



VALLES CALDERA NATIONAL PRESERVE



Photo By Michael Mudd

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Finding of No Significant Impact & Implementing Decision

*San Antonio Watershed -
Wetlands & Riparian Restoration*

Stewardship Register

NRMR — San Antonio

San Antonio Creek Wetland and Riparian Restoration

FINDING OF NO SIGNIFICANT IMPACT & IMPLEMENTING DECISION

1. Background

On March 5, 2009, the Valles Caldera Trust (the Trust) made an Environmental Assessment (EA) available for a 30-day public review and comment period ending April 4, 2009. The EA considered actions and environmental consequences of proposed restoration activities within wetland and riparian areas along San Antonio Creek and within Alamo Canyon within the Valles Caldera National Preserve (the Preserve).

Federal agencies prepare an EA in order to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI). An EA also supports planning and decision making and an agency's compliance with the National Environmental Policy Act (NEPA) when an EIS is not required.

One comment was received. Based on a review of the EA and the comment the Trust has prepared a FONSI and Implementing Decision for the proposed stewardship action.

2. FONSI

2.1. Introduction

As stated, one of the purposes of the EA prepared for MUSY - Forage was to aid the Trust in determining if the stewardship action being considered would have a significant impact on the human environment. In the *Regulations for Implementing the Procedural Provisions of NEPA* (40 CFR Parts 1500 -1508), the President's Council for Environmental Quality (CEQ) defines the human environment as including “the natural and physical environment and the relationship of people with that environment”.

The procedures also provide guidance for determining significance and preparing a FONSI. Significance is determined by considering both the *context* (extent of the effect in time and space) and the *intensity* of the effect. To aid in the determination of significance the EA framed the environmental consequences to assess the effects by context and intensity as follows:

The temporal extent of the effect was defined by three categories of duration (Federal Register 2003):

- **Short-term:** 0 to 3 years
- **Mid-term:** 3 to 10 years
- **Long-term:** 10+ years

The spatial context of effects was described in a narrative.

The intensity of the effect is defined by the following four levels of magnitude (intensity is influenced by context):

- **Negligible:** No change would occur, or the magnitude of change would not be measurable
- **Minor:** Changes would be measurable but would not alter the structure, composition, or function of the resource and would be limited in context.
- **Moderate:** Changes would be measurable and may influence the structure, composition, or function of the resource but would be limited in context.
- **Major:** Changes would be measurable; would alter the structure, composition, or function of the resource; and may be extensive in context.

Effects could be

- **Direct:** A direct effect of an action
- **Indirect:** Resulting from the action, but separated by time or location
- **Cumulative:** Resulting from the incremental impact of the action when combined with other past, present, or reasonably foreseeable future actions.

2.2. Basis for the Finding

2.2.1. Compliance with NEPA

The proposed stewardship action consists of a variety of activities some of which could be categorically excluded from documentation in an Environmental Assessment (EA) or Environmental Impact Statement (EIS) (Federal Register 2003) and others that cannot be excluded from such documentation.

The Trust considered all the activities together in an Environmental Assessment to determine if their combined implementation could have a significant effect on the environment. The activities being proposed have similarities in their common timing and geography and therefore should be evaluated collectively (CEQ 2003) (§1508.25).

2.2.2. Effects on the Human Environment

Environmental Consequences

Effects were predicted to be minor to moderate in intensity. Effects that were moderate were anticipated to be beneficial and included localized measurable changes in vegetative species where wetland and riparian conditions were restored. Measurable improvements in stream bank conditions are also anticipated at restoration sites. The effects analysis and conclusions were prepared by qualified resource specialists and were based on a review of relevant scientific literature, as supported by site-specific, field sampled data, collected from 2002 – 2007.

Beneficial effects are expected to occur throughout the project area over time. Activities are routine road maintenance and actions that compliment the natural function of the stream to encourage restoration over time. Effects are not anticipated to significantly alter the environment or the way in which people interact with it.

Threatened and Endangered Species (Terrestrial and Aquatic)

The EA considered the direct, indirect, and cumulative effects to threatened, endangered, and sensitive species (including candidate species and species proposed for listing) and migratory birds. Effects to species and their habitats were anticipated to be beneficial and range from negligible to moderate. Moderate effects were predicted as wetland vegetative species were reestablished.

Cultural Resources

Based on the type and location of the proposed activities it is not expected that cultural properties would be affected. In addition, these activities would only occur following the completion of the Valles Caldera Trust Cultural Resources Clearance Process and Interdisciplinary Clearance process. If, through these reviews, cultural properties are located and it is determined that implementation of an activity could not occur without adversely affecting cultural properties than the activity cannot be implemented under the EA, findings or decision associated with San Antonio Creek Wetland and Riparian Restoration.

Socioeconomic Effects

There would be no effect to local, regional or other socio-economic conditions. The proposed action is not expected to directly or indirectly increase traffic, area use, or create any changes in local or regional activities. Any socio-economic or environmental effects will not be disproportionate to any individual or population.

2.2.3. Significance

In the regulations for implementing NEPA, CEQ provided 10 items that should be considered in the determining of significance with regard to intensity. These are:

- (1) Impacts that may be both beneficial and adverse – Both beneficial and adverse effects were considered and disclosed in the EA. Beneficial effects were not used to outweigh adverse effects in the overall determination of significance.
- (2) Public health and safety – No effects to public health or safety were anticipated as a result of implementing the proposed or alternative actions.
- (3) Unique characteristics of the geographic area – The unique characteristic of the landscape, cultural or historic resources and proximity to specially designated areas were considered. The proposed action is consistent with the enabling legislation of the Preserve. The action alternatives would not significantly change the natural or physical environment or the relationship of people with that environment, based on the current and designated uses.
- (4) The degree to which the possible effects on the human environment are likely to be controversial – The activities being proposed are commonly implemented and outcomes are generally accepted.
- (5) Uncertainty, unique or unknown risks – The activities being proposed are common practices recommended for restoration of wetland and riparian areas.
- (6) Setting precedent – The proposed action has been specifically framed to be consistent with current programs and activities.
- (7) Cumulative impact – The proposed and alternative actions consider past, present and reasonably foreseeable future actions. The analysis considered connected actions and similar actions that are likely to occur under the implementation of the multiple use and sustained yield of forage. In addition cumulative effects will be evaluated through the State of the Preserve, prepared every five years.
- (8) The degree of potential adverse effects or destruction of scientifically, culturally, or historically significant resources – no such effects are anticipated.
- (9) Adverse effects to threatened or endangered species – See 2.2.2
- (10) Compliance – The proposed action is consistent with federal, state and local laws and requirements.

3. Implementing Decision

Based on my review of the EA and subsequent comments, I find that the implementation of restoration activities described in the proposed or alternative actions or taking no action at all will not lead to direct, indirect, or cumulative effects that would be significant to the human environment.

It is my decision to implement Alternative B, the proposed stewardship action.

/s/ Dennis Trujillo

Dennis Trujillo, Preserve Manager

April 28, 2009

Date