

## 4. ENVIRONMENTAL COMMITMENTS BY THE PUEBLO OF SANDIA

All applicable permits have been obtained to begin implementation of the Project. Other environmental commitments include:

- Section 401 of the CWA (33 USC 1251 et seq., as amended) requires applicants for Section 404 authorization to obtain water quality certification prior to initiating construction. The USACE has determined that a 404 Permit is not required for the Project, as most of the work will take place above the OHWM (Action No. SPA-2007-00577-ABQ). The Pueblo of Sandia will be responsible for preventing or minimizing effects to water resources.
- Minimal disturbance will occur to the bankline, as most of the Project will occur outside the OHWM of the Rio Grande.
- During construction, desirable native vegetation already established on site will be preserved whenever possible.
- ESA compliance has been performed through consultation with the USFWS regarding potential impacts to threatened and endangered species. Best management practices will be implemented to minimize potential impacts to the flycatcher or other listed species. Completed consultation with the USFWS has determined the most effective best management practices.
- The Pueblo of Sandia is committed to monitoring the Project for one year to document changes in site conditions and the presence of various fish species using the habitat. The Pueblo of Sandia is responsible for notifying the USFWS if silvery minnows are using the constructed channel or other habitat features or in the event that isolated habitats form in the channel.
- To protect aquatic habitat from spills or contamination, hydraulic lines will be protected from punctures. In addition, all fueling will take place outside the active floodplain, and all equipment will undergo high-pressure spray cleaning and inspection prior to operation. Equipment will be parked on pre-determined locations on high ground away from the project area overnight.
- The Pueblo of Sandia will seek to avoid impacts to birds protected by the Migratory Bird Treaty Act (16 USC 703) by scheduling construction outside of the normal bird breeding and nesting season (September 1 to April 15) for most avian species or conducting preconstruction breeding surveys and monitoring nests during construction. Nests will be marked and those trees protected until after the birds have fledged. Nests will continue to be monitored twice weekly during the time heavy equipment is being operated, and close coordination will occur between the equipment operators and Pueblo of Sandia Environmental Staff to reduce the possibility of destroying nests. The USFWS will be consulted if bird nests are found.
- The Pueblo of Sandia has consulted with the New Mexico State Historic Preservation Office (SHPO) to comply with Section 106 of the National Historic Preservation Act. Should evidence of possible scientific, prehistoric, historic, or archaeological data be discovered during the course of this action, work will cease at that location and the Reclamation Albuquerque Area Office Archaeologist will be notified by telephone immediately with the location and nature of the findings. Care will be exercised as not to disturb or damage artifacts or fossils uncovered during operations, and the Pueblo of Sandia will provide such cooperation and assistance as may be necessary to preserve the findings for removal or other disposition by the government. TCPs have been evaluated as part of the consultation process.

## **5. CONSULTATION AND COORDINATION**

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

- U.S. Fish and Wildlife Service
- U.S. Bureau of Indian Affairs
- U.S. Army Corps of Engineers
- New Mexico State Historic Preservation Division

Copies of the Public Draft EA were made available for a 30-day public inspection and review. The Final EA is available for public inspection online at:

<http://www.usbr.gov/uc/albuq/envdocs/index.html>

## **6. PERSONS INVOLVED IN THE PREPARATION OF THIS DOCUMENT**

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