

FINDING OF NO SINGIFICANT IMPACT

KING BLVD WATERLINE EXTENSION SANDOVAL COUNTY, NEW MEXICO

The U.S. Army Corps of Engineers, Albuquerque District (USACE) has conducted an environmental analysis in accordance with the National Environmental Policy Act of 1969, as amended. The Environmental Assessment (EA) dated September 2025, for the King Blvd Waterline Extension Project addresses the upkeep and improvement of critical water delivery infrastructure, opportunities and feasibility in Rio Rancho, Sandoval County, New Mexico.

The EA, incorporated herein by reference, evaluated improvements to Well Site #9 and related waterline in the study area. The Proposed Action (recommended plan) involves the following:

Constructing a new water transmission mainline between Well Site #9 and the Rio Rancho City limits. Except for a 600-meter-long segment in Section 25 and 24, this mainline would be installed within the beds of three existing unpaved roads (King Blvd NW, Serenade St. NW, and Phoenix Rd. NW.). The total area of disturbance, including staging area, access routes and the install of the new section of the waterline would be 33.4 acres. The trench for the pipe would be excavated with heavy machinery at a minimum depth of 3 ft.

In addition to the Proposed Action, one alternative (the No-Action Alternative) was evaluated. See Section 2 of this EA for a description of alternatives.

For all alternatives, the potential effects were evaluated, as appropriate. A summary assessment of the potential effects of the recommended plan are listed in Table 1:

Table 1. Summary of Potential Effects of the Proposed Action

Environmental Resources	Insignificant effects	Insignificant effects as a result of mitigation	Resource unaffected by action
Aesthetics	☒	☐	☐
Air quality	☒	☐	☐
Aquatic resources/wetlands	☐	☐	☒
Invasive species	☒	☐	☐
Fish and wildlife habitat	☐	☐	☒
Threatened/Endangered species/critical habitat	☐	☐	☒
Historic properties	☒	☐	☐
Other cultural resources	☐	☐	☒
Floodplains	☒	☐	☐
Hazardous, toxic & radioactive waste	☐	☐	☒
Hydrology and Hydraulics	☒	☐	☐

Environmental Resources	Insignificant effects	Insignificant effects as a result of mitigation	Resource unaffected by action
Land use	☐	☐	☒
Navigation	☐	☐	☒
Noise levels	☒	☐	☐
Public infrastructure	☐	☐	☒
Socioeconomic considerations	☐	☐	☒
Soils	☒	☐	☐
Tribal trust resources	☐	☐	☒
Water quality	☒	☐	☐
Climate	☐	☐	☒

All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the recommended plan. Best management practices (BMPs) are detailed in the EA, listed below, and will be implemented, if appropriate, to minimize impacts:

- Activities would be limited to the designated or otherwise approved areas shown on the construction drawings for construction areas, staging, and access.
- Construction areas would be watered for dust control and comply with local sedimentation and erosion-control regulations.
- All fuels, oils, hydraulic fluids, and other similar substances would be appropriately stored out of the floodplain. Construction equipment would be inspected daily and monitored during operation to prevent leaking fuels or lubricants from entering any surface water.
- BMPs would be implemented regarding the treatment and disposal of waste material. Waste material would be disposed of properly at commercial disposal areas or landfills.
- A Stormwater Pollution Prevention Plan would be required. According to the plan, water resources would be protected with silt fencing, geotextiles, or straw bales, to address and prevent runoff of sediment from areas disturbed by construction.
- Areas disturbed by construction and not developed would be revegetated with native grasses and other species that make up the vegetation community. Any area disturbed by construction and not covered by an impervious surface would be revegetated by applying a native seed mix. For post-construction restoration of the project area, NMDGF recommends that only native plant species are used in the reclamation seed mix and that

the mix is designed to enhance local pollinator habitat. The seed mix and mulch should be certified weed-free to avoid inadvertently introducing non-native species to the reclamation site. Any alternate plant species, used to substitute for primary plant species that are unavailable at the time of reclamation, should also be native. When possible, seeds should be sourced from the same region and habitat type as the reclamation site and should include seeds from a region that represents potential future climatic conditions at the site.

- In compliance with the Migratory Bird Treaty Act, impacts to nesting birds would be avoided by scheduling work outside of the migratory/nesting season or conducting a nest survey at least 3 days prior to any vegetation disturbance or removal.
- Because soil is proposed for removal, NMDGF recommends surveying the project area for any burrowing wildlife species prior to the initiation of any soil moving activities (in addition to burrowing owl and prairie dog surveys recommended in the NMERT-generated report [See Appendix F]). If disturbance of any detected burrowing wildlife cannot be avoided, then a qualified biologist should be engaged to capture and move any such wildlife.

No compensatory mitigation is required as part of the recommended plan.

A review of Corps records, and online records check of the New Mexico Office of Cultural Affairs' Historic Preservation Division New Mexico Cultural Resources Information System (NMCRIIS) database were conducted on February 19, 2025. There are two known or listed historic properties within the area of potential effect or vicinity; both are recommended as not eligible for listing in the National Register of Historic Places. Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, the U.S. Army Corps of Engineers determined that the recommended plan has no effect on any eligible historic properties.

Consistent with the Department of Defense's American Indian and Alaska Native Policy, signed by Secretary of Defense William S. Cohen on October 28, 1998, and based on the State of New Mexico Indian Affairs Department and Historic Preservation Division's (NMHPD) 2019 Native American Consultations List, American Indian Tribes that have indicated they have interests in Sandoval County have been contacted regarding the proposed project. According to the NMHPD, there are seventeen tribes with lands and jurisdiction in Sandoval County, including the Comanche Nation of Oklahoma, Jicarilla Apache Nation, Kewa Pueblo, Navajo Nation, Ohkay Owingeh, Pueblo de Cochiti, Pueblo of Isleta, Pueblo of Jemez, Pueblo of Laguna, Pueblo of San Felipe, Pueblo of San Ildefonso, Pueblo of Sandia, Pueblo of Santa Ana, Pueblo of Santa Clara, Pueblo of Tesuque, Pueblo of Zia, and The Hopi Tribe. Consultation letters were submitted to each tribe on March 24, 2020, February 19, 2025, and March 26, 2025, to determine if they have concerns about any traditional cultural properties, sacred sites, or properties of religious or cultural significance that may be affected by the project. Table 2 and Table 3 below includes the name of each tribe, date the coordination letter was sent, and any comments received from the tribes. Responses received from the tribes are included in Appendix D [Cultural Resources] of the EA.

Public review of the draft EA and draft FONSI occurred from August 17th 2025 to September 15th 2025. All comments submitted during the public review period were responded to in the final EA and final FONSI. A comment-response table is included in Section 5.3 [Consultation and Coordination] and comment letters are provided in Appendix F [Public Scoping] of the final EA and final FONSI.

Pursuant to section 7 of the Endangered Species Act of 1973, as amended, the USACE determined that the recommended plan would have no effect on federally listed species or their designated critical habitat.

The proposed work does not involve a discharge of dredged or fill material within waters of the United States regulated by Section 404 of the Clean Water Act (CWA); therefore, a Department of the Army permit under Section 404 of the CWA would not be required for this project.

All applicable environmental laws have been considered and coordination with appropriate agencies and officials have been completed.

Table 2: Tribal Consultation from March 24, 2020.

Tribe	Date Letters Sent	Response Received	Comments
Comanche Nation of Oklahoma	March 24, 2020	No	
Jicarilla Apache Nation	March 24, 2020	No	
Kewa Pueblo	March 24, 2020	No	
Navajo Nation	March 24, 2020	Yes	No concerns
Ohkay Owingeh	March 24, 2020	No	
Pueblo of Cochiti	March 24, 2020	No	
Pueblo of Isleta	March 24, 2020	No	
Pueblo of Jemez	March 24, 2020	No	
Pueblo of Laguna	March 24, 2020	No	
Pueblos of San Felipe	March 24, 2020	No	
Pueblo of Ildefonso	March 24, 2020	No	
Pueblo of Sandia	March 24, 2020	Yes	No comments

Pueblo of Santa Ana	March 24, 2020	Yes	No comments
Pueblo of Santa Clara	March 24, 2020	No	
Pueblo of Tesuque	March 24, 2020	No	
Pueblo of Zia	March 24, 2020	No	
The Hopi Tribe	March 24, 2020	No	

Table 3: Tribal Consultation from February 19, 2025, and March 26, 2025

Tribe	Date Letters Sent	Response Received	Comments
Comanche Nation of Oklahoma	February 19, 2025 March 26, 2025	Yes	Concurrence with “No [Historic] Properties [Affected]” determination.
Jicarilla Apache Nation	February 19, 2025 March 26, 2025	No	
Kewa Pueblo	February 19, 2025 March 26, 2025	No	
Navajo Nation	February 19, 2025 March 26, 2025	No	
Ohkay Owingeh	February 19, 2025 March 26, 2025	No	
Pueblo of Cochiti	February 19, 2025 March 26, 2025	No	
Pueblo of Isleta	February 19, 2025 March 26, 2025	Yes	No comments.
Pueblo of Jemez	February 19, 2025 March 26, 2025	No	
Pueblo of Laguna	February 19, 2025 March 26, 2025	No	
Pueblos of San Felipe	February 19, 2025 March 26, 2025	Yes	Request for additional information. Upon USACE contact, no further information was requested.
Pueblo of Ildefonso	February 19, 2025 March 26, 2025	No	
Pueblo of Sandia	February 19, 2025 March 26, 2025	Yes	The Pueblo of Sandia has no objection to the waterline project and does not require further consultation.
Pueblo of Santa Ana	February 19, 2025 March 26, 2025	No	
Pueblo of Santa Clara	February 19, 2025 March 26, 2025	No	

Pueblo of Tesuque	February 19, 2025 March 26, 2025	No	
Pueblo of Zia	February 19, 2025 March 26, 2025	No	
The Hopi Tribe	February 19, 2025 March 26, 2025	No	

Technical, environmental, and cost effectiveness criteria used in the formulation of alternative plans were those specified in the Water Resources Council's 1983 Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies. All applicable laws, executive orders, regulations, and local government plans were considered in evaluation of alternatives. Based on this report, the reviews by other Federal, State and local agencies, Tribes, input of the public, and the review by my staff, it is my determination that the recommended plan would not cause significant adverse effects on the quality of the human environment; therefore, preparation of an Environmental Impact Statement is not required.

Date

Matthew T. Miller
Lieutenant Colonel, U.S Army
Albuquerque District