

U.S. Department of the Interior

BUREAU OF RECLAMATION

Albuquerque Area Office
Albuquerque, New Mexico

Finding of No Significant Impact

**Middle Rio Grande
Riverine Restoration Project**

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Date

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12/8/05

Date

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FONSI Number

BACKGROUND

The Bureau of Reclamation and the State of New Mexico Interstate Stream Commission (ISC) are proposing to implement part of the Reasonable and Prudent Alternative (RPA) in the March 2003 U.S. Fish and Wildlife Service (USFWS) Biological Opinion for Reclamation's Water and River Maintenance Operations, the U.S. Army Corps of Engineers' (USACE) Flood Control Operations, and Related Non-Federal Actions on the Middle Rio Grande, New Mexico, 2003 (U.S. Fish and Wildlife Service [USFWS] 2003). The requirement of Element S of the RPA is to address priority habitat restoration goals of the Middle Rio Grande Endangered Species Act (ESA) Collaborative Program (Collaborative Program).

This project, termed the Middle Rio Grande Riverine Restoration Project (project), will apply several habitat restoration techniques in three subreach locations of the river in the Albuquerque Reach to create and improve riverine habitat suitable for the endangered Rio Grande silvery minnow (RGSM). Changes in riverine ecosystem processes and habitats have been linked to declines in RGSM, the last remaining member of a guild of small, pelagic spawning minnows native to the Rio Grande. The Environmental Assessment (EA) evaluates the impacts of these riverine habitat restoration techniques and projects on environmental resources and their relationship to other projects and undertakings in compliance with the National Environmental Policy Act (42 U.S.C 4321 et seq.).

SUMMARY OF THE PROPOSED ACTION

The Proposed Action involves the design and implementation of six techniques to restore aquatic habitat for the benefit of the RGSM within the river in the Middle Rio Grande (MRG), Albuquerque Reach. Techniques would be implemented on islands, bars and banks to evaluate the river's ability to naturally mobilize sediments and create RGSM habitat under a variety of flow conditions. Work would take place over a four-year period, from March 2005 through March 2009 with Phase I occurring during 2005 and 2006. Approximately 37 acres would be treated during Phase I. Phase I implementation would occur on islands and bars and banks. As the project progresses, implementation would continue on selected islands, bars, and banks with the number of treated acres increasing to 350 acres. Currently, federal funding for Phase I from the 2004 and 2005 funding from the Collaborative Program is \$272,000; federal funding from Reclamation is \$98,000, and funding from the State of New Mexico, Water Trust Board and ISC is approximately \$1,064,000.

No significant adverse impacts to environmental resources and the human environment are anticipated as a result of the planned phased approach. No Indian Trust Assets have been identified and no impacts are anticipated due to the project. Continual evaluation of both adverse and beneficial effects will be performed over the duration of the project. The initial project design is expected to produce beneficial effects on aquatic habitats and aquatic resources. Implementation will be followed by monitoring and evaluation of the success of each technique to restore habitat without any undue short-term effects.

ENVIRONMENTAL IMPACTS RELATED TO THE RESOURCES OF CONCERN

Resources of primary concern for the project include the three federally threatened or endangered species and their associated habitat that occur within the project area, water quality in the Rio Grande, and the visual and aesthetic quality of the project area, which lies within Rio Grande Valley State Park (RGVSP).

Short-term environmental impacts are anticipated during the construction phase of the project, resulting from temporary construction disturbance and noise. Direct environmental impacts may include temporary and localized increases in the level of suspended sediments in the river, clearing or trampling of vegetation, and direct impacts to fish by mechanized equipment operating in the river. Indirect effects may result from construction noise above the ambient noise level normally experienced by recreational users of RGVSP or residents of areas near the project. Visual and aesthetic effects may also occur during construction. These short-term direct effects will be minimized by following best management practices, monitoring normal water quality parameters when operating equipment in the channel, and using previously cleared access and staging areas.

Short-term adverse effects of the project on endangered Rio Grande silvery minnow (RGSM) would likely occur as a result of implementing the Project. A Biological Opinion (BO) and incidental take permit have been issued, pursuant to sections 7(a)(2) and 7(b)(4) of the Endangered Species Act (USFWS, November 3, 2005).

The Reasonable and Prudent Measures (RPMs):

1. Minimize take of RGSM due to habitat restoration activities.
2. Manage for the protection of water quality from activities associated with the restoration project.
3. Continue to work collaboratively with the Service on the Middle Rio Grande Endangered Species Act Collaborative Program.

To implement these RPMs, ISC shall:

1. Monitor presence/absence of RGSM at construction sites, and use adaptive management to modify island restoration, sourcing and scalloping, and creation of ephemeral channels, as appropriate.
2. Report to the Service the Restoration Monitoring Plan.
3. Report findings of injured or dead RGSM to the Service.
4. Report to the Service water quality measurements taken before, during, and after construction activity.
5. Report to the Service significant spills of hydraulic fluids, fuels, and other hazardous materials.
6. Work to conduct further habitat/ecosystem restoration projects in the Middle Rio Grande to benefit RGSM.
7. Schedule, to the extent possible, construction during dry or frozen soil conditions.

Indirect long-term effects, including beneficial effects to riverine habitats suitable for Rio Grande silvery minnow and other fish and wildlife resources, will be evaluated during the course of the project. Long-term effects on the visual and aesthetic quality of the Rio Grande Valley

State Park (RGVSP) are not anticipated, since the restoration design will restore natural riverine processes to create or improve the function of the RGVSP riverine ecosystem.

OTHER AFFECTED RESOURCES

The Rio Grande Compact limits the amount of water that can be depleted in the MRG (Rio Grande Compact 1939). Any increase in net depletions will jeopardize the ability of the State of New Mexico to meet its downstream delivery obligations. Therefore, the ISC requires that new projects demonstrate that they will not result in any increases in net water depletions, or that any increases are offset by purchased or leased water rights. This project will evaluate changes in water depletions (water losses) and develop methods to ensure that depletions are not increased as a result of the action.

ENVIRONMENTAL COMMITMENTS

All applicable permits will be obtained prior to implementation of each phase of the project, including but not limited to:

- Landowner access permissions
- Clean Water Act (CWA), Section 404
- State Water Quality Certification under CWA, Section 401
- Temporary Construction Noise Permit, City of Albuquerque Environmental Health Department
- National Pollutant Discharge Elimination System (NPDES) Permit
- Storm Water Pollution Prevention Plans

In addition to obtaining these permits, the Joint Lead agencies make the following environmental commitments:

- Avoiding construction or location of staging areas in jurisdictional wetlands.
- Avoiding impacts to birds protected by the Migratory Bird Treaty Act by scheduling construction outside of the normal bird breeding and nesting season (April 15 through August 15) for most avian species or conducting pre-construction breeding bird surveys and monitoring if construction were to occur during the breeding and nesting season and consultation with USFWS if affected species are observed.
- Avoiding or minimizing potential visual and aesthetic impacts at the Central to I-40 subreach by replanting native vegetation.
- Implementing specific mitigation measures to avoid impacts to threatened or endangered species and their habitats identified in the project area, as determined in consultation with USFWS.
- Implementing measures to stop work and notify the Reclamation Area Archaeologist in the event that prehistoric or historic remains, human burials, or other archaeological resources are discovered during construction or monitoring.

COORDINATION

Agencies and other entities contacted formally or informally to coordinate efforts in preparation of this EA include:

Bernalillo County
City of Albuquerque
City of Albuquerque Open Space Division
Corrales Bosque Commission
Middle Rio Grande Conservancy District
New Mexico Department of Game and Fish
New Mexico State Historic Preservation Division
New Mexico State Historic Preservation Officer
Pueblo of Isleta
Sandia Pueblo
U.S. Army Corps of Engineers
U.S. Fish and Wildlife Service
Village of Corrales

CONCLUSION

The project, proposed by Reclamation and ISC, will apply six habitat restoration techniques in three subreach locations of the river in the Albuquerque Reach to create and improve habitat for the endangered Rio Grande silvery minnow. The project will treat approximately 24 acres in 2005 and 2006 and up to 350 acres over a period of four years, and monitor the riverine environment to determine if the techniques applied restore or improve riverine ecosystem processes and habitats suitable for life stages of the RGSM. The ISC is responsible for the implementation of mitigation measures and environmental commitments. The need for this type of restoration work is identified as part of the Reasonable and Prudent Alternative (RPA) in the March 2003 USFWS Biological Opinion for Reclamation's Water and River Maintenance Operations, the U.S. Army Corps of Engineers' Flood Control Operations, and Related Non-Federal Actions on the Middle Rio Grande, New Mexico, 2003 (USFWS 2003).

Short-term impacts may occur to visual and aesthetic resources, noise, water quality, and threatened or endangered species, including RGSM. Potential short-term construction effects of the project will be minimized with best management practices and impact-avoidance measures to assure that effects do not rise to the level of significance so long as the terms and conditions specified in the biological opinion and other environmental commitments are met. Long-term effects may be beneficial to riverine ecosystem processes and will be monitored by the Joint Lead Agencies to determine if they meet the objectives of the project.

Based on the analysis performed in the environmental assessment, no significant adverse impacts to the natural or human environment will result from implementation of the project. This Finding of No Significant Impact (FONSI) has been determined pursuant to the National Environmental Policy Act (42 U.S.C. 4321et seq.) It has been determined that the proposed action does not constitute a major federal action that would significantly affect the human environment. Therefore, an environmental impact statement will not be prepared for this project.