



**US Army Corps
of Engineers®**
Albuquerque District

**FINAL
ENVIRONMENTAL IMPACT STATEMENT
THE CLOSURE OF THE AL BLACK RECREATION AREA
AT THE COCHITI DAM OUTLET WORKS
IN SANDOVAL COUNTY, NEW MEXICO**

APPENDICES

June 2004

U.S. Army Corps of Engineers
4101 Jefferson Plaza NE
Albuquerque, NM 87109

APPENDIX A

BIOLOGICAL AND CULTURAL RESOURCES

COORDINATION

AND

GENERAL CORRESPONDENCE

FOR

DRAFT ENVIRONMENTAL IMPACT STATEMENT

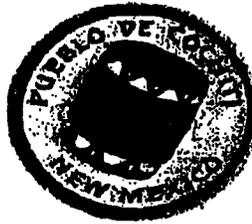
APPENDIX A CORRESPONDENCE

<u>AUTHOR</u>	<u>DATE</u>	<u>COMMUNICATION</u>
Peublo de Cochiti	October 28, 2003	Letter
Corps of Engineers	December 3, 2003	Letter
Notice of Intent	November 6, 2003	Fed. Register Announcement
Corps of Engineers	October 23, 2003	Letter
New Mexico Department of Game & Fish	November 5, 2003	Letter
Middle Rio Grande Conservancy District	January 23, 2004	Letter
Corps of Engineers/State Historic Preservation Officer	March 14, 2003	Letter
National Park Service	December 17, 2003	Letter
New Mexico Department Of Game and Fish	February 28, 2002	E-mail
Federal List of Threatened & Endangered Species	January 12, 2004	Listing of species/email
New Mexico Wildlife of Concern - Sandoval Co.	March 31, 2001	Listing of species
Corps of Engineers	February 2004	Postcard
Corps of Engineers/ Becker/DEIS Dist.	March 31, 2004	Letter
Corps of Engineers/ Library	March 31, 2004	Letters (3)
Corps of Engineers/ US Fish & Wild. Ser.	March 31, 2004	Letters (2)
Corps of Engineers/ San Felipe Pueblo	March 31, 2004	Letter
Corps of Engineers/ Santo Domingo Pueblo	March 31, 2004	Letter
Corps of Engineers/ Cochiti Pueblo	March 31, 2004	Letter
Corps of Engineers/ USEPA	March 31, 2004	Letter
Corps of Engineers/ NM Dept. Game & Fish	March 31, 2004	Letter
Corps of Engineers/ Sen. Domenici	April 8, 2004	Letter
Corps of Engineers/ Rep. Pearce	April 8, 2004	Letter
Corps of Engineers/ Rep. Udall	April 8, 2004	Letter

Corps of Engineers/ Rep. Wilson	April 8, 2004	Letter
Corps of Engineers/ Sen. Bingaman	April 8, 2004	Letter
Corps of Engineers/ Newspaper Publishing Notice of Availability	(April 9, 2004) April 9, 2004	Local Public Notice Federal Register

Simon E. Suina
Governor

Faded to R. Knox
Andrew Quintana
Treasurer



Vernon M. Garcia
Lt. Governor

P. O. Box 70
255 Cochiti Street
Cochiti Pueblo, NM 87072-0070
Phone: (505) 465-2244 Fax: (505) 465-1135

October 28, 2003

Lt. Colonel Dana R. Hurst
US Army Corps of Engineers
4101 Jefferson Plaza, N.E.
Albuquerque, NM 87109

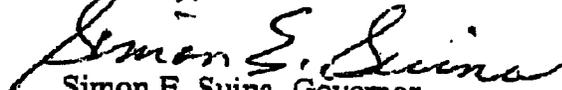
RE: Termination of Recreation Activities at Al Black Recreation Area

Dear Lt. Colonel Hurst:

I would first like to thank you for your ongoing cooperation with the Pueblo de Cochiti on the many issues that are vital to our future. This letter is respectfully written to request your cooperation in the closure of the Al Black Recreation Area. Pursuant to Article III.D of the 'Amended Easement Grant and Agreement' between the Pueblo de Cochiti and the U.S. Army Corps of Engineers signed the 31st of December, 1975, the Pueblo de Cochiti is exercising its right to terminate the easement for recreation activities in the area of the Cochiti Dam outlet works. Specifically, we are terminating recreation in the area between Cochiti Dam and State Highway 22 on the north and south banks as well as the Rio Grande channel beyond Highway 22 to the West. The duration of the termination process is not specified in the easement agreement. We would like to consult with the Corps in setting a schedule for the ultimate closure of the area.

Thank you for your time and consideration in this matter. To initiate this process, please contact Mr. Jacob Pecos, Director of our Natural Resources department at (505) 465-0617/0123 or myself.

Sincerely,


Simon E. Suina, Governor
Pueblo de Cochiti

Cc: Tribal Administrator, Richard Pecos
DNRC Director, Jacob Pecos
Tribal Planner, Ray Trujillo
DNRC/Tribal File



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

OC/bc *OC*
BC(QC) *BC*
OD *OD*
KNEEBONE *KL*
OC *OC*
DDE *DDE*
DE *DM*

Executive Office

DEC 03 2003

Honorable Simon E. Suina
Pueblo de Cochiti
P.O. Box 70
Cochiti Pueblo, New Mexico 87072

Dear Governor Suina:

This is in response to your letter, dated October 28, 2003, regarding the proposed termination of recreation activities at the Al Black Recreation Area. Your letter refers to Article III of the "Amended Easement Grant and Agreement" between Pueblo de Cochiti (Pueblo) and the U.S. Army Corps of Engineers (Corps), dated December 31, 1975, which describes specific rights and privileges that were retained by the Pueblo. Paragraph III.D. states that the Pueblo retained, "The right to have easements described in Paragraph II. above, terminated as to any land within the Project Area on which, in the opinion of the Corps, easements are unnecessary to the efficient operation and maintenance of the Project." Your letter cites that provision and states that, "the Pueblo de Cochiti is exercising its right to terminate the easement for recreation activities in the area of the Cochiti Dam outlet works."

The Corps is certainly willing to work with Pueblo de Cochiti on this request. In fact, the NEPA compliance process is already under way for the proposed closure of the Al Black Recreation Area. In the Corps' opinion, the easement for recreation activities in the area of the Cochiti Dam outlet works is not necessary for the efficient operation and maintenance of the Project. Of course, Corps personnel must continue to have access to the outlet works for operations and maintenance purposes.

We appreciate your continued cooperation with the Corps on matters relating to Cochiti Dam. We realize that Pueblo de Cochiti has a vital interest in helping determine the future of

this project. If I can be of further assistance please feel free to contact me at 505-342-3432.

Sincerely,

SIGNED

Dana R. Hurst
Lieutenant Colonel, U.S. Army
District Engineer

ACTION: Notice.

SUMMARY: The Defense Policy Board Advisory Committee will meet in closed session at the Pentagon on November 20, 2003 from 10 a.m. to 9 p.m. and November 21, 2003 from 9 a.m. to 3 p.m.

The purpose of the meeting is to provide the Secretary of Defense, Deputy Secretary of Defense and Under Secretary of Defense for Policy with independent, informed advice on major matters of defense policy. The Board will hold classified discussions on national security matters.

In accordance with Section 10(d) of the Federal Advisory Committee Act, Public Law 92-463, as amended [5 U.S.C. App II (1982)], it has been determined that this meeting concerns matters listed in 5 U.S.C. 552B(c)(1)(1982), and that accordingly this meeting will be closed to the public.

Dated: October 27, 2003.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 03-27940 Filed 11-5-03; 8:45 am]

BILLING CODE 5001-06-M

DEPARTMENT OF DEFENSE**Office of the Secretary****U.S. Strategic Command Strategic Advisory Group**

AGENCY: U.S. Strategic Command, Department of Defense.

ACTION: Notice.

SUMMARY: The Strategic Advisory Group (SAG) will meet in closed session on November 6 and 7, 2003.

The mission of the SAG is to provide timely advice on scientific, technical, intelligence, and policy-related issues to the Commander, U.S. Strategic Command, during the development of the Nation's strategic war plans. Full development of the topics will require discussion of information classified in accordance with Executive Order 12958, dated April 17, 1995. Access to this information must be strictly limited to personnel having requisite security clearances and specific need-to-know. Unauthorized disclosure of the information to be discussed at the SAG meeting could have exceptionally grave impact upon national defense.

In accordance with Section 10(d) of the Federal Advisory Committee Act (5 U.S.C., App. 2), it has been determined that this SAG meeting concerns matters listed in 5 U.S.C. 552b(c), and that,

accordingly, this meeting will be closed to the public.

Dated: October 27, 2003.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 03-27939 Filed 11-5-03; 8:45 am]

BILLING CODE 5001-06-M

DEPARTMENT OF DEFENSE**Office of the Secretary****Membership of the Defense Threat Reduction Agency Performance Review Board**

AGENCY: Defense Threat Reduction Agency, Department of Defense.

ACTION: Notice.

SUMMARY: This notice announces the appointment of the Defense Threat Reduction Agency's Performance Review Board (PRB) membership. The publication of the PRB membership is required by 5 U.S.C. 4314(c)(4). The PRB shall provide fair and impartial review of Senior Executive Service performance appraisals and make recommendations regarding performance ratings and performance awards to the Director, Defense Threat Reduction Agency.

EFFECTIVE DATES: The effective date of service for the appointees of the Defense Threat Reduction Agency (DTRA) PRB is on or about October 1, 2003.

FOR FURTHER INFORMATION CONTACT: Tana Farrell, Operations Division, Business Directorate, (703) 767-5759, Defense Threat Reduction Agency, 8725 John J. Kingman Road, Stop 6201, Ft. Belvoir, VA 22060-6201.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 4314(c)(4), the officials appointed to serve as members of the DTRA PRB are set forth below:

PRB Chair: Mr. Robert L. Britigan
Member: Maj Gen Trudy H. Clark, USAF
Member: Mr. Myron K. Kunka
Member: Dr. Charles R. Gallaway

The following DTRA officials will serve as alternate members of the DTRA PRB, as appropriate.

Mr. Douglas Bruder
Ms. Shari Durand
Mr. Douglas Englund
Mr. Michael Evenson
Dr. Joe Golden
Mr. Richard Gullickson
Dr. Arthur Hopkins
Dr. Don Linger
Mr. Vayl Oxford
Ms. Joan Ma Pierre

Dated: October 27, 2003.

Patricia L. Toppings,

Alternate OSD Federal Register, Liaison Officer, Department of Defense.

[FR Doc. 03-27938 Filed 11-5-03; 8:45 am]

BILLING CODE 5001-06-M

DEPARTMENT OF DEFENSE**Department of the Army; Corps of Engineers****Intent To Prepare an Environmental Impact Statement for the Proposed Closure of the Al Black Recreation Area at the Cochiti Dam Outlet Works in Sandoval County, NM**

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent.

SUMMARY: The U.S. Army Corps of Engineers, Albuquerque District (Corps) intends to prepare an Environmental Impact Statement (EIS) for the proposed closure of the Al Black Recreation area at the Cochiti Dam Outlet Works in Sandoval County, NM.

FOR FURTHER INFORMATION CONTACT: Mr. Ernest Jahnke, U.S., Army Corps of Engineers, 4101 Jefferson Plaza, NE., Albuquerque, NM 87109, (505) 342-3416.

SUPPLEMENTARY INFORMATION: The Corps, the Cochiti de Pueblo (Pueblo), and the Bureau of Indian Affairs (BIA) are investigating modifying the easement for the operation of the Cochiti Dam Outlet Works/Al Black Recreation Area. Specifically, the recreation easement would be rescinded but the Corps would retain the original dam operation and maintenance easement. Public access to the recreation area would no longer be allowed. All public-oriented facilities and other amenities that have no bearing on operation or maintenance of the Outlet Works would be removed and surplus or disposed of following Federal guidelines. The Corps would restore the site as prescribed by the Pueblo. The Cochiti Dam Outlet Works operation and maintenance easement granted to the Corps would remain in effect. Corps, Middle Rio Grande Conservancy District, and U.S. Bureau of Reclamation (BOR) personnel would have access to the area for operation and maintenance purposes. Members of the Pueblo would continue to access the area for religious and cultural ceremonies. This Federal action would satisfy a November 8, 2001, understanding between the Corps, Pueblo and BIA.

Construction of the Cochiti Dam and Lake (Project) was authorized for flood and sediment control in the Upper Rio Grande Basin by the Flood Control Act of 1960 (Pub. L. 86-645). Various Pueblo/Corps lease agreements defined the use and management of the Project land owned by the Pueblo including Corps construction of public use recreation facilities at various locations that the Pueblo would operate and maintain. In a lease amendment dated June 12, 1984, the Pueblo transferred the operation and maintenance of the Outlet Channel Area/Al Black Recreation Area to the Corps.

All private interests and Federal, State, local agencies, and tribes having an interest in the project are hereby notified of the proposed action and are invited to comment at this time. The scoping process will consist of public notification to explain and describe the proposed action, early identification of resources that should be considered during the study, and public review periods. Coordination with the public and with other agencies will be carried out through public announcements, letters, report review periods telephone conversations, and meetings.

The Corps prepared a Draft Environmental Assessment on the proposed action and held a public meeting on August 28, 2003 in Rio Rancho, NM. Additional information and evidence gathered during that meeting and expressed public resistance to establishing a recreation facility at Pena Blanca, NM resulted in the decision to prepare an EIS for the proposed action. All Federal, State and local agencies, affected Indian tribes, and other interested private organizations and parties will be notified of the meeting and will be provided copies of the Draft EIS (DEIS) for comment.

Significant issues to be discussed in the DEIS include the alternatives analysis for the possible relocation of the Al Black Recreation Area and other avenues for replacing lost recreation opportunities incurred as a result of the proposed action.

The lead agency for this project is the U.S. Army Corps of Engineers, Albuquerque District. Cooperating agency status has not been assigned, nor requested, by any other agency.

The EIS is being prepared in accordance with the requirements of the National Environmental Policy Act of 1969, as amended, and will address the project's relationship to all other applicable Federal and State laws and Executive Orders.

Scoping meetings will be held in Peña Blanca, Albuquerque and other

locations as deemed necessary. Specific information regarding location and time of the meetings will be published in local newspapers. It is anticipated that the DEIS will be available for public review and comment by February 1, 2004.

Luz D. Ortiz,

Army Federal Register Liaison Officer.

[FR Doc. 03-27977 Filed 11-9-03; 8:45 am]

BILLING CODE 3710-KK-M

DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

SUMMARY: The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before January 5, 2004.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate

of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: November 3, 2003.

Angela C. Arrington,

Leader, Regulatory Information Management Group, Office of the Chief Information Officer.

Office of the Under Secretary

Type of Review: New.

Title: Survey for the Study of the Ronald E. McNair Postbaccalaureate Achievement Program Participants.

Frequency: One time.

Affected Public: Individuals or households.

Reporting and Recordkeeping Hour Burden:

Responses: 2,313. Burden Hours: 3,000.

Abstract: Follow-up survey data from current and former McNair program participants to determine program completion, employment status.

Requests for copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 2368. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to Vivian Reese, Department of Education, 400 Maryland Avenue, SW., Room 4050, Regional Office Building 3, Washington, DC 20202-4651 or to the e-mail address vivian_reese@ed.gov. Requests may also be electronically mailed to the internet address OCIO_RIMG@ed.gov or faxed to 202-708-9346. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be directed to Sheila Carey at her e-mail address Sheila.Carey@omb.eop.gov. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

[FR Doc. 03-27965 Filed 11-5-03; 8:45 am]

BILLING CODE 4000-01-P



Reply to
Attention of:

DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 JEFFERSON PLAZA, NE
ALBUQUERQUE, NEW MEXICO 87109-3435
FAX (505) 342-3199

October 23, 2003

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

Mr. Larry G. Bell, Director
New Mexico Department of Game and Fish
Post Office Box 25112
Santa Fe, New Mexico 27504

Dear Mr. Bell:

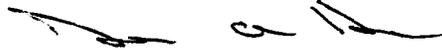
Based on information gathered during the public review of the Draft Environmental Assessment entitled, **Relocation of the Al Black Recreation Area at the Cochiti Dam Outlet Works to Peña Blanca, Sandoval County, New Mexico**, the U.S. Army Corps of Engineers (Corps), Albuquerque District, has determined that significant issues involved with this action warrant the compilation of an Environmental Impact Statement as the appropriate decision document in complying the National Environmental Policy Act. For this purpose, the Corps is inviting the New Mexico Department of Game and Fish to participate in this process as a cooperating agency.

One primary issue associated with the closing of the Al Black Recreation Area is the alternatives analysis to identify and assess suitable locations for establishing a recreation facility to replace the public resources lost as a result of this action. Additionally, the assessment would investigate the potential for your agency to continue its existing fish stocking program or a modified effort in a new location. In this respect, would it be feasible to initiate a stocking program at the Corps' Cochiti Lake recreation area?

Please provide information on the history of your agency's stocking program at the Al Black Recreation Area and the reason for its initiation. The Corps needs to know of any written agreements in place for this program at Al Black.

Your prompt response to this invitation and these questions would be greatly appreciated. If you have any questions or need additional information, please contact Mr. Ernest Jahnke, Biologist, at (505) 342-3416.

Sincerely,

A handwritten signature in black ink, appearing to read 'Julie A. Hall', written in a cursive style.

Julie A. Hall, Chief
Environmental Resources Section

Copy Furnished:

Mr. Mike Sloane
New Mexico Department of Game and Fish
Post Office Box 25112
Santa Fe, New Mexico 87504

GOVERNOR
Bill Richardson



DIRECTOR AND SECRETARY
TO THE COMMISSION
Bruce C. Thompson

STATE OF NEW MEXICO
DEPARTMENT OF GAME & FISH

One Wildlife Way
PO Box 25112
Santa Fe, NM 87504

Visit our website at www.gmfsh.state.nm.us
For basic information or to order free publications: 1-800-862-9310.

STATE GAME COMMISSION
Tom Arvas, Chairman
Albuquerque, NM

Alfredo Montoya, Vice-Chairman
Alcalde, NM

David Henderson
Santa Fe, NM

Jennifer Atchley Montoya
Las Cruces, NM

Peter Pino
Zia Pueblo, NM

Guy Riordan
Albuquerque, NM

Leo Sims
Hobbs, NM

5 November 2003

Julie Hall, Chief
Environmental Resources Branch
U.S. Army Corps of Engineers
4101 Jefferson Plaza, NE
Albuquerque, New Mexico 87109

Dear Ms. Hall,

Director Thompson forwarded me your letter regarding our participation in developing an Environmental Impact Statement for the closure of the Al Black Recreation Area below Cochiti Dam. This recreation area is a valuable asset to our constituents and we look forward to working with your agency to identify means of alleviating the hardship its closure would bring to the anglers of New Mexico. For that reason we will accept your invitation to serve as a cooperating agency for development of this EIS.

To answer your second question, initiating a stocking program at Cochiti Lake is not a feasible alternative. Our Department stocked Cochiti Lake for a number of years in the 1970's and 1980's as a winter trout water. Department biologists monitored this program and determined this management strategy was ineffective in 1983 and it was discontinued in 1991. The thermal regime of the lake, and the abundance of large piscivorous fish, make trout stocking an untenable and expensive management strategy. Therefore, we are committed to continue management of Cochiti Lake as a warm water fishery relying on natural reproduction and occasional supplemental stocking of walleye, largemouth bass, and channel catfish.

An additional consideration in moving Al Black recreationists to Cochiti Lake proper is comparability of experience. Our surveys indicate more than 70% of New Mexico Anglers prefer trout fishing to fishing for other species. Thirty-five percent of New Mexico Anglers prefer to fish in streams and rivers. Those anglers using the Al Black Recreation Area fall within these two groups and fishing in Cochiti Lake does not provide the same angling experience as fishing in the Rio Grande for trout.

In answer to your final question, rainbow trout stocking of the Cochiti Tailwater was initiated in 1984. Stocking of this reach began following reconstruction of our Lisboa Springs Hatchery and

resultant increase in our trout production capabilities. Since its implementation, we have deemed this stocking to be an efficient means of serving winter trout anglers from Albuquerque/Santa Fe region. We have no written record of agreements for the trout stocking at the Al Black Recreation Area. I have enclosed stocking histories for both Cochiti Lake and the Al Black reach of the Rio Grande per your request.

Thank you for this opportunity to cooperate in development of the Al Black EIS. Please consider Richard Hansen, Assistant Chief of Fisheries Management Division (505/476-8055), and Rick Castell, Northwest Area Fisheries Manager (505/841-8881), as primary contacts for this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael B. Sloane", with a long horizontal flourish extending to the right.

Michael B. Sloane, Chief
Fisheries Management Division

MBS/rwh

Cc: Luke Shelby
Lisa Kirkpatrick
Steve Anderson

Ref: 8831

Enc.

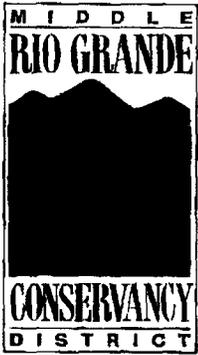
Table 1. Stocking history of Rio Grande below Cochiti Dam (1898-2003)

YEAR	SPECIES	NUMBER STOCKED
1967	RAINBOW TROUT	5060
1984	RAINBOW TROUT	1080
1985	RAINBOW TROUT	5978
1986	BROWN TROUT	29565
1986	RAINBOW TROUT	7488
1987	BROWN TROUT	45933
1987	RAINBOW TROUT	6715
1988	RAINBOW TROUT	6205
1989	BROWN TROUT	31235
1989	RAINBOW TROUT	8065
1990	RAINBOW TROUT	7999
1991	RAINBOW TROUT	8000
1992	BROWN TROUT	30000
1992	RAINBOW TROUT	8001
1993	RAINBOW TROUT	8000
1994	RAINBOW TROUT	8000
1995	RAINBOW TROUT	8254
1996	RAINBOW TROUT	8000
1997	RAINBOW TROUT	8000
1998	BROWN TROUT	99034
1998	RAINBOW TROUT	10996
1999	RAINBOW TROUT	14402
2000	RAINBOW TROUT	7590
2001	RAINBOW TROUT	5910
2002	RAINBOW TROUT	6127
2003	RAINBOW TROUT	3600

Table 2. Stocking History of Cochiti Lake (1973-2003).

YEAR	SPECIES	NUMBER STOCKED
1973	LARGEMOUTH BASS	7000
1973	WALLEYE	1080000
1974	LARGEMOUTH BASS	100460
1974	WALLEYE	1000000
1975	BLUEGILL	35860
1975	CHANNEL CATFISH	133338
1975	CRAPPIE	75
1975	LARGEMOUTH BASS	76000
1975	RAINBOW TROUT	764916
1975	WALLEYE	1100000
1976	CHANNEL CATFISH	124910
1976	LARGEMOUTH BASS	90400
1976	RAINBOW TROUT	232458
1976	SMALLMOUTH BASS	73500
1976	WALLEYE	1006500
1977	CHANNEL CATFISH	49500
1977	CRAPPIE	271
1977	LARGEMOUTH BASS	115000
1977	RAINBOW TROUT	77295
1977	WALLEYE	1000000
1978	BLUEGILL	20000
1978	CHANNEL CATFISH	236480
1978	LARGEMOUTH BASS	72500
1978	RAINBOW TROUT	86750
1978	SMALLMOUTH BASS	185075
1978	WALLEYE	1000000
1979	CHANNEL CATFISH	116610
1979	LARGEMOUTH BASS	99912
1979	RAINBOW TROUT	114204
1979	SMALLMOUTH BASS	118424
1979	WALLEYE	1000000
1979	WHITE BASS	527
1980	CHANNEL CATFISH	18216
1980	RAINBOW TROUT	58278
1980	WALLEYE	1052800
1981	RAINBOW TROUT	17642
1981	SMALLMOUTH BASS	65715
1981	WALLEYE	500000
1982	CHANNEL CATFISH	67080
1982	WALLEYE	500000
1983	CHANNEL CATFISH	114000
1983	RAINBOW TROUT	15695
1983	WALLEYE	878400

YEAR	SPECIES	NUMBER STOCKED
1983	WHITE BASS	90
1984	CHANNEL CATFISH	26250
1984	RAINBOW TROUT	25008
1984	SPOTTED BASS	17
1984	WALLEYE	1822880
1985	CHANNEL CATFISH	213660
1985	RAINBOW TROUT	25018
1985	WHITE BASS	250
1986	LARGEMOUTH BASS	76866
1986	RAINBOW TROUT	98659
1986	THREADFIN SHAD	2500
1986	WALLEYE	1976000
1986	WHITE BASS	65
1987	CHANNEL CATFISH	13860
1987	RAINBOW TROUT	60041
1987	WHITE BASS	168
1988	CHANNEL CATFISH	31023
1988	RAINBOW TROUT	56350
1988	WALLEYE	219600
1989	RAINBOW TROUT	75203
1989	WALLEYE	2013000
1990	RAINBOW TROUT	75965
1990	WALLEYE	1464000
1991	LARGEMOUTH BASS	105000
1991	RAINBOW TROUT	32001
1997	WALLEYE	362400
2000	CHANNEL CATFISH	19765
2000	WALLEYE	2204800
2001	WALLEYE	659200



January 23, 2004

Lt. Col. Dana Hurst, Commander
Albuquerque District
U.S. Army Corps of Engineers
4101 Jefferson Place NE
Albuquerque, NM 87109-3435

Re: Proposed Peña Blanca Fishing Site

Dear Col. Hurst:

At its regular meeting on December 8, 2003, the Board of Directors of the Middle Rio Grande Conservancy District rejected the request of the U. S. Army Corps of Engineers to construct a public fishing facility on District property at Peña Blanca.

If you have any questions regarding this action, please call me.

Sincerely yours,

Subhas Shah
Chief Engineer

xc: Mr. Ernie Jahnke, Corps of Engineers

P.O. Box 581

87103-0581

1931 Second St. SW

Albuquerque, NM

87102-4515

505-247-0234

Fax # 505-243-7308

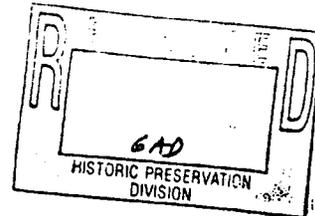


DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 JEFFERSON PLAZA, NE
ALBUQUERQUE, NEW MEXICO 87109-3435
FAX (505) 342-3199

March 14, 2003

Engineering and Construction Division
Environmental Resources Branch

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



067378

Dear Ms. Slick:

In keeping with the provisions of 36 CRF 800, the U.S. Army Corps of Engineers (Corps), Albuquerque District, is seeking your concurrence in our determination of No Historic Properties Affected as a result of the proposed closing of the Al Black Recreation Area at the Cochiti Dam Outlet Works, Sandoval County, New Mexico, and the proposed construction of a substitute fishing area on the Rio Grande just south of Peña Blanca. Details, locations, and illustrations are included in the attached letter report; an Environmental Assessment is being prepared. Closing the Al Black Recreation Area is considered a vital component in a community-wide restoration project of the Pueblo de Cochiti. It is their long-held belief that the current use of the location is inconsistent with the historical and cultural nature of that area.

All public-oriented facilities and other amenities that have no bearing on the operation or maintenance of the Outlet Works would be removed from the Al Black area; essentially this means concrete, gravel, metal barriers, and toilets. The recreation area covers approximately eight acres, and none of it was surveyed for archaeological resources as it is completely developed. All of the facilities were constructed after the mid-1970s, and they are neither of sufficient age nor architectural merit to warrant further consideration.

Existing levees provide access to the proposed substitute fishing location south of Peña Blanca. The actual location is within the existing riverside levee on sediments deposited in the historic period by the Rio Grande. An inventory survey of the area not on the existing levees was conducted. The inventory survey included three acres (1.2 HA) surrounding the proposed project location and 1.5 acres (0.6 HA) required for the access road between the parking lot and the riverside levee. A sample survey of an additional six acres (2.4 HA) surrounding the proposed project location was also conducted. With

the exception of a stunningly diverse array of modern trash, no relevant cultural material exists.

The Al Black Recreation Area is located on Pueblo de Cochiti land; the Corps held a Recreation Easement that was modified on November 8, 2001. The modification rescinded all activity except for operation and maintenance of the outlet works. The proposed substitute fishing area near Peña Blanca is owned by the Middle Rio Grande Conservancy District, and the Corps will enter into an easement with them.

No archaeological sites, architectural resources, or traditional cultural properties exist within either location. The proposed undertaking will have no effect on the archaeological or architectural resources of New Mexico. As noted, we are seeking your concurrence of our determination of No Historic Properties Affected.

Thank you for your attention to this matter. If you have any questions or require additional information, please contact Dr. John D. Schelberg, Archaeologist, at (505) 342-3359.

Sincerely,

for *John D. Schelberg*
Julie A. Hall
Chief, Environmental Resources Branch

DATE 4/3/03

I Concur* *Theresa Duncan*
for Katherine Slick, NEW MEXICO STATE
HISTORIC PRESERVATION OFFICER

Enclosure

** As long as the newspaper vending machines are less than 50 years old.*

Copy furnished: (w/o enclosure)

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



United States Department of the Interior



NATIONAL PARK SERVICE
INTERMOUNTAIN REGION
12795 West Alameda Parkway
PO Box 25287
Denver, Colorado 80225-0287

Ernest Jahnke
U.S. Army Corps of Engineers
4101 Jefferson Plaza, NE
Albuquerque, NM 87109

December 17, 2003

Subject: Notice of Intent to Prepare an Environmental Assessment for the AI Black Recreation Closure at the Cochiti Dam Outlet Works, Sandoval County, New Mexico

Dear Mr. Jahnke:

Thank you for the opportunity to review the subject Notice of Intent contained within the November 6 *Federal Register*. We understand the Corps, the Cochiti De Pueblo, and the Bureau of Indian Affairs are investigating modifying the easement for the operation of the Cochiti Dam Outlet Works/AI Black Recreation Area. The National Park Service has reviewed the subject Notice of Intent with regards to any possible conflicts with the Land and Water Conservation Fund (L&WCF) program, and found the proposed study area may include recreation areas that were developed with assistance from the L&WCF program, as follows:

35-00454	Pueblo De Cochiti Recreation Area
35-00543	Cochiti Pueblo Recreation Area Phase II
35-00609	Cochiti Pueblo Playground
35-00662	Cochiti School Playground
35-00763	Cochiti Park Improvements

We recommend you consult directly with the official who administers the L&WCF program in the State of New Mexico to determine any potential conflicts with Section 6(f)(3) of the L&WCF Act (Public Law 88-578, as amended). This section states: "No property acquired or developed with assistance under this section shall, without the approval of the Secretary [of the Interior], be converted to other than public outdoor recreation uses. The Secretary shall approve such conversions only if he finds it to be in accord with the then existing Statewide Comprehensive Outdoor Recreation Plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location."

The grants administrator for the L&WCF program in New Mexico is Ms. Sandra Massengill, Planner Director, Department of Energy, Minerals & Natural Resources, 1220 S. Saint Francis Drive, Santa Fe, New Mexico 87505-4000; 505-476-3392. Thank you again for the opportunity to provide these comments early in the process. Please address any questions to Jane Beu, NPS Midwest Region, at 402-221-7270.

Sincerely,

Cheryl Eckhardt
NEPA/106 Specialist

Jahnke, Ernest W SPA

From: RHansen@state.nm.us
Sent: Thursday, February 28, 2002 3:03 PM
To: Jahnke, Ernest W
Subject: cochiti tailwater

Ernie,

Here is some of the info we discussed:

Stocking:

We have stocked rainbows primarily in the Rio Grande below Cochiti Lake. We have stocked approximately 120,000 rainbow trout in this reach from Jan 1998-Jan 2002. These fish are "catchable size" or about 9-10". Browns were stocked on five occasions, 1986,87, 89, 92, and 98. These fish were fingerlings in the 1-3" range. The last stocking was approximately 99,000 fingerlings. We produce the rainbows at state hatcheries and have depended on surplus fish from federal hatcheries to stock browns (generally shorting our scheduled stocking of the Rio Grande Box). We do not stock trout in Cochiti Reservoir at all.

Use:

As I mentioned, our data are limited. In the 1997-98 license year approximately 10,000 anglers fished in the Cochiti tailwater for about 28,000 angler days. In the 1998-99 license year approximately 9,000 anglers fished for approximately 23,000 angler days. This compares to 35,000 anglers fishing Cochiti Lake for about 100,000 angler days.

Richard Hansen, Assistant Chief
Fisheries Management Division
New Mexico Department of Game and Fish
505/476-8055

Jahnke, Ernest W SPA

From: Skalbeck, Kathy A SPA
Sent: Monday, January 12, 2004 3:11 PM
To: Jahnke, Ernest W SPA
Subject: specieslistssandovalandsanta

Rev: September 2003

FEDERAL ENDANGERED, THREATENED,
 PROPOSED, AND CANDIDATE SPECIES
 AND SPECIES OF CONCERN IN NEW MEXICO
 January 12, 2004

Sandoval County**ENDANGERED**

Black-footed ferret (*Mustela nigripes*)**
 Southwestern willow flycatcher (*Empidonax traillii extimus*)
 Rio Grande silvery minnow (*Hybognathus amarus*) with critical habitat

THREATENED

Bald eagle (*Haliaeetus leucocephalus*)
 Mexican spotted owl (*Strix occidentalis lucida*) with critical habitat

CANDIDATE

Yellow-billed cuckoo (*Coccyzus americanus*)

SPECIES OF CONCERN

Goat Peak pika (*Ochotona princeps nigrescens*)
 New Mexican meadow jumping mouse (*Zapus hudsonius luteus*)
 Townsend's big-eared bat (*Corynorhinus townsendii*)
 American peregrine falcon (*Falco peregrinus anatum*)
 Arctic peregrine falcon (*Falco peregrinus tundrius*)
 Baird's sparrow (*Ammodramus bairdii*)
 Mountain plover (*Charadrius montanus*)
 Northern goshawk (*Accipiter gentiles*)
 Western burrowing owl (*Athene cunicularia hypugea*)
 Rio Grande cutthroat trout (*Oncorhynchus clarki virginalis*)
 Rio Grande sucker (*Catostomus plebeius*)
 Jemez Mountain salamander (*Plethodon neomexicanus*)
 New Mexico silverspot butterfly (*Speyeria nokomis nitocris*)
 San Ysidro tiger beetle (*Cicindela willistoni funaroii*)
 William Lar's tiger beetle (*Cicindela fulgida williamlarsi*)
 Gypsum phacelia (*Phacelia* sp. nov.)
 Gypsum townsendia (*Townsendia gypsophila*)
 Knight's milk-vetch (*Astragalus knightii*)
 Parish's alkali grass (*Puccinellia parishii*)

Santa Fe County

ENDANGERED

- Black-footed ferret (*Mustela nigripes*)**
- Southwestern willow flycatcher (*Empidonax traillii extimus*)
- Rio Grande silvery minnow (*Hybognathus amarus****)

THREATENED

- Bald eagle (*Haliaeetus leucocephalus*)
- Mexican spotted owl (*Strix occidentalis lucida*)

CANDIDATE

- Yellow-billed cuckoo (*Coccyzus americanus*)

SPECIES OF CONCERN

- New Mexican meadow jumping mouse (*Zapus hudsonius luteus*)
- Townsend's big-eared bat (*Corynorhinus townsendii*)
- American peregrine falcon (*Falco peregrinus anatum*)
- Arctic peregrine falcon (*Falco peregrinus tundrius*)
- Baird's sparrow (*Ammodramus bairdii*)
- Mountain plover (*Charadrius montanus*)
- Northern goshawk (*Accipiter gentilis*)
- Western burrowing owl (*Athene cunicularia hypugea*)
- Rio Grande sucker (*Catostomus plebeius*)
- Santa Fe cholla (*Opuntia viridiflora*)

Index

Endangered	=	Any species which is in danger of extinction throughout all or a significant portion of its range.
Threatened	=	Any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.
Candidate	=	Candidate Species (taxa for which the Service has sufficient information to propose that they be added to list of endangered and threatened species, but the listing action has been precluded by other higher priority listing activities).
Proposed	=	any species of fish, wildlife or plant that is proposed in the Federal Register to be listed under section 4 of the Act.
Species of Concern	=	Taxa for which further biological research and field study are needed to resolve their conservation status <u>OR</u> are considered sensitive, rare, or declining on lists maintained by Natural Heritage Programs, State wildlife agencies, other Federal agencies, or professional/academic scientific societies. Species of Concern are included for planning purposes only.
*	=	Introduced population
**	=	Survey should be conducted if project involves impacts to prairie dog towns or complexes of 200-acres or more for the Gunnison's prairie dog (<i>Cynomys gunnisoni</i>) and/or 80-acres or more for any subspecies of Black-tailed prairie dog (<i>Cynomys ludovicianus</i>). A complex consists of two or more neighboring prairie dog towns within 4.3 miles (7 kilometers) of each other.
***	=	Extirpated in this county
†	=	May occur in this county from re-introductions in Colorado.

This list provides pre-project planning information. Under the Endangered Species Act, as amended (Act), it is the responsibility of the Federal action agency or its designated representative to determine whether a proposed action "may affect" any listed or proposed species. Section 7 of the Act requires Federal agencies to consult with us should it be determined that their actions (permitting, authorizing, or carrying out) may affect a listed threatened or endangered species. We recommend that adequate species-specific surveys be conducted within suitable habitat during the appropriate flowering/breeding seasons to address project-related impacts on these species. Candidate and species of concern have no legal protection under the Act and are included in this document for planning purposes only. We are concerned and would appreciate receiving any status information that is available or gathered on these species. If any candidates or species of concern decline significantly, they could be listed as endangered or threatened species. Therefore, actions which may contribute to the decline of these species should be avoided. The scope of federally-listed species compliance also includes any other interrelated or interdependent project activities as indicated at 50 CFR, Part 402.02.

New Mexican Wildlife of Concern - Sandoval County Page 1 of 2

Common Name	SCIENTIFIC NAME	FWS..	NM...	FS.	BLM..					
NM... FWS.						ESA	WCA	R3	NM	Sen
SOC										
Rio Grande Cutthroat Trout	Oncorhynchus clarki virginalis	-	-	s	-					s
m										
Rio Grande Chub	Gila pandora	-	-	-	-					s
-										
Rio Grande Silvery Minnow	Hybognathus amarus	E	g(hm)	E	s					-
-										
Flathead Chub	Platygobio gracilis	-	-	-	s					-
s										
Rio Grande Sucker	Catostomus plebeius	-	-	s	-					-
-										
Jemez Mountains Salamander	Plethodon neomexicanus	g	m	T	s			s	s	n
s										
Northern Leopard Frog	Rana pipiens	-	-	s	-					-
-										
Northern Sagebrush Lizard	Sceloporus graciosus graciosus	-	-	-	-					-
s										
Texas Longnose Snake	Rhinocheilus lecontei	-	-	s	-					-
-										
Snowy Egret	Egretta thula brewsteri	-	-	s	-					-
-										
White-faced Ibis	Plegadis chihi	-	-	s	s					-
s										
Osprey	Pandion haliaetus carolinensis	-	-	s	-					-
-										
Mississippi Kite	Ictinia mississippiensis	-	-	s	-					-
-										
Bald Eagle	Haliaeetus leucocephalus	T	mg	T	s					-
-										
Northern Goshawk	Accipiter gentilis	-	-	s	s					s
s										
Common Black-hawk	Buteogallus anthracinus anthracinus	-	-	T	s					-
-										
Swainson's Hawk	Buteo swainsoni	-	-	s	-					-
-										
Zone-tailed Hawk	Buteo albonotatus	-	-	s	-					-
-										
Ferruginous Hawk	Buteo regalis	-	-	s	s					-
s										
American Peregrine Falcon	Falco peregrinus anatum	m		T	s					-
-										
Sora	Porzana carolina	-	-	s	-					-
-										
Whooping Crane	Grus americana	E	mg	E	s					-
-										
Western Snowy Plover	Charadrius alexandrinus nivosus	-	-	s	-					-
-										
Mountain Plover	Charadrius montanus	T		-	s					-
-										
Yellow-billed Cuckoo	Coccyzus americanus occidentalis	-	-	s	-					-
-										
Flammulated Owl	Otus flammeolus	-	-	s	-					-
-										
Burrowing Owl	Athene cunicularia hypugaea	-	-	-	s					-
s										
Mexican Spotted Owl	Strix occidentalis lucida	T	(h)mg	-	s					-
-										
Black Swift	Cypseloides niger borealis	-	-	-	-					s
-										
Broad-billed Hummingbird	Cynanthus latirostris magicus	-	-	T	s					-
-										
Belted Kingfisher	Ceryle alcyon	-	-	s	-					-
-										
Southwestern Willow Flycatcher	Empidonax traillii extimus	E	h	E	s					-
-										
Loggerhead Shrike	Lanius ludovicianus	-	-	-	s					-
s										
Gray Vireo	Vireo vicinior	-	-	T	s					-
-										
Gray Catbird	Dumetella carolinensis ruficrissa	-	-	s	-					-
-										
American Redstart	Setophaga ruticilla tricolora	-	-	s	-					-
-										
Baird's Sparrow	Ammodramus bairdii	-	-	T	s			s	s	-
s										

Western Small-footed Myotis Bat S	<i>Myotis ciliolabrum melanorhinus</i>	-	-	-	S	S
Yuma Myotis Bat S	<i>Myotis yumanensis yumanensis</i>	-	-	-	S	S
Little Brown Myotis Bat -	<i>Myotis lucifugus carissima</i>	-	-	-	-	S
Occult Little Brown Myotis Bat S	<i>Myotis lucifugus occultus</i>	-	-	S	S	S
Long-legged Myotis Bat S	<i>Myotis volans interior</i>	-	-	-	S	S
Fringed Myotis Bat S	<i>Myotis thysanodes thysanodes</i>	-	-	-	S	S
Long-eared Myotis Bat S	<i>Myotis evotis evotis</i>	-	-	-	S	S
Spotted Bat S	<i>Euderma maculatum</i>	-	T	S	S	-
Pale Townsend's Big-eared Bat S	<i>Plecotus townsendii pallescens</i>	-	-	S	S	S
Big Free-tailed Bat S	<i>Nyctinomops macrotis</i>	-	-	-	S	S
Goat Peak Pika S	<i>Ochotona princeps nigrescens</i>	-	-	S	S	S n
Gunnison's Prairie Dog -	<i>Cynomys gunnisoni</i>	-	-	-	-	S
New Mexican Jumping Mouse S	<i>Zapus hudsonius luteus</i>	-	T	S	S	-
American Marten -	<i>Martes americana origenes</i>	-	T	S	-	-

New Mexican Wildlife of Concern - Sandoval County Page 2 of 2

Common Name.....	SCIENTIFIC NAME.....	FWS..	NM...	FS.	BLM..	
NM... FWS.		ESA	WCA	R3	NM	Sen
SOC						
Wrinkled Marshsnail	Stagnicola caperatus	-	E	s	-	-
-						
San Ysidro Mealybug	Distichlicoccus fontanus	-	-	-	-	sn
-						
Socorro Mountainsnail	Oreohelix neomexicana	-	-	-	-	sn
-						
Pearly Checkerspot Butterfly	Charidryas acastus acastus	-	-	-	-	-
s						

NATIVE WILDLIFE APPARENTLY NO LONGER OCCURRING IN SANDOVAL COUNTY

Shovelnose Sturgeon	Scaphirhynchus platyrhynchus	(extirpated from NM)
American Eel	Anguilla rostrata	(extirpated from NM)
Gizzard Shad	Dorosoma cepedianum	
Rio Grande Bluntnose Shiner	Notropis simus simus	(extinct)
Gray Redhorse	Moxostoma congestum	
Blue Sucker	Cycleptus elongatus	
Freshwater Drum	Aplodinotus grunniens	(extirpated from NM)
Gray Wolf	Canis lupus	
Grizzly Bear	Ursus arctos	(extirpated from NM)
Black-footed Ferret	Mustela nigripes	(extirpated from NM)



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

March 31, 2004

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

Mr. Richard Becker, Ph.D.
1005 Indiana Street, S.E.
Albuquerque, New Mexico 87108

Dear Mr. Becker:

Enclosed for your review and comment is a copy of the Draft Environmental Impact Statement (DEIS) entitled, ***The Closure of the Al Black Recreation Area at the Cochiti Lake Dam Outlet Works in Sandoval County, New Mexico.***

The 45-day public review of this proposal begins April 9, 2004. Please submit your reply **no later than May 24, 2004** so that we can address your comments, incorporate the correspondence into the final document, and complete National Environmental Policy Act compliance. If you have any questions or need additional information please contact Mr. Ernest Jahnke of my staff at telephone (505) 342-3416.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie Hall", is written over a horizontal line.

Julie Hall, Chief
Environmental Resources Section

Enclosure

Distribution list:

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6200 Jefferson NE
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Pena Blanca, NM 87041

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Albuquerque, NM 87111

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2912 California Street NE
Albuquerque, NM 87110

Mr. Micheal Davis
7777 Jefferson NW
Albuquerque, NM 87135

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Santa Fe, NM 87504

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P.O. Box 581
Albuquerque, Nm 87103

Mr. & Mrs. Milton Vernon
1026 Jewel Pl. NE
Albuquerque, NM 87123

Mr. Paul Jaeger
6528 Barabca Drive
Cochiti Lake, NM 87803

Mr. & Mrs. Paul Johnson
6534 Horseshoe Dr
Cochiti Lake, NM 87803

Mr. Edwin Macy
25 Camino a Las Estrellas
Placitas, NM 87043

Mr. Micheal Kadisak
6535 Tahawash St.
Cochiti Lake, NM 87803

Mr. Richard Ransom
6626 Shkamarayu PL
Cochiti Lake, NM 87803

Mr. Kevin Wrigley
Ms. Linda Concepcion
Tip Top Table Farm
26 Sile Road
Peña Blanca, NM 87041



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

March 31, 2004

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

Albuquerque Public Library
501 Copper, N.W.
Albuquerque, New Mexico 87102

Attention: Reference Section

Dear Librarian:

Enclosed are two copies of the Draft Environmental Impact Statement entitled, ***The Closure of the Al Black Recreation Area at the Cochiti Dam Outlet Works in Sandoval County, New Mexico.*** Please make them available to your general readership from April 9, 2004 to May 24, 2004.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie Hall", is written over a horizontal line.

Julie Hall, Chief
Environmental Resources Section

Enclosures



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

March 31, 2004

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

Rio Rancho Public Library
950 Pinetree Road, S.E.
Rio Rancho, New Mexico 87124

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Julie Hall, Chief
Environmental Resources Section

Enclosures



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

March 31, 2004

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

Santa Fe Public Library
145 Washington Street
Santa Fe, New Mexico 87501

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Sincerely,

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Julie Hall, Chief
Environmental Resources Section

Enclosures

Draft Environmental Impact Statement for

***The Closure of the Al Black Recreation Area at the Cochiti Dam
Outlet Works in Sandoval, County, New Mexico.***

The U.S. Army Corps of Engineers, Albuquerque District, is accepting public comments on this document from April 9, 2004 through May 24, 2004. Comments should be sent to:

U.S. Army Corp of Engineers
Albuquerque District
Environmental Resources Section
Attn: CESP-PM-LE (Mr. Ernest Jahnke)
4101 Jefferson Plaza NE
Albuquerque, NM 87109-3435

Electronic comments may be sent to:

ernest.w.jahnke@usace.army.mil



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

March 31, 2004

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

Ms. Joy Nicholopolous
Field Supervisor
U.S. Fish and Wildlife Service
2105 Osuna, N.E.
Albuquerque, New Mexico 87113

Attention: Federal Projects Section

Dear Ms. Nicholopolous:

In accordance with the Fish and Wildlife Coordination Act, enclosed for your review and comment is a copy of the Draft Environmental Impact Statement (DEIS) entitled, ***The Closure of the Al Black Recreation Area at the Cochiti Dam Outlet Works in Sandoval County, New Mexico.***

The 45-day public review begins April 9, 2004. Please submit your reply **no later than May 24, 2004** so that we can address your comments, incorporate the correspondence into the final document, and complete National Environmental Policy Act compliance. If you have any questions or need additional information please contact Mr. Ernest Jahnke of my staff at telephone (505) 342-3416.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie Hall", with a long horizontal stroke extending to the right.

Julie Hall, Chief
Environmental Resources Branch

Enclosure



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

March 31, 2004

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

Ms. Joy Nicholopoulos
Field Supervisor
U.S. Fish and Wildlife Service
2105 Osuna, N.E.
Albuquerque, New Mexico 87113

Attention: Threatened and Endangered Species Section

Dear Ms. Nicholopolous:

Enclosed for your review and comment is the Draft Environmental Impact Statement (DEIS) entitled, ***The Closure of the Al Black Recreation Area at the Cochiti Dam Outlet Works in Sandoval County, New Mexico***. The DEIS details the closure of the existing recreation facilities, the restoration of the area in coordination with the Pueblo de Cochiti, and the construction of replacement facilities at our Cochiti Lake and Tetilla Peaks Recreation Areas.

In accordance with Section 7 of the Endangered Species Act, the Albuquerque District Corps of Engineers (Corps) has made a final determination that the proposed work may affect, but is not likely to adversely affect the Bald Eagle (*Haliaeetus leucocephalus*). All work would be accomplished in accordance with the agreed protocol established between our offices that avoids disturbance to the species. We request your concurrence with this determination and any appropriate species management recommendations.

The Corps has also determined that the work would not affect the Southwestern Willow Flycatcher (*Empidonax traillii extimus*) and the Whooping Crane (*Grus americana*). The DEIS contains our final biological assessment of all pertinent information regarding these species within the project areas.

The Final Rule published February 19, 2003 in the Federal Register for the endangered Rio Grande silvery minnow (*Hybognathus amarus*) identified Cochiti Dam as the northern

limit of its critical habitat. Prior to that, the New Mexico Highway 22 Bridge was the northern limit of its formerly designated critical habitat. Following publication of the February 19, 2003 rule, this office received verbal confirmation from Mr. Eric Hein of your staff that the Final Rule would be corrected to state that the bridge is the northern limit of the critical habitat. For this reason, our biological assessment does not discuss the silvery minnow as all of the project activities and impacts would be upstream of the bridge and outside the limits of critical habitat. Please confirm that the Final Rule correction has been made or otherwise clarify this information.

The 45-day public review of this proposal begins April 9, 2004. Please submit your reply **no later than May 24, 2004** so that we can address your comments, incorporate the correspondence into the final document, and complete Section 7 coordination. If you have any questions or need additional information please contact Mr. Ernest Jahnke of my staff at telephone (505) 342-3416.

Sincerely,



Julie Hall, Chief
Environmental Resources Section

Enclosure



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

March 31, 2004

Planning, Project and Program Management
Planning Branch
Environmental Resources Section

Governor Harold Candelaria
Pueblo of San Felipe
Post Office Box 4339
San Felipe Pueblo, New Mexico 87001

Dear Governor Candelaria:

Enclosed for your review and comment is a copy of the combined Draft Environmental Impact Statement entitled, ***The Closure of the Al Black Recreation Area at the Cochiti Lake Outlet Works, Sandoval County, New Mexico.***

The 45-day public review of this document begins April 9, 2004. Please submit your reply **no later than May 24, 2004** so that we can address your comments, incorporate the correspondence into the final document, and complete National Environmental Policy Act compliance. If you have any questions or need additional information please contact Mr. Ernest Jahnke of my staff at telephone (505) 342-3416.

Sincerely,


for Dana R. Hurst
Lieutenant Colonel, U.S. Army
District Engineer

Enclosure



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

March 31, 2004

Planning, Project and Program Management
Planning Branch
Environmental Resources Section

Governor Sisto Quintana
Pueblo of Santo Domingo
P.O. Box 99
Santo Domingo Pueblo, New Mexico 87052

Dear Governor Quintana:

Enclosed for your review and comment is a copy of the combined Draft Environmental Impact Statement entitled, ***The Closure of the Al Black Recreation Area at the Cochiti Lake Outlet Works, Sandoval County, New Mexico.***

The 45-day public review of this document begins April 9, 2004. Please submit your reply **no later than May 24, 2004** so that we can address your comments, incorporate the correspondence into the final document, and complete National Environmental Policy Act compliance. If you have any questions or need additional information please contact Mr. Ernest Jahnke of my staff at telephone (505) 342-3416.

Sincerely,

for 
Dana R. Hurst
Lieutenant Colonel, U.S. Army
District Engineer

Enclosure



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

March 31, 2004

Planning, Project and Program Management
Planning Branch
Environmental Resources Section

Governor Sam Aquero
Pueblo of Cochiti
P.O. Box 70
Cochiti, New Mexico 87072

Dear Governor Aquero:

Enclosed for your review and comment is a copy of the combined Draft Environmental Impact Statement entitled, ***The Closure of the Al Black Recreation Area at the Cochiti Lake Outlet Works, Sandoval County, New Mexico.***

The 45-day public review of this document begins April 9, 2004. Please submit your reply **no later than May 24, 2004** so that we can address your comments, incorporate the correspondence into the final document, and complete National Environmental Policy Act compliance. If you have any questions or need additional information please contact Mr. Ernest Jahnke of my staff at telephone (505) 342-3416.

Sincerely,

Dana R. Hurst
for Dana R. Hurst
Lieutenant Colonel, U.S. Army
District Engineer

Enclosure



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

March 31, 2004

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

U.S. Environmental Protection Agency
Office of Federal Activities, Room 7241
Ariel Rios Building (South Oval Lobby)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20004

Dear Sir:

In accordance with Section 1506.9 of 40 CFR 1502, enclosed for filing are five copies (with appendices) of the Draft Environmental Impact Statement entitled, ***The Closure of the Al Black Recreation Area at the Cochiti Dam Outlet Works in Sandoval County, New Mexico.***

The distribution of this document to Federal, State, local agencies, tribes, private organizations, and individuals has been completed. If you have any questions or comments, please contact Mr. Ernest Jahnke, Biologist, at telephone (505) 342-3416.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie A. Hall", is written over a horizontal line.

Julie A. Hall, Chief
Environmental Resources Section

Enclosures

Copy furnished w/encl:

U.S. Environmental Protection Agency
NEPA Review Office
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202



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

March 31, 2004

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

Mr. Richard Hansen
State of New Mexico
Department of Game and Fish
One Wildlife Way
Post Office Box 25112
Santa Fe, NM 87504

Dear Mr. Hansen:

Enclosed for your review and comment are four copies of the Draft Environmental Impact Statement (DEIS) entitled, ***The Closure of the Al Black Recreation Area at the Cochiti Lake Dam Outlet Works in Sandoval County, New Mexico.***

The 45-day public review of this proposal begins April 9, 2004. Please submit your reply **no later than May 24, 2004** so that we can address your comments, incorporate the correspondence into the final document, and complete National Environmental Policy Act compliance. If you have any questions or need additional information please contact Mr. Ernest Jahnke of my staff at telephone (505) 342-3416.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie Hall", is located below the word "Sincerely,".

Julie Hall, Chief
Environmental Resources Branch

Enclosures



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

April 8, 2004

Executive Office

Honorable Pete V. Domenici
United States Senator
201 Third Street, N.W., Suite 710
Albuquerque, New Mexico 87102

Dear Senator Domenici:

The Pueblo de Cochiti (Pueblo) has requested, and the U.S. Army Corps of Engineers (Corps) has agreed, to close the Al Black Recreation Area at the Cochiti Dam Outlet Works in Sandoval County, New Mexico. The facility is located on Pueblo property leased to the Corps for operations, maintenance and recreation. In conjunction with this Federal action, the Corps is planning to establish two new universally accessible fishing areas on Cochiti Lake at the Cochiti Lake and Tetilla Peaks Recreation Areas.

The enclosed Draft Environmental Impact Statement entitled, "*The Closure of the Al Black Recreation Area at the Cochiti Dam Outlet Works in Sandoval County, New Mexico*" has been compiled in compliance with the National Environmental Policy Act (NEPA). Comments on the document are being accepted from April 9 through May 24, 2004.

If you have any questions, please contact Mr. Ernest Jahnke of my Environmental Resources Section at telephone (505)342-3416.

Sincerely,

A handwritten signature in black ink, appearing to read "Dana R. Hurst".

Dana R. Hurst
Lieutenant Colonel, U.S. Army
District Engineer

Enclosure

Copy furnished w/o enclosure:
Honorable Pete V. Domenici
Senate Hart Office Building, Room 329
Washington, DC 20510-3101



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

April 8, 2004

Executive Office

Honorable Steve Pearce
House of Representatives
111 School of Mines Road
Socorro, New Mexico 87801

Dear Mr. Pearce:

The Pueblo de Cochiti (Pueblo) has requested, and the U.S. Army Corps of Engineers (Corps) has agreed, to close the Al Black Recreation Area at the Cochiti Dam Outlet Works in Sandoval County, New Mexico. The facility is located on Pueblo property leased to the Corps for operations, maintenance and recreation. In conjunction with this Federal action, the Corps is planning to establish two new universally accessible fishing areas on Cochiti Lake at the Cochiti Lake and Tetilla Peaks Recreation Areas.

The enclosed Draft Environmental Impact Statement entitled, "*The Closure of the Al Black Recreation Area at the Cochiti Dam Outlet Works in Sandoval County, New Mexico*" has been compiled in compliance with the National Environmental Policy Act (NEPA). Comments on the document are being accepted from April 9 through May 24, 2004.

If you have any questions, please contact Mr. Ernest Jahnke of my Environmental Resources Section at telephone (505)342-3416.

Sincerely,

A handwritten signature in black ink, appearing to read "Dana R. Hurst", with a long, sweeping underline.

Dana R. Hurst
Lieutenant Colonel, U.S. Army
District Engineer

Enclosure

Copy furnished w/o enclosure:
Honorable Steve Pearce
House of Representatives
1408 Longworth House Office Building
Washington, DC 20515-3102



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

April 8, 2004

Executive Office

Honorable Tom Udall
House of Representatives
City Hall
3900 Southern Boulevard, S.E.
Rio Rancho, New Mexico 87124

Dear Mr. Udall:

The Pueblo de Cochiti (Pueblo) has requested, and the U.S. Army Corps of Engineers (Corps) has agreed, to close the Al Black Recreation Area at the Cochiti Dam Outlet Works in Sandoval County, New Mexico. The facility is located on Pueblo property leased to the Corps for operations, maintenance and recreation. In conjunction with this Federal action, the Corps is planning to establish two new universally accessible fishing areas on Cochiti Lake at the Cochiti Lake and Tetilla Peaks Recreation Areas.

The enclosed Draft Environmental Impact Statement entitled, "The Closure of the Al Black Recreation Area at the Cochiti Dam Outlet Works in Sandoval County, New Mexico" has been compiled in compliance with the National Environmental Policy Act (NEPA) Comments on the document are being accepted from April 9 through May 24, 2004.

If you have any questions, please contact Mr. Ernest Jahnke of my Environmental Resources Section at telephone (505)342-3416.

Sincerely,

A handwritten signature in black ink, appearing to read "Dana R. Hurst".

Dana R. Hurst
Lieutenant Colonel, U.S. Army
District Engineer

Enclosure
Copy furnished w/o enclosure:
Honorable Tom Udall
House of Representatives
1414 Longworth House Office Building
Washington, DC 20515-3103



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

April 8, 2004

Executive Office

Honorable Heather Wilson
House of Representatives
20 First Plaza, N.W., Suite 603
Albuquerque, New Mexico 87102

Dear Ms. Wilson:

The Pueblo de Cochiti (Pueblo) has requested, and the U.S. Army Corps of Engineers (Corps) has agreed, to close the Al Black Recreation Area at the Cochiti Dam Outlet Works in Sandoval County, New Mexico. The facility is located on Pueblo property leased to the Corps for operations, maintenance and recreation. In conjunction with this Federal action, the Corps is planning to establish two new universally accessible fishing areas on Cochiti Lake at the Cochiti Lake and Tetilla Peaks Recreation Areas.

The enclosed Draft Environmental Impact Statement entitled, "*The Closure of the Al Black Recreation Area at the Cochiti Dam Outlet Works in Sandoval County, New Mexico*" has been compiled in compliance with the National Environmental Policy Act (NEPA). Comments on the document are being accepted from April 9 through May 24, 2004.

If you have any questions, please contact Mr. Ernest Jahnke of my Environmental Resources Section at telephone (505)342-3416.

Sincerely,

A handwritten signature in cursive script, reading "Dana R. Hurst", is positioned above the typed name.

Dana R. Hurst
Lieutenant Colonel, U.S. Army
District Engineer

Enclosure

Copy furnished w/o enclosure:
Honorable Heather Wilson
House of Representatives
318 Cannon House Office Building
Washington, DC 20515-3101



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

April 8, 2004

Executive Office

Honorable Jeff Bingaman
United States Senator
625 Silver Avenue, S.W., Suite 130
Albuquerque, New Mexico 87102

Dear Senator Bingaman:

The Pueblo de Cochiti (Pueblo) has requested, and the U.S. Army Corps of Engineers (Corps) has agreed, to close the Al Black Recreation Area at the Cochiti Dam Outlet Works in Sandoval County, New Mexico. The facility is located on Pueblo property leased to the Corps for operations, maintenance and recreation. In conjunction with this Federal action, the Corps is planning to establish two new universally accessible fishing areas on Cochiti Lake at the Cochiti Lake and Tetilla Peaks Recreation Areas.

The enclosed Draft Environmental Impact Statement entitled, "*The Closure of the Al Black Recreation Area at the Cochiti Dam Outlet Works in Sandoval County, New Mexico*" has been compiled in compliance with the National Environmental Policy Act (NEPA). Comments on the document are being accepted from April 9 through May 24, 2004.

If you have any questions, please contact Mr. Ernest Jahnke of my Environmental Resources Section at telephone (505)342-3416.

Sincerely,

Dana R. Hurst
Lieutenant Colonel, U.S. Army
District Engineer

Enclosure

Copy furnished w/o enclosure:
Honorable Jeff Bingaman
Senate Hart Office Building, Room 703
Washington, DC 20510-3102

Magalie R. Salas,
Secretary.

[FR Doc. E4-790 Filed 4-8-04; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6650-2]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 564-7167. An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in the *Federal Register* dated April 2, 2004 (69 FR 17403).

Draft EISs

ERP No. D-AFS-L65443-OR Rating E02, Biscuit Fire Recovery Project, various management activities alternatives, implementation, Rogue River and Siskiyou National Forests, Josephine and Curry Counties, OR.

Summary: EPA expressed environmental objections with adverse impacts to water quality under the preferred alternative. Impacts from increased sediment delivery to already impaired surface waters could cause long term exceedances in State Water Quality standards and effects on designated beneficial uses (salmonid rearing). EPA's other concerns included impacts to waters in the Northwest Forest Plan-designated key watersheds, Wild and Scenic Rivers, and potential wilderness values in Inventoried Roadless Areas.

ERP No. D-FHW-F40420-MN Rating EC2, I-94/TH-10 Interregional connection from St. Cloud to Becker, transportation improvements, funding and U.S. Army COE section 404 permit, in the cities of Becker and St. Cloud, Sherburn, Stearns and Wright Counties, MN.

Summary: EPA has environmental concerns with the proposed project related to the secondary land use and cumulative impacts associated with the project. EPA also recommends that a mitigation plan with specific mitigation measures be developed and included in the FEIS for the preferred alternative identified.

ERP No. D-IBR-K65262-CA Rating EC2, Lake Berryessa Visitor Services

Plan, future use and operation, Solano Project Lake Berryessa, Napa County, CA.

Summary: EPA expressed environmental concerns that significant increases in visitor use under the proposed VSP could result in negative impacts to air and water quality. EPA requested information on estimated future use and environmental impacts be included in the FEIS.

Final EISs

ERP No. F-AFS-C65003-PR, Caribbean National Forest, Rio Sabana picnic area construction, Rio Sabana Trail Reconstruction and PR-191 Highway Reconstruction from km.21.3 to km 20.0, implementation and special-use permit issuance, PR.

Summary: Based upon the additional information provided in the final EIS, EPA does not have any objections to the implementation of the preferred alternative.

ERP No. F-AFS-J65383-MT, Logan Creek Ecosystem Restoration Project, hazardous fuel reduction across the landscape and vegetation management restoration or maintenance, Flathead National Forest, Tally Lake Ranger District, Flathead County, MT.

Summary: EPA expressed environmental concerns with short-term water quality effects of road construction and vegetation treatments. However, modifications to the preferred alternative should improve water quality and fisheries habitat, and reduce risk of severe wildfire over the long term.

ERP No. F-AFS-J65388-UT, North Rich Cattle Allotment, proposal to authorize grazing, implementation, Logan District, Wasatch-Cache National Forest, Cache and Rich Counties, UT.

Summary: EPA continued to express environmental concerns about impacts to water quality and aquatic resources, soil resources, and wildlife habitat.

ERP No. F-AFS-J65391-WY, Blackhall-McAnulty Analysis Area, proposal to reduce the spread of Dwarf Mistletoe and Mountain Pine Beetle in Lodgepole Pine Stands, Brush Creek/Hayden Ranger District, Medicine Bow-Routt National Forests and Thunder Basin National Grassland, Carbon County, WY.

Summary: EPA continued to express environmental concerns with disturbances to terrestrial habitat and watersheds and impacts within the project area. The final EIS did however propose to minimize impacts on the landscape and decommission roads while meeting project goals.

ERP No. F-AFS-K61158-CA, Silver Pearl Land Exchange Project, proposal

to exchange 2,153 acres of National Forest System (NFS) land for up to 3,963 acres of Sierra Pacific Industries (SPI) land within the boundary of Eldorado National Forest, Eldorado and Placer Counties, CA.

Summary: The final EIS adequately addresses issues raised in our comment letter on the DEIS.

ERP No. F-AFS-K65260-AZ, Rodeo-Chediski Fire Salvage Project, timber harvest of merchantable dead trees as sawtimber and products other than lumber (POL), implementation, Apache-Sitgreaves and Tonto National Forests, Apache, Coconino and Navajo Counties, AZ.

Summary: EPA continues to express environmental concerns regarding cumulative impacts and potential impacts to watershed conditions.

ERP No. F-AFS-L65426-OR, Flagtail Fire Recovery Project, addressing the differences between existing and desired conditions, Blue Mountain Ranger District, Malheur National Forest, Grant County, OR.

Summary: No formal comment letter was sent to the preparing agency.

ERP No. F-FRC-H03000-00, Cheyenne Plains Pipeline Project, natural gas transmission pipeline construction and operation, NPDES permit and U.S. Army COE section 404 permit issuance, several counties, CO and several counties, KS.

Summary: EPA has no objection to the proposed action since previous issues were resolved.

ERP No. FA-COE-E36167-FL, Central and Southern Florida Project, Tamiami Trail Feature (US Highway 41), modified water deliveries to Everglades National Park, Dade County, FL.

Summary: EPA has no environmental objections to the measures proposed to protect the Tamiami roadway.

Dated: April 6, 2004.

Ken Mittelholtz,
Environmental Protection Specialist, Office of Federal Activities.

[FR Doc. 04-8098 Filed 4-8-04; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6650-1]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564-7167 or <http://www.epa.gov/compliance/nepa/>. Weekly receipt of Environmental Impact Statements

Filed March 29, 2004 Through April 2, 2004

Pursuant to 40 CFR 1506.9.

EIS No. 040149, DRAFT EIS, AFS, AK, Resurrection Creek Stream and Riparian Restoration Project, Proposes to Accelerate the Recovery of Riparian Areas, Fish and Wildlife Habitat, Chugach National Forest, Seward Ranger District, Kenai Peninsula Borough, AK, Comment Period Ends: May 24, 2004, Contact: Dave Blanchet (907) 743-9538.

EIS No. 040150, FINAL EIS, SFW, CA, South Bay Salt Ponds Initial Stewardship Plan, To Maintain and Enhance the Biological and Physical Conditions, South San Francisco Bay, CA, Wait Period Ends: May 10, 2004, Contact: Marge Kolar (510) 792-0222.

EIS No. 040151, DRAFT EIS, AFS, OR, Crooked River National Grassland Vegetation Management/Grazing, Vegetation Treatments and Grazing Disposition, Ochoco National Forest, Jefferson County, OR, Comment Period Ends: May 24, 2004, Contact: Kristin Bail (541) 416-6648. This document is available on the Internet at: <http://www.fs.fed.us/r6/centraloregon/projects/units/crooked>.

EIS No. 040152, DRAFT EIS, COE, NM, The Closure of the Al Black Recreation Area at the Cochiti Lake Dam Outlet Works, Implementation, Sandoval County, NM, Comment Period Ends: May 24, 2004, Contact: Ernest Jahnke (505) 342-3416.

EIS No. 040153, DRAFT EIS, BLM, MT, Dillon Resource Management Plan, Provide Direction for Managing Public Lands within the Dillon Field Office, Implementation, Beaverhead and Madison Counties, MT, Comment Period Ends: July 12, 2004, Contact: Renee Johnson (406) 683-8016. This document is available on the Internet at: <http://www.mt.blm.gov/dfo/rmp>.

EIS No. 040154, FINAL EIS, NPS, PA, Lackawanna Heritage Valley a State and National Heritage Area, Management Action Plan, Implementation, Lackawanna, Luzerne, Wayne and Susquehanna Counties, PA, Wait Period Ends: May 10, 2004, Contact: Peter Samuel (315) 597-1848.

EIS No. 040155, FINAL EIS, EPA, CT, NY, Central and Western Long Island Sound Dredged Material Disposal Sites, Designation, CT and NY, Wait Period Ends: May 10, 2004, Contact: Jean Brochi (617) 918-1070.

EIS No. 040156, DRAFT EIS, AFS, UT, Wasatch Powderbird Guides Permit Renewal, Authorization to Continue Providing Guided Helicopter Skiing Activities on National Forest System (NFS) Land on the Wasatch-Cache

and Uinta National Forests, Special-Use Permit (SUP), Provo and Salt Lake City, UT, Comment Period Ends: May 24, 2004, Contact: Steve Scad (801) 733-2689. This document is available on the Internet at: <http://www.fs.fed.us/r4/wcnf/projects/decisions/index.shtml>.

EIS No. 040157, FINAL EIS, BLM, OR, Upper Siuslaw Late-Successional Reserve Restoration Plan, To Protect and Enhance Late-Successional and Old-Growth Forest Ecosystems, Eugene District Resource Management Plan, Northwest Forest Plan, Coast Range Mountains, Lane and Douglas Counties, OR, Wait Period Ends: May 10, 2004, Contact: Rich Colvin (541) 683-6669.

EIS No. 040158, DRAFT EIS, NOA, WA, ID, OR, CA, Pacific Coast Groundfish Fishery Management Plan, Amendment 16-3 Adopts Rebuild Plans for Bocaccio, Cowcod, Widow Rockfish and Yelloweye Rockfish, Maximum Sustainable Yield (MSY), Implementation, WA, OR, ID and CA, Comment Period Ends: May 24, 2004, Contact: Robert Lohn (206) 526-6150. This document is available on the Internet at: <http://www.pcouncil.org>.

EIS No. 040159, DRAFT EIS, FHW, WA, WA-99 Alaskan Way Viaduct and Seawall Replacement Project, To Provide Transportation Facility and Seawall with Improved Earthquake Resistance, U.S. Army COE Section 10 and 404 Permits, Seattle WA, Comment Period Ends: June 1, 2004, Contact: Mary Gray (360) 753-9487.

EIS No. 040160, FINAL EIS, NOA, Framework Adjustment 4 to the Atlantic Mackerel, Squid, and Bullfish Fishery Management Plan, To Extend the Moratorium to the Illex Fishery, Mid-Atlantic Fishery Management Council, Wait Period Ends: May 10, 2004, Contact: George H. Darcy (301) 713-1622.

EIS No. 040161, DRAFT EIS, COE, CA, Hamilton City Flood Damage Reduction and Ecosystem Restoration, Propose to Increase Flood Protection and Restore the Ecosystem, Sacramento River, Glenn County, CA, Comment Period Ends: May 24, 2004, Contact: Erin Taylor (916) 557-5140.

EIS No. 040162, FINAL EIS, COE, NC, Bogue Inlet Channel Erosion Response Project, Relocation of the Main Ebb Channel to Eliminate the Erosive Impact to the Town of Emerald Isle, Carteret and Onslow Counties, NC, Wait Period Ends: May 24, 2004, Contact: Mickey Sugg (910) 251-4811.

Dated: April 6, 2004.

Ken Mittelholtz,
Environmental Protection Specialist, Office
of Federal Activities.

[FR Doc. 04-8099 Filed 4-8-04; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[OPPT-2003-0072; FRL-7342-6]

Pollution Prevention Grants and Announcement of Financial Assistance Programs Eligible for Review; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA expects to have approximately \$5 million available in fiscal year 2004 grant/cooperative agreement funds under the Pollution Prevention (P2) Grant Program. Grants/cooperative agreements will be awarded under the authority of the Pollution Prevention Act (PPA) of 1990, subject to the availability of funds at the time of award. The Pollution Prevention Act of 1990 and 40 CFR part 35, subpart B, authorize EPA to award grant funds to State, Tribes, and Intertribal Consortia programs that address the reduction or elimination of pollution across environmental media (air, land, and water) and to strengthen the efficiency and effectiveness of pollution prevention technical assistance programs in providing source reduction information to businesses. This year, EPA more prominently emphasizes measurement as one of the National program criteria used in evaluating grant applications. In addition, EPA strongly encourages applicants to consider replicating previous P2 Grant projects, in order to more broadly demonstrate regional and preferably national environmental impact. This notice describes the procedures and criteria for the award of these grants.

FOR FURTHER INFORMATION CONTACT: For general information contact: Colby Lintner, Regulatory Coordinator, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 554-1404; e-mail address: TSCA-Hotline@epa.gov.

For technical information contact: Michele Amhaz, Pollution Prevention Division (7409M), Office Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-

Notice

The U.S. Army Corps of Engineers, Albuquerque District (Corps), has completed the Draft Environmental Impact Statement (DEIS) entitled *The Closure of the Al Black Recreation Area at the Cochiti Dam Outlet Works in Sandoval County, New Mexico*. The proposed project entails permanently closing the recreation area to public access. To offset most of the lost recreation resources associated with this action, two new recreation areas will be opened on the shoreline of Cochiti Lake at the existing Cochiti Lake and Tetilla Peaks Recreation Areas.

The DEIS is electronically available for viewing and copying at the Albuquerque District website (under "Environmental Assessment and FONSI") at:

<http://www.spa.usace.army.mil>

or a hard copy will be sent upon written request to the following address:

U.S. Army Corps of Engineers
Albuquerque District
Environmental Resources Branch
Attn: CESP-PM-LE (Mr. Ernest Jahnke)
4101 Jefferson Plaza NE
Albuquerque, New Mexico 87109-3435

Printed copies of the copies of the DEIS area also available for review at the Peña Blanca Community Center, the Albuquerque Main Library, the Rio Rancho Library, the Santa Fe Library, and the Albuquerque Corps offices.

The public review will extend from April 9, 2004. Written comments should be sent to the above address and will be accepted until 4:30 PM, May 24, 2004. Alternatively, comments may be sent electronically to ernest.w.jahnke@usace.army.mil.

Publish this in:

Albuquerque Journal
PO Drawer J-T
Albuquerque NM 87103
POC: Samantha/legal@abqpubco.com
FAX 505.823.3994
Accepts VISA
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The New Mexican
202 East Marcy St.
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Accepts VISA
Publishes M-F/ deadline is 2 ½ days prior

The Observer
1594 Sara Road
Rio Rancho, NM 87124
(505) 892-5719/
Accepts VISA
Publish Wed/deadline is Fri. Noon
Publish Fri/deadline is Tues. Noon

APPENDIX B

PUBLIC REVIEW COMMENTS

FOR

DRAFT ENVIRONMENTAL IMPACT STATEMENT

AND

CORPS RESPONSES

APPENDIX B CORRESPONDENCE

<u>AUTHOR</u>	<u>DATE</u>	<u>COMMUNICATION</u>
David Schultz/ Corps Response	May 24, 2004	E-mail
Consuelo V. Annon/ Corps Response	May 23, 2004	Letter
U.S. Department of the Interior/Corps response	May 21, 2004	Letter
U.S. Fish & Wildlife Service/ Corps response	May 17, 2004	Letter
Natural Resources Conservation Service	April 20, 2004	Letter
Corps of Engineers/ Sharkey	April 12, 2004	Letter

(This constitutes the only correspondence received during the 45-day public comment period for the Draft Environmental Impact Statement)

Jahnke, Ernest W SPA

From: Jahnke, Ernest W SPA
Sent: Tuesday, May 25, 2004 1:17 PM
To: 'Dave Schultz'
Subject: RE: Draft EIS - Closure of Al Black Rec Area

Mr. Schultz:

Thank you for your comments on the Draft Environmental Impact Statement (DEIS) addressing the closure of the Al Black Recreation Area at the Outlet Works at Cochiti Lake. For clarification purposes, I have numbered the paragraphs of your comments. Following are the Corps' responses.

1. The Executive Summary has been amended to include "objections by local fishermen" under the Public Involvement Activities section. Section 2.03.2 of the DEIS states that one of the reasons for eliminating Pena Blanca as an alternative recreation site was "local fishermen opposition."
2. The State of New Mexico Standards for Interstate and Intrastate Surface Waters defines "coldwater fishery" as a surface water of the state where the water temperature and other characteristics are suitable for the support or propagation or both of coldwater fishes. Coldwater fishes are salmonids such as the rainbow trout that are stocked at the Cochiti Outlet Works by the New Mexico Department of Game and Fish (pers. comm. Richard Hansen, Assistant Director of Fisheries, NM Department of Game and Fish.)
3. See paragraph 2 above. This is the definition of "coldwater fishery" used in the DEIS.
4. The DEIS summarized an observation by a representative of the New Mexico Department of Game and Fish that Alternative 5 was unsuitable as a fishing site due to shallow, rapid flowing water and the absence of deep pools. Comparing the physical conditions of the stream at Pena Blanca and Alternative 5 is therefore unnecessary since both of these locations were eliminated from consideration as a replacement fishing site based on their failure to meet one or more of the site suitability criteria described in Section 2.03.1 of the DEIS. Since both of these alternative sites were rejected, the location of a fishing pier was never determined at the respective sites.
5. The DEIS (and the Draft Environmental Assessment) discussed the Pena Blanca site in detail because it was the only alternative relocation site that would have replaced all recreation resources lost with the closing of the Al Black Recreation Area. The National Environmental Policy Act requires such in-depth discussions of all alternatives that may be environmentally acceptable. The Pena Blanca site was eliminated as an alternative site due to opposition from fishermen, the local community, and the unavailability of real estate. Ms. Vester was opposed to establishing a recreation site at Pena Blanca in concern for potential human disturbance to her farm. The e-mail was sent as an assurance that the Corps had eliminated Pena Blanca from further consideration.

-----Original Message-----

From: Dave Schultz [mailto:daveschultz@worldnet.att.net]
Sent: Monday, May 24, 2004 9:05 PM
To: Jahnke, Ernest W SPA
Subject: RE: Draft EIS - Closure of Al Black Rec Area

1. Please include my public comments. In the Executive summary you indicate that the Pena Blanca site was rejected because of "local controversy and unavailability of real estate." It should be noted that all of the self-identified fishermen at both the Rio Rancho meeting in August of 2003 and again at the Pena Blanca meeting in December 2003 spoke out against the Pena Blanca site indicating that it was not acceptable.
2. A great deal of emphasis has been made about "cold water fishery". At the December 2003 Pena Blanca meeting I specifically asked what constitutes a "cold water fishery". You were unable or unwilling to provide an answer to

that question. Since you are using "cold water fishery" as a criteria, please specify what constitutes a cold water fishery.

3. I am curious why your apparent definition of cold water fishery differs from other commonly used definitions.

4. In rejecting Alternative 5 you state ... not good for fishing because of "rapid shallow water with no deep pools". How does that differ from the Pena Blanca site with heavily weed infested shallow water. How many deep pools are there are within casting distance of the proposed pier?

5. I also wonder why you sent my wife Pat Vester an e-mail stating that the Pena Blanca site was no longer being considered as a alternative when a large part of this document seems to try to justify the Pena Blanca site.

David E. Schultz

Consuelo V Annon
6639 Vooscane Ave
Cochiti Lake, NM
87083

May 23,2004

Julie Hall Chief
Environmental Resources Section
Planning, Project & Program Management Division
Planning Branch
Environmental Resources section
Dept of That Army Corp of Engineers
4101 Jefferson Plaza NE
Albuquerque, NM 87109-3435

Dear Ms. Hall

I have reviewed the draft of the Environmental Impact Statement for ***The Closure of the AI Black Recreational Area at the Cochiti Lake Dam Outlet works in Sandoval County, New Mexico.***

The second amendment to the amended Memorandum of Understanding between Corps of Engineers and Pueblo de Cochiti contract is unusual in that it is signed only by then Pueblo de Cochiti Governor Johnnie Bowannie. Signatures of neither the Superintendent Southern Pueblos Agency nor Julian E. Pylant of the Corps of Engineers appear on the document. Was this ever a valid amendment?

} 1

I enclose copies of reports provided to me by Los Alamos National Laboratory regarding contaminants such as mercury plutonium and PCB in Cochiti Lake.

I searched the website for the New Mexico Department of Game and Fish for any reference to handicapped fishing. I enclose printouts of the two pages I found. They are within the PDF files of the Fishing Rules and Information Booklets for both 2003-2004 and 2004-2005. There is no mention of the AI Black Recreational Area. The website for the Department of Vocational Rehabilitation is currently not available.

I was appalled by the tone of several of the responses "...Native Americans whine and complain" as well as inaccuracies, the BLM manages and made changes to Kasha-Katuwe not Pueblo de Cochiti. The wisest and most compassionate human being I have ever known was from Pueblo de Cochiti. I know his response to these people would be to shake his head and say, " Those people,... they don't know any better. It is up to us to show them the right way."

Pueblo de Cochiti was pressured since the 1920's, if not even before statehood, to allow the Army Corps of Engineers to dam the Rio Grande. The initial contract stated the Federal Government would exchange the land utilized by the dam and lake for land of equal value. Pueblo de Cochiti did not sign that document and instead signed a 99-year lease. There is no land of equal value to one's sacred home.

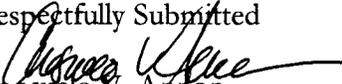
“There are sacred places on this earth, places that generate power even hold and project power” Joy Harjo

There are sacred places on this earth that hold the powers of joy and peace that heal the soul and sing the joy of life. Many of these places become centers of pilgrimages, prayers and healing. Some like Santuario de Chimayo are acculturated and domesticated. Some like Taos Blue Lake are not. Crucial to the reclamation of the Taos Blue Lake lay public awareness that their religion was the basis of the Taos people claim.

Much of Pueblo religion is secret because the knowledge is powerful and with the knowledge of the sacred secrets comes the responsibility to all beings to act the right way and take responsibility for the consequences of one’s actions Pueblo religion is quite specific that prayers are for the good of all. This site is a sacred site. It has been a place of pilgrimage since preconquest and will remain so after the oil wells and power plants are dry and silent.

I applaud the Corps of Engineers returning this site to the members of Pueblo De Cochiti whose duties include tending this sacred site.

Respectfully Submitted


Consuelo V. Annon

Enclosures:

PBC in Catfish and Carp

Trace Elements with Specific reference to Mercury

Radionuclide Concentrations

Excerpt from Sacred Objects and Sacred Places: Preserving Tribal Traditions

Corps Response to Comments from Consuelo V. Annon

1. In Appendix F of the Final Environmental Impact Statement, the second amendment to the amended Memorandum of Understanding dated June 12, 1984 is attached to the June 11, 1984 letter from Governor Bowannie. The Corps subsequently accepted this amendment and both parties have acted ever since in accordance with its provisions.



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
P.O. Box 26567 (MC-9)
Albuquerque, New Mexico 87125-6567



May 21, 2004

ER 04/329

Ernest Jahnke
U. S. Army Engineer District, Albuquerque
Environmental Resources Section
4101 Jefferson Plaza, NE
Albuquerque, New Mexico 87109

Dear Mr. Jahnke:

The U.S. Department of the Interior has reviewed the Draft Environmental Impact Statement (DEIS) for the Closure of the Al Black Recreation Area at the Cochiti Lake Outlet Works in Sandoval County, New Mexico. In this regard, the following comments are provided for your consideration as you prepare the final environmental documentation.

The landowner of the property, the Pueblo de Cochiti (Pueblo), has requested this closure for religious and cultural reasons. The Army Corps of Engineers (Corps) has approved the request, as the recreation facility is not necessary for the efficient operation and maintenance of the Project. The selected relocation alternative provides for two new universally accessible public fishing areas and facilities on Cochiti Lake. This alternative would replace most of the public recreation resources lost through the closure of the existing facility. However, the planned action would result in the significant loss of the regionally unique coldwater fishing opportunity available at the Outlet Works. In addition, constructing the replacement sites on existing Project land would result in a net loss of public recreation area.

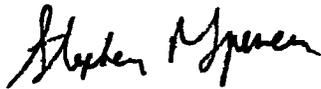
General Comments

Based on our review of the DEIS, we have no Project-related issues or concerns pertaining to fish and wildlife resources. Any potential concerns were resolved during early coordination on this Project. In 2003, the U. S. Fish and Wildlife Service reviewed the draft Environmental Assessment (EA) for the project. At that time, the proposal included closing Al Black Recreation Area and transferring the recreation area to Peña Blanca. Based on our review of the draft EA, we were concerned about potential impacts associated with stocking brown trout in designated silvery minnow critical habitat, and the Corps agreed to not stock brown trout at the Peña Blanca site. As noted in the document, the closure of Al Black will unfortunately result in the loss of a unique cold water recreational fishery. The transfer of the Al Black facility to the sites identified on Cochiti Reservoir should offset some of the impacts to recreation associated with the closure of Al Black. Construction-related adverse impacts should be temporary and relatively minor.

Although the selection of Alternative 2 (planned action) appears to be a viable replacement for the elimination of the Al Black Recreation Area, the loss of the regionally unique coldwater fishing at the Outlet Works will cause a significant adverse affect on public recreation. The considcration of the Peña Blanca site, as an alternative, should be identified as a reasonable and/or feasible alternative, based on the conditions and characteristics of the site. The decision by the Middle Rio Grande Conservancy District (District) not to concur with the incorporation of the site as an alternative was a management opinion unrelated to the site's adaptability as a viable alternative. We would encourage discussions to continue with the District and others having an interest in the property at Peña Blanca, including the Bureau of Reclamation, in order to resolve concerns and allow for an opportunity to minimize the adverse impact on coldwater recreational fishing from the elimination of the Al Black Recreation Area.

We appreciate the opportunity to provide comments on this DEIS. If you have questions or need further information regarding our concerns, feel free to contact me at (505) 563-3572.

Sincerely,



Stephen R. Spencer, Ph.D.
Regional Environmental Officer

Corps Response to Comments by the U.S. Department of Interior

1. The Corps acknowledges in the Draft Environmental Impact Statement that the Peña Blanca alternative site would have the potential to replace all environmental and recreational resources lost with the closure of the Al Black Recreation Area. The Corps also agrees that the decision by the Middle Rio Grande Conservancy District (MRGCD) not to permit the use of their property as a recreation site was a management opinion unrelated to the site's adaptability as a viable alternative. MRGCD's decision was influenced by the controversy associated with the opposition to this proposal from the Peña Blanca community and fishermen who frequented the Outlet Works. For these reasons, the Corps concluded that this decision by MRGCD made the site an unfeasible alternative and that pursuing it further for this purpose would not be in the public interest.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
New Mexico Ecological Services Field Office
2105 Osuna NE
Albuquerque, New Mexico 87113
Phone: (505) 346-2525 Fax: (505) 346-2542

May 17, 2004

Cons. # 2-22-03-I-669

Lt. Colonel Dana Hurst
Attention: CESP-OD-R
U.S. Army Corps of Engineers
4101 Jefferson Plaza N.E.
Albuquerque, New Mexico 87109-3435

Dear Lt. Colonel Hurst:

This letter is in response to your April 2, 2004, request to the U.S. Fish and Wildlife Service (Service) for consultation pursuant to section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. § 1531 *et seq.*) (ESA). The consultation concerns the effects of closing the Al Black Recreation Area on the threatened bald eagle (*Haliaeetus leucocephalus*). The Al Black Recreation Area is located at the Cochiti Dam Outlet Works on the Pueblo de Cochiti, Sandoval County, New Mexico.

The project would assist the Pueblo de Cochiti in their community-wide restoration efforts. These efforts include the addition of community infrastructure and the implementation of natural resource restoration work to help the Pueblo maintain their cultural and traditional integrity.

The Corps proposes to permanently close the Al Black Recreation Area (Al Black) and restore the property to as natural a condition as possible. As part of the proposed action, the Al Black Recreation Area easement would be terminated and public access would be prohibited. Access to the area would be limited to Pueblo, Corps, and Middle Rio Grande Conservancy District personnel and Bureau of Reclamation operation and maintenance personnel.

All public recreation related facilities (parking areas, restrooms, etc.) would be removed. Disturbed areas would be treated through disking, grading or other means to facilitate restoration of the site. The north and south parking areas would be filled with fertile soil from a local borrow source. Slightly sculpted hills would be created and placed in the middle of each lot. Upon the completion of backfilling, re-seeding efforts would focus on restoration of native vegetation communities as appropriate. Soil erosion control techniques would be used throughout the site to encourage groundcover recovery and shrub community establishment for natural soil stability. Erosion control techniques include seeded erosion control blankets, silt fences, wattles, and gabions for steeper slopes or cuts. Erosion control techniques would also be applied to the severely eroded hills

immediately south of the outlet works. All deteriorated chain-link fencing along NM 22 on the exterior of the site would also be replaced.

To mitigate for project related impacts to recreation, two new recreation sites would be developed on Cochiti Reservoir. The first site would be located on the west side of the reservoir at the Cochiti Marina cove. The second site would be located on the east side of the reservoir in the Tetilla Peaks Recreation Area.

Each new recreation site would include shade structures, picnic tables, signage, a universally accessible fishing platform, vault toilet, and a 20-stall asphalt parking lot. The fishing platform would have a 5.5-foot wide gangway with a slope not to exceed 1:12; a textured, no-skid surface; and railings designed to accommodate anglers in wheelchairs. The 32-foot by 20-foot fishing platform would be constructed of polyethylene modular units with individual flotation chambers and a flotation capacity of 4,000 pounds.

The vault toilets would have separate rooms for men and women. Features include 4-inch thick concrete waste vaults and continual airflow technology. The facility design would allow for ease of maintenance and minimize vandalism.

The Corps has determined that the proposed action, “may affect, is not likely to adversely affect” the bald eagle.

The NMESFO concurs with the Corps’ determination of “may affect, not likely to adversely affect” the bald eagle, for the proposed recreation area relocation project. Our concurrence is based on the following understanding of your proposed project:

- No potential bald eagle winter roosting trees would be disturbed during construction.
- Presence/absence of bald eagles would be monitored during construction in the fall and winter.
- If a bald eagle is present within 0.5 mile of the project area in the morning before project activity begins, or arrives during breaks in project activity, the contractor would be required to suspend all activity until the bird leaves of its own volition; or a Corps biologist, in consultation with the Service, determines that the potential for harassment is minimal.
- If bald eagles are consistently found in the immediate project area during the construction period, the Corps would contact the Service to determine if formal consultation under the ESA is necessary.

Please contact the Service to verify the above determination and concurrence are still valid if:
1) Future surveys detect listed, proposed or candidate species in habitats where they have not been previously observed; 2) the project is changed or new information reveals effects of the actions to the listed species or their habitats to an extent not considered in this evaluation; or 3) a new species is listed that may be affected by these project.

This concludes section 7 consultation on the Corps' proposed closure of the AI Black Recreation Area. The Service appreciates the information provided by the Corps in preparing this evaluation. We also appreciate your commitment to avoid adverse effects to listed species and your efforts to improve fish and wildlife habitat. In future communications regarding this letter or the proposed project, please refer to Consultation #2-22-03-I-669. If you have any questions concerning this letter, please contact John Branstetter of my staff at (505) 346-2525, ext. 4753.

Sincerely,



Susan MacMullin
Field Supervisor

cc:

Governor, Pueblo of Cochiti

Governor, Pueblo of Santo Domingo

Director, New Mexico Department of Game and Fish, Santa Fe, New Mexico

Director, New Mexico Energy, Minerals, and Natural Resources Department, Forestry
and Resources Conservation Division, Santa Fe, New Mexico

State Director, Bureau of Land Management, Santa Fe, New Mexico

Corps Response to Comments by the U.S. Fish and Wildlife Service

1. The Corps will contact the U.S. Fish and Wildlife Service to verify the determination the project “may affect, is not likely to adversely affect” the Bald Eagle if: 1) Future surveys detect listed, proposed or candidate species in habitats where they have not been previously observed; 2) the project is changed or new information reveals effects of the actions to the listed species or their habitats to an extent not considered in this evaluation; or 3) a new species is listed that may be affected by this project. This wording has been included in Section 5.06 of the Final Environmental Impact Statement.



6200 Jefferson NE
Albuquerque, New Mexico 87109
Phone: (505) 761-4400 Fax: (505) 761-4462
Web site: www.nm.nrcs.usda.gov

April 20, 2004

Julie Hall
Chief, Environmental Resources Section
US Army Corps of Engineers, Albuquerque District
4101 Jefferson Plaza NE
Albuquerque, New Mexico 87109

RE: Review of Final Environmental Impact Statement and/or Record of Decision.

Dear Ms. Hall:

We have reviewed the draft copy Environmental Impact Statement for the closure of the Al Black recreation area at the Cochiti Lake Dam outlet works in Sandoval County, New Mexico. We have no comments.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Rosendo Treviño III", is written over a light blue horizontal line.

ROSENDO TREVIÑO III
State Conservationist



Reply to
Attention of:

DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 Jefferson Plaza, NE
Albuquerque, New Mexico 87109-3435
Fax (505) 342-3199

April 12, 2004

Planning, Project and Program Management

Mr. John M. Sharkey
410 Las Marias Drive, S.E.
Rio Rancho, New Mexico 87124

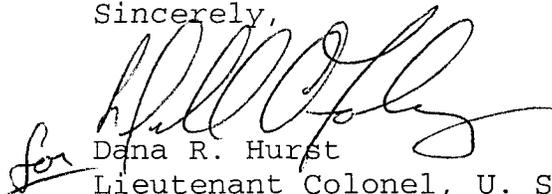
Dear Mr. Sharkey,

Thank you for your letter of March 7, 2004 regarding the closure of recreation at the Cochiti Lake outlet works. As I mentioned during the public meetings on December 3 and 4, 2003, I intend to keep the public informed on the status of the Al Black Recreation Area. By this time, you should have received a copy of the Draft Environmental Impact Statement that was released on April 9, 2004 for public comment. Since we have not been able to find a suitable area that would mitigate the loss of the cold-water fishery, our action will be to close the area for fishing.

Although not mitigation, we are planning, in coordination with New Mexico Game and Fish, to establish two fishing sites on the lakeside above the dam. These sites will be fully compliant with the Americans with Disabilities Act. One will be located near the marina and the other will be located on the south side of the lake near the Tetilla Peak campground. We will begin conceptual drawings shortly and encourage you, members of your club, as well as other members of the community to participate in the development of these areas.

If you have any questions or require additional information, please contact Ronald R. Kneebone of my staff at (505) 342-3355.

Sincerely,


Dana R. Hurst
Lieutenant Colonel, U. S. Army
District Engineer

Copy furnished:

Senator Jeff Bingaman
Senator Pete V. Domenici
Representative Tom Udall
Representative Heather Ann Wilson
Sam Aquero, Governor Pueblo de Cochiti