US Army Corps of Engineers®

DRAFT
Supplement
Environmental Assessment for the Middle Rio Grande Restoration Project, Bernalillo and Sandoval Counties, New Mexico

Prepared
by

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U.S. ARMY CORPS OF ENGINEERS
ALBUQUERQUE DISTRICT

DRAFT FINDING OF NO SIGNIFICANT IMPACT
to the
SUPPLEMENT ENVIRONMENTAL ASSESSMENT
for the
MIDDLE RIO GRANDE RESTORATION PROJECT, BERNALILLO AND SANDOVAL COUNTIES, NEW MEXICO

The *Middle Rio Grande Restoration Project, Bernalillo and Sandoval Counties, New Mexico Environmental Assessment* (EA) and the Feasibility Study were completed in June 2011. The Finding of No Significant Impact (FONSI) was signed on June 6, 2011.

This proposed action is to construct additional restoration features on lands within the Pueblo of Sandia Site 1D north, including spoil of material along the levee; rehabilitation of a dump site within the Corrales Site 1A; and use of a staging area for restoration work at the San Antonio Oxbow Site 3A. All of these sites were discussed in the original Environmental Assessment for the Middle Rio Grande Restoration Project, Bernalillo and Sandoval Counties, New Mexico dated June 2011 (EA). The proposed action would allow further restoration at these sites. Restoration activities were discussed and analyzed in the EA. This Draft Supplement Environmental Assessment for the Middle Rio Grande Restoration Project (DSEA) will discuss the addition to the locations as mentioned.

If the proposed additional restoration work, dump site rehabilitation and staging access for these sites did not occur, this work would not be completed in order to benefit the project and ecosystem. The restoration work at the San Antonio Oxbow could not take place without a staging area.

Cultural resources surveys have been conducted on all of the proposed action areas. Section 106 consultation with the New Mexico State Historic Preservation Officer has been completed. This project is in compliance with the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470 et seq.].

Conditions to be adhered to during the implementation of these activities includes: 1) project activities within the bosque will occur only between August 15 and April 15 of any given year, and 2) all conditions listed in the original EA will continue to be adhered to.

The Clean Water Act (CWA) provides for protection of waters of the United States from impacts associated with discharges of dredged or fill material in aquatic habitats, including wetlands, as defined under Section 404 of the CWA. This proposed action is covered under the original EA and 404(b)(1) analysis. The proposed project

would be constructed under Nationwide 33 (Temporary Construction, Access, and Dewatering) due to the potential need to dewater at the bank of the river at Site 1D north, and Nationwide 27 (Stream and Wetland Restoration Activities) for work that would take place in the San Antonio Oxbow.

The planned action would result in only minor and temporary impacts on air quality, water quality, and noise levels during implementation. The following elements have been analyzed and would not be significantly affected by the planned action: socioeconomic environment, air quality, water quality, noise levels, flood plains, riparian areas, wetlands, waters of the United States, and biological resources. The planned action would have no effect on Yellow-Billed Cuckoo. The planned action would have a potential beneficial effect on the Southwestern Willow Flycatcher. The planned action may affect but is not likely to adversely modify designated Critical Habitat of the Rio Grande silvery minnow. The planned action may affect but is not likely to adversely affect the Rio Grande silvery minnow. The planned action would have No Adverse Effect to Historic Properties and No Historic Properties Affected. These elements were analyzed in the EA. Letters of concurrence have been requested from the U.S. Fish and Wildlife Service and the New Mexico State Historic Preservation Officer.

The planned action has been fully coordinated with Federal, tribal, and local governments with jurisdiction over the ecological, cultural, and hydrologic resources of the project area. Based upon these factors and others discussed in the original EA and this SEA, the planned action would not have a significant effect on the human environment. Therefore, an Environmental Impact Statement will not be prepared for this project.

_____ _____

Date

Patrick J. Dagon
Lieutenant Colonel, U.S. Army
District Commander

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Background

The *Middle Rio Grande Restoration Project, Bernalillo and Sandoval Counties, New Mexico Environmental Assessment* (EA) and Feasibility Study were completed in June 2011. A Biological Opinion for the project was also completed in April 2011. These documents are available at: http://www.spa.usace.army.mil/Missions/Environmental/EnvironmentalComplianceDocuments/EnvironmentalAssessmentsFONSI.aspx. The Feasibility Study and EA included an analysis of various restoration measures and alternatives to help address key hydrologic and ecological problems along the Rio Grande. Features included improving habitat quality and increasing the amount of native bosque plant communities, implementing measures to reestablish fluvial processes, creating new wetland habitat, reducing fire hazard, recreating hydraulic connections, protecting and enhancing areas of potential habitat for listed species, and creating opportunities for educational and recreational features. Alternatives including these features were proposed at 17 locations (Sites 1A, 1B, 1C, 1D, 1E, 1F, 1G, 2A, 3A, 4A, 4B, 4C, 5A, 5B, 5C, 5D, and 5E) in the bosque along the Rio Grande in Bernalillo and Sandoval Counties (Figure 1).

The challenges regarding habitat loss, a reduction in different habitat types, invasion by non-native vegetation, and changes in the hydrologic cycle and inundation were proposed to be met by the recommended plan. A Finding of No Significant Impact (FONSI) was signed on June 6, 2011; and project implementation began in November 2011.

Purpose and Need

The authority for this study was derived from a series of Congressional actions authorizing studies for projects on the Rio Grande, particularly in the Middle Rio Grande. Section 401 of the Water Resources Development Act of 1986 (Public Law 99-662) dated 17 November 1986, authorized studies in the Middle Rio Grande. Additional authorization is contained in House of Representatives Resolution 107-258, 2002. This authorization provides funds to evaluate environmental restoration, to include recreational components.

This Draft Supplement EA (DSEA) includes features that would meet the original study intent above. Some of these types of features were reduced at other sites in Reach 1 at the request of the Village of Corrales. The addition of these sites at Site 1D North allows the implementation of these features in the reach to still occur and provide the improvement of habitat quality, fluvial processes and hydraulic connections in the floodplain.

Figure 1. Middle Rio Grande Restoration Project

Description of Proposed Action and Alternative

Site 1D North

The proposed action is to construct additional restoration features on Pueblo of Sandia lands by expanding what is currently known as Site 1D to the north by an additional 123 acres. The original plan for Site 1D included removal of non-native vegetation and revegetation with native species of approximately 18.74 acres and excavation of two swales of 2.44 acres within the 18.74 acre area, south of the North Diversion Channel (NDC). This would be constructed at the same time as the proposed action.

During the design of Site 1D, many problems were identified that precluded the features requiring excavation and they were eliminated from the project. Instead, the opportunity to complete similar features immediately north of the area, and still within the boundary of the Pueblo of Sandia, was identified. The revised plan consists of expanding Site 1D to include the area immediately north of the NDC with the following changes: limit construction action in the area south of the NDC to treat and retreat revegetation, and include the creation of three wetland marsh/willow swale habitat features (10.5 acres) and bank terracing /wetland swale (2.2 acres), north of the NDC (Figure 2). The addition of willow swales and bank terrace in Site 1D North also replaces those features that were not constructed in Corrales at their request.

Swales and wet meadows would be constructed by excavating to the shallow groundwater which is approximately one to three feet for swales and three to five feet for wet meadows at these locations. These areas would be planted with coyote willow (*Salix exigua*) and other native riparian vegetation as described in the original EA under willow swale construction. Bank terracing would require excavation along the bank to allow inundation by flows starting at approximately 2500 cfs. Bank terracing excavation would be performed as described in the original EA. The proposed action would not alter the function or performance of the original Albuquerque Levee. The proposed action has been coordinated with and approved by the Pueblo of Sandia.

Pueblo of Sandia Spoil Locations

The material excavated from Site 1D North would be placed along the top of the engineered levee and at the top or landward toe of the spoil bank in that area as well as to the north. The material would be used to provide a better surface on top of the levee and widen it in areas. It would also be used to create turn-around areas as shown in Figure 3. The proposed action has been coordinated with and approved by the Pueblo of Sandia.

Site 1A Dump Site

Site 1A is located in the bosque within the boundaries of the Village of Corrales, at the east end of Romero Road. Within Site 1A, a historic trash dump was discovered and is located in between the levee and the river (river right), north of the foot trail (Figure 4). The dump site consists of 4 partially exposed piles. The estimated total acreage is 0.25 acres. The dump site was observed after the Romero Fire (2012). It is proposed that the remainder of the site be covered with approximately 4-6 inches of clean soil and seeded.

The proposed action has been coordinated with and approved by the Village of Corrales and Middle Rio Grande Conservancy District.

Site 3A Staging Area

The proposed action includes the use of property owned by the Albuquerque Bernalillo County Water Utility Authority (ABCWUA) and Bosque School (Figure 5) as a staging area for the construction at Site 3A, San Antonio Oxbow. This proposed staging area is located at the southwest corner of Montaño Blvd. and the river. This staging area was not previously identified but the restoration work at Site 3A was discussed in the original EA. Both property owners have been coordinated with an approved use of the site. The site would be restored to its original state once the project is completed.

Construction of all of the proposed actions above would occur only between August 15 and April 15. Construction would take place starting in the Fall of 2014 through April 15, 2016 with no work occurring between April 15-August 15 per the Migratory Bird Treaty Act. Construction would also during winter low flows.

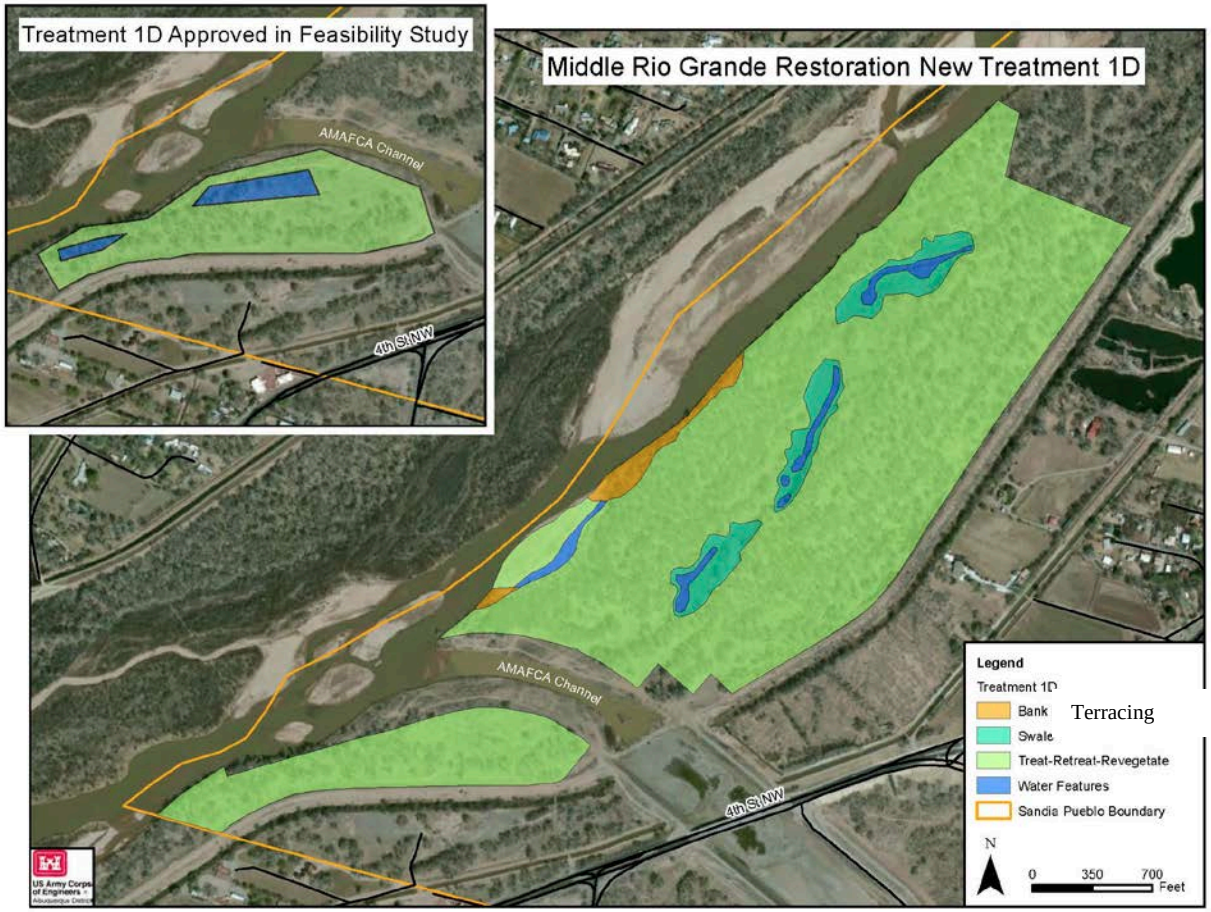

Figure 2. Proposed Action at Site 1D North

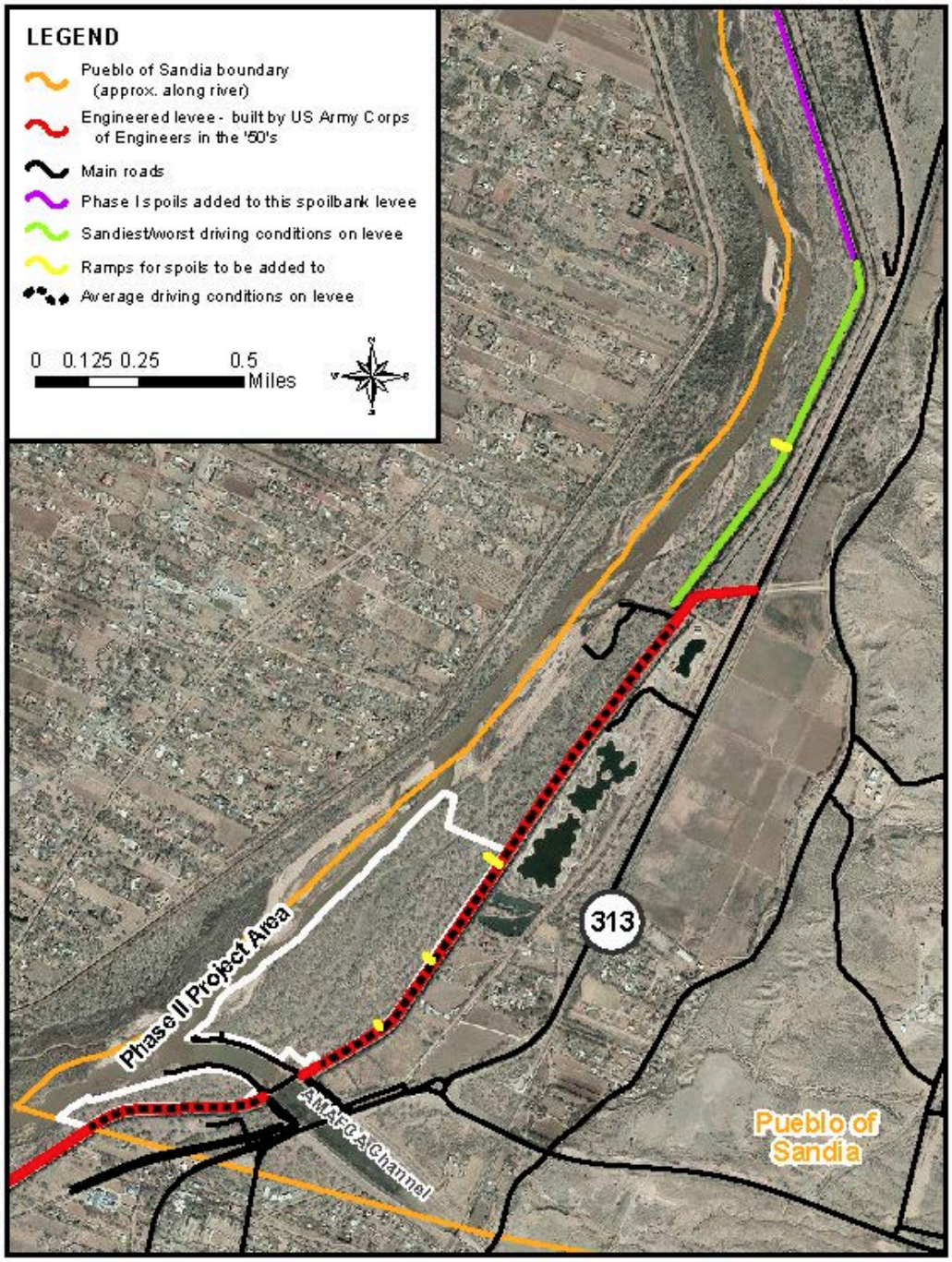

Figure 3. Proposed spoil locations at Site 1D North and north (map created by Pueblo of Sandia)

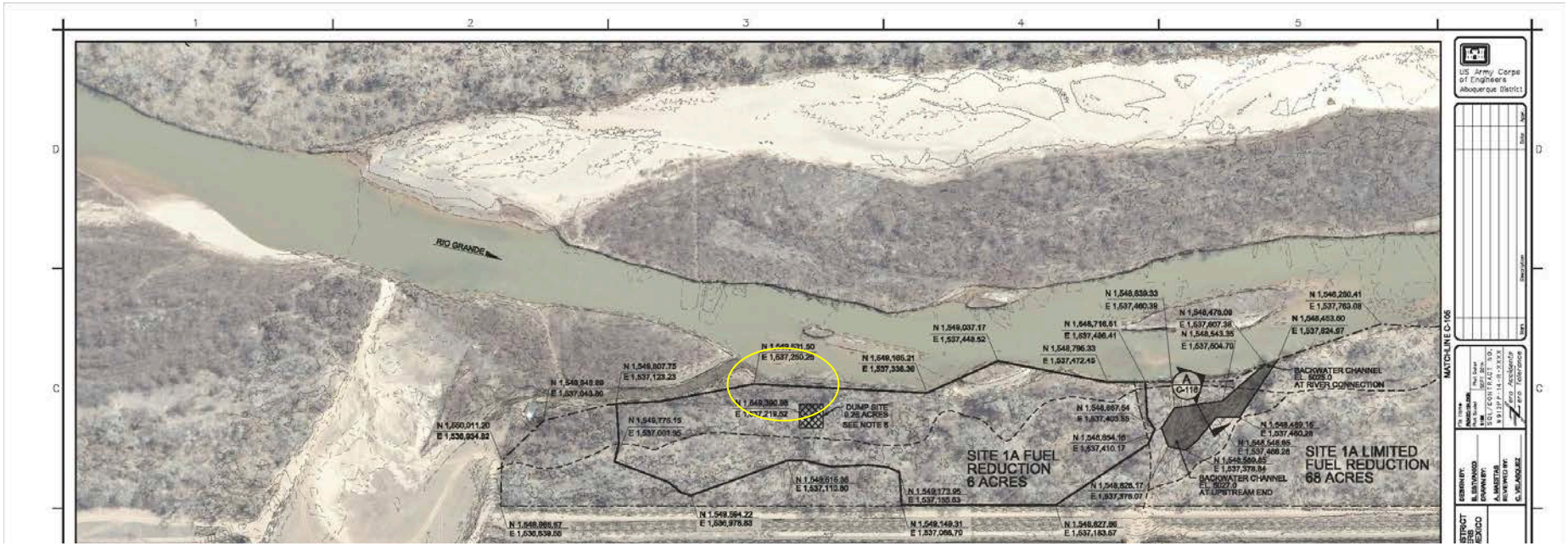

Figure 4. Site 1A Dump Site

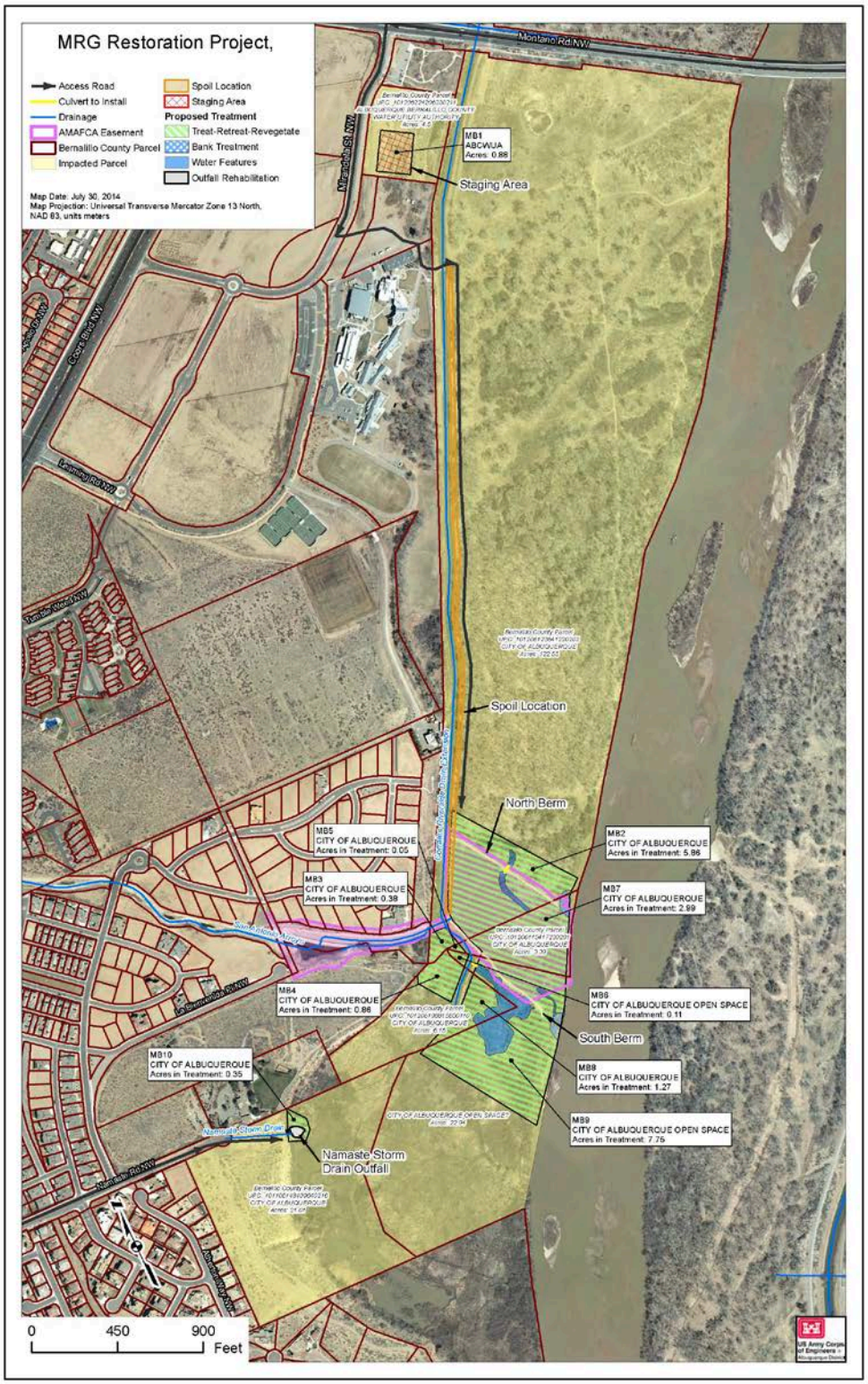

Figure 5. Proposed Staging Area on ABCWUA and Bosque School land

Existing Conditions

Site 1D North

Sites 1D North is comprised of riparian habitat with a mixture of native and non-native vegetation present. The habitat is mainly cottonwood (*Populus deltoides* ssp. *wislizenii*) and Goodding's willow (*Salix gooddingii)* overstory with an open understory. Patches of native understory exist, consisting of New Mexico olive (*Forestiera neomexicana),* coyote willow (*Salix exigua*), and some Russian olive (*Elaeagnus angustifolia*) and salt cedar (*Tamarix chinensis*).

Site 1D North includes lower topographic areas which are proposed to be utilized for willow swales and wet meadow areas. These lower topography areas are naturally closer to the ground water table. The area proposed for bank terracing is adjacent to an existing high flow channel that was previously constructed through the Middle Rio Grande Endangered Species Collaborative Program (Program). The bank terracing is proposed to match up with the high flow channel to allow for additional overbank flow connection.

Pueblo of Sandia Spoil Locations

Site 1D North spoil locations are proposed at Site 1D North and to the north along the existing engineered and spoil bank levee. The levee in this area is sandy. Vegetation along the edge of the levee includes native cottonwood (riverside) and a mixture of native and non-native vegetation (as described above) along the land side.

Site 1A Dump Site

Site 1A is comprised of riparian habitat with a mixture of native and non-native vegetation (same species as listed for Site 1D North). After the Romero fire in 2012, the dump site was partially cleaned by the Corrales Fire Department and all recyclable materials were removed. The dump site was inspected by Corps of Engineers staff in June 2014. Subsurface debris was observed during the initial clean-up. Broken glass is the predominant material remaining on the site. Other materials observed include brick, porcelain, broken cinder blocks and rusted tin. The debris is intermingled with fine fluvial deposits. The historic debris present is described under Cultural Resources below.

Site 3A Staging Area

The Site 3A proposed staging area is comprised of mostly gravel with sparse vegetation. Vegetation is comprised of weed species (*Kochia* sp. and *Salsola* sp.) (see photography of site in Appendix A).

Foreseeable Effects and Cumulative Impacts

General effects and impacts that are discussed in the original EA are also described in Table 1. A detailed discussion of proposed action specific foreseeable impacts follows.

Cultural Resources

Pursuant to 36 CFR 800.2, original scoping for the MRG Ecosystem Restoration Project was conducted in 2008. No tribal concerns were identified at that time. The Corps is continuing to work closely with the Pueblo of Sandia on Site 1D North. To date, the Corps has received no indication of tribal concerns with the project. The Corps is aware of two traditional cultural properties that occur within the Rio Grande Floodway; these would not be affected by the Site 1D North or the Site 3AOxbow staging area proposed actions. No traditional cultural properties are known to occur within or immediately adjacent to Site 1D North or the Site 3A staging area. Other than surface water flows in the Rio Grande, no Indian Trust Assets are known to occur in or adjacent to the project areas; water flows in the Rio Grande would not be affected by the project.

The Site 3A staging area and point of access is located on two land parcels: the first owned by the Albuquerque Bernalillo County Water Utility Authority and the second owned by Bosque School. The access point/route is covered with chipped gravel and is a part of Bosque School's parking lot and driveway. This eastern portion of the access point/route was surveyed by the Corps in 2013 (Everhart 2013). While the easement parcels total 7.62 acres, portions of this area cannot be used for staging. On the east side of both parcels is a wetland pond, recently enlarged, and on the west side of both parcels is the rather steep earthen bank on the east side of Mirandela Street, NW, that will be unusable for staging. Removing these areas from consideration, the APE for the proposed 2014 Site 3A staging area and access point/route is approximately 4.31 acres. On May 14, 2014, a Corps archaeologist conducted an initial site visit to the area and on May 21, 2014, performed a records search of the NM Archaeological Records Management Section's NMCRIS database. The project area has previously been surveyed for cultural resources by Marron & Associates, Inc. in 2003 (Brown and Brown 2003; NMCRIS No. 82487); their survey resulted in no archaeological sites recorded within this project area. The ground surface of the proposed staging area has been previously disturbed by grading with heavy equipment and currently small piles of dirt and rocks as well as debris such as tree stumps, wood chips, and tree limbs occur in the area.

On May 21, 2014, the Corps archaeologist conducted an intensive pedestrian re-survey covering the usable portion of the staging area, a total of 4.31 acres (Figure 5). The Corps archaeologist walked the access route during the site visit; however, since the access route is covered with chipped gravel and is a part of Bosque School's parking lot and driveway, it was not re-surveyed. One brown chert flake was observed outside of the staging area. While several archaeological sites including LA18125 (the St. Joseph site); LA33223 (the Montano Pueblo); LA138927; LA138928; and LA138929 occur in the vicinity, no other artifacts or evidence of cultural resources was observed during the survey. The Corps considers the re-survey of this staging area and site visit to the access

point/route as an addendum to the associated 2013 Corps survey report (Everhart 2013 [NMCRIS No. 127705; USACE-ABQ-2013-003]). The negative survey for the Site 3A staging area and access route is entitled *A Cultural Resources Inventory of 4.31 Acres, An Addendum to A Cultural Resources Inventory of 28.33 Acres for the MRG Ecosystem Restoration Project, Site 3A-Oxbow Project Area, Bernalillo County, New Mexico* (Everhart 2014 [NMCRIS No. 130685; USACE-ABQ-2014-005]). On June 24, 2014, the SHPO concurred with the Corps determination of "No Historic Properties Effected" for use of 2014 Site 3A-Oxbow staging area and access point/route (HPD Consultation No. 099314; Appendix A).

Site 1D has been expanded to include the area (124 acres) located north of the North Diversion Channel (Figure 2). The Corps had previously conducted an archaeological survey for this area (Walt, Marshall, and Musello 2005) while working on the Bosque Wildfire Project; the Rinconada Slough/Channel (LA146162) is located within the 1D Project Area. Section 106 consultation for the Bosque Wildfire Project and the Rinconada Slough was conducted with the SHPO in 2005 (HPD Consultation No's. 074700 and 074948; Appendix A). During that 2005 consultation, the SHPO concurred with the Corps determination that the Rinconada Slough was not eligible for listing on the National Register of Historic Places and that if fuel reduction and habitat restoration work such as clearing and grubbing with heavy equipment to remove dense dead and down vegetative debris and exotic plant species and replanting should occur in the area where the Rinconada Slough is located, it would result in No Adverse Effect to Historic Properties. The Corps continues to be of the opinion that habitat restoration activities currently planned for the 1D Project Area would result in No Adverse Effect to Historic Properties.

It was recently brought to the attention of the Corps that a historic trash dump was located in the 1A Project Area. The Corps conducted a site visit to the historic dump (Isolated Occurrence No. 1) on May 14, 2014. The next day, a Corps archaeologist conducted a NMCRIS database search and reviewed Corps project records. The 1A Project Area had been previously surveyed for cultural resources for the Corps by the University of New Mexico's Office of Contract Archeology in 2008 (Cordero, Steffgen, and Hogan 2009, Survey Area 12). The historic trash dump may have been missed during that 2008 survey due to the thick density of vegetation in the area. The trash dump was exposed and then discovered sometime after the 2012 Romero wildfire.

Similarly, fuel reduction and habitat restoration work, much of which will be conducted by operating heavy equipment in the area and replanting is planned for the 1A Project Area. IO No. 1 consists of approximately four to eight small pickup-sized loads of trash and debris covering an area of about 25 meters wide x 35 meters in length; approximately 0.87 hectare (0.25 acre). These dumped debris piles have been affected an unknown number of high water river flows in the past and they are in a water-swept, deflated, and sediment covered condition. Similar to several other illegal historic trash dumps that have been discovered in the bosque during the Bosque Wildfire and MRG Ecosystem Restoration Projects, the Corps documented the historic trash in the field and considers this historic trash dump as an isolated occurrence. The trash/debris dumps

include several hundred historic artifacts that are visible on the ground surface and include numerous fragments of clear and brown bottle glass, window glass, miscellaneous small pieces of metal, tin cans, wire nails, rolled roofing and asphalt shingles, vehicle parts such as a sparkplug and a piece of a headlamp, piles of stucco, plaster, asbestos shingles, bricks and composite blocks, and blocks of concrete and other debris. The historic trash and debris was illegally dumped in the bosque, perhaps during several dumping events. Based upon the presence of a post-1947 integral-type Auto-Lite A9 spark plug and a probable mid-1950s Clorox bottle, the artifacts in the dump date to about the 1950's. In this case, since a recreational hiking trail already traverses the trash dump, for public safety reasons (e.g., broken glass) and at the request of the village of Corrales, the project plans to cover the trash dump with approximately six inches of clean soil. The Corps is of the opinion that habitat restoration activities planned for the 1A Project Area would result in No Adverse Effect to Historic Properties.

On August 6, 2014, the Corps submitted our determinations that habitat restoration activities in the 1A and 1D Project Areas that would affect the Rinconada Slough and IO No. 1 would result in No Adverse Effect to Historic Properties. The Corps anticipates that the SHPO will concur with the Corps determination of No Adverse Effect to Historic Properties for the 1A and 1D Project Areas (HPD Consultation No. Appendix A).

Hazardous, Toxic and Radioactive Waste (HTRW)

The proposed action includes rehabilitation of a dump site at Site 1A in Corrales. The dump site has minimal risk to human health, except for injuries caused by the broken glass. There are no observed risks to aquatic and terrestrial receptors from the material observed on the surface. The site is inhibiting plant growth, due to the poor soil and disturbance (both the dump and fire). Therefore, there would be a benefit to human health and safety by rehabilitating the site.

Threatened and Endangered Species

Southwestern Willow Flycatcher

The Endangered Southwestern Willow Flycatcher (*Empidonax traillii extimus*) (flycatcher) was discussed in the original EA. The flycatcher is known to use the Rio Grande in the project area as a migratory pathway but has not been detected at this site. The closest known flycatcher breeding area is at Isleta Pueblo approximately 25 miles south of the project site. Migrants have been detected throughout the Albuquerque Reach.

There is no potential habitat for flycatcher within the Site 1D area. The proposed willow swales and wet habitat would create 10.5 acres of potential stopover habitat for the flycatcher. Implementation would be performed between August 15 – April 15, outside of the flycatcher migratory and nesting season. Therefore, there would be no negative effect on the species by the proposed action at Site 1D North, but a potential positive benefit exists. There is no potential habitat within the Site 1D spoil areas, Site 1A Dump Site or Site 3A Staging Area. Therefore, there would be no effect on the species by the proposed action at those sites.

Yellow-Billed Cuckoo

The Yellow-billed Cuckoo (*Coccyzus americanus*) is proposed for listing as Federally threatened. In New Mexico, the species is found in riparian zones with dense understory vegetation (USFWS 2011). In New Mexico, the species was historically rare Statewide, but common in riparian areas along the Pecos and Rio Grande, as well as uncommon to common locally along portions of the Gila, San Francisco and San Juan rivers (Bailey 1928; Hubbard 1978). Current information is inadequate to judge trends, but the species was fairly common in the mid-1980s along the Rio Grande between Albuquerque and Elephant Butte Reservoir, and along the Pecos River in southeastern New Mexico. Numbers may have increased there in response to tamarisk (*Tamarix* spp.) colonization of riparian areas formerly devoid of riparian vegetation (Howe 1986). A review on the status of the species in New Mexico concluded that the species would likely decline in the future due to loss of riparian woodlands (Howe 1986). In the eastern third of the state, nonnative salt cedar has provided habitat for approximately 1000 pairs of yellow-billed cuckoos in historically unforested areas. Efforts are underway to remove the salt cedar, through spraying and subsequent removal (Howe 2004), resulting in a substantial loss of cuckoo habitat. In the western portion of the state, damage to native riparian habitat is occurring. Along the Rio Grande, understory is being removed to reduce fire risk, and land is being converted to agriculture. Throughout New Mexico, grazing is impacting the quality of riparian habitat available to yellow-billed cuckoos (Howe 2004).

Yellow-Billed Cuckoo nests in dense riparian shrub habitat in stands typically at least 25 acres in size (Elphick et al., 2001). They arrive in New Mexico beginning in late April and early May and nest from late May through August (Howe, 1986). Mature cottonwood forest with well-developed willow understory appear to be important characteristics of habitat for Yellow-Billed Cuckoo (Buffington et al., 1997; Gaines and Laymon, 1984). While willows appear to be a preferred nest tree, the species will also nest in dense salt cedar stands (Howe, 1986). Nests are constructed of sticks and are located in dense foliage. Yellow-Billed Cuckoo may nest up to three times a year, with a clutch size of two to six eggs. They may occasionally parasitize nests of other birds, particularly when food is abundant. Yellow-Billed Cuckoos feeds primarily on caterpillars but will also consume bird eggs, frogs, lizards, berries, and other fruits (Erlich et al., 1988). Cuckoo forages primarily in the foliage layer of shrubby and woody vegetation. Populations fluctuate markedly in response to variation in caterpillar abundance. Population declines resulting from loss or disturbance of riparian habitat have been consistently reported in the West (Finch, 1992).

The habitat within Site 1D does not contain dense understory foliage. While it is unknown if Yellow-Billed Cuckoo occurs on the Pueblo since surveys have not been conducted at this time, the potential habitat described above does not exist. There is no potential habitat at the other sites (Site 1D Spoil Locations, Site 1A Dump Site or Site 3A Staging Area). Therefore, there would be no affect to the Yellow-Billed Cuckoo.

New Mexico Meadow Jumping Mouse

The New Mexico meadow jumping mouse *(Zapus hudsonius luteus)* is a Federally endangered species. The New Mexico meadow jumping mouse (jumping mouse) is

endemic to New Mexico, Arizona, and a small area of southern. The jumping mouse is grayish-brown on the back, yellowish-brown on the sides, and white underneath. The species is about 7. 4 to 10 inches (187 to 255 mm) in total length, with elongated feet (1.2 inches (30.6 mm)) and an extremely long, bicolored tail (5.1 inches (130.6 mm)). It nests in dry soils, but uses moist, streamside, dense riparian/wetland vegetation up to an elevation of about 8,000 feet. The jumping mouse appears to only utilize two riparian community types: 1) persistent emergent herbaceous wetlands (i.e., beaked sedge and reed canary grass alliances); and 2) scrub-shrub wetlands (i.e., riparian areas along perennial streams that are composed of willows and alders). It especially uses microhabitats of patches or stringers of tall dense sedges on moist soil along the edge of permanent water (ECOS, 2014). This suitable habitat is likely only found when wetland vegetation achieves full growth potential associated with perennial flowing water (E. Hein, USFWS, personal communication 4/19/2013).

Jumping mouse habitat does not exist in the proposed action area. Therefore, there would be no affect to New Mexico meadow jumping mouse.

Rio Grande Silvery Minnow

The Endangered Rio Grande silvery minnow (*Hybognathus amarus*) was discussed in the original EA. The minnow is known to occur within the area of Site 1D North. The proposed action at Site 1D is also within Critical Habitat of the minnow.

As discussed in the original EA, project features such as bank terracing provide potential habitat for the Rio Grande silvery minnow. In a Biological Opinion for this project dated April 15, 2011, the U.S. Fish and Wildlife Service (USFWS) provided Reasonable and Prudent Measures (RPMs) to minimize impacts of incidental take of the silvery minnow resulting from the proposed action. These RPMs would continue to be followed during construction of the proposed features at Site 1D, mainly the bank terrace. Also, the bank terrace would provide 2.2 acres of potential habitat for the minnow.

Therefore, the Proposed Action may affect but is not likely to adversely modify designated Critical Habitat of the Rio Grande silvery minnow. The Proposed Action may affect but is not likely to adversely affect the Rio Grande silvery minnow, though it would provide positive benefits to the species.

The other proposed actions (Site 1D spoil areas, Site 1A Dump Site, and Site 3A Staging Area) do not connect with the river and therefore, no silvery minnow habitat is present. Therefore, there would be no effect to minnow and no modification to minnow critical habitat by the proposed actions at these sites.

Concurrence on these determinations has been requested from the USFWS (Appendix B).

Consistent with analysis in the 2011 EA, the following Foreseeable Effects and Cumulative Impacts are anticipated.

Table 1. Summary of Effects

Existing Environment	*Foreseeable Effects*
Physiography, Geology, Soils	Short-term adverse effect on soils; Positive effect on soil moisture from water features
Hydrology and Hydraulics	No negative effects on river H&H, potential positive effects by reconnecting the floodplain
Water Quality	Short-term adverse effect during construction; Beneficial effect by water features
Air Quality and Noise	Short-term adverse effects during construction
Aesthetics	Short-term negative effects during construction with long-term positive effects
Vegetation Communities	Short-term negative effects during construction with long-term positive effects
Floodplains and Wetlands	Long –term positive effect; Minor adverse effect during construction
Fish and Wildlife	Short-term negative effects during construction with long-term positive effects
Hazardous, Toxic and Radioactive Waste	Long-term positive effects to safety. No adverse HTRW impacts.
Endangered and Protected Species	No adverse effect to: Southwestern Willow Flycatcher, Yellow-Billed Cuckoo, Rio Grande silvery minnow critical habitat,; May affect and is likely to adversely affect Rio Grande silvery minnow; Potential positive benefits to RGSM and SWFL by high flow channel, bank terracing and swale/wet meadow construction
Cultural Resources	No Adverse Effect to Historic Properties
Socioeconomic Considerations	Short-term positive effects with increase in construction jobs; Long-term positive effects on improved aesthetics, access and recreation.
Land Use and Recreational Resources	No adverse effect
Indian Trust Assets	No effect
Environmental Justice	No adverse effect
Noxious Weeds	Positive short and long term effects
Cumulative Effects	Positive effect of this project and others in the area

Best Management Practices (BMPs) there were discussed in the original EA and would be implemented under the proposed action include: (1) construction sequencing as described in Section 2; (2) sediment management; (3) equipment inspection; (4) compliance with water quality permits; (5) adherence to schedule and best management practices to avoid impacts to endangered, protected, or avian nesting species; (6) equipment cleaning prior to entering and before leaving project areas to avoid transfer of weed seed; (7) adherence to all recommendations in the Fish and Wildlife Coordination Act Report and Biological Opinion; and (8) oversight by a qualified biologist to monitor adherence to these conditions during construction.

Previously authorized projects in this area include the Ecosystem Restoration @ RT 66 Project and the Albuquerque BioPark Restoration project which were both funded under the Corps 1135 Ecosystem Restoration authority. Numerous MRGESCP projects have also been constructed in the Albuquerque Reach and north to Bernalillo. The project area is maintained according to general guidelines in the Middle Rio Grande Flood Control Acts of 1941 and 1950. It is also within the *Facilities of the Middle Rio Grande Floodway Project* which resulted in the construction of additional levees and dams between Espanola and San Marcial, NM (USACE 2002a, 2003a, 2007b). Section 401 of the Water Resources Development Act of 1986 (Public Law 99-662) dated 17 November 1986, authorized studies I the Middle Rio Grande. Additional authorization is contained in House of Representatives Resolution 107-258, 2002. The proposed action would not alter the function of any of these projects. Use of spoil along levee sections would be installed per design approval by the Levee Safety Inspection Officer.

No-Action Alternative

The No Action alternative has not changed from the original EA. Throughout the Middle Rio Grande Valley, the river, floodplain, and associated fish and wildlife populations would be expected, in general, to continue to experience adverse effects from new and ongoing Federal, State, and private water resource development projects. Increasing urbanization and development within the historic floodplain, moreover, would continue to eliminate remnant riparian areas located outside the levees, putting increased pressure on the habitat and wildlife in the riparian zone within the floodway. Local agencies would continue to perform maintenance of non-native vegetation as they are able, but features connecting the bosque and river would not be constructed.

Preparers and Reviewers

Ondrea Hummel, Biologist - Environmental Resources Section
William DeRagon - Environmental Resources Section, Quality Control
Julie Alcon - Environmental Resources Section, Quality Control
Gregory Everhart, Archaeologist - Environmental Resources Section
Justin Reale, Environmental Engineer – Hazardous, Toxic and Radioactive Waste Section
Bryan Estvanko, Engineer – Civil Engineering Section

Consultation and Coordination

The following entities were consulted and/or coordinated with regarding this project:

U.S. Fish and Wildlife Service
U.S. Bureau of Reclamation
State Historic Preservation Office
City of Albuquerque Open Space
Albuquerque Bernalillo County Water Utility Authority
New Mexico Interstate Stream Commission
Bosque School
Village of Corrales
Corrales Fire Department
Middle Rio Grande Conservancy District
Albuquerque Metropolitan Arroyo Flood Control Authority

Mailing List for Supplement Draft Environmental Assessment
U.S. Bureau of Reclamation, Mr. Mike Hamman, Mr. Hector Garcia
U.S. Fish and Wildlife Service, Mr. Wally Murphy
City of Albuquerque, Open Space Division, Dr. Matt Schmader
Albuquerque Bernalillo County Water Utility Authority, Mr. Rick Billings
Bosque School, Kirk Ward
Middle Rio Grande Conservancy District, Mr. Subas Shah
Pueblo of Sandia, Honorable Stuart Paisano
U.S. Environmental Protection Agency, Ms. Rhonda Smith
New Mexico Interstate Stream Commission, Ms. Grace Haggerty, Ms. Page Pegram
Village of Corrales, Mr. John Avila
Corrales Fire Department, Mr. Anthony Martinez
Albuquerque Metropolitan Arroyo Flood Control Authority, Mr. Jerry Lovato, Mr. Kurt Wagner
New Mexico Forestry Division, Ms. Daniela Roth
New Mexico Department of Game and Fish, Mr. Matt Wunder, Mr. Mike Sloane
Bernalillo County Public Works Division, Brian Kent
City of Albuquerque Public Works Department, Kenny Daggett
Ciudad Soil and Water Conservation District, Ms. Carol Moritz
New Mexico Surface Water Quality Bureau, Mr. Neal Schaeffer
The Enclave at Oxbow Home Owners Association
Oxbow Village Home Owners Association
Oxbow Park Home Owners Association
Westside Coalition of Neighborhood Associations

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Appendix A. Cultural Resources Coordination

DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 JEFFERSON PLAZA NE
ALBUQUERQUE NM 87109-3435

074700

June 13, 2005

Planning, Project and Program Management Division
Planning Branch
Environmental Resources Section

Rec'd 7-8-2005
CODE

Ms. Katherine Slick
State Historic Preservation Officer
New Mexico State Historic Preservation Bureau
228 East Palace Avenue, Room 320
Santa Fe, New Mexico 87501

Re: Consultation No's. 070666, 070902, 071170, 071230, 071915, and 072057

Dear Ms. Slick:

Pursuant to 36 CFR Part 800, the U.S. Army Corps of Engineers (Corps), Albuquerque District, is seeking your concurrence in our determination of "No Historic Properties Affected" for the proposed **Bosque Wildfire Project, New Mexico,** fire prevention work located on the Pueblo of Sandia Reservation. This is one in a series of fire prevention work phases being conducted in portions of the Rio Grande's *bosque* (riparian areas) that occur in the greater Albuquerque area of New Mexico (for your convenience see the brief description of our previous consultations for the Bosque Wildfire Project in the attached table). These bosque areas have high fuel loads and are in imminent danger of damage from wildfire and/or that have limited or no access for fire fighting purposes. The project is being conducted under the authority of Section 114 of the Energy and Water Appropriations Act of 2004 (Public Law 108-137).

Between October 10, 2004, and January 10, 2005, a Corps' contractor, Cibola Research Consultants, conducted a Class III cultural resources inventory of approximately 490 acres within the Pueblo of Sandia Reservation. The Cibola Research report, enclosed for your review, is entitled **A Cultural Resources Survey for the Bosque Wildfire Project - Pueblo of Sandia, Bernalillo and Sandoval Counties, New Mexico** (Cibola Research

Consultants Report No. 378; NMCRIS No. 91077). The Sandia Pueblo bosque project area is located east of the Rio Grande channel and west of the riverside drains and flood control levees, and extends to the reservation boundary on the north and the south.

The Cibola Research Consultants survey discovered 5 historic archaeological sites: LA146158 (Corrales Gauging Station), LA146160 (Irrigation Diversion Works), LA146161 (Cable-Car Platform-support), LA146162 (Rinconada Slough/Flood control Channel), and LA146163 (the Middle Rio Grande Conservancy District's [MRGCD] Corrales Siphon). None of these sites would be affected by the proposed action. The Corps agrees with Cibola Research Consultants' recommendations regarding eligibility that the first four sites are not eligible. The Corps also agrees that the MRGCD's Corrales Siphon (LA146163), constructed in 1933 and still in use today, is eligible for listing on the National Register of Historic Places under criterion c (its distinctive characteristics) and possibly under criterion a, because it is directly related to the agricultural development of the Middle Rio Grande Valley and because it symbolically represents the dedicated work of many New Mexicans in furthering the State's and MRGCD's efforts at modernizing the historic, although inefficient, acequia systems of the valley.

As noted for the previous project work areas, the Sandia Pueblo bosque is also located in an area where it is now a part of the active floodplain, and prehistorically, was a part of the meandering river channel. The area has also been previously disturbed by earth-moving activities related to the construction of flood control levees and the river-side drain and the operations and maintenance and rehabilitation thereof. Therefore, it is highly unlikely that cultural resources of significant antiquity or that would retain archaeological integrity would be found in the project area.

Activities being planned include the removal of dead and down vegetation, the removal of non-native plant species, the removal of non-essential jetty-jacks, and the restoration of disturbed areas by replanting native vegetation. Work may also include the installation of a temporary and/or permanent emergency access bridge(s) from which access to the bosque could be made possible for fire fighting purposes. Maintenance work on the flood control levees may also be necessary.

Consultation with Sandia Pueblo has been conducted and they have reviewed the enclosed Cibola Research Consultants survey

report. No traditional cultural properties are reported to occur in the immediate vicinity of the bosque project area. The Pueblo of Sandia has already initiated some vegetation removal activities to reduce the threat from wildfire. For the Bosque Wildfire Project as a whole, consultation has been conducted with Tribes with concerns in Bernalillo and Sandoval Counties; no comments regarding the proposed project activities were received.

Based on the information provided in the Cibola Research Consultants' report, the Corps is of the opinion that there would be "No Historic Properties Affected" by the implementation of the fire prevention activities proposed for Sandia Pueblo's bosque. If you have any questions or require additional information regarding the Bosque Wildfire Project, please contact Mr. Gregory Everhart, archaeologist, at (505) 342-3352 or Mr. John Schelberg, archaeologist, at (505) 342-3359.

Sincerely,

Julie A. Hall
Chief, Environmental Resources Section

confirmed w/ Phil Young. by phone the number should be LA 146162.

06 JUL 2005
Date

I CONCUR P.L. Young 07/06/05
for KATHERINE SLICK
NEW MEXICO STATE HISTORIC PRESERVATION OFFICER

→ LA 146142 eligibility found to be NOT DETERMINED at present PENDING Archival research. If Avoided-NO Effect, otherwise depending on nature of field work per LA's Air Record recommendation for treatment it will be NO ADVERSE EFFECT.

7-12-2005 ODE

Enclosures

Copy Furnished: (w/enclosure)

Honorable Stuwart Paisano
Governor, Pueblo of Sandia
481 Sandia Loop
Bernalillo, New Mexico 87004

Mr. Sam Montoya
Cultural Resources Administrator
Pueblo of Sandia
481 Sandia Loop
Bernalillo, New Mexico 87004

Mr. Don Klima, Director
Advisory Council on Historic Preservation
Office of Planning and Review
12136 W. Bayaud Ave., #330
Lakewood, Colorado 80228-2115

DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 JEFFERSON PLAZA NE
ALBUQUERQUE NM 87109-3435

074948

July 15, 2005

Planning, Project and Program Management Division
Planning Branch
Environmental Resources Section

Rec'd back 7-28-2005
GDE

Ms. Katherine Slick
State Historic Preservation Officer
New Mexico State Historic Preservation Bureau
228 East Palace Avenue, Room 320
Santa Fe, New Mexico 87501

Re: Consultation No's. 074641 and 074700

Dear Ms. Slick:

The U.S. Army Corps of Engineers (Corps), Albuquerque District, recently submitted a cultural resources survey report as part of a series of fire prevention work phases for the **Bosque Wildfire Project, New Mexico.** The report by Cibola Research Consultants covered an inventory of approximately 490 acres within the Pueblo of Sandia Reservation, entitled **A Cultural Resources Survey for the Bosque Wildfire Project - Pueblo of Sandia, Bernalillo and Sandoval Counties, New Mexico** (Cibola Research Consultants Report No. 378; NMCRIS No. 91077). The Bosque Wildfire Project is being conducted under the authority of Section 114 of the Energy and Water Appropriations Act of 2004 (Public Law 108-137).

As per your request for additional clarification regarding the effect recommendation for LA146162, the Rinconada Slough/Channel site, your concern was discussed in a telephone conversation on July 12, 2005, between Mr. Phil Young of your staff, and Mr. Gregory Everhart of the Corps (and see SHPO consultation response dated July 6, 2005, to our consultation letter dated June 13, 2005; copy attached for your convenience). Subsequent to the Young-Everhart conversation, Mr. Everhart contacted Mr. Henry Walt, the Corps' Contractor for the Bosque Wildfire cultural survey on the Sandia Pueblo Reservation, who in turn contacted Mr. Michael Marshall, who was also a primary contributor to the cultural investigation and survey report for

this project.

Mr. Walt and Mr. Marshall are both of the opinion, to the best of their knowledge based on their investigation for this site, that there is no additional archival information available regarding historic documentation or construction drawings for the Rinconada Slough/Channel site. Since it appears that there is little information or other documentary evidence available regarding historic modification and/or human use of this old river channel, the Corps would continue to agree with the Cibola Research Consultants' recommendation regarding eligibility, that LA146162 is not eligible for listing on the National Register of Historic Places.

Currently, the riparian bosque area near LA146162 is not a Bosque Wildfire project area. The Corps has no rehabilitation activities planned in the immediate vicinity of LA146162, and the area is not considered as a fire reduction-rehabilitation priority. It is, at this time, unknown if this area may be considered as a project area for future Corps' rehabilitation activities on Pueblo of Sandia Reservation land. There is a remote possibility; however, that the area within and/or near LA146162 may be added as a Bosque Wildfire project local within the next year or two. If the area is added as a project area and considering the urgency with which fire prevention and rehabilitation efforts are being conducted, there is the possibility that heavy equipment may be used for jetty-jack and vegetation clearing and removal. As with previous project areas, an effort has been made to keep equipment use to a minimum and thus far, archaeological sites (all historic earthen agricultural or flood control features) are being avoided to the maximum extent possible. Disturbance within the project areas is considered to be insignificant.

In considering the above and based on the information provided in the Cibola Research Consultants' report, the Corps is of the opinion that there would be "No Adverse Effect to Historic Properties" by the proposed action within and/or near the LA146162 site. Consultation has been conducted and project planning is being closely coordinated with Sandia Pueblo.

In regard to the other four archaeological sites discovered during the Cibola Research Consultants survey, LA146158 (Corrales Gauging Station), LA146160 (Irrigation Diversion Works), LA146161 (Cable-Car Platform-support), and LA146163 (the Middle Rio Grande Conservancy District's [MRGCD] Corrales Siphon), they will be avoided if project activities occur in the

vicinity of these sites. Therefore, the Corps is of the opinion that there will be "No Historic Properties Affected" for these four sites by the proposed action.

If you have any questions or require additional information regarding the Bosque Wildfire Project, please contact Mr. Gregory Everhart, archaeologist, at (505) 342-3352 or Mr. John Schelberg, archaeologist, at (505) 342-3359.

Sincerely,

Julie A. Hall
Chief, Environmental Resources Section

07/21/05
Date

I CONCUR

for KATHERINE SLICK
NEW MEXICO STATE HISTORIC
PRESERVATION OFFICER

Enclosures

Copy Furnished: (w/enclosures)

Mr. Don Klima, Director
Advisory Council on Historic Preservation
Office of Planning and Review
12136 W. Bayaud Ave., #330
Lakewood, Colorado 80228-2115

Bosque Wildfire, New Mexico

Summary of Consultation with the NM State Historic Preservation Officer
as of July 15, 2005

Description of Survey, from Report Title	Survey Report No., date, and NMCRIS No.	Date for Corps' Letter Transmittal	SHPO-HPD Consultation No. and Date of Concur
Corps' Burn Areas Survey - 127 Acres	COE-2004-002, April 14, 2004, NMCRIS No. 87583	23-Mar-04	070666, March 30, 2004 - SHPO Requested Additional Information
Corps' Burn Areas Survey - Additional Information Submitted		15-Apr-04	070902, April 20, 2004
Corps' Two Staging Areas Survey - 2.1 Acres	COE-2004-004, May 19, 2004, NMCRIS No. 88363	19-May-04	071170, May 27, 2004
Corps' Temporary Emergency Access Bridges Survey - 1.1 Acres	COE-2004-005, June 2, 2004, NMCRIS No. 88531	3-Jun-04	071230, June 15, 2004
Corps' Addendum to Temporary Emergency Access Bridges Survey - 3.0 Acres	COE-2004-009, July 23, 2004, NMCRIS No. 89604	10-Aug-04	071915, August 12, 2004
OCA Survey - Progress Report w/Prelim. Survey Results - Approx 1,098 Acres	OCA/UNM (Estes) No. 185-839, August 27, 2004, NMCRIS No. 89833	31-Aug-04	072057, August 31, 2004, Conditional Concur pending submittal of Final Report
Cibola Research Consultants Survey on Sandia Pueblo - 490 Acres	Cibola Research-(Walt etal) No. 378, April 1, 2005, NMCRIS No. 91077	13-Jun-05	074641 & 074700, July 6, 2005, Conditional Concur pending further clarification regarding LA146162
Cibola Research Consultants Survey on Sandia Pueblo - 490 Acres; Submittal of clarifarication regarding LA146162		15-Jul-05	*

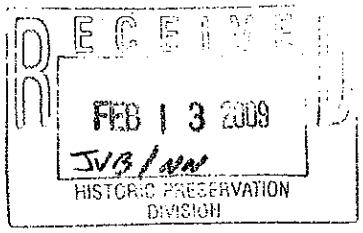
HPD Log # 074948
SHPO concur dated
07-21-2005

DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 JEFFERSON PLAZA NE
ALBUQUERQUE NM 87109-3435

February 12, 2009

086258

Planning, Project and Program Management Division
Planning Branch
Environmental Resources Section



Ms. Katherine Slick
State Historic Preservation Officer
New Mexico Department of Cultural Affairs
Historic Preservation Division
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, New Mexico 87501

Rec'd 3-9-2009
GDE

Dear Ms. Slick:

Pursuant to 36 CFR Part 800, the U.S. Army Corps of Engineers (Corps), Albuquerque District, is seeking your concurrence in our determination of "No Historic Properties Effected" for the Middle Rio Grande Bosque Ecosystem Restoration Project Feasibility Study. The Corps is planning, in coordination with numerous other Federal, State, Tribal, and local entities, for the restoration project with an Area of Potential Effect (APE) that would cover approximately 668 acres within 16 parcels of the Rio Grande bosque. The project areas are in the City of Albuquerque as well as portions of Sandoval and Bernalillo Counties, New Mexico. The proposed project areas are located within the Rio Grande Floodway (the river's floodplain inside the flood control levees and riverside drains); proceeding on the north from the north side of Corrales, downstream to the south, to the north boundary of the Pueblo of Isleta. Most of the land is managed by the Middle Rio Grande Conservancy District under permit from the U.S. Bureau of Reclamation. Project land is also within the Rio Grande Valley State Park that is jointly managed by the City of Albuquerque's Open Space Division and New Mexico State Parks Division. The Corps is the Lead Federal Agency for the proposed project and the Middle Rio Grande Conservancy District (MRGCD) is the local sponsor.

The Middle Rio Grande Bosque Ecosystem Restoration Project is being conducted under the authority derived from a series of Congressional actions authorizing projects on the Rio Grande, particularly in the Middle Rio Grande Valley. These authorizations began with the basic Middle Rio Grande flood control authorization in Public Law No. 228, 77th Congress, 1st Session, H.R. 4911, dated 18 August 1941. The most recent legislation is in Section 401 of the Water Resources Development Act of 1986 (Public Law 99-662), dated 17 November 1986, that authorized the Middle Rio Grande Flood Control Project from Bernalillo to Belen, New Mexico. Additional authorization is contained in the 2002 House of Representatives Resolution 107-258.

Consulting parties in the Section 106 process for the proposed restoration project include the Corps, Bureau of Reclamation, MRGCD, the City of Albuquerque, and your office. Consistent with the Department of Defense's American Indian and Alaska Native Policy, signed by Secretary of Defense William S. Cohen on October 28, 1998, and based on the State of New Mexico Indian Affairs Department and Historic Preservation Division's 2008 Native American Consultations List, American Indian Tribes/Pueblos that have indicated they have concerns within Sandoval and Bernalillo Counties have been contacted regarding the proposed project. These tribes include the Pueblo de Cochiti, the Comanche Indian Tribe, the Hopi Tribe, the Pueblo of Isleta, the Pueblo of Jemez, the Jicarilla Apache Nation, the Pueblo of Laguna, the Navajo Nation, the Pueblo of Ohkay Owingeh, the Pueblo of San Felipe, the Pueblo of San Ildefonso, the Pueblo of Sandia, the Pueblo of Santa Ana, the Pueblo of Santa Clara, the Pueblo of Santo Domingo, the White Mountain Apache Tribe, the Pueblo of Ysleta del Sur, and the Pueblo of Zia. Scoping letters were mailed to the above tribes on October 2, 2008. To date, the Corps has received six (6) tribal responses; from the White Mountain Apache Tribe, the Hopi Tribe, the Pueblo of Laguna, the Pueblo of Santa Ana, the Navajo Nation, and the Pueblo of Isleta. None have concerns regarding the proposed project. Currently, there are no known tribal concerns and no traditional cultural properties are known to occur within or adjacent to the project areas.

The proposed project, very similar to the Corps' ongoing Bosque Wildfire and the recent Route 66 Restoration projects, is designed for the benefit of wildlife and habitat diversity. Specifically, the riparian restoration project will provide for the removal of exotic plant species, such as the invasive tamarisk and Russian olive, removal of dead and down vegetation debris, the thinning and removal of other vegetation, the removal of some Kellner jetty-jacks that are now deemed unnecessary for flood protection, the installation of high water flow channels, moist soil depressions, and rehabilitation of wetland areas, and re-vegetation of disturbed areas.

Please find enclosed for your review, the positive archaeological survey report entitled **A 667.6 Acre Cultural Resource Survey of the Rio Grande Floodway for the Middle Rio Grande Bosque Restoration Feasibility Project, Bernalillo and Sandoval Counties, New Mexico** (dated January 20, 2009, UNM-OCA Report No. 185-996; NMCRIS No. 111640) and associated documentation that covers the 16 project areas. The archaeological survey was conducted between September 2 and 8, 2008, by the University of New Mexico's Office of Contract Archeology (OCA) and the survey results are reported by Robin M. Cordero, Tracy Steffgen, and Patrick Hogan.

As noted for other Corps' projects and restoration activities located within the Rio Grande Floodway, segments of historic acequias and/or drainage ditches were abandoned when they were cut off by MRGCD construction of the valley's modern irrigation system and the flood control levees and riverside drains in the 1930s. Wide areas near the river were affected by years of flooding prior to the MRGCD work. There was a significant amount of rehabilitation of the MRGCD system that included the levees and riverside drains that was conducted by the Corps and the Bureau of Reclamation in the 1950s and 1960s. Several segments of historic acequia remnants and other structures have been documented during the above noted Corps projects; these all being in a weathered and dilapidated condition, having been subjected to river inundation and flooding. To date, no prehistoric archaeological sites have been discovered within the Rio Grande Floodway. The Corps is aware of two traditional cultural properties that occur within the Rio Grande Floodway. All National Register of Historic Places (NRHP) eligible historic properties recorded within the Rio Grande Floodway during recent Corps' projects have generally been linear, earthen ditch or drain remnants which are

relatively easily recognizable. Due to localized areas of dense vegetation, OCA's survey did not cover 26-percent of the project area; however, given the linear nature and large size of previously recorded NRHP eligible properties, as well as the generally disturbed nature of the bosque due to the river's aggredation, degradation, and relatively frequent channel movement, the Corps finds that OCA's identification efforts that covered 74-percent of the APE are sufficient for this project.

The OCA survey documented five (5) structures as historic sites: LA160891, LA160892, LA160893, LA160894, and LA160895. These five earthen structures are reported as abandoned segments of acequias or drainage ditches. There were no artifacts or other features associated with these five sites. No other artifacts or historic properties were observed during the OCA survey. As detailed below, the Corps is of the opinion that LA160891 is a non-eligible historic ditch segment and that OCA's LA160892, LA160893, LA160894, and LA160895, all earthen structures, are not archaeological sites. As a part of this documentation package, the Corps has added sponsor comments to OCA's site forms and note that LA160892, LA160893, LA160894, and LA160895 are not archaeological sites.

The proposed project plans to conduct vegetation removal and riparian restoration activities in the vicinity of the five earthen structures recorded by OCA. OCA recommended that all five sites are not eligible for nomination to the National Register of Historic Properties (NRHP). The Corps concurs with the OCA recommendation of non-eligibility for LA160891 and finds that the other four sites are natural in origin.

The Corps has reviewed UNM/OCA's LA160891 site documentation and compared that information with recent aerial imagery, the 1922 Reclamation Service maps that were prepared from data collected during 1917/1918 field surveys, and Bureau of Reclamation's 2001 GIS data on the locations of the Rio Grande channel for the years of 2001, 1992, 1972, 1962, 1949, and 1935. The Corps agrees with OCA's recommendation that LA160891 is not eligible for nomination to the NRHP. From the available information, the Corps is of the opinion that LA160891 is a field ditch that may have been associated with the Corrales Ditch/Sandoval Lateral, and therefore, may date as early as ca. 1850 to as late as the mid-1930s MRGCD construction. The Corps, however, is of the opinion that because it is not a part of a major active acequia or primary lateral, and the salient

information was recorded during survey, it is not eligible for nomination to the NRHP.

For OCA's LA160892, LA160893, LA160894, and LA160895 structures, all generally described as earthen, abandoned segments of ditches or drains, none are shown on the 1922 Reclamation Service maps. The Corps has reviewed the available mapping and river channel documentation, and the locations of these four "sites" at one time or another post-1935, were a part of the active river channel. Therefore, they are of a more recent and natural origin and are more likely remnants of naturally occurring river high flow channels/banks. In one case, for LA160895, it may also be related to fire-fighting activities that occurred a few years ago. From the available documentation, the Corps is of the opinion that these four earthen structures are the result of natural river flow or recent activity in the bosque and are therefore not historic properties and not eligible for nomination to the NRHP.

The project's proposed riparian restoration activities will occur in the vicinity of two previously recorded historic archaeological sites: LA118060, an old remnant spur line of the Atchison, Topeka and Santa Fe Railway (previously determined not eligible for nomination to the NRHP), and LA145559, documented as a northeast trending internal drain (previously determined eligible for nomination to the NRHP under criterion d of 36 CFR 60.4). Proposed work near LA118060 would not affect the railroad spur remnant. OCA (2009:29; the enclosed report) indicates that they believe Estes (2005; NMCRIS No. 89833) misidentified LA145559 as an internal drain and that it is actually a natural overflow river channel. Estes's (2005:61-63) description of the LA145559 internal drain presents an unlikely "southwest to northeast" direction and unusual dimensions for a drain ditch: "The width of the ditch varies from 17 meters at the southwestern end, and narrows to 3 meters wide near its outlet." The Corps has reviewed the 1922 Reclamation Service maps and the 2001 Bureau of Reclamation river channel documentation, and found that LA145559 is located 675-feet north of the internal drain shown on the 1922 Reclamation Service map and that LA145559 was a part of the active river channel in 1935. The Corps therefore agrees with OCA that LA145559 is in fact not an archaeological site. The documentation package includes a site update form for LA145559 with a map.

In summary, based upon the above information and available documentation, the Corps is seeking your concurrence with our determination that OCA's LA160891 field ditch is not eligible for nomination to the NRHP and that OCA's LA160892, LA160893, LA160894, and LA160895 as well as the LA145559 internal drain are in fact not archaeological sites and therefore are not eligible for nomination to the NRHP. The LA118060 railroad spur was previously determined not eligible and would not be affected by the project. Therefore, the Corps is seeking your concurrence with our determination that the proposed Middle Rio Grande Bosque Ecosystem Restoration Project would result in "No Historic Properties Effected" because there are no NRHP eligible sites within the APE.

Pursuant to 36 CFR 800.13, should previously unknown artifacts or other historic properties be encountered during construction, work would cease in the immediate vicinity of the resource. A determination of significance would be made and further consultation, on measures to avoid, minimize, and/or mitigate potential adverse effects, with your office, the Bureau of Reclamation, MRGCD, the City of Albuquerque, and with American Indian Tribes that have cultural concerns in the area will take place. If you have any questions or require additional information regarding the proposed Middle Rio Grande Bosque Ecosystem Restoration Project, please contact Gregory D. Everhart, Archaeologist at (505) 342-3352, Lance Lundquist, Archaeologist at (505) 342-3671, or myself at (505) 342-3281.

Sincerely,

John D. Schelberg

for Julie Alcon,
Chief, Environmental Resources
Section

3/4/09
Date

I CONCUR

KATHERINE SLICK
FOR NEW MEXICO STATE HISTORIC
PRESERVATION OFFICER

Enclosures

Copy furnished w/ enclosures:

Jeff Hansen, Archaeologist
U.S. Bureau of Reclamation
Albuquerque Area Office
555 Broadway Blvd., NE, Suite 100
Albuquerque, New Mexico 87102-2352

Ray Gomez
Middle Rio Grande Conservancy District
1931 Second Street, SW
Albuquerque, New Mexico 87105

Dr. Matt Schmader, Director
City of Albuquerque
Open Space Division
Post Office Box 1293
Albuquerque, New Mexico 87103

DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 JEFFERSON PLAZA NE
ALBUQUERQUE, NM 87109-3435

June 4, 2013

Planning, Project and Program Management Division
Planning Branch
Environmental Resources Section

96989

NMHPD Consultation No. 086258

Dr. Jeff Pappas
State Historic Preservation Officer
Historic Preservation Division
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, New Mexico 87501

JUN 05 2013

Dear Dr. Pappas:

Pursuant to 36 CFR Part 800, the U.S. Army Corps of Engineers (Corps), Albuquerque District, is continuing our Section 106 consultation regarding the Middle Rio Grande Ecosystem Restoration Project located in the Middle Rio Grande Valley (MRG) that covers portions of Sandia Pueblo, Bernalillo County, the City of Albuquerque, and Isleta Pueblo, in central New Mexico. The Corps is seeking your concurrence in our determination of No Historic Properties Affected for restoration activities and access to the Site 3A-Oxbow project area. The project sponsor is the Middle Rio Grande Conservancy District. The Corps is currently preparing to proceed with restoration activities in the Site 3A project area, commonly known as the Oxbow. Site 3A is owned by the City of Albuquerque; the Middle Rio Grande Conservancy District has a right-of-way on the spoil bank levee/service road. Original Section 106 consultation with your office for the MRG Ecosystem Restoration Project, covering 667.6 acres in 16 parcels, was conducted in 2009 (NMHPD Consultation No. 086258, Enclosure 1). However, during the 2009 Section 106 consultation with your office, specific access routes to the Oxbow project area had not been identified.

For several years, the Corps has been consulting and coordinating with numerous Federal, state, tribal, and local entities along the MRG on ecosystem restoration and wildfire reduction projects. The current Site 3A-Oxbow project area is one of several project areas in the Rio Grande bosque being restored as part of the MRG Ecosystem Restoration Project; the Restoration Project has been removing non-native vegetation, accumulated dead and down vegetation that contributes to an excessive fuel load and therefore poses a fire hazard, and old Kellner jetty-jacks that the Corps has determined no longer necessary for flood protection purposes. Project activities include construction of earthen features for creation of wildlife habitat and replanting of native vegetation. The primary Site 3A-Oxbow project area is located in the northern portion of the Oxbow; work in this project area will involve re-shaping the river bank and creating back water channels to allow river flow to flow into the area to enhance

habitat and wet meadow formation (Enclosure 3; Report Figure 1). The project also includes access from the north to this Oxbow area on the existing spoil bank levee/service road (Enclosure 4; Report Figure 2). Areas proposed for spoiling excess earthen materials include the existing spoil bank levee/service road and then, if necessary, a second area immediately south of the Montaño Road bridge. The Restoration Project also includes the rehabilitation of the Namaste and Oxbow Storm Drain Outfall structures and access to those areas (Enclosure 5; Report Figure 3).

A portion of the Site 3A-Oxbow project area was surveyed in 2008 by Corps contract with the University of New Mexico's Office of Contract Archeology (Cordero, Steffgen and Hogan 2009; NMCRIS No. 111640). No archaeological sites or artifacts were documented by UNM-OCA during their survey. The 2008 UNM-OCA survey included the primary Oxbow project area and the Namaste Road storm drain outfall; however, due to impenetrable vegetation and/or high (river/ground water) water levels, the southern portion of the project area, including the Oxbow storm drain outfall and vegetation reduction area, was not surveyed.

On January 15 and March 7, 2013, a Corps archaeologist conducted a search of the NM Archaeological Records Management Section's (ARMS) NMCRIS database. The search found that in addition to the 2008 UNM-OCA survey, two previous archaeological surveys may have covered portions of the current project area: Brown and Brown 2003 (NMCRIS No. 82487) and Wells and Colby 2002 (NMCRIS No. 74473). However, ARMS map server alignments for these two surveys were too vague to determine if they actually covered portions of the current Site 3A-Oxbow project area.

On March 11 and March 20, 2013, a Corps archaeological survey covered two parcels totaling 28.33 acres that included the un-surveyed portion of the Site 3A project areas and access routes. The Corps survey report entitled *A Cultural Resources Inventory of 28.33 Acres for the MRG Ecosystem Restoration Project, Site 3A-Oxbow Project Area, Bernalillo County, New Mexico* is enclosed for your review (Enclosure 2). Two isolated artifacts, a single ceramic redware sherd and a single white chalcedony biface, were recorded in the field and are not considered eligible for nomination to the National Register of Historic Places under 36 CFR 60.4.

Original scoping for the MRG Ecosystem Restoration Project was conducted in 2008 (see Enclosure 1). No tribal concerns were identified at that time. Survey of the two access routes and the un-surveyed portion of the Site 3A-Oxbow project area does not constitute a change in the project description; therefore, no new scoping letters have been sent to tribes that have concerns within Bernalillo County. To date, the Corps has received no indication of tribal concerns with the project and no traditional cultural properties are known to occur within or immediately adjacent to the Site 3A-Oxbow project area.

In summary, the Corps is seeking your concurrence in our determination of No Historic Properties Affected for restoration activities and access to the Site 3A-Oxbow project area. The Corps is also seeking your concurrence in our determination that the two isolated artifacts are not eligible for nomination to the National Register.

Pursuant to 36 CFR 800.13, should previously unknown artifacts or historic properties be encountered during construction, work would cease in the immediate vicinity of the resource. A determination of significance would be made, and further consultation with your office and with tribes interested in the project area would be conducted to determine the best course of action. If there are changes to the project for future construction phases, additional survey and consultation may be required.

If you have any questions or require additional information concerning the Middle Rio Grande Ecosystem Restoration Project's Site 3A-Oxbow project area, located in the City of Albuquerque, please contact Gregory D. Everhart, archaeologist at (505) 342-3352 or me at (505) 342-3281. You may also provide comments to the above address.

Sincerely,

Julie Alcon
Chief, Environmental Resources Section

Jan 11- 2013
Date

I CONCUR John R Eck
JEFF PAPPAS
NEW MEXICO STATE HISTORIC PRESERVATION OFFICER

Enclosures

La Luz (State Register property (SR 331)) is 300 meters north of the APE but is not identified in the consultation

Copy furnished w/Enclosures:

Mark Hungerford, Archaeologist
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555 Broadway Blvd., NE, Suite 100
Albuquerque, New Mexico 87102-2352

Ray Gomez
Middle Rio Grande Conservancy District
1931 Second Street, SW
Albuquerque, New Mexico 87105

Dr. Matthew Schmader, Superintendent
Open Space Division
City of Albuquerque
Post Office Box 1293
Albuquerque, New Mexico 87103

DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 JEFFERSON PLAZA NE
ALBUQUERQUE, NM 87109-3435

May 29, 2014

9934

Planning, Project and Program Management Division
Planning Branch
Environmental Resources Section

NMHPD Consultation No's. 86258 and 96989

Dr. Jeff Pappas
State Historic Preservation Officer
Historic Preservation Division
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, New Mexico 87501

Dear Dr. Pappas:

Pursuant to 36 CFR Part 800, the U.S. Army Corps of Engineers (Corps), Albuquerque District, is continuing our Section 106 consultation regarding the Middle Rio Grande (MRG) Ecosystem Restoration Project, located in the MRG Valley, that covers portions of Sandia Pueblo, Bernalillo County, the City of Albuquerque, and Isleta Pueblo in central New Mexico. The Corps is seeking your concurrence in our determination of No Historic Properties Affected for the use of a newly proposed staging area and access route to the Site 3A-Oxbow project area (see Enclosed NIAF, Figures 1 and 2). The project sponsor is the Middle Rio Grande Conservancy District. The Corps is currently preparing to proceed with restoration activities in the Site 3A project area, commonly known as the Oxbow. The newly proposed staging area and access route includes two parcels: the first owned by the Albuquerque Bernalillo County Water Utility Authority and the second owned by Bosque School (see Enclosed NIAF, Figure 2).

Pursuant to 36 CFR 800.4, the area of potential effect is the proposed staging area and access route. The access route is covered with chipped gravel and is a part of Bosque School's parking lot and driveway. While the easement parcels total 7.62 acres, portions of this area cannot be used for staging. On the east side of both parcels is a wetland type pond, recently enlarged, and on the west side of both parcels is the rather steep earthen bank on the east side of Mirandela Street NW, that will be unusable for staging. The ground surface of the proposed staging area has been previously disturbed by grading with heavy equipment and currently small piles of dirt and rocks as well as debris such as tree stumps, wood chips, and tree limbs occur in the area.

On May 14, 2014, a Corps archaeologist conducted an initial site visit to the area and on May 21, 2014, performed a NMCRIS database records search. The project area has previously been surveyed for cultural resources by Marron & Associates, Inc. in 2003 (Brown and Brown 2003; NMCRIS No. 82487); their survey resulted in no archaeological sites recorded within this project area. On May 21, 2014, the Corps archaeologist conducted an intensive pedestrian

survey covering the usable portion of the staging area, a total of 4.31 acres. The eastern portion of the access route was surveyed by the Corps in 2013 (Everhart 2013). The Corps archaeologist walked the access route during the site visit; however, since the access route is covered with chipped gravel and is a part of Bosque School's parking lot and driveway, it was not re-surveyed. One brown chert flake was observed outside of the staging area. While several archaeological sites including LA18125 (the St. Joseph site); LA33223 (the Montano Pueblo); LA138927; LA138928; and LA138929 occur in the vicinity, no other artifacts or evidence of cultural resources was observed during the survey. The Corps considers the survey of this staging area and site visit to the access route as an addendum to the associated 2013 Corps survey report (NMCRIS No. 127705; USACE-ABQ-2013-003). The Addendum for this negative survey, entitled *A Cultural Resources Inventory of 4.31 Acres, An Addendum to A Cultural Resources Inventory of 28.33 Acres for the MRG Ecosystem Restoration Project, Site 3A-Oxbow Project Area, Bernalillo County, New Mexico* is enclosed for your review (Enclosure 3).

Pursuant to 36 CFR 800.2, original scoping for the MRG Ecosystem Restoration Project was conducted in 2008. No tribal concerns were identified at that time. Survey of the newly proposed staging area and access route does not constitute a change in the project description; therefore, no new scoping letters have been sent to tribes that have concerns within Bernalillo County. The Corps is working closely with the Pueblo of Sandia on portions of this project. To date, the Corps has received no indication of tribal concerns with the project and no traditional cultural properties are known to occur within or immediately adjacent to the Site 3A-Oxbow project area.

In summary, the Corps is seeking your concurrence in our determination that use of a newly proposed staging area and access route to the Site 3A-Oxbow project area would result in No Historic Properties Affected. The single isolated artifact, located outside of the project area was documented in the field exhausting its research potential and is not considered eligible for listing on the National Register of Historic Places; the Corps is seeking your concurrence with that determination.

Pursuant to 36 CFR 800.13, should previously unknown artifacts or historic properties be encountered during construction, work would cease in the immediate vicinity of the resource. A determination of significance would be made, and further consultation with your office and with tribes interested in the project area would be conducted to determine the best course of action. If there are changes to the project for future construction phases, additional survey and consultation may be required.

If you have any questions or require additional information concerning the Middle Rio Grande Ecosystem Restoration Project's Site 3A-Oxbow project area's new staging area and access route, located within the City of Albuquerque, please contact Gregory D. Everhart,

Archaeologist at (505) 342-3352 or me at (505) 342-3281. You may also provide comments to the above address.

Sincerely,

Gregory D Everhart

Acting for Julie A. Alcon
Chief, Environmental Resources Section

June 24, 2014
Date

I CONCUR
for

John R Esto

JEFF PAPPAS
NEW MEXICO STATE HISTORIC
PRESERVATION OFFICER

Enclosures

Copy furnished w/Enclosures:

Mr. Ray Gomez
Middle Rio Grande Conservancy District
1931 Second Street SW
Albuquerque, New Mexico 87105

Dr. Matthew Schmader, Superintendent
Open Space Division
City of Albuquerque
P.O. Box 1293
Albuquerque, New Mexico 87103

Mark Hungerford, Archaeologist
U.S. Bureau of Reclamation
Albuquerque Area Office
555 Broadway Boulevard NE, Suite 100
Albuquerque, New Mexico 87102-2352

DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 JEFFERSON PLAZA NE
ALBUQUERQUE, NM 87109-3435

August 6, 2014

Planning, Project and Program Management Division
Planning Branch
Environmental Resources Section

NMHPD Consultation No's. 74700, 74948, 86258, and 96989

Dr. Jeff Pappas
State Historic Preservation Officer
Historic Preservation Division
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, New Mexico 87501

Dear Dr. Pappas:

Pursuant to 36 CFR Part 800, the U.S. Army Corps of Engineers (Corps), Albuquerque District, is continuing our Section 106 consultation regarding the Middle Rio Grande (MRG) Ecosystem Restoration Project, located in the MRG Valley, that covers portions of Sandia Pueblo, Bernalillo and Sandoval Counties, and the City of Albuquerque in central New Mexico. The Corps is seeking your concurrence in our determination of No Adverse Effect to Historic Properties for construction activities that would affect two historic properties, the Rinconada Slough/Channel (LA146162) and a recently discovered historic trash dump, both located within the Middle Rio Grande Floodway's bosque (Figures 1 - 4). The project sponsors for Phase 2 of this habitat rehabilitation project are the Middle Rio Grande Conservancy District and the Pueblo of Sandia. The Corps is currently preparing to proceed with restoration activities that have the potential to affect historic properties in the Site 1A and 1D project areas. The Rinconada Slough/Channel (LA146162) is on land owned by the Pueblo of Sandia and the historic trash dump is located near Corrales.

The Corps had previously conducted an archaeological survey for the area that is now the 1D Project Area (Walt, Marshall, and Musello 2005) and conducted Section 106 consultation regarding the Rinconada Slough with your office in 2005 while working on the Bosque Wildfire Project (HPD Consultation No's. 074700 and 074948). The Corps is continuing to coordinate this project with the Pueblo of Sandia. During that 2005 consultation, your office concurred with our determination that the Rinconada Slough was not eligible for listing on the National Register of Historic Places and that if fuel reduction and habitat rehabilitation work such as clearing and grubbing with heavy equipment to remove dense dead and down vegetative debris and exotic plant species and replanting should occur in the area where the Rinconada Slough is located it would result in No Adverse Effect to Historic Properties. For the current MRG Ecosystem Restoration Project, Project Area 1D has been expanded to include the area located north of the North Diversion Channel (124 acres) where the Rinconada Slough is located (Figures 1 and 2). Pursuant to 36 CFR 800.4, the area of potential effect is the 1D Project Area. The current project includes clearing and grubbing in and near the Rinconada Slough as well as habitat rehabilitation

activities such as the construction of water features and swales that would occur in the 1D Project Area but away from the Rinconada Slough (Figure 2). The Corps therefore, is verifying your concurrence with our determination that habitat rehabilitation work in the 1D Project Area would result in No Adverse Effect to Historic Properties.

Pursuant to 36 CFR 800.4, the area of potential effect for the 1A Project Area is 6.0 acres (Figure 4). Similarly, fuel reduction and habitat rehabilitation work, much of which will be conducted by operating heavy equipment in the area and replanting is planned for this project area. It was recently brought to the attention of the Corps that a historic trash dump was located in the 1A Project Area. The Corps conducted a site visit to the historic dump (Isolated Occurrence No. 1) on May 14, 2014. The next day after the site visit, a Corps archaeologist conducted a NMCRIS database search and reviewed Corps project records. The 1A Project Area had been previously surveyed for cultural resources for the Corps by the University of New Mexico's Office of Contract Archeology in 2008 (Cordero, Steffgen, and Hogan 2009, Survey Area 12 [Figure 2]; Figures 3 and 4). The historic trash dump may have been missed during that 2008 survey due to the thick density of vegetation in the area. The trash dump was exposed and then discovered sometime after the 2012 Romero wildfire. After the fire, the dump was partially cleaned by the Corrales Fire Department and all recycled materials were removed.

IO No. 1 consists of approximately 4 to 8 small pickup-sized loads of trash and debris covering an area of about 25meters wide x 35 meters in length; approximately 0.87 hectare (0.25 acre). These dumped debris piles have been affected an unknown number of high water river flows in the past and they are in a water-swept, deflated, and sediment covered condition. Similar to several other illegal historic trash dumps that have been discovered in the Bosque during the Bosque Wildfire and MRG Ecosystem Restoration Projects, the Corps documented the historic trash in the field and considers this historic trash dump as an isolated occurrence. The trash/debris dumps include several hundred historic artifacts that are visible on the ground surface and include numerous fragments of clear and brown bottle glass, window glass, miscellaneous small pieces of metal, tin cans, wire nails, rolled roofing and asphalt shingles, vehicle parts such as a sparkplug and a piece of a headlamp, piles of stucco, plaster, asbestos shingles, bricks and composite blocks, and blocks of concrete and other debris (Table 1 and Photographs). The historic trash and debris was illegally dumped in the Bosque, perhaps during several dumping events. Based upon the presence of a post-1947 integral-type Auto-Lite A9 spark plug and a probable mid-1950s Clorox bottle, the artifacts in the dump date to about the 1950's. In this case, since a recreational hiking trail already traverses the trash dump, for public safety reasons (e.g., broken glass) and at the request of the village of Corrales, the project plans to cover the trash dump with approximately 6 inches of clean soil. The Corps is seeking your concurrence that operating heavy equipment in the 1A Project Area for fuel reduction and replanting activities, and covering IO No. 1 with soil, would result in No Adverse Effect to Historic Properties.

Pursuant to 36 CFR 800.2, original scoping for the MRG Ecosystem Restoration Project was conducted in 2008. No tribal concerns were identified at that time. No new scoping letters have been sent to tribes that have concerns within Bernalillo and Sandoval Counties. The Corps is working closely with the Pueblo of Sandia on portions of this project. To date, the Corps has received no indication of tribal concerns with the project and no traditional cultural properties are known to occur within or immediately adjacent to the Phase 2 project areas.

In summary, the Corps is reconfirming your 2005 concurrence in our determination that using heavy equipment for fuel reduction and habitat rehabilitation work and planting in the 1D Project Area that will affect the Rinconada Slough, would result in No Adverse Effect to Historic Properties. The Corps is also seeking your concurrence that using heavy equipment for fuel reduction and habitat rehabilitation work and planting that will be conducted in the 1A Project Area and covering IO No. 1 with soil, would result in No Adverse Effect to Historic Properties.

Pursuant to 36 CFR 800.13, should previously unknown artifacts or historic properties be encountered during construction, work would cease in the immediate vicinity of the resource. A determination of significance would be made, and further consultation with your office and with tribes interested in the project area would be conducted to determine the best course of action. If there are changes to the project for future construction phases, additional survey and consultation may be required.

If you have any questions or require additional information concerning the Middle Rio Grande Ecosystem Restoration Project's Site 1A and 1D project areas, please contact Gregory D. Everhart, Archaeologist at (505) 342-3352 or me at (505) 342-3281. You may also provide comments to the above address.

Sincerely,

Andrea Hummel

for Julie A. Alcon
Chief, Environmental Resources Section

I Concur_____ Date_____
Jeff Pappas
New Mexico State Historic Preservation Officer

Enclosures

Copy furnished w/Enclosures:

Mr. Ray Gomez
Middle Rio Grande Conservancy District
1931 Second Street SW
Albuquerque, New Mexico 87105

Dr. Matthew Schmader, Superintendent
Open Space Division
City of Albuquerque
P.O. Box 1293
Albuquerque, New Mexico 87103

Mr. Mark Hungerford, Archaeologist
U.S. Bureau of Reclamation
Albuquerque Area Office
555 Broadway Blvd. NE, Suite 100
Albuquerque, New Mexico 87102

References.

Cordero, Robin M., Tracy Steffgen, and Patrick Hogan

2009 A 667.6 Acre Cultural Resources Survey of the Rio Grande Floodway for the Middle Rio Grande Bosque Restoration Feasibility Project, Bernalillo and Sandoval Counties, New Mexico. UNM-OCA Report No. 185-996 (NMCRIS No. 111640). University of New Mexico, Office of Contract Archeology. Albuquerque. Prepared for the U.S. Army Corps of Engineers, Albuquerque District, Albuquerque.

Walt, Henry, Michael Marshall, and Chris Musello

2005 A Cultural Resources Survey for the Bosque Wildfire Project – Pueblo of Sandia, Bernalillo and Sandoval Counties, New Mexico. Report No. 378 (NMCRIS No. 91077). Cibola Research Consultants, Corrales, New Mexico. Prepared for the Pueblo of Sandia and the U.S. Army Corps of Engineers, Albuquerque District, Albuquerque.

NMCRIS INVESTIGATION ABSTRACT FORM (NIAF)

1. NMCRIS Activity No.: 130685	2a. Lead (Sponsoring) Agency: U.S. Army Corps of Engineers, Albuquerque District	2b. Other Permitting Agency(ies):	3. Lead Agency Report No.: USACE-ABQ-2014-005

4. Title of Report: A Cultural Resources Inventory of 4.31 Acres, An Addendum to A Cultural Resources Inventory of 28.33 Acres for the MRG Ecosystem Restoration Project, Site 3A-Oxbow Project Area, Bernalillo County, New Mexico

Author(s) Gregory D. Everhart

5. Type of Report
X Negative ☐ **Positive**

6. Investigation Type
☐ Research Design **X** Survey/Inventory ☐ Test Excavation ☐ Excavation ☐ Collections/Non-Field Study
☐ Overview/Lit Review ☐ Monitoring ☐ Ethnographic study ☐ Site specific visit ☐ Other

7. Description of Undertaking (what does the project entail?):
Archaeological survey of 4.31 acres covering a proposed staging area. This addendum survey is associated with NMCRIS 127705 and NMCRIS 111640.

8. Dates of Investigation:
from: May 14, 2014 to: May 23, 2014

9. Report Date: May 28, 2014

10. Performing Agency/Consultant:
U.S. Army Corps of Engineers, Albuquerque District
Principal Investigator: Gregory D. Everhart
Field Supervisor: Gregory D. Everhart
Field Personnel Names: Gregory D. Everhart

11. Performing Agency/Consultant Report No.:
USACE-ABQ-2014-005

12. Applicable Cultural Resource Permit No(s):
NM-14-193

13. Client/Customer (project proponent):
Contact:
Address:
Phone: ( )

14. Client/Customer Project No.:

15. Land Ownership Status ***(Must be indicated on project map):***

Land Owner	Acres Surveyed	Acres in APE
Albuquerque Bernalillo County Water Utility Authority	2.96	2.96
Bosque School	1.35	1.35
TOTALS	4.31	4.31

16 Records Search(es):

Date(s) of ARMS File Review May 21, 2014	**Name of Reviewer(s) Gregory D. Everhart**	
Date(s) of NR/SR File Review May 21, 2014	**Name of Reviewer(s) Gregory D. Everhart**	
Date(s) of Other Agency File Review	**Name of Reviewer(s)**	**Agency**

17. Survey Data:

a. Source Graphics ☐ **NAD 27** **X NAD 83**

X USGS 7.5' (1:24,000) topo map ☐ **Other topo map, Scale:**

X GPS Unit **Accuracy X<1.0m** ☐**1-10m** ☐ **10-100m** ☐**>100m**

b. USGS 7.5' Topographic Map Name **USGS Quad Code**

Los Griegos, NM	35106-B6

c. County(ies): Bernalillo

17. Survey Data (continued):

d. Nearest City or Town: Albuquerque

e. Legal Description:

Township (N/S)	Range (E/W)	Section	¼ ¼ ¼
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			, , .

Projected legal description? Yes [ ] , No [ ] **Unplatted [X]**

f. Other Description (e.g. well pad footages, mile markers, plats, land grant name, etc.):

The project area is located within an unplatted, northwest portion of the Town of Albuquerque Land Grant and (to the north) the adjacent and incomplete portions of Sections 25 and 36, T.11 N, R.2 E (see USGS Los Griegos, NM 7.5-Minute quadrangle map); and near the southwest corner of the Elena Gallegos Land Grant.

18. Survey Field Methods:

Intensity: X 100% coverage ☐ <100% coverage

Configuration: X block survey units ☐ linear survey units (l x w): ☐ other survey units (specify):

Scope: X non-selective (all sites recorded) ☐ selective/thematic (selected sites recorded)

Coverage Method: X systematic pedestrian coverage ☐ other method (describe)

Survey Interval (m): 10 Crew Size: 1 Fieldwork Dates: May 21, 2014

Survey Person Hours: 1 Recording Person Hours: 0.5 Total Hours: 1.5

Additional Narrative: The intensive pedestrian survey was conducted by walking linear transects spaced less than 15 meters apart.

19. Environmental Setting (NRCS soil designation; vegetative community; elevation; etc.): The area along the western margin of the bosque and west of the Corrales Riverside Drain is reported as occasionally flooded Vinton and Brazito soils. Vegetation in the proposed staging area immediately south of the Montano Road river bridge and north of Bosque School is a disturbed area with a few cottonwood trees, some tamarisk, and various grasses and weeds.

20. **a. Percent Ground Visibility: 80 b. Condition of Survey Area (grazed, bladed, undisturbed, etc.): The proposed staging area is mostly disturbed from numerous modern construction type activities.**

21. CULTURAL RESOURCE FINDINGS ☐ Yes, See Page 3 X No, Discuss Why: The newly proposed staging area and access route to the Site 3A Oxbow project area, located south of Montano Blvd and adjacent to and north of Bosque School, has previously been disturbed. The ground surface of the proposed staging area has been previously disturbed by grading with heavy equipment and currently debris such as tree stumps, wood chips, and tree limbs occur in the area. Parts of the area have been leveled by blading. A remnant pile of rocks in the area appears to be the type and size of rock used for filling gabion baskets, perhaps for use as rip-rap in the construction of the nearby, larger Montaño Bridge a number of years ago; this area may have been used for staging for that project. The area was a wooded bosque until July 2005 when development of the general area began and removal of the majority of the trees in this area was initiated, and with the 2007 construction of local access roads to serve Bosque School, as evidenced by Google Earth historic imagery.

22. Required Attachments (check all appropriate boxes):	23. Other Attachments:
X USGS 7.5 Topographic Map with sites, isolates, and survey area clearly drawn X Copy of NMCRIS Mapserver Map Check ☐ LA Site Forms - new sites (*with sketch map & topographic map*) ☐ LA Site Forms (update) - previously recorded & un-relocated sites (*first 2 pages minimum*) ☐ Historic Cultural Property Inventory Forms X List and Description of isolates, if applicable ☐ List and Description of Collections, if applicable	X Photographs and Log ☐ Other Attachments *(Describe)*:

24. I certify the information provided above is correct and accurate and meets all applicable agency standards.

Principal Investigator/Responsible Archaeologist: Gregory D. Everhart

Signature Gregory D. Everhart Date 5-28-2014 Title (if not PI):

25. Reviewing Agency:	26. SHPO
U.S. Army Corps of Engineers, Albuquerque District Reviewer's Name/Date [illegible] 5/28/14 Accepted (X) Rejected ( ) Tribal Consultation (if applicable): X Yes ☐ No	Reviewer's Name/Date: HPD Log #: SHPO File Location: Date sent to ARMS:

CULTURAL RESOURCE FINDINGS

[fill in appropriate section(s)]

1. NMCRIS Activity No.:	2. Lead (Sponsoring) Agency:	3. Lead Agency Report No.:
130685	U.S. Army Corps of Engineers, Albuquerque District	USACE-ABQ-2014-005

SURVEY RESULTS:

Sites discovered and registered: 0
Sites discovered and NOT registered: 0
Previously recorded sites revisited (*site update form required*): **0**
Previously recorded sites not relocated *(site update form required):* 0
TOTAL SITES VISITED: 0
Total isolates recorded: 1 **Non-selective isolate recording?** ☐
Total structures recorded (*new and previously recorded, including acequias*): **0**

MANAGEMENT SUMMARY: This report is a part of the extensive Middle Rio Grande (MRG) Ecosystem Restoration Project located in the MRG Valley that covers portions of Sandia Pueblo, Bernalillo County, the City of Albuquerque, and Isleta Pueblo, in central New Mexico. The original archaeological survey for the project was completed by UNM-OCA (Cordero, Steffgen and Hogan 2009; NMCRIS No. 111640). This negative survey report is an Addendum to the more recent Corps survey NMCRIS No. 127705 (Everhart 2013). The current project includes the newly proposed staging area and access route to the Project's Site 3A-Oxbow project area. The ground surface of the proposed staging area and access route has been disturbed in the past. The proposed access point from the staging area connects with the access route on the existing spoil bank levee/service road as noted in the 2013 Corps survey report that is specific to this 3A-Oxbow project area, at a point where there is a culvert crossing of the Lower Corrales Riverside Drain immediately north and east of Bosque School.

Pursuant to 36 CFR 800.4, the area of potential effect is the proposed staging area and access route; the usable portion of the staging area is a total of 4.31 acres. While the two easement parcels total 7.62 acres (the first, on the north, owned by the Albuquerque Bernalillo County Water Utility Authority [4.5 acres], and the second, on the south, owned by Bosque School [3.12 acres]; see Figure 2) portions of this area cannot be used for staging. On the east side of both parcels is a wetland type pond, recently enlarged, and on the west side of both parcels is the rather steep earthen bank on the east side of Mirandela Street, NW, that is unusable for staging. The ground surface of the proposed staging area has been previously disturbed by grading with heavy equipment and currently debris such as piles of dirt and rock, tree stumps, wood chips, and tree limbs occur in the area. A remnant pile of rock in the staging area appears to be the type and size of rock used for filling gabion baskets, perhaps for use as rip-rap in the construction of the nearby Montaño Bridge that was enlarged a number of years ago; this area may have been used for staging for that project.

On May 14, 2014, a Corps archaeologist conducted an initial site visit to the staging area and access route and on May 21, 2014, performed a NMCRIS database records search. The project area has previously been surveyed for cultural resources by Marron & Associates, Inc. in 2003 (Brown and Brown 2003; NMCRIS No. 82487); their survey resulted in no archaeological sites recorded within this project area. The afternoon of May 21, the Corps archaeologist conducted an archaeological survey covering the proposed staging area. The intensive pedestrian survey was conducted by walking linear transects spaced closer than 15 meters apart (4.31 acres). One brown chert flake was observed on the newly excavated bank of the pond, outside of the staging area. The eastern portion of the access route was surveyed by the Corps in 2013 (Everhart 2013) and it was visited during the May 14, 2014 site visit. Since the access route has been bladed and is covered with chipped gravel for use as a part of Bosque School's parking lot and driveway, the access route was not re-surveyed. While several archaeological sites including LA18125 (the St. Joseph site); LA33223 (the Montano Pueblo); LA138927; LA138928; and LA138929 occur in the vicinity, no other artifacts or evidence of cultural resources was observed during the survey. The single isolated flake was documented in the field exhausting its research potential and is not considered eligible for listing on the National Register of Historic Places. It is the Corps opinion that use of a newly proposed staging area and access route to the Site 3A-Oxbow project area would result in No Historic Properties Affected.

IF REPORT IS NEGATIVE YOU ARE DONE AT THIS POINT.

SURVEY LA NUMBER LOG

Sites Discovered:

LA No.	Field/Agency No.	Eligible? (Y/N, applicable criteria)

Previously recorded revisited sites:

LA No.	Field/Agency No.	Eligible? (Y/N, applicable criteria)

MONITORING LA NUMBER LOG *(site form required)*

Sites Discovered (*site form required*) **:** **Previously recorded sites** ***(Site update form required):***

LA No.	Field/Agency No.	LA No.	Field/Agency No.

Areas outside known nearby site boundaries monitored? Yes ☐, No ☐ If no explain why:

TESTING & EXCAVATION LA NUMBER LOG (*site form required)*

Tested LA number(s)	Excavated LA number(s)

Artifact	Number	Measurements, mm	Material and color	Location: UTM Z13N, NAD83
Secondary flake	1	36 long x 24 wide x 4 thick	Chert; beige	346577 E; 3890617N

Photo No. 1. Secondary flake, dorsal, May 21, 2014.

Photo No. 2. Secondary flake, ventral, May 21, 2014.

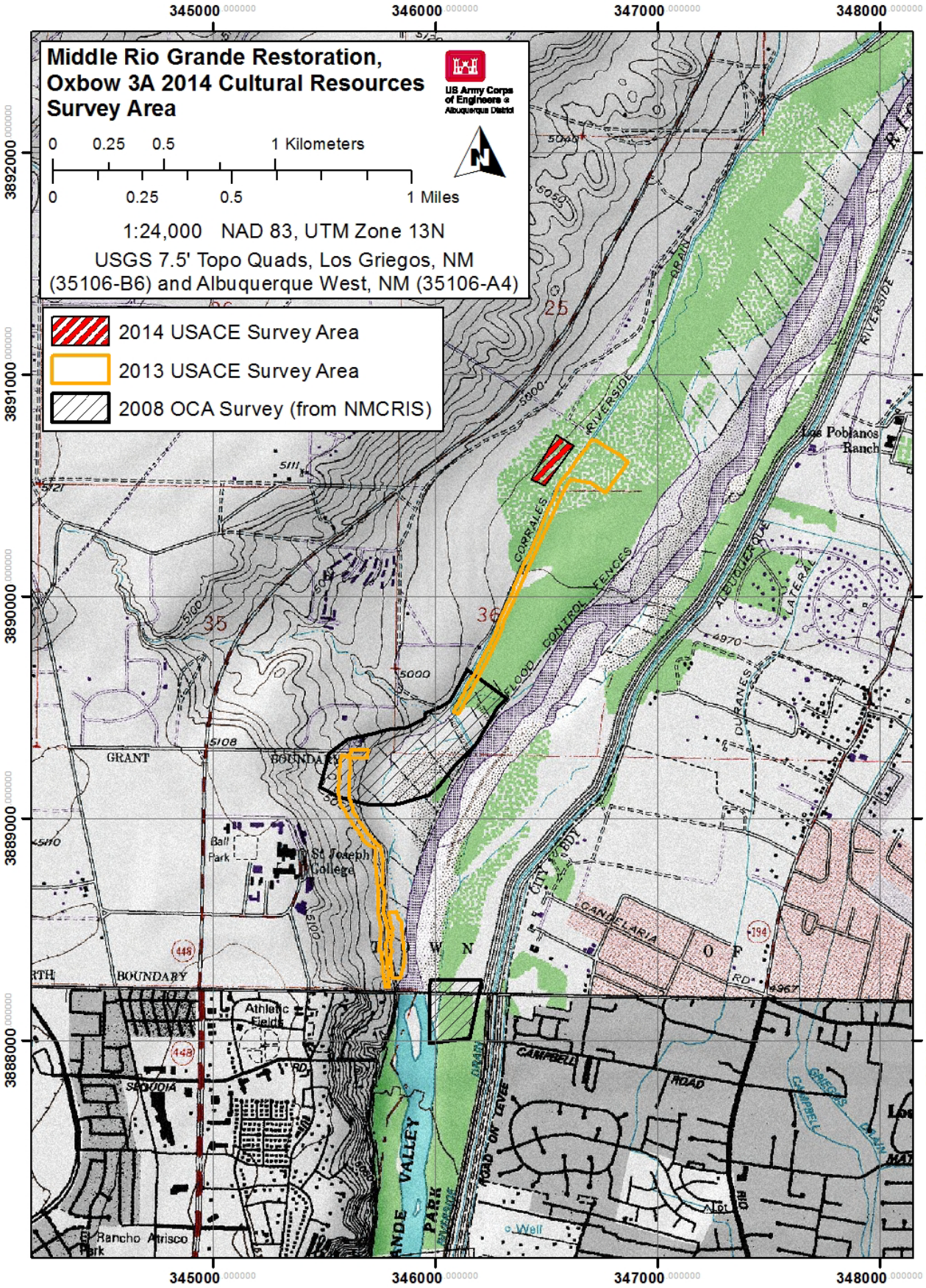

Figure 1. Middle Rio Grande Ecosystem Restoration Project's Site 3A-Oxbow project area; proposed new 2014 staging area and access route.

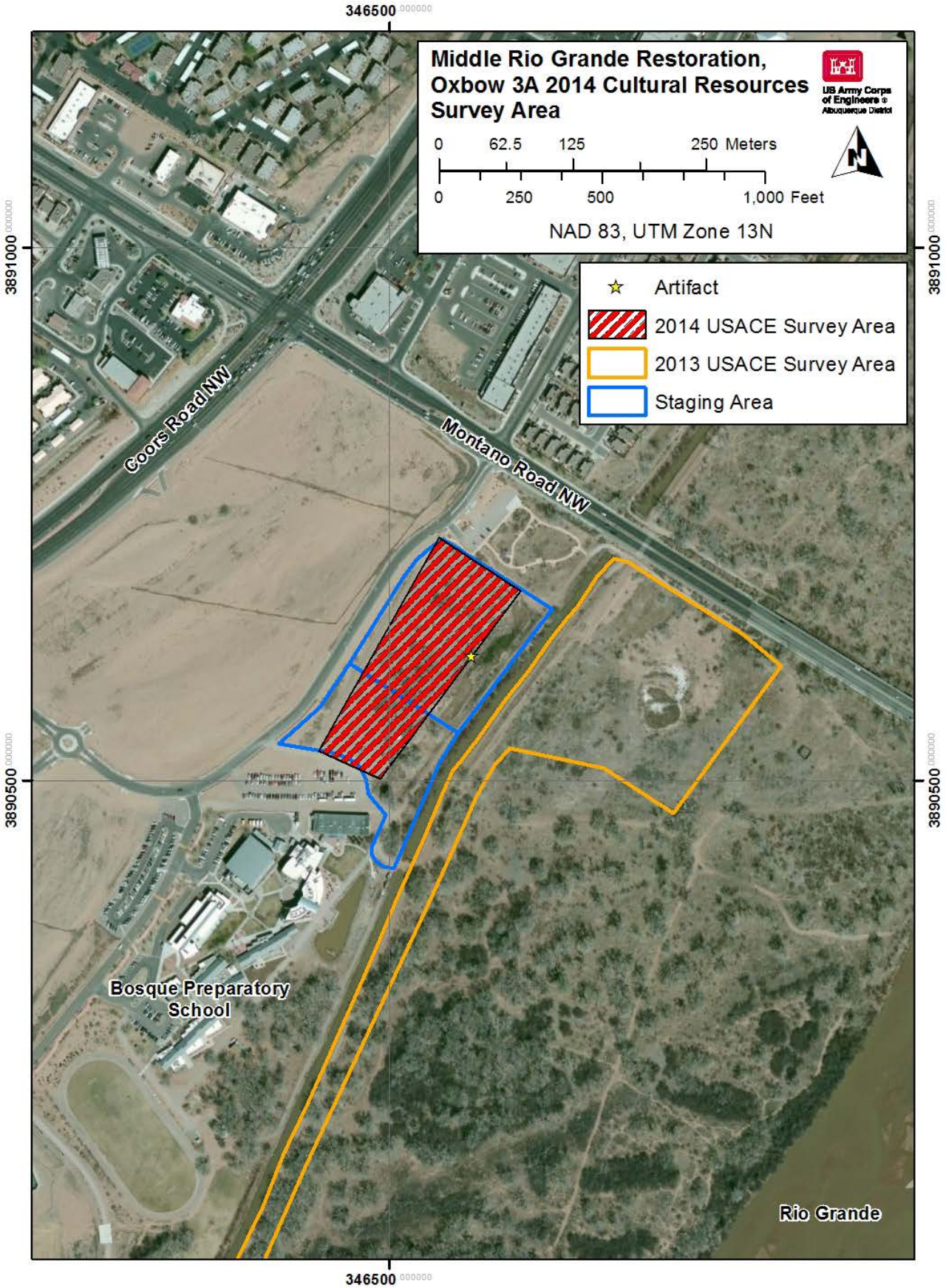

Figure 2. Middle Rio Grande Ecosystem Restoration Project's Site 3A-Oxbow project area; proposed new 2014 staging area and access route. Two landownership parcels: the first, on the north (4.5 acres) owned by the Albuquerque Bernalillo County Water Utility Authority, and the second, on the south, owned by Bosque School (3.12 acres).

Photograph No. 13. Proposed staging area located north of Bosque School, view to the north. May 25, 2014.

Photograph No. 9. Near the center of the proposed staging area located north of Bosque School, view to the south. May 25, 2014.

Photograph No. 12. Proposed staging area located north of Bosque School, view to the south. May 25, 2014.

Photograph No. 12. Proposed access route located north and east of Bosque School, view to the east. May 25, 2014.

References

Brown, Kenneth L., and Marie E. Brown

2003 **A Class III Survey of 87 Hectares (215 Acres) for the Subdivision of Lands of Ray A. Graham III on the West Mesa by ASW Realty Partners Development, Bernalillo County, New Mexico**. Marron and Associates, Report No. 0004 (NMCRIS No. 82487). Prepared for ASW Realty Partners.

Cordero, Robin M., Tracy Steffgen, and Patrick Hogan

2009 **A 667.6 Acre Cultural Resurce Survey of the Rio Grande Floodway for the Middle Rio Grande Bosque Restoration Feasibility Project, Bernalillo and Sandoval Counties, New Mexico**. OCA-UNM Report No. 185-996 (NMCRIS No. 111640). University of New Mexico, Office of Contract Archeology, Albuquerque. Prepared for U.S. Army Corps of Engineers, Albuquerque District, Contract No. W912PP-06-D-0001, Delivery Order No. 0010.

Everhart, Gregory D.

2013 **A Cultural Resources Inventory of 28.33 Acres for the MRG Ecosystem Restoration Project, Site 3A-Oxbow Project Area, Bernalillo County, New Mexico**. Corps Report No. USACE-ABQ-2013-003 (NMCRIS No. 127705). Prepared for U.S. Army Corps of Engineers, Albuquerque District, Albuquerque.

Appendix B. USFWS Coordination