United States Department of the Interior
BUREAU OF RECLAMATION
Albuquerque Area Office
555 Broadway NE, Suite 100
Albuquerque, NM 87102-2352

IN REPLY REFER TO:
ALB-702
2.1.1.04

April 30, 2025

VIA U.S. AND ELECTRONIC MAIL

Received 5/1/2025
HPD Log#125326

Ms. Michelle Ensey
State Historic Preservation Officer and Director
New Mexico Historic Preservation Division
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, NM 87501

Subject: Request for Section 106 Consultation for Proposed New Mexico Stream Commission's Albuquerque/Angostura Habitat Restoration Project, Priority-1 Sites in Bernalillo County, New Mexico

Dear Ms. Ensey:

The Bureau of Reclamation has authority for river channel maintenance on the Rio Grande between Velarde, New Mexico, and the headwaters of Caballo Reservoir. Reclamation monitors changes in the river and evaluates channel and levee capacity to identify river maintenance sites. At the request of the United States Army Corps of Engineers (USACE), this Section 106 consultation includes consultation for USACE. The federal action that requires this consultation is the issuance of a joint license agreement from the Middle Rio Grande Conservancy District (MRGCD) and Reclamation to the New Mexico Interstate Stream Commission (NMISC) to allow a proposed habitat restoration project to be constructed on Reclamation- and MRGCD-administered lands. The project is proposed by the NMISC, Rio Grande Bureau.

Proposed Action

The Proposed Action is a riparian and floodplain habitat restoration project intended to benefit the Rio Grande silvery minnow (RGSM) (*Hybognathus amarus;* RGSM) and other federally listed species that occur in the Middle Rio Grande including the section of the Rio Grande (river) between the Angostura and Isleta diversion dams. The NMISC proposes to construct 21 Priority I restoration sites with associated access roads and spoil piles, located within the Interstate 40 (I-40) subreach from river mile 181 to 186. The I-40 subreach project area is within the city of Albuquerque, in Bernalillo County, New Mexico. The restoration of the sites will result in 60.6 acres of surface disturbance, 50 spoil piles of up to 31.5 acres of surface disturbance, 0.22 acre of staging area, and 4.7 miles of new or widened roads and trails. Restoration techniques involving earthwork and grading activities include construction of backwater channels and bankline modifications, island destabilization, confluence maintenance, and removal of jetty jack lines. Restoration techniques not involving earthwork or grading activities include placement of large woody debris, removal of nonnative vegetation, and closures of unauthorized pedestrian social trails.

The proposed undertaking will entail ground disturbing activities and as such requires compliance with Section 106 of the National Historic Preservation Act (36 CFR 800, as amended). The legislation requires that federal agencies consider the effects that a proposed undertaking might have on historic properties. To comply with Section 106, an Area of Potential Effect of 103.77 acres was defined and

investigated by SWCA Environmental Consultants (SWCA) between January and February of 2025. Prior to their investigations, Reclamation found that the entire area had been surveyed multiple times. As such, Reclamation called for no new survey but required all known cultural resources be revisited and records updated. Additionally, Reclamation required the documentation of two levee segments and two segments of jetty jacks. The SWCA report will be sent under separate cover.

Cultural Resources

The cultural resource investigations resulted in the documentation of two known archaeological sites, two known archaeological sites that could not be relocated, and documentation of seven Historic Cultural Properties (HCPI). The two sites that were not relocated are Laboratory of Anthropology (LA) 138855 and 139208 have no further evaluation at this time. Both have previously been found "unevaluated" by the State Historic Preservation Officer (SHPO) and appear to be outside of the project area.

Resources that are recommended as eligible include LA 120397 (segment of the Atrisco Lateral), and LA 138860 (Atrisco Header and Diversion Works). Both have previously been found eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion A.

Resources that were revisited and recommended as unevaluated include HCPI 55093 (levee segment), HCPI 55094 (jetty jack segment), HCPI 55095 (jetty jack segment), and HCPI 55111 (levee segment). These will be discussed further below.

Resources recommended not eligible for inclusion in the NRHP include HCPI 31255 (building), HCPI 31256 (building), and HCPI 31257 (building).

Findings of Eligibility

Reclamation concurs, to a large degree, with the recommendations of eligibility presented in the SWCA report, with caveats presented in Table 1.

Table 1. Eligibility

Site/HCPI Number	SWCA Recommendation	Reclamation Finding
LA 120397	Eligible, Criterion A	*Eligible, Criteria A and C
LA 138855	Not relocated, Unevaluated	Unevaluated
LA 138860	Eligible, Criterion A	*Eligible, Criteria A and C
LA 139208	Not relocated, Unevaluated	Unevaluated
HCPI 31255	Not Eligible	Not Eligible
HCPI 31256	Not Eligible	Not Eligible
HCPI 31257	Not Eligible	Not Eligible
HCPI 55093	Unevaluated	**Unevaluated
HCPI 55094	Unevaluated	**Unevaluated
HCPI 55095	Unevaluated	**Unevaluated
HCPI 55111	Unevaluated	**Unevaluated

*Eligible under A and C because they are part of an undocumented historic district.
**The entire resource is likely eligible for inclusion in the NRHP under Criteria A and C as part of an undocumented historic district.

Findings of Impact and Effect

Reclamation finds that the two sites not relocated are likely outside of the project area, based on the observations made by SWCA. With the inclusion of these sites, Reclamation finds that there will be no impact to seven sites (see Table 2) and *no effect* to those sites.

Reclamation further finds that there will be direct impact to the remaining four project sites. Reclamation finds that there will be *no adverse* effect to these sites. The rationale behind this finding is that HCPI 55093 and 55111 (levee segments) there will be spoil placed at the base of the levees, on the river side. This soil, though slightly changing the original footprint of the levee bases, will actually help to further protect the original levee segments from erosion caused by overbanking. Regarding HCPI 55094 and 55095 (jetty jack Segments) the number of jacks to be removed is likely insignificant to the larger jetty field in the area.

Table 2. Impact and Effect

Site/HCPI Number	Impact	Finding of Effect
LA 120397	No impact	No effect
LA 138855	No impact	Site appears to be outside of the project area and there should be no effect
LA 138860	No impact	No effect
LA 139208	No impact	Site appears to be outside of the project area and there should be no effect
HCPI 31255	No impact	No effect
HCPI 31256	No impact	No effect
HCPI 31257	No impact	No effect
HCPI 55093	Direct impact	No adverse effect
HCPI 55094	Direct impact	No adverse effect
HCPI 55095	Direct impact	No adverse effect
HCPI 55111	Direct impact	No adverse effect

Upon review of the cultural resources report (sent via e-mail), Reclamation is seeking concurrence from your office with our eligibility determinations and finding of *no effect* at sites LA 120397, LA 138855, LA 138860, LA 139208, HCPI 31255, and HCPI 31256. Reclamation is also seeking concurrence from your office of *no adverse effect* at HCPI 55093, HCPI 55094, HCPI 55095, and HCPI 55111.

Please direct your questions and comments to Dr. John Cater of my office at (505) 418-6377 or email jcater@usbr.gov. As always, we look forward to working with you. Individuals who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services.

Sincerely,

SHARON WIRTH
Digitally signed by SHARON WIRTH
Date: 2025.04.30 10:31:30 -06'00'

FOR Jennifer Faler, P.E.
Area Manager

Concur with determinations of eligibility and effect.

Michelle Ensey
Digitally signed by Michelle Ensey
Date: 2025.05.19 14:16:47 -06'00'

State Historic Preservation Officer