

Draft Environmental Assessment

# Village of Corrales

# Salce Basin Improvements Project

FEMA HMGP-DR-4079-NM Project #3

Sandoval County, New Mexico

*September 2015*



**Federal Emergency Management Agency**

**Department of Homeland Security**

800 North Loop 288

Denton, TX 75209

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## **1.0 INTRODUCTION**

This Environmental Assessment (EA) evaluates potential impacts associated with the proposed Salce Basin Improvements project and has been prepared on behalf of the Village of Corrales. The proposed project is located in Corrales, Sandoval County, New Mexico (see Appendix B). The project involves construction of stormwater infrastructure to minimize flooding in the project vicinity. Corrales is located north of the City of Albuquerque, east and downstream of the City of Rio Rancho, and west of the Rio Grande. During large storm events, water released from or not captured by the dam located adjacent to the project to the west causes large storm flows to flood adjacent roadways and properties. The Village of Corrales, through the New Mexico Department of Homeland Security and Emergency Management (NMDHSEM), applied for funding by the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) to improve area safety.

This EA has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, the President's Council on Environmental Quality (CEQ) regulations to implement NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508), and FEMA's regulations implementing NEPA (44 CFR Part 10). FEMA is required to consider potential environmental impacts before funding or approving actions and projects. The purpose of this EA is to analyze the potential environmental impacts of the Salce Basin Improvements project. FEMA will use the findings in this EA to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

## **2.0 PURPOSE AND NEED FOR PROJECT**

### **2.1 Purpose and Need for Project**

Through HMGP, FEMA provides grants to states and local governments to implement long-term hazard mitigation measures. The purpose of HMGP is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. HMGP is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Based on the continued risk of flooding, Corrales has identified the need to mitigate future flood events associated with the adjacent unnamed arroyo #5 in the residential area in northwestern Corrales by conveying stormwater runoff and flood flows without flooding residential properties and multiple local roadways. The primary need for the project is to reduce flood risk to several residential properties, and protect and maintain traffic flows on Calle de Blas, Calle Blanca, Sagebrush Drive, and Loma del Oro.

### **3.0 ALTERNATIVES**

In evaluating the potential for flood mitigation in the project planning area, two alternatives were identified: the No Action Alternative and the Proposed Action Alternative. One other alternative to the Proposed Action Alternative was eliminated from further consideration.

#### **3.1 No Action Alternative**

In accordance with NEPA and FEMA regulations, the No Action Alternative was considered as a baseline for comparison with other alternatives. Under the No Action Alternative, no infrastructure would be constructed to convey storm water runoff and flood water. The No Action Alternative would not address the area flooding. Residential properties and local roadways would continue to experience flooding as water enters these areas from the adjacent arroyo. Consequently, the No Action Alternative does not meet the purpose and need for the project.

#### **3.2 Proposed Action Alternative**

Under the Proposed Action Alternative, storm drain pipe would be installed, retention ponds would be constructed, and some roadways would be re-graded and re-paved in Corrales, New Mexico. The project area is located in northwestern Corrales in the vicinity of Calle de Blas, Calle Blanca, and Sagebrush Drive. The project has been divided into the following 14 tasks to be constructed in various sequences (see task drawings in Appendix A and figures in Appendix B).

**Task 1** involves the installation of 200 linear feet of 60-inch diameter pipe in an existing drainage channel between Loma del Oro and Salce Park North. This task would connect the tasks 6 and 14 infrastructure. The majority of task 1 occurs on private property for which the Village seeks to obtain 12.5-foot wide easements from each of the two private property owners.

**Task 2** involves the installation of 200 linear feet of 24-inch diameter pipe along the boundary between two residential lots on Calle de Blas, west of Calle Blanca and Salce Park South. This task would connect the tasks 3 and 4 infrastructure. The majority of task 2 occurs on private property for which the Village seeks to obtain 12.5-foot wide easements from each of the two private property owners.

**Task 3** involves the enlargement of an existing drain pond to hold stormwater runoff north of Calle de Blas, and west of Salce Park South. This pond would provide storage for flows that currently wash out properties on Calle de Blas and Sagebrush Drive. Water directed through task 2 would flow into this pond. This task also connects with tasks 12 and 13. Task 3 occurs on Village property.

**Task 4** involves the re-grading and re-paving of Calle de Blas between the cul-de-sac at the west terminus of the road and Calle Blanca to the east. The paving would create an inverted crown in the center of the road that would convey stormwater from the roadway asphalt to the shoulder within the right-of-way in order to prevent damage to adjacent properties. This task would connect with several other tasks including task 2. This task is 1,750 long. Task 4 occurs within Village property.

**Task 5** involves installation of 70 linear feet of 18-inch diameter pipe and reconstruction of a roadway section to direct flows away from homes to a Village-owned pond on the northeast corner of Sagebrush

Drive and Griego Court. This task does not connect with any other task. Task 5 occurs within Village property.

**Task 6** involves the creation of a drain pond within the Salce Park North property to hold stormwater runoff. The proposed pond would be approximately 200 feet long by 300 feet wide and 12 feet deep. The pond would provide storage for flows that currently wash out properties on Loma del Oro and Calle Blanca, and flood roadways. An overflow channel along the west edge of Calle Blanca would also be excavated. This task would connect with tasks 7 and 14. Task 6 is located on Village property.

**Task 7** involves the enlargement of an existing drain pond south of Sagebrush Drive and west of Calle Blanca to hold stormwater runoff. The enlarged pond would provide storage for flows that currently wash out properties at the intersection of Sagebrush Drive and Calle Blanca. This task would connect with task 6. Task 7 is located on Village property.

**Task 8** involves the enlargement of existing drain pond on the north side of Calle de Blas in the right-of-way to hold stormwater runoff. The enlarged pond would provide storage for flows that currently wash out properties on Calle de Blas and flood the roadway. This task would connect with tasks 9, 10, and 11. Task 8 is located within Village property.

**Task 9** involves the re-grading and re-paving of Calle de Blas between Calle Blanca to the west and the existing cul-de-sac, approximately 1000 feet east near the beginning of task 8. The existing roadway is cracked and broken in various locations, and does not transport storm runoff well. The paving would create an inverted crown in the center of the road that would convey stormwater from the roadway asphalt to the shoulder within the right-of-way to prevent damage to adjacent properties. This task is an extension of task 4, and would connect with tasks 8 and 11. Task 9 is located within Village property.

**Task 10** involves the creation of a drain pond to hold stormwater on the north side of Calle de Blas extending from the east end of task 8, approximately 4000 feet to Loma Larga. The pond would provide storage for flows that currently wash out properties on Calle de Blas and flood the roadway. This task is an extension of task 8, and would connect with task 11. Task 10 is located within Village property.

**Task 11** involves the re-grading and re-paving of Calle de Blas from the east end of task 9, approximately 4000 feet east to Loma Larga. The existing roadway is cracked and broken in various locations, and does not transport storm runoff well. The paving would create a super-elevated cross section that would drain runoff into the drain pond created by task 10. This task is an extension of task 9, and would connect with task 10. Task 11 is located within Village property.

**Task 12** involves re-grading the south “loop” of Sagebrush Drive to direct flows into ponds on the south side of the roadway. This task is approximately 500 feet long. It connects with tasks 3 and 13. Task 12 is located on Village property.

**Task 13** involves re-grading the north “loop” of Sagebrush Drive to direct flows into ponds that would be created on the south side of the roadway. The roadway portion of this task connects with task 12. The pond portion of this task is an extension of task 3. Task 13 occurs within Village property.

**Task 14** involves the installation of pipe within the right-of-way of Loma del Oro extending from task 1 to the east into the arroyo to the west. Task 14 would convey high flows from the arroyo through pipe into task 1 and to be detained in the task 6 pond. Currently, high flows in the arroyo flood properties and roadways where the arroyo channel connects with at-grade private properties less than 0.2 mile from the west end of task 14. Task 14 is located within Village property with one easement required.

The project includes a total of 2.80 miles of linear segments for pipe installation and roadway grading and paving. The proposed project is located on land owned by the Village of Corrales and private land. The Village is currently in the process of obtaining easements for the portions of the project on private land. The total amount of disturbance would be approximately 11.60 acres.

### **3.3 Other Alternatives Considered and Dismissed**

One alternative to task 14 was considered and dismissed. The original task 14 design involved the installation of a drain culvert and approximately 750 feet of 60-inch diameter pipe within the arroyo channel to eliminate erosion on existing properties. The pipe would have been placed north within the channel, north of two houses, and around the east side of the second house to connect with task 1. This design would have required the Village obtain easements on three private property parcels between Loma del Oro and Rayo del Sol. This alternative was eliminated due to the need for easements from three private property owners. Choosing an alignment constructed within public right-of-way (requiring only one easement) is more feasible than obtaining three separate easements from private property owners. In addition, per recent regulatory definitions of waters of the United States subject to regulation by the U.S. Army Corps of Engineers, Unnamed Arroyo No. 5 may have been designated as a regulated water feature, which could have added regulatory complexity, cost, and time to the review and implementation of this alternative.

## **4.0 AFFECTED ENVIRONMENT AND POTENTIAL IMPACTS**

### **4.1 Physical Resources**

#### **4.1.1 Geology, Soils, and Seismicity**

##### Affected Environment

The project area is located in northwestern Corrales in the vicinity of Calle de Blas, Calle Blanca, and Sagebrush Drive. The project area is located on Corrales and private land on the *Los Griegos and Alameda, New Mexico* U.S. Geological Survey 7.5-minute topographic maps. The project area ranges from approximately 5,030 to 5,170 feet in elevation. The project area generally drains to the east toward the Rio Grande located less than 1.5 miles away. Land to the west gets higher in elevation moving toward the west mesa. Land use adjacent to the project area includes residential, the undeveloped Village-owned Salce Park, and undeveloped private property.

The project area occurs in the Albuquerque basin of the Rio Grande Subsection of the Mexican Highland Section of the Basin and Range physiographic province (Williams 1986). Geologic material in the project vicinity is composed of Holocene to Upper Pleistocene alluvial deposits near the river, and Holocene to Lower Pleistocene piedmont alluvial deposits west of the Rio Grande (New Mexico Geological Society 1982).

The U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey (NRCS 2013) was reviewed for soil and prime/unique farmland information. The primary soil map units present within the project area is Sheppard loamy fine sand, 3 to 8 percent slopes. This soil is found in dunes, benches, stream terraces, structural benches, and alluvial fans. This soil is somewhat excessively drained. The hazard of water erosion is low while the wind erosion hazard is high.

The Farmland Protection Policy Act is in place to minimize the extent to which federal programs contribute to the unnecessary and irreversible conversion of prime, unique, and other farmlands of statewide or local importance to non-agricultural uses. No farmland is present within or adjacent to the project area. The NRCS Web Soil Survey (NRCS 2013) was reviewed for soil and prime/unique farmland information. Project area soils are rated as “not prime farmland”.

New Mexico has relatively few noticeable earthquakes (USGS 2014a). Most earthquakes in the state are associated with the Rio Grande Rift, and occur along the Rio Grande Valley, especially near Socorro located south of Albuquerque (Williams 1986; USGS 2014a). The project area occurs within the Rio Grande Valley north of Albuquerque in an area of moderate seismic risk according to the U.S. Geological Survey’s seismic hazards map for the state of New Mexico (USGS 2014b).

##### Environmental Consequences

###### *No Action Alternative*

No impacts to geology, soils, or seismicity would result from the No Action Alternative.

### *Proposed Action Alternative*

The Proposed Action Alternative would temporarily impact the environment. Approximately 11.6 acres of soils and vegetation would be disturbed for project construction. While the proposed project is located in an area of seismic risk, no seismic activity has been experienced in the area in more than 40 years (USGS 2014b). The proposed project would not change area geology or seismicity as excavation would not be deep enough to impact these resources.

### Mitigation

Open disturbed soils would be replanted with native vegetation once construction activities are complete to provide soil stabilization. The construction contractor would prepare a Storm Water Pollution Prevention Plan (SWPPP) as part of the National Pollutant Discharge Elimination System (NPDES) permit from the U.S. Environmental Protection Agency (USEPA). The SWPPP would include Best Management Practices (BMPs) identifying measures and techniques to control erosion and prevent sedimentation of arroyos during storm events.

## **4.1.2 Air Quality and Climate Change**

### Affected Environment

The project planning area has an arid to semiarid climate typical of the southwestern United States. The climate is characterized by abundant sunshine, low relative humidity, light precipitation, and wide diurnal temperature fluctuations. Historical climate information for Corrales, New Mexico is available for the period of 1982–2013. During this period, the average annual maximum temperature was 71.0 degrees Fahrenheit (°F) with a high approaching 92°F in July. The average annual minimum temperature in this region was 37.5°F with a low around 20°F in January. The average annual precipitation was 9.91 inches. Summer precipitation supplies more than half the annual moisture from July through October (Western Regional Climate Center 2014).

Under the Clean Air Act, the USEPA established National Ambient Air Quality Standards (NAAQS) for six criteria air pollutants considered harmful to both the public health and the environment above certain concentrations. The six criteria pollutants are carbon monoxide (CO), lead, nitrogen oxides (NOx), particulate matter (PM), ozone, and sulfur oxides (SOx). Sandoval County is in attainment of federal ambient air quality standards (NMED 2013).

In 2010, the CEQ released guidance for how federal agencies should consider climate change. CEQ guidance for NEPA documents suggests that quantitative analysis should be conducted for actions that would release more than 25,000 metric tons of greenhouse gases per year (CEQ 2010).

### Environmental Consequences

#### *No Action Alternative*

No impacts to air quality or climate change would result from the No Action Alternative.

### *Proposed Action Alternative*

Construction of the proposed facilities would disturb approximately 11.6 acres of soils and vegetation for construction of detention ponds and the storm drain. Construction equipment would produce exhaust emissions, and construction activities would temporarily create an increase in airborne particulates by removing vegetation and disturbing soils. Dust produced by construction equipment and vehicles may produce moderate air quality impacts. Increased dust and locally elevated levels of particulate matter (PM-10) may be created downwind of construction activities. Construction activities would meet federal air quality standards by following mitigation measures. The proposed project is not expected to impact global change due to the relatively low amounts of greenhouse gases that would be released from vehicles during construction activities. The proposed project would have no long-term impact to air quality or climate change.

### Mitigation

To minimize air pollution impacts during construction, the construction manager would ensure that the following practices are implemented:

- A SWPPP would be prepared by the construction contractor.
- Exposed and disturbed soils would be watered at a frequency sufficient to avoid fugitive dust.
- Earthmoving and other dust-producing activities would be suspended during periods of high winds, when dust control efforts are unable to prevent fugitive dust.
- Stockpiles of debris, soil, sand, or other materials would be watered or covered.
- Construction areas and adjacent roads would be swept or cleared of mud and debris.
- All construction vehicles on-site would travel at a speed limit of 15 miles per hour or less.
- Materials transported on-site by truck would be covered.

Following construction activity, the construction contractor would reseed open disturbed areas to mitigate any long-term impacts.

Similarly, operation of gasoline- or diesel-powered construction equipment would result in temporary and minor increases in SO<sub>x</sub>, NO<sub>x</sub>, volatile organic compounds, and CO. All construction equipment would be required to use approved emission control devices and limit unnecessary idling.

## **4.2 Water Resources**

### **4.2.1 Surface Water/ Ground Water**

#### Affected Environment

The project planning area is located within the Middle Rio Grande underground water basin (New Mexico Office of the State Engineer 2005). Ground water is shallow near the project area with an average depth to water of 104 feet, a minimum depth to water of 6 feet, and a maximum depth to water of 310 feet

(New Mexico Office of the State Engineer 2014). The unnamed arroyo #5 is within and adjacent to the project area. The arroyo disappears in the project area and does not connect with the Rio Grande. In a preliminary jurisdictional determination, the US Army Corps of Engineers (USACE) determined the arroyo to be an isolated waterway, which is a jurisdictional water of the United States (see communication in Appendix C). The Upper Corrales Ditch, Corrales Main Canal, Corrales Riverside Drain, and the Rio Grande are located east of the project area.

Sections 303(d) and 305(b) of the Clean Water Act (CWA) require all states to identify and characterize waters that do not meet, or are not expected to meet, water quality standards (U.S.C. 1313(d) and 1315(b)). The Rio Grande, located approximately 1.35 miles east of the project area, is listed as an impaired stream for 2014 (NMED 2015).

### Environmental Consequences

#### *No Action Alternative*

Under the No Action Alternative, no impacts to surface or ground water resources would occur.

#### *Proposed Action Alternative*

The proposed project involves the construction of a culvert within the unnamed arroyo #5 as part of task 14, or culvert installation in the Loma del Oro right-of-way, and the creation and expansion of multiple storm water detention ponds to catch storm water flowing through the area. The ponds would retain storm water until the water either evaporates or seeps into the ground. Upon completion of project design, and prior to the onset of construction, the Village of Corrales would obtain the necessary Clean Water Act permitting coverage from the USACE for construction activities within the unnamed arroyo #5. Based on initial feedback from the USACE, the proposed action would likely be covered under the existing Nationwide Permit (NWP) #43 for Stormwater Management Facilities. Any temporary construction-related impacts to surface water quality would be avoided or minimized by complying with the NPDES permit requirements and implementing a Storm Water Pollution Prevention Plan (SWPPP). No significant long-term adverse impacts to surface waters are anticipated.

No impacts to the Upper Corrales Ditch, Corrales Main Canal, Corrales Riverside Drain, or the Rio Grande would occur as a result of the Proposed Action Alternative. No construction activities will occur within these waterways. No waters will be directed through these waterways as a result of the Proposed Action Alternative.

Due to the average depth to water at 104 feet in the vicinity of the project area, construction of the Proposed Action Alternative is not expected to have excavation depths that will reach ground water levels.

### Mitigation

Once prepared, design drawings will be provided to the USACE for review and approval. The Village of Corrales is responsible for coordinating with and obtaining any required Section 404 Permit(s) from USACE and/or any Section 401/402 Permit(s) from the State or EPA prior to initiating work. The Village of Corrales must comply with all conditions of the required permit(s). All coordination pertaining to these activities

should be documented and copies forwarded to the State and FEMA as part of the permanent project files.

The USEPA requires NPDES Construction General Permit (CGP) coverage for storm water discharges from construction projects that would result in the disturbance of one or more acres of total land area. Because the proposed project would disturb more than one acre, appropriate NPDES permit coverage would be required prior to beginning construction. An SWPPP must be prepared for the site and appropriate BMPs must be implemented and maintained both during and after construction to prevent, to the extent practicable, pollutants (primarily sediment, oil and grease, and construction materials) in storm water runoff from entering waters of the United States.

Ground water contamination would be avoided through proper handling and storage of petroleum products, chemicals, toxic substances, and hazardous materials. If an accidental release of contaminants occurs, the release would be reported according to regulations.

#### **4.2.2 Wetlands**

##### Affected Environment

Wetlands are lowland areas that are inundated or saturated with water for a sufficient time to allow a prevalence of hydrophytic vegetation to develop. Jurisdictional wetlands, those protected from unauthorized dredge-and-fill activities under Section 404 of the CWA have three essential characteristics: dominance by hydrophytic vegetation, hydric soils, and wetland hydrology. Hydrophytic vegetation requires inundated or saturated soil for its existence. Hydric soils are ponded or flooded for a sufficient time during the growing season to develop anaerobic conditions. Wetland hydrology is the availability of surface water or ground water to create the wetland environment. In addition, Executive Order (EO) 11990, Protection of Wetlands, directs federal agencies to take actions to minimize the destruction, loss, or degradation of wetlands.

Although there were a few areas in low spots adjacent to Calle de Blas where stormwater pools after storm events, these areas did not support sufficient wetland vegetation or structure to be considered wetlands. Neither do the proposed basin areas have wetland habitat structure. Currently, there are no wetlands in the project area. In addition, the National Wetland Inventory which is maintained by the U.S. Fish and Wildlife Service (USFWS) does not indicate any wetlands in the project area (USFWS 2015).

##### Environmental Consequences

###### *No Action Alternative*

Under the No Action Alternative, no impacts to wetlands would occur.

###### *Proposed Action Alternative*

Under the Proposed Action Alternative, no impacts to wetlands would occur.

###### *Mitigation Measures*

No mitigation measures are needed.

### **4.2.3 Floodplains**

#### Affected Environment

EO 11988, Floodplain Management, requires federal agencies to take actions to reduce the risk of flood loss; to minimize the impact of floods on human safety, health, and welfare; and to restore and preserve the natural and beneficial values served by floodplains in carrying out their responsibilities. FEMA regulations in 44 CFR Part 9, Floodplain Management and Protection of Wetlands, set forth the policy, procedures, and responsibilities to implement and enforce EO 11988 and prohibit FEMA from funding improvements in the 100-year floodplain unless no practicable alternative is available. As shown on FEMA Flood Insurance Rate Maps (FIRMs) 35043C2107D and 35043C2126D, dated March 18, 2008 (FEMA 2008), the project area is located within Zone X, which consists of areas outside the 0.2 percent annual chance floodplain (Appendix C).

#### Environmental Consequences

##### *No Action Alternative*

No impacts to designated floodplains would occur as a result of the No Action Alternative.

##### *Proposed Action Alternative*

The proposed project would not impact a designated floodplain. The proposed detention ponds would collect storm water during rain events to help prevent area flooding. The Proposed Action would neither cause adverse changes in the flood hazard potential in the project area nor have any adverse effects on floodplains. The proposed project would improve the flood hazard potential by mitigating flood risk.

#### Mitigation

No mitigation measures are needed.

### **4.4 Biological Resources**

#### Affected Environment

The project area was surveyed by a qualified biologist in November 2014 to document area natural resources. The items addressed during the survey included the following: general vegetation and wildlife, noxious weeds, wetlands and waterways, migratory birds, and potential impacts to endangered, threatened, and sensitive species or suitable habitats.

##### *Vegetation*

The project area is dominated by Plains/Mesa Sand Scrub vegetation consisting mostly of sand sage (*Artemisia filifolia*) and four-wing saltbush (*Atriplex canescens*). The upper portions of the project area (including the basins) consisted of a mixture of native stands of vegetation intermixed with areas that had been heavily disturbed where vegetation had been altered or removed by either activity around houses or activities related to the stormwater basins. No rare or protected plant communities were observed within the project area.

One Class C New Mexico noxious weed, Siberian elm (*Ulmus pumila*), was observed within the project area. No measures are recommended for Class C species. There are a number of areas within Corrales

where the Class B Russian knapweed (*Acroptilon reprens*) currently occurs. This highly invasive weed thrives within the habitat types found in Corrales.

#### *Wildlife*

Ten species of wildlife were noted in the project area. These included eight bird species: curved-bill thrasher (*Toxostoma curvirostre*), house sparrow (*Passer domesticus*), white-crowned sparrow (*Zonotrichia leucophrys*), house finch (*Haemorhous mexicanus*), American crow (*Corvus brachyrhynchos*), scaled quail *Callipepla squamata*), white-winged dove (*Zenaida asiatica*), and Eurasian collared dove (*Streptopelia decaocto*). Other bird species likely to occur in the area but not noted during the survey are: greater roadrunner (*Geococcyx californianus*), ash-throated flycatcher (*Myiarchus cinerascens*), Say's phoebe (*Sayornis saya*), and mourning dove (*Zenaida macroura*). Also two species of mammals, desert cottontail (*Sylvilagus auduboni*), and Ord's kangaroo rat (*Dipodomys ordii*) were in the project area. All these species can persist and thrive in areas around human residences. There were no reptiles present at the time of the survey due to the winter temperatures. However, numerous past surveys have been conducted in this general area and some of the most common reptiles known to inhabit the area include: New Mexico whiptail (*Aspidoscelis neomexicana*), little striped whiptail (*Aspidoscelis inornata*), and common side-blotched lizard (*Uta stansburiana*).

Many of the bird species mentioned above are protected under the Migratory Bird Treaty Act, which protects birds that migrate across international borders and prohibits take of migratory bird species.

#### *Threatened and Endangered Species*

The Endangered Species Act of 1973 (ESA) requires the evaluation of potential impacts on federally listed species and their critical habitat. The ESA prohibits the unauthorized take of listed species and requires federal governments to consult with USFWS if a proposed undertaking has the potential to adversely affect listed species or adversely modify critical habitat. The following species are federally listed under the ESA for Sandoval County, New Mexico: Jemez Mountains salamander (*Plethodon neomexicanus*)—Endangered; Yellow-billed Cuckoo (*Coccyzus americanus*)—Threatened; Mexican spotted owl (*Strix occidentalis lucida*)—Threatened; Southwestern willow flycatcher (*Empidonax traillii extimus*)—Endangered; Rio Grande silvery minnow (*Hybognathus amarus*)—Endangered; and the New Mexico meadow jumping mouse (*Zapus hudsonius luteus*)—Endangered. In addition, critical habitat has been designated for the Jemez Mountains salamander, Mexican spotted owl, Southwestern willow flycatcher, Rio Grande silvery minnow. Critical habitat has been proposed for the Yellow-billed Cuckoo and the New Mexico meadow jumping mouse. According to the USFWS Critical Habitat Mapper, most designated and proposed critical habitat is well over 30 miles from the project area, however a proposed unit of critical habitat for the Yellow-billed Cuckoo is approximately 1.4 miles east of the project area along the Rio Grande corridor and a designated unit of Rio Grande silvery minnow critical habitat is about 2.25 miles south of the project area, also along the Rio Grande. On February 19, 2003, the USFWS published a final rule establishing critical habitat for the Rio Grande silvery minnow within the remaining portion of their historic range in the Middle Rio Grande, from Cochiti Dam to the utility line crossing the Rio Grande, a permanent identified landmark in Socorro County (USFWS 2003). The USFWS determined that 212 miles of the Rio Grande should be designated as critical habitat for the silvery minnow. The width of critical

habitat along the Rio Grande is defined as those areas bound by existing levees or, in areas without levees, 300 feet of the riparian zone adjacent to the bankfull stage of the river.

An evaluation of the potential for federal and state status species in Sandoval County to occur within the project area was completed. No target species or their sign were observed during the biological survey. The Rio Grande silvery minnow occurs within the Rio Grande approximately 1.3 miles east of the project area. The current distribution of the silvery minnow is limited to the Rio Grande between Cochiti Dam and Elephant Butte Reservoir.

The western burrowing owl and Rio Grande sucker are state status species that have the potential to be present in close proximity to the project area. The native range of the Rio Grande sucker includes the Rio Grande and its tributaries in northern New Mexico and southern Colorado, the Mimbres drainage in southwestern New Mexico, and streams of the Guzman Basin in northwestern Chihuahua. The Rio Grande sucker is found in the Rio Grande (primarily north of the 36th parallel, north of Chimayo) approximately 1.3 miles east of the project area.

The western burrowing owl is a brown, medium-sized owl that is often seen perched on the ground or on fence posts. As the name implies, the western burrowing owl nests underground. Although it generally relies on deserted burrows of small mammals such as prairie dog, ground squirrel, badger, and even kangaroo rat for its nests, it is capable of enlarging burrows of smaller species. Habitat within the project area could support western burrowing owl. However, no owls or their sign were present at the time of the survey, nor were suitable burrows present. It is always possible that western burrowing owl could move into the area in future breeding seasons.

### Environmental Consequences

#### *No Action Alternative*

No impacts to biological resources would occur under the No Action Alternative.

#### *Proposed Action Alternative*

Under the Proposed Action Alternative, disturbance of soils and vegetation would occur on approximately 11.6 acres. The proposed action is not located within critical habitat for any federally listed species and federally listed species are not anticipated in the project areas. The project is not expected to impact any waters that flow into the Rio Grande. No discharge from the proposed project is expected to enter the Corrales Main Canal which ultimately discharges into the Corrales Riverside drain and the Rio Grande. Rather, storm water will be detained in ponds located in the project area. Therefore, water quality and other impacts to the Yellow-billed Cuckoo and Rio Grande silvery minnow, which are known to be present nearby along the Rio Grande corridor, are not anticipated. FEMA has made the determination that the Proposed Action Alternative will have no effect on federally listed endangered and threatened species nor will it adversely modify critical habitat.

With the implementation of avoidance measures, the Proposed Action is expected to have little impact on vegetation and wildlife in the project area. The proposed project would be unlikely to contribute to the spread of noxious weeds. No impacts to the Rio Grande sucker are anticipated because the project

will not impact waters that flow into the Rio Grande. Consultation with NMDGF concerning state-listed species is the responsibility of the applicant.

#### Mitigation

The following measures would reduce effects to biological resources:

- Clean construction equipment prior to arrival at the construction site to ensure that it is free of noxious weed seeds.
- Avoid impacts to the Corrales Main Canal in order to avoid impacts to federal and state protected species that live along neighboring reaches of the Rio Grande.
- Replant disturbed soils with certified weed-free native vegetation.
- Bury any trenching concurrently to reduce trapping of small mammals and reptiles.
- The Village of Corrales will limit vegetation removal work during the peak migratory bird nesting period of March through September as much as possible to avoid destruction of individuals, nests, or eggs. If vegetation removal must occur during the nesting season, the Village of Corrales will deploy a qualified biological monitor with experience conducting breeding bird surveys to survey the project area for nests prior to conducting work. The biologist will determine the appropriate timing of surveys in advance of work activities. If an occupied migratory bird nest is found, work within a buffer zone around the nest will be postponed until the nest is vacated and juveniles have fledged. The biological monitor will determine an appropriate buffering radius based on species present, real-time site conditions, and proposed work. For work near an occupied nest, the biological monitor would prepare a report documenting the migratory species present and the rationale for the buffer radius determination, and submit that report to FEMA for inclusion in project files.
- Regularly maintain the detention ponds including removal of trash and excessive sediment, and restrict use of pesticides and herbicides.

#### **4.5 Archaeological, Cultural and Historic Resources**

Under Section 106 of the National Historic Preservation Act, a federal agency is required to consult with the State Historic Preservation Officer (SHPO) on a proposed undertaking that has the potential to affect historic resources. As part of the project planning process, an inventory is conducted for cultural resources within the Area of Potential Effect (APE) and a determination is made regarding the effect of the Proposed Action on cultural resources. The SHPO then concurs or makes recommendations regarding the Proposed Action.

#### Affected Environment

A cultural records file search in the Archaeological Records Management Section (ARMS) of the New Mexico State Historic Preservation Division through the New Mexico Department of Cultural Affairs, New Mexico SHPO, was conducted for previously recorded archaeological sites and surveys on March 16, 2015.

On November 13, 2014, Marron and Associates (Marron) conducted a cultural resource survey within the APE for the proposed project (NMCRIS Activity #132220). Marron conducted an intensive (100%) pedestrian cultural resource survey of approximately 11.47 acres of project area including both linear and block survey. Archaeologists were unable to survey the private property portions of tasks 1 and 2 due to a lack of permission from property owners. One previously recorded site was updated and six isolated occurrences were recorded during the survey. The site, first recorded by Marron in 1966, is an artifact scatter of unknown cultural affiliation. During the November, 2014 survey, no evidence of the site was identified within the APE of the proposed project. The site was determined not eligible for inclusion in the National Register of Historic Places (NRHP). The six isolated occurrences are recommended not eligible for nomination to the National Register of Historic Places (NRHP).

### Environmental Consequences

#### *No Action Alternative*

No impacts to cultural resources would occur as a result of the No Action Alternative.

#### *Proposed Action Alternative*

Based on information gathered through this review process, FEMA has made a determination of No Historic Properties Affected as a result of the proposed undertaking. The New Mexico SHPO concurred with this determination in a letter dated April 17, 2015 (See Appendix C). In addition, FEMA consulted with seventeen federally recognized tribes that had potential interest in the project area: Pueblo of Cochiti, Comanche Nation, Hopi Tribe, Pueblo of Isleta, Pueblo of Jemez, Jicarilla Apache Nation, Pueblo of Laguna, Navajo Nation, Ohkay Owingeh, Pueblo of San Felipe, Pueblo of San Ildefonso, Pueblo of Sandia, Pueblo of Santa Ana, Pueblo of Santa Clara, Pueblo of Santo Domingo, Pueblo of Tesuque, and Pueblo of Zia. At the time of this draft EA, FEMA had received concurrence from the Comanche Nation (March 23, 1-5) and the Pueblo of Santa Ana (March 19, 2015; See Appendix C).

### Mitigation

In the event that archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and the applicant shall stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. If unmarked graves or human remains are present on private or state land, compliance with the New Mexico Cultural Properties Act (Article 18, Section 6, Subsection 11.2 (18-6-11.2), NMSA 1978, also known as the Unmarked Burial Statute is required. The New Mexico Department of Homeland Security and Emergency Management (NMDHSEM) will require the applicant to stop work immediately in the vicinity of the discovery. NMDHSEM will immediately notify FEMA, and law enforcement agencies of the discovery, which shall notify the Office of the Medical Investigator (OMI) and the SHPO. OMI shall evaluate the remains for medicolegal significance with minimal disturbance of the remains. OMI will terminate the discovery of any non-medicolegal human remains to the SHPO, who shall proceed pursuant to the Unmarked Burial Statute and its implementing regulations found at 4.10.11 NMAC. Pursuant to 36 CFR part 800.2(c)(2)(i), FEMA will also contact all appropriate tribes. For any questions about human remains

on state or private land, contact State Archeologist, Bob Estes, (505) 827-4225, Fax (505) 827-6338, [bob.estes@state.nm.us](mailto:bob.estes@state.nm.us).

#### 4.6 Socioeconomic Resources

##### 4.6.1 Environmental Justice

###### Affected Environment

Impacts to minority and low-income communities are given special consideration under Executive Order 12898, Environmental Justice (EJ), and Title VI of the Civil Rights Act. These seek to avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations, and ensure that the full and fair participation by all potentially affected communities are involved in the decision-making process.

According to data collected during the 2010 Census (U.S. Census Bureau 2014), the Village of Corrales has a population of 8,329. The highest minority population in Corrales is Hispanic or Latino (27.0 percent) which is lower than that of Sandoval County and that of the state. Economic data are provided by the American Community Survey (ACS) 5-year estimates. Median household income and per capita income for Corrales are higher than those of Sandoval County and New Mexico. The poverty level for Corrales is much lower than that of Sandoval County and New Mexico (Table 1).

**Table 1 - Population and Economic Characteristics**

	<b>New Mexico</b>	<b>Sandoval County</b>	<b>Village of Corrales</b>
2010 Population	2,059,179	131,561	8,329
<b>2010 Minority Representation</b>			
- White	68.4%	68.0%	86.4%
- Black or African American	2.1%	2.1%	1.1%
- American Indian	9.4%	12.9%	1.6%
- Asian	1.4%	1.5%	1.3%
- Pacific Islander	0.1%	0.1%	0.0%
- Some other race	15.0%	11.5%	6.6%
- Two or more races	3.7%	3.9%	3.1%
- Hispanic or Latino (also included in race categories above)	46.3%	35.1%	27.0%
<b>2009-2013 ACS 5-Year Estimates Economic Characteristics</b>			
- Median household income	\$44,927	\$58,017	\$80,840
- Per capita income	\$23,763	\$26,924	\$40,571
- Poverty rate for families	15.6%	10.5%	5.2%
- Poverty rate for individuals	20.4%	14.2%	5.5%

Source: U.S. Census Bureau (2014), 2010 Census Data and 2009-2013 American Community Survey 5-Year Estimates Data.

## Environmental Consequences

### *No Action Alternative*

Under the No Action Alternative, area residents would continue to experience flooding of properties and roadways during storm events. Flooding of properties could result in damage and the need for clean-up at a cost to private property owners. Flooding of roadways is hazardous to travelers and prevents residents from accessing their properties or being able to leave their properties when needed, such as to travel to work.

### *Proposed Action Alternative*

No residents or businesses would be relocated as a result of the Proposed Action Alternative. The proposed project would help redirect and collect stormwater to prevent area flooding. This would benefit nearby community members without favoritism or discrimination. The proposed project is considered to be consistent with environmental justice policies. The project is not expected to disproportionately adversely impact low-income or minority populations.

### Mitigation

The project is expected to benefit residents in and adjacent to the project area. No mitigation is needed for socioeconomic or environmental justice issues.

## **4.6.2 Hazardous Materials**

If present in the environment, hazardous substances are a serious concern because of health and safety risks for the public and construction workers, as well as potential cleanup liability. The USEPA EnviroMapper was reviewed for known hazardous materials sites near the project area. No hazardous waste generators are located within 1 mile of the project area (EPA 2014).

### *No Action Alternative*

No impacts to hazardous materials would occur under the No Action Alternative.

### *Proposed Action Alternative*

The Proposed Action Alternative would have no impact to hazardous materials located in the project area as none are known to currently be present. The potential for release of hazardous materials into the environment would occur as a result of the Proposed Action Alternative due to the use of hazardous materials for construction related activities and operation of construction equipment. In terms of long-term impacts, no hazardous waste generators would be created as a result of the Proposed Action.

### Mitigation

The construction contractor would ensure that no hazardous materials are released during construction activities. Any hazardous materials would be properly monitored, maintained, and stored while present at the construction site. If contaminated soil or ground water is encountered during construction, actions would be taken immediately to protect workers and residents from exposure. The New Mexico Environment Department (NMED) would be contacted for guidance and any contaminated materials would be properly handled.

### **4.6.3 Noise**

The primary source of noise in the project area is caused by vehicles traveling local roadways. Noise-sensitive receptors include residences, schools and day care facilities, hospitals, long-term care facilities, places of worship, libraries, and parks and recreational areas specifically known for their solitude and tranquility, such as wilderness areas. The only noise-sensitive receptors within the project area are residences.

#### Environmental Consequences

##### *No Action Alternative*

No impacts to noise would occur under the No Action Alternative.

##### *Proposed Action Alternative*

During construction of the Proposed Action Alternative, noise levels would be higher than normal due to the operation of construction equipment. Construction-related noise is expected to be a temporary impact ending when the construction is completed. In terms of long-term impacts, no additional new noise sources are expected to be generated as a result of the Proposed Action.

#### Mitigation

To reduce noise impacts to residences in the vicinity, construction would typically occur during weekdays and daylight hours except when construction activities may extend beyond daylight hours to allow completion of an activity, such as backfilling an open trench, which could be a safety issue if not completed. By limiting construction activities to weekdays and daylight hours, noise impacts would be reduced during the peak times when outdoor activities take place (weekends) and limited to hours when noise levels are typically louder (daytime versus nighttime).

### **4.6.4 Traffic**

The main transportation routes in and near to the project area are provided by Loma Larga, Calle de Blas, Sagebrush Drive, Camino Rayo del Sol, and Loma del Oro. Access to the project area is along these roadways. All roads within and near to the project area are local roads providing access to residences. As a result, traffic volume is relatively low and primarily consists of residential traffic.

#### Environmental Consequences

##### *No Action Alternative*

Under the No Action Alternative, area roadways would continue to experience flooding. Roadway flooding creates unsafe travel conditions that may impede traffic patterns and interfere with residents accessing or leaving their properties.

##### *Proposed Action Alternative*

Under the Proposed Action Alternative, short and long-term impacts to traffic would occur. Local traffic would experience some disruption during project construction, particularly during construction of tasks that include re-grading and re-paving of roadways. Long-term, construction of the project would direct storm flows off of the roadways into ponds, greatly reducing the amount of water on the roadways and

minimizing flooding. Travel through the project area would be safer during storms due to the decreased flooding than currently experienced.

#### Mitigation

During construction, the construction contractor would be required to install any necessary signs and barricades, and use appropriate traffic safety measures where appropriate. All construction vehicles would drive the posted speed limit on existing roadways. Away from roads, vehicles would travel at no more than 15 miles per hour to reduce dust and safety concerns.

#### **4.6.5 Public Health and Safety**

Currently, flooding of private properties and local roadways creates a safety hazard for area residents during storm events. Roadway flooding makes local roadways unsafe for travel, which may prevent residents from leaving or accessing their properties. Flooding of private properties may also create safety hazards on the residential lots.

#### Environmental Consequences

##### *No Action Alternative*

Under the No Action Alternative, safety hazards created by flooding of roadways and properties during storms would continue to occur. The public would continue to experience unsafe travel conditions on flooded roadways, and potential safety hazards on private properties resulting from flooding.

##### *Proposed Action Alternative*

Under the Proposed Action Alternative, stormwater would be directed away from private properties and off of roadways through pipe into ponds. This would greatly reduce flooding of area roadways and properties. By minimizing roadway flooding, area roads would be safer to travel, and area residents would not experience unsafe conditions leaving and accessing their properties. The proposed project would also minimize flooding of private properties, reducing the risk of hazards caused by flooding on those properties.

#### Mitigation

The proposed project would benefit public health and safety. No mitigation is required.

4.7 Summary Table

Table 2 – Summary of Environmental Impacts

Environmental Resource	Resource Subcategory	No Action Alternative	Proposed Action Alternative
Physical	Geology, Soils and Seismicity	No impact.	Approximately 11.6 acres of soils would be disturbed by project activities. No impact to geology or seismicity would result from this alternative.
	Air Quality and Climate Change	No impact.	Temporary impacts to air quality would result from construction activities. No long-term impacts to air quality would occur. No impact to climate change would occur.
Water	Surface and Ground Water	No impact.	Potential temporary construction-related impacts to surface water quality. Storm water would be redirected from the current path through pipe into ponds. A culvert would be constructed within the unnamed arroyo #5. No impacts to ground water are anticipated.
	Wetlands	No impact.	No impact.
	Floodplains	No impact.	No impact.
Biological Resources	Biological Resources	No impact.	Approximately 11.6 acres of soils and vegetation would be impacted by project construction. FEMA has determined the project will have no effect on listed species or critical habitat. Construction outside the area nesting season would prevent impacts to nesting migratory birds. Cleaning construction equipment prior to use in the project area would prevent the spread of noxious weeds into the project area from other areas of Corrales.
Archaeological, Cultural and Historic Resources	Archaeological, Cultural and Historic Resources	No impact.	No impact.

Environmental Resource	Resource Subcategory	No Action Alternative	Proposed Action Alternative
Socioeconomic	Environmental Justice	No impact.	Corrales is not a Community of Concern for Environmental Justice. The project is expected to provide long-term benefits for all in the project area.
	Hazardous Materials	No impact.	No impact.
	Noise	No impact.	Short-term noise impacts would occur during construction. The project would not result in long-term noise impacts.
	Traffic	Roadway flooding would continue to create unsafe travel conditions.	The project would improve traffic by reducing roadway flooding, creating safer traveling conditions on area roads. Short-term minor impacts expected during construction.
	Public Health and Safety	Roadway flooding would continue to create unsafe travel conditions. Flooding of private properties may create safety hazards for residents.	The project would improve public health and safety by reducing roadway flooding, as well as reducing flooding of private properties that may create safety hazards.

**5.0 CUMULATIVE IMPACTS**

Cumulative impacts are defined as the impacts that result from the incremental impact of an action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Cumulative impacts also can result from individually minor but collectively significant actions taking place over time.

The Village of Corrales has several projects in process or planned in the future in the vicinity of the proposed project area and within the greater Village area including: reconstruction of Calle de Blanca, infilling single family housing on individual vacant lots including utility installation on Sagebrush, Calle de Blas, and other local roads; resurfacing sections of Rayo del Sol, resurfacing sections of Loma Larga, and development of walking trails at the Village boundary. SSCAFCA also plans maintenance and improvements at a pond located immediately west of the Village boundary. Cumulatively, these projects will have no adverse impacts to traffic either temporarily or permanently. The Village will not construct other projects on nearby roadways at the same time as the proposed project in order avoid cumulative adverse traffic impacts. Permanently, the proposed project will make travel on the affected roadways safer.

The proposed projects will cumulatively reduce area wildlife habitat through vegetation removal for construction. However, the majority of vegetation within the Salce Basin project area that would be used

by wildlife is located on adjacent residential properties, and will not be removed by project activities. Vegetation within the area of impact has already been largely disturbed or removed by other activities. Once the project is complete, vegetation will be able to reestablish in the project area, making impacts to vegetation and wildlife in the project area temporary. The proposed project will not cumulatively adversely impact biological resources.

The proposed flood control facilities would aid in controlling storm water flows during heavy rains, creating a safer environment. This may have a cumulative effect of promoting area residential development.

## **6.0 AGENCY COORDINATION, PUBLIC INVOLVEMENT AND PERMITS**

### **6.1 Agency Coordination**

Agency coordination letters were mailed to regulatory agencies at the initiation of the environmental review process to solicit input on potential impacts and concerns. Letters were sent to the USFWS, NRCS, New Mexico Department of Game and Fish (NMDGF), and the NMED. No responses were received. FEMA consulted with the SHPO and seventeen federally recognized tribes as discussed in Section 4.5.

### **6.2 Public Involvement**

A Notice of Availability of the Draft EA will be published in the local newspaper, on the Village of Corrales website, and on the FEMA website to request public comments on the proposed action and the EA. The Draft EA will be made available for review for a period of 30 days at Village Hall, located at 4324 Corrales Road Corrales, NM 87048. The Draft EA will also be available upon request from FEMA and on FEMA’s website. FEMA will consider and respond to all public comments in the final EA. If no substantive comments are received, the Draft EA will become final, and a FONSI will be issued for the project.

### **6.3 Permits Required**

**Table 3 – Permits and Approvals Required**

<b>Agency</b>	<b>Permit or Approval</b>
US Environmental Protection Agency (USEPA) – Region 6	National Pollutant Discharge Elimination System (NPDES) Permit for disturbance of more than 1.0 acre of soils
US Army Corps of Engineers (USACE)	Clean Water Act Section 404 permit

## **7.0 SUMMARY OF MITIGATION MEASURES**

### **7.1 Physical Resource Measures**

#### Soils

- Open disturbed soils will be replanted with native vegetation once construction activities are complete to provide soil stabilization.

#### Air Quality

- To minimize fugitive dust, exposed and disturbed soils will be watered at a sufficient frequency, and earthmoving and other dust-producing activities will be suspended during periods of high winds, when dust control efforts are unable to prevent fugitive dust.
- Measures to reduce wind erosion may include wetting the construction site, limiting truck speeds on dirt access roads to the construction site, covering loads, and other suitable dust suppression techniques.
- All construction equipment will be required to use approved emission control devices and limit unnecessary idling. In addition, all vehicles involved in transporting materials to or from the site will be required to pass a current New Mexico emissions test.

### **7.2 Water Resource Measures**

#### Water Quality

- Temporary construction-related impacts to surface water quality will be avoided by complying with the NPDES permit requirements and implementing a SWPPP. The SWPPP will identify measures and techniques to prevent sedimentation of arroyos during storm events.
- Ground water contamination will be avoided through proper handling and storage of petroleum products, chemicals, toxic substances, and hazardous materials.

### **7.3 Biological Resource Measures**

- Disturbed soils will be replanted with certified weed-free native vegetation.
- Construction equipment will be cleaned prior to arrival in the project area to ensure noxious weeds are not spread to the project area.
- Impacts to the Corrales Main Canal will be avoided by all construction activities in order to avoid impacts to the Rio Grande silvery minnow.
- The Village of Corrales will limit vegetation removal work during the peak migratory bird nesting period of March through September as much as possible to avoid destruction of individuals, nests, or eggs. If vegetation removal must occur during the nesting season, the Village of Corrales will deploy a qualified biological monitor with experience conducting breeding bird surveys to survey the project area for nests prior to conducting work. The biologist will determine the appropriate

timing of surveys in advance of work activities. If an occupied migratory bird nest is found, work within a buffer zone around the nest will be postponed until the nest is vacated and juveniles have fledged. The biological monitor will determine an appropriate buffering radius based on species present, real-time site conditions, and proposed work. For work near an occupied nest, the biological monitor would prepare a report documenting the migratory species present and the rationale for the buffer radius determination, and submit that report to FEMA for inclusion in project files. Trenches will be installed and buried concurrently to reduce trapping of small mammals and reptiles.

- Detention ponds will be regularly maintained including removal of trash and sediment to reduce negative impacts to bird species.

#### **7.4 Archaeological, Cultural and Historic Resources Measures**

- In the event that archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and the applicant shall stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. If unmarked graves or human remains are present on private or state land, compliance with the New Mexico Cultural Properties Act (Article 18, Section 6, Subsection 11.2 (18-6-11.2), NMSA 1978, also known as the Unmarked Burial Statute is required. NMDHSEM will require the applicant to stop work immediately in the vicinity of the discovery. NMDHSEM will immediately notify FEMA, and law enforcement agencies of the discovery, which shall notify the Office of the Medical Investigator (OMI) and the SHPO. OMI shall evaluate the remains for medicolegal significance with minimal disturbance of the remains. OMI will terminate the discovery of any non-medicolegal human remains to the SHPO, who shall proceed pursuant to the Unmarked Burial Statute and its implementing regulations found at 4.10.11 NMAC. Pursuant to 36 CFR part 800.2(c)(2)(i), FEMA will also contact all appropriate tribes. For any questions about human remains on state or private land, contact State Archeologist, Bob Estes, (505) 827-4225, Fax (505) 827-6338, [bob.estes@state.nm.us](mailto:bob.estes@state.nm.us).

#### **7.5 Socioeconomic/Environmental Justice Measures**

##### Hazardous Materials

- The construction contractor will ensure that no hazardous materials are released during construction activities.
- Any hazardous materials will be properly monitored, maintained, and stored while present at the construction site.
- If contaminated soil or ground water is encountered during construction, actions will be taken immediately to protect workers and residents from exposure. The NMED will be contacted for guidance and any contaminated materials will be properly handled.

### Noise

- To reduce noise impacts to residences in the vicinity, construction will typically occur during weekdays and daylight hours except when construction activities may extend beyond daylight hours to allow completion of an activity, such as backfilling an open trench, which could be a safety issue if not completed.

### Traffic

- The construction contractor will install any necessary signs and barricades, and use appropriate traffic safety measures where appropriate.

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## **9.0 LIST OF PREPARERS**

### Marron & Associates, Inc.

Christina Chavez, Archaeologist

Mary Hamel, Editor

Eric Johnson, Senior Environmental Project Manager and Hazardous Materials Specialist

Paul Knight, Biologist

Heather Parmeter, Biologist and Water Resources Lead

Jessica Small, NEPA/Cultural Resources Specialist

### The Larkin Group

Steve Grollman, P.E.

### FEMA Reviewers

Kevin Jaynes, Regional Environmental Officer

Dorothy Weir, Environmental Specialist