



DEPARTMENT OF THE ARMY  
SOUTH PACIFIC DIVISION, CORPS OF ENGINEERS  
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## RECORD OF DECISION

### THE CLOSURE OF THE AL BLACK RECREATION AREA AT THE COCHITI DAM OUTLET WORKS IN SANDOVAL COUNTY, NEW MEXICO

I have reviewed the final Environmental Impact Statement (EIS) dated June 2004 for *The Closure of the Al Black Recreation Area at the Cochiti Dam Outlet Works in Sandoval County, New Mexico*. Based on my review and the views of interested agencies, the concerned public, the Pueblo de Cochiti (Pueblo), and other pueblos and tribes, I find the action proposed in the EIS to be environmentally acceptable. I also find that the land upon which the recreation activities at the Al Black Recreation Area are located is not necessary for the efficient operation and maintenance of the Cochiti Dam and Lake (project). Thus, and in view of the 1975 Memorandum of Understanding between the Pueblo and the Corps of Engineers, as amended, I approve the Pueblo's request to terminate the recreation portion of the easement at the Cochiti Dam Outlet Works. I also approve the development of alternative public recreation facilities. The plan consists of the following major features:

- Closure of the Al Black Recreation Area and removal of all recreation facilities,
- Restoration of the site to more natural conditions in coordination with the Pueblo, and
- Development of two new, universally accessible public recreation/fishing areas at the existing Cochiti and Tetilla Peak Recreation Areas on Cochiti Lake.

In addition to the no action alternative, five feasible alternative locations on Cochiti Lake (three at the Cochiti Recreation Area and two at the Tetilla Peak Recreation Area) were considered as replacement recreation sites. All alternatives are fully discussed in the EIS. With the exception of the coldwater fishing opportunity at the Outlet Works, each of the five Cochiti Lake sites would replace all other lost recreation resources. One site was selected at the Cochiti Recreation Area and one site at the Tetilla Peak Recreation Area.

The criteria for selecting a suitable replacement recreation site on Cochiti Lake included the potential for good fishing; access to and accessibility of the site; and factors that affect the quality of fishing such as wind action, boat traffic, and existing fish habitat. All five sites are easily accessed by existing roads and are within close proximity to existing recreation facilities that include campgrounds, restrooms, day-use areas, and boat ramps. With improvements, these facilities could meet universal accessibility standards. Shade structures could be installed at all locations. The two sites chosen as the most suitable for universally accessible public facilities (fishing platform, shade structures, toilets) contain no known cultural resources and are protected from wind action and boat traffic. In addition, the Tetilla Peak site contains the best fishing area on the lake. The three other feasible sites were not selected for one or more of the following reasons: lack of protection from wind, less desirable topographically for installing universally accessible facilities, or excessive boat traffic.

All practicable means to avoid or minimize adverse environmental effects have been incorporated into the planned action. Site restoration at the Al Black Recreation Area will provide improved terrestrial habitat for the benefit of the local environment. Construction of the new lake recreation facilities will involve permanent but minimal disturbances to the shoreline that will be compatible with the recreation purpose of the project. The universally accessible facilities constructed at the two new lake recreation sites will comply with the Americans With Disabilities Act Guidelines.

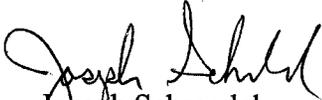
Although an alternative site at Peña Blanca, New Mexico, would have replaced all lost recreation resources, including coldwater fishing, it was removed from consideration due to controversy and opposition to the proposal within the local community, among fisherman frequenting the Outlet Works, and the absence of available real estate.

The planned action will result in the significant yet unavoidable loss of a regionally unique coldwater public recreation fishing opportunity and a net loss of public recreation area. With the exception of Peña Blanca, New Mexico, no other potential replacement coldwater fishing opportunity was identified within the geographic scope of this Environmental Impact Statement. The closure of the recreation area does not represent an irretrievable and irreplaceable commitment of this recreation resource because of the possible, but unlikely, event that the Pueblo would reopen the area in the future to the public in conjunction with stocking trout by the New Mexico Department of Game and Fish.

Pursuant to Section 7 of the Endangered Species Act, the Corps determined that the project will have no effect on the Southwestern Willow Flycatcher and the Whooping Crane. The U.S. Fish and Wildlife Service has concurred with the Corps' determination that the work may affect, but is not likely to adversely affect the Bald Eagle. In accordance with Section 106 of the National Historic Preservation Act, the Corps determined that archaeological sites occur in proximity to the Tetilla Peak site access road. Prior to any improvements to the access road, the portions of the sites within the right-of-way will be tested and, if necessary, excavated with decisions made in consultation with the New Mexico State Historic Preservation Officer. Any impacts to the sites as a result of the Planned Action will be mitigated by this procedure. There are no Traditional Cultural Properties concerns in the area of the proposed plan. The work complies with the provisions of the Clean Water Act of 1972, Protection of Wetlands (Executive Order 11990), and Flood Plain Management (Executive Order 11988).

All applicable laws, executive orders, and regulations were considered in evaluating the alternative plans. The planned action incorporates all practical means of avoiding or minimizing adverse environmental effects, except for the significant yet unavoidable loss of a regionally unique coldwater fishing opportunity. Based on review of these evaluations, I find that the planned action is in the public interest. This Record of Decision completes the National Environmental Policy Act process.

14 July 2004  
Date

  
Joseph Schroedel  
Brigadier General, U.S. Army  
Commanding