

CHAPTER 5 ENVIRONMENTAL COMMITMENTS

The following environmental commitments will apply if the Proposed Action is selected and implemented:

All applicable permits have been or will be obtained prior to implementation of the project.

1. 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 leave on its own volition, or if the Reclamation biologist in consultation with the USFWS, determine 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, Reclamation would contact the USFWS to determine whether formal consultation under ESA is necessary.
2. To avoid direct impacts to migratory birds protected by the Migratory Bird Treaty Act (16 U.S.C. 703, et seq.), installation of the cottonwood structures would be scheduled between August 15 and April 15, outside of the normal breeding season for most avian species.
3. Implementing specific mitigation measures to avoid impacts to threatened and endangered species and their habitats identified in the project area, as determined in Section 7 consultation with USFWS under the Endangered Species Act.
4. 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.
5. RGSM critical habitat encompasses the entire project area (FR 2003) in the river channel. Best Management Practices would be enforced to minimize potential impacts to RGSM from direct construction impacts and erosional inputs into the river during work periods. A silt fence will be installed around the perimeter of areas to be excavated below the existing water line to exclude RGSM from the work area. Trenches constructed for snag placement would be seined immediately prior to placement of the snag in the trench to remove any RGSM that may enter the trench during the brief (approximately 1 hour) period of time the trench would be opened to the channel. To protect shallow water habitats adjacent to the bankline, 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 under go cleaning and inspection prior to operation. Equipment will be parked on predetermined locations on high ground away from the project area overnight. Consultation with the USFWS would determine other effective Best Management Practices

6. Impacts to terrestrial habitats would be minimized by using existing roads and cleared staging areas. In general, equipment operation would take place in the most open area available and would minimize damage to native vegetation.
7. To mitigate potential short-term construction impacts to SWFL, clearing of dense woody vegetation would be avoided. Construction would occur only between August 15 and April 15.
8. Clean Water Act (CWA) compliance is required of all aspects of the Project, and since most work associated with the Proposed Action would be completed within aquatic areas regulated by this law, a 404 permit is required. A state water quality certification permit under Section 401 of the CWA may also be required. The 404 and 401 permitting processes would be completed prior to commencement of the Proposed Action.
9. Storm water discharges under the Proposed Action would be limited to ground-disturbing activities outside the mean high water mark. All such activities would be evaluated for compliance with National Pollutant Discharge Elimination System (NPDES) guidance, an NPDES permit, or a Storm Water Pollution Prevention Plan.
10. All necessary permits for access points, staging areas, and study sites would be acquired prior to construction activity.

CHAPTER 6 CONSULTATION & COORDINATION

The Service was notified of the proposed action and federally protected species potentially occurring in the project site were identified. The Army Corps of Engineers and New Mexico Environment Department were consulted for CWA Section 404 and 401 compliance.

CHAPTER 7 LIST OF PREPARERS

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