Section;ve w=text;idno=40;node=40%3A17.0.1.1.1.3;rgn=div6>, September 26, 2005.
- Massong, T. 2005. Bernalillo River Maintenance Priority Site, Bend Migration Monitoring. U.S. Department of the Interior, Bureau of Reclamation, Albuquerque Area Office. 7 p.
- Muldavin, E.M, Durkin P., Bradley, M., Stuver M., and Mehlhop P. 2000. Handbook of Wetland Vegetation Communities of New Mexico, 2000 Vol. 1, 72 p.
- [NMDG&F] New Mexico Department of Game and Fish. 2005. Biota Information System Of New Mexico (BISON-M). New Mexico Department of Game and Fish, Conservation Services Division, Santa Fe, New Mexico. 67 p.
- [NMRTPC] New Mexico Rare Plant Technical Council. 1999. Rare plant data obtained from the University of New Mexico website. Located at: <http://nmrareplants.unm.edu/>.
- New Mexico Heritage Program. 2000. New Mexico Wetlands/ Riparian Assessment Database and GIS ArcView GIS project, Access Database & Report. Located at: http://nmnhp.unm.edu/publications/pub_nhnm.php.
- [Service] U.S. Fish and Wildlife Service. 2003. Biological and conference opinions on the effects of actions associated with the programmatic biological assessment of Bureau of Reclamation's water and river maintenance operations, Army Corps of Engineers' flood control operation, and related non-federal actions on the Middle Rio Grande, New Mexico. Albuquerque, NM. 128 p.
- TetraTech. 2002. Bernalillo and Sandia Priority Sites, Project Description and Short Term Activities. Report prepared for U.S. Dept. of Interior-Bureau of Reclamation, Albuquerque, NM.

U.S. Bureau of Economic Accounts. 2005. Data obtained from the Bureau of Economic Accounts website at: <http://www.bea.doc.gov/bea/regional/reis/drill.cfm>, September 2005.

U.S. Census Bureau. 2005. Data obtained from the Census Bureau website at: <http://quickfacts.census.gov/qfd/states/35/35043.html>, September 2005.