



**FEMA**

November 06, 2015

**MEMORANDUM FOR:** Melissa Wise, Hazard Mitigation Assistance Branch Chief

**FROM:** Kevin Jaynes, Regional Environmental Officer

**SUBJECT:** HMGP DR-4079-NM, Project #3, Village of Corrales Salce Basin Improvements Project, Sandoval County, New Mexico.

The purpose of this memorandum is to notify you that the Hazard Mitigation Grant Program (HMGP) drainage project 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 in the Village of Corrales, Sandoval County, New Mexico, has been cleared with conditions under the National Environmental Policy Act (NEPA). The Code of Federal Regulations, 44 CFR Part 10, requires that the Federal Emergency Management Agency (FEMA) take into account environmental considerations when authorizing or approving major actions. In accordance with 44 CFR Part 10.8, an Environmental Assessment (EA) was conducted for the proposed project in order to comply with NEPA. The EA resulted in a Finding of No Significant Impact (FONSI). The applicant must ensure it complies with all conditions set forth in the attached Record of Environmental Consideration (REC) and FONSI. Failure to comply with these conditions may jeopardize federal assistance including funding.

Please note that this transmittal is a notification that this project has been cleared under NEPA only. **This is not a notice of final approval or eligibility.** Any change beyond the approved scope of work for this project will require additional environmental review by FEMA.

cc: Danielle Brown, Hazard Mitigation Specialist

**Enclosures:** Record of Environmental Consideration (REC)  
Finding of No Significant Impact (FONSI)

# Record of Environmental Consideration

See 44 Code of Federal Regulation Part 10.

**Project Name/Number:** HMGP DR-4079-NM, Project #3, Village of Corrales Salce Basin Improvements Project

**Project Location:** Village of Corrales, Sandoval County, New Mexico. See Environmental Assessment for maps.

**Project Description:** Under the Proposed Action, the Village of Corrales proposes to install storm drain pipes, construct retention ponds, and re-grade and re-pave roadways in northwestern Corrales in the vicinity of Calle de Blas, Calle Blanca, and Sagebrush Drive. 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. See Environmental Assessment for detailed scope of work.

## Documentation Requirements

- No Documentation Required (Review Concluded)
- (Short version) All consultation and agreements implemented to comply with the National Historic Preservation Act, Endangered Species Act, and Executive Orders 11988, 11990 and 12898 are completed and no other laws apply. (Review Concluded)
- (Long version) All applicable laws and executive orders were reviewed. Additional information for compliance is attached to this REC.

## National Environmental Policy Act (NEPA) Determination

- Statutorily excluded from NEPA review. (Review Concluded)
- Programmatic Categorical Exclusion (Review Concluded)
- Categorical Exclusion
  - No Extraordinary Circumstances exist.  
Are project conditions required?  Yes (see section V)  No (Review Concluded)
  - Extraordinary Circumstances exist (See Section IV).
    - Extraordinary Circumstances mitigated. (See Section IV comments)  
Are project conditions required?  Yes (see section V)  No (Review Concluded)
- Environmental Assessment
- Supplemental Environmental Assessment (Reference EA or PEA in comments)
- Environmental Impact Statement

**Comments:** In accordance with 44 Code of Federal Regulations (CFR) for the Federal Emergency Management Agency (FEMA), Subpart B, Agency Implementing Procedures, Part 10.9, an Environmental Assessment (EA) has been prepared pursuant to Section 102 of the National Environmental Policy Act (NEPA) of 1969, as implemented by the regulations promulgated by the President's Council on Environmental Quality (CEQ; 40 CFR Parts 1500-1508). The EA resulted in a Finding of No Significant Impact (FONSI). Particular attention should be given to the project conditions before and during project implementation. Failure to comply with these conditions may jeopardize federal assistance including funding.

## Reviewer and Approvals

Project is Non-Compliant (See attached documentation justifying selection).


FEMA Environmental Reviewer.

Name: Sarah Carrino, Environmental Specialist

Signature  Date 11-6-15

FEMA Regional Environmental Officer or delegated approving official.

Name: Kevin Jaynes, Regional Environmental Officer

Signature <sup>For</sup>  Date 11-6-15

## I. Compliance Review for Environmental Laws (other than NEPA)

### A. National Historic Preservation Act

- Not type of activity with potential to affect historic properties. **(Review Concluded)**  
 Applicable executed Programmatic Agreement. Otherwise, conduct standard Section 106 review.  
 Activity meets Programmatic Allowance #  
Are project conditions required?  Yes (see section V)  No **(Review Concluded)**

#### HISTORIC BUILDINGS AND STRUCTURES

- No historic properties that are listed or 45/50 years or older in project area. **(Review Concluded)**  
 Building or structure listed or 45/50 years or older in project area and activity not exempt from review.  
 Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required?  Yes (see section V)  No **(Review Concluded)**  
 Determination of Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)  
 Property a National Historic Landmark and National Park Service was provided early notification during the consultation process. If not, explain in comments  
 No Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file).  
Are project conditions required?  Yes (see section V)  No **(Review Concluded)**  
 Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)  
 Resolution of Adverse Effect completed. (MOA on file)  
Are project conditions required  Yes (see section V)  No **(Review Concluded)**

#### ARCHEOLOGICAL RESOURCES

- Project affects only previously disturbed ground. **(Review Concluded)**  
 Project affects undisturbed ground.  
 Project area has no potential for presence of archeological resources  
 Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence or consultation on file). **(Review Concluded)**  
 Project area has potential for presence of archeological resources  
 Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required  Yes (see section V)  No **(Review Concluded)**  
 Determination of historic properties affected  
 NR eligible resources not present (FEMA finding/SHPO/THPO concurrence on file).  
Are project conditions required  Yes (see section V)  No **(Review Concluded)**  
 NR eligible resources present in project area. (FEMA finding/ SHPO/THPO concurrence on file)  
 No Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)  
Are project conditions required?  Yes (see section V)  No **(Review Concluded)**  
 Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)  
 Resolution of Adverse Effect completed. (MOA on file)  
Are project conditions required?  Yes (see section V)  No **(Review Concluded)**

*Comments:* FEMA has determined that there will be no effect to historic properties. SHPO concurrence with this determination was received, dated 4/17/2015. Consultation with tribes (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) was conducted per 36 CFR §800.2(c)(2)(i)(B). Tribal response from the Comanche Nation (March 23, 2015) and the Pueblo of Santa Ana (March 19, 2015), states that the proposed project will not adversely affect traditional, religious, or culturally significant sites. The remaining tribes did not provide comments within 30 days or declined to comment. FEMA has determined that proposed project will not adversely affect traditional, religious, or culturally significant sites. See Environmental Assessment.  
*Correspondence/Consultation/References:*

### B. Endangered Species Act

- No listed species and/or designated critical habitat present in areas affected directly or indirectly by the Federal action. (Review Concluded)
- Listed species and/or designated critical habitat present in the areas affected directly or indirectly by the Federal action.
- No effect to species or designated critical habitat.  
Are project conditions required?  Yes (see section V)  No (Review Concluded)
  - May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence on file)  
Are project conditions required?  Yes (see section V)  No (Review Concluded)
  - Likely to adversely affect species or designated critical habitat
    - Formal consultation concluded. (Biological Assessment and Biological Opinion on file)  
Are project conditions required?  YES (see section V)  NO (Review Concluded)

*Comments:* See Environmental Assessment.  
*Correspondence/Consultation/References:*

### C. Coastal Barrier Resources Act

- Project is not on or connected to CBRA Unit or Otherwise Protected Area (Review Concluded).
- Project is on or connected to CBRA Unit or Otherwise Protected Area. (FEMA determination/USFWS consultation on file)
- Proposed action an exception under Section 3505.a.6 (Review Concluded)
  - Proposed action not excepted under Section 3505.a.6.  
Are project conditions required?  YES (see section V)  NO (Review Concluded)

*Comments:* None.

*Correspondence/Consultation/References:*

### D. Clean Water Act

- Project would not affect any waters of the U.S. (Review Concluded)
- Project may affect waters, including wetlands, of the U.S.
- Project exempted as in kind replacement or other exemption. (Review Concluded)
  - Project may require Section 404/401 or Section 9/10 (Rivers and Harbors Act) permit, including qualification under Nationwide Permits.  
Are project conditions required?  YES (see section V)  NO (Review Concluded)

*Comments:* See Environmental Assessment.

*Correspondence/Consultation/References:*

### E. Coastal Zone Management Act

- Project is not located in a coastal zone area and does not affect a coastal zone area (Review concluded)
- Project is located in a coastal zone area and/or affects the coastal zone
- State administering agency does not require consistency review. (Review Concluded).
  - State administering agency requires consistency review.  
Are project conditions required?  YES (see section V)  NO (Review Concluded)

Comments: None.

Correspondence/Consultation/References:

### F. Fish and Wildlife Coordination Act

- Project does not affect, control, or modify a waterway/body of water. (Review Concluded)  
 Project affects, controls or modifies a waterway/body of water.  
 Coordination with USFWS conducted  
 No Recommendations offered by USFWS. (Review Concluded)  
 Recommendations provided by USFWS.  
Are project conditions required?  YES (see section V)  NO (Review Concluded)

Comments: None.

Correspondence/Consultation/References:

### G. Clean Air Act

- Project will not result in permanent air emissions. (Review Concluded)  
 Project is located in an attainment area. (Review Concluded)  
 Project is located in a non-attainment area.  
 Coordination required with applicable state administering agency..  
Are project conditions required?  YES (see section V)  NO (Review Concluded)

Comments: See Environmental Assessment.

Correspondence/Consultation/References:

### H. Farmland Protection Policy Act

- Project does not affect designated prime or unique farmland. (Review Concluded)  
 Project causes unnecessary or irreversible conversion of designated prime or unique farmland.  
 Coordination with Natural Resource Conservation Commission required.  
 Farmland Conversion Impact Rating, Form AD-1006, completed.  
Are project conditions required?  YES (see section V)  NO (Review Concluded)

Comments: See Environmental Assessment.

Correspondence/Consultation/References:

### I. Migratory Bird Treaty Act

- Project not located within a flyway zone. (Review Concluded)  
 Project located within a flyway zone.  
 Project does not have potential to take migratory birds  
Are project conditions required?  Yes (see section V)  No (Review Concluded)  
 Project has potential to take migratory birds.  
 Contact made with USFWS  
Are project conditions required?  YES (see section V)  NO (Review Concluded)

Comments: See Environmental Assessment.

Correspondence/Consultation/References:

### J. Magnuson-Stevens Fishery Conservation and Management Act

- Project not located in or near Essential Fish Habitat. (Review Concluded)  
 Project located in or near Essential Fish Habitat.  
 Project does not adversely affect Essential Fish Habitat.  
Are project conditions required?  Yes (see section V)  No (Review Concluded)  
 Project adversely affects Essential Fish Habitat (FEMA determination/USFWS/NMFS concurrence on file)  
 NOAA Fisheries provided no recommendation(s)  
Are project conditions required?  Yes (see section V)  No (Review Concluded)  
 NOAA Fisheries provided recommendation(s)

- Written reply to NOAA Fisheries recommendations completed.
- Are project conditions required?  YES (see section V)  NO (Review Concluded)

Comments: None.

Correspondence/Consultation/References:

### K. Wild and Scenic Rivers Act

- Project is not along and does not affect Wild or Scenic River (WSR) - (Review Concluded)
- Project is along or affects WSR
  - Project adversely affects WSR as determined by NPS/USFS. FEMA cannot fund the action. (NPS/USFS/USFWS/BLM consultation on file) (Review Concluded)
  - Project does not adversely affect WSR. (NPS/USFS/USFWS/BLM consultation on file)
    - Are project conditions required?  YES (see section V)  NO (Review Concluded)

Comments: None.

Correspondence/Consultation/References:

### L. Other Relevant Laws and Environmental Regulations

See Environmental Assessment.

## II. Compliance Review for Executive Orders

### A. E.O. 11988 – Floodplains

- No Effect on Floodplains/Flood levels and project outside Floodplain - (Review Concluded)
- Located in Floodplains/Effects on Floodplains/Flood levels
  - No adverse effect on floodplain and not adversely affected by the floodplain
    - Are project conditions required?  Yes (see section V)  No (Review Concluded)
  - Beneficial Effect on Floodplain Occupancy/Values (Review Concluded).
  - Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment
    - 8 Step Process Complete - documentation on file
      - Are project conditions required?  YES (see section V)  NO (Review Concluded)

Comments: Per Flood Insurance Rate Map (FIRM) panel number 35043C2107D, dated 03/18/2008, the project is located outside the 100 year flood zone and the activity does not adversely affect floodplain values. See Environmental Assessment.

Correspondence/Consultation/References:

### B. E.O. 11990 – Wetlands

- No Effects on Wetland(s) and project located outside Wetland(s) - (Review Concluded)
- Located in Wetland or effects Wetland(s)
  - Beneficial Effect on Wetland - (Review Concluded)
  - Possible adverse effect associated with constructing in or near wetland
    - Review completed as part of floodplain review
    - 8 Step Process Complete - documentation on file
      - Are project conditions required?  YES (see section V)  NO (Review Concluded)

Comments: See Environmental Assessment.

Correspondence/Consultation/References:

### C. E.O. 12898 - Environmental Justice For Low Income and Minority Populations

- No Low income or minority population in, near or affected by the project - (Review Concluded)
- Low income or minority population in or near project area
  - No disproportionately high and adverse impact on low income or minority population- (Review Concluded)
  - Disproportionately high or adverse effects on low income or minority population

Are project conditions required?  YES (see section V)  NO (Review Concluded)

*Comments:* See Environmental Assessment.  
*Correspondence/Consultation/References:*

### III. Other Environmental Issues

Identify other potential environmental concerns in the comment box not clearly falling under a law or executive order (see environmental concerns scoping checklist for guidance).

*Comments:* None.  
*Correspondence/Consultation/References:*

### IV. Extraordinary Circumstances

Based on the review of compliance with other environmental laws and Executive Orders, and in consideration of other environmental factors, review the project for extraordinary circumstances.

\* A "Yes" under any circumstance may require an Environmental Assessment (EA) with the exception of (ii) which should be applied in conjunction with controversy on an environmental issue. If the circumstance can be mitigated, please explain in comments. If no, leave blank.

**Yes**

- (i) Greater scope or size than normally experienced for a particular category of action
- (ii) Actions with a high level of public controversy
- (iii) Potential for degradation, even though slight, of already existing poor environmental conditions;
- (iv) Employment of unproven technology with potential adverse effects or actions involving unique or unknown environmental risks;
- (v) Presence of endangered or threatened species or their critical habitat, or archaeological, cultural, historical or other protected resources;
- (vi) Presence of hazardous or toxic substances at levels which exceed Federal, state or local regulations or standards requiring action or attention;
- (vii) Actions with the potential to affect special status areas adversely or other critical resources such as wetlands, coastal zones, wildlife refuge and wilderness areas, wild and scenic rivers, sole or principal drinking water aquifers;
- (viii) Potential for adverse effects on health or safety; and
- (ix) Potential to violate a federal, state, local or tribal law or requirement imposed for the protection of the environment.
- (x) Potential for significant cumulative impact when the proposed action is combined with other past, present and reasonably foreseeable future actions, even though the impacts of the proposed action may not be significant by themselves.

*Comments:* None.

## V. Environmental Review Project Conditions

The following conditions must be met as part of this project. Failure to comply with these conditions may jeopardize the receipt of federal funding.

1. The Village of Corrales is required to obtain and comply with all local, state, and federal permits, approvals, and requirements prior to initiating work on this project.
2. Construction contractors are required to implement dust control best management practices (BMPs) such as watering down construction areas when necessary. Fuel-burning equipment running times will be kept to a minimum and engines must be properly maintained.
3. The Village of Corrales will prepare a stormwater pollution prevention plan (SWPPP) and obtain a National Pollution Discharge Elimination System (NPDES) permit prior to construction and will comply with all permit conditions. The Village of Corrales will implement appropriate erosion and sediment control BMPs during construction. Upon completion of construction activities, the area will be re-vegetated with native seed mix.
4. The Village of Corrales is responsible for coordinating with and obtaining any required Section 404 permit(s) from the U.S. Army Corps of Engineers and/or any Section 401/402 permit(s) from the state or Environmental Protection Agency prior to initiating work. The Village of Corrales must comply with all conditions of the required permit(s). All coordination pertaining to these activities must be documented and copies forwarded to NMDHSEM and FEMA as part of the permanent project files.
5. The Village of Corrales will limit vegetation removal 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 activities 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 must 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.
6. In the event that archaeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and the Village of Corrales shall stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archaeological 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), New Mexico Statutes Annotated (NMSA) 1978, also known as the Unmarked Burial Statute), is required. NMDHSEM will require the Village of Corrales 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 State Historic Preservation Officer (SHPO). OMI shall evaluate the remains for medicolegal significance with minimal disturbance of the remains.



OMI will turn over 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 New Mexico Administrative Code. 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 Archaeologist, Bob Estes at (505) 827-4225, Fax (505) 827-6338, or by email at [bob.estes@state.nm.us](mailto:bob.estes@state.nm.us).

7. If contaminated materials are discovered during construction activities, the work must cease until the appropriate procedures can be implemented and any hazardous materials handling or disposal permits obtained. The construction contractor must handle, manage, and dispose of excavated soil and debris, petroleum products, hazardous materials, and toxic waste in accordance with any local, state, and federal requirements.
8. Equipment and machinery used at the proposed project site will meet all local, state, and federal noise regulations.
9. Changes, additions, and/or supplements to the approved scope of work which alter the existing use and function of the structures, including additional work not funded by FEMA but performed substantially at the same time, will require re-submission of the application to FEMA prior to construction for re-evaluation under NEPA.



**FEMA**

## **FINDING OF NO SIGNIFICANT IMPACT**

### **VILLAGE OF CORRALES SALCE BASIN IMPROVEMENTS PROJECT CORRALES, SANDOVAL COUNTY, NEW MEXICO HMGP-DR-4079-NM PROJECT #3**

#### **BACKGROUND**

In accordance with 44 Code of Federal Regulations (CFR) for the Federal Emergency Management Agency (FEMA), Subpart B, Agency Implementing Procedures, Section 10.9, an Environmental Assessment (EA) has been prepared pursuant to Section 102 of the National Environmental Policy Act (NEPA) of 1969, as implemented by the regulations promulgated by the President's Council on Environmental Quality (CEQ; 40 CFR Parts 1500-1508). The purpose of the proposed project is to reduce flood risk to several residential properties, and to protect and maintain traffic flows on Calle de Blas, Calle Blanca, Sagebrush Drive, and Loma del Oro in the Village of Corrales, Sandoval County, New Mexico. This EA informed FEMA's decision on whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

The Village of Corrales has applied for Hazard Mitigation Grant Program (HMGP) funding, through the New Mexico Department of Homeland Security and Emergency Management (NMDHSEM), under HMGP-DR-4079-NM. Through HMGP, FEMA provides grants to states, tribes, and local governments to implement long-term hazard mitigation measures, including flood mitigation. 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.

Two project alternatives were considered in this EA: 1) No Action; and 2) Proposed Action (installation of storm drain pipes; construction of retention ponds; and re-grading and re-paving of roadways in the Village of Corrales, New Mexico). Under the No Action alternative, the Village of Corrales would do nothing to reduce flood risk. Residential properties and roadways such as Calle de Blas, Calle Blanca, Sagebrush Drive, and Loma del Oro would still remain at risk of flooding.

Under the Proposed Action, the Village of Corrales proposes to install storm drain pipes, construct retention ponds, and re-grade and re-pave roadways in northwestern Corrales in the vicinity of Calle de Blas, Calle Blanca, Sagebrush Drive, and Loma del Oro. 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 private land and on land owned by the Village of

Corrales. The Village of Corrales 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.

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.

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.

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.

Task 4 involves the re-grading and re-paving of approximately 1,750 feet 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 contain stormwater from the roadway asphalt within the right-of-way, preventing damage to adjacent properties. In an inverted crown road section, the center of the road is the lowest part of the roadway, and the outside lanes slope inward. When rain falls on an inverted crown road, the runoff flows toward the center of the road and is then channeled along the road centerline.

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 of Corrales-owned pond on the northeast corner of Sagebrush Drive and Griego Court.

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. An overflow channel along the west edge of Calle Blanca would also be excavated.

Task 7 involves the enlargement of an existing drain pond south of Sagebrush Drive and west of Calle Blanca to hold stormwater runoff.

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.

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 1,000 feet east near the beginning of task 8. The paving would create an inverted crown in the center of the road that would contain stormwater from the roadway asphalt within the right-of-way, preventing damage to adjacent properties.

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 4,000 feet to Loma Larga.

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 paving would create a super-elevated cross section that would drain runoff into the drain pond created by task 10.

Task 12 involves re-grading 500 feet of the south "loop" of Sagebrush Drive to direct flows into ponds on the south side of the roadway.

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.

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. It would convey high flows from the arroyo through pipe into task 1 and be detained in the task 6 pond.

A public notice was posted in the local newspaper of record and on FEMA's website. The draft EA was made available for public comment at a local public building and on FEMA's website. No comments were received from the public during the comment period.

## FINDINGS

The Proposed Action as described in the EA will not impact geology, seismicity, climate change, ground water quality, wetlands, floodplains, threatened and endangered species or critical habitat, migratory birds, cultural resources, minority and low-income populations, and hazardous materials. During construction, short-term impacts to soils, air quality, surface water quality, vegetation, noise, and traffic are anticipated. Long-term positive impacts to traffic and public health and safety are expected. All adverse impacts require conditions to minimize and mitigate impacts to the proposed project site and surrounding areas.

## CONDITIONS

The following conditions must be met as part of this project. Failure to comply with these conditions may jeopardize the receipt of federal funding.

1. The Village of Corrales is required to obtain and comply with all local, state, and federal permits, approvals, and requirements prior to initiating work on this project.
2. Construction contractors are required to implement dust control best management practices (BMPs) such as watering down construction areas when necessary. Fuel-burning equipment running times will be kept to a minimum and engines must be properly maintained.

3. The Village of Corrales will prepare a stormwater pollution prevention plan and obtain a National Pollution Discharge Elimination System permit prior to construction and will comply with all permit conditions. The Village of Corrales will implement appropriate erosion and sediment control BMPs during construction. Upon completion of construction activities, the area will be re-vegetated with native seed mix.
4. The Village of Corrales is responsible for coordinating with and obtaining any required Section 404 permit(s) from the U.S. Army Corps of Engineers and/or any Section 401/402 permit(s) from the state or Environmental Protection Agency prior to initiating work. The Village of Corrales must comply with all conditions of the required permit(s). All coordination pertaining to these activities must be documented and copies forwarded to NMDHSEM and FEMA as part of the permanent project files.
5. The Village of Corrales will limit vegetation removal 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 activities 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 must 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.
6. In the event that archaeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and the Village of Corrales shall stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archaeological 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), New Mexico Statutes Annotated (NMSA) 1978, also known as the Unmarked Burial Statute), is required. NMDHSEM will require the Village of Corrales 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 State Historic Preservation Officer (SHPO). OMI shall evaluate the remains for medicolegal significance with minimal disturbance of the remains. OMI will turn over 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 New Mexico Administrative Code. Pursuant to 36 CFR part 800.2(c)(2)(i), FEMA will also contact all appropriate tribes. For any questions about human remains

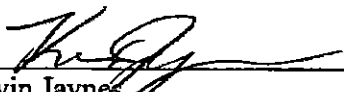
on state or private land, contact State Archaeologist, Bob Estes at (505) 827-4225, Fax (505) 827-6338, or by email at [bob.estes@state.nm.us](mailto:bob.estes@state.nm.us).

7. If contaminated materials are discovered during construction activities, the work must cease until the appropriate procedures can be implemented and any hazardous materials handling or disposal permits obtained. The construction contractor must handle, manage, and dispose of excavated soil and debris, petroleum products, hazardous materials, and toxic waste in accordance with any local, state, and federal requirements.
8. Equipment and machinery used at the proposed project site will meet all local, state, and federal noise regulations.
9. Changes, additions, and/or supplements to the approved scope of work which alter the existing use and function of the structures, including additional work not funded by FEMA but performed substantially at the same time, will require re-submission of the application to FEMA prior to construction for re-evaluation under NEPA.


## CONCLUSION

Based on the findings of the EA, coordination with the appropriate agencies, comments from the public, and adherence to the project conditions set forth in this FONSI, FEMA has determined that the proposed project qualifies as a major federal action that will not significantly affect the quality of the natural and human environment, nor does it have the potential for significant cumulative effects. As a result of this FONSI, an EIS will not be prepared (44 CFR §10.9) and the proposed project as described in this EA may proceed.

## APPROVAL

  
\_\_\_\_\_  
Kevin Jaynes  
Regional Environmental Officer  
FEMA Region 6

Date 10/29/15

  
\_\_\_\_\_  
George A. Robinson  
Regional Administrator  
FEMA Region 6

Date 11/6/15